

BIRMINGHAM CITY COUNCIL

CABINET

TUESDAY, 12 DECEMBER 2023 AT 10:00 HOURS
IN COMMITTEE ROOMS 3 & 4, COUNCIL HOUSE, VICTORIA
SQUARE, BIRMINGHAM, B1 1BB

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 APOLOGIES

To receive any apologies.

3 DECLARATIONS OF INTERESTS

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

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4 **MINUTES**

To confirm and sign the Minutes of the meeting held on 14 November 2023.

5 **EXEMPT INFORMATION – POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC**

a) To highlight reports or appendices which officers have identified as containing exempt information within the meaning of Section 100I of the Local Government Act 1972, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.

b) To formally pass the following resolution:-

RESOLVED – That, in accordance with Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of those parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information.

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6 **GOVERNANCE REVIEW OF BIRMINGHAM CITY COUNCIL BY CENTRE FOR GOVERNANCE & SCRUTINY**

Report of Director for Strategy Equalities and Partnerships

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7 **ORACLE PROGRAMME UPDATE**

Report of Director for Adult Social Care

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8 **SECTION 151 OFFICER UPDATE ON THE FINANCIAL POSITION OF THE COUNCIL – DECEMBER 2023**

Report of Director, Finance and S151 Officer (Interim)

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9 **EFFECTIVE COMMISSIONING OF DEBT**

Report of Strategic Director Adult Social Care

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10 **SECTION 75 AGREEMENT, POOLED/ALIGNED BUDGET ARRANGEMENTS 2023/25 – BETTER CARE FUND**

Report of Director for Adult Social Care

- 219 - 308** 11 **REGULATED ADULT SOCIAL CARE COMMISSIONING STRATEGY – HOME SUPPORT AND QUICK DISCHARGE SERVICES**
- Report of Director for Adult Social Care
- 309 - 418** 12 **CORPORATE PLAN 2022-2026: PERFORMANCE AND DELIVERY MONITORING REPORT**
- Report of the Director for Strategy, Equality and Partnerships
- 419 - 430** 13 **KEY DECISION PLANNED PROCUREMENT ACTIVITIES (JANUARY 2024 – MARCH 2024)**
- Assistant Director - Procurement
- 431 - 440** 14 **NON KEY DECISION PLANNED PROCUREMENT ACTIVITIES (JANUARY 2024 – MARCH 2024)**
- Report of Assistant Director - Procurement
- 15 **OTHER URGENT BUSINESS**
- To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

BIRMINGHAM CITY COUNCIL

CABINET MEETING TUESDAY, 14 NOVEMBER 2023
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MINUTES OF A MEETING OF THE CABINET COMMITTEE HELD ON
TUESDAY 14 NOVEMBER 2023 AT 1000 HOURS IN COMMITTEE
ROOMS 3&4, COUNCIL HOUSE, VICTORIA SQUARE, BIRMINGHAM, B1
1BB

PRESENT: - Councillor John Cotton, Leader in the Chair

Councillor Nicky Brennan, Cabinet Member for Social Justice, Community Safety and Equalities
 Councillor Liz Clements, Cabinet Member for Transport
 Councillor Jayne Francis, Cabinet Member for Housing and Homelessness
 Councillor Brigid Jones, Cabinet Member for Finance and Resources
 Councillor Mariam Khan, Cabinet Member for Health and Social Care
 Councillor Majid Mahmood, Cabinet Member for Environment
 Councillor Karen McCarthy, Cabinet Member for Children, Young People and Families
 Councillor Saima Suleman, Cabinet Member for Digital, Culture, Heritage and Tourism

ALSO PRESENT:-

Councillor Robert Alden, Leader of the Opposition (Conservative)
 Councillor Roger Harmer, Leader (Liberal Democrat)
 Councillor Ewan Mackey, Deputy Leader of the Opposition (Conservative)
 Stephen Arnold, Head of Clean Air Zone
 Professor Graeme Betts, Director, Adult Social Care (DASS)
 James Betjemann, Head of Enterprise Zone and Curzon Delivery
 Richard Brooks, Director, Strategy Equalities and Partnerships
 Deborah Cadman, Chief Executive
 Cheryl Doran, Assistant Director and CIO, Digital and Customer Services
 Maria Dunn, Head of Development Policy
 James Gregory, Head of Delivery, Digital & Technology Services
 Fiona Greenway, Interim Finance Director and Section 151 Officer
 Paul Kitson, Strategic Director of Place, Prosperity and Sustainability
 Paul Langford, Interim Strategic Director, City Housing
 Marie Rosenthal, Interim City Solicitor and Monitoring Officer
 Steve Sandercock, Assistant Director, Procurement
 Nikki Spencer, Lead Delivery Manager Digital & Customer Services
 Dr Justin Varney, Director of Public Health
 Lesley Williams, Senior Services Manager, Neighbourhoods
 Errol Wilson, Committee Team Leader

NOTICE OF RECORDING/WEBCAST

250. The Chair welcomed attendees and advised, and the Committee noted, that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.
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APOLOGIES

251. An apology for absence were submitted on behalf of Councillor Sharon Thompson, Deputy Leader of the City Council. Susan Harrison also submitted an apology for absence.
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DECLARATIONS OF INTERESTS

252. The Chair reminded Members that they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at the meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Any declarations will be recorded in the minutes of the meeting.

Councillor Saima Suleman declared her pecuniary interest in Agenda item 10 and left the meeting prior to the discussion of the item. Councillor Saima Suleman then returned to the meeting after the decision on the item had been taken.

MINUTES

253. **RESOLVED:** -

The Minutes of the meeting held on 5 October 2023, having been previously circulated, were confirmed and signed by the Chair.

EXEMPT INFORMATION – POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC

The Chair advised that the reports at Agenda items 8, 12, 14 and 15 contained an exempt appendix within the meaning of Section 100I of the Local Government Act 1972.

The Chair then enquired whether there were any matters that Members would like to raise on the exempt appendix that may affect the decision to be made or to ask for clarification on a point on the exempt appendix.

As there were no matters that Members wished to raise in relation to the exempt appendices, the Chair advised that the public meeting would carry on to consider the recommendations.

254. RESOLVED:-

That, in accordance with Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of those parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information.

SECTION 151 OFFICER UPDATE ON THE FINANCIAL POSITION OF THE COUNCIL – NOVEMBER 2023

The Leader introduced the item and drew the attention of Cabinet to the information contained in the report.

The Cabinet Member for Finance and Resources reiterated that we were in a challenging situation as a Council and will be considering all our options to deliver on the challenge we faced. The engagement with key stakeholders and the public will be key to show that we were taking these decisions in the interest of the people of this city.

The Interim Finance Director and Section 151 officer then drew Cabinet's attention to the report from the Commissioners page 18 of the report where we were required to submit a financial update to Cabinet on a monthly basis. The first of such report will be submitted to December's Cabinet and will be focussed on the latest financial position the in-year savings and progress against that timetable.

In response to questions and comments the Interim Finance Director and Section 151 officer and the Cabinet Member for Finance and Resources made the following statements:-

- a. Regarding the savings made for the period July 2023 to present this was about £31m of the £87m we were looking for. We have spent control in place and could see that there was a reduction in spend.

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- b. In terms of the query as to whether it was more than £200m it was likely that this could be more as detailed in the report, and this was acknowledged by the Commissioners. It was needed to build a contingency fund for those savings.
- c. With regard to the negative reserves and the rebuilding of the reserves these will need to be rebuilt but we were reviewing the whole of the reserves and balancing policy which would go through the Overview and Scrutiny Committee as well as Cabinet and Audit Committee as we needed to ensure that our balances were at the right level which was 4.5% - 5% of our net budget.
- d. Regarding the Council Tax levels we have forecast various levels and scenarios and the £200m was not set in stone. This would be part of the discussions with the Government around our exceptional financial support.
- e. Work had been undertaken on the HRA Business Plan and a report will be submitted to Cabinet in January as we were working loosely with the Commissioners on that one.
- f. With regard to not salami slicing things and doing service transformation we will need to do a bit of both as service transformation takes time to kick in and for those savings to be driven out. It will be a mixture of short term and one-off savings in order to get us to the point where we could do that followed by proper service transformation.
- g. In relation to project management the transformation programme was put in place following years of failure to deliver on the project management technical side of things. The transformation programme was supposed to ensure that these things were overseen and was driven through. We had gotten to the place that these savings were not delivered.
- h. We were charged by the Commissioners to look at what arrangement was being put in place of project management and other technical expertise going forward to ensure that these changes and savings were driven out this time.
- i. In terms of prudential borrowing one of the first things that the Leader and I did when we attended our first Capital Board was to request a review of how that worked to ensure we were getting the proper information for us to take informed decisions about.

The Leader commented that we were under no illusion as to the scale of the challenge we will need to rise to and was something this Cabinet would take collective ownership of in driving forward. It was also important that we have that degree of transparency over the scale of the issues and the progress we were making. The monthly reports coming to the Cabinet meetings would provide a regular rhythm of accountability was important, but it was also about how we engaged with partners and the people of this city. Issues around council tax and other matters will be part of that consultation as this needed to be done in partnership with the people of this city.

255. RESOLVED UNANIMOUSLY: -

That Cabinet:-

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- (i) Noted the current financial position of the Council as set out in this report;
- (ii) Endorsed the total Council savings target issued for the 2024/25 and 2025/26 financial years;
- (iii) Agreed to commit the Council to the delivery of a budget for 2024/25 which provides a robust plan to deliver against the savings target for the 2024/25 financial year; and
- (iv) Agreed to commit the Council to the delivery against the annual total savings target for the City Council over the next two financial years, 2024/25 and 2025/26.

LOCAL DEVELOPMENT SCHEME 2023-2026

The Leader presented the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

Cllr Alden queried the risk assessment – section 9 of the report had no likelihood or impact score against it, and it would be difficult for the risk to be monitored and prioritised. How was the Cabinet planning to prioritise and monitor the risks given there was no scoring system against them. Cllr Harmer referred to paragraph 5.3 of the report and enquired whether the work had been abandoned.

The Head of Development Policy noted Councillor Robert Alden's query concerning risk assessment and advised that in terms of the risk assessment we will add in some further information in relation to the likelihood and significance of those risks. The Head of Development Policy also noted Councillor Roger Harmer's comments regarding the Neighbourhood Plans and stated that there was currently none that had reached formal stage included in the local development scheme, but we were continuing to have conversations with some community groups. Local Neighbourhood Plans did not need to be included in the Local Development Scheme to progress, but should we get any groups that wanted them to progress we could do that. There have been discussions with Small Heath and Soho, but they sat in another planning team but would check on where those were. However, we could progress Neighbourhood Plans as they were community driven even if they were not specified in the Local Development Scheme.

The Strategic Director of Place, Prosperity and Sustainability commented that the risk assessment and risk mitigation the paper could be amended to reflect the scoring but most of the risks were contained in the Directorate Risk Plan and the management process which will be considered on a monthly basis by the department's management team meetings.

256. RESOLVED UNANIMOUSLY: -

That Cabinet:-

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- I. Approved the Local Development Scheme 2023-2026, as set out at Appendix 1 to the report to come into effect on 27 November 2023; and
 - II. Delegated authority to the Director of Planning, Transport and Sustainability in consultation with the Leader of the Council to make any minor typographical/graphical amendments to the Local Development Scheme prior to its publication.
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VOICE AUTOMATION

In the absence of the Deputy Leader, the Cabinet Member for Digital, Culture, Heritage and Tourism presented the item and drew the attention of Cabinet to the information contained in the report.

The Lead Delivery Manager Digital and Customer Services noted Councillor Ewan Mackey's queries and made the following statements:-

- 1) Not everybody will want to speak to a robot, and it was not going to be built in a way for Birmingham where we were going to force that channel shift. This was about enhancement and an additional offer over and above what we currently have. Financially we could not afford to continue handle the volume of calls and the increase in volume we were going to see.
- 2) The voice automation gave us an opportunity for customers if they wanted to report something to us outside of the core working hours. They could choose to report a missed bin collection, potholes or some of those day-to-day transactional services they could choose to do that at whatever time at nights to do so through an automated solution.
- 3) Not all services would be suitable for voice automation, and we have been careful about the services that we have identified for the proof of concept for the in-scope activity.
- 4) There was a robust monitoring system and a good reporting toolkit to ensure that the system we were looking to implement to see what the success rate was in handling the calls.
- 5) It could also be configured where people who were vulnerable and could not transact in the way through using that solution we could set a default setting to the client record so that they would not be offered an automated solution.
- 6) In terms of complying with the risk policy there was a robust risk assessment. There were other local authorities that were using this technology at the moment.
- 7) In any transactions whether it was someone handling the phone calls or whether they were automated, there was a risk of data protection in every transaction we do. The technology would be built in such a way that those security measures were checked up front so that people could not by-pass the system.
- 8) Unfortunately, we will never be 100% safeguarded against fraudsters, but if somebody picked up someone's personal details and transact with it that could happen in an automated way or human transactions. We have the appropriate measures in the contact centres to be able to respond to that.

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- 9) Regarding the voice being used sessions were being held with our citizen's panel across a diverse range of different community groups. We also have had a number of councillors, staff and employee sessions to test the technology and look at the functionality and what could work, what areas could be in-scope and will do a wider communication subject to approval being granted so that people know what was happening in that space.

The Director for Strategy Equalities and Partnerships advised that at the core of the proposal was a significant potential savings and we were looking at saving £2.8m per annum if the system was tested and implemented successfully of which £1.5m was accrued to the general fund. It was a meaningful impact on our overall financial situation and a form of technology we could extend to other areas of service. The points about risk was noted and this was the reason there was a stage approach to this phase and then to return to Cabinet with the outcome of that test phase before proceeding to the full implementation. We were in a data rich environment and the customer contact centre took two million calls per year and we have metrics on all those calls. This would further enrich our data gathering.

257. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- (i) Noted the findings and insights of the Customer Service Programme and EAP, from the Discovery phase as detailed in the report, to inform and validate the riskiest assumptions, specifically but not limited to, realisation of the potential 30% financial efficiency, which has been capped below the EAP's average 50-60% efficiency rate in order to validate the benefit realisation opportunities demonstrated by the initial automation proof of concept pilot, before committing to full implementation of a voice automation solution;
- (ii) Noted by bringing forward voice automation implementation, whilst the discovery work confirmed the technical operability of voice automation and the existing telephony platform (contract end June 2024), any procurement activities would need to ensure a requirement for voice automation forms part of the scope;
- (iii) Approved the forecast implementation budget of £1.75m, as defined in the report, to invest to save the flexible use of capital receipts to deliver a full voice automation solution with potential to realise a saving of c.£240k (gross, full year effect) / 30% efficiency;
- (iv) Approved the drawdown of £250k through flexible use of capital receipts as approved by the Section 151 Officer of the forecast £1.75m full implementation budget to deliver an initial voice automation proof of concept pilot phase with the defined group of services to demonstrate the value and benefits of the solution; and
- (v) Delegated authority to the Director for Strategy Equality, Strategy & Partnerships, the Assistant Director Development and Commercial or

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their delegate in conjunction with the Chief Finance Officer or their delegate, and the City Solicitor or their delegate, to approve the procurement strategy and selection of successful bidder(s) following the conclusion of the tender process and to execute the necessary contractual documentation to effect this outcome.

TRAILBLAZER 100% BUSINESS RATES RETENTION AGREEMENT FOR THE WEST MIDLANDS

Councillor Brigid Jones, Cabinet Member for Finance and Resources introduced the item and drew the attention of Cabinet to the information contained in the report.

258. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- a. Noted the performance to date of the existing West Midlands 100% Business Rates Retention pilot (summarised in Section 3 of the report);
- b. Approved the Memorandum of Understanding (MoU) with Government regarding the offer of 10-year, 100% Business Rate Retention for the West Midlands, in accordance with the Trailblazing Devolution Deal (summarised in Section 4 of the report) on the basis that it offers a broad continuation of the principle of full Business Rate retention which has financially benefitted the Council to date. This approval is required by the end of November 2023 to enable this deal to proceed;
- c. Authorised the Interim Director of Finance (Section 151 Officer) to sign the MoU on behalf of the Council;
- d. Authorised the Interim Director of Finance (Section 151 Officer) to approve the local No Detriment agreement that is to be agreed with the other Constituent Local Authorities of the WMCA, as described in paragraph 4.10; and
- e. Noted that the provisional value of WMCA share, which is confirmed on an annual basis, will be agreed by the Section 151 Officers for WMCA and the West Midlands authorities to help place the Combined Authority on a sustainable financial footing, as set out in paragraph 4.4.6 of the report.

PRIVATE RENTED SECTOR PATHFINDER PROGRAMME GRANT 2023-25

The Cabinet Member for Housing and Homelessness introduced the item and drew the attention of Cabinet to the information contained in the report.

The Senior Services Manager, Neighbourhoods noted Councillor Robert Alden's comments regarding paragraph 2.1.2 and advised that in relation to the funding breakdown there was more detail in the project proposals as agreed

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with the Department for Levelling Up, Housing and Communities (DLUHC). They were happy with the level of spend and we were looking to get agency staff in to undertake the enforcement work to ensure they hit all of the performance targets we were expecting. The risk to that was every local authority was now looking at a small resource of enforcement officers to undertake this work. The Government agreed the principles and realised that we were not going to get officers in on fixed term contracts to be able to do the work. The level of funding we have been given was based on the fact that we would be using agency staff to carry out those inspections. We have got a number of performance indicators and we will be monitored monthly and quarterly by Government and would be feeding this back to the Council's leadership team.

The Senior Services Manager, Neighbourhoods also noted Councillor Roger Harmers query concerning the Energy Performance Certificate (EPC) and retrofit grants and stated that the point was well made. She added that the whole purpose of the scheme was to educate, encourage and then enforced. We were not going with a view to straightforward enforcement but would be speaking with landlords and tenants to enable them to be aware of their responsibilities. A lot of sustainability was build on the back of the project proposals.

Councillor Robert Alden requested that Members be sent a copy of the breakdown referred to in paragraph 2.1.2 following the meeting. The Cabinet Member for Housing and Homelessness undertook to arrange for this to be done.

259. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- (i) Authorised the acceptance of the relevant Private Rented Sector Pathfinder Project funding in the amounts for 2023-24 of £900,000 and 2024-25 of £900,000;
- (ii) Authorised the expenditure programme set out in Appendix 1 of the report; and
- (iii) Authorised the City Solicitor and Monitoring Officer (or their delegate) to negotiate and complete any agreements to give effect to the above decisions.

CLEAN AIR ZONE VEHICLE SCRAPPAGE AND MOBILITY CREDIT SCHEME – RECOMMENDATION TO EXPAND SCOPE OF THE SCHEME

The Cabinet Member for Transport presented the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

The Cabinet Member for Transport noted Councillor Roger Harmer's comments in relation to the Shared Car Club scheme and stated that in principle she was in agreement with his comments concerning the attractiveness of the car

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sharing scheme. This was a way that had changed people's mobility and we already had co-wheels which was popular and had received a lot of enquiries from residents who would like to see that expanded and was something we should be considering. It was also needed to reflect on the level of households within the Clean Air Zone (CAZ) who did not have access to a vehicle which was over 50%.

The Head of Clean Air Zone stated that the Shared Car Clubs were a viable alternative and the residents who had responded to the survey were provided with the option. As part of that it was explained to them what a Shared Car Club could be in terms of getting across the benefits to them. At this stage the mobility credit offer was one with specifically through the Transport for West Midlands. In the future subject to demand the scope of the mobility credit scheme could be expanded. The overall funding package we had for the original vehicle scrappage alternative credit scheme was £10m. The remainder of the under utilised budget will remain to support the low-income workers within the CAZ and they would be able to benefit from this enhanced offer.

260. RESOLVED UNANIMOUSLY: -

That Cabinet:-

1. Approved the creation of a CAZ residents vehicle scrappage and mobility credit scheme as part of CAZ Mitigation M1a;
2. Approved the allocation of up to £4.000m of CAF Grant Funding in support of the scheme;
3. Delegated approval of a Full Business Case (FBC) and related reports, including any revised financial appraisal and a detailed risk register for the named scheme to the Strategic Director of Place, Prosperity & Sustainability in conjunction with the Interim Director of Finance, and in consultation with the relevant portfolio holder; and
4. Authorised the City Solicitor and Monitoring Officer to execute, seal and complete all necessary documentation to give effect to the above recommendations.

SWANSHURST SCHOOL - APPROVAL FOR THE AWARD OF A GRANT FOR CAPITAL WORKS FOR CURTAIN WALLING REPLACEMENT

The Cabinet Member for Children, Young People and Families presented the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

261. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- a. Approved the project costs for the replacement of the Curtain Walling works at Swanshurst School at a total project cost of up to £1,400,000;

- b. Approved the Full Business Case appended to the report;
- c. Approved the award of a grant payment for the sum of £1,400,000 for the replacement curtain walling to Swanshurst School; and
- d. Authorised the City Solicitor and Monitoring Officer to negotiate, execute and complete all necessary documents to give effect to the above recommendations.

DRAFT BIRMINGHAM PHYSICAL ACTIVITY STRATEGY - CREATING AN ACTIVE BIRMINGHAM

The Cabinet Member for Health and Social Care presented the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

The Cabinet Member for Health and Social Care noted Councillor Harmer's comments on the timing of the consultation and advised that the plan was for the consultation to take place over a period of seven weeks and if the decision was approved today this would commence on the 20 November 2023 – 15 January 2024. She added that it was important to keep moving forward when it came to the usual business of things we were doing within the Council and did not want any further delays to this important piece of work that so many people were involved in.

The Cabinet Member for Health and Social Care further noted Councillor Alden's comments regarding the stakeholder lists and schools and advised that we worked with schools on our Food Strategy consultations and would do the same thing with schools concerning this strategy. This will also include the ask of engaging with parents too. The community groups were also linked in but if there were any gaps these would be picked up.

The Director for Public Health stated that it was important that as a Council we continue to sow seeds whilst we also fight fires. The reality of the impact of inactivity on our city in the burdens of health disease and preventable mortality was significant. The question was if not now when. He added that he had engaged with the Interim Finance Director and Section 151 Officer to ensure we considered the consultation timeline. Within the 7 weeks window assuming Cabinet approved this today we should be coming to the tail end of our consultation before the big consultation on the budget started.

We have already in the co-design of this strategy in the pre-consultation phase worked extensively with the voluntary and community sector and many of those sat under the Physical Activities Forum chaired by Councillor Clements. This was a broad partnership which linked to organisations like Witton Lodge who led work on social prescribing for the NHS that had a key role to physical activities.

262. RESOLVED UNANIMOUSLY: -

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That Cabinet gave approval to consult on The Creating an Active Birmingham Strategy 2024 – 2034, as set out in the cover report and appended documents.

TECHNOLOGY ROADMAP – CRITICAL INVESTMENTS 2023-24

The Cabinet Member for Digital, Culture, Heritage and Tourism introduced the item and drew the attention of Cabinet to the information contained in the report.

The Assistant Director and CIO, Digital and Customer Services noted Councillor Mackey's comments concerning risks and advised that where there were short term risks these were placed in the must do discoveries. This allowed us to be ahead of the curve in terms of ensuring we had procurement in place and a plan for the ones that were risky. We have not asked for the money up front, we asked for discovery so that we could plan what we were doing and then come back at a later date with a clearer plan that we could be more transparent. Given that inflation was decreasing in terms of the technology cost we were hoping to get a better deal and to take advantage of some of the innovations by deferring them.

A brief discussion then ensued and it was

263. RESOLVED UNANIMOUSLY: -

That Cabinet:-

1. Noted the investment rationale in light of the current spend control position across the Council, provided in section 4;
2. Noted the projects and investments that have been paused and/or deferred, totalling £15.763M in Appendix D in light of current spend controls;
3. Approved the investment required to maintain our technology estate and deliver the Must Do Immediate Implementations priorities of £8.006M in section 4. Individual spend items will be required to go through spend control approval processes in place within the Council for further scrutiny and challenge before expenditure is committed;
4. Approved the investment case to develop a business case for secondary Must Do Discovery Activity of £0.789M in Section 4. The outcome of the discovery activities may provide a further report to Cabinet in early 2024 outlining any further investment driven from these activities. Individual spend items will be required to go through spend control approval processes in place within the Council for further scrutiny and challenge before expenditure is committed;
5. Approved the investment request for the items Digital and Technology Services (DTS) have identified as Should Do requirements of £1.87M in section 4. Individual spend items will be required to go through spend

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control approval processes in place within the Council for further scrutiny and challenge before expenditure is committed; and

6. Delegated authority to the CIO to raise orders to the value approved (£10.664M) to implement the required changes once individual items have been through spend control and approval processes in place within the Council for further scrutiny and challenge.

KEY DECISION PLANNED PROCUREMENT ACTIVITIES (DECEMBER 2023 – FEBRUARY 2024) AND QUARTERLY CONTRACT AWARDS (JULY – SEPTEMBER 2023)

The Cabinet Member for Finance and Resources introduced the item and drew the attention of Cabinet to the information contained in the report.

Councillor Robert Alden referred to the Children and Young People’s Travel Framework Agreement for Agency Passengers Assist, the new framework went live on the 1 November but there were some crossover in companies being awarded a place and also with companies being awarded a place on the Transport Framework. He sought clarification if someone was on both frameworks how did that allowed for the direct awards in terms of competition. The Cabinet Member for Children, Young People and Families undertook to provide Councillor Alden with a response.

264. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- a) Approved the planned procurement activities as set out in Appendix 1 of the report and approved Chief Officer delegations, set out in the Constitution, for the subsequent decisions around procurement strategy; and
- b) Noted the contract award decisions made under Chief Officers delegation during the period July 2023 – September 2023 as detailed in Appendix 5 of the report.

APPOINTMENTS TO OUTSIDE BODIES

The Leader presented the item and drew the attention of Cabinet to the information contained in the report.

265. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- (i) Agreed the replacement of Cllr John Cotton (Lab) with Cllr Nicky Brennan (Lab) on the Regional Employers Board for the remainder of the term i.e. 14 November 2023 until 25 June 2024; and

Cabinet Committee – 14 November 2023

- (ii) Agreed the replacement of Cllr Mariam Khan (Lab) with Cllr Jayne Francis (Lab) on the Retail Birmingham Limited (Trading as Central BID) for the remainder of the term i.e. 14 November 2023 until 25 June 2024.
-

OTHER URGENT BUSINESS

The following item of urgent business was considered:

ADDITIONAL GRANT FUNDING FOR THE TYPHOO BUILDING REDEVELOPMENT

The Leader presented the item and drew the attention of Cabinet to the information contained in the report.

Councillor Alden referred to paragraph 2.1 of the report and sought a breakdown (to be provided outside the meeting) of what the £11.7m was earmarked against reserved things and what were unearmarked reserves. He further referred to paragraph 3.3 of the report and enquired what the plan was for any of the cost increasing and whether they were obliged to be picked up by the developer or whether they were at risk of further calls on the public purse on a later date of the development. Whether BBC has now signed the lease; paragraph 7.3.3 where does the risk lie given the Council was now the accountable body if they could not meet their repayment.

The Head of Enterprise Zone and Curzon Delivery advised that in terms of the BBC agreement that had been signed and sealed so the last thing was to go unconditional with the funder which would take place following this. As this was coming out of reserves then the issue of the business rates and its relationship with the grant was no longer there. The risk for the Council and the Enterprise Zone as those rates were not performing as we were expecting them to did not apply anymore.

266. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- (i) In its role as Accountable Body for the Enterprise Zone (EZ), approved funding of £2.3m to fund the provision of grants to SDL to facilitate the delivery of the former Typhoo Building redevelopment. This will be funded from existing resources within the EZ programme, currently £11.7m in reserves as at 31 March 2023;
- (ii) Approved additional EZ grant funding of up to £0.099m to fund City Council project related costs which will also be funded from the existing resources within the EZ programme;
- (iii) Approved the additional EZ grant of up to £2.3m to be awarded to SDL to provide funding for the increased project viability gap for the redevelopment of the Typhoo Factory in line with the Full Business Case (FBC) approved by Cabinet on 2 April 2023;

Cabinet Committee – 14 November 2023

(iv) Noted that £1m of the grant funding will be repayable to the Enterprise Zone should development in future phases on the site be sold before 31 December 2029 and scheme achieves above a developer's profit return above 15%;

(v) Noted that the business rate growth associated with the development will be retained by the programme up to March 2046 and reinvested into other EZ projects;

(vi) Authorised the City Solicitor and Monitoring Officer to negotiate, execute, seal and complete all necessary documents in connection with the above recommendations.

The meeting ended at 1137 hours.

.....
CHAIRPERSON

Birmingham City Council

Cabinet

12 December 2023



Subject: Independent Review of Governance

Commissioner Review

The CfGS report is another useful piece of evidence in scoping the total range of activity required to be incorporated into the Improvement and Recovery Plan required by the Direction regime. The response to its findings needs to be considered in that context. This report, together with the work that Colin Copus is undertaking, need to be taken into a comprehensive action plan which deals with the Council, its constitution, and the way in which both Members and Officers work within it. Whilst cultural change is always difficult and requires time to embed, it is clear that action needs to be taken immediately to bring to an end very poor practice. The Council does not have the luxury of time to address these matters so the proposed timescale in the report seems generous. A fully articulated proposal needs to be developed for inclusion in the IRP which demonstrates its links to other elements that need review.

Birmingham City Council

Cabinet Addendum

12 December 2023



Subject: Independent Review of Governance

Addendum / Correction Sheet

The Centre for Governance and Scrutiny have advised of an error in the report presented as the item on the Independent Review of Governance.

A typographical error in a sentence in a bullet point against section 4.2.3 of the report currently begins:

“However, aligned with the evidence we have gathered that Cabinet Members do not, in the round, have regard to Council business that comes under their direct purview [...].”

This sentence should instead read

“However, aligned with the evidence we have gathered that Cabinet Members do not, in the round, have regard to Council business other than that which comes under their direct purview [...].”

The Centre for Governance and Scrutiny have advised,

“We sincerely apologise. We have separately advised Group Leaders of this error, noting that it was the basis of an exchange at Full Council in recent days. We have undertaken a check of other changes made as part of the proofing process and are confident that the remainder of the material presented to Cabinet is accurate and in order.

“For the avoidance of doubt the intention in this sentence was to observe that Cabinet members have a grip of matters which sit within their own portfolios, but that an awareness of other portfolio areas and of the potential for cross-cutting issues to arise was not apparent. This is a conclusion that is reflected correctly elsewhere in the report.

“We regret this mistake.”

Birmingham City Council

Report to Cabinet

12th December 2023



Subject: Independent Review of Governance

Report of: Deborah Cadman, Chief Executive

Relevant Cabinet Member: Cllr John Cotton, Leader

Relevant O & S Chair(s): Cllr Sir Albert Bore, O&S Coordinating Committee

Report author: Paul Clarke, Assistant Director (Programmes, Performance, and Improvement)
paul.clarke@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 This report presents the findings of an independent review of governance at Birmingham City Council undertaken by the Centre for Governance and Scrutiny (CfGS).
- 1.2 The Cabinet is asked to accept the findings of the CfGS report, and the recommendations and actions contained within the Stabilisation Plan developed jointly by CfGS and Birmingham City Council which are attached as appendices to this report. The findings and recommendations will inform elements of the overall Improvement and Recovery Plan currently being developed under the Directions of the Secretary of State's intervention under Section 15(5) and (6) of the Local Government Act 1999.

- 1.3 The CfGS report identifies a number of governance and cultural issues within the Council which need to be addressed. Some of these will need an immediate response, and the ‘Stabilisation Plan’ at Appendix B attached sets out recommendations and immediate actions that support the short-term stabilisation of governance at the Council. These are intended to be implemented immediately while actions for longer-term improvement are agreed with CfGS and Commissioners and incorporated into the overall Improvement and Recovery Plan.

2 Recommendations

- 2.1 Cabinet is asked to:
- 2.1.1 **Accept the findings made by the Centre for Governance and Scrutiny (CfGS) contained in the report attached at Appendix A.**
 - 2.1.2 **Agree the recommendations and planned actions contained in the Stabilisation Plan attached at Appendix B.**
 - 2.1.3 **Note that the findings and recommendations from the review will inform the Council’s overall Improvement and Recovery Plan. This will include actions and measures of success and impact that respond to areas for improvement identified within the CfGS report.**

3 Background

- 3.1 In July 2023 the Council commissioned the Centre for Governance and Scrutiny (CfGS) to carry out an independent review of governance. The review was commissioned following a request from the Department of Levelling Up, Housing and Communities (DLUHC) Minister Lee Rowley MP. The Council was asked to consider an independent review to provide assurance that action was being taken to remedy the governance issues identified in reports from the DfE SEND Commissioner, Housing Ombudsman, and various Local Government & Social Care Ombudsman Public Interest Reports.
- 3.2 The purpose of the review was to assess key governance issues identified in those various external reviews and judgements, the Council’s response to them, and to recommend actions to further improve governance at the Council. The scope of the review was agreed with DLUHC Local Stewardship Team officials, and was based on the themes of:

Theme	Areas of focus
Leading effective governance	Clarity of Vision and priorities Understanding of roles and responsibilities Culture and understanding
Enabling and supporting good governance	Robustness of processes and practice Support services and functions Levels of assurance and compliance

Financial Governance	Capacity and skills Financial management and budget oversight Financial risk management
Improving governance and decision making	Customer focus Stakeholder engagement Learning from external review and challenge

3.3 It was agreed with the Department of Levelling Up, Housing and Communities (DLUHC) that the Council should also ask the Review to provide observations on any governance issues that contributed to specific challenges the Council was facing at the time, including the implementation of the Oracle ERP system, responding to potential equal pay liabilities, and the non-compliance against Regulator for Social Housing (RSH) consumer standards which led to the current period of 'intensive engagement' with the Regulator.

4. The context for the Review

4.1 The CfGS review took place during August to November 2023, during which time the context for the Review changed and evolved significantly:

4.1.1 Ongoing activity to agree an approach to achieve pay equity, culminating in a decision at an Extraordinary Full Council meeting on 12th October 2023.

4.1.2 The issuing of 2 notices under Section 114 of the Local Government Finance Act 1988 during September 2023, and a Section 5 report issued by the Monitoring Officer.

4.1.3 Statutory Recommendations issued on 29th September 2023 by the Council's External Auditors, Grant Thornton under Schedule 7 of the Local Audit and Accountability Act 2014. The recommendations related to equal pay, oracle implementation, financial pressures, governance and management capacity, and statutory accounts 2020/21, 2021/22, 2022/23.

4.1.4 Government intervention: On 19th September 2023, DLUHC indicated that the Secretary of State was considering exercising the powers of direction under sections 15(5) and (6) of the Local Government Act 1999 in relation to the Council and its compliance with the best value duty. This was followed on 5th October by the appointment of Commissioners and announcement of the Directions.

4.2 The CfGS report does not provide a detailed commentary or diagnosis of these developments and events, but the review and its findings and observations have inevitably been informed and influenced by this changing context. Given the ongoing activity to stabilise Oracle and agree a pay equity approach, it has been difficult for the review to comment extensively on those live issues.

5. Key Findings from the Review

5.1 The findings of the CfGS review are presented via a report comprising a summary of key observations (Appendix A).

- 5.2 The report sets out CfGS' assessment of the Council's governance. It recognises that the Council is in an '*exceptionally difficult situation*' and the immediate challenge continues to be '*dealing with the shocks to its finances which emerged in the spring and summer of 2023*'. It suggests that the Council's current governance and financial challenges have not been caused by any single issue.
- 5.3 The report suggests that the Council is aware of its weaknesses, which have been identified by a range of both corporate and service-specific reports and evaluations. The report concludes that these interventions have had limited impact on the root causes of the Council's governance issues. It is important that the Council now seeks to tackle these fundamental issues, and in doing so assures itself and its partners that it has grip on the immediate steps it has to take.
- 5.4 The consequences of these wide-ranging issues have had a profound impact on the Council not functioning as one organisation. When approaching challenges including expenditure and risk management the Council has not worked collectively to identify priorities from a whole council perspective. Decision-making and oversight needs careful review to ensure the relevant members and officers are involved at the appropriate time.
- 5.5 The report concludes that the causes of the corporate governance failures cited are multi-faceted, but that at the core is a problem of culture and behaviours, including a failure of individual and collective accountability and responsibility. The report refers to some of the key aspects of the culture and behaviours as follows:
- Low levels of trust between officers and members, a deep-seated blame culture, and a lack of commitment to basic principles of probity and good conduct.
 - A defensive culture where there is difficulty in speaking up about bad news, and confusion and disagreement about who owns and "controls" data and what it says.
 - A member focus on operational activity, which has developed into negative behavioural trends around member-officer relationships as officers find their freedom to carry out operational duties is constrained by heavy direction and oversight.
 - Unwritten rules trumping corporate processes, due to governance systems that are inconsistent and/or only as reliable as the data provided and the people who operate them.

- 5.6 The report concludes that the multifaceted nature of the causes and symptoms of the Council's corporate governance failures make the situation facing the Council unique. This distinctiveness will demand a unique solution on governance stabilisation and improvement. It is clear the solutions the Council adopts will need to be ones that are framed around changes to culture and behaviours: *'This will not be about dramatically changing the structures and systems... but changing the attitude, mindset, and mentality of people across the Council in coming together to tackle what are cross-council problems.'*
- 5.7 The report recognises that some positive changes have already been implemented but concludes that current actions may not be sufficient to address the significant challenges facing the Council. It does however say that recent actions by the Council, including asserting more grip over projects and programme management, and on improvement overall *'gives rise to an expectation that sustained improvement may be possible in a way that has previously eluded the Council.'*

6. Responding to the review - next steps

- 6.1 The report includes a Stabilisation Plan jointly produced by CfGS and which was designed to stabilise and strengthen governance within the Council over the next 6 months. It captures the recommendations made by CfGS and the Council's response to them, in terms of current, planned, or proposed activity. The report also sets out the need for longer term improvement activities which will be incorporated into the Improvement and Recovery Plan. The Council is committed to working with the CfGS and Commissioners to develop these activities.
- 6.2 The recommendations for immediate action made by CfGS are listed below. The Council is already responding to some of these recommended actions, and this is summarised within the Stabilisation Plan attached at Appendix B:
- 1. Refocus corporate attention and priorities on ensuring safe, legally compliant, and fairly delivered services to local people*
 - 2. Begin work to reframe values and expected behaviours*
 - 3. Develop and publicise a set of baseline behavioural standards for members and officers*
 - 4. Review the Constitution*
 - 5. Reframe the scrutiny work programme to focus on the Council's improvement and recovery priorities*
 - 6. Strengthen working relationships between the Chairs of Scrutiny Committees and the Chair of the Audit Committee to lead and direct the function*
 - 7. Put in place new arrangements for the support of the internal audit function, the audit committee, and the links between audit and scrutiny*
 - 8. Design, and begin to put in place, new risk & information management arrangements – with an initial focus on member accountability*
 - 9. Put in place robust arrangements for members' oversight of the development of the 2024/25 budget and MTFS*

- 10. Integrate action on external auditors' recommendations into wider practice*
- 11. Continue to rebuild relationships with external partners*
- 12. Put in place proportionate arrangements to manage governance and decision-making in the context of the role of Commissioners*
- 13. Modernise systems and practices in Scrutiny and Committee Services.*

7. Options considered and Recommended Proposal

- 7.1 To accept the findings and recommendations and use them to inform the Council's overall Improvement and Recovery Plan:
 - 7.1.1 This is the recommended option as the findings and recommendations are designed to support the stabilisation of governance issues at BCC over the next six months and to act as the basis for further improvement.
- 7.2 Not to accept the findings and recommendations
 - 7.2.1 This is not recommended as this would reject key findings and would prevent the implementation of actions designed to strengthen and improve the Council's governance, and to tackle some of the identified causes of the current governance related issues.

8. Consultation

- 8.1 The Review carried out by the CfGS included engagement with a variety of elected members, officials at all levels of the organisation, and other stakeholders. This included more than 40 interviews with senior members of staff, elected members and representatives from trade unions, and a range of focus groups including with members and officers from different levels of the organisation.

9. Risk Management

- 9.1 The findings will be integrated into risk management process for the improvement and recovery plan.

10. Compliance Issues

10.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 10.1.1 The CfGS findings and recommendations are designed to help the Council achieve its aims and priorities including those set out in the Corporate Plan. The recommendations will be incorporated into the improvement and recovery plan.
- 10.1.2 The findings and recommendations within this report aim to strengthen the Council's governance to better support and enable the Council to deliver against its 5 key priorities e.g., for Birmingham to be a Bold Prosperous, Inclusive, Safe, Healthy and Green Birmingham.

10.2 Legal Implications

10.2.1 The Council must ensure that robust governance arrangements are established and kept up to date, supported by effective mechanisms for control and risk management to comply with its various legal and statutory responsibilities to ensure that public funds are properly protected, and council services efficiently delivered. This Review and delivering on the recommendations in the report will guide the council in achieving this.

10.3 Financial Implications

10.3.1 In principle, none of the recommendations in this report directly cost the Council money. However, once implementation plans have been developed to deliver the recommendations, these may have associated costs. Consequently, any additional spending requests will need to be approved through the Council's current system of spending controls.

10.3.2 However, in practice, a strong governance structure is the single most important way that this Council (or any Council) can assure itself and its residents that it manages public money effectively. CIPFA defines governance as "the arrangements in place to ensure that an organisation fulfils its overall purpose, achieves its intended outcomes for citizens and service users, and operates in an economical, effective, efficient and ethical manner." (The Role of the Chief Finance Officer in Local Government, CIPFA)

10.3.3 In their 2020 report *Addressing cultural and governance failings in local authorities: lessons from recent interventions*, the Department for Levelling Up, Housing and Communities (DLUHC) stated that based on their experience of supporting and sometimes intervening in local authorities experiencing difficulties, 'it has become clear that culture and governance at a local authority is key to its success or failure.'

10.3.4 For good governance to function well, an organisation must encourage and facilitate a high level of robust internal challenge. This will contribute to the financial sustainability of the organisation and evidence the right cultural approach.

10.3.5 The recommendations for improvement within this report seek to offer such improvements.

10.4 Procurement Implications (if required)

10.4.1 No significant procurement implications were identified.

10.5 Human Resources Implications (if required)

10.5.1 No significant Human Resources implications were identified.

10.6 Public Sector Equality Duty

10.6.1 There were no identified significant impacts on any group or protected characteristic.

10.7 Environmental and Sustainability Implications

10.7.1 No significant environmental and sustainability implications were identified.

11. Appendices

11.1 Appendix A: CfGS Report

11.2 Appendix B: Stabilisation Plan

12. Background Documents

None

Independent governance review

Produced for Birmingham City Council

Main report

Centre for Governance and Scrutiny

November 2023

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1. Introduction

1. In July 2023, the Centre for Governance and Scrutiny was selected by Birmingham City Council to carry out an independent governance review through a competitive tender process. The Council commissioned this work in response to a request by DLUHC.
2. The review’s purpose was to summarise key governance issues and assess current and planned action to respond to them with an aim to;
 - support the continued improvement of governance at Birmingham City Council;
 - help the Council provide assurance to a range of stakeholders (internal and external) that it has an understanding and grip of the governance issues cited in recent external reviews; and
 - has appropriate actions (current and planned) to address these issues.

It was designed to cover the following themes and areas of focus:

Theme	Areas of focus
1. Leading effective governance	<ul style="list-style-type: none"> • Clarity of vision and priorities • Understanding of roles and responsibilities • Culture and understanding
2. Enabling and supporting good governance	<ul style="list-style-type: none"> • Robustness of processes and practice • Support services and functions • Levels of assurance and compliance
3. Financial Governance	<ul style="list-style-type: none"> • Capacity and skills • Financial management and budget oversight • Financial risk management
4. Improving governance and decision making	<ul style="list-style-type: none"> • Customer focus • Stakeholder engagement • Learning from external review and challenge

3. Since the work was commissioned the landscape for improvement at the Council has changed significantly. On the 5th September the interim Director of Finance (and Section 151 Officer) issued a section 114 notice. On the 19th September 2023 the Secretary of State wrote to the Council’s Chief Executive, notifying her that he was minded to intervene in the Council’s management through the appointment of Commissioners. Finally, on the 21st September 2023 the Monitoring Officer issued a section 5 report, which triggered a second Section 114 notice.
4. This report does not seek to provide a running commentary on these events. Instead, it attempts to understand the nature of improvement in governance at Birmingham through a focus on answering a comprehensive set of questions as set by the Council’s original specification.
5. Through exploring those questions, we have been able to identify both symptoms and root causes of the Council’s current governance challenges and chart a path towards improvement.

About the people carrying out this work

6. The Centre for Governance and Scrutiny (CfGS) is a charity that provides support, advice and guidance to a range of public and private sector organisations on matters relating to local governance. CfGS has a particular specialist practice in carrying out detailed governance reviews and evaluations of local authorities in England, and in creating and helping to implement plans for improvement in councils experiencing failure or serious governance challenges.

The structure of this report

7. This main report comprises a summary of what we have learned from our evidence-gathering exercise and is organised to reflect the four main themes that we have been asked to investigate.
8. The report supports a stabilisation plan – which focuses on practical actions that can be undertaken between now and April 2024, and which has developed by CfGS and the Council together.

Acknowledgments

9. We would like to thank those people who we interviewed, one to one and in focus groups, for their frankness and candour.
10. We would also like to thank the Birmingham City Council officers who supported us in carrying out this work, during a period of exceptional unpredictability – in particular, Paul Clarke, Amerdip Kaur, Michelle Webb and Georgia Bough.

2. Methodology

1. This review was designed to investigate Council governance – the internal systems and processes which exist to support effective decision-making by members and officers, and the oversight of that decision-making. The review was not a general one of Council effectiveness. It was not designed as a broader exercise to explore the Council’s wider improvement challenges, although it is closely connected to that work. The methodology for the work has therefore reflected that focus.
2. Our plan for undertaking the work consisted of 5 stages:
 - **Stage 1 - Insight conversations** - initial orientation and diagnosis through insight conversations with a range of officers and members, and a detailed desktop review of evidence drawing from a wider range of internal and external documentation.
 - Over 80 conversations took place, either through one to ones, or in focus groups discussions.
 - Our desktop research involved looking at the external reports, evaluations and interventions that Birmingham has had in recent years (the most influential of these having been the Kerslake Review in 2014). We also carried out a review of plans, policies and processes and observations of council meetings. Documents included past and present improvement plans, internal procedures, as well as the agendas, minutes and reports and observing several recent Council meetings, via webcast
 - **Stage 2 - Governance journey mapping** - exercises for Oracle implementation, equal pay, housing improvement, and the Council’s approach to SEND. This has involved reviewing; the steps taken through the formal governance system, who has made decisions, and what information has been shared with members to facilitate the making of those decisions.

This exercise has not been a substantive review of the decisions themselves but an investigation into the specific governance issues involved in those matters. This stage also included developing a “theory of action”, which we explain in more detail in section 3.
 - **Stage 3 - Reviewing behaviour change** - exploring what change and any actions to improve, will look like. Informed by action learning activities undertaken with a range of officers and members. This involved the production of a “blueprint for change”, which reflects our theory of action and which is set out in section 3.
 - **Stages 4 and 5 - Improvement planning** - drafting of plans for improvement and their implementation.

Triangulating evidence

3. We have gathered a large amount of evidence as part of this review. An important part of the exercise has been to triangulate this evidence. When someone told us something in an interview, or when we read something in a document, we have tried to find separate evidence (ideally, from multiple sources) to corroborate that evidence.

4. A lot of the focus of our work is on behaviour and culture, which means that a lot of the evidence relating to this is subjective – it is about people’s responses, reactions and perceptions of things. Just because a lot of people think something does not necessarily make it true. We have used our own judgement, based on a significant amount of research and through having carried out similar work in other councils, to reach conclusions about how evidence best fits each other.
5. In carrying out this work, we also have been aware that others are also actively overseeing work to stabilise and improvement governance at the Council.
6. The process of evidence gathering was, by necessity and design, limited to individuals within the Council. We expect that the planned “local inquiry”, being developed by DLUHC, will provide an opportunity to gather evidence from a wider range of local stakeholders.

The form that our recommendations take

7. We have worked with the Council to produce a stabilisation plan. This is presented as a separate document. It is informed by the theory of action and blueprint for change set out in section 5 of this report.
8. The Council is currently confronting several challenges that warrant strategic actions, tailored to two distinct timescales. We are proposing a structured, two-phase approach to navigate through these challenges:
 - Stabilisation Phase: Effective immediately until April 2024. The plan, set out in section 4, is focused on this phase.
 - Improvement Phase: Commencing post-April 2024. We consider that improvement activities for the medium and long term will need to be developed, over the coming months, as part of the wider exercise to build an Improvement Plan for the Council.

Stabilisation Phase (From now till April 2024): Ensuring Stability and Balance

This period is a period of stabilisation where the emphasis will be on the delivery of a balanced budget in 23/24, the preparation of a balanced budget for 24/25, and the agreement of that budget and a Medium-Term Financial Strategy.

There is also the need for the Council to develop and agree an Improvement Plan, which will need to be in place six months following the arrival of Commissioners.

Actions undertaken during this period will need to lay the groundwork for future improvements through;

- a. Risk Management Reform: Refine systems for identifying, managing, and escalating risks.
- b. Enhanced Member Oversight: Increase the precision and impact of member oversight practices to assure proportionality and focus.
- c. Addressing Behavioural Issues: Initiate strategies to challenge and rectify poor behaviours among officers and members.
- d. Setting Cultural Foundations: Begin instilling foundational shifts to pave the way towards an evolved organizational culture.

Improvement Phase (Post-April 2024): Charting the Path Forward

Active improvement at the Council – long term improvement – can only begin once the current crisis has been overcome. This is why our more extensive actions are ones that

we consider can only be taken in spring 2024. This is when the Council's deeper improvement journey will begin.

Both phases are integral to navigating through the current challenges and steering the Council toward a stable and improved future. This approach ensures that immediate pressures are managed efficiently while setting a solid foundation for consistent, long-term enhancement in the subsequent phase.

Clearance and accountability

9. We have shared emerging findings from this work with the Council at key points in the evidence-gathering process – usually at the end of each stage. Our findings remain our own. The Council, and people within it, have made no attempt to influence or change those findings, other than to correct errors of fact. Any errors that do remain are the authors' own.

3. Overview

1. This report is the product of an independent governance review into Birmingham City Council. It is focused on four specific areas, which we treat in depth in the next section.
2. Birmingham City Council is in an exceptionally difficult situation. The immediate challenge continues to be dealing with the shocks to its finances which emerged in the spring and summer of 2023. This high-profile evidence of crisis is a symptom of a wider and more fundamental set of issues around;
 - how decisions get made by the Council,
 - how members and officers work together to make those decisions and – critically
 - how information and insight is used to support that decision-making.
3. As it attempts to tackle these more fundamental issues, the Council needs to assure itself, and its partners, that it has the grip on the immediate steps that it has to undertake to act on matters on which previous governance issues have emerged, often through previous external reviews.
4. External assurance has in particular been sought on action to recover from issues highlighted in three main areas, into which we have conducted “journey mapping” exercises, intended to review how, in what form and by whom certain decisions have been made:
 - Oracle, where procurement of a new enterprise resource planning (ERP) system for the authority has suffered a significant failure;
 - Equal pay, where substantial new liabilities for the Council emerged earlier in 2023;
 - Housing, where significant, adverse regulatory findings from Government earlier in 2023 arose from failures in housing repairs, and in dealing effectively with complaints.
5. The extent to which the Council has been able to put in place arrangements to recover and improve these issues demonstrates its potential capability in tackling its wider improvement needs. We have therefore used these issues as case studies to inform our judgement on those wider issues, as well as determining whether adequate arrangements are in place to improve on these matters specifically. In carrying out this work we note that the Council’s external auditor Grant Thornton is undertaking its own review of some of these issues, and that the planned “local inquiry” instigated by Government is also planning an in-depth review on the same matters. As such, while our findings are informed by research into these issues, we are not presenting detailed standalone analysis on them.
6. Overall, the Council is aware of its weaknesses. It has been subject to a range of both corporate and service-specific reports and evaluations over the course of many years. In the main these interventions have had limited impact on the root causes of the Council’s governance issues. The Kerslake Review highlighted these weaknesses in 2014, and an Independent Improvement Panel (BIIP) was put in place by Government. This remained in Birmingham for just over four years, monitoring the council’s implementation of Lord Kerslake’s recommendations.
7. Birmingham’s current governance, and financial challenges have not been caused by any single issue. The impact of more than a decade of funding cuts has had substantial effects on the Council’s ability to adapt to new needs and realities. On its own, however, austerity cannot explain how and why Birmingham is in this critical position. Similarly, other factors, highlighted to us in interviews as key causes of the Council’s current situation, do not tell the

whole story. The Council's size, the failure to effectively implement Oracle, its lack of awareness of its equal pay liabilities, and its hosting of the Commonwealth Games are all relevant considerations – but no specific one of these present a root cause of failure.

8. Problems cannot, either, be put down solely to difficult relationships between the Council and trades unions, or tensions in member-officer relationships. All those issues, significant though each of them is, combine with others to create the very serious conditions facing the Council today. The multifaceted nature of the causes, and symptoms, of Birmingham's corporate governance failures make the Council's situation unique – this distinctiveness will demand a unique solution on governance stabilisation and improvement.
9. These issues we reflect are symptoms of a wider problem relating to governance and accountability – which, to date, remains largely unaddressed even though the Council, and others, have been aware of it for some time. It is at its core a problem of culture and behaviours – a failure of individual and collective accountability and responsibility.
10. The result is that the Council does not function as one organisation. While recent improvements in the capacity and capability of the “corporate core” have helped to provide a sense of common purpose at the top of the organisation, the Council largely continues to operate as a collection of individuals, and groups of individuals, holding motivations and objectives which sometimes align with the corporate interest of the authority, but frequently do not. Team working exists – and there is some productive, cross-cutting work in some areas. However, as a norm, there is not a “whole council” approach to identify priorities for the authority, to manage expenditure, to understand and manage risk, and to ensure that the right people are involved in decision-making and oversight, in the right way and at the right time. It has long been known that the Council has a “silo working” culture, and substantial work has been undertaken recently to strengthen the capacity and capability of the Council's corporate core. But more profound cultural, and behavioural, change is necessary for these efforts to be sustained.

What do we mean when we talk about the “corporate core” of the organisation?

Much of this report focuses on the current and future role of the “corporate core”, or “corporate centre” of the organisation. For us, this means:

- Legal services;
- The finance team;
- Officers working in democratic services and scrutiny;
- Officers carrying out corporate, and corporate-facing, activity around:
 - project and programme management;
 - performance management;
 - equality, diversity and inclusion;
 - data and analytics;
 - community engagement, participation and consultation;
 - organisational development;
 - digital services (including attitudinal and culture facets to the Council and local people's relationship with technology, rather than operational ICT provision);
 - communications, both internal and external.

These functions should all be considered strategic functions of the authority, and as tools by which the Council can effect change.

Some of these services are provided within the Strategy, Equalities and Partnerships (SEP) Directorate. Our comments and recommendations should not be seen as a suggestion that

the Council should reorganisation or restructure these services, or that the only place that some of this corporate activity is – or should be – in the corporate centre. But these functions have a key role in supporting service departments to set and model effective behaviours and good governance – and in developing awareness and capability in these corporate issues themselves. Thereby embedding an understanding of these disciplines within service departments, rather than assuming that it is the corporate core's exclusive duty and responsibility to drive new behaviours in these areas.

Change is happening...

11. There is an understanding that governance needs strong grip, and at pace, to improve. Arrangements are being put in place to bring about that improvement. There is progress on systems such as the prioritisation of work, and there is a stronger focus on the use of data and information to build the Council's corporate capacity.
12. Some of these improvements are recent, so have had little time to bed in – for example;
 - spend controls that have only been in place for a matter of months – and which will be temporary, meaning that the need to rebuild strong financial systems is critically important;
 - more effective ways of working for Corporate Leadership Team (CLT), which has adopted a more rigorous approach to performance assurance;
 - an improved framework of operation for both the Audit Committee and the Council's overview and scrutiny committees, which suggest a shift in the right direction but need to be further expanded and developed;
 - improvements such as to project and programme management at a corporate level, that have been in place for less than two years and are beginning to have some impact.
13. Many of the changes that we see happening are focused on the corporate core, and the upper levels of management in the organisation.
14. There is now better understanding that some of the historic issues, are deep and systemic – and are not solved with one big idea, one team or an isolated plan. Therefore, these recent, positive changes will all contribute to the next steps taken to stabilise, and improve, the Council's governance.

...But needs to go further

15. As it stands, action to improve is only going so far. The Council currently lacks the capacity and capability to do more, and to do it more quickly, delivering the change that everyone knows is needed. The pressure to maintain council services in the here and now, in the face of immediate financial and other challenges, is taking up a substantial amount of headspace for councillors and officers.
16. This means, too, that the prospects for sustained improvement on the issues identified by our three journey mapping exercises is also uncertain. Credible plans exist for recovery and improvement. In another authority, and in another context, we would agree that they look credible and robust. We cannot point to deficiencies in how recovery plans have been designed and on the rigour of the management systems in place to provide oversight and accountability. In fact, we note that recent actions by the Council, led by CLT, to assert more grip over project and programme management, and on improvement overall, gives rise to an expectation that sustained improvement may be possible in a way that has previously eluded the Council.

17. But the general weakness in the Council's culture around improvement, and its limited capacity overall, cast doubt on whether those plans can be delivered without further action to change, and change fundamentally, the way that the Council operates. The same is true of the risk of similar significant problems occurring in the future. We have confidence that some of the most profound flaws in the management of issues relating to Oracle, equal pay and housing may have been mitigated had the Council's recently-established arrangements for programme and project management, and performance management, had been fully in place at the outset of those projects. But even so, problems with culture and attitude would still have placed their delivery at significant risk.
18. This is in part because the current structure and processes in place to manage stabilisation and improvement, and to facilitate good governance overall, are not sufficient. They do not take enough account of the challenges and complexity the council faces and, some of the poor behaviours, in respect of culture and practice, that surround aspects of decision making and oversight. Solutions will need to reflect how people, culture and processes interact. The Council, corporately, is beginning to understand this complexity and its ramifications, but has further to go. We have drafted a stabilisation plan which, we consider, reflects a realistic approach on what should be possible, and what is possible. This, and a wider blueprint for change, is informed by a "theory of action" on Council improvement.

The reality of today

19. The Council has a range of overlapping cultures, some negative and some positive. We set out what we consider some of the most prominent to be in section 3 of this report. For the purposes of this overview we would set some of the key cultural challenges as being:

Low levels of trust

20. Trust, between members, between officers, and between members and officers, is low. The Council is beginning to understand the scale of the "organisational development" challenge that it faces, which may result in a sense of common purpose and direction. But there remains a deep-seated blame culture at the Council which limits frank, candid conversations about emerging risks, and which encourages an aversion to change. This blame culture is accentuated by poor behaviour across the board, and a lack of individual and collective commitment to basic principles of probity and good conduct.

A difficulty in speaking up and about, and hearing, bad news

21. Part of this is about the Council's history of information management. There is confusion and disagreement about who owns and "controls" data, and who controls what that data says. In a defensive culture, there is little incentive for officers to pass "bad news" up through the organisation, for members and more senior officers to consider and resolve. This has also hindered the Council's ability to meaningfully respond to external review, challenge and scrutiny. When bad news is escalated, its urgency is often diluted, and downplayed (by both members and officers), with the focus being to reassure the wider organisation (and external stakeholders) than to take clear actions to mitigate problems. The prevailing assumption is that risk can be minimised through increased activity – more reports, more meetings – rather than by the questioning of assumptions and bringing in a broader range of insights and perspectives into the decision-making process.

Unproductive member focus on operational activity, which has developed into actively negative behavioural trends around member-officer relationships

22. This tendency may be part of the reason why many members consider that they cannot trust officers to reliably report emerging concerns to them. But members also have a responsibility

to make their objectives clear and to specify the right ways that they expect to oversee and direct. As things stand, members' tendency to focus on operational detail means that they are absent from the strategic spaces that they ought to be occupying. It also creates an oppressive environment for many senior officers, who find that their freedom to carry out their operational duties is circumscribed by heavy member direction and oversight.

23. The situation connects with the practice of both officers and some members, past and present, circumventing the correct and proper approach to decision-making and governance by discussing and agreeing highly operational actions, out of the view of senior officers and in a way that acts in direct defiance of the constitution. While this practice is not widespread, it is a substantial presence, resulting in a confused decision-making atmosphere, and an environment in which basic standards (and conventions around roles and responsibilities) are significantly undermined. This is compounded by unorthodox formal systems for member and officer delegation in the constitution. It is further exacerbated by the poor relationship between the Council and trades unions, which we discuss in more detail below.

Unwritten rules trumping corporate processes.

24. For members, attempting to oversee large areas of council operation will be a frustrating experience. The Council has heavy processes, systems and policies around the management of performance, finance and risk – and for project and programme management. Governance systems around major projects are exceptionally vigorous and appear to contain many fail safes. However, these systems are inconsistent and are only as reliable as the data provided and the people who operate them. This has meant that some historic change and transformation activity has been unable to make a difference to underlying cultures and behaviours. Furthermore, that change activity has not engaged with the significant problems that exist on member behaviours, and member-officer relationships.
25. These problems have had serious consequences in the realm of financial governance, despite attempts to reassert grip on spending controls and to rebuild the control environment.
26. This reality – and the presence of the cultures set out in this section and in more detail in section 4.1 below – is what gives us doubt that the Council will, without further significant change, be in a position to meaningfully recover its position on Oracle, equal pay and housing repair. Quite apart from anything else, the scale of the Council's current financial challenge means that it has very limited capacity; dealing with one problem of this magnitude would be a challenge. The urgency and scale of all three present real difficulties.

Solutions

27. It is telling that some of the challenges we have identified were also identified by the Kerslake Review nearly a decade ago – challenges which a wide spectrum of actions undertaken over several years were meant to have eliminated.
28. The solutions that the Council adopts will need to be ones that are framed around changes to culture and behaviours. This is because effective behaviours are key to good governance, and improvements to governance will not be possible unless and until those behaviours are addressed. For this reason our recommendations for change will be informed by the seven characteristics of good governance which form part of the CfGS/Localis "Governance risk and resilience framework".
29. Solutions will need to reflect Birmingham's distinctive context – as England's largest local authority, with delivery responsibilities, and service complexity, which is an order of

magnitude greater than most other councils. This report sets out what some of those changes should be.

30. We think that changes, when agreed and put in place, will be able to lead to a situation where a pathway to sustained improvement on Oracle, equal pay and housing repair can be found. This will not be about dramatically changing the structures and systems involvement in those plans for improvement, but changing the attitude, mindset and mentality of people across the Council in coming together to tackle what are cross-Council problems. This “whole council” approach is currently beyond the Council’s capabilities, but it is within the Council’s grasp, if the approach it takes towards the improvement needed is sufficiently meaningful.
31. The chapter below breaks some of our high-level findings down into more detail, ordered by each of the four themes we were asked to investigate.

4. Findings

This chapter is divided into four parts, each reflecting one of the four themes which we were asked to investigate. Our subheadings are derived from the specific questions that we were asked to answer in our agreement with the Council.

4.1 Leading effective governance

This part of our work looked at:

- Clarity of vision and priorities
- Understanding of roles and responsibilities
- Culture and understanding

4.1.1 Clarity of vision and priorities.

1. The Council (both members and officers) have a strong sense of the authority's vision and priorities. The Council has a Corporate Plan and the usual systems for delivering that plan, against which performance indicators and delivery milestones (which form part of a Corporate Performance Report) are regularly reported to Cabinet, and other bodies such as scrutiny. The Corporate Plan is "mission-led" – it sets out six "grand challenges" that the Council is seeking to address and frames the response to those in the form of five strategic outcomes.
2. It is a clear vision, and an ambitious one. Our interview evidence has highlighted that Birmingham suffers from an optimism bias in how it goes about its business. It sets itself tough tasks – often based on a clear-eyed assessment of local need – but sometimes lacks the member and officer leadership, and organisational capacity and capability, to deliver those tasks. As a council, Birmingham finds it difficult to prioritise – in part because there is no clear sense of collective purpose within the organisation. Prioritisation involves making tough choices about what the Council can, and cannot, do. This is a strategic activity that should be, but is not currently, led by members.
3. In a council with a strong grip on prioritisation and focus, a mission-led model for identifying key priorities can provide a foundation for transformative change. Where this focus does not exist, the breadth and long-term nature of missions can make it easy to conceive of everything as a priority.
4. The Council is often unable or unwilling to make hard choices. Members are unwilling to make the strategic decisions that would provide clarity on priorities – officers are focused on day-to-day delivery of a range of complex services, and often lack the headspace and time for reflection that would allow them to make an active contribution to these high-level issues.
5. There is a strong sense, shared by many of our interviewees, that the organisation's focus, direction and vision had improved recently. In the past two years, the Council has undertaken work to enhance the capability of its corporate core. But, as we will go on to set out, without wider "whole council" action on change it will be difficult to effect transformation, and a rigorous approach to prioritisation, from the centre.
6. The Council's primary focus, as it stabilises its work, will need to be on ensuring safe, legally compliant and fairly delivered services to local people. This will need to be informed by the missions in the current Corporate Plan.

4.1.2 Understanding of roles and responsibilities

1. A confusion in mutual roles and responsibilities between members and officers has led to an environment where responsibility and accountability have become diffuse. In this environment, individual and collective responsibility – the sense that key people hold specific duties within a governance framework that consistently assigns ownership and responsibility to the right people at the right time – are weakened.
2. This presents itself through:
 - **A lack of effective member leadership on high profile, business-critical issues.** In some cases, decisions are made, but are not stuck to by the Council as there may not be the right kind of member, or officer, buy-in at the right level. This has, historically, led to a degree of drift in some projects and priorities. For example, efforts to modernise and improve the Council’s finance functions and processes lost momentum after the Council secured its 3* CIPFA finance rating; additionally, the embedding of culture change through the Council 2018-2022 Workforce Strategy was not followed through effectively. Now, the Council has in place more rigorous programme and project management functions within the corporate core, which have brought accountability and oversight to the highest profile work. In a more general sense, Cabinet meetings involve heavy agendas and many decisions, resulting in very little time being taken by members in interrogating the matters they need to interrogate. Meaningful strategic discussions have been largely absent – although we recognise that these do sometimes happen in more informal spaces. Importantly, where strategic conversations do happen, they seem to happen in a way that is disconnected from operational reality;
 - **A lack of effective member oversight on these issues.** In a strong and effective governance framework, we would expect to see the Audit Committee, the Standards Committee and overview and scrutiny committees collectively contributing to a culture of robust oversight – of member-led activity, and of officer-directed delivery to local people. We would expect strong Cabinet grip on these matters as well. While there is some evidence of forensic work being carried out by some members – and by probing questions being asked in some spaces – difficulties in the access and use of information by these bodies, and the scattergun nature of their work, minimises the impact of this important oversight, regulatory and scrutiny activity. Scrutiny committees, in particular, are not focused and co-ordinated in how they develop their work programmes – although there is evidence of good work, too much activity is poorly aligned with the organisation and the wider community’s needs;
 - **Poor quality member-officer relationships.** We were told by a large number of interviewees that “top table” relationships were poor. In some areas, and in respect of certain key statutory matters, member-officer relationships have functionally broken down, although action is being taken to arrest this trend. The situation has been exacerbated by the Council’s recent financial challenges, but there has for some time been a sense of mistrust between officers and members, even at the highest levels. We discuss this in more detail in the next section;
 - **Poor information flows.** Because the questions of “who has oversight”, “who leads” and “who decides” have opaque and inconsistent answers, it means that the clear management of information to support decision-making and oversight roles is not always present. Improvements have been recently made through the expansion in capability of the SEP Directorate (including the work of the Programmes, Performance and Improvement (PPI) Division), whose capacity has been augmented to exert grip on major

projects, and to put in place a more consistent and holistic performance framework. However, the Council's cultural challenges mean that:

- information gathered through these new mechanisms is not always reliable, or is of low quality, or are not the most pertinent metrics or measures
 - information gathered may tell only a partial story, which may be subject to an optimism bias on the part of reporting officers (see below);
 - where information is made available that presents a narrative that could be seen as negative, there is a risk that service departments or others with lead responsibility can explain this away. Where this could be challenged (for example, by members) often the skills and capabilities have not been in place that would allow the evidence-based challenge of these narratives.
- **Access to information by members is inconsistent.** Often, members do not receive the information they need in the right way at the right time. This is partly due to members not clearly articulating their needs and expectations and being proactive about those needs. It is also partly due to an unreasonable member appetite for large amounts of information on operational detail – and the use of that information as a way to attribute blame for perceived failure. This has led to a defensive attitude within the organisation about the way in which members are provided with information, and a tendency on the part of officers to want to control that information flow.

4.1.3 Culture and understanding

Cultures present in the organisation

1. There are multiple cultures in place at the Council. Many people, for example, told us about the presence and perception of a “blame culture” – something which the Kerslake Review identified in 2014 and which still persists. Some of the more negative cultures and behaviours are:
 - **A blame culture.** Where problems, or failures, occur, the fault for these failures are placed on single individuals. Where this coincides with these individuals leaving the organisation, it provides the Council with an opportunity to claim that, with the departure of those individuals, the problem has been resolved. More worryingly, the acknowledged presence of a blame culture can often lead to poor behaviour or conduct not being called out, because people do not want to be seen as part of the blame culture. This situation is exacerbated by the tendency to focus unduly on the individual accountabilities of key individuals, which we discuss below;
 - **Focus on the individual accountabilities of key people.** Key people – especially at corporate level – are seen as having unique individual responsibility and grip on matters of critical organisational importance. Exclusive personal ownership of projects and programmes is common. This attitude is seen as an important element of accountability, but it serves to load responsibility onto individuals when it should be recognised that a wide range of people hold collective and interdependent responsibilities – particularly for cross-cutting issues. This attitude also influences the role of Cabinet members. Cabinet members hold leadership on issues within their portfolio, but are generally less aware than they ought to be of the matters on which their colleagues lead, making the identification of cross-cutting issues more difficult. Overall this leads to a fragmented environment for political accountability. A focus on the capabilities and roles of a few individuals – particularly at senior member and officer level – removes agency and responsibility from officers working in service departments. It also creates problems for business continuity (and ownership of major projects over time), because when important individuals leave the organisation or change roles, progress can falter through lack of

leadership. Overall, this attitude has given rise to the impression that – if and when things go wrong – it should be down to the individual “in charge” to resolve those issues – working against the need for people in large organisations to collaborate. Finally, it serves to give the impression within the organisation that certain tasks and projects are simpler than they are (which connects to the Council’s optimism bias, discussed below);

- **A corporate core disengaged from services.** Birmingham is an unusually large council; its corporate core is proportionately smaller than that at other councils, despite recent investment. There has been improvement in the past two years, with the creation of a more dynamic corporate centre, particularly in respect of functions such as corporate strategy, performance, programme and project management. But the work of these services is significantly hindered by the disconnect between these corporate functions and the Council’s service departments. Service departments – and many Assistant Directors (ADs) – do not feel a sense of “whole council” responsibility – so long as their services are, in their view, being delivered well. There is little sense of mutual support – and challenge – to improve. We consider that the key strategic functions within this core will in some instances need to be retooled as “changemaking” functions, supporting and challenging the rest of the organisation to improve, and for this to happen will require a widespread shift in attitude that will be challenging to deliver;
- **Silo working.** The Council does not operate as an “organisation” in the sense of being a group of people with a shared purpose. Instead, it is a selection of individuals, and groups of individuals, with overlapping priorities and objectives. In recent months, the capacity and capability of CLT to recognise and grip these issues has increased, but the scale of the task is significant. It has been identified (by Kerslake and other external reports, as well as by the Council itself) that the authority operates as a collection of silos. It has been a central theme for a lot of recent change activity, including successive iterations of the Workforce Strategy.
- **Optimism bias.** We have noted that the Council – particularly when planning major pieces of work, and major projects – will undertake detailed planning and research in support of its plans for change. This often results in plans which are over-optimistic. The Council does not take account of external factors or the risk of unexpected issues in how it works, and consistently overestimates the capacity and capability of its staff to effect change. This means that swift improvement in services can be possible – and has been delivered in certain places – but that improvement often proves difficult to sustain in the face of other pressures. This attitude has proven particularly corrosive with regard to long-term, systemic pressures facing the Council, such as equal pay and Oracle;
- **The tendency to wish to control and minimise bad news.** This links with the Council’s optimism bias. As and when things go wrong, the prevailing attitude held by officers – and by members in leadership positions - is to reassure and minimise the presence of problems. This was a particularly visible feature of the Oracle implementation. Often, this is because people in positions of responsibility think, in good faith, that the situation can be recovered. When failure becomes impossible to ignore, the organisation quickly sets out a plan for improvement and recovery, designed to provide the organisation (and members in particular) with reassurance that the matter is being managed and controlled. However, this immediate move to demonstrate proactivity can prevent the Council considering the lessons it needs to learn from the experience. This attitude has contributed to members’ general mistrust of officers, and the information that officers bring them. It has been a feature in recent member interactions on Oracle, equal pay and housing, where members consider that previous officer advice has minimised the existence of problems;

- **Dismissive culture and behaviour around performance and finance.** All of the above issues influence and inform how the Council uses information on performance, finance and risk to inform its work. Corporately, there is a maturing understanding of the need for reliable and high quality management information – systems are in place to provide oversight over major issues. We think it likely that if those current arrangements had been in place historically, serious concerns around Oracle, and housing repairs, in particular would have been identified and arrested sooner. However, culture and behaviour in respect of performance, finance and risk still do not exist in a way that is supportive of those new processes. There should be greater consistency around the way that concerns on these matters from councillors and officers at all levels in the organisation are gathered, understood and escalated. Members have contributed to a degradation of the environment on these issues through a disjointed approach to their oversight on highly operational issues, which takes the organisation’s focus away from a more systematic, evidence-based view of performance across all the Council’s services. The poor quality of member audit has also contributed to an environment where there has been little meaningful member ownership of the Council’s financial challenges;
- **Lack of ownership and leadership on risk.** Members (including members of Cabinet and members sitting on the Audit Committee) do not understand, own, manage or oversee risk effectively. Some individual members are aware of the need for risk to be more central to their approach, but across the member cohort more generally this understanding is absent. While the authority’s corporate systems and approaches for assessing risk, and escalating concerns, have been poor, there has also been an lack of curiosity on the part of members on risk issues, and a lack of proactivity in articulating basic expectations of what members’ strategic roles should be in respect of risk management. In our view this connects to members’ overall tendency to focus on operational matters, without understanding the cross-cutting links between those matters that may reveal the presence of systemic risks. By acting in this way, the importance of risk as a strategic framework within which the authority can properly understand its pressures and constraints has become minimised;
- **A disregard for probity and ethics around the relationships needed for good governance.** This attitude is not nearly as prevalent as the others we have mentioned but is much more challenging. We have heard about significant member overreach into matters of operational detail – sometimes formally, and sometimes informally. In particular, we have heard credible evidence from multiple sources of individual members from across the Council seeking to directly instruct junior officers on the delivery and management of operational services, without the knowledge of more senior managers and in defiance of agreed priorities, in a way that significantly undermines the governance framework. We have heard that because of their personal connection to key councillors, some officers are considered “untouchable”, able to work and operate as they please – something which has caused huge problems for officer-officer relations. We have also heard that the relationship between the Council and its recognised trades unions is particularly poor – both because of challenges over equal pay but also a fundamental difference in assumption and attitude around the proper role that trades unions should have in the life and work of the authority, leading to substantially different practices around governance and decision-making in different parts of the council. We consider these comments credible because they came from a very large number of interviewees, spontaneously and without prompting.

2. There are examples of the presence of more positive cultures within the authority.

- **Self-awareness.** Most of those to whom we spoke had a clear sense of the Council's weaknesses. Individually, people could articulate those weaknesses and failures – and felt a sense of personal responsibility for them. The past few months seem to have been transformative for many individual attitudes – although we are in no doubt about the scale of the cultural and behavioural task ahead;
- **The beginnings of more meaningful cultures of collaboration.** Although much of the evidence that we have gathered has described an organisation that is atomised, in terms of attitude and behaviour, there are signs of internally-led cross-cutting working to achieve change. The members of CLT works better together, thanks in part to external support. Corporate systems are becoming stronger – although significant work is needed for them to more meaningfully inform work across the Council;
- **A will to improve.** The reality of intervention has catalysed a will to improve. In some councils at this stage on the intervention and improvement journey, a sense of fatalism can become dominant – and both members and officers can feel overwhelmed with the scale and nature of the needed change. At Birmingham there is a clearer sense of the need to improve, and a sense of hope about improvement. That hope must however be tempered with realism about the scale of the task ahead, and in particular the scale of the Council's cultural challenges – given the Council's optimism bias;
- **A commitment to local people.** There is a profound commitment on the part of both members and officers to local people. Part of the problem that the Council has experienced is that the Council has been trying to do a great deal to support local residents – its ambition has (as we note above) been palpable and the issue has been that it has lacked the capacity and capability to deliver on this ambition.

How these cultures have informed the relationship between the Council and trades unions

3. A significant barrier to good governance is the poor relationship between the Council and trades unions. The Council, corporately, is unable to manage these relationships. In part this is because at an operational level Council-TU links appear to operate as a variety of personal connections, rather than as formal Council-union dialogue. TUs' relationship with councillors, in particular, present a significant barrier in the Council's ability to take clear and consistent management action.
4. It is right that unions play a robust role in advocating for their members' interests and supporting them to exercise and articulate their rights as employees. However, it is not reasonable for trades unions to expect that they will play an active part in ordinary management processes, such as granular work on the development of job descriptions, and job evaluation. Previous attempts at service restructures have been derailed both because the Council and Unions relationships are so poor and because there has been an expectation from some quarters that TUs should be consulted formally on even the smallest changes, leading to inertia where important business change activity has needed to be carried out.
5. The relationship between the Council and trades unions is highly variable at both a corporate and service level. In recent years, structures for TU-Council dialogue have been put in place which are atypical for a local authority, and which impinge significantly on effective operational, managerial decision-making. Arrangements at both corporate and directorate level have seen an unusual breadth of TU involvement in a range of management decision-making.
6. More recently, the Council has sought to limit the operation of these structures and arrangements. The Council has recognised that TUs – although important representative bodies – are not a substitute for the need for management-led engagement with staff, particularly given that not all staff are union members. The Council has established separate

arrangements for staff engagement (with a particular view to engaging staff holding protected characteristics).

7. This is a rational and justifiable approach. It has however caused problems with the ongoing TU relationship. TUs see themselves as having been disenfranchised by a restriction in communication and engagement, which they see as limiting their rights to represent their members effectively.
8. In part, this is because the Council has been unwilling to formally articulate that it wants to redesign structures for TU consultation and engagement because it fears the response. This dynamic is closely connected to the erosion of the Council/TU relationship as a result of ongoing equal pay negotiations.
9. Many senior officers feel that trades union activists, or officials, subject them to sustained pressure, in some cases amounting to intimidation, on matters such as discipline, conduct and working practices, and that close relationships between unions and certain members are used to enforce this.
10. We have not seen evidence that this behaviour is led by or sanctioned by individuals in leadership positions in union branches, but we do consider these views to be credible given that some of this intimidation has happened at formal council meetings in a way that has been publicly visible, and also because these concerns were raised with us spontaneously by a broad range of officers.
11. We also note that there is a significant amount of fear on the part of officers in taking corporate or directorate action which could be seen as limiting the role and influence of TUs. This is, in part, driven from a legitimate worry that TUs will seek to use the connection they enjoy with some councillors to pressure officers to back down.
12. This situation is exacerbated by the fact that many individuals involved and active in TU campaigning, and as workplace representatives, have a long history of working at the Council. This gives them an operational advantage over managers, of which there has been a regular churn in recent years, with large numbers of interim staff leading to a disjointed approach the relationship. Lacking in confidence and in their own organisational memory, new and short-term staff in management roles find themselves at a substantial disadvantage in dealing with TUs with a significantly greater understanding of council processes and systems. This has caused frustration for TUs, who experience this churn in the form of a series of sometimes choppy and difficult relationships, providing little time to build a shared understanding of expectations before people move on.
13. Given the erosion of trust and climate of fear around Council/TU relationships, a formal reset of relationships is now the only way to meaningfully address the situation – a redesign of the structures present for consultation and engagement, and of other formal processes, informed by some of the broader work we mention in this report on culture and behaviour.
14. While this is pressing, we think it is unlikely to be something that the Council will be able to act on immediately – it is more likely that this fundamental reset can only happen in the context of the wider Improvement and Recovery Plan. A reset will have to be based on the principle that productive, transparent TU and Council collaboration on employment matters is critical, and that avenues of communication need to work properly and be well defined, without the operation of informal mechanisms for influence and direction that currently exist. A reset will also need to provide clarity and realism on where it is appropriate for the Council to consult TUs on its action, and where it is appropriate to engage and inform, and the difference between these three concepts.

How these cultures have informed the Council's historic action on change and improvement

15. An important element of this review has been a consideration of how the Council has been able to act on external reviews – and to provide assurance to stakeholders on its improvement work.
16. We have in particular needed to understand these dynamics as they are likely to inform how the Council responds to our own findings and proposals for improvement. This is the reason why we have developed a “theory of action” – a description of how we think the Council currently takes action to change. This can be found in section xxx. The theory of action is built primarily on the cultural findings set out in this section.
17. The Council's action on change is often provoked by external pressure. In recent years, the Council has demonstrated a limited ability to recognise and act on risk and failure on its own terms. The recognition often arrives too late, and the Council finds itself in need of external assistance and direction in bringing about recovery.
18. When this happens, we consider that the Council has been good at embedding certain aspects of improvement – structural elements in particular – but has failed to take account of the cultural aspects that make that improvement stick. At times the Council really has improved – that improvement was not an illusion. However, the framework has not been in place to make that improvement permanent, and a redirection of corporate focus means that the prospect of sustained change, and the emerging good practice connected to it, slips away. We consider that this raises risks about the ability of the Council to take meaningful improvement action on Oracle, equal pay and housing repair.
19. This supports to us a view that the Council has engaged in improvement work in good faith, and has provided evidence to others in a way that fits with that behaviour. The Council has not corporately sought to mislead its internal and external stakeholders about the pace and nature of change. However, it has underestimated the sustained work that it needs to do in order for change to become fully embedded, and has interpreted temporary improvements as lasting change without considering the risks set out above.

The Council's corporate values framework, and “best in class”

20. The Council does have a set of corporate values – but the cultural elements described above are deep-set, and work to eradicate them will need to be framed effectively to uproot them.
21. The approach that the Council has taken towards its aspiration to be “best in class” might provide part of the answer. The prevailing sense from interviewees was that the “best in class” aspiration was hubristic and reflects the Council's unrealistic ambition – an ambition that is now being tempered to focus efforts on ensuring that Council services are safe, compliant, effective and meet residents' needs. But in our view the value-led elements of “best in class” should – with amendment – remain. These involve the creation of new spaces for dialogue, communication and collaboration between council officers – cross-functional activity to increase awareness of other services, and corporate issues, across the Council. This offers a mechanism, already partially in place, for the Council to plan and deliver deeper and more meaningful cultural improvement.

How things will need to change

22. The Council will need to begin work to reframe its values, and expected behaviours, in light of our findings.

23. We consider that a key mechanism to break down barriers and silos within the organisation will be the establishment of cross-functional teams formed of officers at different levels of management seniority and with different professional specialisms, to take forward early culture change activity. This is work that will feed into the Council's Improvement and Recovery Plan, and connects with our recommendation that the Council's "best in class" activity be retooled to focus on this stabilisation activity. It also connects with our comments on the EI&P Programme, on which we comment in section 4.4.
24. The Council has made attempts to establish such cross-functional and cross-directorate conversations before, most prominently as part of the 2018-22 Workforce Strategy. As with other ambitious measures on culture change, these efforts were not ones that the Council sustained, owing to a combination of the cultural issues we have explored earlier in the section.
25. Establishing these groups, and making them central both to the development of the Improvement Plan and the Council's ongoing service delivery, is in our view a crucial component of improvement within the officer cohort. We consider that, if understood and treated with the central importance that it deserves, and therefore sustained over time, the form of collaboration promoted through these groups will become a natural way of working.
26. This work will need to inform an understanding of behavioural standards held collectively by members and officers. We consider that work to develop a new Member-Officer Protocol can act as a starting point for a fundamental re-evaluation of members' and officers' roles, informed by a review of member attitudes being overseen by the Standards Committee. Both members and officers will need to make formal commitments to new ways of working.

4.2 Enabling and supporting good governance

This part of our work looked at:

- Robustness of processes and practice
- Support services and functions
- Levels of assurance and compliance

4.2.1 Robustness of processes and practice

1. Processes and functions at the Council are, generally, in place – but this demonstrates the mismatch between culture, "custom and practice", and the rules that the Council articulates to members and officers about how they should conduct their work. The level of dysfunction at the Council is evidenced by the gap between these processes and rules, and the extent to which they are – or are not – acted on.

Informal systems, including members' oversight and direction on operational matters

2. The overall accountability framework at the Council contains a mix of formal and informal systems. Informal systems sometimes complement, but often seek to subvert, the way that formal decision-making happens. We have been told that by multiple interviewees that back-channels exist by which members seek to influence operational decision-making – close relationships between members and junior staff result in members purporting to "direct" those staff in how they make operational decisions. We have been told that there is no understanding amongst those members as to the inappropriateness of these discussions and directions. This is surprising, because it seems fundamental that members should understand the basic principles that govern how they, and officers, should work together. The power dynamics involved in these "directions" places the obligation at the door of

members to change their behaviours. Such activities mean that formal governance systems are significantly weakened, as the exercise of proper, accountable systems for effective decision-making – especially those relating to delegation – are undermined.

3. In making these comments we recognise that it will often be legitimate for members to have an interest in the operational delivery of services. Birmingham's councillors represent a very large number of local people. Members are held to account by local people on operational matters, and on those matters it is correct that there be lines of communication to officers, to ensure that operational issues impacting on residents can be resolved, and that more systemic matters can be properly escalated. Dealing with ward issues, and constituents' concerns in respect of those matters, is fundamental to being a member.
4. The issue, then, is for these questions, concerns and issues to be managed effectively, rather than reliant for their resolution on two-way conversations on which others are not sighted. While there is currently a member enquiries system, it is not consistently used by members. It is likely that a more consistent, transparent and reliable system for member enquiries – a system that members can trust because they have had a part in designing it – will reduce the burden on members from community complaints and concerns, ensuring that those issues are passed to the right officer in the right way following a mechanism that benefits from proper management oversight. Such a system would also give other members confidence that officers are dealing well with members' concerns overall.

Control arrangements generally

5. Key processes are provided for in the Constitution, which follows the standard "model" constitution put in place by councils in 2000, with the necessary amendments and updates. The scheme of delegation in the Constitution is, again, fairly standard; the member code of conduct is the latest version of the LGA Model Code.
6. As is common with traditional Constitutions, readability and navigability of the document is difficult, and there are parts that have the potential to cause confusion. Drafted well, a constitution can provide a framework for consistent, well-understood relationships between key actors in the governance framework. Drafted badly, it will frustrate attempts to provide clarity and introduce uncertainty and duplication.
7. For this reason, although one of the main challenges with the Constitution is the extent to which it is meaningfully acted on – and the extent to which it is ignored, or sidestepped, when inconvenient – the document itself does need to be reviewed, and revised, to ensure that it can provide this framework.
8. As things stand – absent the Council's ongoing spend controls – we do not think that the Council can assure itself that expenditure is being made that conforms with the scheme of delegation of decision-making principles in the Constitution. In our view the practice noted in 4.1, of some operational choices, and decision-making, being "directed" by councillors, beyond the view of senior officers, means that it is possible that in the recent past some operational decisions have been made that have sat outside the budget and policy framework and/or which do not conform with the Best Value duty. This is an extremely serious matter, for which councillors hold responsibility, and on which the Council currently has no assurance. The control environment is such that, whatever the processes and systems in place may say, the Council cannot reliably assure itself that expenditure is being incurred appropriately. Section 114 spend controls will have brought a temporary halt to this weakness – but permanent remediation will need to be put in place.

4.2.2 Support services and functions

1. The Council's support and enabling functions form part of its corporate core, a part of the Council in which significant investment has been made in the very recent past. The stabilisation and improvement of the authority depends on this ongoing work to enhance the capability of the corporate centre to continue – allied with these functions of the Council being retooled to more explicitly act as “changemakers”, supporting and challenging the rest of the organisation to improve. Some of the specific support functions are described in more detail in the section below.
2. Building upon a foundation of limited capabilities, the Council has implemented new procedures for project and programme management, the utilisation of data and insights to bolster policymaking, performance management enhancements, and increased oversight and assurance in key governance functions.
3. The continued strengthening and integration of these systems are vital components of the authority's journey towards stabilisation and improvement. However, without a corresponding shift in the organisational culture, there is a potential risk of perpetuating negative, undesirable behaviours. We consider that attitudinal factors raise the risk of an “us and them” mentality arising in respect of the corporate core's relationship with the wider authority, which could be exacerbated where – as we recommend – the corporate core's role is more specifically recognised as a changemaking function.
4. The Council will need to take action to put in place new risk and information management arrangements, with an initial focus on member accountability. A more sophisticated understanding is needed of where gaps in information exist, and of the individual responsibilities of specific officers, and members, with regard to risks.

4.2.3 Levels of assurance and compliance

1. Assurance and compliance should be provided for through several mechanisms:
 - The work and role of the Monitoring Officer (MO). It is vital that the MO has the credibility and respect within the organisation needed to carry out their role. Birmingham's current MO is the eighth in ten years – reflecting a wider senior officer churn over that period, but still troubling from the perspective of the need for organisational memory on key legal and compliance issues. Across legal services, there is little capacity, which presents a significant risk factor for organisational stability and improvement, particularly in the face of the Council's substantial and complex work around equal pay. Statutory recommendations made by the Council's external auditor, and accepted by Council on 12 October 2023, proposed that the Council should commission an independent review of the process for receiving and considering legal advice. In our view this is a pressing requirement, given the Council's cultural challenges and capacity difficulties within legal services;
 - The work of the section 151 officer. The Council has a comparatively new, and interim, s151 who has been working to put in place more robust systems and arrangements for assurance since her arrival. This work has been hindered by the need to lead on remediation work for Oracle. There is still the sense that the “finance function” of the Council is a support service rather than as a strategic enabler, and notwithstanding the presence of spend controls, on the officer side, there is no sense of wider collective ownership of the Council's financial position beyond the s151 and CLT;
 - The work of the principal statutory officers together as a “golden triangle”. The position here demonstrates more strength than it has done in the recent past, but in the absence of a strong governance framework to back up the role of the golden triangle (the phrase used to denote the Head of Paid Service, Monitoring Officer and Chief Finance Officer of

a council), and visibility and respect for the formal roles of these individuals, their impact will be lessened. While necessary, we consider that the issuing of the s114 notices, and the s5 report, will have added to uncertainty at the Council about the role of the golden triangle, and their duties in respect of the authority's effective operation, which will probably need to be clarified (especially with members);

- The work of CLT. CLT is now working significantly more effectively, but suffers from the wider cultural challenges of the authority, in that its work to co-ordinate and manage delivery across the board does not reach down into the organisation as much as it should. It is still too easy for officers, including officers at AD level, to pay little heed or attention to CLT's work or priorities, even though those officers should have a sense of ownership through membership of ECLT (extended CLT). CLT is carrying out specific work on performance and assurance whose impact is, for the moment, limited. We consider this work, and the wider performance framework within itself, represents a strong foundation, but at the moment that the quality of the information within the framework, and organisational participation with it, means that it cannot function as it should. Overall, CLT's approach provides a model for different forms of behaviours amongst managers more generally, including a collective responsibility for probity and assurance;
- The work of CLT and Cabinet together. Cabinet should provide an important mechanism for the exertion of political accountability but the relationship between it and CLT appears poor, with no immediate prospect of improvement. It was in fact suggested to us by a number of people that Cabinet/CLT relationships is deteriorating. There have historically been wider "EMT" meetings incorporating Cabinet members and CLT, but these meetings have not generally been seen as effective – multiple interviewees described them as a space in which members were briefed, and informed, on work underway, rather than as spaces for active discussion on work and priorities. Individual Cabinet members have bilateral meetings – including assurance meetings styled as "Star Chambers" (monthly performance management sessions which began in around 2018, and which continue). However, aligned with the evidence we have gathered that Cabinet Members do not, in the round, have regard to Council business that comes under their direct purview, there is a question mark over the effectiveness and visibility of these bilateral conversations (and the degree of mutual challenge that takes place in those spaces). The nomenclature of these bodies is unhelpful if the Council is seeking to build a collaborative (though mutually challenging) atmosphere in which member-officer relationships can thrive;
- The work of member functions such as Audit (and, to an extent, the scrutiny function). The role and capability of the Audit function (comprising the Audit Committee and the internal audit team) is something that we cover in more detail in section 3.

2. Overall, these overlapping and mutually complementary arrangements should be described, and critiqued, in the Annual Governance Statement. Following review we have found that AGSs, over a number of years, are of poor quality; they do not accurately reflect the complexity of the Council's actual governance arrangements or engage with the cultural components of those challenges. The AGS appears to have been drafted as a desktop exercise without having benefited from the insight of a wider range of people from across the Council, and from year to year the content of the AGS seems very similar.
- 3 This reflects interview evidence we have gathered, where a small number of interviewees expressed concern about the quality of the AGS.
4. Apart from in the formal signoff of the document, there is no meaningful Audit Committee involvement in the preparation of the AGS, and the contents of the AGS do not appear to

have influenced or informed either the work programme of the Audit Committee or the programme of activity undertaken by internal audit. Neither have the contents of the AGS informed, in any meaningful sense, the content of the Council's risk registers or the risk heatmap. This is a significant failure in the Audit Committee's oversight role.

Member scrutiny as a mechanism for assurance and improvement

5. The Council's scrutiny function has a vital contribution to play to the stabilisation and improvement of the authority. As it stands, while the scrutiny function delivers some good work it does not provide the kind of critical oversight and contribution to emerging, complex policy issues (or the delivery of services subject to particular risk around performance and finance) in the way that it ought to.
6. An eight-committee model for scrutiny places Birmingham towards the top end when compared to other large authorities; if this structure is to be maintained there likely needs to be more focus on co-ordinating mutual work programmes, and in co-ordinating work between scrutiny and the Audit Committee. As is common in other authorities, there is not necessary a clear member-officer understanding on the role, priorities and focus of the scrutiny function, and its contribution to the governance framework more generally.
7. We consider that the scrutiny work programme should be reframed to focus on the Council's stabilisation priorities. This will not involve the need to revisit the entirety of the current work programme – we recognise that there is critical ongoing work that must continue. But the Council will need to move to ensure that scrutiny is able to play a central role in assurance on improvement alongside the other mechanisms we discuss above. In particular, we think that scrutiny will be able to play a valued role in:
 - Oversight of delivery of "life and limb" services such as children's services and adult social care;
 - Analysis of critical performance issues emerging "by exception";
 - The consideration of equality and equity issues arising from the development of the Council's developing financial plans;
 - Wider plans for cultural and behaviour change, bringing challenge to the authority's aspirations and capabilities on this major area of priority.
8. A separate review is currently underway to modernise systems and practices in Scrutiny and Committee Services, which will help with these objectives.

4.3 Financial governance

This part of our work looked at:

- Capacity and skills
- Financial management and budget oversight
- Financial risk management

4.3.1 Capacity and skills

1. The finance team still lacks the capacity and capability to act as an effective enabling and control function for the Council. The finance team should not be expected to perform this role alone. Officers in service departments should recognise their collective responsibility for action on finance, and there should be a mutually supportive atmosphere that recognises that prudent spending and the careful management and oversight of public funds is everyone's duty.

2. At the moment, this is not the case. It means that the finance team have, in recent years, been expected to perform an almost impossible task – shouldering the burden of responsibility for financial governance for the bulk of the organisation that does not take those responsibilities especially seriously. This is reflective of the cultural challenges across the authority that we highlighted in section 1.
3. The Council was subject to a review of its financial governance by CIPFA in 2021, when the Council received a 3 star rating. CIPFA concluded that financial governance had improved substantially since they reviewed the Council in 2019, when the Council was given a 1 star rating.
4. This judgement reflects Birmingham’s success – and failure – in “managing” external oversight in recent years, by being able to successfully undertake action that looks very like change and transformation without that activity having any meaningful impact on the way that the organisation functions. We consider that this activity has happened in good faith – officers and members consider that improvement is happening, and in some instances, improvement does begin. However, the organisation’s ability to sustain that change has been limited by some of the deep-set cultures and behaviours that we have mentioned, and by the Council’s failure to commit the resource and effort needed to sustain change in the long term. In particular, it reflects an environment in which member direction and oversight is absent from these spaces, and so progress drifts; it connects to members’ lack of ability to focus on strategic matters, of which this is one. In addition, systems that have been built around the Council’s control environment have obscured the Council’s extremely challenging financial situation for some years, despite external auditors having periodically flagged their concerns.
5. The 3 star rating was a major target for the Council, which invested a significant amount of time and resource in financial governance improvement and transformation over the course of 2020. Despite its significant corporate and strategic importance, this work seems to have been managed and led entirely by officers, in particular the then-s151 officer, without significant member direction and oversight. The focus on 3 star status did, in our view, distract the Council from a more holistic focus on a “whole council” approach and attitude to finance, and embedded the idea that responsibility for financial governance sits with a comparatively small function sitting in the corporate core. This will inevitably have influenced planning assumptions about corporate capacity, and about the skills mix necessary to providing financial support across the organisation.
6. From a capacity and capability perspective, evidence we have gathered leads to serious concerns about the internal audit function, as we set out in more detail below.

4.3.2 Financial management and budget oversight

1. As a whole, the organisation has little sense of its expenditure, or its overall financial position. Reports have frequently come to Cabinet (most notably in respect of Oracle) to authorise large amounts of additional spending without any sense of how it contributes to the organisation’s priorities or to the improvement of services. The volume of decision-making reports submitted to Cabinet and the lack of meaningful oversight either at Cabinet or Audit on financial issues combine to create an environment where the visibility of core elements of the budget, and its delivery, are not visible to members. This is not helped by the variable quality of reports prepared by officers to support decision-making. Reports on the council’s financial position, and financial monitoring information provided (particularly to Audit, in the form of monthly monitoring) is inconsistent in content.

2. This is particularly surprising, given the fact that in 2018 the authority was in a financial position widely acknowledged to be challenging, and from which it thought it had recovered. Since then officer reports have sought to reassure members of this strong recovery of the budget position and of a new rigour in financial management.
3. Weaknesses in budget oversight have become apparent given the Council's introduction of spending controls. At the time of writing (November 2023) the Council has a substantial task to develop an emergency budget to save, in year, a total of £87 million. To pass a credible budget with this level of savings will require a fundamental redesign and reprioritisation of certain key services, in a manner which the council has not been able to previously accomplish through numerous attempts to find savings. Challenges in accuracy of financial information cast doubt on the authority's ability to manage budgets with this degree of grip, even taking into account the spend controls currently in place.
4. External auditors submitted a set of statutory recommendations to the Council, which were considered at a meeting on 12 October. These statutory recommendations reflect external auditors' findings on a number of weaknesses associated with financial management. The Council will need to ensure that action on these recommendations integrate with wider plans on governance stabilisation and improvement.
5. An urgent task now exists for the Council in putting in place robust arrangements for the development of the 24/25 Budget, and the MTFs. In particular, member oversight of those plans is important. Steps have been taken to put in place a Budget Task Group, as part of the scrutiny function, but in our view further work needs to be done with all members.
6. In particular, arrangements for 24/25 will need to be designed in the context of the need for members to test the resilience and reliability of the Budget itself – and to identify and bring scrutiny to the most critical areas where savings are planned.

4.3.3 Financial risk management

1. The Council is minimally aware of emerging risks – either on finance, or more generally. There is a risk management framework, and the corporate core is developing more capability to secure timely information about performance and risk. But those systems are not yet as reliable as they could be. Without a corporate mindset about where and how matters should be escalated, and the candour that should accompany that escalation, corporate “grip” feels like it will be difficult to achieve.
2. Much of this is about the rigour, or otherwise, of systems to escalate complex, cross-cutting risk – which is far less visible to the authority than risk to services operated by departments. The organisation lacks of capability to analyse and effectively “treat” / mitigate these cross-cutting risks because of its comparatively weak corporate core – hence equal pay and Oracle only, suddenly, appearing as very high/severe risks on the corporate risk “heat map” midway through 2023.
3. The Council will need to take steps to revise the risk management framework of the authority, and to raise the profile of risk issues amongst members.
4. Effective risk management begins with members. Along with Cabinet, which holds a role in leadership, the Audit Committee should be an important mechanism for the Council to use to manage its exposure to financial risk. However, the committee lacks the capability and capacity to carry out its work properly. Members do not understand how to challenge the content of reports; reports themselves are generally of poor quality, and are not drafted on the basis of an understanding of Audit's regulatory role. There have been some recent attempts to address some of these challenges, but more needs to be done.

5. The internal audit function is unable to support the Committee to carry out its regulatory role, and is also unable to carry out its own responsibilities effectively. The activities of internal audit, in providing assurance, seem disconnected from other Council functions, suggesting a lack of corporate leadership and direction on the function and its place in the governance framework overall. As it stands, audit planning (although purportedly based on risk) does not seem to engage with the wider performance, finance and risk escalation/exception framework being built by the Council, particularly around the oversight of major programmes.
6. The need for work to support the improvement of the Audit Committee is seen as urgent. Ongoing work by the Council's external auditor will inform this activity. However, we consider that the committee will need to offer immediate support to the Council's stabilisation. The imminent revision of the committee's terms of reference, with regard to CIPFA standards, is an important element of this but only a first step.
7. The committee will need to work to identify some of the principal strategic risks that the authority holds on finance and on governance, and to consider plans to mitigate those risks. It will also need to oversee the development of systems to identify new, emerging risks – and a new methodology for internal audits.

4.4 Improving governance and decision-making

This part of our work looked at:

- Customer focus
- Stakeholder engagement
- Learning from external review and challenge

4.4.1 Customer focus

1. The Council is able to deliver a wide range of services to a city that is demographically, culturally, socially and economically extremely diverse. This review has not investigated the quality of service delivery in depth, but has sought to understand the way that the Council engages and relates to customers by having regard to its actions on housing repair. We have also looked at the Council's approach to improvement around SEND services. While there has been serious and recognised failure in both of these services, making an assessment about where and how the risk of failure exists in other service areas of the Council sits beyond the purview of our work. Given the way that internal systems relating to performance operate, and our concerns about the cultures and behaviours that sit around those systems, it will be difficult for the Council to understand where the risk of failure might be present.
2. The Council is moving away from a position of regarding its citizens primarily, or partly, as "customers". Recently it has developed an Early Intervention and Prevention (EI&P) Programme, which has sought to radically shift the Council's operating model to one that is more focused on empowering local people. The EI&P Programme is extremely ambitious, pointing towards a wholesale shift in culture and approach at the authority towards one focused on prevention and proactive change – this, in turn, is focused on having a more acute sense of local people's needs, and ensure that the organisation is capable of understanding how those needs develop over time.
3. A new approach to what might be described conventionally as "customer services" is one element in this wider plan.

4. EI&P is still in the early stages of development and implementation. Its business case was only agreed by Cabinet in April 2023. While it has the potential to make transformative changes to the Council's approach to local people there remains the risk that the wider cultural challenges identified in our report will limit its impact, as they have limited the impact of other change programmes.
5. We consider that further work on EI&P – which may need to be reprofiled in line with the Council's current challenges – presents an opportunity to shift the Council's approach to local people, if aligned with wider culture change activity. It is likely that this realignment will need to occur during the period that the Improvement Plan is being developed, with the EI&P Programme subsequently dovetailing with that plan.
6. While – handled productively – this sets a positive direction for the future, it remains the case that existing performance programmes highlight historic deficiencies in decision-making in instances where the Council has had little to no understanding of local people's needs and concerns.
7. The Council's approach to housing repair is a useful case study for an approach to customers/citizens that has sought to elide emerging problems rather than to understand and address them. This is despite repeated reports being submitted to scrutiny committees, in particular, on customer complaints, housing repairs, and complaints on housing repairs specifically. Performance issues have a long history (failures on Decent Homes, identified in the Government's Regulatory Notice of 24 May 2023, will have been of long standing) but headline data provided to members focuses on volume and throughput of complaints and repairs rather than quality.
8. This is suggestive of an environment in which the main objective was to create data showing improvement, rather than addressing improvement needs themselves. The quality of this data (as presented to formal council committees, particularly during the period 2018 to 2022) should have sparked concern at senior levels and should certainly have provoked more, and more detailed, questioning by councillors.

4.4.2 Stakeholder/partner engagement

1. Partnership working at Birmingham is in a state of flux. Some partners see in the Council an institution that wants to partner on its own terms, and that does not necessarily live up to its promises. There is worry and concern about the Council's current political and financial position and the impact that is having on the wider city.
2. Some of those to whom we spoke felt that the Council has retreated from the partnership space, with the Combined Authority now more active as a "placemaker" and partnership convenor for the city. We do not think that this is the case, but the presence of the perception raises risk that the Council does not see strong, effective partnership working as part of its future, and as a key mechanism for it to stabilise and improve its services.
3. The Council is aware that it has work to do to rebuild its relationships and is currently actively engaged in activity to do this. A programme of work is being implemented to understand partners' needs, roles capacity and capability. Partnership engagement infrastructure is also being developed to strengthen the Council's approach.
4. However, these arrangements do seem quite officer-led. Although some members are active in the partnership space, they are not at strategic level. There is in any case a mismatch between the quality of relationships at strategic and operational level.

5. We consider that these activities will need to quickly evolve to incorporate member leadership on partnership, and to wider consideration of how active partnerships can contribute to service redesign. We consider that the role of partners will be pivotal to the Council's improvement, and expect that this work will therefore feed into the Improvement and Recovery Plan.

4.4.3 Learning from external review and challenge

1. The Council has experienced oversight and support from a wide range of external bodies over the course of more than a decade.
2. The way that the Council has, and continues to, respond to this external pressure and provocation to change is part of the reason for its failure. Since Kerslake, the Council has developed a strong capability in building formal systems to present itself as strong and well-governed, without those systems having any meaningful impact on the way that the authority has been run.
3. We have looked at a number of examples of external review in carrying out this work – interventions from the external auditor, from the Local Government and Social Care Ombudsman (LGSCO), from the Housing Ombudsman, from Kerslake, from Government, from the Birmingham Independent Improvement Panel and from others.
4. The evidence we have gathered suggests that the Council has been good at embedding certain aspects of improvement – structural elements in particular – but has failed to take account of the cultural aspects that make that improvement stick. At times the Council really has improved – that improvement was not an illusion. However, the framework has not been in place to make that improvement permanent, and a redirection of corporate focus means that the prospect of sustained change, and the emerging good practice connected to it, slips away.
5. This, in our view, accounts for the views and opinions of a range of external actors who have, at various points, satisfied themselves that Birmingham was making the changes that they expected. The Council was, but did not have the capacity and capability to sustain that work. This is, we consider, a unique set of circumstances which has not presented in this manner in other councils which have failed, and which presents a real challenge to current efforts to stabilise and improve the authority.
6. We consider that this presents risk factors for improvement in current high-profile issues such as Oracle, equal pay and housing.

5. Theory of action and blueprint for change

We and the Council are setting out a **stabilisation plan** for the Council that focuses on practical actions that can be undertaken between now and April 2024. We have chosen this timescale because:

1. The Council is obliged to produce a longer-term Improvement and Recovery Plan by April 2024. The Stabilisation Plan will help it to get there, without pre-empting the content of the Improvement Plan ;
2. The Council has three major structural/organisational challenges between now and April 2024 – the preparation for a major organisational redesign, the agreement of a balanced budget for 24/25, and the delivery of a balanced budget for 23/24. The immediacy of these connected challenges requires a practical response that will help the Council, now, to put in place the short-term governance improvements both to manage those challenges, and to lay the foundations for a longer-term and more considered response to the Council' broader strategic pressures;
3. Over the next six months there is inherent uncertainty, and instability, around the ongoing roles, responsibilities, functions and bandwidth of key individuals, which means that the Council's capacity and capability to take forward improvements has to be a key factor in the design of any plan. Given this uncertainty, a short horizon is justified.

The stabilisation plan has been developed by us and the Council together – reflecting the fact that the authority must have ownership of the process that follows.

To ensure there can be a transition between the stabilisation plan, and a longer-term plan for governance (which sits as part of the Improvement and Recovery Plan) we have created a blueprint for change. This blueprint informs our stabilisation, and also suggests the basis on which meaningful, long-term culture and behaviour change for good governance can be made.

5.1 Theory of action

The blueprint for wider change is built on our “theory of action” for the Council. This can be summarised as follows:

- **The Council is good at undertaking action that looks like change**, in order to demonstrate to itself and to external stakeholders that it is improving. It carried out this work in good faith, with the active intention to improve, **but often lacks the sustained capacity and capability to deliver improvement that is anything more than temporary**. This is because improvement and change action tends to focus on structures and process, rather than shifts in behaviour;
- **The Council has some corporate capacity, but it remains very limited**, and limits the authority's capability in delivering more cross-cutting, complex projects, particularly ones that are aimed at delivering sustained changes in behaviour. There is therefore a limited extent to which corporate activity can influence change at the Council;
- **There is low trust** throughout the organisation, **making collaborative working difficult**, particularly on corporate priorities that do not connect directly to a visible, tangible service delivered to local people. A low trust environment is ;

- Beyond the corporate centre, **there is little sense of a “whole council mindset”** at the authority, which means that actions agreed and taken forward centrally often end up not being effectively actioned, because they are treated as a low priority by the rest of the organisation. This is as much an issue of member leadership and prioritisation as it is about officer working practices;
- **Optimism bias** has been a persistent feature in how the Council undertakes corporate activities, which is understandable for motivating and setting a clear direction of travel. However, its dissonance with officers’ and members’ experiences means that it leads to assumptions that centrally-directed plans for change have a greater impact than they do, or than is possible;
- **Individuals at the Council are self-aware, but institutionally, the Council is not** – this leads to a lack of predictability in how action to change is managed and delivered.

5.2 Blueprint for change

To achieve the deep and long-term change required, the Council needs cultural, and behavioural shifts, and intentional actions that actively disrupt the current ways of working.

5.2.1 Prerequisites for cultural change

Cultural change:

- will need to be built on the creation, and revision, of existing structures, systems and processes – for example, formal roles and responsibilities for members and officers as set out in the Constitution and elsewhere, information access and sharing arrangements for members, the remit and terms of reference for key officer functions in the corporate core, and so on. While getting these structures and systems right is only part of the story, they are important in providing a clear and consistent framework within which better relationships and behaviours can be built. Our stabilisation plan is focused on building up these foundations;
- will need to be informed by an understanding that the Council needs to fundamentally reappraise itself – what it considers important (and what it understands of what is important to local people) – and how it values and uses the (limited) resources at its disposal, including things like the value of individual officers’ time through meetings, makework etc;
- will need to be centred on a set of consistent, universally-applied values, with clearly explained behaviours, which are practically understandable, and understood, in terms of people’s day to day work. These will need to be focused on the creation of approach which can deliver strong internal challenge to practices, behaviours and performance – peer-led activity that is supportive and constructive, and that breaks through the Council’s prevailing blame culture This set of values will need to derive from several sources:
 - What we have learned about the cultures already prevalent in the organisation, as we have set out in our main report;
 - Our articulation of those cultures, in the form of our “theory of action”;
 - The Council’s existing “best in class” values and behaviours, which, amended, can form the basis for this new model of working;

5.2.2 Dependencies for culture change

Culture change will sit alongside, and will be facilitated by:

- The Council’s forthcoming organisational redesign;
- The development of the 24/25 Budget. There are aspects of this process that we consider can act as a testbed for wider cultural change;

- The development, and implementation, of the Council's Improvement Plan. This, too, can provide a way of testing approaches to change;

5.2.3 Facilitating and resourcing culture change

Initiatives – for which foundations are laid in our stabilisation plan, but on which further action will be needed in the development of the Improvement Plan – will need to take action to:

- Articulate what new / evolved values and behaviours for the Council will be, informed by action learning (delivered through cross-functional teams and communities of practice which, while set up for this purpose, we expect will become a permanent part of the governance ecosystem);
- Make arrangements to cascade understanding and action on those issues through work on member conduct, staff appraisals, the development of the Annual Governance Statement and, in particular, expectations around financial governance. On activity of corporate importance, this will involve making responsibility, and ownership clear across the Council – ie, that individuals in service departments have an equal responsibility for delivering against corporate priorities

We consider that in the short and medium term the best way to do this will be to create cross-functional teams and communities of practice between officers across the organisation to:

- carry out action learning activity, which will build, and take forward, the wider culture change activity which we talk about – to build and sustain a broader sense of ownership of this work;
- take forward cultural change activity in the short term, including assuming a degree of ownership and leadership for some of the activities set out in the stabilisation plan;
- review past practice – including the findings from our report – to take an active 'lesson learned' approach, reflecting on what worked and what hasn't worked, and drawing on recent performance and delivery challenges within services. This will help to further understand symptoms and causes of issues and any successes, and will identify models and approaches for improvement. This will add nuance to our overall findings and make them more real for service areas.
- Bring constructive internal challenge by creating an environment of listening and challenge which, because it is managed in a structured and predictable way, will help to break down blame culture.

The Council already has plans and arrangements in place – though not universal, and comparatively new in nature – for cross-functional teams and communities of practice on key areas of work. While similar mechanisms have not worked in the past, we consider that their use alongside a wider programme of cultural change – and founded on a strong foundation of structural renewal – offers the best prospect possible for meaningful and sustained improvement.

5.2.4 Extending and embedding culture change

We consider that wider organisational development plans – currently planned – will help to facilitate the embedding of these changes. The contribution of internal and external communications functions will also be crucial. This is not just about broadcasting messages about new expectations from the corporate centre, but facilitating a more meaningful dialogue focused on learning from experience.

- Internal communication will be critical, in order to:
 - Explain the overall process of change;

- Highlight and explain the expectations of change for all staff and members – through clearly articulated values and behaviours which are consistently applied at all levels of the organisation, and which apply equally to officers and members;
- Support dialogue, in particular action learning conversations;
- External communication with partners will also be critical – particularly with the Council’s partners, who have an important role to play in support the Council’s improvement, where the Council is able to bring both humility and strategic intent to these relationships;
- External communication and dialogue with the public will be an important part of a blueprint for improvement. Although these conversations can only meaningfully start once the council has done more to stabilise itself

5.2.5 Limiting tolerance for deviation from new norms

The blueprint for change will also need to be typified by an internal, institutional intolerance for actions that are misaligned from these objectives. There needs to be an understanding that this will be difficult, that there will be disagreements, and that this approach will make the organisation a poor cultural fit for staff who have become used to different ways of working. This drive will need to be leavened with positive dialogue about the benefits of new behaviours, otherwise poor behaviours will persist, but will be hidden from corporate view.

Governance Stabilisation Plan

Birmingham City Council
and Centre for
Governance and
Scrutiny

November 2023



Governance Stabilisation Plan

This Stabilisation Plan sets out recommendations and immediate actions which will be taken to support the short-term stabilisation of governance at the Council. These address governance and cultural issues identified by the Centre for Governance and Scrutiny’s (CfGS) review of governance in the Council and have been jointly developed by the CfGS and the Council. These actions will be implemented immediately while actions for longer-term improvement are developed further and incorporated into and monitored through the overall Improvement and Recovery plan. A scrutiny task and finish working group will commence in January 2024 to monitor the implementation of the Stabilisation Plan and assess how the Council uses the CfGS’ report to develop the Improvement and Recovery Plan.

The implementation of this Stabilisation Plan will be supported by officers from across the Council. This is the only way to deliver a “whole council” mindset on improvement. Much of the work set out in this plan will engage with the Council’s Governance and Assurance Programme, which has already been partially deployed.

CfGS Recommendation	BCC Response – current, planned, or proposed activity	Key Deliverables within 6 months (June 2024)	Accountable Officer
<p>1. Refocus corporate attention and priorities on ensuring safe, legally compliant, and fairly delivered services to local people</p>	<p>Review of the Corporate Plan in context of the financial position and improvement and recovery plan (IRP) priorities.</p> <p>Review/refresh key performance reporting to better reflect compliance and vital service delivery, in tandem with broader governance work streams.</p> <p>Practical steps taken to introduce the wider organisation (members and officers) to prioritisation and effective performance management. Scoping further activity for the Improvement and Recovery Plan.</p>	<p>A draft new corporate plan with clear links to the IRP.</p> <p>Performance information (and other management information) used by CLT and Cabinet to set strategic direction and respond to issues.</p> <p>Agreed further activity as part of the Improvement and Recovery Plan</p>	<p>Director of Strategy, Equality and Partnerships</p> <p>Assistant Director, Programmes, Performance, and Improvement</p>

CfGS Recommendation	BCC Response – current, planned, or proposed activity	Key Deliverables within 6 months (June 2024)	Accountable Officer
<p>2. Begin work to reframe values and expected behaviours</p>	<p>Give consideration to adapting the “best in class” framework so it forms the basis of a service reviews undertaken as part of the Improvement and Recovery Plan, ensuring a focus on culture and values and the essentials of good service delivery.</p> <p>Improvement & Recovery Plan to include workstream on cultural change activity which is informed by CfGS blueprint for change.</p> <p>Appraisal arrangements will be aligned with the Council’s corporate priorities and embedded at all levels of the organisation.</p> <p>New values and behaviours framework developed aligned to organisational redesign activity.</p>	<p>'Culture and values' embedded into approach agreed for service reviews.</p> <p>New appraisal, values & behaviours framework rolled out across the organisation.</p> <p>Improvement & Recovery Plan will be in place, with focus on culture & behaviours.</p>	<p>Director of Strategy, Equality and Partnerships</p> <p>Assistant Director, Programmes, Performance, and Improvement</p> <p>Director of People Services</p>

CfGS Recommendation	BCC Response – current, planned, or proposed activity	Key Deliverables within 6 months (June 2024)	Accountable Officer
<p>3. Develop and publicise a set of baseline behavioural standards for members and officers</p>	<p>Development of a new Member-Officer Protocol (further to constitution review)</p> <p>Develop / define model behaviours that that will help support the delivery of the new Officer/ Member protocol.</p> <p>Standards Committee to consider a review of member attitudes relating to member/member and member/officer interactions.</p> <p>New guidance to members on the Code of Conduct</p> <p>Ensure the regular Group Leaders' meetings with the Chief Executive, Section 151 Officer and Monitoring Officer focus on Forward Plan matters, critical business issues and wider stabilisation and improvement matters.</p> <p>Scope and develop a programme of action on member-officer relationships as part of the Improvement and Recovery Plan development.</p>	<p>New Protocol is understood and is guiding Members and Officers resulting in greater confidence in one another.</p> <p>Member Attitudes/ Interactions Review has commenced.</p> <p>Members have signed up to the Code of Conduct.</p> <p>Improvement & Recovery Plan has a workstream focussed on member-officer roles and relationships</p>	<p>Interim Monitoring Officer</p>
<p>4. Review the Constitution</p>	<p>Undertake an immediate legal compliance check to identify sections of the constitution and elements that require urgent amendment and updating.</p> <p>Include review of the constitution as a workstream of the Improvement and Recovery Plan development. This should be informed by the “blueprint for change” set out in the CfGS report. There should be a particular focus on the following areas:</p>	<p>Up to date constitution has been established.</p> <p>The compliance check has been concluded on the high priority areas identified in the CfGS review, monitored through the Improvement and Recovery Plan (IRP)</p> <p>Audit Committee is working to new terms of reference and is being supported to continually strengthen its' function and impact.</p>	<p>Interim Monitoring Officer</p> <p>Section 151 Officer</p>

CfGS Recommendation	BCC Response – current, planned, or proposed activity	Key Deliverables within 6 months (June 2024)	Accountable Officer
	<ul style="list-style-type: none"> • Member-officer relationships (with a particular focus on mutual roles and responsibilities, including delegation) • Role and functions of Council, Cabinet, scrutiny, and audit in respect of development and agreement of major decisions and strategies. • Conduct, values, and behaviours • New financial governance arrangements <p>Develop new Terms of Reference for the Audit Committee and better alignment of the Audit Committee role to CIPFA best practice standards and consider alignment of standards/principles with other committees.</p> <p>Establish a Corporate Governance (Officer) Group to support the Audit Committee and other governance related work.</p>	<p>Agreed further activity as part of the Improvement and Recovery Plan</p>	
<p>5. Reframe the scrutiny work programme to focus on the Council's improvement and recovery priorities.</p>	<p>Scrutiny will play an active part in the 24/25 Budget development process. A Budget Scrutiny Task and Finish Group has been recently established to support this.</p> <p>Align the Overview & Scrutiny work programme to the Improvement and Recovery Plan (once developed). This should focus on:</p> <ul style="list-style-type: none"> • The safe and effective delivery of key services supporting vulnerable people. • Critical performance issues emerging “by exception”. • Equality and equity issues arising from the development of the 24/25 Budget, the Emergency Budget (to be identified by 	<p>Alignment of the Overview & Scrutiny work programme with the Improvement and Recovery Plan</p> <p>Scrutiny's role in the 2024/25 Budget development process has subjected financial plans to rigorous challenge.</p> <p>Scrutiny has played a consistent and productive role in the Council's overall immediate improvement and recovery activity. It, and the wider Council, needs to have been able to demonstrate what that value has been added.</p>	<p>Interim Monitoring Officer</p> <p>Statutory Scrutiny Officer</p>

CfGS Recommendation	BCC Response – current, planned, or proposed activity	Key Deliverables within 6 months (June 2024)	Accountable Officer
	<p>exception), and other priority scrutiny activity relating to the Budget.</p> <ul style="list-style-type: none"> • Culture, behaviour change and organisational development. 		
<p>6. Strengthen working relationships between the Chairs of Scrutiny Committees and the Chair of the Audit Committee to lead and direct the function</p>	<p>Scrutiny Chairs should meet on a monthly basis.</p> <p>Scrutiny Chairs and Audit Committee Chairs should meet on a quarterly basis to:</p> <ol style="list-style-type: none"> Consider critical performance and risk issues and how they ought to be escalated to committee. Agree forthcoming agendas. Consider cross-cutting issues and determine where and how they should be dealt with. Review and reflect on recent scrutiny exercises. 	<p>A new forward programme of work for the year drafted for Audit Committee</p> <p>Scrutiny and Audit have demonstrated to internal and external stakeholders they are actively contributing to the recovery and improvement priorities and activity.</p>	<p>Interim Monitoring Officer</p> <p>Statutory Scrutiny Officer</p> <p>Assistant Director, Programmes, Performance, and Improvement</p>
<p>7. Put in place new arrangements for the support of the internal audit function, the audit committee, and the links between audit and scrutiny</p>	<p>Audit Committee improvements should be informed by CIPFA best practice standards.</p> <p>Use of new terms of reference to drive action on new ways of working for the Audit Committee. This will include:</p> <ul style="list-style-type: none"> • Audit Committee to be assured on the Council's principal strategic risks on finance and governance and to review and refine plans for mitigation with a focus on the external auditor's statutory recommendations. • Development of new risk-based systems to identify further emerging pressures. 	<p>Audit Committee have a clear understanding of key strategic risks on finance and governance.</p> <p>Reporting arrangements and a risk-led work programme have been developed for audit and scrutiny functions.</p> <p>Agreement of a new methodology for internal audit by the Audit Committee.</p> <p>Agreed further activity as part of the Improvement and Recovery Plan</p>	<p>Interim Monitoring Officer</p> <p>Director of Finance</p>

CfGS Recommendation	BCC Response – current, planned, or proposed activity	Key Deliverables within 6 months (June 2024)	Accountable Officer
	<ul style="list-style-type: none"> • Development of a new methodology for internal audits, which should be agreed by the Audit Committee before implementation. • Develop a more risk-led work programme for the audit and scrutiny functions on financial matters. <p>Develop new and improved reporting arrangements to/from Audit Committee to other governance committees and groups.</p> <p>Support to officers working within internal audit and wider assurance framework through the Professional Leadership Development Scheme.</p> <p>Agreed further activity as part of the Improvement and Recovery Plan</p>		
<p>8. Design, and begin to put in place, new risk & information management arrangements – with an initial focus on member accountability</p>	<p>Consider how the performance management framework can be strengthened to incorporate indicators of risk.</p> <p>A new risk management framework to be developed with emphasis on Assistant Directors being personally responsible for owned risks and KPI's.</p> <ul style="list-style-type: none"> • Undertake an exercise to baseline the understanding of risk in the authority, who owns it, how it is being mitigated and arrangements for oversight and escalation. • Enhance officers' capability on risk through development training enhance members understanding about their collective role in risk management. 	<p>There is increased clarity on risk owners.</p> <p>The council is better able to recognise its risks as they emerge and escalate to elected members more effectively and mitigate accordingly.</p> <p>Agreed further activity as part of the Improvement and Recovery Plan</p>	<p>Director of Finance</p>

CfGS Recommendation	BCC Response – current, planned, or proposed activity	Key Deliverables within 6 months (June 2024)	Accountable Officer
	<p>Develop new Audit Committee Terms of Reference to strengthen approach to risk management.</p> <p>A new Corporate Governance (Officer) Group to be formed, with a focus on governance, risk, and performance management.</p> <p>Review and revise arrangements for member support, and information sharing with Overview and Scrutiny and Audit.</p> <p>Set substantive discussion of risk as a standing item on monthly Cabinet agendas (escalated from, and informed by, discussions at Scrutiny and Audit Committee).</p> <p>Scope and develop further programme of action as part of the Improvement and Recovery Plan.</p>		
<p>9. Put in place robust arrangements for members’ oversight of the development of the 2024/25 budget and MTFS</p>	<p>Early engagement by scrutiny members is being built into the budget development processes. A Budget Scrutiny Task and Finish Group has been established to address this. Scrutiny involvement will include:</p> <ul style="list-style-type: none"> • Identification and scrutiny of the most critical areas where savings/cuts are planned with a particular focus on the equality and equity impacts. • Time and space for scrutiny to investigate and challenge the budget development including the budget plans themselves. • Members and Commissioner sessions are being scheduled to support this. 	<p>Members have had opportunities to review and challenge the development of the 2024/25 budget through the Budget Scrutiny Task and Finish Group and additional sessions.</p> <p>A process for ongoing, in-year budget scrutiny has been developed.</p> <p>Multi-directorate teams have reviewed and challenged the budget.</p> <p>Members’ input means that some of the most significant negative impacts on local people from service/budget cuts have had the opportunity to be tested/mitigated.</p>	<p>Interim Monitoring Officer</p> <p>Statutory Scrutiny Officer</p> <p>Director of Finance</p>

CfGS Recommendation	BCC Response – current, planned, or proposed activity	Key Deliverables within 6 months (June 2024)	Accountable Officer
	<ul style="list-style-type: none"> Separate process for ongoing, in-year budget scrutiny to be informed by the stabilisation plan's proposed action on audit and scrutiny. <p>Review and challenge of the budget from multi-dimension teams will be held across Finance, HR, Procurement, Legal, DTS, Equalities.</p> <p>The new Terms of Reference for the Audit Committee provides greater clarity of the Committee's role in financial management oversight.</p>	<p>There will be formal feedback from scrutiny to Council, to support its formal work on signing off the Budget in New Year 2024.</p>	
<p>10. Integrate action on external auditors' recommendations into wider practice.</p>	<p>All external audit recommendations fall within the scope of commissioner led intervention, and will be addressed where required by the Improvement and Recovery Plan</p> <p>A new corporate timetable has been issued to develop a budget, which includes all services and involves engagement from Members. This will result in a more sustainable financial plan.</p>	<p>A more sustainable financial plan has been developed through following the new corporate budget timetable.</p> <p>External audit recommendations are being monitored and integrated into wider improvement plan and practice.</p> <p>Agreed further activity as part of the Improvement and Recovery Plan</p>	<p>Director of Finance</p>
<p>11. Continue to rebuild relationships with external partners.</p>	<p>A programme of work is being implemented to understand partner's needs, roles, capacity, and capability.</p> <p>Partnership engagement infrastructure is being developed to strengthen the council's approach, and tools will be made available to help contribute to the Council's effectiveness as mature and effective partner.</p> <p>Start to think about how active partnerships can contribute to service redesign, which we consider</p>	<p>There is a better understanding of the Council's partners, which acts as a basis for meaningful discussion of the role of partners in respect of the Council's future operating model.</p> <p>Tools and guidance are available to support partnership work across the Council.</p> <p>Members are more strongly involved in partnerships.</p>	<p>Director of Strategy, Equality and Partnerships</p>

CfGS Recommendation	BCC Response – current, planned, or proposed activity	Key Deliverables within 6 months (June 2024)	Accountable Officer
	<p>will be an important theme of the Improvement and Recovery Plan.</p> <p>Approach to Member involvement needs to be developed in order for them to play strong role in this work.</p>	<p>Agreed further activity as part of the Improvement and Recovery Plan</p>	
<p>12. Put in place proportionate arrangements to manage governance and decision-making in the context of the role of Commissioners</p>	<p>Proportionate and directed oversight by Commissioners will be integrated into plans for the constitutional review, and other short-term changes to the governance framework.</p> <p>Activity is already underway to:</p> <ul style="list-style-type: none"> • Establish process for Commissioners to clear and comment on all council/ cabinet reports. • Agree where and how Commissioners will be sighted on important / contended matters. • Agree on how delegation will operate under Commissioners' oversight. • Create formalised arrangements for Cabinet/ CLT/ Commissioner/ scrutiny relationships, to ensure that there is public visibility and accountability. 	<p>Proportionate arrangements are in place to integrate Commissioners' roles, and expectations, as a semi-permanent part of the governance framework. These arrangements are consistent and well-understood.</p>	<p>Director of Strategy, Equality and Partnerships</p>
<p>13. Modernise systems and practices in Scrutiny and Committee Services</p>	<p>The Statutory Scrutiny Officer (SSO) will be empowered with scrutiny chairs and CLT, to take forward action to ensure that improvement work is taken forward.</p> <p>Ongoing mentoring support to officers supporting the Audit Committee to be used as a model for wider mentoring and coaching for Scrutiny and Committee Services staff.</p> <p>Scoping further activity for the Improvement and Recovery Plan.</p>	<p>Improvement work has been undertaken in Scrutiny and Committee Services, reflecting the recommendations from ongoing externally commissioned support work.</p> <p>The SSO and Scrutiny and Committee Services has a higher profile in the organisation.</p> <p>Agreed further activity as part of the Improvement and Recovery Plan.</p>	<p>Interim Monitoring Officer</p> <p>Statutory Scrutiny Officer</p>

CfGS Recommendation	BCC Response – current, planned, or proposed activity	Key Deliverables within 6 months (June 2024)	Accountable Officer
	Delivery is contingent on conclusion of ongoing externally commissioned improvement activity across Scrutiny and Committee Services.		

Birmingham City Council

Cabinet

12 December 2023



Subject: Oracle Programme Update

Commissioner Review

This paper is written in the context of BCC's approach to resolve the issues with the Oracle Fusion implementation comprising of three distinct phases. The paper addresses achieving what is called "Safe and Compliant" by the delivery of business outcomes through implementing a series of "fixes" to the current Oracle Fusion system, which is an extension of the approach previously adopted but completes at the delivery of a series of business outcomes, that have been agreed by the respective business owners and accepting that sub optimal processes will continue until:

- a) The selection and implementation of a replacement Income Management System is completed.
- b) The re-implementation of Oracle Fusion where the council's priority will be to adopt the standard functionality of Oracle Fusion ERP.

The a) and b) points above create the context for the investment and workarounds for the "Safe and Compliant" work where further short-term fixes are probably not cost effective and will detract resources from the longer-term solution. Amongst the good practice needed to successfully deliver this work BCC must ensure:

- the right level of business and IT resources are assigned to the "Safe and Compliant" workstream.
- Business requirements must be clearly stated to avoid wasted effort/costly re-work.
- Very strong change and design control is implemented to avoid scope creep and the temptation for a fresh wave of changes not necessarily required to run the operation while the new IMS and Fusion re-implementation is developed and implemented.
- Tight commercial control of the spend and clear reporting of actuals and forecast.
- Effective management and closer team working to speed up delivery and improve quality.

This work is essential to deliver the Oracle system changes to create an operation that, though sub optimal, e.g. reliance on manual effort and workarounds, can deliver the business outcomes while both a new Income Management Solution and a re-implementation of Oracle Fusion is completed.

I support this Cabinet submission.

Myron Hrycyk

Commissioner

Birmingham City Council

Report to Cabinet

12 December 2023



Subject: ORACLE PROGRAMME UPDATE

Report of: Deborah Cadman, Chief Executive

Relevant Cabinet Member: Cllr Brigid Jones, Finance and Resources

Relevant O & S Chair(s): Cllr Jack Deakin, Finance and Resources

Report author: Professor Graeme Betts, CBE,
Director of Adult Social Care (as Oracle SRO)

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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 012148/2023		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential: Appendixes.		

1. Executive Summary

- 1.1. The purpose of this report is to update Cabinet on the progress of the work being undertaken on the Oracle Programme and to seek agreement to the plan to conclude current remediation activities. A second report will follow in January 2024 that will detail the Council's plans for the reimplementation of the Oracle system.

- 1.2. The work undertaken to date has identified that there are key, foundational elements of the current Oracle implementation that prevents the system functioning properly leading to significant security, auditability, and compliance issues. Consultation with external experts has highlighted that in order to fully address these issues reimplementation will be required. On the basis of these findings, the programme has undertaken a review of the remediation activities that have been ongoing since the Cabinet June 2023 report, to assess what can now reasonably be achieved in the current instance.
- 1.3. The initiation of this phase of work was to address the most urgent risks and to help stabilise the system for the relevant operational services. It is important to note that the conclusion of this phase of work will not make the Council fully safe and fully compliant, therefore the priority should be to move towards a broader reimplementation plan that helps to achieve this. The proposals in this paper are designed to ensure that resource and investment is quickly and safely diverted to best address the balance of risks that remain. The scope of the work, as defined in this report, has been agreed with Officers as required to enable them to 'live with' the current system and ongoing defect management ahead of a final solution being delivered.
- 1.4. The cost of the remaining technical work as defined in Annex C is £815,517, which can be covered within the funding envelope approved within the June 2023 Cabinet report. The target date for completion of this phase of work is the 30 April 2024.
- 1.5. The report also describes the programme's plan to address the current and increasingly urgent issue with the failed Bank Reconciliation System (BRS).

2. Recommendations

That Cabinet: -

- 2.1. Notes the headline findings from the initial planning of the optimisation phase which frames the rationale and approach to concluding the current phase of 'safe and compliant' activities.
- 2.2. agrees the plan to conclude the current phase of activity known as the 'safe and compliant' phase, based on the scope of work detailed in **Appendix C** of this report being delivered.
- 2.3. notes the cost for the conclusion of this phase, which can be funded from the FY23/24 programme budget approved by Cabinet in June 2023.
- 2.4. notes the planned approach to address the current Bank Reconciliation System (BRS) issues and the options to implement an Income Management system as a replacement for the current BRS system and a key component of the final, optimised solution.
- 2.5. agrees that the delegated authority authorised in the June 2023 Cabinet Report to approve any new, compliant procurement arrangements required to secure

resources to support the Oracle stabilisation and optimisation design work, still stands.

3. Background

- 3.1. In June 2023, a report was approved by Cabinet which set out the challenges being encountered in the day-to-day operations of Finance and HR, as a result of the implementation of a new Enterprise Resource Planning (ERP) IT system, Oracle Fusion (Oracle). The key challenges being faced at the time were the lack of the Council’s ability to formally ‘close’ its accounts for the year 2022/23; an impact on the provision of finance and HR services to schools; as well as a number of People Services issues related to recruitment, data management and monitoring processes to update renewals of Disclosure and Barring Service (DBS) checks.
- 3.2. Based on the above scale and impact of the issues, Cabinet agreed a spend of up to £46.53m, which included up to £35.084m in FY23/24 to fix urgent issues, and to develop a plan that will deliver the Council’s vision for an optimised Oracle system. The June 2023 report set out two phases of work that would be initiated on this basis:

Safe & Compliant	Optimisation
Urgent work to ensure the council continues to be able to discharge its statutory, legal, contractual and policy obligations	Implementing a refreshed version of the Council's original vision for Oracle, which adopts rather than adapts Oracle. Successful delivery will involve supporting staff to review and revise business processes that deliver efficiencies and improved productivity across the organisation.

- 3.3. Governance arrangements were stood up, as set out in the June 2023 report, with the immediate priority on stabilising the current implementation. The crisis response governance based on the Gold and Silver Command worked well in helping to grip live issues and provide a route for escalating and making decisions.
- 3.4. Alongside the Gold/Silver Command structure, a Design Authority was also stood up to oversee the development of a plan to ensure the Council optimises the value of its Oracle investment. The Design Authority set out a three phased approach to developing and implementing an optimised solution and this comprised a 12-week solution design phase; followed by a detailed design phase and implementation.
- 3.5. It was proposed in the June 2023 Cabinet Report that the outcome of the initial planning phase for optimisation would be reported back to Cabinet by the end of 2023. This would set out the timeline and funding required to deliver this phase of work. However, as a result of recent events, including the Council issuing a Section

114 notice in September 2023, and the subsequent arrival of Commissioners in Birmingham the following month, work is being done at pace to sense check and refine the options which will now be brought to Cabinet in January 2024.

- 3.6. In the meantime, this report sets out some of the key headline findings from the planning undertaken so far for the optimisation phase, which has helped to inform and define an end point (as well as associated cost) for concluding the current set of remedial activities, as part of the path towards an optimised solution.

4. Approach

4.1. Optimisation – solution design overview

- 4.1.1. As set out above, a separate report will be presented to Cabinet in January 2024 that will provide a recommended approach and timeline towards delivering an optimised solution. However there has been some initial work and findings that is important to set out as this will help frame the rationale and timings for concluding what has been defined as the ‘safe and complaint’ phase.
- 4.1.2. From the outset of the solution design phase, senior officers within the Council, endorsed by the Design Authority, have agreed the key objectives of the optimisation phase are to:
- Adopt a more standard approach of the Oracle Fusion solution, with minimal customisation and appropriate configuration.
 - Align the Council’s business processes with the capabilities of Oracle Fusion, so that operational efficiencies are realised.
- 4.1.3. Oracle Consulting were onboarded as part of the solution design phase to assess whether standard cloud functionality can align to the Council’s business processes and to what extent this can be delivered within the current Oracle implementation.
- 4.1.4. The key details of their findings will be set out in the subsequent report to Cabinet however relevant to the conclusion of this current phase is the report’s core finding that there are foundational elements of the current implementation that prevent the system functioning properly and these need to be revisited. Examples include the Chart of Accounts, which defines the Council’s financial structure within the Oracle system to support accurate recording of financial transactions; and Segregation of Duties, which is used to support proper access control and support auditing.
- 4.1.5. Addressing these foundational issues, which relate to the underlying architecture of the system, whilst in a live operating environment is not recommended by experts (including Oracle Consulting) that BCC have consulted. To attempt this would be extremely challenging at best, highly disruptive and result in a solution which would still not enable the Council to complete its statutory duty or meet its compliance obligations.

- 4.1.6. In addition, analysis shows that it is not cost-effective to attempt to fix the failed Bank Reconciliation System (BRS).
- 4.1.7. The findings of the solution design work show that delivery of an optimised solution will require re-implementation, and this has brought into sharp focus that it is simply not cost effective or practical to fix all of the known functional, process and technical issues in the current solution. Therefore, investment needs to be minimised to technical requirements that enable relevant services to 'live with' a semi-functional solution that can support minimum viable business-as-usual operations, whilst investment is diverted at pace to developing and implementing the plan to deliver a functioning ERP solution.
- 4.1.8. This paper describes the outstanding set of technical fixes that will be delivered as part of the current phase of the programme. This set of essential technical fixes will not address all the outstanding issues and so additional operational workarounds will be required to help close the gap, minimise risks, manage consequences and stabilise the current situation. The section below sets out the likely timescale that the workarounds will be required for, and the work being done to assess the costs that will need to be factored in the Council's February 2024 budget.
- 4.2. Defining the scope of the current 'safe & compliant' / essential fixes phase and concluding this work
- 4.2.1. Since the June 2023 report, progress has been made in addressing key issues identified by colleagues in key service areas, Finance, People Services, Procurement, Audit & Risk and DTS (Digital & Technology Services). As part of progressing towards a more stabilised environment, the following areas of progress have been made:
- Unallocated cash for FY22/23 is now materially resolved, with Finance teams working on the out-turn. Focus is also on clearing the FY23/24 unallocated cash backlog and steady progress is being made.
 - Monitoring of key elements, including equal pay, gender ethnicity pay gap, and DBS is now technically supported, as a number of People Service reports can be produced. This has helped to improve delivery and reduce risk.
 - The Oracle Risk Management Cloud module went live 1st Sept 2023. This is a tool that enables the Council to identify potential access and security vulnerabilities within the system so remedial action can be taken.
- 4.2.2. Whilst the primary responsibility of the Design Authority has been to develop the plan towards optimisation, part of the Authority's responsibility has been to also oversee the 'safe & compliant' backlog of activities so that it can assure that tactical solutions are being delivered against a set of design criteria that aim to simplify, reduce cost, and smooth the path to the future optimised design as far as possible.

- 4.2.3. A key challenge has been that the list of known issues identified in May / June 2023 was not finite. Often, fixing one issue has unlocked the next step in a process, which then highlights new issues that need fixing. One example of this is the process of producing the FY22/23 financial outturn. The teams have only recently been able to undertake and complete every stage of the outturn production process.
- 4.2.4. Based on our latest view regarding key limitations in the current system, the Council's current financial situation and the need to clearly define the scope of the outstanding 'safe & compliant' work, a further review was undertaken with Services during October and November 2023.
- 4.2.5. **Appendix C** details the remaining technical changes that are considered essential and cost-effective to enable the core services (Finance, People Services, Procurement, Audit & Risk) to deliver their core (ERP-related) business outcomes. **Appendix C** also then identifies any residual gaps / risks and where manual workarounds will be used to address them.
- 4.2.6. The aim is to identify the combination of essential technical fixes and operational, manual workarounds where the Council believes it can achieve an acceptable and stable operational state.
- 4.2.7. The costs to deliver the outstanding, essential technical fixes as described in **Appendix C** is within the budget approved by Cabinet in the June 2023 Cabinet Report. Section 9, Financial Implications, provides further details on the costs.
- 4.2.8. The target date for the completion of all the technical fixes listed in **Appendix C** is 30 April 2024. We will work with the team (especially Finance) to prioritise fixes that help to better prepare the Council for the start of the new Financial Year. A detailed plan to track progress is being developed and that will be reported fortnightly to the Oracle Programme Board and the Oracle Member Oversight Board.
- 4.2.9. The manual workarounds that will be required in addition to the essential fixes will be factored into the Council's FY24/25 budget, which is due to be presented to Cabinet in February 2024 and these additional operational costs are not covered in this report. It is possible that the some of these workarounds may be required for 18 – 24 months, while the optimisation phase is defined and delivered.
- 4.2.10. Work on the optimised solution will continue in parallel, and the aim is for a Cabinet Paper describing the final solution to be presented to Cabinet, also in January 2024.
- 4.3. Addressing the Bank Reconciliation System (BRS)
- 4.3.1. As outlined earlier in the report, our understanding of the current Oracle implementation has improved, and has identified areas of the system where there is limited value in implementing short-term fixes.

- 4.3.2. One example is the existing Bank Reconciliation System (BRS), a custom-built tool that posts entries from Bank Statements into the Ledger in Oracle Fusion. Current estimates are that 60% of the 30,000 monthly transactions are posted successfully. The remaining 40% require manual intervention to resolve. This 40% is a mixture of items posted incorrectly and items that the system is unable to automatically post to the ledger. The aspiration for the original Safe & Compliant phase was to fix BRS, however it is not considered cost-effective to fix (even considering the increased staff cost of dealing with the issues). In addition, a custom-built tool like BRS do not align with the Council's principles for an optimised Oracle solution.
- 4.3.3. BRS has impacted the production of the financial outturn for FY22/23; it will impact the production of the financial outturn for FY23/24; and it continues to impact the production of monthly budget reports for cost centre managers.
- 4.3.4. Having established that fixing BRS was not an option, the programme has been considering a number of alternate options. The high-level options appraisal is provided in **Appendix D** and outlines the following 4 options:
1. Continue with, and fix, the existing BRS solution.
 2. Use Oracle Fusion.
 3. Use an Income Management system from a 3rd party supplier.
 4. Build an in-house system.
- 4.3.5. Based on our investigations to-date, the currently preferred option is to use an Income Management system from a 3rd party provider. The Income Management system sits between Oracle, the Council's banking provider's system and other key Council systems (e.g., the Council Tax system), to process and record transactions in Oracle.
- 4.3.6. The use of Income Management systems is common within the Local Authority sector, especially with Collection Authorities (those that processes Council Tax and Business Rates transactions) like Birmingham, where transaction volumes are typically higher.
- 4.3.7. While the aim is to adopt the vanilla Oracle solution wherever possible, when discussing this option with Oracle Consulting, they have confirmed that "*Oracle has previously integrated with third-party [Income Management] solutions, and from the workshops with BCC it appears that the appropriate course of action is for BCC to establish an income management solution that can be integrated with Oracle Cloud ERP*".
- 4.3.8. The Income Management solution will (based on current thinking) form part of the optimised solution with a detailed plan included in the subsequent Oracle report planned for January 2024. However, due to the current issues with BRS, the programme will accelerate work in this area ahead of January Cabinet.

5. Consultation

- 5.1. The Council has consulted with Oracle, Gartner, PwC and many other organisations, including those that have implemented ERP solutions, to learn from their experience to support the Council and this programme. KPMG have also been working closely with finance and have helped to inform the work to date.
- 5.2. The Council is also working closely with the External Auditor, Audit Committee and with the Finance & Resources Overview & Scrutiny Committee.
- 5.3. The Director for Children and Families has been leading the Council's engagement with schools, including the Schools Forum and the Head Teacher network.
- 5.4. Officers from Finance, People Services, Corporate Procurement and Legal Services have been consulted on the content of this report.
- 5.5. The Oracle Member Oversight Board chaired by the Leader of the Council and attended by the Deputy Leader of the Council, the Cabinet Member for Finance and Resources and the Cabinet Member for Digital, Culture, Heritage & Tourism has been briefed on the report. Further briefings are planned with the Chair of the Finance and Resources O&S Committee, the Leader of the Conservative Group, the Leader of the Liberal Democrat Group and the Leader of the Green Party Group.

6. Risk Management

- 6.1. The Oracle implementation programme continues to maintain a detailed Risk Register to ensure programme risks are mitigated. This is reviewed and updated regularly, with key risks reviewed at the Oracle Programme Board and at the Oracle Member Oversight Board.
- 6.2. The Council's strategic risk register has also been updated to reflect the Oracle programme.
- 6.3. The key risks relating to the specific work defined in this report are:
 - That the work identified as in scope requires more cost and/or time to complete.
 - That additional issues are identified that extend the scope, and this increases the cost and/or time to complete.

The proposed mitigation of both these key risks is the inclusion of contingency in both the cost and timescales stated in this report.

- 6.4. There will remain residual risk in the relevant services after the technical work in **Appendix C** has been delivered and services are identifying where additional resources and controls are required to help to mitigate these.

7. Compliance Issues:

8. Legal Implications

- 8.1. The Council is under a duty under Section 3 of the Local Government Act 1999 to make arrangements to secure continuous improvement in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. The Council has a duty under Section 135 of the Local Government Act 1972 to make standing orders for the supply of goods and services or the execution of works.
- 8.2. The City Council will carry out this work under the General Powers of Competence Section 1 of the Localism Act 2011.

9. Financial Implications

- 9.1. The Oracle Implementation Cabinet Report approved by Cabinet in June 2023 provided an updated financial position for the programme. The June 2023 also secured approval to spend up to **£35.08m** for Safe & Compliant and Solution Design work in FY23/24.
- 9.2. The forecast cost of delivering the technical fixes detailed in this report is **£815,517**. This includes the cost of technical fixes that are already in flight, as at 14 November 2023. This figure includes a 30% contingency to help mitigate the risk of cost increases with identified fixes. This figure also includes an additional £75,000 contingency that has been set aside for additional fixes that may be identified where there is a strong business case, e.g., where the investment could reduce the operational overhead.
- 9.3. This spend is able to be contained within the approved amounts of £35.08m for 23/24 allocated above.

	2023/24			
	Year to date cost, latest forecast at end October 2023 (£'m)	Year to date cost, previous Cabinet report forecast, to end October 2023 (£'m)	Year to date variance, latest to Cabinet forecast (£'m)	Full Year Cabinet Paper forecast (£'m)
General Programme Costs	1.913	3.582	1.669	5.542
Digital and Technology Services	6.222	8.298	2.076	16.461
Finance	5.760	3.577	(2.182)	4.099
People Services	0.645	1.779	1.134	3.047
Procurement	0	0.087	0.087	0.088
Contingency/Other	-	2.924	2.924	5.847
Oracle Spend	14.539	20.247	5.708	35.084

- 9.4. Due to the residual risk that remains before re-implementation, it is likely that additional operational resources will be required and so the forecast programme costs for FY23/24 will increase further.

10. Procurement Implications (if required)

10.1. The view is that the previous delegation approved in the June 2023 report still stands.

11. Public Sector Equality Duty

11.1. No adverse impacts were identified. See **Appendix B**

12. Appendices

12.1. These are as follows:

- **Appendix A** – Equality Act 2010
- **Appendix B** – Equality Impact Assessment
- **Appendix C** – Safe and Compliant Scope
- **Appendix D** – BRS resolution options
- **Appendix E** - Environment and Sustainability Assessment

13. Background Documents

13.1. Cabinet Report: [Oracle Full Business Case, July 2019](#)

13.2. Cabinet Report: [Oracle Revised Business Case, March 2021](#)

13.3. Cabinet Report: [Oracle Implementation, June 2023](#)

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

1	The Council must, in the exercise of its functions, have due regard to the need to: <ul style="list-style-type: none">(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act;(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
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2	<p>Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
3	<p>The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.</p>
4	<p>Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) tackle prejudice, and (b) promote understanding.
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none"> (a) Marriage & civil partnership (b) Age (c) Disability (d) Gender reassignment (e) Pregnancy and maternity (f) Race (g) Religion or belief (h) Sex (i) Sexual orientation

Appendix B – Equality Impact Assessment

As the nature of the work has not changed in relation to EIA from that described in the June 2023 Oracle Implementation Cabinet Report, a copy of the draft EIA from the June 2023 report is included below.

Title of proposed EIA	Oracle Implementation
Reference No	EQUA1147
EA is in support of	New Strategy
Review Frequency	Annually
Date of first review	24/11/2023
Directorate	Council Management
Division	
Service Area	All Service Areas
Responsible Officer(s)	Claire Brett
Quality Control Officer(s)	Gemma Malhi
Accountable Officer(s)	Atrin Conway
Purpose of proposal	To support the successful implementation of Oracle within and across the Council. Focusing on two key phases of: 1. Safe and Compliant / urgent stabilisation – urgent work to ensure the council can meet statutory and legal obligations 2. Optimisation Supported by the utilisation of approved BCC frameworks to secure key resources.
Data sources	Relevant reports/strategies
Please include any other sources of data	Experience and lessons learned from Oracle Implementation to date.
Initial impact assessment	
Protected characteristic: Age	Service Users / Stakeholders; Employees
Age details:	It is assessed at this stage that there is no impact on age. Typically, Oracle will be utilised by a range of people in various age groups. Age will not be a criterion for using a particular resource from the approved contract(s). Neither will it impact either way on age groups of employees involved in using Oracle.

	<p>Specialist support recruited through this implementation to work alongside existing staff should support development and upskilling so that could be an indirect positive impact.</p>
Protected characteristic: Disability	<p>Service Users / Stakeholders; Employees</p>
Disability details:	<p>It is assessed at this stage that there is no impact on disability. Typically, Oracle will be utilised by a range of people in the Council who may have disabilities. Suppliers / resources working on the implementation may also have a range of disabilities.</p> <p>As disability confident employer we might want to ensure that as part of any new procurement arrangements we setup no one is impacted negatively and people with disabilities can supply work through these contracts should they wish. Access and reasonable adjustments will need to be adhered to and considered / implemented where necessary.</p> <p>Specialist support recruited through this implementation to work alongside existing staff should support development and upskilling so that could be an indirect positive impact.</p>
Protected characteristic: Gender	<p>Service Users / Stakeholders; Employees</p>
Gender details:	<p>It is assessed at this stage that there is no impact. Typically, a range of people from a range of genders will be involved in the implementation of Oracle. Furthermore, suppliers will recruit and be able to provide a range of people to support in terms of resources.</p> <p>Gender will not be a criterion for using a particular resource from the contract. Neither will it impact either way on gender groups of employees involved in working on the implementation.</p> <p>Specialist support recruited through this implementation to work alongside existing staff should support development and upskilling so that could be an indirect positive impact.</p>

Protected characteristics: Gender Reassignment	Service Users / Stakeholders; Employees
Gender reassignment details:	It is assessed at this stage that there is no impact. Specialist support recruited through this implementation to work alongside existing staff should support development and upskilling so that could be an indirect positive impact.
Protected characteristics: Marriage and Civil Partnership	Service Users / Stakeholders; Employees
Marriage and civil partnership details:	It is assessed at this stage that there is no impact. Specialist support recruited through this implementation to work alongside existing staff should support development and upskilling so that could be an indirect positive impact.
Protected characteristics: Pregnancy and Maternity	Service Users / Stakeholders; Employees
Pregnancy and maternity details:	It is assessed at this stage that there is no impact. Neither will it impact either way on particular employees should they be pregnant or on maternity leave/ returning from maternity leave. Specialist support recruited through this implementation to work alongside existing staff should support development and upskilling so that could be an indirect positive impact.
Protected characteristics: Race	Service Users / Stakeholders; Employees
Race details:	It is assessed at this stage that there is no impact. Race will not be a criterion for using a particular resource. Neither will it impact either way on particular groups of employees involved in working with the partners. Specialist support recruited through this implementation to work alongside existing staff should support development and upskilling so that could be an indirect positive impact.
Protected characteristics: Religion or Beliefs	Service Users / Stakeholders; Employees
Religion or beliefs details:	It is assessed at this stage that there is no impact.

	Specialist support recruited through this implementation to work alongside existing staff should support development and upskilling so that could be an indirect positive impact.
Protected characteristics: Sexual Orientation	Service Users / Stakeholders; Employees
Sexual orientation details:	It is assessed at this stage that there is no impact. Specialist support recruited through this implementation to work alongside existing staff should support development and upskilling so that could be an indirect positive impact.
Socio-economic impacts:	It is assessed at this time to have no direct impact. Specialist support recruited through this implementation to work alongside existing staff should support development and upskilling so that could be an indirect positive impact. Recruiting staff living close to Birmingham may also be a positive impact. Documentation will need to outline any social value delivered by any of the work undertaken and demonstrate that this has been considered in terms of providers and supply chain.
Please indicate any actions arising from completing this screening exercise	Essential need for regular review of EIA and due regard to potential impacts from contracts and ensuring social value and other terms are agreed that support the Council's EBEB Action plan and other policies such as disability confident employer etc
Please indicate whether a full impact assessment is recommended	No, it is not recommended
What data has been collected to facilitate the assessment of this policy/ proposal?	Corporate Plan, Transformation Monitoring Report, Oracle Lessons Learned. Anecdotal information about skills gaps, capacity within existing teams and infrastructure to support implementation appropriately. The amount of specialist external support already provided and required moving forwards.
Consultation analysis	

Adverse impact on any people with protected characteristics	None assessed at this time but this will be reviewed
Could the policy/proposal be modified to reduce or eliminate any adverse impact?	Yes, through contract terms with suppliers, Social Value targets within the contract life and through adherence of suppliers to BCC Council Policies.
How will the effect(s) of this policy/proposal on equality be monitored?	Through regular contract meetings and benefits management of implementation
What data is required in the future?	
Are there any adverse impacts on any particular group(s)	No
If yes, please explain your reasons for going ahead	
Initial equality impact assessment of your proposal	
Consulted People or Groups	
Informed People or Groups	
Summary and evidence of findings from your EIA	No particular negative impacts have been assessed at this time but to ensure that none arise from issues discussed in the assessment - regular EIA reviews will be undertaken, and this will be fed back into the officers undertaking the implementation and contract arrangements.
Submit to the Quality Control Officer for reviewing?	26 May 2023
Quality Control Officer comments	Pending
Decision by Quality Control Officer	Pending
Submit draft to Accountable Officer?	

Decision by Accountable Officer	
Date approved / rejected by the Accountable Officer	
Reasons for approval or rejection	

Appendix C – Updated safe & compliant scope: essential fixes.

The tables in this Appendix set out the work that will be delivered to conclude this phase of work. The work the programme will deliver is detailed in the ‘technical fix’ column. The final column sets out the residual risk and identifies the mitigation activities proposed by the operational services, which they will continue to manage.

Finance

In Finance, this current phase of rework has focused on essential technical fixes to the system, in the following areas:

1. Paying suppliers on time and correctly
2. Paying our people and maintaining a statutorily compliant payroll system
3. Collecting debt
4. Producing a 22/23 outturn

This leaves inherent risks until the system is reimplemented. Prior to reimplementation, the plan to help mitigate these risks is through enhanced manual workarounds and controls to support, that will focus on the following areas:

1. Moving towards achieving an unqualified audit – there is a risk of qualification that remains for FY22/23 audit due to poor in year systems controls during the year.
2. Producing a monthly budget monitor – due to complexity of manual process and the significant volumes of manual postings and error corrections due to BRS it will be challenging to produce a monthly outturn to reasonable timescales and levels of accuracy in the short term.
3. Reducing risk of theft and fraud due to poor system segregation of duties controls, the highly manual processes and the lack of fully documented processes and associated controls.

The table below outlines the key areas of focus and identifies those areas where additional technical fixes are required and in scope for Finance and for the remainder of this phase.

High Level Outcome	Key output	Current situation / limitations	Technical fixes to be delivered by the programme	Residual risk mitigation
<p>Collecting debt. Essential business requirement achieved, with some technology enabled improvement needed.</p>	<p>Interim solution target for traded debt outstanding over 90 days at 65%</p>	<p>Performance is now stabilising but can improve.</p> <p>The functionality for collecting debt needs improvement.</p> <p>We need to implement Dunning Letters (debt chasing letters) and improve debtor reporting in Oracle</p>	<p>There are 12 technical fixes required to support the delivery of this outcome.</p> <p>These include implementing Dunning (debt recovery letters), more effective Accounts Receivable reporting to improve our abilities to monitor and collect debt, and automated Direct Debit receipting to reduce manual effort.</p>	<p>Accounts receivable activity is impacted by BRS posting issues and the high volumes of unallocated cash preventing accurate debtor reporting to chase for debts.</p> <p>We have a team of temporary resources needed for manual workarounds to allocate cash and that will need to remain in place until the solution is optimised.</p> <p>We will not be fully safe and compliant in this area until the Income Management system to replace BRS is live and the optimisation phase is complete.</p>
<p>Ensuring we pay our suppliers accurately and on time, and provide any associated statutory reporting accurately and to deadlines</p>	<p>Interim solution target for percentage of supplier invoices paid on time 60%</p>	<p>Our performance in paying suppliers on time has stabilised at improved levels over SAP.</p> <p>The functionality needs improvement for certain payment types.</p>	<p>There are 3 technical fixes required to support the delivery of this outcome.</p> <p>These changes will:</p> <ul style="list-style-type: none"> • Help resolution of issues with one time supplier payment approvals 	<p>Manual work arounds are in place and a team of temporary transaction processors has been in place since Sept 22. These resources will be needed until the system optimisation phase is completed.</p>

(e.g. VAT reporting) Essential business requirement achieved, subject to remaining backlog fixes.			<ul style="list-style-type: none"> • Create a supplier interface feeder file • Deliver a report to enable reconciliation of supplier balances 	
Paying our people and maintaining a statutorily compliant payroll system Essential business requirement achieved, subject to remaining backlog fixes	Resolve known payroll errors and statutory reporting issues caused by system	The majority of payroll issues are resolved. Some issues remain to correct errors in statutory reporting. Some payroll accuracy issues are outstanding.	<p>There are 10 technical fixes required to support the delivery of this outcome.</p> <p>Key technical fixes outstanding relate to.</p> <ul style="list-style-type: none"> • Issues producing P45 • Resolving specific payroll accuracy issues • Improved recording of some key data fields • Improved reporting • Holiday pay calculation 	Additional resources have been required and high levels of overtime have been worked in this area to maintain a reasonable service. This will need to continue until the solution is optimised.
Produce FY22/23 outturn.	Produce a financial position for FY22/23	A draft provisional outturn has been produced and is now being reviewed	No further technical fixes proposed ahead of optimisation.	<p>Inherent risks remain to the quality of the outturn due to.</p> <ul style="list-style-type: none"> • The volume of manual processes cleared in short timescales.

<p>Essential business requirement achieved, with inherent risks remaining until optimisation delivered.</p>				<ul style="list-style-type: none"> • The number of errors made by BRS that have needed identifying and correcting manually. • Poor quality system and manual controls in place during the year • Challenges with the performance of the financial reporting solutions available in Oracle • The s151 officer will need to form an opinion on the assurances that can be given on the accuracy of outturn
<p>Producing a monthly budget monitor.</p> <p>Essential business requirement not currently being achieved.</p>	<p>To implement a reasonable interim solution to provide a budget monitor.</p> <p>This will be very challenging due to systems issues; a significant manual solution and compromised output is likely to be needed until the technology optimisation</p>	<p>Currently no monthly budget monitor has been produced since go live.</p> <p>An Oracle Actuals to Budget report has been produced.</p> <p>The volumes of manual postings and error correction needed, and caused by BRS will make it challenging to produce a budget monitor to a reasonable monthly timetable. The bank reconciliation for FY22/23 has been performed manually.</p> <p>We do not have a viable solution for producing a monthly bank reconciliation</p>	<p>Some fixes are needed to improve the ledger accuracy.</p> <p>There are 14 technical fixes required to support the delivery of this outcome.</p> <p>The main technology issues include:</p> <ul style="list-style-type: none"> • Fixing remaining interface issues • Outstanding reporting needs 	<p>Our ability to produce a timely and accurate budget monitor is severely impacted by the BRS solution and the very high level of manual postings and corrections that need to be made. This will not be resolved until the system is reimplemented.</p> <p>Producing a monthly budget monitor is a key control that our auditors will look for provide assurance in the accuracy of the yearly outturn figures presented to them.</p> <p>The Oracle bank reconciliation is failing and due to the volume of transactions flowing through the general ledger, it will be very challenging to produce a timely monthly bank reconciliation, until an optimised Income Management solution is delivered.</p> <p>The volume of manual postings also presents an inherent risk of manual error and backlogs</p>

	phase is delivered	due to the very high levels of postings that need to be reconciled		<p>accumulating, which will remain until BRS is replaced with an Income Management solution.</p> <p>During FY23/24 backlogs in suspense and control accounts have accumulated that now need to be reviewed and cleared before a budget monitor can be produced. Operational resourcing needs and timescales to clear FY23/24 backlogs and produce a budget monitor for P9 are being assessed.</p>
<p>Managing risk of theft and Fraud</p> <p>High inherent risks will remain until we deliver an optimised technology solution</p>	Develop a controls framework to mitigate the risk of theft and fraud	<p>There are risks of theft and fraud in the current solution environment due to:</p> <ul style="list-style-type: none"> • User access rights, and segregation of duties issues in Oracle • Poor design of journal approval workflows in the system • The level of manual postings that need to be made in the system 	There is 1 technical fix outstanding for this this outcome to improve timesheet approvals for project resources.	<p>We will not be safe and complaint in this area until an optimised technology solution that addresses inherent systems controls issues in the current solution is delivered.</p> <p>The interim objective will be to mitigate the risks through the following measures that need to be implemented:</p> <ul style="list-style-type: none"> • Additional manual controls and checks will need to be implemented to provide assurance that risk of theft and fraud is reduced. • An assurance and control framework has been developed and processes and manual controls, will now need to be assessed against this framework. • A process lead has been appointed to deploy the controls framework. • Processes and procedures will be implemented in priority areas of risk identified as the controls framework is deployed. • Contingency technology funding should be set aside for any improvements that can be made

				<p>to the current system controls where there is a reasonable business case.</p> <ul style="list-style-type: none"> • Additional resources may be required to implement additional controls and checks where risks are identified.
<p>Achieving an unqualified audit</p> <p>High inherent risk until the optimised technology solution is delivered</p>	<p>Meeting External Auditor deadlines to publish accounts that will meet audit requirements for satisfactory controls and assurance</p>	<p>Technology issues have been resolved to provide the reporting needs to produce an outturn.</p> <p>However, issues with system controls (particularly fundamental issues with the system access and security) will create risks of audit qualification until the optimisation phase is delivered.</p> <p>The volume of manual postings and corrections required due to BRS issues also present significant risk until BRS is replaced with an Income Management System</p>	<p>The technical fixes required to reduce the risks of failure in this area will not be delivered until the system is optimised to address the following:</p> <ul style="list-style-type: none"> • Replacement of BRS with an Income Management Solution. • Restructuring of the chart of accounts and enterprise structures. • Rebuilding of the user access rights and security model. 	<p>There will be residual risk of audit qualification until the system is optimised / reimplemented.</p> <p>During the interim period, whilst we await a new solution, we will need to mitigate these risks with:</p> <ul style="list-style-type: none"> • Additional manual workarounds and controls • Potential further technology fixes as yet not identified that will reduce the level of manual activity and process risk. • Other controls such as monthly budget monitor, managing systems access controls and a more robust controls framework over the manual controls, described in the sections above are needed to support further mitigation of this risk. <p>There will be a risk of audit qualification for both FY 22/23 and FY23/24 accounts due to the inherent risks that we will not be able to fully mitigate until the solution is optimised.</p> <p>The auditors are currently reviewing the control environment and are yet to decide their approach to the FY22/23. To fully mitigate the risk of audit qualification until the optimised solution is delivered, we will need a large manual work around</p>

				solution to be developed and implemented. This will take time and cost to implement. This needs to be balanced against acceptable risk, cost and time that the manual solution will be required.
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People Services

High Level Outcome	Key output	Current situation / limitations	Technical fixes to be delivered by the programme	Residual risk mitigation
<p>All employees are paid on time and correctly.</p> <p>HCM Framework model: Compensation</p>	<p>Holiday pay is calculated correctly for employees on Term Time Only contracts who have worked overtime or are in receipt of any other contractual allowances.</p>	<p>Any Term Time Only employees who have worked overtime or been in receipt of allowances have not currently had their holiday pay paid accurately.</p> <p>There could therefore potentially be a further budget pressure and we are also in breach of contract and unlawful deduction of wages status.</p> <p>Grievances have started to be received so we have employee relations issues.</p>	<p>A technical fix is proposed that will automate the process of applying the BCC School Term Dates to all relevant staff records in Oracle. This automated process can then be run annually once the new term dates have been agreed.</p>	<p>No manual workarounds currently in place.</p> <p>Any potential mitigation would require the development of reports to identify people who have received allowances or overtime followed by a very complex calculation as to what holiday pay, they should receive. This would be more complex/costly than implementing the identified solution.</p>
<p>All employees are paid on time and correctly.</p> <p>HCM Framework model: Compensation</p>	<p>Ensure allowances are reviewed and updated when employees move between roles.</p>	<p>Currently, there is no automatic process to flag to the new Manager that an employee who is moving to a new role has allowances that need to be reviewed to ensure they are applicable to the employee's new role.</p> <p>We are reliant on the employee to notify us if they are in receipt of any allowances, they are not eligible for.</p> <p>If the allowances aren't correct this can lead to staff being overpaid.</p>	<p>A technical fix is proposed that will automatically flag to manager and / or People Services where allowances are applicable so they can be stopped at source when an employee moves from one role to another.</p>	<p>People Services staff are responsible for validating allowances, however only Payroll team can view employee allowances in Oracle.</p>

<p>Compliance with managing absence policy and statutory absence legislation.</p> <p>All employees are paid on time and correctly.</p> <p>HCM Framework model: Managing Absence</p>	<p>Accurately report all instances of sickness absence for BCC, BCT and Schools.</p> <p>Compliance with the managing absence policy and statutory absence and paying employees in line with their contractual sickness entitlement.</p>	<p>A decision was taken during the original Oracle implementation for the Oracle Absence module not to be used for sickness absence recording and for absence to be recorded in Payroll.</p> <p>It is not currently possible for People Services staff to accurately review and analyse absence data held in Oracle, to ensure as an organisation we are managing staff absence correctly and in line with policy and supporting employees.</p> <p>Currently, we are reliant on individual Line Managers managing absence in line with policy.</p> <p>The risk is that Line Managers are not managing absence in line with policy, which could lead to staff not being supported correctly and associated employee relations issues.</p> <p>Where staff are absent for longer, due a lack of appropriate absence management, the Council will incur increased costs for interim resources to cover the absentee employee.</p>	<p>A technical fix is proposed that will provide a series of reports that can then be used by People Services staff to review and analyse absence information to ensure compliance with policy and legislation and to ensure the right support is being provided to staff and Line Managers.</p>	<p>The Employee Relations team are doing what they can currently but the data / reports are not accurate.</p>

<p>Provide HR Services to Schools, including Multi Academy Trusts (MAT) or a Multi Academy Companies (MAC)</p> <p>HCM Framework model: N/A</p>	<p>Support the Academy Conversion process to move employee data to the new MAT or MAC employer.</p>	<p>Where Schools that purchase HR Services from the Council join a Multi Academy Trust (MAT) or a Multi Academy Company (MAC) on either a voluntary or forced (e.g., inadequate Ofsted outcome) basis the Council is contractually required to provide a conversion process to move data within the Oracle solution from the main Council entity to the relevant MAT or MAC entity. This is because the MAT / MAC become the new employer / HR Provider.</p> <p>The key risks to the Council are:</p> <ol style="list-style-type: none"> 1. Breach of existing service level agreements and contracts if the Service is unable to deliver a conversion process. This could lead to legal challenge, additional, associated financial cost and reputational damage. 2. Potential loss of income of up to £400,000 per annum in recurrent income, which is based on the loss of specific conversation income (about £55k) and also the loss existing and future School's HR income from existing MAT / MAC customers that would have to take their business elsewhere if the Council is unable to convert schools for them. 	<p>The proposed technical fix will develop a process to convert existing school customers to an existing MAT/MAC and to onboard a new school to an existing MAC/MAT that is already a Schools HR customer, so supported by the Council.</p>	<p>A potential manual workaround has been considered but had GDPR implications so was not considered viable.</p>
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Compliant employment contracts HCM Framework model: Core HR	School Manager are giving notice in line with employee contract terms.	Currently there are instances where Schools Managers are not giving sufficient notice to employees in line with the employee's contract. The impact is that contracts have to be temporarily extended to ensure the notice period is sufficient, which creates a financial pressure BCC, BCT and Schools.	A technical fix is proposed that will generate notifications to Schools Managers to highlight contractual actions they need to take, e.g, end of a Fixed Term Contract , Acting Up, sickness triggers, Right To Remain.	Currently manual records are being maintained by each of the 270 Schools we support.
All employees are paid on time and correctly. HCM Framework model: Compensation	Contractual annual leave increases after 5 and 10 years of service are applied for employees on Term Time Only contracts to ensure payment calculations are correct.	There is no mechanism to automatically apply the 5 and 10 annual leave increases to employees on Term Time Only contracts. Where increases are not applied then pay will not be calculated correctly for these employees and they may be paid too little. This impacts the affected staff, has a negative impact on employee relations and puts the Council at risk of legal action, for breach of contract and unlawful deduction of wages. Grievances are now starting to come in.	A technical fix is proposed that will ensure the term time working weeks calculation is accurate in Oracle and reflects the employees correct annual leave entitlement.	There are no manual workarounds in place.

<p>Diversity in the workforce.</p> <p>HCM Framework model: Recruiting</p>	<p>Monitor the diversity of shortlisted candidates.</p>	<p>To ensure we are complying with the Council’s Everyone’s Battle, Everyone’s Business (EBEB) strategy, it is important that we can correctly report on the diversity of the candidates that are shortlisted for interview.</p> <p>It has been identified that the report used to monitor data is including all applicants for each role and not those that were shortlisted. The impact is that a key EBEB statistic is not being calculated correctly.</p>	<p>The proposed fix will correct the report so it performs the correct calculation, using only the shortlisted candidates and not all applicants.</p>	<p>There is no manual workaround because they are all pending workers in Oracle Cloud and we have no access to their diversity characteristics as they are not employees</p>
<p>Pay Equity across the organisation.</p> <p>HCM Framework model: Compensation</p>	<p>Annual review of turnover levels to reduce equal pay risk.</p>	<p>Turnover levels need to be reviewed annually by post by service area to ensure both the Council and BCT do not create any Equal Pay risks for itself i.e., paying a market supplement when there are higher levels of turnover elsewhere not receiving such supplements.</p> <p>Payments like these need to be kept under review to ensure the underlying business reason which justifies them continues to exist. The moment that reason disappears, we are at risk of incurring an equal pay liability.</p>	<p>A technical fix is proposed to develop a report that will used to monitor pay equity across the organisation.</p>	<p>Given the volume of employee records and data that would need to be reviewed and checked it is not possible to do this manually.</p> <p>The proposed report would be used in conjunction with other intelligence, such as market data and exit interviews so it is not a standalone fix.</p>

		Currently there is no report or mechanism to extract information to support this annual review.		
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Internal Audit

High Level Outcome	Key output	Current situation / limitations	Technical fixes to be delivered by the programme	Residual risk mitigation
An adequate and effective internal audit function	Assurance role that contributes to ensuring every user of the system has the correct and appropriate level of access for their role.	<p>Oracle Risk Management Cloud (ORMC) functionality is live and being used by Business areas, DTS and Internal Audit to identify key risk areas within the current Oracle implementation for investigation.</p> <p>Internal Audit will be working alongside Business areas and DTS (Digital Technology Services) colleagues and the technical delivery team to make changes to access rights as part of a risk based assessment approach, to reduce risks, and also to improve ORMC performance.</p>	Work is on-going with DTS and the technical delivery partner. This funding is already in place so is not included in the cost outlined in this paper.	<p>DTS are working with Internal Audit to make changes and improvements, including reviewing to user access rights, to reduce risk.</p> <p>In the interim, additional manual controls will be needed to mitigate the residual risks.</p>
The internal audit team can independently perform audit work in relation to HR & Payroll activities.	Internal Audit team delegated Oracle access and roles	<p>Internal Audit team require specific Oracle access and roles to conduct reviews.</p> <p>Access to HR and Payroll data, is now being rolled out; the Internal Audit team are unable to view payroll transactions or run OTBI reports restricting scope of audit and ability to</p>	Ongoing activity with all 3 roles currently in production and due to be live imminently.	Initial work on the roles has been completed and a phased rollout has commenced.

		complete a full range of proactive fraud data analysis.		
The internal audit team has the required skills to access and utilise Oracle effectively to perform independent audit activities.	Internal Audit Team Training on Oracle	<p>Audit training on the following areas is required:</p> <ul style="list-style-type: none"> • general interrogation of the system and looking up transactions. • extracting data from the system. • Audit Oracle security / technical configuration. 	No technical fixes required.	Training of the team in key areas to be organised. Looking to utilise the KPMG contract
To enhance security & access by improving controls within Oracle Risk Management Cloud	Risk Management Cloud Phase 2 - BCC Rules	<p>There are wide range of controls within Oracle Risk Management Cloud.</p> <p>The initial ORMC rollout focused on an initial priority set of controls. The plan is to expand the current set of controls.</p>	Additional controls to be implemented.	Expansion of the current set of controls
To provide a bi-annual statutory National Fraud	National Fraud Initiative (NFI) Report	In line with the statutory requirement to provide the requested data as part of the biannual public sector wide anti-fraud data matching exercise.	Development of a report.	The team are dependant on the report being developed.

Initiative Report
(NFI)

Currently, BCC is unable to fulfil the requirements of the Cabinet Offices bi-annual National Fraud Initiative since the NFI data extract reports were removed.

The next due date is October 2024 with data needed by August 2024.

Procurement

High Level Outcome	Current situation / limitations	Technical fixes to be delivered by the programme	Manual intervention
<p>Paying suppliers correctly and on time</p>	<p>The iSupplier portal enables the Council's suppliers to self-serve, including monitoring the progress of submitted invoices.</p> <p>Underlying data issues result in Supplier names being wrong in Oracle and contract reminder notices not being sent to the right contract managers, hence being picked up manually as part of BAU.</p> <p>Some work to address these issues is being done by the Procurement team, but they do not have the capacity to address all the issues.</p>	<p>None</p>	<p>An additional resource will be recruited to address the data quality issues.</p>
<p>Paying suppliers correctly and on time</p>	<p>Where invoices are put 'On Hold' due to price mismatches the system sends a notification to the buyer so they can investigate and address the issue.</p> <p>If the buyer fails to act in time the issue should be escalated to the Requisitioner, but instead is currently being escalated to the Buyer's Line Manager.</p>	<p>A technical fix is required to ensure the existing report works correctly.</p>	<p>The manual process is dependent on the monitoring report working correctly.</p>

	<p>Also, where the wrong buyer has been assigned to a contract the escalation goes to the wrong person.</p> <p>Suppliers should be able to use iSupplier to monitor progress of invoices and escalate 'On Hold' issues to their contact, but data issues with iSupplier mean that suppliers may not be able to access iSupplier.</p> <p>A report has been developed that enables the Procurement Team to monitor 'On Hold' invoices and follow up when they have been 'On Hold' for too long. The existing team can support this process but need the report to be fixed to do so (see technical fix).</p>		
<p>Compliance with the Government Transparency code</p>	<p>The Council has an obligation to ensure compliance with the Government Transparency code.</p> <p>Currently there are issues with the monthly Contract Listing Report that means manual intervention is required on the report, including to add fields and remove unwanted columns from the report prior to its distribution prior to distribution of the report.</p>	<p>Changes to the Contract Listing Report are required.</p>	<p>Additional manual effort is required to address issues in the report.</p>

<p>Compliance with the Government Transparency code</p>	<p>Ensuring the Contracts Register is compliant (with necessary data regarding Purchase Orders (POs) and Supplier Information) with legislative requirements.</p> <p>When a new Purchase Order (PO) is created in Oracle it uses data from the most recent contract with that supplier, rather than giving the creator the option to select the correct contract information.</p> <p>If a wrong contract data is used in the PO and this is not picked up there is a risk of associating the spend/ budget / contract value against the wrong contract.</p> <p>Selecting the incorrect supplier/contract also results in a Purchase Order being raised without CPA numbers which is then reported as non-compliant.</p>	<p>Change the Oracle configuration to enable the correct contract to be assigned to a new PO.</p>	<p>Currently manual effort is required to rectify PO issues.</p>
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Appendix D – BRS resolution options appraisal

Given the significant and complex issue experienced due to the failed Bank Reconciliation System, there is an urgent need to find a solution and reduce the current levels of manual intervention. The table overleaf outlines the options that were considered, and the view of the programme is that procuring an income management system is the most viable option. The use of income management systems is common among the sector and this is an option that has been endorsed by Oracle Consulting.

	Continue with existing BRS and Cash Management	Use Oracle only	Use Oracle plus a new Income Management System	Build a new in-house system to replace BRS
Complexity and fit for purpose	High. Living with the current system as a significant cost in additional manual effort. Fixing BRS would involve rewriting much of the bespoke code on a new environment and would need extensive customisation. This is unproven ground and BCC does not currently have the skills to do this.	High. Standard Oracle can only meet some of the BCC business requirements for cash management and therefore manual workarounds will continue to be required.	Medium. Many other local authorities with Oracle and other ERPs already use this approach. Proven off the shelf products exist within the Market, which reduces the complexity and help standardise many of the processes for BCC.	High. This would be a full rewrite of the bespoke code on a new environment. This would be extensive customisation. This is unproven ground and BCC does not currently have the skills to do this.
Alignment to DA principles	Significant conflict with principles. BCC wants to avoid extensive customisation which is what caused much of the previous problems with cash management.	Oracle Consulting agree that their solution alone cannot meet all the business requirements of BCC for cash management. This means long term manual workarounds are likely to be needed.	General alignment. Embraces standard unmodified software and adapts BCC processes to align with common industry standards, and practices. No customization.	Significant conflict with principles. BCC wants to avoid extensive customisation which is what caused much of the previous problems with cash management.
Cost (if known)	Already spent £4m on BRS (£178k additionally paid on costs of fixes). Additional cost likely to be several million pounds	Core module licencing is already covered, but the cost of set up is likely to cost several hundred thousand pounds. A high level of manual workarounds are likely to remain which currently cost £500k/month.	We are confirming costs with suppliers, but we would expect this option to be significantly cheaper than developing a new BRS customisation from scratch or continuing with manual workarounds.	Already spent £4m on BRS (£178k additionally paid on costs of fixes). A new replacement customisation likely to cost several million more.
Risk	High Risk	High Risk	Medium Risk	High Risk

Appendix E - Environment and Sustainability Assessment

As the nature of the work has not changed in relation to ESA from that described in the June 2023 Oracle Implementation Cabinet Report, a copy of the ESA from the June 2023 report is included below.

Project Title: Oracle Implementation				
Department: Finance, People Services, D&TS		Team: Various		Person Responsible for assessment: Derrick Taylor, Principal Carbon Policy Officer
Date of assessment: 01/06/2023		Is it a new or existing proposal? New		
Brief description of the proposal: New programme to complete the implementation of the Oracle ERP solution				
Potential impacts of the policy/development decision/procedure/ on:	Positive Impact	Negative Impact	No Specific Impact	What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken?
Natural Resources- Impact on natural resources including water, soil, air			X	
Energy use and CO ₂ emissions			X	This is a short-term programme, and we will try to minimise the impact of engaging additional staff for which funding is being sought. We expect that majority of additional staff will work remotely but on occasions (probably 1-2 days per week on average) where they need to travel into work, we will actively encourage them to use public transport, and avoid the use of private vehicles.
Impact on local green and open spaces and biodiversity			X	
Use of sustainable products and equipment			X	
Minimising waste			X	

Council plan priority: a city that takes a leading role in tackling climate change			X	
Overall conclusion on the environmental and sustainability impacts of the proposal	As outlined above, if the recommendations in this report are approved, it is likely to have a negative impact on Energy use and CO ₂ emissions, but only for the duration of the programme.			

Birmingham City Council

Cabinet

12 December 2023



Subject: Section 151 Officer Update on Financial Position of the Council

Commissioner Review

- 1 The BCC financial position remains extremely serious and challenging.
- 2 The Council has made some progress identifying savings to address what is expected to be a c£300m budget gap by 2025/26, however, there remains a huge amount of work to do to both identify robust savings and establish a savings delivery process that is credible. This will need to be undertaken at pace and with a step change in the level of organisational focus and grip.
- 3 The Commissioners accept that given the lack of any early budget work it will not be possible to find savings to fully address the 2024/25 gap, however, Commissioners have requested that by the 7th January the Council has a credible plan to meet the c£300m two year savings target. This is achievable.
- 4 As the report states an approval is required from DLUHC to capitalise expenditure to address the 2024/25 budget cap, redundancy costs and equal pay costs. Capitalisation is not a solution to the financial crises. The bigger the budget gap and thus required capitalisation the more assets the Council will need to sell. The Council is between a rock and a hard place where the only sensible course of action is to balance the revenue budget as quickly as it can.
- 5 Commissioners support the need to rebuild useable balances. Going forward, every budget-holding officer must not overspend without reporting a viable compensating saving. If this is not possible, delegated authority to spend will need to be withdrawn.

Birmingham City Council

Reports not on the Forward Plan / Late Report / Confidential or Exempt Information not Notified

Birmingham City Council

Cabinet – 12th December 2023



Subject:	Section 151 Officer Update on the Financial Position of the Council – December 2023
Report of:	Leader, Councillor John Cotton
Relevant Cabinet Member:	Cabinet Member for Finance & Resources, Councillor Brigid Jones
Relevant O&S Chair(s):	Chair of Finance & Resources Overview & Scrutiny, Councillor Jack Deakin
Report author:	Fiona Greenway, Interim Director of Finance and Section 151 Officer

1) Key Decisions not on the Forward Plan / Urgent Decisions

To be completed for Key Decisions not on the Forward Plan 28 days before the Cabinet meeting at which the decision is to be taken.

<i>Reasons for Urgency / why not included on the notification</i>	N/A
<i>Reasons for Immediate Implementation (if applicable)</i>	N/A
<i>Date Chief Executive Agreement obtained</i>	N/A
<i>Date of Leader's Agreement</i>	N/A
<i>Name, Date and any comments of O&S Chair agreement obtained:</i>	N/A

2) Key Decisions not notified on the Notification of Intention to Consider Matters in Private

To be completed for Key Decisions not on the Forward Plan 28 days before the Cabinet meeting at which the decision is to be taken.

<i>Reasons for Urgency / why not included on the notification</i>	N/A
<i>Date of Leader's Agreement</i>	N/A

<i>Name, Date and any comments of O&S Chair agreement obtained:</i>	N/A

Late Reports

To be completed for all late reports, i.e. which cannot be despatched with the agenda papers i.e. 5 clear working days' notice before meeting.

<i>Reasons for Urgency / why late</i>	Due to the unprecedented financial position the Council is currently in, and at the request of Commissioner for Finance, an urgent late report is required to present an update on the latest savings figures, developed to Friday 1 st December 2023.
<i>Date Chief Executive Agreement obtained</i>	5th December 2023
<i>Date of Leader's Agreement</i>	5th December 2023

Birmingham City Council

Report to Cabinet

12 December 2023



Subject: Section 151 Officer Update on the Financial Position of the Council – December 2023

Report of: Leader, Councillor John Cotton

Relevant Cabinet Member: Cabinet Member for Finance & Resources, Councillor Brigid Jones

Relevant O&S Chair(s): Chair of Finance & Resources Overview & Scrutiny, Councillor Jack Deakin

Report author: Fiona Greenway, Interim Director of Finance and Section 151 Officer

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential: N/A		

1. Executive Summary

- 1.1 This report outlines the financial situation of Birmingham City Council as 1st December 2023. As outlined in the report to Cabinet on 14th November 2023, the City Council faces very significant structural financial challenges. This is the second report in a series of the regular updates on the financial position of the City Council.
- 1.2 This report will focus on:
- a) An update on the 2023/24 savings programme;

- b) An update on the financial position for 2024/25 and 2025/26;
 - c) An update on progress against the budget setting timetable for 2024/25;
 - d) Commencement of processes in respect of Statutory and Non-Statutory Employment Consultation;
 - e) A position on additional activities and resources required to identify and deliver the savings proposals for 2024/25 and 2025/26; and
 - f) Proposal in relation to a new Cabinet Committee to accelerate property decisions.
- 1.3 As outlined within the Section 114 subsection 3 notice issued under the Local Government Finance Act 1988 on 5th September 2023, the Council is facing a challenging financial situation. The Council has insufficient resources to meet the expenditure required in relation to the costs of providing for Equal Pay claims.
- 1.4 As a result of our current situation, the Section 151 Officer is unable to write a supporting going concern statement for prior year draft accounts for 2020/21 and 2021/22. She is also unable to make a Section 25 statement under the Local Government Act 2003 in relation to the robustness of estimates and adequacy of reserves.
- 1.5 This leaves the Council in a precarious financial situation. Due to the extended timeline over which these issues have arisen, the overspend for 2022/23, the forecast overspend for 2023/24, and budget gaps for 2024/25 and 2025/26 create a financial challenge, so significant, that it cannot be addressed in one year.
- 1.6 As reports on 25th July 2023, Cabinet was advised of a forecast General Fund overspend against budget of £87.4m. Due to confirmed non-delivery of savings in the current year, 2023/24, there is a total of £39.9m being effectively written off. In addition, due to a lack of expediency in delivery of new savings to address this in-year budget gap, the Council is left with little option but to address the overspend through the use of one-offs. This further deteriorates the medium term financial stability of Council finances, by depleting reserves.
- 1.7 The position in this report, and associated savings proposals, will have a profound impact on the way the Council works going forward. The budget gaps for 2024/25 and 2025/26 cannot be addressed through one-off savings, and the savings being proposed must be robust to satisfy the statutory duties of the Section 151 Officer.

- 1.8 Further to this, there will be a financial impact on all capital programmes not fully funded by external resources. The Council is reviewing the existing capital programme and preparing an asset strategy that reflects the current financial situation. This report outlines the governance arrangements to facilitate an orderly targeted approach to asset disposals, commencing as soon as possible to generate capital receipts.
- 1.9 At the time of writing this report, the current two year savings target for the Council is circa £300m following a re-basing exercise of the 2023/24 budget. Corporate Leadership Team has been working towards a £215m savings target for the 2024/25 financial year. To date the Council has identified £149.8m of savings, which continue to go through due diligence due to the delivery risks flagged within these proposals.
- 1.10 With a savings programme which has historically underdelivered, this means that the Council is building a new savings programme from a standing start. Every effort must be made to commence delivery of savings as soon as possible.
- 1.11 Any undelivered savings in any area of the Council will need to be compensated for immediately through equivalent savings. This requires every budget holder to take ownership and responsibility for delivering their savings, and recognise that failure to deliver their savings will undoubtedly lead to reductions in other services including further redundancies.
- 1.12 The Council is currently in a position where it is unable to set a lawfully balanced budget, and as such further consultation is now required with the Department of Levelling Up, Housing and Communities (DLUHC) to explore additional Exceptional Financial Support (EFS) to enable the setting of a balanced budget for 2024/25.
- 1.13 The precise value of a 'minded to' capitalisation from DLUHC is to be confirmed later in the budget setting process following assurance of the savings programme. This would need to be large enough to cover provisions for Equal Pay, capitalisation costs involved in a redundancy scheme, and the forecast budget deficit 2024/25. The precise amount that will actually be capitalised will only be determined at year-end such that if the Council overdelivers then the capitalisation value will reduce.

2. Recommendation(s)

- 2.1 Cabinet is recommended to:

- a) Note the update on the **2023/24 financial position**;
- b) Note the current status of budget setting for the **2024/25 and 2025/26 financial years**;
- c) Delegate authority to the Corporate Leadership Team (CLT) to complete all **preparatory work necessary to deliver the savings programme for the 2024/25** financial year. This is to include, but is not limited to, commencement of employment consultation, developing detail for the delivery of the proposed savings, and engaging with the public, stakeholders and service users;

This is with the acknowledgement that the proposed savings are subject to consideration as part of the Council Tax setting process, due to be presented to Cabinet on 13th February 2024 and City Council on 27th February 2024.

- d) Approve the **increase in garden waste charges from £50 to £60**, with effect from 1st April 2024;
- e) Note that the Chief Executive, as Head of Paid Service, will be **issuing necessary statutory and non-statutory employment consultation** in respect to the staffing implications of savings proposals for the 2024/25 financial year. This will include the issuance of Section 188 Notices under the Trade Union and Labour Relations (Consolidation) Act 1992;
- f) Approve the **creation of a ‘Cabinet Committee – Property’** in order to expedite asset sales to support the delivery of the Council-wide strategy for the 2024/25 financial year, with the terms of reference set out in paragraphs 3.39 to 3.45 below;
- g) Delegate authority to the Leader of the Council and the Chief Executive, together with the Section 151 Officer, to **submit a formal written request to the DLUHC for EFS** to allow the Council to deliver a balanced budget for the 2024/25 financial year, as set out in paragraph 3.26, to include:
 - i. Permission to increase the Council Tax level above the referendum limit, and to support this, the Council will review and revise the Council Tax Support Scheme to offset the potential impact to citizens;
 - ii. A formal application for a Capitalisation Direction (figure to be confirmed) and ‘minded to’ letter to cover the Equal Pay accounting liability, the costs involved in the redundancy scheme, and support to deliver a balanced budget for the 2024/25 financial year.

3. Background

- 3.1 As outlined in the Cabinet Report presented to Cabinet on 14th November 2023, and in the supporting Commissioner Review comments, the Council faces significant financial challenges. Pace is required to identify viable savings options for both 2024/25 and 2025/26, and a timetable for this was agreed at the last Cabinet meeting.
- 3.2 Regular reporting on the financial position is required to ensure Cabinet are informed of the current financial situation. In order to expedite the delivery of savings, this report outlines the delegations required to demonstrate progress against additional in-year 2023/24 savings, and to get buy-in for 2024/25 and 2025/26 proposed savings, and the resources required to achieve this in line with the budget setting timetable.

2023/24 Savings Programme

- 3.3 On 25th July 2023, Cabinet was advised of a forecast General Fund overspend against budget of £87.4m for the 2023/24 financial year, for the Council's General Fund. Of this overspend, £35m was due to savings that were rated as Red Risk – i.e. highly unlikely to be delivered within the financial year.
- 3.4 Officers have continued to carry out extensive reviews of savings in recent months. This review has highlighted a total of £39.9m of savings to be written off for the 2023/24 financial year, with additional impacts for future financial years. Table 1 below refers:

Table 1 – Summary of Savings proposed to be written off

<i>All figures in £m</i>	2023/24 Savings	2024/25 Savings	2025/26 Savings
Birmingham Children's Trust	(6.0)		
Children & Families	(1.6)	(3.7)	
City Housing	(5.5)	(3.4)	
Council Management	(2.1)	(1.3)	(0.8)
Place, Prosperity & Sustainability	(4.8)	(5.3)	(9.9)
Corporate Items	(19.9)	(7.7)	(8.5)
Total	(39.9)	(21.4)	(19.2)

- 3.5 Given the position on non-delivery of savings in-year, the only option left to the Council is to address the in-year financial position through the one-off use of reserves. This, by its very nature, has a direct impact on resolving the 2024/25

budget and undermines one of the fundamental core elements of the Section 25 statement on adequacy of reserves.

2024/25 and 2025/26 Financial Position Update

- 3.6 During November 2023, the Financial Planning team performed a 're-basing' exercise on the 2023/24 budget. This included a full review of the key assumptions upon which the 2023/24 incremental budget was based, including:
- a) Inflation;
 - b) Pressures/growth;
 - c) Savings;
 - d) Use of, and contributions to, reserves and provisions.
- 3.7 On 14th November 2023, Cabinet received an update on the financial position for the next two financial years, including savings targets of over £200m. This meant delivering £165m of savings in the 2024/25 financial year, and delivering an additional £35m of savings in the 2025/26 financial year.
- 3.8 During November, Corporate Leadership Team (CLT) presented draft savings proposals for 2024/25 financial year. The value of these savings did not meet the savings target for 2024/25.
- 3.9 These draft savings proposals were presented for discussions at Executive Management Team (EMT), which comprises Cabinet and CLT, on 9th November 2023 and subsequent discussion on 16th November 2023.
- 3.10 In line with the budget-setting timetable, during 7th – 16th November 2023, due diligence has been completed on these savings proposals. This included:
- a) Checking for double counting of proposed savings across Directorates;
 - b) Ensuring savings deliver for the General Fund, and understanding the potential consequential impact on Capital, Housing Revenue Account (HRA), and the Dedicated Schools Grant (DSG) budgets;
 - c) Checking the annual phasing of savings, to ensure recurring savings are prioritised over one-off or two-off savings which defer the problem to later years of the Medium Term Financial Plan (MTFP);

- d) Understanding cross-directorate consequences of service modifications, to ensure pressures are not encountered which offset proposed savings;
- e) Developing Equality Impact Assessments for all proposals; and
- f) Reviewing and challenging the People Services, Procurement, Legal, Risk, and Digital & Technology Services implications for all proposals.

3.11 Some of the above items have impacted the total savings proposals being put forward so far, that is:

- a) Removing savings proposals due to one of the above factors;
- b) Increasing the savings targets due to one of the above factors.

3.12 Further, the first session of the Budget Scrutiny Task and Finish Group took place on the 20th November 2023. Part of the remit of this group will be to challenge the potential benefits and consequences of savings proposals, to feed into the budget setting process.

3.13 Section 25 of the Local Government Act 2003 stipulates that the Section 151 Officer must report on the following matters in line with budget calculations:

- a) the robustness of the estimates made for the purposes of the calculations, and
- b) the adequacy of the proposed financial reserves.

3.14 As a result of inadequacy of reserves, the Section 151 Officer is currently unable to prepare a Section 25 Statement under The Local Government Act 2003.

3.15 In order to mitigate this risk, significant further effort was required to develop additional savings proposals for 2024/25 and 2025/26. Not only to ensure the calculations are robust, but also to return Council reserves to an adequate level.

3.16 This included, but was not limited to:

- a) Exploring asset sales to deliver capital receipts;
- b) A review of the Capital programme;
- c) Opportunities for additional income generation;
- d) Mitigation of pressures;
- e) Service redesign;
- f) Further service reductions of discretionary and non-statutory services.

Additional Activities Required to Identify 2024/25 and 2025/26 Savings

Monday 20th November 2023 to Friday 24th November 2023

3.17 On Monday 20th November 2023, the Chief Executive and Section 151 Officer extended the timeline for development of further savings proposals, to Friday 24th November 2023, in order to support the Section 151 Officer in being able to sign off a lawful budget. This included an additional savings target of an extra £50m due to the above re-basing exercise.

3.18 To achieve this, the following activities were delivered during the week commencing 20th November 2023:

3.19 Due Diligence of Savings/Pressures – In order to develop and challenge the currently presented savings proposals, a team of Director and Assistant Director level Officers across corporate specialisms provided challenge to savings proposals across the week commencing 20th November 2023 to assure the robustness and credibility of presented savings:

- a) Finance
- b) HR
- c) Legal
- d) Procurement
- e) Digital
- f) Risk Management
- g) Equalities Impact Assessments

3.20 Development of Robust Savings Proposals – Corporate Leadership Team Directors scrutinised their savings against the following key areas ahead of Friday 24th November 2023:

- a) Additional Savings Proposals – Savings proposals were cross referenced against the following items, identified through joint Officer and Member engagement, to ensure they are full and complete:
 - i. Early Intervention and Prevention
 - ii. Corporate Services
 - iii. Customer Services

- iv. Cost of Service Failure
 - v. Spending Controls
 - vi. Trading Accounts and Traded Services
 - vii. Agency and Interim Staff
 - viii. Partnership Working
 - ix. Transformation leveraging Oracle
 - x. Maximising Grant Funding
 - xi. Savings via Procurement
- b) Service Review Sessions – Review and challenge sessions, undertaken by a cross-service panel of experts of Assistant Directors across all services in the Council were delivered to challenge the deliverability of savings. This included challenge on –
- i. The basis of the saving, whether it is an efficiency, service reduction, or income generation;
 - ii. The focus of the Directorate on efficiency savings or service cuts;
 - iii. The credibility of each saving for delivery;
 - iv. The consideration given to cross-cutting savings;
 - v. The identification of a Senior Responsible Officer (SRO) for delivery and accountability;
 - vi. The savings profile and timeline over which delivery is achieved.
- c) Cross-Cutting Savings Development – A Director led group developed cross-cutting savings opportunities. As the target is increasing for the next two financial years, cross-cutting savings were considered to be additional to the savings identified to date. The target for this work was £50m deliverable from the 2024/25 financial year on a recurring basis.

3.21 As a result of this work, on Friday 24th November 2023 new savings proposals were submitted to the Section 151 Officer, Chief Executive, and Commissioners. These savings proposals totalled £106m for the 2024/25 financial year and an additional £31m of savings in the 2025/26 financial year.

Monday 27th November 2023 to Friday 1st December 2023

3.22 These savings figures still fell short of the savings targets for 2024/25 and 2025/26. Consequently, further work was undertaken up to Friday 1st December 2023 (inclusive) to develop further savings for the 2024/25 financial year.

3.23 To do this, Directorates sought to bring forward further cross-cutting savings, options to address further non-statutory spend, revise inflation assumptions, and replace proposals previously rejected as not robust or deliverable. These savings areas are:

- a) **Additional cross-cutting savings**, there has been insufficient time for the necessary due diligence to add these to the savings figure at this stage. Work was done to assure their robustness before adding to the total savings figure. These cross-cutting savings will need to be accepted and owned by Directorates, who will be responsible for delivery and realisation within the 2024/25 and 2025/26 financial years.
- b) **Public Health Grant savings**, through a one-off release of reserves over three financial years, between 2024/25, 2025/26 and 2026/27. Reserves have been identified with Directorates needing to allocate budget to the identified grants to realise savings. This still requires further due diligence and sign off from the Director of Public Health
- c) Opportunities identified via a **Member Led Review of budget lines**. The lines identified provided a list of items to cross-reference against savings opportunities, to ensure all budget lines were reviewed as part of the savings process.
- d) Opportunities identified via an **Officer Led Review of Statutory and Non-Statutory Services**. Non-statutory services led to a list of potential additional services to be explored in the savings process.
- e) Opportunities identified through a **Review of Spend Control Board Rejections**. All items rejected in the 2023/24 financial year were reviewed and provided a list of further savings opportunities to cross reference against submissions.

3.24 As of Friday 1st December 2023, the Council has identified £149.8m savings for the 2024/25 financial year. The savings target over the two financial years is now close to £300m. Table 2 below outlines the main categories of savings:

Table 2 – 2024/25 Savings Categories

Category	Total
Efficiency	£ 50.6m
Income Generation	£ 16.2m
Pressure Reduction	£ 7.1m
Service Reduction	£ 72.8m
Other	£ 3.0m
Total	£149.8m

3.25 In order to deliver a full year-impact, specific work is required to prepare for delivery of savings in the 2024/25 financial year. One specific saving requiring Cabinet approval is the approval to increase Garden Waste charges, from the current levels of £50 to £60, which represents a 20% increase. Historically income has been above targets, and it is anticipated that this increase in fee will not affect the take up of the service. This will deliver £1.2m of additional income in 2024/25, which is £700k through increases in the charges and £500k through uplifting the base budget to actual income levels. If increases in charges are delayed the £700k additional income will be unachievable for 2024/25.

3.26 The Council must now explore EFS from the DLUHC after Cabinet on 12th December 2023, following the extended savings exercise above. This will include a request for permission to increase the Council Tax level above the referendum limit, capitalisation of costs involved in a redundancy scheme, and provision of a 'minded to' letter for capitalisation to support delivery of a balanced budget for the 2024/25 financial year. Further non-delivery of savings may increase the final requirements for EFS, as there is no flexibility in the budget to mitigate any shortfalls. It is critical therefore that savings are delivered on time, and to the scale and quantum as laid out in the proposals.

Commencement of processes in respect of Statutory and Non-Statutory Employment Consultation

- 3.27 Following legal advice and as a result of the due diligence exercise, it is recommended that the Chief Executive as Head of Paid Service commences the necessary processes in respect of statutory and non-statutory employment consultation relating to the serious staffing implications of the proposals. That is, the delivery of Section S188 Notices under the Trade Union and Labour Relations (Consolidation) Act 1992.
- 3.28 This is to allow consultation with trade union representatives about ways to avoid any consequential dismissals, to reduce the number of employees to be dismissed and to mitigate the consequences of the dismissals.
- 3.29 This includes, but is not limited to, the commencement of Voluntary Redundancy (VR) and Compulsory Redundancy (CR) schemes. The results of any employment consultation process will be considered in the preparation and agreement of the final budget proposals for 2024/25, and as part of the agreement of savings proposals.
- 3.30 As part of this process, the Chief Executive, as Head of Paid Service, must begin engagement in employment consultation with Trade Unions, to support employees with discussions around redundancies. This should include support to employees at risk of redundancy once savings proposals are agreed as part of the 2024/25 budget setting process.

2024/25 Budget Setting Timetable

3.31 The latest revised timetable and status is as per Appendix 1 attached.

3.32 The key updates following the November Cabinet Report are:

- a) Deadlines to 30th November 2023 have been achieved, including a rebase of the 2023/24 budget and initial savings options returned and presented to Finance as outlined above;
- b) Additional engagement with CLT and EMT has also been conducted, to commence briefing on proposed savings and feasibility;
- c) Further dates have been added to the timeline for additional detail, such as DSG and HRA implications as part of the timeline.

3.33 The most significant element of the timeline is now ensuring the savings proposals presented have sufficient due diligence to ensure the robustness of the estimates. There is a requirement to ensure the savings presented are sufficiently robust such that a lawful budget can be presented for 2024/25 alongside a Section 25 statement.

3.34 The timeline within the Appendix outlines two additional weeks of activities to identify savings proposals as a result of the challenges above to achieve savings targets.

Additional Resources and Capacity Required to Deliver 2024/25 and 2025/26 Savings

- 3.35 Consideration needs to be given to resources and capacity required to deliver the programme of work once agreed for the 2024/25 budget and future financial years. This is required in order to both enable and ensure the deliverability of savings and must commence this calendar year (2023) in order to achieve the full financial year impact of (2024/25) savings from 1st April 2024.
- 3.36 Two key strands of resource must be secured. This will be sourced through a mix of internal capacity (e.g., secondment, placements, re-deployment), short term interim capacity and specific expertise, and the appointment of a delivery partner to support the wider change and improvement activities in the Improvement and Recovery Plan. The capacity will be required to help:
- a) Manage and Monitor the Savings Initiatives – Check, chase, and challenge the delivery of the 2024/25 and 2025/26 savings proposals. These resources will support the escalation of risks and issues to ensure delivery of savings in the respective financial years.
 - b) Deliver the Savings Initiatives – Delivery capacity and resources that can be deployed to Directorates to deliver the savings initiatives themselves and help realise the corporate cross-cutting savings initiatives with a high level of complexity or multiple Directorate delivery. The resource and capacity required will include programme and project management, analyst capacity and additional specialist external resource for specific programmes.
- 3.37 These resources should be scaled based on the deliverability of the savings programme and respond to the needs of the organisation.
- 3.38 The successful development of a lawful balanced budget for the 2024/25 financial year is now the number one corporate priority, and as such a step change in pace of delivery of this programme of work is supported by the Section 151 Officer.

New Cabinet Committee for Property Decisions

- 3.39 A key element of financial recovery, outside of the Revenue savings above, will be a review and assessment of the capital programme and assets within the Council. This is with the intention of developing capital receipts for the Council in order to support the formal application for a Capitalisation Direction the Council's potential Equal Pay accounting liability; the costs involved in the redundancy scheme; and support to deliver a balanced budget for the 2024/25 financial years.
- 3.40 Birmingham City Council is the single largest owner of property in Birmingham and holds the largest land estate of any UK local authority, extending to 26,000 acres. The portfolio, excluding residential homes, infrastructure and schools has an asset value of over £2.4 billion. Income generating assets attract on average £34 million revenue per annum. There are more than 6,500 property assets (land and buildings) in the portfolio and over 300 of these have historic interest.
- 3.41 To support this approach, a programme of rationalisation and re-gearing of its investment property portfolio has been agreed. The portfolio in scope for the Strategy is comprised of development sites and strategic assets, industrial premises, retail premises and miscellaneous assets located across the city.
- 3.42 The terms of reference of the new Cabinet Property Committee is to approve proposed sales of council property and assets as part of the Council wide Asset Strategy. The Committee will have delegated powers from the Cabinet to declare land and property surplus to requirements. It will have the power to determine high value property sales, the means of disposal and the acceptance of offers. The Property Committees main purpose will be to deliver the capital receipts programme without delays. It will have these powers for both General Fund Assets and Housing Revenue Account Assets.
- 3.43 The Council's existing Scheme of Delegation to Officers in relation to lower value Property Transactions will remain in place.
- 3.44 The Cabinet Property Committee's Terms of Reference will include:
- a) To exercise full delegated executive powers to consider and make decisions on:

- b) All land and property transactions including the Investment Property portfolio where the City Council has an interest;
- c) The acquisition and disposal of leasehold interests for rent (including the granting and surrendering of any rights over such land and property);
- d) The acquisition and disposal of freehold and leasehold interests at a premium;
- e) The management of all of the Council's land and properties, including the authorising and payment of discretionary contributions towards trade/loss and or removal expenses and all payments due under an approved Compulsory Purchase Order.
- f) To report to Cabinet setting out progress on delivery of the receipts target.

3.45 Cabinet Property Committee decisions shall only be taken based on written report(s) from Chief Officers and after any appropriate advice from the Head of Paid Service, Monitoring Officer, and Section 151 Officer.

4. Public Consultation and Engagement

- 4.1 This report has been written in consultation of CLT members and has been discussed with EMT. The content of this report is also based on presentations to the Commissioner led Finance Sub-Board.
- 4.2 A public communications and engagement strategy has been developed to that will start on the 13th December 2023. This public consultation will help to inform ongoing decisions and provide extra citizen insight.
- 4.3 The full 2024/25 budget will be subject to legal advice and guidance regarding statutory consultation, at that point specific plans will be developed to ensure all relevant groups and communities are appropriately and meaningfully consulted with.
- 4.4 A statutory business rate payers consultation meeting will be held in January 2024.

5. Risk Management

- 5.1 All savings presented against the 2024/25 and 2025/26 savings targets will be fully risk assessed and will fully risk assessed. This will ensure all savings are presented with a robust risk assessment prior to approval as part of the 2024/25 budget setting process.

6. Compliance issues

- 6.1 **How are the recommended decisions consistent with the City Council's priorities, plans and strategies?** All implications and priorities will be considered in the development of savings proposals alongside CLT and Cabinet Members. EMT engagement sessions ensure that there is alignment of proposals with City Council priorities, plans and strategies.
- 6.2 **Legal Implications:** Members have a duty to ensure that the Council acts lawfully. The Council must set and maintain a balanced budget and must take steps to deal with any projected overspends and identify savings or other measures to bring budget pressures under control. Cabinet is responsible for preparing the annual Council budget in good time for the Council budget meeting on 28 February 2024.

- 6.3 Members are reminded in this context of their fiduciary duty to the Council Taxpayer, effectively to act as trustee of the Council's resources and to ensure proper custodianship of the Council's resources.
- 6.4 The Council must comply with all relevant legal requirements to complete Council Tax Setting in February 2024, including employment consultation and consultation with the public where appropriate on the implications of proposals as part of this process. The Council will make sure that Equality Impact Assessments and all appropriate statutory consultation takes place in the development of savings proposals. This will be referenced in future reports to Cabinet and City Council.
- 6.5 **Financial Implications:** Financial implications will be considered as part of the process of the budget setting process. This report also includes the request to align resources to the delivery of the 2024/25 and 2025/26 savings programme. Future requests for financing of resources to deliver this programme will be presented in line with the scheme of delegation, having been taken through the Section 151 Office Spend Control Board.
- 6.6 **Public Sector Equality Duty:** The Council will ensure that all actions taken in response to these recommendations are in line with the Public Sector Equality Duty, this includes aligning to Equality Impact Assessments completed in the development of savings proposals, and ensuring the impact of savings proposals are aligned to the Public Sector Equality Duty.

7. Appendices

- 7.1 Appendix 1 – Budget Timeline for 2024/25 and 2025/26 as of December 2023
- 7.2 Appendix 2 – High level savings proposals for 2024/25 **(to follow)**

Appendix 1 - Budget Timeline for 2024/25 and 2025/26 as of December 2023

Week	Status	Date	Milestone
1	Completed	26 th October 2023	Issue 2024/25 and 2025/26 savings targets to CLT
2	Completed	1 st November 2023	Commissioner Finance Board
2	Completed	3 rd November 2023	Draft communications plan for budget
3	Completed	w/c 6 th November 2023	Review and update inflation model
3	Completed	w/c 6 th November 2023	Review pressures and growth for 2024/25 and 2025/26
3	Completed	w/c 6 th November 2023	Review and rebase 23/24 budget
3	Completed	w/c 6 th November 2023	List of assets and potential capital receipts available
3	Completed	w/c 6 th November 2023	Review of Capital Programme available
3	Completed	7 th November 2023	Saving options return to finance
3	Completed	7 th November 2023	CLT discussion on savings options – Presentation by each Director
3	Completed	9 th November 2023	EMT discussion on savings options
3	Completed	10 th November 2023	Initial meeting with Trade Unions
4	Completed	14 th November 2023	CLT session to work through budget
4	Completed	14 th November 2023	Cabinet - position statement on 24/25 and 25/26 budgets
3-4	Completed	7 th – 16 th November 2023	Due diligence of initial savings options
4	Completed	15 th November 2023	Commissioner Finance Board
5	Completed	w/c 20 th November 2023	O&S Task & Finish Group Phase 1 – Budget gap and timeline
5	Completed	w/c 20 th November 2023	CLT and EMT to discuss savings – Fully developed proposals
5	Completed	22 nd November 2023	Autumn Statement
4-5	Completed	17 th – 23 rd November 2023	Corporate diligence of savings options
5	Completed	20 th – 23 rd November 2023	Development of additional robust savings proposals
5	Completed	20 th – 23 rd November 2023	Service review sessions with a cross-directorate challenge group
5	Completed	20 th – 23 rd November 2023	Development of initial cross-cutting savings.
5	Completed	24 th November 2023	Presentation of updated credible savings figure

Appendix 1 - Budget Timeline for 2024/25 and 2025/26 as of December 2023

Week	Status	Date	Milestone
6	Completed	27 th – 29 th November 2023	Due diligence of newly presented savings proposals
6	Completed	27 th – 29 th November 2023	Exploration of additional savings across: Cross cutting, Public Health Grant, Budget Line Review, Statutory vs Non-Statutory, Spend Control Rejections
6	Completed	27 th – 29 th November 2023	Chief Executive, S151 Officer, and CLT savings challenge sessions
6	Completed	30 th November 2023	EMT budget challenge session
6	Ongoing	w/c 27 th November 2023	Commence drafting of report (General Fund, HRA, Capital, Treasury Management Strategy)
7	Completed	4 th December 2023	O&S Task & Finish Group Phase 2 – Draft proposals
7	Scheduled	w/c 4 th December 2023	CLT and EMT
8		13 th December 2023	Commissioner Finance Board
9		w/c 18 th December 2023	CLT and EMT – Lock in of budget
9		w/c 18 th December 2023	Determination of rent increase under current policy
9		20 th December 2023	Dedicated Schools Grant (DSG) allocations announced
9		TBC December 2023	2024/25 Provisional Local Government Finance Settlement and EFS Discussion
-		TBC December 2023	Budget Consultation
11		w/c 1 st January 2024	Commissioner Finance Board
12		w/c 8 th January 2024	All member briefing post-settlement
12		w/c 8 th January 2024	Political group briefings
12		w/c 8 th January 2024	O&S Task & Finish Group Phase 3 – Final Budget
13		w/c 15 th January 2023	Commissioner Finance Board
13		16 th January 2024	Cabinet Meeting – Council Tax Base 2024/25
13		16 th January 2024	Cabinet Meeting – HRA Rent Setting report
14		w/c 22 nd January 2024	2024/25 Final Local Government Finance Settlement
14		w/c 22 nd January 2024	Business Rates consultation
14		w/c 22 nd January 2024	Finalise budget reports

Appendix 1 - Budget Timeline for 202425 and 202526 as of December 2023

Week	Status	Date	Milestone
15		w/c 29 th January 2024	Commissioner Finance Board – Final budget
15		31 st January 2023	Treasury Management Strategy to Audit Committee
-		TBC January/February 2024	Exceptional Financial Support 'minded to' letter from DLUHC / Council tax discussion with DLUHC and internally
17		13 th February 2024	Cabinet – Receives budget
19		27 th February 2024	Full Council – Council tax setting
20		TBC March 2024	Issuance of School Budgets post Council decision

Appendix 2 – High level savings proposals for 2024/25

The savings proposed for 2024/25, totalling £149.8m, are illustrated by Directorate as follows. This does not constitute the full and final list of savings expected to come forward for delivery in 2024/25 and the proposals and their values therein may be subject to further potential change up until the overall budget is signed off by full Council in February 2024:

Directorate	Services within this Directorate	Savings in 2024/25 £000	Net Budget (Adjusted for controllable income) £000	Savings as a percentage of Net Budget %
Adult Social Care	Social Care, Principal Social Work	21,903	437,738	5.0%
Children & Families	Education & Early Years, SEND, Social Care.	57,041	428,801	13.3%
City Operations	Regulation & Enforcement, Street Scene & Neighbourhoods, Highways & Infrastructure.	29,210	206,198	14.2%
City Housing	Housing Management, Homelessness.	5,816	24,457	23.8%
Places, Prosperity and Sustainability	Corporate Landlord, Transport & Connectivity, Sustainability, Planning.	9,075	54,736	16.6%
Strategy, Equalities and Partnerships	Public Health, Communications, Chief Executive Office, Cabinet Office, City Observatory.	2,597	8,195	31.7%
Council Management	People Services, Digital & Customer Services, Legal & Democratic Services, Finance, Customer Services, Business Support, Revenues and Benefits.	15,630	31,363	49.8%
Cross-cutting savings*	Contract savings, consolidation, digital tools, and automation	8,500	N/A	N/A
TOTAL		149,772	1,191,487	12.6%

*Cross-Cutting savings will need to be allocated to each Directorate, such that delivery of these savings is accepted and owned at a Directorate level prior to consolidation into the budget.

Birmingham City Council

Cabinet

12 December 2023



Subject: Effective commissioning of debt collection

Commissioner Review

- 1 This proposal aligns to the strategic direction to consolidate services that crosscut BCC. By consolidating these services BCC should deliver a more cost effective and consistent service.
- 2 By in-sourcing in Phase 1, the early stage of debt collection it appears to deliver “upwards of £360K” net benefits per annum (Yearly operating costs for hybrid ‘in-house’ option). The paper describes the benefits and additional costs e.g., to establish and run the operation as prudent. We would therefore expect the net benefits to be achieved/exceeded.
- 3 There is an up-front investment in people, training and systems which is understandable. This introduces risk as shown on the risk table. A more detailed and early mitigation plan should be produced.
- 4 A further risk is the integration of the inhouse component of the process with later stages delivered through outsourced services. This must be designed up front and demonstrate clear data/process integration with other organisations in the process chain. This is a key mitigation.
- 5 The system costs appear high however, we assume the system to be procured/built and the interfaces with other BCC systems has been adequately analysed at this stage. These costs should be re-assessed and reduced where possible.
- 6 If this proposal is approved, I would like to see the financial performance and operation performance (including compliance) measured on a **monthly basis** to rapidly assess the delivery of both financial benefit and quality/consistency of the operation.
- 7 I note that BCC has introduced a review of the initiative after the first year.

Commissioner's support this Cabinet submission.

Birmingham City Council

Report to Cabinet

12 December 2023



Subject: Effective commissioning of debt collection

Report of: Graeme Betts, Strategic Director - Adult Social Care

Relevant Cabinet Member: Councillor Brigid Jones, Cabinet Member Finance

Relevant O &S Chair(s): Councillor Jack Deakin (Finance & Resources)
Councillor Lee Marsham (Sustainability & Transport)

Report author: Tim Savill
Assistant Director of Revenues, Benefits and Rents
Tim.Savill@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 010948/2023		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		
Exempt information paragraph 3: Information relating to the financial or business affairs of any particular person (including the Council)		

1 Executive Summary

- 1.1 The Council deals with many different types of debt. The way debt is dealt with varies depending on the legislative powers in place. For the purposes of this report, the type of debt is that which sits under the Taking Control of Goods (Fees) Regulations 2014 (TCOG). The debts which fall under this legislation are: Council Tax; Business Rates; Business Improvement District; Parking and Clean Air Zone. Legislation provides for these debts to ultimately be referred to Enforcement Agents (previously known as Bailiffs).

- 1.2 This paper provides an analysis of the current Enforcement Agent arrangements used by Birmingham City Council (BCC). It also provides Members with a proposal to consider the benefits of bringing some of the arrangements 'in-house' in order to increase income and outlines potential further opportunities in the future.
- 1.3 The hybrid 'in-house' proposal will:
- 1.3.1 enable the Council to identify financial (or other) vulnerability and utilise the knowledge to assist citizens;
 - 1.3.2 link to the Council's approach to 'early intervention and prevention';
 - 1.3.3 ensure the associated income in fees helps the Council to improve services for the citizens of Birmingham; and
 - 1.3.4 continue to work with external providers to ensure that debt collection is maximised to the Council.
- 1.4 As part of the Council's work to identify savings for the 2024-25 budget year and Medium Term Financial Plan (MTFP), a proposal to look at enforcement arrangements (with a view to generate additional income of £360k) in 2023-24 has been put forward as part of the new savings round.
- 1.5 Furthermore, this paper seeks approval of a new contract using the Crown Commercial Services (RM6226) Debt Resolution Services framework (see Appendix B – Exempt information) for a period of up to 12 months as an interim measure to enable services to be carried out for Council Tax, Business Rates and Business Improvement District debt recovery, prior to those services coming in house. The fees charged by all enforcement agencies are statutory in accordance with the TCOG, with these being a fixed fee structure. Enforcement Agent charges will be recovered directly from the debtor and therefore there is no direct cost to the Council.
- 1.6 This paper also seeks approval that following this cabinet report to bring inhouse Enforcement agency services for Council Tax, Business Rates and Bid Levies, to run procurement processes for the other remaining debt/enforcement services (see Appendix B – Exempt information) as and when needed by way of compliant mechanisms in line with Procurement Regulations. This will ensure contract coverage is in place for the remaining services during a period of stabilisation and incremental growth.

2 Recommendations

- 2.1 It is recommended that Cabinet approves the full business case in Appendix A to establish an 'in-house' Enforcement Agent (EA) operation, initially for council tax and business rates debts for the Compliance Stage (first stage), of the formal debt recovery process.

- 2.2 It is recommended that Cabinet notes that the Invest to Deliver group and associated delegated approval process agreed a sum of £247,171 to be allocated from the Delivery Plan Reserve to set up the operation.
- 2.3 It is recommended that Cabinet approves the phased transfer of other enforcement/debt collection activity (following an internal transformation project that commenced in 2022 on reviewing all these services) - subject to the appropriate due diligence following the initial first phase of in-house operation and a further Cabinet report.
- 2.4 It is recommended that Cabinet approves the consolidation of contract management of all enforcement agent activity across the Council (where possible and practical) and ensure value for money is maximised into the new enforcement operation.
- 2.5 It is recommended that Cabinet approves the requirement to use the Crown Commercial Services (RM6226) Debt Resolution Services framework for a period of up to 12 months commencing from the date this Cabinet report is approved, as an interim measure for Council Tax, Business Rates and Business Improvement District debt recovery, as set out in(Appendix B -Exempt Information).
- 2.6 Notes that a report updating Cabinet on the realisation of benefits associated with the setup of this new service after the first full year of operation.
- 2.7 That Cabinet delegates authority to the Director of Digital and Customer Services (or their delegate), in consultation with Assistant Director Corporate Procurement (or their delegate), the City Solicitor (or their delegate), and the interim Finance Director (or their delegate) to approve any new, compliant procurement processes and arrangements required (see Appendix B – Exempt Information).
- 2.8 That Cabinet delegates authority to the Director of Digital and Customer Services (or their delegate), in conjunction with the Assistant Director Corporate Procurement or their delegate, the Chief Finance Officer or their delegate, and the City Solicitor or their delegate to approve the selection of successful bidder(s) where compliant procurements are undertaken (see Appendix B – Exempt Information) including the execution of the necessary contractual documentation to give effect to these outcomes.

3 Background

- 3.1 Enforcement Agents (EA) operate under TCOG which sets out in law their responsibilities, powers and fee structure. Currently BCC uses one external firm of enforcement agents for all its council tax, business rates and BID levy revenue recovery. There are presently four enforcement agent organisations which BCC contract with – one in Revenues and three are used for the collection of Penalty

Charge Notices (PCNs). The Council has many other sources of debt but these are not covered by the same legislative powers. In general terms, the two strands of enforcement agent activity (Revenues and PCNs) can be summarised as:

- **Council tax, business rates and BID levy revenue:** The Council has a duty to citizens to collect as much council tax, BID levy, and business rates as possible. Part 1, chapter 1, section 1(1) of the Local Government Finance Act 1992 states that “each billing authority shall, in accordance with this Part, levy and collect a tax, to be called council tax, which shall be payable in respect of dwellings situated in its area.” It also has a duty to ensure that in doing so it is fair and reasonable. It is preferable for the Council to work with citizens and businesses to collect debts but as a last resort there is a need to enforce recovery of arrears through the use of enforcement agents, formerly known as bailiffs.
- **Penalty Charge Notices:** The Council follows a statutory process to pursue payment of outstanding PCNs for parking, bus lane and clean air zone contraventions (Road Traffic debt). The final stages can result in cases being passed to enforcement agents for them to recover the amounts due. It should be noted this means the Council pursues payment from motorists throughout the country not just Birmingham citizens.

3.2 Early Intervention and prevention

3.2.1 Consolidating enforcement agent arrangements across the council can help to contribute to wider council goals. If the council has an active role in EA activity it can directly support the corporate priority for early intervention and prevention through (i) identifying underlying debt issues and (ii) preventing different departments ‘chasing the pound’.

3.2.2 **Identifying underlying debt issues:** Combining EA activity into one place will support existing work to utilise council data to have an improved view of citizens personal debt. Existing arrangements mean that all ‘intelligence’ on individual circumstances is (in the main) retained by the external EA – having a broad view of personal financial circumstances will help the council offer appropriate support, enabling underlying debt issues to be dealt with at the earliest possible stage. It will also enable support and signposting to be put in place. This will become even more important as the cost of living crisis deepens.

3.2.3 **Preventing different departments ‘chasing the pound’:** As part of this proposal an external provider will be used to supply enhanced data on our customers, in order to segment the debt prior to it going to enforcement. This will enable unsuitable cases to be identified as early as possible, preventing additional unnecessary fees for those customers as well as reducing BCC resource on uncollectable debt. Costs for this are factored into this proposal. Reducing wasted effort in chasing collection of irredeemable debt is beneficial, particularly to avoid chasing whilst other parts of the council are

proactively supporting customers to mitigate their debt position – key to a successful early intervention and prevention approach.

3.3 What are the fees?

3.3.1 Under the TCOG regulations, as part of the debt collection process, enforcement agents charge fees at three stages for debts collected – they are the:

- compliance fee (£75)
- enforcement fee (£235 + 7.5% of the debt balance over £1,500); and
- sale fee (£110 + 7.5% of the debt balance over £1,500).

3.3.2 The compliance fee is the initial fee charged at the point an enforcement agent is instructed to collect the debt. It covers the first stage of the recovery process including tracing, letters, text messages and written correspondence. It is paid ahead of any debt collected. The second stage is the enforcement fee, this is charged once an agent is required to visit a property to establish contact, set up an arrangement or seize goods. The enforcement fee is paid on a pro-rata basis together with the actual debt. The sale or disposal stage fee is paid once seized goods are sold and is again paid on a pro-rata basis together with the actual debt. All fees are paid by the customer or business during the debt repayment process. All of the fee income is currently retained by the EA. This is a lost opportunity which could benefit BCC if the Council provided the service in house. The first phase of this proposal will be to bring 'in house' the Compliance Stage of collection of council tax, business rates and BIDs income.

3.4 Current enforcement agent work at BCC

3.4.1 Council Tax and Business Rates

3.4.2 The incumbent primary EA provider is the sole contractor to provide EA collection services until July 2023. Following approval of the recommendations in this paper the Council will need to continue with the existing arrangements for a period of 12 months as an interim measure, after which a procurement exercise will need to take place for a resilience EA contract.

3.4.3 For collection, performance and business continuity reasons, the Revenues Service has recently awarded a contract to Qualco via a Crown Commercial Services framework to provide coverage for recycled debt. Recycled debt is debt that has been unsuccessfully collected by the primary EA provider and returned to the council for collection.

3.4.4 Under the arrangement with Equita, the Council has received £38.9m in recovered debt over the previous four years. The exact amount of fees received by Equita is commercially confidential. The Council has analysed its data and

assessed the potential fee income. It has concluded that the income received for undertaking the Compliance Stage of enforcement would cover its costs and generate additional income.

3.4.5 This is based on 112,000 cases being referred with 70,000 (63%) returned where enforcement action was not possible. The main reasons for return being unable to locate or trace the individual or business or insufficient assets to allow for repayment in full or any payment at all. The Council already has arrangements in place to 'recycle' such cases to other enforcement agents – and this would continue should the 'in-house' proposal be accepted.

3.4.6 **Penalty Charge Notices**

3.4.7 Road traffic debt, in respect of the collection of outstanding PCNs, varies in a number of ways to council tax and business rates. There are many more out-of-area debts due to those not residing in Birmingham receiving PCNs. The process follows the same three stages.

3.4.8 EA contracts are often subject to procurement challenges. This is a national issue in a very competitive market. The enforcement of Road Traffic debt is currently out of contract due to complications of the previous procurement process, where legal challenges were received regarding the outcome of the contract award process. Since this time the council has continued to use the four companies that were last awarded the contract in 2013 when the tender process was followed. The Council has also worked to adapt working practices to reflect the changes in legislation that came into force after the award of the contract.

3.4.9 The Council follows a statutory process to recover payment of outstanding PCNs. This requires formal documents to be served by post to the registered keeper of the vehicle that fully explain the requirement to pay/appeal. In cases where all documents have been served and the full process has been followed (but payment remains outstanding), arrangements are made with the Traffic Enforcement Centre to register the outstanding sum as a debt.

3.4.10 If payment still remains outstanding, the cases are passed to one of the four companies to execute the warrants of control to collect the debt. The four companies are awarded a percentage of cases based on their successful recovery of debt from cases based on the previous six months.

3.4.11 The number of warrants have increased since the Clean Air Zone commenced in June 2021. Under the current arrangement, the Council has already received £3.7m from 2018/19 for the recovery of PCN charges (with the fee income retained by the EAs).

- 3.4.12 It should be noted that legislation has recently been introduced to allow councils to take on board the enforcement of moving traffic offences. If the Council decides to take on these powers at some point in the future, it would result in further increases to the number of cases that need to be enforced.
- 3.4.13 Full enforcement of these debts involves considerable additional set-up costs. EA's have invested in vehicles fitted with Automatic Number Plate Recognition (ANPR) to detect vehicles associated with outstanding PCNs allowing them to stop, clamp and potentially remove the vehicle. The investment also covers for costs associated with vehicle clamps being damaged/destroyed and storing the removed vehicles together with the costs to dispose of the vehicles by sale at auction/scrappage etc. At present, around 55% of warrants are not paid in full until they enter the enforcement stage and around 4-6 vehicles are authorised for removal per day.
- 3.4.14 Further work is required to establish the extent of what further EA activity could be brought 'in-house' for collecting Road Traffic debt. Conducting some pilot Enforcement stage visits for council tax and business rate recovery will assist the learning and understanding in terms of potential scope to include PCNs.

3.4.15 Proposal for in and out of scope work

- 3.4.16 All income collection areas that can be enforced under the Taking Control of Goods regulations are deemed in scope, which includes Council Tax, Business Rates, Business Improvement District levies, PCNs and Commercial Rent Arrears.
- 3.4.17 Within the areas that are in scope a phased approach is proposed due to case volumes and individual requirements for each of the areas, for example more advanced equipment.

Phase 1 Compliance stage for Council Tax, Business Rates and Business Improvement District levies. Some cases will progress through to enforcement in small numbers.

Phase 2 Both compliance and enforcement stage for Council Tax, Business Rates and Business Improvement District levies

Phase 3 Compliance and enforcement of PCNs and Commercial Rent Arrears debts

- 3.4.18 Later phases introduction of work outside of the TCOG regs, for example Debt Collection Agency work for other income streams such as sundry debts. Opportunities to outsource the service to other local authorities.

4 Options considered and Recommended Proposal

- 4.1 Please see appendix C for the options which have been considered.

- 4.2 A hybrid phased in-house approach handling up to and including the Compliance Stage for Council Tax, Business Rates and Business Improvement District debt recovery is recommended (Option 3). This will include contingency to carry out visits under the enforcement stage on a small batch of cases, where appropriate.
- 4.3 Further work needs to be completed so the introduction of the collection of the compliance fee for PCN debt can be considered, once the 'in-house' service is established and operating successfully.
- 4.4 To align procurement activity of other EA/Debt contractual arrangements where possible and practical and run compliant procurement processes in line with Public Procurement Regulations where required.

4.5 **Procurement Approach**

There are a number of procurement options available for consideration and the report seeks approval to use multiple routes based on the best approach for the various debt/enforcement services to achieve the best outcomes and timescales:

- Tender for a Council only contract –. To undertake an open procurement process. Although a collaborative framework agreement can demonstrate better value for money and timescales, this route may still be an option for the low value services.
- Use a national collaborative framework agreement's such as:
 - Yorkshire Purchasing Organisation: Enforcement Agency Services (DPS 953). Collaborative framework agreement can demonstrate better value for money and timescales and this framework although does not offer all the services /requirements may also be an option for some of the services.
 - Crown Commercial Services (RM6226) Debt Resolution Services framework that covers the services required across 20 lots.
 - The lots cover all the services / requirements.
 - 2 of the lots (lot 1 and 20) are for Managed Collection Services (Debt) and for Managed Enforcement Agency Services respectively.
 - This framework protocols allow to carry out further competitions on lots 2 to 19 and direct awards to the managed service providers (MSP) on lots 1 or 20. The Public Body contract with the MSP and then undertake analytical research to identify the most effective enforcement/debt agencies based on the Council services and requirements.

4.6 **Benefits of a Managed Service Provider**

- Vendor neutral, Managed Service Providers (MSPs) help clients source goods and services, by acting as a single point of contact for clients with no affiliation or interest in any one supplier. They act as a conduit between the contracting authority and suppliers who have had to go through a rigorous pre-qualification and accreditation process. Although the client can choose to contract manage the suppliers off of the MSP themselves in terms of performance monitoring based on collection rates, case status, case progression/turnaround, outcomes, and the number of valid complaints received. Monthly performance reports. Audits will also be undertaken by the council at agreed intervals to ensure cases are being progressed in line with legislation, the contract, CIVEA guidance, and Council policy. Strategic and operational meetings will take place at agreed intervals, at which any concerns regarding performance or compliance will be raised and addressed.
- The MSP does not seek to replace suppliers with their own service offer. Instead, when needed, they can recommend suppliers based on strength and core competencies as opposed to relationships. This helps provide a wider choice, better quality, more competitive rates where they are not regulated for these services, higher percentage collection rates and the flexibility to respond to new demands. MSPs can if needed assume primary responsibility for the management of sourcing, engagement, and administration, unless the Council's own Contract Management teams for the different areas decide to undertake this function themselves. This also helps to reduce risk, improve compliance, and supports more informed resourcing decisions.
- Each MSP have a panel of enforcement/debt agents to help you achieve the best commercial and individual outcomes. Workloads can be distributed by the Council to the best performing agencies based on quality and percentage collection rates aligned to our requirements and strategies in an ethical manner.
- Allows for an accelerated, compliant route to market for projects via further competition or direct award. This gives the Council greater agility and the ability to flex with specific requirement/service needs, and timescales whilst always engaging with the most suitable suppliers in a compliant, efficient, and effective way.
- Through the MSP framework, the Council can choose to restrict competition/award to localised areas such as a specific council borough; or can restrict competition/award to certain sectors such as micro-organisations or SMEs (Small and Medium Enterprises).
- Vendor neutral MSPs are currently used by hundreds of public sector organisations including local authorities, central government, and other

contracting authorities for specific consultancy contracts with well over £1billion of spend going through these vendor neutral models.

- Social value is embedded and incorporated within the policies, processes, procedures, and technology of the MSP frameworks.
- By having the ability via the MSP for the Council to choose which suppliers to direct award to enable us to choose the right suppliers to ensure arrears are collected in accordance with the Council's Anti-Poverty Strategy and Code of Conduct for Enforcement Agents and to adhere to statutory requirements in respect of Equal Opportunities, Health & Safety and Human Rights.
- The right suppliers are directly chosen for the protection of the image of the Council when recovering the debts on its behalf.

4.7 **How the Managed Service Provider framework model works.**

- The Council would award a contract (for the value and term) to a selected Managed Service Provider (MSP).
- Each MSP has a range of suppliers already signed up to provide the debt/enforcement services. Should the Council identify a specific requirement that cannot be met by those suppliers already on the MSP framework who perform extremely well, or provide the better percentage collection rates, new suppliers can be added to the framework easily, often in as little as 48 hours. The work to add a new supplier to the framework is done by the MSP and not the Council.
- Once awarded and in progress the Council only pays for work when pre-agreed, outcome-based, delivery milestones have been achieved. If there is a dispute regarding payment it is the MSP who deals with the supplier, not the Council.
- Via the MSP framework, the Council has access to a software platform that enables Council staff to monitor progress, both at an individual project level and across all projects/services commissioned through the MSP framework.
- There is a small management cost with the MSP with these paid for by the supplier and not the Council per case being paid by the suppliers upon a case being issued to them for collection.

5 Consultation

- 5.1 Discussions have taken place internally to assess the overall provision of debt collection across the Council. Informal discussions have been held with CAB, other external agencies and the relevant Cabinet Members and our portfolio holder.
- 5.2 Officers from Finance, Legal Services and Procurement have been consulted on the contents of the report.

6 Risk Management

- 6.1 A project group has been established from across the Council to consider all the risks and mitigations needed to implement this change. The financial impact has been included in the medium term financial plan – with an associated net £360k per annum at risk for Council Tax and Business Rates if the proposal is not accepted.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 The recommended decision supports making Birmingham a great city to live but providing urgent and important financial support to citizens and businesses within the city during an extremely difficult period of trading helping to safeguard their economic future.

7.2 Legal Implications

- 7.2.1 The Council has a duty to collect as much council tax, BID levy, and business rates under S.1(1) of the Local Government Finance Act 1992. The Council has a duty to deliver best value in the delivery of its functions under S.3 Local Government Act 1999.
- 7.2.2 The Council has a legal duty to ensure cost effective billing, collection and recovery of council tax and business rates via the Council Tax (Administration and Enforcement) Regulations 1992 and the National Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989.
- 7.2.3 The Commissioning of Debt Collection does not have any direct legal implications, by virtue of the current commissioning arrangements and the way the supplier has organised its workforce, neither BCC nor the supplier believes that the Transfer of Undertakings (Protection of Employment) regulations will apply, consequently there will be no transfer of supplier employees into the Council.

7.3 **Financial Implications**

- 7.3.1 The financial income of £360k per annum will contribute to achieving the Debt Management saving in the medium-term financial plan. This income will relate to fees from the enforcement activities described in this report. This income will come into the Council's General Fund.
- 7.3.2 A sum of £247,171 has been identified from the Invest to Deliver fund. This will enable the set-up costs to be met in advance of the operation which will see a net surplus (see below). This funding has been approved by the Section 151 Spending Control Board (on 27 September 2023).
- 7.3.3 The set-up costs for first year detailed in appendix A are to be funded by monies provided by the Invest to Deliver board, which was agreed in October 2022. After Year One it is expected that the ongoing costs can be covered by the additional income collected, resulting in a net £360k surplus.
- 7.3.4 Under the Mandatory Spending Controls debt/enforcement services falls under the below allowable expenditure criteria as agreed with the Finance Business Partner for Council Management.

f) Expenditure to address services which are under regulation, including Health, Safety and Regulatory matters

i) Expenditure necessary to achieve value for money and / or mitigate additional in year costs.

As under section f) The Council has a duty to maximise collection of council tax, BID levy, and business rates under S.1(1) of the Local Government Finance Act 1992. The Council has a duty to deliver best value in the delivery of its functions under S.3 Local Government Act 1999 and the Council has a legal duty to ensure cost effective billing, collection and recovery of council tax and business rates via the Council Tax (Administration and Enforcement) Regulations 1992 and the National Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989. i) it is used in order to maximise income to the Council on recovery of council tax, business rates, rents, parking fees, sundry debts etc.

7.4 **Procurement Implications (if required)**

- 7.4.1 Following cabinet approval to bring inhouse Enforcement agency services for Council Tax, Business Rates and Bid Levies, the recommendation is to run procurement exercises for the other remaining debt/enforcement services (see Appendix B – Exempt Information) as and when needed by way of compliant mechanisms in line with Council Procurement and Contract Governance Rules and Public Procurement Regulations 2015 (2106 amended). This will ensure contract coverage is encompassed for the remaining services during a period of stabilisation and incremental growth. A further review will then take place to

consider these remaining services being delivered as part of a third stage of the inhouse service transformation project. Estimated to be in between 2 to 3 years' time.

- 7.4.2 Cabinet approval for a new contract for Council Tax, Business Rates and Bid Levies using the Crown Commercial Services (RM6226) Debt Resolution Services framework for a period of up to 12 months commencing from the date this Cabinet report is approved for the value of £4.0m (See Appendix B – Exempt Information) in line with the procurement governance arrangements and Public Procurement Regulations, as an interim measure for Council Tax, Business Rates and Business Improvement District debt recovery, while these services are brought inhouse.

7.5 **Human Resources Implications (if required)**

- 7.5.1 The Commissioning of Debt Collection does not have any direct HR implications, by virtue of the current commissioning arrangements and the way the supplier has organised its workforce, neither BCC nor the supplier believes that the Transfer of Undertakings (Protection of Employment) regulations will apply, consequently there will be no transfer of supplier employees into the Council.
- 7.5.2 There is a requirement for a new team of 14 staff (12 under existing job descriptions). During the first phase of the project the service will predominately carry our desk top collection processes which would involve answering customer calls as a result of recovery correspondence, tracing work and outbound collection calling. A small number of external visits would also take place as part of a process pilot for the purposes of phase two.
- 7.5.3 The recruitment will be phased to take into account the gradual increase in the workload with all staff being fully trained and those that require it, being licensed and receiving appropriate PPE to ensure their wellbeing Risk assessments will be conducted and the normal TU consultation will be undertaken.

7.6 **Public Sector Equality Duty**

- 7.6.1 An equality impact assessment has been completed 5 January 2023 under reference EQUA1043. There are no adverse findings and approval is recommended.

7.7 **Environmental and Sustainability Implications**

- 7.7.1 An Environmental and Sustainability Assessment has been completed and approved. (See Appendix E) The service will utilise technology and electronic communications thereby reducing the requirement for printing and postage of notices and letters. Where visits to properties are required, it is proposed

enforcement agents will use electric vehicles and will plan and prioritise their route to ensure that travel within the area is minimised.

8 Appendices

- 8.1 Appendix A – Full Business Case
- 8.2 Appendix B – Exempt Information
- 8.3 Appendix C – Options Appraisal
- 8.4 Appendix D – Equality Impact Assessment
- 8.5 Appendix E – Environmental and Sustainability Assessment

9 Background Documents

- 9.1 MTFP document that approved the outline business case

FULL BUSINESS CASE

Effective commissioning of debt collection

FINANCE AND RESOURCES PORTFOLIO

AUTHOR(S): Tim Savill, Assistant Director Revenues and Benefits



Document Control

Document title	Full Business Case (FBC) – <i>Effective commissioning of debt collection</i>		
Strategic Sponsor	Peter Bishop, Director Digital & Customer Services		
Author(s)	Tim Savill, Assistant Director Revenues and Benefits		
Version number	0.1	Document owner	
Date approved		Document status	
Effective date		Approved by	

Version	Author	Date	Summary of changes
0.1	Tim Savill	May 2023	
0.2	Peter Bishop	May 2023	Final

Purpose of this document

The Full Business Case (FBC) template aims to:

- Re-visit and detail in full the information following the Outline Business Case (OBC).
- Evidence in full the case for change / transformation
- Detail in full the preferred option and the full costs associated.

How to use this template

There are two points that you should take into consideration:

- The Full Business Case (FBC) expands on the information in the Outline Business Case (OBC) and is used to outline the detail and justification for investing in the proposed programme. The Programme Manager is responsible for drawing up the FBC in active and ongoing consultation with the Programme Sponsors.
- Programme Managers should aim to produce a detailed and focused document which is supported by further detailed documentation made available to the relevant Boards as appropriate.

Outline Business Case (and other baseline docs) Approval

Document	Board/Approver Name	Date Approved
Briefing Note	Digital & Customer Services DMT	05.10.22
Briefing Note	Fit for Future Governance Board	10.10.22
Briefing Note	Council Management DMT	12.10.22
Invest to deliver paper	Invest to deliver group	31.10.22
Cabinet MTFP		

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1 Executive Summary

This paper provides an analysis of the current Enforcement Agent (previously referred to as Bailiffs) arrangements for Birmingham City Council (BCC). It also outlines a proposal to consider the benefits of bringing some of the arrangements 'in-house' with potential further opportunities in the future.

The 'in-house' proposal will:

- enable the Council to identify financial (or other) vulnerability and utilise the knowledge to assist citizens
- link to the Council's approach to 'early intervention and prevention'
- ensure the associated income in fees, helps the Council to improve services for the citizens of Birmingham; and
- continue to work with external providers to ensure that debt collection is maximised to the Council.

As part of the Council's 2022-23 medium term financial planning (MTFP), a proposal to look at the enforcement arrangements (with the potential for additional income of £400k from 2023-24) was agreed by Cabinet in January 2022. Since then, various factors have changed including rising costs of services and increased case volumes requiring higher resourcing levels. The expected additional annual net income is now estimated to be £360k and this report provides an initial recommendation on how the Council can achieve this income generation in the medium-term financial plan.

2 Background and Context

Enforcement Agents (EA) operate under the Taking Control of Goods Regulations 2013 (TCOG) which sets out in law their responsibilities, powers and fee structure. Currently BCC uses one external firm of enforcement agents for all its council tax, business rates and BID levy recovery. The same firm, plus an additional three external firms of enforcement agents are used for the collection of Penalty Charge Notices (PCNs). The council has many other sources of debt but these are not covered by the same legislative powers. In general terms, the two strands of enforcement agent activity (Revenues and PCNs) are:

Council tax and business rates: The Council has a duty to citizens to collect as much council tax, BID levy, and business rates as possible. It also has a duty to ensure that in doing so it is fair and reasonable. It is preferable for the Council to work with citizens and businesses to collect debts but as a last resort there is a need to enforce recovery of arrears through the use of enforcement agents, formerly known as bailiffs.

Penalty Charge Notices: The Council follows a statutory process to pursue payment of outstanding PCNs for parking, bus lane and clean air zone contraventions. The final stages can result in cases being passed to enforcement agents for them to recover the amounts due. It should be noted this means the Council pursues payment from motorists throughout the country not just Birmingham citizens.

Early Intervention and prevention

Consolidating enforcement agent arrangements across the council can help to contribute to wider council goals. Work has already commenced to utilise council data to have an improved view of citizens personal debt. Having a broad view of personal financial circumstances will help the council offer appropriate support and prevent different

departments 'chasing the pound'. The existing arrangements mean that all 'intelligence' on individual circumstances is (in the main) retained by the external enforcement agency.

Combining EA activity into one place will assist this. If the council has an active role in EA activity it can directly support the early intervention and prevention agenda – by ensuring that underlying debt issues are identified and dealt with at the earliest possible stage. Support and signposting can also be put in place. This will become even more important as the cost-of-living crisis deepens.

Additionally, as part of the proposal an external provider will be used to supply enhanced data on our customers, to segment the debt prior to it going to enforcement. This will enable unsuitable cases to be identified as early as possible, preventing additional unnecessary fees for those customers as well as reducing BCC resource on uncollectable debt. Costs for this are factored into the proposal.

What are the fees?

Under the TCOG regulations, as part of the debt collection process enforcement agents charge fees at three stages for debts collected – they are the:

- compliance fee (£75)
- enforcement fee (£235 + 7.5% of the debt balance over £1,500); and
- sale fee (£110 + 7.5% of the debt balance over £1,500).

The compliance fee is the initial fee charged at the point an enforcement agent is instructed to collect the debt. It covers the first stage of the recovery process including tracing, letters, text messages and written correspondence. It is paid ahead of any debt collected. The second stage is the enforcement fee, this is charged once an agent is required to visit a property to establish contact, set up an arrangement or seize goods. The fee is paid on a pro-rata basis together with the actual debt. The sale fee is paid once seized goods are sold and is again paid on a pro-rata basis together with the actual debt. All fees are paid by the customer or business during the debt repayment process. All of the fee income is currently retained by the EA. This is a lost opportunity which could benefit BCC if the Council provided the service in house.

3 Scope and Dependencies

3.1 Scope

Current enforcement agent activity at BCC

Council Tax and Business Rates

The council had to cancel a re-tendering exercise in 2021, following legal challenges. Equita Ltd, the incumbent primary EA provider, is the sole contractor to provide EA collection services until July 2023 at which point cabinet approval will be sought for a new 12-month contract as an interim measure, so that services can continue to be carried out prior to coming in house. After which, a procurement exercise will need to take place.

For collection, performance and business continuity reasons, the Revenues Service has recently awarded a contract to provide coverage for recycled debt. Recycled debt is debt that has been unsuccessfully collected by the primary EA provider and returned to the council for collection.

Under the arrangement with Equita, the council has received £38.9m in recovered debt over the

previous four years. The exact amount of Equita's fees is commercially confidential. The Council has analysed its data and the fee income for the compliance stage would cover its costs and generate additional income.

This has involved 112,000 cases being referred with 70,000 (63%) returned where enforcement action was not possible. The main reasons being unable to locate or trace the individual or business or insufficient assets to allow for repayment in full or any payment at all.

EA arrangements using external companies can also have 'added value'. This often takes the form of staff training, software enhancements, apprenticeship support, and other support to compliment the enforcement activity.

The EAs also work hard to promote social value in their work – they work closely with the council on individual vulnerable cases and have strong links with our key partners, such as the CAB.

Penalty Charge Notices

Road traffic debt, in respect of the collection of outstanding PCNs, varies in several ways to council tax and business rates. There are many more out-of-area debts due to those not residing in Birmingham receiving PCNs. The process follows the same three stages.

EA contracts are often subject to procurement challenges. This is a national issue in a very competitive market. The enforcement of PCN debt is currently out of contract due to complications of the previous procurement process where legal challenges were received regarding the outcome of the contract award process. Since this time the council has continued to use the four companies that were last awarded the contract in 2013 when the tender process was followed. The Council has also worked to adapt working practices to reflect the changes in legislation that came into force after the award of the contract.

The Council follows a statutory process to recover payment of outstanding PCNs. This involves serving various formal documents to the registered keeper of the vehicle that fully explain the requirement to pay/appeal. In cases where all documents have been served and the full process has been followed (but payment remains outstanding), arrangements are made with the Traffic Enforcement Centre to register the outstanding sum as a debt.

If payment still remains outstanding, the cases are passed to one of the four companies to execute the warrants of control to collect the debt. The four companies are awarded a percentage of cases based on their successful recovery of debt from cases based on the previous six months. The number of warrants have increased since the Clean Air Zone commenced in June 2021. Under the current arrangement, the Council has already received £3.7m from 2018/19 for the recovery of PCN charges (with the fee income retained by the EAs).

It should be noted that legislation has recently been introduced to allow councils to take on board the enforcement of moving traffic offences. If the Council decides to take on these powers at some point in the future, it would result in further increases to the number of cases.

Full enforcement of these debts involves considerable additional set-up costs. These companies have invested in vehicles fitted with Automatic Number Plate Recognition (ANPR) to detect vehicles associated with outstanding PCNs allowing them to stop, clamp and potentially remove the vehicle. The investment also covers for costs associated with vehicle clamps being damaged/destroyed and storing the removed vehicles together with the costs to dispose of the vehicles by sale at auction/scrappage etc. At present, around 55% of warrants are not paid in full until they enter the enforcement stage and around 4-6 vehicles are authorised for removal per day.

Further work is required to establish the extent of the EA activity which could be brought 'in-house'

for parking and CAZ debt recovery. Dealing with the Enforcement stage of the council tax and business rate recovery will assist the learning and the potential to expand the operation to parking and CAZ.

Proposal for in and out of scope work

All income collection areas that can be enforced under the Taking Control of Goods regulations are deemed in scope, which includes Council Tax, Business Rates, Business Improvement District levies, PCNs and Commercial Rent Arrears.

Within the areas that are in scope a phased approach is proposed due to case volumes and individual requirements for each of the areas, for example more advanced equipment.

Phase 1 Compliance stage for Council Tax, Business Rates and Business Improvement District levies. Some cases will progress through to enforcement in small numbers.

Phase 2 Both compliance and enforcement stage for Council Tax, Business Rates and Business Improvement District levies

Phase 3 Compliance and enforcement of PCNs and Commercial Rent Arrears debts

Later phases Introduction of work outside of the TCOG regs, for example Debt Collection Agency work for other income streams such as sundry debts. Opportunities to outsource the service to other local authorities

Further details around the phasing of the project can be found at Appendix A.

3.2 Dependencies

Dependency	Description	Impact
None		

4 Strategic Alignment & Case for Change

This sets out the case for change and the project’s fit to the Corporate Plan objectives

4.1 Objectives and Outcomes

The initiative supports the key priority to improve early intervention and prevention. The existing arrangements mean that a lot of valuable information regarding some of our most vulnerable citizens is held outside the Council. This approach will enable the Council to identify financial or other vulnerabilities and utilise this information to assist citizens including offering a more flexible approach and pathway out of debt.

Additionally, the project will provide the opportunity for income generation via the collection of fees, which in turn will help the Council to improve services for the citizens of Birmingham.

4.2 Deliverables

Deliverable/Output	Owner / Responsible	Timescale	Approver
Early intervention and prevention	Jonathan Woodward	Year 1	Tim Savill
£360k income generation	Jonathan Woodward	Year 1-2	Tim Savill

4.3 Benefits

Benefit/Dis-Benefit Description	£	Impact	Timescale
Benefit Earlier identification of vulnerabilities	N/A	Ability to identify financial or other vulnerabilities at an earlier point, rather than relying on external information, means we can signpost them to appropriate support and pathways out of debt	As soon as service is operational
Benefit Greater flexibility regarding the application of statutory fees	N/A	Fees can be more easily withdrawn in appropriate situations, minimising the accrual of additional charges for the customer and business	As soon as service is operational
Benefit Significant potential fee income	Upwards of £360k	Can be reinvested to help the Council improve services. Also there is further potential to generate income via outsourcing of the service to other local authorities	Year 1-2
Dis-benefit Delayed cash flow	N/A	The service may not initially be as efficient at collection as	Year 1-2

		external providers and so there could be a loss of income at early stages. This can be recouped at later stages if the cases are sent to externals as a recycled case and/or once the internal service has implemented lessons learnt	
Dis-benefit Loss of added value from external contracts	<£250k	The current levels of added and social value received from existing contracts could be reduced. However, there will still be a requirement to retain contracts for recycled and out of areas cases and so some added value benefits would remain	From July 2024
Dis-benefit Currently no trained/qualified resource within the service	£200 per qualified resource £840 per certificated resource	Existing staff would need to undergo training and a qualification process, but this is at minimal cost. This could take 3-4 months and is required before the service can go live	Immediately

4.4 Benefits Realisation Plan

- Project board established – meets fortnightly;
- Project team established – meets weekly;
- Engagement from across the Council;
- Project plan in place and monitored;
- Reports to Digital and Customer Services management team.

Monitoring of specific planned benefits;

- Earlier identification of vulnerabilities

- Debt segmentation data being used effectively to reduce volume of cases going to enforcement
- Less cases being returned as vulnerable at later enforcement stages
- Increase in citizens signposted to support agencies
- All staff adhering to new working procedures that will be designed specifically around dealing with vulnerable customers
- Greater flexibility regarding the application of statutory fees
 - Fewer upheld complaints linked to fees
- Significant potential fee income
 - Monthly tracking against the target via the collection fund and cost income monitoring

4.5 Stakeholders

- Finance – for inclusion in the MTFP and assessment of other debt recovery across the Council
- Inclusive growth – for parking and clean air charges
- HR – for introduction of new job roles
- Early intervention and prevention board – for linking of shared goals
- Debt advice sector – for example Citizens Advice and the Money and Pensions Service
- Enforcement sector e.g. CIVEA and The Enforcement Conduct Board – to ensure compliance with industry standards

5 Detailed Options Appraisal

This sets out the options that have been considered to determine the best value for money in achieving the Council's priorities.

5.1 Summary of Options Reviewed at Outline Business Case

Option	Information Considered	Advantages & Disadvantages	Stakeholders Consulted	Recommendation	Principal Reason for Decision
Do nothing	See below	See below	Project Board	Not recommended	
Full service	See below	See below	Project Board	Not recommended	
Hybrid Phased approach	See below	See below	Project Board	Recommended	Allows realisation of long term objectives over a manageable period.

Option 1 – Do nothing. Continue with the use of external enforcement agents

The Council can carry on with its existing arrangements using external firms and the following table outlines the pros and cons of this option.

Pros	Cons
As EAs charge and retain fees from citizens and businesses – no additional investment from BCC is required.	New tender exercises/contracts will be required for all services within the next 18 months.

EAs have vehicles fitted with ANPR to clamp and potentially remove vehicles associated with outstanding warrants, including facilities for storage of vehicles.	Due to the contentious nature of the EA industry it is commonplace for tenders to be subject to legal challenges. This can make retendering of contracts time consuming and litigious.
The Revenues service has been able to extract approximately £250k in added value as a result of its external contract – this consists of the funding of apprentices, staff training, software/RPA developer funding and data/debt cleansing products.	The council would be unable to extract any fee income for its own benefit.
There is national coverage for 'out of area' debtors; at least 20% of cases are out of area which also means that there is more flexibility for resources to handle increases in workloads.	There are limits in relation to the recovery of debt and the manner in which the recovery service is conducted.
They deal with many councils and as such are 'subject matter experts' and can share good practice from the various operating models.	Loss of opportunity to gather meaningful data around citizens vulnerability at an early stage.
Devolved risk – BCC staff are not doing the collection work – less chance of financial negligence risk.	

Option 2 – Setting up a full in-house enforcement agent service

The collection of debts can legally be carried out by licensed individuals under the Taking Control of Goods Regulations 2013 which in turn means the service can be conducted in house. A number of councils already have established in house enforcement agent teams:

Pros	Cons
Access to significant potential fee income – depending on the amount of services bought 'in-house' it could be upwards of £360k per annum (based on compliance stage work – see table in option 3) for Birmingham's caseload.	The setting up of an in-house enforcement agent service would be a significant project. It would require substantial investment prior to the generation of reasonable levels of income.
There would be a further opportunity to outsource to other LAs to generate further income.	The council does not have the capacity or expertise to carry out a full cost analysis for the business case for a full in-house service.
Flexible operation under BCC total control.	Set-up costs could be at least £2m+ with a return on investment not expected until years three to four.
The arrangement could be flexible, and the council could 'partner' with other EAs to deal with more complex debt (e.g. sale/disposal stage and out of area cases).	With around 20% of our caseload being located outside of Birmingham an external provider with national coverage would still be needed reducing the size of the caseload for any in-house local service.

It would improve the view of financially vulnerable customers – and would support the approach to use data in the move from crisis to prevention.	The amount of added and social value currently received from existing contracts would be drastically reduced.
The in-house enforcement agents will be able to signpost customers to other support including Council Tax Support, discretionary funding / Council Tax Discretionary reductions and debt advice sectors where appropriate (this is already undertaken by external EAs, but the added value is limited with these elements handled outside the council).	There is no dedicated trained resource for the work at BCC – recruitment and training would be needed.
There will be more flexibility regarding the application of statutory fee charges levied, which in appropriate situations could be more easily withdrawn, minimising the accrual of additional charges for customers and businesses.	The operation may not be as technically advanced as established firms in the industry. This could lead to an initial delay in cashflow where by collection on some cases is not realised until they are sent to external agencies as recycled work or until the internal service is fully developed.

Option 3 – A hybrid phased in-house approach (preferred option)

The split of the charging process for enforcement agent collection (with the different fees applied at different stages), make a hybrid option possible. The very first stage is the compliance stage. The initial fee of £75 is charged at the point an enforcement agent is instructed to collect the debt. The fee covers:

- the first stage of the recovery process including tracing
- establishing contact via digital or written correspondence with the debtor
- negotiating a repayment of the debt; and
- administering the repayment arrangement

The £75 compliance fee is paid ahead of any debt repayments. This stage can be carried out remotely and without the need to visit households.

The final two stages of the process are resource heavy with significant set up costs (for visits and removal of goods etc). The first stage of recovery (the compliance stage) can be carried out with relatively little set up costs and can be set-up in a short space of time.

A licensed enforcement agent would still be required in order to carry out the initial compliance stage, which can be fulfilled via the qualification and certification of existing staff. It is proposed that additionally two experienced, licensed enforcement agents would be recruited so that there is contingency to conduct visits on an ad hoc basis. This will also act as a stepping stone into later phases, where full enforcement is in scope.

Pros	Cons
Access to significant potential fee income – depending on the amount of services bought in-house it could be upwards of £360k per annum for the council (based	A significant amount of caseload would require enforcement stage collection or would be located outside of Birmingham so external providers with national

Pros	Cons
on Revenues debts only – see table below).	coverage and the ability to clamp/remove vehicles would still be needed.
There will be more flexibility regarding the application of statutory fee charges levied, which in appropriate situations could be more easily withdrawn, minimising the accrual of additional charges for customers and businesses.	The amount of added and social value the authority currently receives from existing contracts would be reduced.
A recycled contract and out of area contract would still be needed which would allow the council to extract some 'added value' and social value.	There is currently no dedicated trained resource for the work at BCC – recruitment and training would be needed.
The council will need to employ licensed enforcement agents. This can be partly approved through our existing staff meeting certain criteria which is then approved by the regulator. A phased approach to project implementation would ensure the continuity of existing collection activities at the council along with contracting arrangements already in place.	The operation may not be as technically advanced as established firms in the industry. This could lead to an initial delay in cashflow where by collection on some cases is not realised until they are sent to external agencies as recycled work or until the internal service is fully developed.
There would be a further potential opportunity to generate additional income by working with other councils and taking on some of their casework.	

A review period would be needed to ensure the new arrangements added value for the Council and its citizens. Data gathered during phase 1 can then be utilised to inform a business case for phase 2 (to extend the arrangement to include both compliance and enforcement stages for revenues debts) and phase 3 (to undertake this work for other debts such as Parking and Commercial rent arrears). Consideration can then also be made to the associated need for investment to deliver the additional income for the Council.

Yearly operating costs for hybrid 'in-house' option

Revenues only Compliance Fee income		
Income		
CTAX	£ 972,627.79	
BIDS	£ 22,784.36	
NNDR	£ 101,960.00	
Total		£ 1,097,372.15
Costs (Revenue)		
Software	£ 61,170.00	
Telephone/IVR	£ 6,120.00	
SMS	£ 2,240.84	
Printing and postage	£ 29,691.13	
ECB levy	£ 4,389.49	
Staff	£ 593,307.00	
CEAA Membership	£ 125.00	
Vehicle / petrol	£ 16,000.00	
Debt segmentation	£ 25,209.45	
Total		£ 738,252.91
Net Profit		£ 359,119.24

5.2 Evaluation of Key Risks and Issues for the Preferred Option

Risk Title	Risk Description	Likelihood (H/M/L)	Impact (H/M/L)	RAG Status	Mitigating Actions
Cash allocation system integration	Issues with current integration – therefore new payment channels/processes will come with associated risk	M	H	A	Need IT onboard and to identify resource/team to communicate with. Could use the chosen software provider's payment system - may mitigate some of the requirement to develop full payment processes but will still need a level of integration
Procurement challenge	Challenge from an Enforcement agent competitor to Equita due to a direct award being made to them	L	M	A	The contract is for one year so a short period of time and unlikely to attract any attention in the industry

Recruitment	Reduced enforcement agent qualified resources in the market may mean issues recruiting to standards or lack of internal resource to qualify	M	H	A	Two existing staff to gain qualification and become certificated enforcement agents so that compliance can continue until resource identified
Cost of living crisis	Political appetite to issue to enforcement agents may be low	L	L	G	Proposal is centred around early intervention and prevention. Additional data segmentation has been built in prior to issuing to enforcement, to assist with ensuring only the right cases are sent
Resource	Lack of resource within existing revenues service to deliver project	M	H	A	To be reviewed
Cross department appetite	Potential lack of buy in from other areas of the authority	L	L	G	Continue engaging with all relevant service areas – not a risk for initial phase.
Business analyst availability	A business analyst would be required to map out end to end processes and define solution requirements	L	L	G	Continues to liaise with IT. In the meantime, process to be mapped internally with the aim to involve a BA to fine tune at a later date.

5.3 Other Impacts of the Preferred Option

The preferred option is a phased in-house approach handling up to and including the compliance stage for Council Tax, Business Rates and Business Improvement District debt recovery, with a small contingency of two enforcement agents to undertake visits on some sample cases.

Positive impacts;

- Phasing will allow for management of financial risk and opportunities for lessons learnt, in order to inform future business cases for a full-scale service
- Earlier identification of citizen vulnerabilities
- Greater flexibility regarding the application of statutory fees
- Significant potential fee income
- Alignment of procurement activity for any future EA contractual arrangements across Council directorates

Negative impacts:

- A delay in potential cost income by introducing the collection of PCNs and Commercial Rent Arrears at later phases. However, this will allow for staggered management of risk.
- Delayed cash flow due to any initial inefficiencies of process
- Reduction in added value via external contracts

6 Procurement & Contractual Considerations

This considers the Procurement and Contractual elements of the programme.

6.1 Partnership or joint venture working

The project will be managed within the Revenues Service and form part of the overall internal approach to the collection of council tax and business rates. Contracts will be retained with external agencies for business resilience and so that there is security around the project, but this will not strictly be considered a partnership or joint venture.

6.2 Procurement implications and Contract Strategy

Following this transformation process and approval to bring inhouse Enforcement agency services for Council Tax, Business Rates and Bid Levies, the recommendation is to run procurement exercises for the other remaining debt/enforcement services as and when needed by way of compliant mechanisms in line with Procurement and Contract Governance Rules. This will ensure contract coverage is encompassed for the remaining services during a period of stabilisation and incremental growth. A further review will then take place to consider these remaining services being delivered as part of a third stage of the inhouse service transformation project. Estimated to be in between 2 to 3 years' time.

6.3 Staffing and TUPE implications

The proposal does not have any direct HR implications, by virtue of the current commissioning arrangements and the way the supplier has organised its workforce, neither BCC nor the supplier believes that the Transfer of Undertakings (Protection of Employment) regulations will apply, consequently there will be no transfer of supplier employees into the Council.

There is a requirement for a new team of 14 staff. The recruitment will be phased to take into account the gradual increase in the workload. The normal TU consultation will be undertaken.

7 Financials

This section sets out the overall cost and affordability of the project and details any savings/ROI.

7.1 Financial Overview

It is not expected that the service will be operational until month 9 of Year 1 and therefore costs and income have been prorated accordingly for that year. Year 1 also includes all capital expenditure required to get the service set up.

Funding of £247k has already been approved via the Invest to Deliver board and will cover all costs for Year 1, after which the service will be self-funded via the income generated.

£	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
Capital	£32,258.00	£0.00	£3,200.00	£0.00	£3,200.00	£0.00	£38,658.00
Revenue	£197,740.66	£738,252.91	£738,252.91	£738,252.91	£738,252.91	£738,252.91	£3,889,005.20
Total	£229,998.66	£738,252.91	£741,452.91	£738,252.91	£741,452.91	£738,252.91	£3,927,663.20
	Funded by:						
<i>Existing</i>	£247,171.00						
<i>Additional</i>		£738,252.91	£741,452.91	£738,252.91	£741,452.91	£738,252.91	£3,697,664.54
Total	£247,171.00	£738,252.91	£741,452.91	£738,252.91	£741,452.91	£738,252.91	£3,697,664.54
	Savings/ROI						
Income	£274,343.04	£1,097,372.15	£1,097,372.15	£1,097,372.15	£1,097,372.15	£1,097,372.15	£5,761,203.79
Total	£291,515.38	£359,119.24	£355,919.24	£359,119.24	£355,919.24	£359,119.24	£2,080,711.58

7.2 Cost Assumptions

Assumptions have been made around the following;

- Expected case volumes - based on work sent to the existing supplier in previous years
- Expected collection rates – based on benchmarking undertaken against other Local Authorities with an in house service
- Supplier costs – based on quotes obtained or average costs for other Local Authorities receiving similar services/goods
- Resource requirements – based on a manageable caseload per FTE in line with other Local Authority in house services

A full breakdown of costs including calculations and annotations can be found at Appendix B.

7.3 Overall Affordability

The income projection is based on average collection rates of other Local Authority in house enforcement teams against current case volumes sent to our existing Enforcement Agents. The £360k projection includes the additional costs of running the new activity and so the service will be entirely self-funded after initial start-up costs.

7.4 Optimism Bias and Contingency Provision

All financial forecasting has been centred around prudent assumptions of collection based on the existing performance of other comparable in-house services. Discussions have been held with a number of other Local Authorities and service providers to ensure that the proposal and expected outcomes are realistic and not swayed by optimism bias.

7.5 Taxation

There should not be any adverse tax implications of the Council undertaking enforcement/debt collection services in house, particularly in relation to the collection of Council Tax, business rate, BID levy and PCN debts. Whilst the Council will incur VAT on any external costs incurred by the service, this VAT should be reclaimable by the Council. Hence VAT should not be a cost to the debt collection service. If the Council were to provide enforcement/debt collection services to other organisations, e.g. local authorities, VAT should be charged on any fees levied for those services.

8 Project Management & Governance

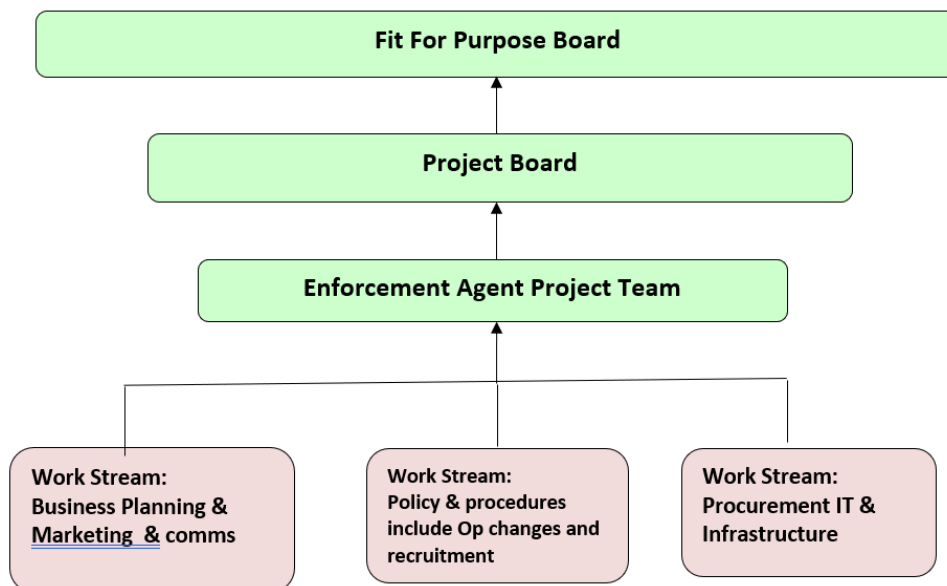
This section considers how the project/programme will be managed, tracked and governed.

8.1 Key Milestones

Milestone	Start Date	End Date	Owner
Process mapping	Month 1	Month 2	Parveen Ellahi
Update Corporate Debt policies and sign off	Month 2	Month 3	Jonathan Woodward
Business planning i.e. Marketing, branding, website, KPI's etc	Month 1	Month 5	Jonathan Woodward
New team Recruitment/Set up	Month 2	Month 4	Jonathan Woodward
Training/qualification	Month 2	Month 4	Jonathan Woodward
New team established	Month 5	Month 5	Jonathan Woodward
Tender and procure software	Month 1	Month 2	Stuart Follows
Define & procure equipment i.e body vests/cams etc	Month 3	Month 4	Jonathan Woodward/ Stuart Follows
Set up IT systems	Month 3	Month 3	Tom Furey/Sheraz Yaqub/Sue Causer
Software & Integration Testing	Month 4	Month 5	Jonathan Woodward /Sue Causer
New enforcement team go live	Month 6	Month 6	Jonathan Woodward

8.2 Resources Requirements, Roles and Responsibilities

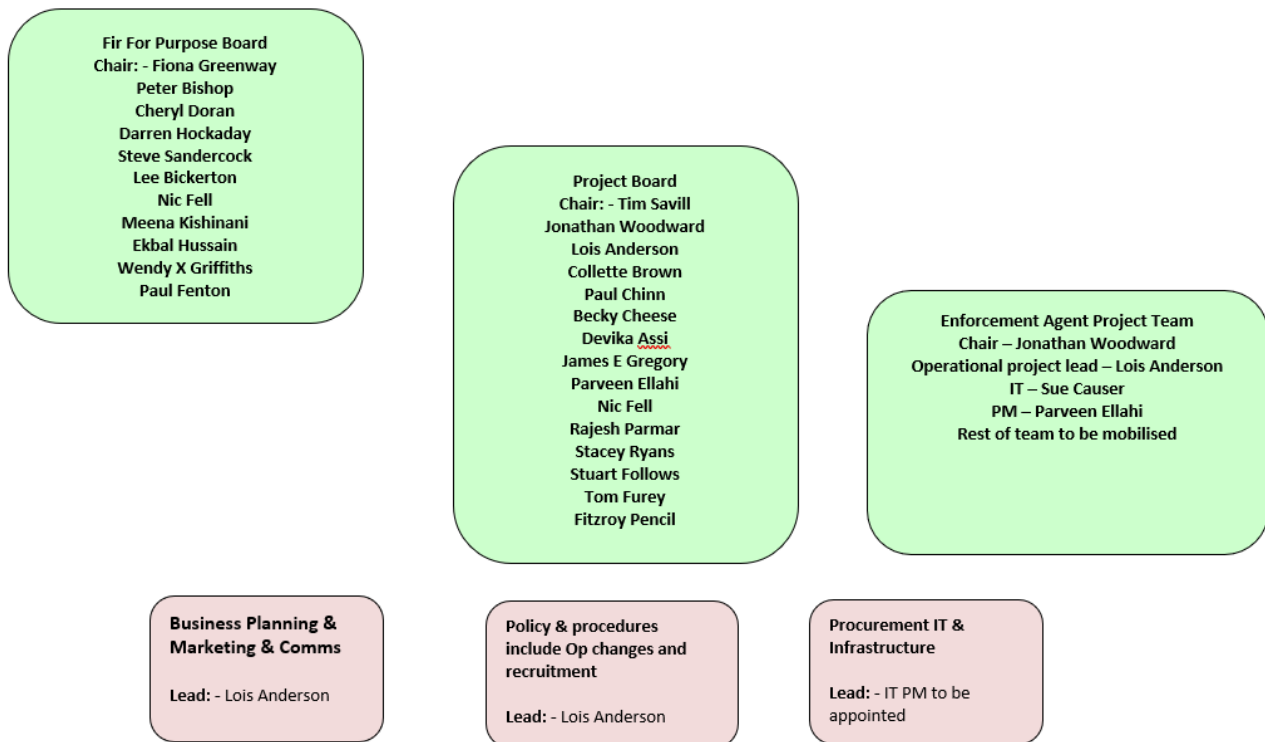
Project Governance Chart



Meeting Frequency;

- Digital & Customer Services Management Team - As required - Strategic decision making on areas with cross-directorate impacts
- Project Board - Fortnightly- To provide direction and make key project decisions
- Project Team - Weekly - To co-ordinate approach to delivering the project
- Workstream leads – Responsibility for delivery of work streams
- Future phases to be determined following review of phase 1.

Governance Membership



Role	Responsibility	Days / Hours Required
Programme Manager	Jonathan Woodward	1 day x 26 wks = 190 hrs
Project Manager	Parveen Ellahi	2 days x 26 wks = 380 hrs
Senior User	Tim Savill	2 hrs x 26 wks = 52 hrs
Senior Supplier	Tom Furey	3 days x 6 weeks = 131 hrs
Functional Lead	Lois Anderson	4 days x 26 wks = 759 hrs
IT lead	Sue Causer	3 days x 6 weeks = 131 hrs

Role	Responsibility	Days / Hours Required
IT project Manager	TBC	4 hrs x 26 wks = 104 hrs
Delivery teams	TBC – support for policy/UAT etc	6 FTE over 5 months

8.3 Governance Arrangements

Project Governance	Meeting Frequency	Name(s)	Roles - Summary	Key Responsibility
Digital & Customer Services Management Team	As required	Peter Bishop, Wendy Griffiths, Cheryl Doran, Tim Savill	Strategic decision making on areas with cross-directorate impacts	To provide direction, support and additional resources where needed. To sign off key project outcome documents by agreed timelines.
Project Sponsor	N/A	Tim Savill	To provide direction and make key finance and project decisions	To ensure project is monitored regularly, delivered on time within agreed budget and achieves the deliverables outlined in the PID. To keep D&CS Management Team informed of project progress & key risks. To challenge the outcomes of the overall project. To sign off project outcome documents by agreed timelines.
Project Board	Fortnightly	Tim Savill - Chair Jonathan Woodward, Collete Brown, Paul Chinn, Becky Cheese, Devika Assis, James E Gregory, Parveen Ellahi, Lois Anderson, Nic Fell, Rajesh Parmar, Stacey Ryans, Stuart Follows, Tom	To deliver the project deliverables outlined in the project terms of reference	To monitor project progress, identify and track management of risks, escalate critical issues, make decisions, determine the outcomes of change control documents, ensure key milestones are being achieved, ensure compliance and discussions held with cross council departments e.g. Finance, CPMO, Fit for Future Governance Board.

		Furey & Fitzroy Pencil		
Project Team	Weekly	Jonathan Woodward, Lois Anderson, Parveen Ellahi, Sue Causer	To co-ordinate approach to delivering the project	To review overall project plans and status and report back accordingly. To reallocate resources as required. To identify key project issues and explore other options. To agree and review actions list. To celebrate successes.
Project Manager	N/A	Parveen Ellahi	To ensure all elements of the project are being delivered in a co-ordinated way and reported back in Project team and board meetings	To ensure project is monitored regularly, delivered on time within agreed budget and achieves the deliverables outlined in the PID. To ensure all project resources are provided. To produce overall project plan and monitor on a bi-weekly/monthly basis. To produce and monitor risk register, oversee management workshops /meetings and progress & monitor action log.
Operational Project Lead	NA	Lois Anderson	To ensure all elements of the project activities have been captured and are being delivered in a co-ordinated way, and resources aligned accordingly	To oversee the production and quality, and arrange sign off of project deliverables by agreed timelines. To contribute to overall project plan and monitoring on weekly basis. To monitor and update risk register and oversee management workshops /meetings. To monitor & update action log with necessary updates.

<p>Workstream Leads</p> <p>Business Planning, Marketing & Comms</p> <p>Policy, procedures, op changes and recruitment</p> <p>Procurement & IT</p>	As required	<p>Lois Anderson</p> <p>Lois Anderson</p> <p>IT PM to be appointed</p>	To support the Project Team & Project Manager in the designing of processes, procedures and systems followed by testing & implementation.	<p>To provide regular project updates & highlight reports to project governance officers.</p> <p>To deliver individual workstream plans in line with key project milestones.</p> <p>To business plan, set up marketing, comms and stakeholder engagement.</p> <p>To produce and implement updated processes and procedures.</p> <p>To recruit staff and ensure training.</p> <p>To create test plans and scenarios to cover system & integration testing and carry out running of scripts.</p> <p>To produce stakeholder matrix.</p> <p>To deliver communication strategy and plans.</p> <p>To monitor risk and issues log at least monthly and update accordingly.</p> <p>To manage workstream support officers.</p>
<p>Project Workstream Support Officers / SME's</p>	As required	TBA	To support the project work stream leads in the implementation of the project	To support delivery of project, including set up, UAT and mobilisation.

Approvals

Approval Role	Name	Date
Operational Sponsor	Tim Savill – AD, Revenues, Benefits and Rents	5 May 2023
Strategic Sponsor	Peter Bishop – Director Digital & Customer Services	10 May 2023
Business Partners	Finance – Lee Bickerton Legal – Rajesh Parmer Procurement – Richard Tibbatts HR – Jasna Neighbour CPMO – Paul Fenton	12 May 2023
Fit for Future Governance Board	Nic Fell – Portfolio Lead	15 May 2023
CLT		16 May 2023
CMT		13 June 2023
Cabinet		25 July 2023

9 Appendices

9.1 Appendix A – Scoping document

9.2 Appendix B – Financials breakdown

Effective Commissioning of Debt – Options

Option 1 – Do nothing. Continue with the use of external enforcement agents

1.1 The Council can carry on with its existing arrangements using external firms and the following table outlines the pros and cons of this option.

Pros	Cons
As EAs charge and retain fees from citizens and businesses – no additional investment from BCC is required.	New tender exercises/contracts will be required for all services within the next 18 months.
EAs have vehicles fitted with ANPR to clamp and potentially remove vehicles associated with outstanding warrants, including facilities for storage of vehicles.	Due to the contentious nature of the EA industry it is commonplace for tenders to be subject to legal challenges. This can make retendering of contracts time consuming and litigious.
The Revenues service has been able to extract approximately £250k in added value as a result of its external contract – this consists of the funding of apprentices, staff training, software/RPA developer funding and data/debt cleansing products.	The council would be unable to extract any fee income for its own benefit.
There is national coverage for 'out of area' debtors; at least 20% of cases are out of area which also means that there is more flexibility for resources to handle increases in workloads.	There are limits in relation to the recovery of debt and the manner in which the recovery service is conducted.
They deal with many councils and as such are 'subject matter experts' and can share good practice from the various operating models.	Loss of opportunity to gather meaningful data around citizens vulnerability at an early stage.
Devolved risk – BCC staff are not doing the collection work – less chance of financial negligence risk.	

Option 2 – Setting up a full in-house enforcement agent service

2.1 The collection of debts can legally be carried out by licensed individuals under the Taking Control of Goods Regulations 2013 which in turn means the service can be conducted in house. A number of councils already have established in house enforcement agent teams:

Pros	Cons
Access to significant potential fee income – depending on the amount of services bought ‘in-house’ it could be upwards of £360k per annum (based on compliance stage work – see table in option 3) for Birmingham’s caseload.	The setting up of an in-house enforcement agent service would be a significant project. It would require substantial investment prior to the generation of reasonable levels of income.
There would be a further opportunity to outsource to other LAs to generate further income.	The council does not have the capacity or expertise to carry out a full cost analysis for the business case for a full in-house service.
Flexible operation under BCC total control.	Set-up costs could be at least £2m+ with a return on investment not expected until years three to four.
The arrangement could be flexible, and the council could ‘partner’ with other EAs to deal with more complex debt (e.g. enforcement stage and out of area cases).	With around 20% of our caseload being located outside of Birmingham an external provider with national coverage would still be needed reducing the size of the caseload for any in-house local service.
It would improve the view of financially vulnerable customers – and would support the approach to use data in the move from crisis to prevention.	The amount of added and social value currently received from existing contracts would be drastically reduced.
The in-house enforcement agents will be able to signpost customers to other support including Council Tax Support, discretionary funding / Council Tax Discretionary reductions and debt advice sectors where appropriate (this is already undertaken by external EAs, but the added value is limited with these elements handled outside the council).	There is no dedicated trained resource for the work at BCC – recruitment and training would be needed.
There will be more flexibility regarding the application of statutory fee charges levied, which in appropriate situations could be more easily withdrawn, minimising the accrual of additional charges for customers and businesses.	The operation may not be as technically advanced as established firms in the industry. This could lead to an initial delay in cashflow where by collection on some cases is not realised until they are sent to external agencies as recycled work or until the internal service is fully developed.

Option 3 – A hybrid phased in-house approach

- 3.1 The split of the charging process for enforcement agent collection (with the different fees applied at different stages), make a hybrid option possible. The very first stage is the compliance stage. The initial fee of £75 is charged at the point an enforcement agent is instructed to collect the debt. The fee covers:
- the first stage of the recovery process including tracing
 - establishing contact via digital or written correspondence with the debtor
 - negotiating a repayment of the debt; and
 - administering the repayment arrangement
- 3.2 The £75 compliance fee is paid ahead of any debt repayments. This stage can be carried out remotely and without the need to visit households.
- 3.3 The final two stages of the process are resource heavy with significant set up costs (for visits and removal of goods etc). The first stage of recovery (the compliance stage) can be carried out with relatively little set up costs and can be set-up in a short space of time.
- 3.4 A licensed enforcement agent would still be required in order to carry out the initial compliance stage, which can be fulfilled via the qualification and certification of existing staff. It is proposed that additionally two experienced, licensed enforcement agents would be recruited so that there is contingency to conduct visits on an ad hoc basis. This will also act as a stepping stone into later phases, where full enforcement is in scope.

Pros	Cons
Access to significant potential fee income – depending on the amount of services bought in-house it could be upwards of £360k per annum for the council (based on Revenues debts only – see table below).	A significant amount of caseload would require enforcement stage collection or would be located outside of Birmingham so external providers with national coverage and the ability to clamp/remove vehicles would still be needed.
There will be more flexibility regarding the application of statutory fee charges levied, which in appropriate situations could be more easily withdrawn, minimising the accrual of additional charges for customers and businesses.	The amount of added and social value the authority currently receives from existing contracts would be reduced.
A recycled contract and out of area contract would still be needed which would allow the council to extract some 'added value' and social value.	There is currently no dedicated trained resource for the work at BCC – recruitment and training would be needed.

Pros	Cons
<p>The council will need to employ a licensed enforcement agent. This can be partly approved through our existing staff meeting certain criteria which is then approved by the regulator. A phased approach to project implementation would ensure the continuity of existing collection activities at the council along with contracting arrangements already in place.</p>	<p>The operation may not be as technically advanced as established firms in the industry. This could lead to an initial delay in cashflow where by collection on some cases is not realised until they are sent to external agencies as recycled work or until the internal service is fully developed.</p>
<p>There would be a further potential opportunity to generate additional income by working with other councils and taking on some of their casework.</p>	

- 3.4 A review period would be needed to ensure the new arrangements added value for the Council and its citizens. Data gathered during phase 1 can then be utilised to inform a business case for phase 2 (to extend the arrangement to include both compliance and enforcement stages for revenues debts) and phase 3 (to undertake this work for other debts such as Parking and Commercial rent arrears). Consideration can then also be made to the associated need for investment to deliver the additional income for the Council.

Yearly operating costs for hybrid 'in-house' option

**Revenues only
Compliance Fee
income**

Income

CTAX	£ 972,627.79	
BIDS	£ 22,784.36	
NNDR	£ 101,960.00	
Total		£ 1,097,372.15

Costs (Revenue)

Software	£ 61,170.00	
Telephone/IVR	£ 6,120.00	
SMS	£ 2,240.84	
Printing and postage	£ 29,691.13	
ECB levy	£ 4,389.49	
Staff	£ 593,307.00	
CEAA Membership	£ 125.00	
Vehicle / petrol	£ 16,000.00	
Debt segmentation	£ 25,209.45	
Total		£ 738,252.91
Net Profit		£ 359,119.24

Title of proposed EIA	Effective commissioning of debt
Reference No	EQUA1043
EA is in support of	Amended Service
Review Frequency	Annually
Date of first review	30/01/2023
Directorate	Council Management
Division	Digital and Customer Services
Service Area	Revenues
Responsible Officer(s)	<input type="checkbox"/> Jonathan Woodward
Quality Control Officer(s)	<input type="checkbox"/> Jonathan Woodward
Accountable Officer(s)	<input type="checkbox"/> Tim Savill
Purpose of proposal	To assess the impact of insourcing Enforcement Agent collection
Data sources	relevant research
Please include any other sources of data	
ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Not Applicable
Age details:	The collection of Council Tax, Business Rates and BID levies is a statutory function set out in the Local Government Finance Act. For this purpose these characteristics are not considered or affected.
Protected characteristic: Disability	Not Applicable
Disability details:	The collection of Council Tax, Business Rates and BID levies is a statutory function set out in the Local Government Finance Act. For this purpose these characteristics are not considered or affected
Protected characteristic: Sex	Not Applicable
Gender details:	The collection of Council Tax, Business Rates and BID levies is a statutory

function set out in the Local Government Finance Act.

For this purpose these characteristics are not considered or affected

Protected characteristics: Gender Reassignment

Gender reassignment details:

Not Applicable

The collection of Council Tax, Business Rates and BID levies is a statutory function set out in the Local Government Finance Act.

For this purpose these characteristics are not considered or affected

Protected characteristics: Marriage and Civil Partnership

Marriage and civil partnership details:

Not Applicable

The collection of Council Tax, Business Rates and BID levies is a statutory function set out in the Local Government Finance Act.

For this purpose these characteristics are not considered or affected

Protected characteristics: Pregnancy and Maternity

Pregnancy and maternity details:

Not Applicable

The collection of Council Tax, Business Rates and BID levies is a statutory function set out in the Local Government Finance Act.

For this purpose these characteristics are not considered or affected

Protected characteristics: Race

Race details:

Not Applicable

The collection of Council Tax, Business Rates and BID levies is a statutory function set out in the Local Government Finance Act.

	For this purpose these characteristics are not considered or affected
Protected characteristics: Religion or Beliefs	Not Applicable
Religion or beliefs details:	The collection of Council Tax, Business Rates and BID levies is a statutory function set out in the Local Government Finance Act. For this purpose these characteristics are not considered or affected
Protected characteristics: Sexual Orientation	Not Applicable
Sexual orientation details:	The collection of Council Tax, Business Rates and BID levies is a statutory function set out in the Local Government Finance Act. For this purpose these characteristics are not considered or affected
Socio-economic impacts	None - the service is currently carried out by external providers and the end users will be unaffected by the insourcing.
Please indicate any actions arising from completing this screening exercise.	N/A
Please indicate whether a full impact assessment is recommended	NO
What data has been collected to facilitate the assessment of this policy/proposal?	External contract management data
Consultation analysis	n/a
Adverse impact on any people with protected characteristics.	none
Could the policy/proposal be modified to reduce or eliminate any adverse impact?	n/a
How will the effect(s) of this policy/proposal on equality be monitored?	As part of the operational performance management
What data is required in the future?	operational performance management

data

Are there any adverse impacts on any particular group(s)

No

If yes, please explain your reasons for going ahead.

Initial equality impact assessment of your proposal

Consulted People or Groups

Informed People or Groups

Summary and evidence of findings from your EIA

no adverse findings and approval is recommended.

QUALITY CONTORL SECTION

Submit to the Quality Control Officer for reviewing?

Yes

Quality Control Officer comments

Decision by Quality Control Officer

Proceed for final approval

Submit draft to Accountable Officer?

Yes

Decision by Accountable Officer

Date approved / rejected by the Accountable Officer

Reasons for approval or rejection

Please print and save a PDF copy for your records

Yes

Content Type: Item

Version: 20.0

Created at 23/12/2022 03:36 PM by Jonathan Woodward

Last modified at 02/05/2023 11:01 AM by Workflow on behalf of Jonathan Woodward

Close

Environment and Sustainability Assessment

Birmingham City Council is required to assess any positive or negative impacts that any policy/strategy/ decision/development proposal is likely to have on the environment. To complete the assessment you should consider whether that policy/development/proposal will have a positive or a negative impact on each of the key themes by placing a (√) for positive, (x) for negative and (?) for unclear impact, and (N/A) for non-applicable impact. The assessment must be completed for all Cabinet reports. It is the responsibility of the Service Director signing off the report to ensure that the assessment is complete. The officers from the sustainability team can help to fill the assessment especially during the early days of implementation.

Theme	Example
Natural Resources- Impact on natural resources including water, soil, air.	Does the decision increase water use? Does the decision have an impact on air quality? Does the decision impact on soil? For example, development will typically use water for carrying out various operations and, once complete, water will be needed to service the development. Providing water to development and treating affluent water requires energy and contributes to climate change. Some of the activities including construction or disposal of waste may lead to soil pollution. The decisions may lead to more journeys thereby deteriorating air quality and thus contribution to climate change and greenhouse gases.
Energy use and CO ₂ emissions.	Will the decision have an impact on energy use? Will the decision impact on carbon emissions? Most day-to-day activities use energy. The main environmental impact of producing and using energy such as electricity, gas, and fuel (unless it is from a renewable source) is the emission of carbon dioxide.
Quality of environment.	Does the decision impact on the quality of the environment? Decisions may have an impact on the overall setting, character and distinctiveness in the area. For example if development involves ground digging and excavations etc. it may have an impact on the local archaeology.
Impact on local green and open spaces and biodiversity	The proposal may lead to localised impact on the local green and open spaces which may have an impact on local biodiversity, trees and other

	<p>vegetation in the area. For example selling an open space may reduce access to open space within an area and lead to a loss of biodiversity. However, creating a new open space would have positive effects.</p>
<p>Use of environmentally sustainable products, equipment and packaging'</p>	<p>Will the decision present opportunities to incorporate the use of environmentally sustainable products (such as compostable bags, paper straws etc.), recycled materials (i.e. Forest Stewardship Council (FSC) Timber/wood), non-polluting vehicles, avoid the use of single use plastics and packaging.</p>
<p>Council plan priority: a city that takes a leading role in tackling climate change and deliver Route to Zero.</p>	<p>How does the proposal or decision contribute to tackling and showing leadership in tackling climate change and deliver Route to Zero aspirations?</p>

Project Title:	Effective commissioning of debt collection			
Department:	Team:	Person Responsible for assessment:		
	Digital and Customer Services – Revenues	Jonathan Woodward		
Date of assessment: August 2023	Is it a new or existing policy/strategy/decision/development proposal? - Yes			
<p>1.1 Brief description of the proposal:</p> <p>To consider bringing Enforcement Agent debt collection arrangements ‘in-house’ in order to increase income and benefit from early intervention and prevention principles.</p> <p>1.2 The hybrid ‘in-house’ proposal will:</p> <ul style="list-style-type: none"> 1.2.1 enable the Council to identify financial (or other) vulnerability and utilise the knowledge to assist citizens; 1.2.2 link to the Council’s approach to ‘early intervention and prevention’; 1.2.3 ensure the associated income in fees helps the Council to improve services for the citizens of Birmingham; and 1.2.4 continue to work with external providers to ensure that debt collection is maximised to the Council. 				
Potential impacts of the policy/development decision/procedure/ on:	Positive Impact	Negative Impact	No Specific Impact	What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken?
Natural Resources- Impact on natural resources including water, soil, air			X	
Energy use and CO ₂ emissions		X		Enforcement Agents will need to visit properties and premises within the city by vehicle, albeit in low numbers. As the proposals would include in house

				collection, there is the potential to use low emission or electric vehicles to reduce emissions.
Quality of environment			X	
Impact on biodiversity			X	
Use of sustainable products and equipment			X	
Council plan priority: a city that takes a leading role in tackling climate change			X	
Overall conclusion on the environmental and sustainability impacts of the proposal'	As the majority for the processes will involve desktop based tasks and digital communications the impact of the new service is negligible.			

If you require assistance in completing this assessment then please contact: Amit Bratch (amit.bratch@birmingham.gov.uk).

Extract from the Finance Plan 2023 – 2027 taken to Cabinet on 14th February 2022

Description	New or Existing Saving	Income Generation or Expenditure Reduction	2022/23 £m	2023/24 £m	2024/25 £m	2025/26 £m
<p>CO007 23+ Improvements in Debt Management</p> <ul style="list-style-type: none"> • Review Enforcement Agent arrangements across the Council with a view to undertaking 'in house' activity where it is appropriate to do so' • We will be reviewing our debt management policy with a view to improving collection of money owed to the Council and reducing the level of bad debt and associated bad debt provision at year end <p>* This saving will be allocated to departments in year</p>	New	Income Generation	(1.000)	(1.900)	(2.400)	(2.900)

Birmingham City Council Cabinet

12 December 2023



Subject: Section 75 Agreement, Pooled/Aligned Budget Arrangements
2023-25 – Better Care Fund

Commissioner Review

Commissioners are content with the recommendations in this report. However, the report does not set the decision within the full context of the Council's financial challenges. The Council should ensure that all decisions that have funding implications are taken within the wider context of intervention and significant budgetary challenges.

Birmingham City Council

Report to Cabinet

12th December 2023



Subject: SECTION 75 AGREEMENT, POOLED/ALIGNED BUDGET ARRANGEMENTS 2023/25 – BETTER CARE FUND

Report of: Professor Graeme Betts, CBE
Strategic Director for Adult Social Care

Relevant Cabinet Member: Councillor Mariam Khan – Health and Social Care

Relevant O & S Chair(s): Cllr Mick Brown - Health and Social Care

Report author: Michael Walsh
Email: Michael.Walsh@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 012129/2023		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 The purpose of this report is to seek approval from Cabinet for the Council to continue to maintain the integrated commissioning arrangements for the financial years 2023/24 and 2024/25 through the renewal of the Section 75 (S75) agreement within Birmingham and Solihull Integrated Care Board (ICB) for the Better Care Fund (BCF).

- 1.2 A Section 75 agreement for the Better Care Fund, is a well-established, statutory mechanism for integrated working across health and social care in Birmingham.

2 Recommendations

2.1 That Cabinet:

- 2.1.1 Approves the following financial contribution for 2023/24 to the Section 75 agreements for the Better Care Fund - £115,994,636.
- 2.1.2 Approves the following financial contribution for 2024/25 to the Section 75 agreement for the Better Care Fund - £116,458,409.
- 2.1.2 Authorises the Strategic Director for Adult Social Care to conclude negotiations with Birmingham and Solihull Integrated Care Board in respect of the funding approved under para. 2.1.1 above on the S75 agreement.
- 2.1.3 Delegates authority to the Strategic Director for Adult Social Care to increase the BCC contribution to the Better Care Fund during the years 23/24 and 24/25 in the event of additional, specific funding – such as increased funding for Disabled Facilities Grant - being received by the Local Authority. This would essentially represent a variation to the BCF Plan. The s151 Panel has provided a blanket approval for spend against the approved BCF Plan. Further approval would be sought from the panel for any additional spend as a result of a variation to the plan.
- 2.1.4 Authorises the City Solicitor (or their delegate) to conclude and enter into all legal documents to give effect to the above.

3 Background

- 3.1 Section 75 agreements are a mechanism designed to enable integrated commissioning for health and social care. A S75 agreement provides a legal framework that allows ICBs and Local Authorities to align or pool financial resources. The benefits of these arrangements are that ICBs and the Council can then act as a single commissioner. This has the potential to avoid duplication and to deliver a better co-ordinated response to supporting the health and well-being of citizens.
- 3.2 Better Care Fund - The Better Care Fund is a mandatory, national programme with specified minimum contributions from ICB and Local Authorities. For 2023/24, the Council is required to contribute funding allocated from the Government for the Improved Better Care Fund (IBCF), the Disabled Facilities Grant (DFG) and the Adult Social Care Discharge Fund (ASCDF) into the BCF S75.

4 Options considered and Recommended Proposal

- 4.1 Not renew the commitment to the s75 agreement – this is not an option as there is a mandatory requirement to align budgets for integrated health and social care

through the Better Care Fund. A s75 is the mechanism for aligning budgets for this purpose.

5 Consultation

- 5.1 Better Care Fund – the contents of this report were discussed with the Better Care Fund Commissioning Executive Board on the 14th June 2023 and the Board are supportive of the recommendations. The Health and Wellbeing Board approved the Better Care Fund Plan for 2023/25 on the 18th July 2023.
- 5.2 Officers from Birmingham and Solihull Integrated Care Board have been consulted on the preparation of this report and will be seeking approval in their relevant organisation for the implementation of the recommendations.
- 5.3 Officers from City Finance and Legal & Governance Departments have been involved in the preparation of this report.

6 Risk Management

- 6.1 Management and sharing of risk are a key element of the Section 75 agreement that is currently in place between the Council and the ICB for BCF.
- 6.2 The s75 agreement is based on a standard national template that includes a schedule for “Financial Arrangements, Risk Sharing and Overspends”. In essence it is the function of the BCF Commissioning Executive Board to ensure that the fund is managed jointly and that appropriate decisions are made in respect of apportionment of any overspends or virements of funding between elements of the BCF. Risks in respect of programme delivery are managed through the Programme Board which meets monthly to review actual and forecast spend.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council’s priorities, plans and strategies?

- 7.1.1 The recommendations within this report are consistent with the Council priorities within the Corporate Plan 2022-2026: An Inclusive Birmingham and A Healthy Birmingham. The recommendations within this report will contribute to these priorities by enabling citizens to live independently and contribute to their community for as long as possible.

7.2 Legal Implications

- 7.2.1 The BCF derives from the amended NHS Act 2006 (s.223GA), which requires the Council and the ICB to transfer a minimum allocation (as set out in the Mandate) into one or more pooled budgets established under Section 75 of the Act.

- 7.2.2 The Disabled Facilities Grant and the Improved Better Care Fund grants are subject to grant conditions set out in the grant determinations made under Section 31 of the Local Government Act 2003.
- 7.2.3 Section 75 of the 2006 National Health Service Act gives powers to the Council and the ICB to establish and maintain pooled funds.

7.3 Financial Implications

- 7.3.1 Section 75 agreements enable payments to be made towards expenditure incurred in the exercise of the prescribed local authority and prescribed NHS functions.
- 7.3.2 The framework for the BCF derives from the governments mandate to the NHS, issued under Section 13A of the NHS Act 2006, which sets an objective for NHS England to ring fence funding to form the BCF contribution from the NHS. Each year planning requirements prescribe the minimum contributions expected from both the Council and the ICB.
- 7.3.3 Contributions from the Council for the financial year 2023/24 are:
Better Care Fund - £115,994,636

Figure 1: Better Care Fund contribution breakdown area by theme

Spend Area	Annual Value for 2023/24
Disabled Facilities Grant	£12,943,092
Disabled Facilities Grant – Additional funding	£1,129,415
Improved Better Care Fund	£67,918,344
Adult Social Care Additional Contribution	£24,481,739
Adult Social Care Discharge Fund	£9,522,046
Total	£115,994,636

- 7.3.4 Contributions from the Council for the financial year 2024/25 are:
Better Care Fund - £116,458,409

Figure 1: Better Care Fund contribution breakdown area by theme

Spend Area	Annual Value for 2024/25
Disabled Facilities Grant	£12,943,092
Improved Better Care Fund	£67,918,344

Adult Social Care Additional Contribution	£19,790,377
Adult Social Care Discharge Fund	£15,806,596*
Total	£116,458,409

* this is an estimated figure as the Discharge Fund allocation for 2024/25 has not yet been confirmed.

7.3.5 Approval for BCC spend against planned activity within the Better Care Fund Plan (funded from NHS/BCC resources pooled into the BCF) is subject to s151 Board Approval. S151 Spend Board approval was granted on Friday 22nd September 2023 for specific high volume statutory services and grant related expenditure. This included Packages of Care, Social Work Teams, Internal Care Home Services, Community Equipment and Third Sector grants which make up the majority of BCC commissioned/directly delivered expenditure within the Better Care Fund. Specific approvals for other items outside of the scope of this general approval will be sought on an individual basis.

7.4 Procurement Implications

7.4.1 There are no procurement implications as this report is about entering into the Section 75 Agreement, commissioning and procurement of services is done on a service level basis through the appropriate routes.

7.5 Human Resources Implications

7.5.1 None

7.6 Public Sector Equality Duty

7.6.1 The purpose of the Section 75 agreements is to enable funding to be pooled and/or aligned between the NHS bodies and the Council, this report seeks to continue current arrangements. The process of commissioning will ensure that equality impacts are actively considered and acted on by commissioners throughout the implementation of the services within these agreements.

7.6.2 See **Appendix 1** – Equality Impact Assessment EQUA1206.

7.7 Environmental and Sustainability Implications

7.7.1 None.

8 Appendices

8.1 **Appendix 1** - Equality Impact Assessment EQUA1206

9 Background Documents

- 9.1 Report to Cabinet Section 75 Agreements, Pooled/Aligned budget arrangements 2021/22 – 22nd March 2022.
- 9.2 Report to Cabinet Section 75 Agreements, Pooled/Aligned Budget Arrangements 2022/23 – 21st March 2023.

Title of proposed EIA	Section 75 Agreements, Pooled/ Aligned Budget Arrangements 2023/24
Reference No	EQUA1206
EA is in support of	Amended Policy
Review Frequency	Two Years
Date of first review	31/03/2025
Directorate	Adults Social Care
Division	Commissioning
Service Area	Strategy and Integration
Responsible Officer(s)	<input type="checkbox"/> Richard Doidge
Quality Control Officer(s)	<input type="checkbox"/> Michael Walsh
Accountable Officer(s)	<input type="checkbox"/> Louise Collett
Purpose of proposal	To enable the Council to extend the Section 75 Agreements with Birmingham and Solihull Integrated Care Board (ICB) for the purposes of the Better Care Fund, Learning Disability and Mental Health
Data sources	Other (please specify)
Please include any other sources of data	NHS Section 75 Guidance Government Better Care Fund Statement and Planning Guidance 2023/24

ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS

Protected characteristic: Age

Age details:

Service Users / Stakeholders

The bulk of BCC funding pooled into the BCF via the s75 agreement will provide care packages for older residents. Other areas of spend that particularly support older citizens include funding for out of hospital discharge pathways and a community equipment loan service. No negative impacts are indentified.

Protected characteristic: Disability

Disability details:

Service Users / Stakeholders

BCC is required to pool funding for Disabled Facilities Grants into the BCF via the s75 agreement. This funding is to provide adaptations to enable people to remain living independently

	at home and is an effective mechanism to prevent citizens from needing to move into residential care. Other areas of delivery that are funded via the BCF include the Community Equipment Loan service that supports people with physical disabilities to remain living at home and support for carers. No negative impacts are identified.
Protected characteristic: Sex	Not Applicable
Gender details:	
Protected characteristics: Gender Reassignment	Not Applicable
Gender reassignment details:	
Protected characteristics: Marriage and Civil Partnership	Not Applicable
Marriage and civil partnership details:	
Protected characteristics: Pregnancy and Maternity	Not Applicable
Pregnancy and maternity details:	
Protected characteristics: Race	Not Applicable
Race details:	
Protected characteristics: Religion or Beliefs	Not Applicable
Religion or beliefs details:	
Protected characteristics: Sexual Orientation	Not Applicable
Sexual orientation details:	
Socio-economic impacts	A key impact of the Better Care Fund which is enabled via the s75 agreement is the delivery of a range of services commissioned from locally based companies, supporting jobs and employment in the city. In addition, funded care services have a positive impact on people's ability to remain living independently as part of the community.
Please indicate any actions arising from completing this screening exercise.	None.
Please indicate whether a full impact assessment is recommended	NO
What data has been collected to facilitate the assessment of this policy/proposal?	Section 75 Guidance, Government Policy Statement for the Better Care Fund, including planning guidance for 2023/24.

Consultation analysis

Better Care Fund Programme Board,
Better Care Fund Commissioning
Executive, Adult Social Care
Management Team and the
Birmingham Health and Wellbeing
Board.

No concerns raised on the proposed
extension of the Section 75
Agreements.

Adverse impact on any people with protected characteristics.

None identified. This is a financial
process to enable the creation of a
pooled budget to improve health and
well-being outcomes through better
integration of health and social care
services. In particular, expenditure
through the BCF supports pathways for
hospital discharge - enabling joint
planning and delivery of integrated
pathways that benefit citizens through
earlier discharge with a focus on
returning to their original place of
residence.

Could the policy/proposal be modified to reduce or eliminate any adverse impact? Not applicable.

How will the effect(s) of this policy/proposal on equality be monitored?

This will be monitored through the
impact of services commissioned
utilising the funding through the
Section 75 Agreements, and as part of
the review process of the Section 75
Agreement itself.

What data is required in the future?

Sufficient data is already available for
the implementation and extension of
the Section 75 Agreements.

Are there any adverse impacts on any particular group(s)

No

If yes, please explain your reasons for going ahead.

Initial equality impact assessment of your proposal

Consulted People or Groups

Informed People or Groups

Summary and evidence of findings from your EIA

The initial assessment has not identified
any areas that will be adversely
affected through the extension of the
Section 75 Agreements, or the services

commissioned through these pooled/
aligned budget arrangements.

QUALITY CONTORL SECTION

Submit to the Quality Control Officer for reviewing?

No

Quality Control Officer comments

Approved - no adverse equaity impacts
arising from the creation of a pooled
budget via setion 75 agreement.

Decision by Quality Control Officer

Proceed for final approval

Submit draft to Accountable Officer?

Yes

Decision by Accountable Officer

Approve

Date approved / rejected by the Accountable Officer

25/10/2023

Reasons for approval or rejection

Please print and save a PDF copy for your records

Yes

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Close

Birmingham City Council

Cabinet

12 December 2023



Subject: Section 75 Agreement, Pooled/Aligned Budget Arrangements
2023-25 – Better Care Fund

Commissioner Review

Commissioners are content with the recommendations in this report. However, the report does not set the decision within the full context of the Council's financial challenges. The Council should ensure that all decisions that have funding implications are taken within the wider context of intervention and significant budgetary challenges.

Birmingham City Council

Report to Cabinet

12 December 2023



Subject: REGULATED ADULT SOCIAL CARE COMMISSIONING STRATEGY – HOME SUPPORT AND QUICK DISCHARGE SERVICES

Report of: Professor Graeme Betts, CBE
Strategic Director of Adult Social Care

Relevant Cabinet Member: Cllr Mariam Khan - Health and Social Care

Relevant O & S Chair(s): Cllr Mick Brown - Health and Social Care

Report author: Alison Malik, Head of Commissioning
Email: Alison.Malik@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 010717/2022		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential: N/A		

1 Executive Summary

- 1.1 This report sets out a revised Commissioning Strategy for the Regulated Adult Social Care Sector to ensure that the Council's statutory duties to meet care and support needs and to have a diverse range/quality of services available for citizens under the Care Act 2014 can be met. This includes meeting of care and support needs for disabled children and young people.

2 Recommendations

That the Cabinet is recommended to:

- 2.1 Approve an extension to the current Framework Agreement for Home Support Services and the Framework Agreement for Quick Discharge Services until no later than 7 October 2024.
- 2.2 Approve the Regulated Adult Social Care Commissioning Strategy Home Support and Quick Discharge Service 2024+ in **Appendix 1**.
- 2.3 Approve the Procurement Strategy for Home Support and Quick Discharge Services in **Appendix 2**.
- 2.4 Approves the establishment of a Flexible Contracting Arrangement (a DPS-type arrangement under the Light Touch Regime) for the provision of Home Support Services for Adults' and Children and Quick Discharge Services.
- 2.5 Delegates to the Assistant Director Procurement (or their delegate) in conjunction with the Strategic Director, Adult Social Care to appoint, as and when required, new suppliers onto the Flexible Contracting Arrangements where they meet the selection criteria.
- 2.6 To delegate the award of call off contracts under the Flexible Contracting Arrangements to the Directorate of Adult Social Care, the Director of Commissioning and the Head of Commissioning (Regulated Care).
- 2.7 Notes that the outcome of all call-offs from the Flexible Contracting Arrangement will be reported to the Assistant Director Procurement (or their delegate) and the Strategic Director, Adult Social Care, Interim Finance and Section 151 Officer (or their delegate) and the City Solicitor & Monitoring Officer (or their delegate).
- 2.8 Approve for Birmingham Children's Trust to call off from the Flexible Contracting Arrangement for home support services to meet the needs of disabled children and young people as required and to make use of any associated IT systems.
- 2.9 Approve for the NHS to call off from the Flexible Contracting Arrangement for home support services and quick discharge services to meet the needs of adults as required and to make use of any associated IT systems.
- 2.10 Authorises the City Solicitor (or their delegate) to execute and complete all necessary legal documents to give effect to the above recommendations.
- 2.11 To delegate any modifications to the electronic system or contracts, to the Directorate of Adult Social Care, the Director of Commissioning and the Head of Commissioning (Regulated Care), including the annual setting of fees in line with the Commissioning Strategy and the Council's revenue budget and Medium-Term Financial Plan.

3 Background

- 3.1 The Council has a range of statutory duties and powers under the Care Act 2014 to assess the needs of citizens for care and support and commission a range of services that meet these needs. The Council currently commissions a range of regulated care and support services under a number of Commissioning Strategies approved by Cabinet.
- 3.2 The Council commissions a range of care and support on behalf of almost 13,000 service users with eligible needs each year and the Council currently contracts with over 1100 independent care providers to deliver these statutory services, both within and outside of Birmingham. This includes home support and quick discharge services for both adults and children and young people with a disability.
- 3.3 Birmingham Children's Trust currently commission home support services for children with an assessed care need, under the Council's Framework Agreement for Home Support 2019 and it is proposed that this arrangement will continue under the new Flexible Contracting Arrangement from 2024 onwards.
- 3.4 The following services are currently within scope of the Commissioning Strategy for Regulated Adult Social Care 2024+ - Home Support and Quick Discharge Services and which are the subject of this decision/report:
1. Home Support Services (adults and children) - current contract runs from 8 April 2019 – to 7 April 2024
 2. Quick Discharge Service (adults) – current contract runs from 3 June 2019 to 2 June 2024
- 3.5 Home support services provide personal care to adults' and children in their own home and can include help with the following:
- washing and dressing;
 - housekeeping or cleaning;
 - cooking and preparing meals;
 - taking medications or health care needs; and
 - companionship or activity based support.
- 3.6 The Quick Discharge Service also provides home support/personal care in the citizens own home but is commissioned by the Council on behalf of our wider health and care system, to provide short term, rapid home care for those medically fit for discharge from hospital.
- 3.7 The services outlined in 3.5-3.6 are currently regulated by the Care Quality Commission (CQC) under the Health and Social Care Act 2008 and associated Regulations. This level of regulation provides quality assurance to the Council and providers. All providers to be onboarded to the Flexible Contracting

Arrangements within scope of this report will be required to be registered with the CQC and to maintain these registrations.

- 3.8 In 2017, the Council embarked on a significant change to the way regulated adult social care services were commissioned. This approach was consulted on widely with citizens, providers and partners and the final Commissioning Strategy was approved by Cabinet in December 2017.
- 3.9 Since this time, the Council, providers and partners have worked closely to mobilise the services and embed the necessary changes in the market. Furthermore, as widely publicised nationally, the sector has been significantly affected by the Covid-19 Pandemic.
- 3.10 The 2017 Commissioning Strategy has largely served the Council, partners, providers and citizens well. The following summarises some of the key outputs and outcomes from the 2017 Commissioning Strategy:
- An average of 75% of citizens are now supported by either Gold or Silver quality rated care providers across the commissioned regulated adult social care market. However, for home support services specifically, 82.9% of citizens are now supported by a Gold or Silver rated provider (equivalent to CQC Outstanding or Good).
 - Council Officers have worked with over 30 Inadequate rated regulated adult social care providers since May 2018 to either improve or decommission their services safely.
 - Moving to a geographic model of commissioning home support to reduce travel time/costs, reduce missed and late calls and to improve the quality of care our citizens receive. This has resulted in average travel time in 2023 of only 1.5 miles per care call, against a target of a maximum of 2 miles of travel.
 - The Council has invested over £70m in the regulated adult social care sector as a whole in annual fee increases since 2018, including increasing around 75% of home support packages at the start of the new contracts in 2019.
 - Developed and implemented four cost of care exercises (some were paused due to the Pandemic) to review fees and help set the Council's regulated adult social care budget.
 - Improved relationships between providers and commissioners, with regular opportunities for dialogue and a named commissioner for every care provider.
 - The geographic approach to commissioning has improved relationships amongst providers, allowed linkages with other local provision/support and ensured commissioners are closely aligned to local social work teams.

- All packages of care are now allocated based on the quality rating of the provider, rather than focussing on the cost of care.
 - There has been an increase in citizen satisfaction and use of citizen feedback in our commissioning processes.
 - We have implemented a new IT solution which has saved the Council over £400k per annum and has improved the speed and efficiency of identifying care providers for citizens.
 - All contracted regulated adult social care providers are now required to pay the Birmingham Care Wage for under 23's – encouraging young people to enter the care sector in Birmingham.
- 3.11 The current contracts in scope (as per 3.4) have been extended and there are no further opportunities for extension under the regulated procurement process followed in 2019. However, as set out in **Appendix 3**, recommissioning services before April 2024 is unrealistic and a short extension up until 7 October 2024 at the latest, is requested. This will allow time for the process to be carefully managed and implemented, including dealing with any legal challenges and ensuring services are mobilised effectively.
- 3.12 Given; the benefits of the current arrangement; the recent impact of the Pandemic on the sector; and ongoing cost and staffing pressures in a highly regulated market, a light touch refresh of the 2017 Commissioning Strategy has taken place. The focus of this has been to build on the success of the current strategy and bring the content up to date, with an ongoing focus on quality.
- 3.13 The Commissioning Strategy for Regulated Adult Social Care 2024+ for Home Support and Quick Discharge Services in **Appendix 1** outlines our ongoing approach to the commissioning of these services and provides a framework for the future commissioning that will support us to achieve our key aims to:
1. Improve outcomes
 2. Improve quality; and
 3. Improve resilience and sustainability of the wider health and social care system.
- 3.14 The benefits of the Commissioning Strategy for Regulated Adult Social Care 2024+ for Home Support and Quick Discharge Services are detailed below:
- Aim 1: To improve outcomes.**
- 3.15 The Council will continue to commission high quality services to ensure better outcomes for service users.
- 3.16 The quality rating system will ensure informed choice can be made, giving service users and their family's choice and control over the services they receive.

- 3.17 The ongoing approach to pricing will continue to stabilise the care sector and ensure it remains sustainable and offer value for money for the Council. Fees paid by the Council will keep pace with a number of significant cost pressures in the market - as allowed for by the Council's budgetary position – in line with our statutory duties to the market under the Care Act 2014. This will ensure better continuity of care for service users and allows providers to invest in the quality of their services.
- 3.18 The Council has set out clear quality standards that all care providers are expected to meet. This will set a benchmark against which service users can assess the quality of services they are receiving.
- 3.19 The inclusion of service user, family and carer feedback about the quality of services received will mean that this information is used to inform future commissioning decisions for other services users, again giving choice and control to service users.

Aim 2: To improve the quality.

- 3.20 The framework will continue to provide an incentive to care providers to improve the quality of their services and also to be clear about how this should be achieved.
- 3.21 There will be a transparent quality rating system to inform service user choice but also to share with other commissioners and to inform decision-making across the health and social care system locally and regionally.
- 3.22 The Integrated Quality Assurance Framework will continue to provide a clear focus on quality, aligning resources and outcomes across health and social care. This will include a range of support for the sector to help them to deliver the best possible service.
- 3.23 Clear quality standards and tools will allow robust contract management.
- 3.24 The integration of customer feedback will drive up the quality of services, based on real service user experiences.
- 3.25 The quality rating system will increase the accountability of providers to both the Council and service users.

Aim 3: To improve the resilience and sustainability of our health and social care system.

- 3.26 The Council will continue to contract with a range of providers which will improve the resilience of the market.
- 3.27 The Council's fixed fee will:
- Allow Birmingham City Council to plan both financially but also in terms of the types and volumes of services needed in future.
 - Enable care providers to plan and invest in the quality of their service, as they will know how much they can expect to be paid by the Council.

- Be transparent and fair.
 - Keep pace with significant price pressures in the care market to ensure sustainability in future - within the constraints of the Council's revenue budget and in line with our duties under the Care Act 2014.
- 3.28 The Council will continue to work with our partners to develop an ongoing programme of support to the sector – including improving clinical support, supporting recruitment and retention, a package of targeted support to improve services and a wide-ranging training offer.
- 3.29 We will support young people entering the care sector through ongoing implementation of the Birmingham Care Wage.
- 3.30 All of the proposals will ensure the market is developed and reshaped to enable it to be transformed as we prepare for further integration across our health and social care system and for wider Social Care Reform and other legislative or policy changes.
- 3.31 The Adults Directorate has a bespoke IT solution (the CareMatch Portal) that is in use to operate the contracts for the services in scope of this report. Using this system allows successful providers to be passported directly through to our micro-procurement module. This system is then used to manage call-offs from the contract in the forms of individual packages of care for citizens. These call-offs are to meet the Council's statutory duty to meet care and support needs under the Care Act and the system allows new provision to be offered to citizens. Work has been completed to stress-test the systems and ensure a smooth transfer of data to meet statutory duties when the new contract commences.

4 Options considered and Recommended Proposal

- 4.1 There are a number of elements to the proposal, so the number of alternative options are considerable. However, for the purposes of this report, these have been summarised based on the key considerations of the contractual nature of the relationship with care providers.
- 4.2 There are broadly seven alternative contractual options to the proposed arrangements proposed in the Commissioning Strategy in **Appendix 1**:
- 4.3 **Option 1** - Do nothing. This has been discounted because current arrangements come to an end in 2024, although a short extension is requested. The future approach to commissioning of these essential services requires planning, development and ongoing investment as described above and to do nothing in the long term would put the Council at significant risk of destabilising the care market and being unable to meet statutory duties under the Care Act 2014 and the Children Act 1989.
- 4.4 **Option 2** - Use a collaborative framework agreement. This option was discounted as there are no collaborative framework agreements in place that meet the Council's requirements.

- 4.5 **Option 3** – to extend the contract period for existing contracts – The Council let and advertised these contracts for a maximum period of 5 years – subject to satisfactory performance. This period has now elapsed, and although a short extension is proposed as set out in 3.11, no long term extensions are possible under the Public Contracts Regulations 2015 and this option has therefore been discounted.
- 4.6 **Option 4** – Tender for a Framework Agreement. This option was discounted as it would close the market for the duration and result in a further procurement exercise if the provision became insufficient at any point.
- 4.7 **Option 5** – Use a select list of providers and spot purchase individual packages of care and support - This option has been discounted for the same reasons as Option 1.
- 4.8 **Option 6** – Move to block contracted provision - Although the Council does still have a very small number of block-contracted providers (who offer the Council surety of supply in providing care home placements), the Council has already reduced its reliance on block contracted provision, including internal Council operated provision. This has allowed us to provide choice for citizens (as required under the Care Act 2014) as well as to facilitate competition and to meet changes in demand for regulated adult social care services over time. This option has therefore been discounted.
- 4.9 **Option 7** - extend the scope of a new flexible contract with providers to cover other commissioned services such as NHS commissioned services. This option has been considered at length as we move towards a more integrated commissioning approach between the Council and the NHS. However it was agreed in July 2023 that the joint commissioning of these services would not be possible at this time and that our joint commissioning efforts would focus on jointly managing the provider market at a strategic level.

5 Consultation

- 5.1 The 2017 Commissioning Strategy was widely consulted upon in 2017. As there are minimal changes to the Commissioning Strategy for Regulated Adult Social Care 2024+ for Home Support and Quick Discharge Services and based on legal advice, further consultation was not required. However, engagement activity was undertaken with care providers, partners, citizens and colleagues across the Adult Social Care Directorate during October 2023. The outcome from these engagement events has been carefully considered and used to develop and adapt the Commissioning Strategy (**Appendix 1**) and Procurement Strategy (**Appendix 2**) and will be further considered as associated contracts are drafted.

6 Risk Management

- 6.1 Due to the scale of this procurement both in relation to the number of services users impacted and also the Council's expenditure on these services, the potential risks do need to be considered. However, the light touch review of the Commissioning Strategy should have mitigated the majority of these i.e. the approach is largely the same as the current arrangements.
- 6.2 The most significant risk to the implementation of the Commissioning Strategy for Regulated Adult Social Care 2024+ for Home Support and Quick Discharge Services is if providers chose not to sign up to the new contract, resulting in insufficient supply to meet demand. However, given that the Council has carefully considered eligibility and entry criteria for providers, we know there are potentially up to 177 eligible care providers as at November 2023. Furthermore, the Commissioning Strategy sets out the learning and associated changes made from the previous fixed Framework Agreement and allows opportunities for the Council to reopen the Flexible Contracting Arrangement to new applicants, should the number of providers fall below the minimum threshold. Given the minimal amount of change and the large number of existing providers, Commissioners are confident that enough providers will sign up to the new arrangements.
- 6.3 There are currently 15 home support providers contracted under the Framework Agreement for Home Support 2019 who will no longer be eligible to apply for the new contracts as their CQC registered location does not fall within 2 miles of the Birmingham Council Tax boundary. Of these 15, two are rated as Requires Improvement and one has not yet been inspected by CQC – please see 6.4 for details. For any existing providers who are unable to apply, do not apply or are unsuccessful, there are clear Transition Arrangements set out in **Appendix 1** to ensure continuity of care for citizens and stability for providers.
- 6.4 There are currently 14 existing home support providers contracted under the Framework Agreement who have a rating of Requires Improvement (3 of whom also are more than 2 miles outside of the Birmingham Council Tax boundary and are included in 6.3). These provider locations will not be able to apply to join the new Flexible Contracting Arrangement and are currently supporting 593 citizens. However, these providers are not currently providing the quality of care we would want for our citizens, and we know there are other providers available that could potentially provide better quality of care. The clear Transition Arrangements set out in **Appendix 1** will ensure citizens are given information and advice to make an informed choice about whether to remain with their existing provider under a Direct Payment or to ask the Council to commission a new contracted provider with a better-quality rating.
- 6.5 Engagement feedback identified a small number of providers who were dissatisfied with the proposals to only commission providers with a set geographic boundary and that are rated Good or Outstanding. A clear rationale is set out in the Commissioning Strategy for both the quality requirements and

the need for locally delivered services and are in line with the Council's Social Value Policy and Birmingham Business Charter 4 Social Responsibility. The rationale and engagement will help to minimise the risk of challenge. However, ultimately the Council is able to set out its commercial arrangements with providers, as long as they are legally compliant. In particular under the Public Contract Regulations – Light Touch Regime, the Council can design its own procedure provided that it; complies with the principles of equal treatment and transparency; carries out the procedure in conformity with information included in the notice (except in specified circumstances); and sets time limits that are reasonable and proportionate. The approach contained in **Appendix 1** is compliant with these requirements.

- 6.6 Should a new Quick Discharge Service provider be successful, a robust mobilisation plan will need to be agreed between the current provider, the new provider and with our partners in the NHS. Any such plan will take account of the importance of this service to support the wider Integrated Care System and in particular to support timely discharge from hospital for citizens. Any risks arising from this will be carefully managed through the existing Intermediate Care Board, which includes a range of partners.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.2 The Council has set out a bold and challenging agenda to ensure Birmingham is a city in which every citizen can live a healthy enjoyable life, which is contained in our Corporate Plan 2022/2026. This sets out our ambition to have a city where every citizen, at every stage of their life, in all communities can make healthy choices that are affordable, sustainable, and desirable to support them to achieve their potential for a happy, healthy life.

- 7.3 The aim of adult social care in delivering the Council's ambition is to protect and empower the most vulnerable citizens. This means supporting vulnerable people to maximise their independence, health and wellbeing, whilst ensuring that publicly funded care and support provides value for money for Birmingham citizens and is provided only when it is really needed.

- 7.4 The Council's Housing Strategy 2023-2028 was launched in January 2023 and makes specific reference to the importance of housing and health, including the close working relationship required between Adult Social Care and City Housing to ensure residents can access and sustain the right home for them. Interventions that support this approach make our vision more achievable-enabling residents to live in the right home, in the right place at the right time.

- 7.5 These aspirations for the people of Birmingham have been translated into the Commissioning Strategy for Regulated Adult Social Care 2024+ for Home Support and Quick Discharge Services that will ensure citizens that need it, will

have access to responsive, high quality home care that offers value for money and is sustainable.

7.6 Legal Implications

- 7.6.1 Under Section 8 of the Care Act 2014, a local authority can discharge its duty to meet assessed eligible need for care and support under sections 18 to 20 of the Act, by providing care and support at home or in the community or goods or facilities and the local authority can provide these by arranging for them to be provided by another person or body other than the local authority.
- 7.6.2 The Commissioning Strategy further supports the Council's statutory duties under Section 5 of the Care Act 2014 to shape and maintain an efficient and effective market of services for meeting care and support needs. The market that is shaped should ensure that any person requiring care and support; has a variety of providers supplying a variety of services to choose from; has a variety of high-quality services to choose from; and has sufficient information to make an informed decision about how to meet their needs.
- 7.6.3 The Council is enabled, by Section 111 of the Local Government Act 1972, to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. The Council therefore has a general power to enter into contracts for the discharge of any of its functions.
- 7.6.4 The Children Act 1989 and subsequent statutory guidance and regulations place a duty on local authorities to provide services for children in need and to safeguard and promote the welfare of children within their area.

7.7 Financial Implications

- 7.7.1 There is no additional funding required from the Council to support the extension of the Framework Agreement for Home Support Services or the Framework Agreement for Quick Discharge Services. The planned expenditure through these contracts up until 31 March 2024 forms part of the Adult Social Care revenue budget and ongoing expenditure was presented to the S151 Spend Control Board on Friday 22nd September 2023. Blanket approval was granted at the meeting under reference ASC1 (Packages of Care) and ASC 9 (Home Care to support hospital discharge). Please see 7.7.10 below in relation to S151 Spend Control from 1 April 2024 onwards.
- 7.7.2 The Flexible Contracting Arrangement (FCA) will be established for a period of 5 years, with the option to extend for up to two years. Based upon a potential annual value of £159m, the potential total value is £1.115bn for 7 years and includes possible values for the Birmingham Childrens Trust and NHS partners. However, the Council estimates spend under these arrangements to be £64m for home support services and £15m for quick discharge services in 2024/2025 (in accordance with the Council's current forecast spend).

- 7.7.3 However, all spend is subject to changes in demand, inflation, and application of relevant Grants for future years and will need to be managed in line with the Council's available budget.
- 7.7.4 Quick Discharge Services are currently funded from a combination of Adult Social Care budgets and the Better Care Fund. These figures are subject to changes in demand, inflation, and application of relevant Grants for future years and will need to be managed in line with the Council's available budget.
- 7.7.5 Birmingham Children's Trust are estimated to spend around £2m on home support services in 2024/2025.
- 7.7.6 The Council has already moved to a fixed fee to allow for better financial planning and certainty for care providers and the Council alike. However, like the majority of Local Authorities, the Council is unfortunately not funded to meet the full cost of care. Care providers usually balance this with funding from other sources such as private clients and from the NHS.
- 7.7.7 However, we know the proposed fees provide value for money for the Council as they are validated annually through a cost of care exercise, the most recent of which was conducted in August – September 2023. Initial analysis shows that median cost of home support services in Birmingham is £21.83/hour compared with our current fee of £17.79/hour. However, the Council's Cabinet (17 October 2023 – Allocation of MS&IF, MS&IFW and ASCDF) agreed the use of a series of Grants to increase these rates.
- 7.7.8 There are robust financial savings plans across the Adult Social Care Directorate and these are largely focussed on reducing and delaying the demand for services and supporting independence, choice and control. The contracts that are in scope of this decision, provide maximum flexibility to meet these changes in demand.
- 7.7.9 The contracts which will result from this decision for Home Support and Quick Discharge Services do not commit the Council to any specific funding or volumes of work – these commitments are only created once call-off to the Flexible Contracting Arrangement are made. In this case, these call-offs will be in the form of packages of care for individual citizens with unmet assessed eligible care and support needs (under the Care Act 2014).
- 7.7.10 The current S151 Spend Controls are only confirmed until 31 March 2024. Any expenditure under the extended Framework Agreement for Home Support Services or the Framework Agreement for Quick Discharge Services and any expenditure under the proposed new Home Support or Quick Discharge Services Flexible Contracting Arrangement - resulting from this Cabinet decision - will not take place until after this date. Any such expenditure will therefore be in line with the Council's approved budget for 2024/25 and beyond.
- 7.7.11 The Council's current Medium Term Financial Plan includes provision for inflationary pressures (including paying increases attributable to the National

Living Wage) and for managing increases in demand for adult social care services. However, any changes to this financial provision, will be made in accordance with the Council's approved budget for 2024/25 and beyond.

7.7.12 The Council will continue make best use of any relevant Grants available to the sector.

7.7.13 As set out in the Commissioning Strategy 2024+ in **Appendix 1**, there are some specific fee-increase arrangements under the proposed Flexible Contracting Arrangements as follows:

- The Council will apply any relevant inflationary fee increase for 2024/2025 from 1 April 2024 for all providers contracted under the 2019 home support contracts. This is to reflect that any increase in the National Living Wage will take effect from 1 April 2024. For providers onboarded as part of a reopening of the Flexible Contracting Arrangement, existing home support packages will be uplifted from the date of onboarding.
- There will be no fee increase for existing packages of care commissioned prior to the start of the new Flexible Contracting Arrangement for Quick Discharge Services. This is because these are short term packages of care and to amend fee rates part way through what might only be a 7 day – 6 week service will not be possible. However, packages of care commissioned under the new arrangement will be at any new rate agreed by the Council.

7.7.14 To ensure we can continue to attract young people into the sector, care must be a more attractive prospect than the alternatives. The Commissioning Strategy for Regulated Adult Social Care 2023 will therefore continue to require all contracted Birmingham care providers to pay Birmingham Care Wage to align to the National Living Wage (confirmed at £10.42/hour from 1 April 2023 and expected to at least £11/hour from April 2024) and focus this on matching of this for under 23's through the Council's fee structure and contracts.

7.8 Procurement Implications

7.8.1 There is no further delegated provision to extend the current contract, as the original extensions have already been utilised. The Framework Agreement for Home Support commenced on 8 April 2019 and the Framework Agreement for Quick Discharge Services commenced on 3 June 2019. Subsequent delegated extensions have brought the contract end dates 7 April 2024 and 2 June 2024 respectively.

7.8.2 Regulation 72. (1) of the Public Contract Regulations provides that "Contracts and framework agreements may be modified without a new procurement procedure...in any of the following cases...(b) for additional works, services or supplies by the original contractor that have become necessary and were not included in the initial procurement, where a change of contractor... (ii)

would cause significant inconvenience or substantial duplication of costs for the contracting authority, provided that any increase in price does not exceed 50% of the value of the original contract.”

- 7.8.3 Although the current Framework Agreement’s for Home Support and Quick Discharge Services don’t specifically commit the Council to a value or volume of work, it is estimated the Council will spend £28m between April 2024 – October 2024 on Home Support services and £4m between June and October 2024 i.e. during the extension periods.
- 7.8.4 This circumstance complies with Regulation 72(1)(b)(ii) as the costs of the extension do not exceed the 50% tolerance.
- 7.8.5 In accordance with the Council’s new Procurement and Contract Governance Rules, the Waiver Procedure guidelines have been followed. This has enabled the recommendation for the extension of this contract to be brought to Cabinet. The Waiver Form is included at **Appendix 3**.
- 7.8.6 In parallel with the proposal to extend current contract arrangements for up to 6 months to 7 October 2023, consideration has been given to ensuring continuity of delivery of current services to vulnerable citizens.
- 7.8.7 The indicative implementation plan for the commissioning and procurement in 7.8 below to demonstrate that this can be completed in the proposed extension period.
- 7.8.8 The services in scope of this report will be tendered using the “restricted” procurement route under the Light Touch Regime of the Public Contracts Regulations 2015 (Regulations 74 to 77).
- 7.8.9 As set out in 6.5 above, under the Public Contract Regulations – Light Touch Regime, the Council can design its own procedure provided that it; complies with the principles of equal treatment and transparency; carries out the procedure in conformity with information included in the notice (except in specified circumstances); and sets time limits that are reasonable and proportionate. The approach contained in Appendix 1 is compliant with these requirements.
- 7.8.10 Under the Light Touch Regime, we have developed a Flexible Contracting Arrangement that is similar to a Dynamic Purchasing System, but has been adapted to allow the Council to meet citizen care needs quickly and efficiently.
- 7.8.11 The Procurement Strategy for Home Support for Adults and Children and Quick Discharge Services is contained in **Appendix 2**. This strategy has been developed to build upon the approach taken during the previous tender/s and associated lessons learnt.
- 7.8.12 An indicative timetable has been developed in conjunction with Corporate Procurement Services in line with the request for a six-month contract extension.

- 7.9 The proposed timeline is set out below and all efforts will be made to ensure the process is as timely as possible:

Table 3: Indicative Procurement and Implementation timeline

Activity	Earliest Possible Dates
Cabinet Approval (Strategy)	12 December 2023
<i>All dates beyond this point assume the requested 6-month extension is approved</i>	
Council Budget to Full Council	28 February 2024
ITT Issued	4 March 2024
Clarification Period (3 weeks)	4 March 2024 – 22 March 2024
ITQ Return (allowing 30 days)	3 April 2024
Evaluation Period (5 weeks)	4 April 2024 – 10 May 2024
Award Approval (3 weeks)	13 May 2024 – 3 June 2024
FCA Contract Award	10 June 2024
FCA Standstill Period (10 working days- 2 weeks)	10 June 2024 – 21 June 2024
FCA Award Letters Issued	26 June 2023
FCA Starts – Individual Contracts	1 July 2024
Contract Award Notices	Published Quarterly

7.10 Social Value

7.10.1 Social Value requirements will be included within the Council’s ongoing contract and quality management arrangements. Providers will be required to submit a Social Value action plan as part of their annual Provider Quality Assurance Statement and will receive support from Commissioners in developing and reviewing these. This will include providers telling the Council about the steps they are taking in relation to Environmental and Sustainability implications of their services through their Social Value action plans.

7.10.2 However, the Commissioning Strategy in **Appendix 1** also makes clear how the geographic commissioning model will support social value.

7.11 Public Sector Equality Duty

7.11.1 An Equality Impact Assessment has been carried out to identify the impact of the proposed changes. Details of the Equality Assessment can be found in **Appendix 4**. As the proposals will impact on all users of commissioned social care services, the assessment has not identified any groups that will be adversely affected. The proposals are designed to improve the outcomes, quality of services and continuity of service for all service users regardless of their protected characteristics.

7.12 Environmental and Sustainability Implications

7.12.1 All successful providers are required to be familiar with the Council’s aims for a Sustainable Birmingham and ensure that in its performance of the Service, it uses working methods, equipment, materials, and consumables which

minimise environmental impact. An Environmental & Sustainability Assessment is attached as **Appendix 5**.

7.12.2 Furthermore, the Commissioning Strategy in **Appendix 1** has given clear consideration to reducing the environmental impact of home care services, by reducing travel distances/time and working in smaller geographic areas of the city.

8 Appendices

8.1 **Appendix 1** – Commissioning Strategy for Regulated Adult Social Care 2024+ Home Support and Quick Discharge Services

8.2 **Appendix 2** – Procurement Strategy for Home Support and Quick Discharge Services

8.3 **Appendix 3** – Waiver Form

8.4 **Appendix 4** – Equality Impact Assessment

8.5 **Appendix 5** – Environmental & Sustainability Assessment

9 Background Documents

9.1 12 December 2017, Adult Social Care Commissioning Strategy (Forward Plan Ref: 004083/2017)

9.2 13 December 2022, Regulated Adult Social Care Commissioning Strategy – Care Homes, Supported Living and Home Support Sensory Loss 2023+

9.3 17 October 2023, Allocation of the Market Sustainability and Improvement Fund, Workforce Fund and Adult Social Care Discharge Fund

APPENDIX 1

BIRMINGHAM CITY COUNCIL

COMMISSIONING STRATEGY FOR REGULATED ADULT SOCIAL CARE 2024+

FOR

HOME SUPPORT & QUICK DISCHARGE SERVICES

CONTENTS

- 1. INTRODUCTION**
- 2. OUR VISION AND STRATEGIC AIMS**
- 3. DRIVERS FOR CHANGE**
- 4. COMMISSIONING INTENTIONS**
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- 6. PERFORMANCE FRAMEWORK**

1. INTRODUCTION

“WE WILL HELP MAKE BIRMINGHAM A CITY WHERE ALL CITIZENS SHARE IN THE CREATION AND BENEFITS OF SUSTAINABLE ECONOMIC GROWTH AND CAN LIVE LONGER, HEALTHIER, HAPPIER LIVES.”

Birmingham and its citizens face significant opportunities and challenges and the Council must be bold, ambitious, and confident: Bold in its aspiration, ambitious in setting its priorities, and confident in its ability to delivering them. The Council’s Corporate Plan 2022 - 2026 provides a common basis for our strategic planning and a focus on tackling inequalities and creating opportunities for citizens to live longer, healthier, and happier lives. Our ambitions for Birmingham are:

- A Bold Prosperous Birmingham
- A Bold Inclusive Birmingham
- A Bold Safe Birmingham
- A Bold Healthy Birmingham
- A Bold Green Birmingham

The Council has set out a bold and challenging agenda to ensure Birmingham is a city in which every citizen can live a healthy enjoyable life. Where every citizen, at every stage of their life, in all communities can make healthy choices that are affordable, sustainable, and desirable to support them to achieve their potential for a happy, healthy life. Working with our partners, especially in the NHS, we will work to support our citizens (including families and carers) to understand their own physical and mental health and wellbeing and know how to access and get support in a timely and culturally appropriate way when they need it. We will create a city which is compassionate and inclusive to citizens, including people with disabilities and limiting longstanding illness, when they need support and assistance and work together to help them remain active participants in our city throughout their lives.

The aim of adult social care in delivering the Council’s ambition is to protect and empower the most vulnerable citizens. This means supporting vulnerable people to maximise their independence, health and wellbeing, whilst ensuring that publicly funded care and support provides value for money for Birmingham citizens and is provided only when it is really needed.

The Council’s Corporate Plan has been translated into the Vision and Strategy for Adult Social Care which provides a framework for the actions required to modernise adult social care services in Birmingham and to guide decisions regarding how resources are used. The Vision and Strategy comprises eight key elements:

1. **Information, advice and guidance** - People need access to high quality information, advice and guidance. The range of services that people can access directly will be increased and it will be easier for carers to have their needs assessed.

2. **Personalised support** - Social work and care management services will be re-organised. They will move from assessing people for services to assessing them for the outcomes they want and the assets they have, to achieve them.
3. **Community assets** - Resources need to be made available for local groups to provide the wide range of support that enables people to remain in the community.
4. **Prevention and early intervention** - People need to be able to access prevention and early intervention services quickly and at any time in their lives to help maximise their independence.
5. **Partnership working** - Services need to be integrated and built on partnership working using multi-disciplinary teams and, where feasible, single points of access. The Council and its partners need to work as an entire system and to embrace locality working.
6. **Making safeguarding personal** - We must 'make safeguarding personal' and understand what outcomes people want from safeguarding enquiries and actions. Safeguarding must be seen as everybody's business and kept in the public eye.
7. **Co-production** - All services should be co-produced with users and carers. Ongoing engagement needs to be at the heart of commissioning and service delivery.
8. **Social Justice** - Services should seek to improve social justice by tackling the reasons for discrimination and creating opportunities for all citizens.

It is this more detailed vision that forms the platform of this Commissioning Strategy for regulated home support for adults and children, including Quick Discharge Services. The Commissioning Strategy focusses on services for those citizens who will need care at home and is aligned to the Commissioning Strategy 2023 approved by Cabinet in December 2022 that covers; residential care; nursing care; supported living; and home support sensory loss.

Home support services provide personal care in the citizen's home and can include help with the following:

- personal care including washing and dressing;
- housekeeping or cleaning;
- cooking and preparing meals;
- taking medications or health care needs; and
- companionship or activity based support.

The Quick Discharge Service also provides home support/personal care in the citizen's own home but is commissioned by the Council on behalf of our wider health and care system, to provide short term, rapid home care for those medically fit for discharge from hospital. This Commissioning Strategy recognises that relationships between health, social care and wider community services are integral to the health and well-being of local communities and builds upon the previous Commissioning Strategy for these services (2017). Birmingham City Council, Birmingham Children's Trust and our NHS partners are mindful of their roles as a significant commissioner of these services

and also the underlying price pressures in the social care sector. The Council and our partners are acutely aware of the financial pressures we face as organisations, to meet the growing demand for services and to support the adult social care sector in line with our Care Act duties. A key requirement in meeting these financial challenges is to work more collaboratively with our partners and increase joint commissioning across the wider health and social care system.

The Commissioning Strategy also makes clear the role that these services play in the economy both locally and nationally and the need to reframe the sector as not just a significant cost, but a major economic sector in its own right¹.

This strategy outlines our approach to the commissioning of regulated home support for children and adults and Quick Discharge Services and provides a framework for the future commissioning of services that will support us to achieve our key aims to: improve outcomes; improve quality; and improve resilience and sustainability of the wider health and social care system.

¹ New Economics Foundation – Social Care as a Local Economic Solution for the West Midlands August 2017.

2. OUR VISION AND STRATEGIC AIMS

The vision for regulated home support for children and adults and Quick Discharge Services in Birmingham recognises the role the Council can play across the health and social care system, in ensuring we make fundamental changes to; promote well-being; increase independence within limited resources; and to help people to achieve the outcomes that matter to them in their life.

Most children and adults can enjoy access to mainstream services independently or with help and support from their families, friends and social groups. However, for some citizens this is only possible with support from social care services and from other public sector agencies such as health services.

The challenges facing the Council to achieve this have never been greater. While it is a great achievement for society that there are more people living longer with more complex needs, inevitably this puts pressure on resources. While Birmingham is one of the youngest cities in Europe, the older population is growing rapidly. There are an estimated 14,000 adults living with dementia, with a further 3,000 people expected to be diagnosed over the coming 20 years. Further, there are nearly 24,000 people living with a learning disability and an increasing number of adults who have disabilities or are living with mental illness. The resources previously available to the Council have been significantly reduced and remain under significant strain, making the use of available resources more important than ever. The public have higher expectations of the public sector, and rightly so, the standards of care they expect are rising. It is increasingly recognised that people want support to enable them to exercise independence, choice and control.

Consequently, the Council has changed and adapted to these new circumstances, which means that the type of services arranged and provided and the way they are organised and delivered has to change. Our vision for commissioned services in Birmingham is therefore:

TO HAVE A VIBRANT, DIVERSE AND SUSTAINABLE LOCAL HEALTH AND SOCIAL CARE MARKET, WHICH SUPPORTS THE ACHIEVEMENT OF BETTER OUTCOMES, INCREASED INDEPENDENCE AND CHOICE AND CONTROL FOR ADULTS².

This vision for commissioned adult social care services (including home support services for children and adults and Quick Discharge Services) is underpinned by three clear aims to:

1. Improve outcomes for those with health, care and support needs
2. Improve the quality of commissioned health and care services
3. Improve the resilience and sustainability of our health and social care system

This recognises that if people are to live better lives and achieve better outcomes then we need to help people, their families and the community to have greater choice and control about the care

² In the case of Home Support services this also includes children and young people with a disability

that they receive, to promote independence and to ensure that all citizens have access to the support that they require to live safely and independently.

To deliver this vision a whole systems approach is required which recognises that much of the need for care and support is met by people's own efforts including their families, friends or other carers, and by community networks. The Council's approach to assessment of needs and social work practice, has adapted to focus on delaying and preventing the need for regulated adult social care services wherever possible. This is critical to ensuring we can manage the demand for our services within available resources. This Commissioning Strategy recognises this approach and relies upon it to reduce demand for regulated services wherever possible. However, where this level of care and support is ultimately needed, the Commissioning Strategy will ensure it can be commissioned at the right time, with the right support, with good quality providers delivering value for money.

3. DRIVERS FOR CHANGE

3.1 NATIONAL DRIVERS FOR CHANGE

Home support for children and adults and Quick Discharge Services operate within a complex statutory framework. The legislative and regulatory requirements underpin the approach to assessment, commissioning and the way in which these vital services are delivered. It is important that commissioners, providers and regulators work together to ensure the delivery of a range of services that meet citizens' needs, provide choice and are of good quality.

The key statutory driver for the work of adult social care is currently the Care Act 2014. The Care Act places clear duties on providing care and support to meet the assessed eligible needs of individuals and ensuring that wellbeing is promoted when carrying out any of the Council's care and support functions. The Care Act also sets out a range of commissioning and market shaping duties for Local Authority commissioner to ensure a range of quality and type of services are available to meet needs.

The "Build Back Better: Our Plan for Health and Social Care" published by Government in September 2021 sets out significant reform for the health and social care sector. The plan aims to address the catastrophic impact of the Covid-19 Pandemic on the NHS and social care sector, focussing on addressing extensive hospital backlogs, but also reforming the adult social care system in England in order to meet the increasingly complex needs of an ageing population, as well as the needs younger adults who need support.

Part of the Build Back Better policy change is the Government White Paper "Joining up care for people, places and populations" published in February 2022. This sets out a challenging agenda for the NHS and Local Government to further integrate through the planning, commissioning and delivery of co-ordinated, joined up and seamless services to support people to live healthy, independent and dignified lives and which improves outcomes for the population as a whole. The goal being that "everyone should receive the right care, in the right place, at the right time."

The regulatory framework for adult social care services³ sets out an approach to how the Care Quality Commission powers can and will be used to; protect people who use regulated services from harm; to ensure they receive health and social care services of an appropriate standard; and to hold providers and individuals to account for failures in how services are provided.

In relation to the Quick Discharge Service, this is a key element of our Integrated Care System response for those citizens ready to leave hospital but who may benefit from short term rehabilitation and/or support when they return home. This service is one element of our local

³ As contained within the Health and Social Care Act 2008, the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 and the Care Quality Commission (Registration) Regulations 2009. Also note that the regulatory framework for Personal Care also applies where commissioned for Children in Need under Section 17 of the Children's Act 1989.

response to the national Delivery Plan for Recovering Urgent and Emergency Care published in January 2023.

These key pieces of legislation and policies taken together, are powerful vehicles to help drive change in services and to ensure the provision of high-quality services to meet the needs of individuals.

It is therefore critical that the Council, the Birmingham Children's Trust, the NHS and providers shape and deliver the services that are needed by citizens to meet these requirements. This Commissioning Strategy sets out a number of ways in which this agenda will be further embedded across home support services for children and adults and Quick Discharge Services in Birmingham.

3.2 LOCAL DRIVERS

In 2012 the Council moved away from traditional block contracting, spot purchasing and large-scale internal provision of some commissioned adult social care services, to an open market approach with dynamic pricing. This approach delivered a number of benefits for the City Council and for citizens. Whilst the overall approach had allowed the Council to move away from more traditional delivery and contracting arrangements and provide some structure to the market to allow it to develop, it did not address all of the drivers for change and the needs of the market.

In 2017 the Council adopted a Commissioning Strategy for Adult Social Care which set out a range of ambitious changes to improve the quality and resilience of the sector. This Strategy has seen significant improvements with:

- An average of 75% of citizens are now supported by either Gold or Silver quality rated care providers across the commissioned regulated adult social care market. However for home support services specifically, 82.9% of citizens are now supported by a Gold or Silver rated provider (equivalent to CQC Outstanding or Good).
- Council Officers have worked with over 30 Inadequate rated regulated adult social care providers since May 2018 to either improve or decommission their services safely.
- Moving to a geographic model of commissioning home support to reduce travel time/costs, reduce missed and late calls and to improve the quality of care our citizens receive.
- The Council has invested over £70m in the regulated adult social care sector as a whole in annual fee increases since 2018, including increasing around 75% of home support packages at the start of the new contracts in 2019.
- Developed and implemented four cost of care exercises (some were paused due to the Pandemic) to review fees and help set the Council's regulated adult social care budget.
- Improved relationships between providers and commissioners, with regular opportunities for dialogue and a named commissioner for every care provider.

- The geographic approach to commissioning has improved relationships amongst providers, allowed linkages with other local provision/support and ensured commissioners are closely aligned to local social work teams.
- All packages of care are now allocated based on the quality rating of the provider, rather than focussing on the cost of care.
- There has been an increase in citizen satisfaction and use of citizen feedback in our commissioning processes.
- We have implemented a new IT solution which has saved the Council over £400k per annum and has improved the speed and efficiency of identifying care providers for citizens.
- All contracted regulated adult social care providers are now required to pay the Birmingham Care Wage for under 23's – encouraging young people to enter the care sector in Birmingham.
- increasing

However, there were and remain a number of wider local challenges for the regulated adult social care market we must continue to address and these have been clearly set out in our Market Sustainability Plan.

Given the national and local drivers for change and the positive impact of the previous Commissioning Strategy, the future commissioning arrangements for the sector will remain largely unchanged but will focus on preparing the sector for greater joint commissioning across the Integrated Care System with our NHS partners.

3.3 LOCAL NEEDS

The Council has published a number of Market Position Statements which identify current capacity and predicted demand. These are available on the Council's website by following the link below:

[Market position statement - May 2023 | Birmingham City Council](#)

The Council's Market Sustainability Plan also sets out key aspects of the regulated adult social care market in Birmingham and how the Council intends to work with the sector to develop the market.

Further information about current and future needs and demographic data about Birmingham, including any relevant Joint Strategic Needs Assessments can be found here:

[Birmingham City Observatory](#)

The proposals contained within this Commissioning Strategy and the detailed documents that will result from this, have all been designed to ensure that individual assessed eligible care and support needs can be met in high quality services, that citizens are given choice and control over their care and that commissioned services represent value for money for the public purse.

4. COMMISSIONING INTENTIONS

We need to continue to develop the sector and this will involve the need to take our own staff, citizens, providers, partners and professionals on that journey with us. We will continue to support the local economy and the care sector and have set out below how this will be implemented and supported to deliver our vision.

4.1 COMMISSIONING PRINCIPLES

Whilst the commissioning approach adopted in 2017 has created many positive changes, there is still a great deal of work to do to reshape services to meet current and future demands and to address national and local drivers.

The 'preparation for integration' phase of this strategy from 8 April 2024 to 7 April 2029 has been designed to take that next step on the transformation journey and will be focussed on:

- **Integration** – preparing the sector and commissioners across the Integrated Care System for a move towards joint and/or delegated commissioning arrangements, including implementation of a revised Integrated Quality Assurance Framework and a move towards joint commissioning and contracts.
- **Investment and stability** – investing existing resources into the care sector in a more structured way, including with our NHS and other partners, to provide stability of care, but also recognising the role of the social care and health economy in the region and to allow all parties to plan their businesses.
- **System support** – a package of support from commissioners and partners across the system that promotes quality improvement. Including ways in which social value will be delivered by the care sector and other partners.
- **Incentivising quality** – implementing an Integrated Quality Assurance Framework that recognises the best care provision and informs choice.
- **Market shaping** – developing mechanisms and specifications that support reduced reliance on the Council and support ongoing development and sustainability of the market.
- **Efficiency and modernisation** – developing integrated systems and processes that are efficient and fit for the future.
- **Robust contract management** – clear specifications focussed on enabling, independence, choice and control and that make clear the requirements, with robust and consistent management against these.
- **Employment and skills** – having a health and social care system that acts as an economic driver for change at a local community level; ensuring the sector is an attractive prospect for those entering the job market; and that those within the sector are supported and trained to remain and develop their skills.
- **Reduced reliance on commissioned social care services** – the Council will do further work to; develop alternatives to more traditional models of care commissioning and delivery which will incentivise providers to enhance the independence of citizens; and support the development and understanding of community-based services.

- **Partnership with providers** – having transformed the Council’s relationship with the market by being open and transparent, the Council will have a range of high- quality providers who want to work with the Council to deliver services in the future, are clear about what is required and are able to work with the Council/NHS to influence the future direction.

4.2 THE ROLE OF OTHER PARTNERS

The Council is clear that it plays a significant role in the commissioning of services that make up the health and social care system across Birmingham and beyond. However, we also recognise the crucial role of families, carers, communities, third sector organisations and partners such as the NHS and Birmingham Children’s Trust. Together, they provide advice, guidance, support and care to a whole range of citizens that the Council may not have visibility of. It is therefore crucial that the Council works with these partners to improve the quality of home support and quick discharge services.

4.3 CURRENT RESOURCES

The financial sustainability of the social care system is a nationally recognised and widely reported issue, for which there has been much lobbying from the local government sector. The Government has set out a range of reforms, albeit the funding and timescales has yet to be confirmed for all aspects of change.

The Council continues to face financial challenges and has set out a Financial Plan that sets out the expenditure, income and savings the Council expects to deliver in 2023/24 and beyond. Based on current spend and expected increases in demand it is estimated that £404m will be spent on adult social care by Birmingham City Council in 2023/2024, which is nearly half of the Council’s overall net budget.

It is estimated that the Council will spend around £75m per year on home support services through the contracts which are the subject of this strategy and around £15m per annum for quick discharge services, funded from the Adult Social Care budgets and the Better Care Fund. The Birmingham Children’s Trust are also expected to spend around £2m per annum of home support services.

As set out above, the Council’s approach to assessment of needs and social work practice has a strong focus on delaying and preventing the need for regulated adult social care services which is critical to ensuring we can manage the demand for our services within available resources. This Commissioning Strategy recognises this approach and relies upon it to reduce demand for regulated services wherever possible. However, where this level of care and support is ultimately needed, the Commissioning Strategy will ensure it can be commissioned at the right time, with the right support, with good quality providers delivering value for money.

5. HOW THE STRATEGY WILL BE IMPLEMENTED

The following section describes how the Commissioning Strategy will be implemented to support delivery of high-quality services, the achievement of better outcomes, increased independence and choice and a more resilient and sustainable health and social care system over the next five to seven years.

5.1 HOME SUPPORT 2024+ COMMISSIONING MODEL

To ensure the providers we commission and approve to enter the Flexible Contracting Arrangement are of sufficiently high quality, we have developed a key set of quality entry criteria as detailed in section 5.2 below. This will ensure that only the best available provision is commissioned at the start. Once we commence the Flexible Contracting Arrangement, successful providers will be managed in line with section 5.3 as we recognise that sometimes things can change and providers may need support to make improvements. This will ensure we are proactive in addressing any quality concerns, but also recognising good quality services and sharing best practice.

From feedback we have received from citizens, it is clear that the most important aspect of their care is the quality of care staff and the care they provide, alongside the timeliness and reliability of the service. To ensure we can continue to address these issues and provide high quality care to citizens, the focus of the home support flexible contracting arrangement will not only be on the quality assurance arrangements, but on continuing to commission home support through a locality approach, to reduce these missed, late or short calls.

5.2 ENTRY CRITERIA INTO THE COUNCIL'S HOME SUPPORT AND QUICK DISCHARGE FLEXIBLE CONTRACTING ARRANGEMENTS 2024 +

The Council will operate Flexible Contracting Arrangements or Framework Agreements for the majority of commissioned regulated adult social care services, however these arrangements will be adapted to reflect current market conditions and service needs. For home support and quick discharge services, these will both be Flexible Contracting Arrangements – this will give the Council the greatest flexibility to ensure demand for care and support can be met.

This Commissioning Strategy builds on the 2017 Commissioning Strategy for home support and quick discharge services, but also the more recent Commissioning Strategy 2023 for Regulated Adult Social Care which covered care homes, supported living and home support sensory loss. There is a consistency of approach across these strategies, which builds upon what has worked, feedback and learning.

The Flexible Contracting Arrangement for home support services will be developed to allow new providers to be onboarded at times where additional capacity may be needed (subject to the relevant entry criteria being met). The details of these arrangements will be set out in the Procurement Strategy and associated documentation in more detail. However it is expected that the Flexible Contracting Arrangement may reopen in the following circumstances, although these circumstances may never arise dependent on the number of providers onboarded to the Flexible Contracting Arrangement;

- Where providers have been decommissioned, which takes the number of provider lots below the minimum number
- Where providers have terminated their contracts/exited the market, which takes the number of provider lots below the minimum number
- Where the number of Children's home support providers is below the minimum number of provider lots
- Where supply is insufficient to meet demand
- During times of additional demand e.g. winter/Pandemic
- Where providers are removed due to being inactive and which takes the number of provider lots below the minimum number. Inactive providers will be defined within the contract, however this will include providers who have not bid on any new referrals or have bid but withdrawn offers without acceptable reason (with a 6 month period).

To drive up quality and in recognition of the significant quality improvements across the sector, the Council will only allow provider locations who meet all of the following criteria, to enter the Flexible Contracting Arrangement for either home support or quick discharge services at any time:

- Provider locations which have a current Care Quality Commission (CQC) quality rating at the time of any tender submission – those unrated will not be able to enter
- Provider locations which are not recorded as 'dormant' by the Care Quality Commission at the time of any tender submission – those registered as 'dormant' will not be able to enter
- Provider locations which have the CQC service type of 'Homecare Agencies' and the registration of Personal Care
- Provider locations wishing to support Children who have the CQC Service User Band or 'Specialism' of ⁴ 'Children 0-18 years' at the time of any tender submission
- Provider locations which are rated by the Care Quality Commission as either Good or Outstanding at the time of any tender submission or onboarding to the Flexible Contracting Arrangement – those rated as Inadequate or Requires Improvement will not be able to enter
- Provider locations which are within 2 miles of the Birmingham Council Tax boundary
- Provider locations wishing to apply for the main Quick Discharge Service who employ 200 or more staff at the time of any tender submission

Beyond this, a more detailed set of entry criteria will maximise the quality of providers that can enter the Flexible Contracting Arrangement and to reduce potential risks to all parties. The details are set out in the Procurement Strategy and the associated Invitation to Tender and application documents, however, this will include (but not be limited to) provision of the following:

- Bank account details and copies of financial accounts
- Employers Liability and Public Liability insurance certificates with the relevant level of cover
- Company registration details
- Details of any bankruptcy or convictions of owners/responsible persons
- Data protection and modern slavery compliance
- Details of electronic call monitoring system for Home Support providers
- Agreement to the Birmingham Business Charter for Social Responsibility

⁴ As set out in the latest CQC guidance: [Service user bands - Care Quality Commission \(cqc.org.uk\)](https://www.cqc.org.uk/service-user-bands)

Providers will be onboarded to the Flexible Contracting Arrangement based on the combination of their Company Name, CQC Provider organisation and CQC location and each CQC registered provider location must apply and will be assessed separately.

5.3 QUALITY ASSURANCE THROUGH THE INTEGRATED QUALITY ASSURANCE FRAMEWORK

The Council has adopted an Integrated Quality Framework (IQAF) with partners across our Integrated Care System. This framework sets out the approach to quality assurance and the full detail of which will be incorporated into relevant contracts. The key principles of the IQAF, as set out in the NHS National Quality Board Shared Commitment to Quality (2021):

Delivering quality care in systems: key principles

Based on learning from systems to date, there are six key principles that should underpin decisions around quality in health and care systems:



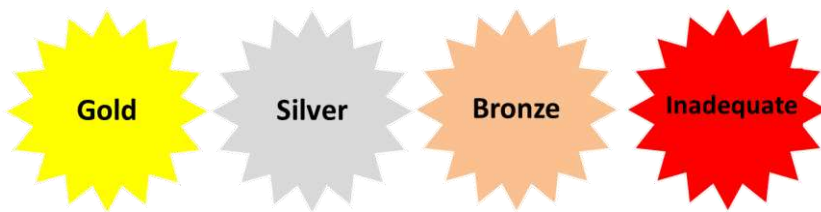
Once onboarded to the Flexible Contracting Arrangement for home support and quick discharge service using their CQC rating and having passed all relevant entry criteria, ongoing quality assurance and contract management of providers will assess providers by giving them a Provider Quality Rating. This will be based on whichever is the most recent of the below and between them, these will act as a baseline of quality assurance for all commissioned services:

- The view of the regulator: the CQC inspection rating
- A baseline of all quality standards; the Quality Monitoring Visit rating

In addition, the following elements may be considered:

- An assessment of health care quality: the Healthcare Quality Assurance Level
- The view of the Provider: Provider Quality Assurance Statement (PQAS)
- The views of the Service User: Customer feedback

The Provider Quality Rating will be measured, and each service given an overall quality rating of either 'Gold', 'Silver', 'Bronze' or 'Inadequate'. The statements below reflect what services in the different quality categories should look like.



WHAT DO THESE SERVICES LOOK LIKE?

'Gold'

- People describe the service as exceptional and distinctive, with staff going out of their way to meet personal preferences and individual outcomes.
- The provider is striving to be a leader in their field.
- The provider exceeds the standards set down by CQC, and contractual terms and core standards.
- The exceptional level of service is delivered consistently over time.

'Silver'

- People describe the service as good and that it meets their needs and delivers good outcomes.
- The provider meets the standards set down by CQC, and contractual terms and core standards.
- The good level of service is delivered consistently over time.

'Bronze'

- People describe the service as not always good and that it does not always meet their needs or deliver good outcomes.
- The provider is working towards meeting all of the standards set down by CQC and contractual terms and core standards, but improvement is still required.
- A good level of service is not consistent over time.

'Inadequate'

- The provider does not meet key standards set by CQC and contractual terms and core standards.
- People using the service are not safe and they are at risk of harm.
- Significant improvement is required, the service will be at risk of losing its registration.

THE CORE QUALITY STANDARDS

The Council not only has a statutory duty to meet assessed eligible care and support needs but a wider responsibility to the people of Birmingham to ensure the care sector is fit for purpose and supports the wider health and social care system.

To ensure citizens and their families are clear about the standards they can expect from their provider and that providers are clear about what is required, the Council has set out a series of service specifications and core standards. These will be used as the foundation for all quality monitoring assessments undertaken by the Council, NHS, or any other party acting on the Council's behalf.

In meeting all regulatory, legal and contractual requirements, each provider will be required to meet the five core standards which will deliver the following outcomes:

1. Involvement and information

- a. Service Users understand the care and support choices available to them. They are encouraged to express their views and are always involved in making decisions about

the way their care and support is delivered. Their privacy, dignity and independence are respected and their (or their carer's) views and experience are taken into account in the way in which the Services are provided.

- b. Where they are able, Service Users give valid consent to the care and support they receive. They understand and know they can change any decision that has been previously agreed about their care and support. Their human rights continue to be respected and are taken into account.

2. Personalised care and support

- a. Service Users experience appropriate, effective, care and support in an enabling way that safely meets their needs, protects their rights and maximises their independence, health and wellbeing.
- b. Service Users are enabled and supported to have a choice of nutritional and balanced food and drink to meet their diverse needs.
- c. Service Users receive safe, coordinated care and support where more than one Service Provider is involved, or where they are moved to another Service Provider.

3. Safeguarding and safety

- a. Service Users are protected from abuse or the risk of abuse and their human rights are respected and upheld.
- b. Service Users experience care and support in a clean environment that protects them from, and reduces the risk of, infection.
- c. Service Users will have the medicines they are prescribed, at the times they need them, and in a safe way.
- d. Service Users, together with those who work in or visit the premises, are in safe and accessible surroundings that promotes and protect their wellbeing.
- e. Service Users, together with those who work in or visit the premises, are not at risk of harm from unsafe or unsuitable equipment (including furnishings or fittings). Service Users benefit from equipment that is comfortable and meets their needs.

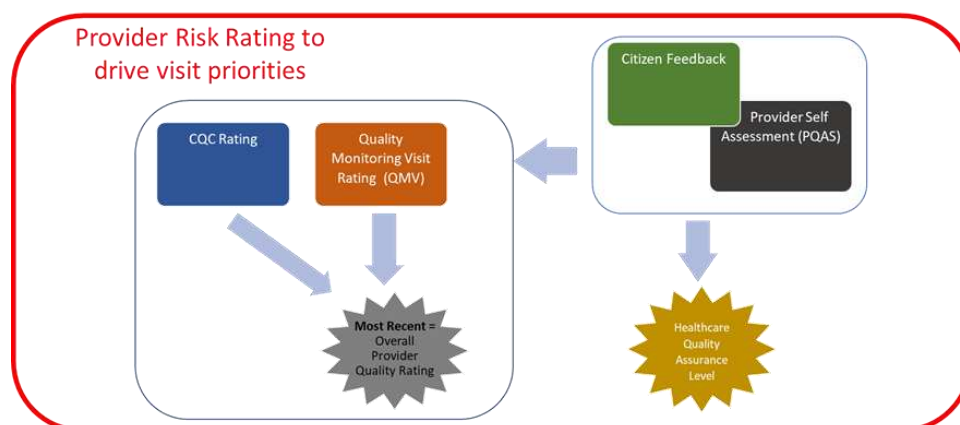
4. Suitability of staffing

- a. Service Users are safe and their health and welfare needs are met by staff who have been appropriately recruited and who have the right qualifications, skills and experience.
- b. Service Users and their health and welfare needs are met by sufficient numbers of appropriate staff with the right qualifications, knowledge, skills, approach and experience.
- c. Service Users are safe and their health and welfare needs are met by staff who are appropriately trained, well supervised, and receive the development opportunities they need to carry out their role effectively whilst keeping their skills and training up to date.

5. Quality of management

- a. Service Users benefit from safe, quality care due to effective decision making and management of risks to their health, welfare and safety because lessons are learned, and the quality of Services is effectively monitored.
- b. Service Users and / or their nominated representative can be sure that the Service Provider listens to and acts on their complaints and comments. Service Users know that they will not be discriminated against for making a complaint or raising an issue.
- c. Service Users are confident that the records kept by the Service Provider about their care and support (including those that are required to protect their safety and wellbeing) are accurate, fit for purpose, held securely and remain confidential.

WHAT INFORMATION WILL DRIVE THE QUALITY RATING?



The Integrated Quality Assurance Framework aims to capture a range of views of the quality of services and use them to produce an Overall Quality Rating for all services and a Healthcare Quality Rating for those services providing FNC/CHC/Section 117 health and care support. These views will be used to inform care commissioning processes and will help people to make informed choices. The Overall Quality Rating will therefore draw upon a range of data sources and be published regularly:

- The view of the citizen or service user: Customer feedback and social worker feedback
- The view of the regulator: The Care Quality Commission (CQC) inspection rating
- The view of the Commissioner: Birmingham City Council or NHS quality monitoring rating, based on the Core Standards
- The view of the provider: Provider Quality Assurance Statement

The Integrated Quality Assurance Framework will be used to develop and improve commissioned regulated adult social care services and will set out all detailed quality improvement processes.

CUSTOMER FEEDBACK

Service user feedback will be used to evaluate what service users think about the service they use, how the service involves and consults with service users and how responsive the service is. The Integrated Care System (ICS) will take into account customer feedback using a range of methods including (but not limited to):

- The ICS will assess the service delivery against the 'Involvement and information' and 'Personalised care and support' domain of the agreed quality toolkit.
- The ICS will use data gathered through the social work and clinical assessment and review process about how well the provider delivers outcomes for service users using the Friends and Family Test. All care providers will be required under the terms of their contract, to use and promote the Healthwatch feedback tools and to use data collected to improve services.
- The ICS will work with Healthwatch to further develop their tools and usage of these to support quality improvements in adult social care services.
- The ICS will continue to work with partners including the Care Quality Commission to obtain feedback on commissioned services and ensure coordinated action to support service improvement.
- The ICS will work with citizen groups and partners to ensure our quality standards reflect professional, contractual and regulatory compliance but also those issues that are important indicators of quality for service users and potential service users.
- The ICS will work with citizen groups to ensure feedback can be obtained from everyone who receives service in a way that meets their individual communication needs.

The Council may take into account customer feedback recorded on other websites where it feels that the feedback is relevant.

PUBLICATION OF THE QUALITY RATING

The Council will publish online each provider's overall Provider Quality Rating, alongside their CQC inspection rating, any NHS quality rating and customer feedback data. This will enable citizens to make informed choices about the care providers they choose to meet their needs and how they compare with other providers in the care market. This will also allow the Council to share market intelligence more readily on a regional and national basis.

PROVIDER SUPPORT

The Council and partners are committed to ensuring that the care market is supported to make the necessary changes described in this strategy.

Due to the wide range of providers operating within Birmingham, from national organisations to some of our smaller and more specialist providers, it is important that, regardless of the wider assets and resources a care provider has, they have equal access to the Council and partners support in making changes and improvements in quality.

All providers under the Flexible Contracting Arrangement for home support and quick discharge services (and other commissioned regulated adult social care providers) will therefore be entitled to a package of support from Birmingham City Council and its partners, to incentivise improved quality which will include:

- A **dedicated commissioning team** will continue to be aligned at a local geographic level. This will allow commissioners to work locally to support the further shaping of all sectors of the market, development of and linking to community assets and to have a real understanding of the availability and quality of care in their area. They will provide advice and guidance in relation to the contract; be proactive in picking up potential quality issues to reduce more intensive interventions in future; signpost providers to targeted and specialist training; support the development of social value and to continually improve quality.
- A **quarterly contract review meeting with commissioners for those providers with the largest market share**. This will be used to discuss market intelligence, quality, performance, improvements, innovation and address questions and concerns either party may have about the contract and how it is operating.
- A **training and support programme** delivered jointly with the NHS and partners, aimed at driving up quality, will be developed to ensure the care sector is an attractive employment choice for people.
- The Council is keen to **explore new ways of working with providers** and to ensure that the market remains sustainable in the future. The Council will look to develop models through its Social Value Policy and the Birmingham Business Charter for Social Responsibility to **connect organisations that can support and benefit one another to** improve areas of their business and quality.

5.4 LOCALITY APPROACH TO COMMISSIONING OF HOME SUPPORT SERVICES

As set out in section 5.1, a key measure of quality of home support services for citizens is the timeliness and reliability of the service. We know that time is a key factor in the quality of care⁵ with care workers themselves recognising they can spend as long travelling as delivering care, confirmed by research showing that up to 19% of a care workers day can be spent travelling⁶.

The Council recognises the challenges travel time can pose to care quality, costs, staff wellbeing and efficiency of care scheduling and have taken proactive steps to address this, through a locality commissioning model for home support services and use of only local provider/s for the quick discharge service.

The Council's Birmingham Business Charter for Social Responsibility⁷ sets out six guiding themes to support the local economy. It is these that continue to influence our approach to the commissioning of home support and quick discharge services on a locality basis as summarised below:

⁵ Fragmented time and domiciliary care quality: 'No one sets out to provide bad care, but you're dragged to it, dragged into the gutter, Professor Carol Atkinson Dr Sarah Crozier, 2016

⁶ [Majority of homecare staff are unpaid for travel between visits | News, Press release | News | UNISON National](#)

⁷ [Birmingham Business Charter for Social Responsibility | Birmingham City Council](#)

Theme 1 – Local Employment

- only doing business with providers within 2 miles of the Birmingham Council Tax boundary will ensure that providers are locally based and are more likely to employ local people
- limiting home support providers to a small number of areas of the city to operate in for commissioned services, will reduce travel time which in turn, reduces the number of late or missed care calls that our citizens experience

Theme 2 – Buy Local

- use of local providers means they are more likely to source local suppliers for the goods and services needed to operate their care services
- using local staff is more likely to result in those staff spending locally e.g. shopping locally, living locally, travelling locally

Theme 3 – Good Employer

- use of local providers means care staff have ready access to local management to provide support and supervision
- use of local providers means they have the ability to oversee the quality of care more readily and are able to undertake direct observations of care delivery to improve quality
- limiting home support providers to a small number of areas of the city to operate in for commissioned services, will reduce the travel time for staff and support their ability to provide high quality care and support their wellbeing

Theme 4 – Ethical Procurement

- use of local providers will allow Commissioners to have oversight of the quality of services and undertake in-person quality visits
- use of local providers will allow Commissioners to build strong relationships for the benefit of citizens

Theme 5 - Partners in Communities

- use of local providers will allow the majority of existing providers to re-apply. This supports those local relationships that have already been established in the community to continue
- commissioning local providers will minimise the impact on citizens of needing to change providers – as most of their existing providers will be able to re-apply
- providers will be encouraged and supported to develop links with their local community to support vulnerable people

Theme 6 – Green and Sustainable

- limiting home support providers to a small number of areas of the city to operate in for commissioned services, will support reductions in travel and therefore reduce the environmental impact of the service

- using local providers, employing local staff will support the use of public transport or walking to deliver care calls, rather than reliance solely on cars to move between care calls

The focus of this Commissioning Strategy is to secure high quality care for citizens and ensure a financially sustainable home support market. Taking the learning from the 2017 Commissioning Strategy for home support services and feedback from care providers about opportunities for growth - all successful provider locations onboarded to the Flexible Contracting Arrangement will be allocated up to two geographic areas in which to operate (also referred to as ‘provider lots’ below). However, the Council will ensure that the relevant procurement and contracting mechanisms allow for the number of geographic areas to be varied if there is evidence that further market capacity is needed⁸.

Whilst home support providers will be asked to confirm their preferred geographic areas in which to operate, these will be balanced with the Council’s duties to meet individual citizen care needs. The detail of this process is set out in the Procurement Strategy.

The Council will not set a maximum number of providers or provider lots, however a minimum number of provider lots will be set for each geographic area based on current demand data. These are described as provider lots because individual provider locations will be able to apply for up to two geographic areas in which to operate (subject to Footnote 9).

Area	Proposed Minimum Provider Location Lots
Area One	25 incl 5 Childrens
Area Two	22 incl 5 Childrens
Area Three	22 incl 5 Childrens
Area Four	22 incl 5 Childrens
Area Five	22 incl 5 Childrens

The Council believes that this approach will ensure that there are sufficient care hours in each geographical area to support and encourage growth, with acceptable competition to meet the needs of citizens. However, given the entry criteria set out in 5.2 and the number of potential eligible providers, we are expecting to exceed these minimum numbers.

⁸ However, the Council will ensure that the relevant procurement and contracting mechanisms allow for the number of geographic areas to be varied if there is evidence that further market capacity is needed.

The model comprises five areas as shown in **Appendix One** and summarised below:

- North Area (Area 1). This is everything north of the M6 motorway. This acts as a barrier in that it limits accessibility from one side to the other, so this is being used as the boundary.
- West Area (Area 2). This is in the west of the city. There is not much in the way of direct connection between the north of this area (Perry Barr and Handsworth) and the south (Quinton and Edgbaston), the area also covers the city centre (incl. Nechells), which offers connectivity between all areas.
- East Area (Area 3). This is in the east of the city, comprising everything from Alum Rock across to Shard End and down to Acocks Green.
- South Central Area (Area 4). This is the south central area. It runs from Bordesley and Highgate, straight south through Moseley and Sparkhill down to Druids Heath and Hall Green.
- South West Area (Area 5). This is in the south west, comprising Bartley Green across to Bournebrook, down to Kings Norton and across to Rubery. There is a natural boundary between Bartley Green at the top of this area and the wards above it, caused by Woodgate Valley (with no roads across it), and the road network and connectivity within the area is fairly straightforward.

Whilst the Flexible Contracting Arrangements will enable Birmingham City Council to directly commission with providers, citizens will be able to choose other providers of care if they wish, through taking their Personal Budget as a Direct Payment.

5.5 LOCALITY APPROACH TO THE COMMISSIONING OF QUICK DISCHARGE SERVICES

The Entry Criteria and Quality Assurance arrangements, including those for the Quick Discharge Service are set out in sections 5.2 and 5.3, respectively.

The Quick Discharge Service is critical to supporting citizens being discharged from hospital who need care in their own home or to avoid a hospital admission.

The Council are clear about the benefits of a locality approach and all of the principles set out in 5.4 remain relevant to the quick discharge service. We have, however taken significant learning from commissioning a quick discharge service over the last eight years and from provider feedback. The service is hugely demanding and resource intensive, with around 750 citizens being support at any time, needing to provide care within 4 hours of a referral and working with hospitals to ensure safe discharge. It is also critical to the effectiveness of the Integrated Care System and to the lives of those needing support after a hospital stay. But relationships, scale and flexibility are essential and commissioning multiple providers in the past has not worked either for the Council or for providers.

The Council will therefore continue to commission a single provider to deliver the main Quick Discharge Service across the whole of Birmingham who can demonstrate experience of delivering this level of service. However, the successful provider will be required to have staff, management and systems that will operate across each of the five localities (each made up of two Constituencies) in Birmingham. These localities have been jointly developed and agreed with the NHS and this will ensure alignment with the wider intermediate care services operated jointly as follows:

- Central: Hall Green and Selly Oak constituencies
- East: Hodge Hill and Yardley constituencies
- North: Erdington and Sutton Coldfield constituencies
- South: Edgbaston and Northfield constituencies
- West: Ladywood and Perry Barr constituencies.

These localities do vary slightly to the home support geographic model, this is because the home support model takes into account travel routes and demand for home support services. However, the localities for the Quick Discharge Service are part of a wider agreement between the Council and NHS about how these (and other) services will be delivered.

The QDS provider will be an integral partner within the Integrated Care System and specifically within the intermediate care service and will work with any current or future Community Integrator to deliver the quick discharge service.

We have also taken further learning from Covid-19 Pandemic and the demand for hospital discharges this created. In addition to the main citywide Quick Discharge Service provider, the Council will ask all providers that are successfully onboarded to the Home Support Flexible Contracting Arrangement 2024, if they wish to receive referrals to meet any additional demand the Quick Discharge Service provider is unable to meet (this will be known as Quick Discharge Service Plus). These Quick Discharge Service Plus referrals will be distributed to these home support providers based on their home support contracted geographic areas, based on the citizens postcode.

5.6 PRICING

The Council undertook a range of comparison, benchmarking and consultation to develop its fee structure in 2017 and to further understand the costs of care in Birmingham. The Council has since completed further cost of care exercises with care providers in 2019, 2021, 2022 and 2023 and has used the results in the setting of fees and increasing commissioner understanding of provider costs/pressures.

The Council publishes its cost of care findings, outputs and all associated reports and analysis, including the Market Sustainability Plan on the Council's dedicated provider webpages at:

www.birmingham.gov.uk/stm

Having considered the above exercises, the Council will continue to operate a **fixed fee** approach for children and adults home support services and for quick discharge services (which includes a premium for the Quick Discharge Service and Quick Discharge Service Plus), to continue to:

- Provide greater transparency of pricing that is fair.
- Enable all parties to plan more effectively.
- Allow investment to drive up the quality of services.
- Enable providers to recruit and retain staff.
- Keep pace with changes to the National Living Wage and general inflationary pressures.

The continuation of a requirement for all providers to open their financial accounts to the Council on an annual basis will allow the Council and providers to continue to discuss costs, identify ways in which we can work collaboratively to reduce costs, increase efficiency and also work on developing a partnership approach.

The following general pricing assumptions have also been adopted:

- The proposed rates will enable providers to pay their care workforce an hourly rate which is in line with the National Living Wage.
- The proposed rates will enable providers to pay staff employed that are under 23 years old, an hourly rate equivalent to the National Living Wage rate for over 23-year-olds.
- In addition to quality incentives and a range of support, the Council will make a commitment to increase fees annually in line with the principles set out in the Price Review Methodology section below. This is in line with our Care Act duties.
- Providers will meet the CQC requirement that they ‘must provide sufficient numbers of suitably qualified, competent, skilled and experienced staff to meet the needs of the people using the service at all times and... other regulatory requirements.’
- The Council will continue to invest in IT systems that ensure prompt payment and secure cashflows, to reduce providers’ financing/borrowing costs.
- Providers will take all opportunities available to reduce overheads and transaction costs.
- Net Zero – all providers will need to ensure they are familiar with the Council’s aims for a Sustainable Birmingham and shall ensure that in its performance of the Service, it uses working methods, equipment, materials and consumables which minimise environmental impact.
- The Council may agree to a discretionary additional payment for a service user who is a delayed discharge from hospital, who the Council has been unable to place due to complex care needs or is under Section 117 aftercare. This will be at the sole discretion of the Council.

The Council will continue to engage with providers to explore the impact of Social Care Reform and requirements of any national grants or policy changes.

The Quick Discharge Service and Quick Discharge Service Plus, will be paid an additional fee to recognise the additional staffing, training, travel and speed of service start.

5.7 PRICE REVIEW METHODOLOGY

The Council recognises underlying price pressures within the care sector, particularly those in relation to employee costs, which make up the largest proportion of the cost of delivering care. We have invested nearly £70m in the sector through our previous Commissioning Strategies for the regulated adult social care sector – however we know there is still more to be done.

The Council is committed to ensuring the care sector remains sustainable, not only as it delivers care to some of our most vulnerable citizens, but also as a major employer across the region.

This is a key part of the Council’s duties under Section 5 of the Care Act where we have a duty to shape and maintain an efficient and effective market of services for meeting care and support needs

and to ensure the Council's actions do not have any negative impacts on market as a whole and provide value for money.

We will therefore increase fees paid for care packages placed under the new Flexible Contracting Arrangements 2024 on an annual basis having considered the following principles:

- Changes in the rate of inflation including consideration of the Consumer Price Index (CPI) and the Consumer Price Index Housing (CPIH).
- Changes in national minimum wage rates including the National Minimum Wage and National Living Wage.
- Other relevant price pressures likely to significantly impact on the care sector e.g. changes to employer pension contributions and National Insurance.
- Regional price comparison data
- Open book accounting/ Cost of Care returns from care providers
- Sustainability of the care sector including the scale of providers existing the market locally
- In accordance with our Market Sustainability Plan where relevant
- Affordability to the Council within the context of the overall annual budget settlement

The Council will use the above principles each year to set a fee increase applicable from April the following year. This will be set out transparently and shared with care providers as early as possible to assist with financial and business planning.

5.8 CARE PACKAGE ALLOCATION PROCESS

Providers will be asked to submit offers for packages of care via an electronic system. The following principles will therefore apply:

Home Support Services

- Care needs will be distributed to the geographic area in which the citizen lives in the first instance. If no offers are received to meet the citizens care needs in that area, this will be offered to providers contracted in the nearest area until an offer is received.
- Each provider submitting an offer will be required to confirm that they can meet the needs of the citizen based on the individual support plan. This will have been provided as part of the requirement to the market and anonymised as appropriate.
- Provider quality ratings will be used when evaluating individual offers to meet care needs. The provider with the highest quality rating will be chosen to provide care to the citizen.
- Where there is no clear difference between the quality ratings of the providers who make an offer to support a citizen, citizens feedback will be used to determine, the successful provider. If the feedback rating fails to separate two or more offers, the first of those offers to be received shall be chosen.

- These same principles will be used for Quick Discharge Service Plus referrals made to providers on the Home Support 2024 Flexible Contracting Arrangement.

Quick Discharge Service

The Quick Discharge Service provider will be required to work with the Council and our NHS partners to submit offers or accept referrals efficiently and effectively. Citizens assessed as requiring this service will be allocated directly to the successful Quick Discharge Service provider.

In the unlikely event that the Quick Discharge Service provider are unable to meet the needs of the citizen in the time required (only with prior agreement from the Commissioner), home support providers registered for the Quick Discharge Service Plus will be asked if they can meet the citizen's needs, in accordance with the above home support allocation process.

5.9 TRANSITION ARRANGEMENTS

The Council is keen to stabilise the care being received by our citizens and the Council believe this is a collective responsibility whilst we continue to transform the market and quality of services across Birmingham.

Home Support Services

For home support services there will unfortunately be some existing contracted providers who will be unable to join the new Flexible Contracting Arrangement due to their CQC quality rating and/or because they do not have a CQC registered location within 2 miles of the Birmingham Council Tax boundary. There may also be existing contracted providers who do not meet other entry or evaluation criteria or choose not to apply for the new Flexible Contracting Arrangement. Some of these providers will currently be commissioned to support existing citizens with care funded by the Council or the Birmingham Children's Trust. We will provide the following support for those citizens and providers effected:

For citizens

1. We will make all affected citizens aware of the changes through the next social work review or reassessment.
2. We will provide clear information that explains their options, how they will be supported by the Council and how we would expect care providers to continue to support them during the transition period.
3. We will provide information, advice and guidance to all effected citizens to help them make an informed choice about whether they wish to remain with their current provider under a Direct Payment or whether they would like the Council to commission them a new provider who is contracted.
4. Where appropriate, citizens will have access to our Direct Payment Support Services providers to help them manage their Direct Payment.

For providers

1. There will be an overall two-year transition period for the market, with a regular review of risks and business intentions between Commissioners and providers to manage the impact effectively. Where providers decide to exit the contract sooner, these will be supported by Commissioners.
2. Citizens will be made aware of the changes through their next social work review or reassessment.
3. Unsuccessful providers will not receive any new commissioned packages of care from the Council.
4. The provider may contact citizens to advise them of the change and ask if they wish to consider a Direct Payment. The Council will endeavour to respond to any such requests in a timely way. However, citizens should be made aware that they have a choice and should not be pressurised or coerced in any way.
5. All home support providers contracted on 1st April 2024 will receive any relevant inflationary increase in fees that is awarded for all existing commissioned packages of care. However, any future inflationary increases will not be awarded after this point for unsuccessful providers.
6. Should citizens choose (having been supported to make an informed choice) to remain with their current provider under a Direct Payment, any fees will be uplifted in line with any relevant inflationary increases awarded for Direct Payment recipients.

Quick Discharge Services

The mobilisation and transition arrangements will be different for the Quick Discharge Service, as citizens only receive support under this contract for an average of 6 weeks. This is part of the Integrated Care System's intermediate care approach and is focussed on ensuring citizens receive support to maximise their independence.

For citizens receiving support under the Quick Discharge Service, there will be no transition period. When it is agreed by the Multi-Disciplinary Team that they have reached their goals, they will stop receiving support from the previous quick discharge service provider.

The Council will agree a mobilisation and transition plan with any successful provider/s.

For successful applicants, the terms of the new Flexible Contracting Arrangements will apply to **all** packages of care commissioned both on and after the commencement of the new Flexible Contracting Arrangements for home support and quick discharge services (or at the date of onboarding if after this date). For successful applicants, the new Flexible Contracting Arrangements will replace all previous contractual arrangements for existing packages of care.

The Council will apply any relevant inflationary fee increase for 2024/2025 from 1 April 2024 for all providers contracted under the 2019 home support contracts. For providers onboarded as part of a reopening of the Flexible Contracting Arrangement, existing home support packages will be uplifted from the date of onboarding.

There will be no fee increase for existing packages of care commissioned prior to the start of the new Flexible Contracting Arrangement for Quick Discharge Services. However, packages of care commissioned under the new arrangement will be at any new rate agreed by the Council.

5.10 SYSTEMS AND PROCESSES

The Council will ensure it maximises the use of technology to operate the Commissioning Strategy and associated contracts efficiently, effectively and with a focus on transparency. Any systems used will deliver the following key functionality as a minimum:

- **Provider enrolment** – an electronic process for those joining the contract to record and capture compliance with the entry criteria and ensure details remain up to date.
- **Quality rating** – an electronic method for calculating and recording provider quality ratings, using these in the tendering process and publishing these scores.
- **Tendering** – a simple system for providing care requirements to the market and for managing the tender, evaluation and contracting processes and linking these to citizens in the Council client records management system.
- **Supplier relationship management** – a single electronic record of each provider that can hold records of all provider/commissioners’ interactions including monitoring visits, improvement plans, offers and any correspondence.
- **Data and reporting** – reporting capability that allows the Council to manage providers at both a market and individual level and can provide appropriate public quality information.

5.11 OTHER PRINCIPLES

SERIOUS INCIDENTS AND SAFEGUARDING

The Care Act 2014 Statutory Guidance makes clear that adults safeguarding responses should not be a substitute for;

- Care providers’ responsibilities to provide safe and high-quality care and support;
- Commissioners regularly assuring themselves of the safety and effectiveness of commissioned adult social care services; and
- The Care Quality Commission (CQC) ensuring that regulated providers comply with the fundamental standards of care.

Adults safeguarding is therefore not intended to replace either existing governance structures or the effective management/oversight of commissioned adult social care services, but to supplement and support these arrangements to ensure a safety net is in place for all. The Council will continue to work with NHS and other commissioners across Birmingham, to develop an approach to the reporting of serious incidents and safeguarding alerts that:

- gives better oversight of quality concerns to commissioners.
- offers providers the ability to own, investigate and learn from quality issues and serious incidents.

- ensures providers receive appropriate support and training in investigating and reporting concerns and incidents.
- mandates that all quality issues, serious incidents and safeguarding incidents will be reportable.
- ensures sustainable improvements in quality and information sharing.

A similar approach and response will apply to the safeguarding of disabled children which will be managed by Birmingham Children's Trust.

6. PERFORMANCE FRAMEWORK

A performance framework will be developed to monitor delivery of the Commissioning Strategy and relevant data shared with partners and providers.

Appendix One – Maps of Geographic home support model and previous provider lot numbers

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Area 1 (North) Profile

Commissioners: Anthony Phillips and Valerie Ambrose

Everything north of the M6 motorway. This acts as a barrier in that it limits accessibility from one side to the other, so this is being used as the boundary. Area 1 is the largest in both area and weekly care hours, so has been allocated the largest number of providers.

No of Providers in 2019:	22
Large	1
Medium	2
Small	19
Children's registered	3



Area 2 (West) Profile

Commissioners: Helen Thomas, Jackie Walters and Sue Hampshire

There isn't much in the way of direct connection between the north of this area (Perry Barr and Handsworth) and the south (Quinton and Edgbaston), the area also covers the city centre (Nechells etc.).

No of Providers in 2019:	20
Large	2
Medium	3
Small	15
Children's registered	6



Area 3 (East) Profile

Commissioners: Brigid Doherty and Anthea Marriott

This is in the east of the city, comprising everything from Alum Rock across to Shard End and down to Acocks Green.



No of Providers in 2019:	16
Large	4
Medium	3
Small	9
Children's registered	2

Area 4 (South Central) Profile

Commissioners: Elaine Miller and Sharbina Mohammed

This is the south central area. It runs from Bordesley and Highgate, straight south through Moseley and Sparkhill down to Druids Heath and Hall Green.

No of Providers in 2019:	20
Large	3
Medium	4
Small	13
Children's registered	5

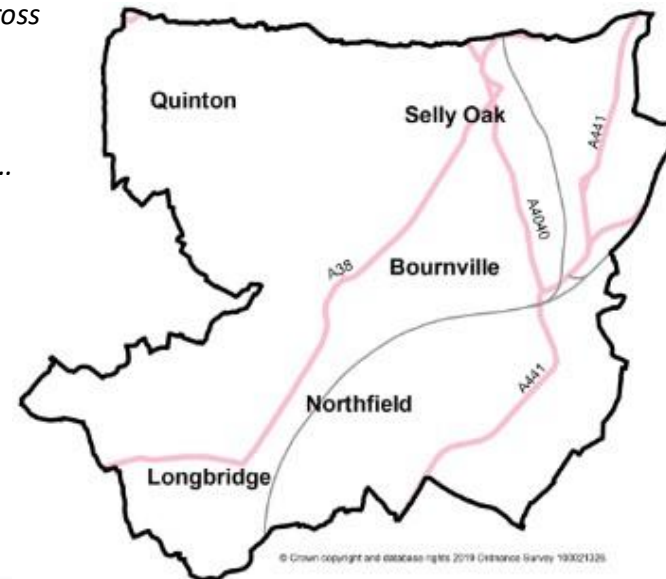


Area 5 (South West) Profile

Commissioners: Ravinder Sandhu and Thair Rashid

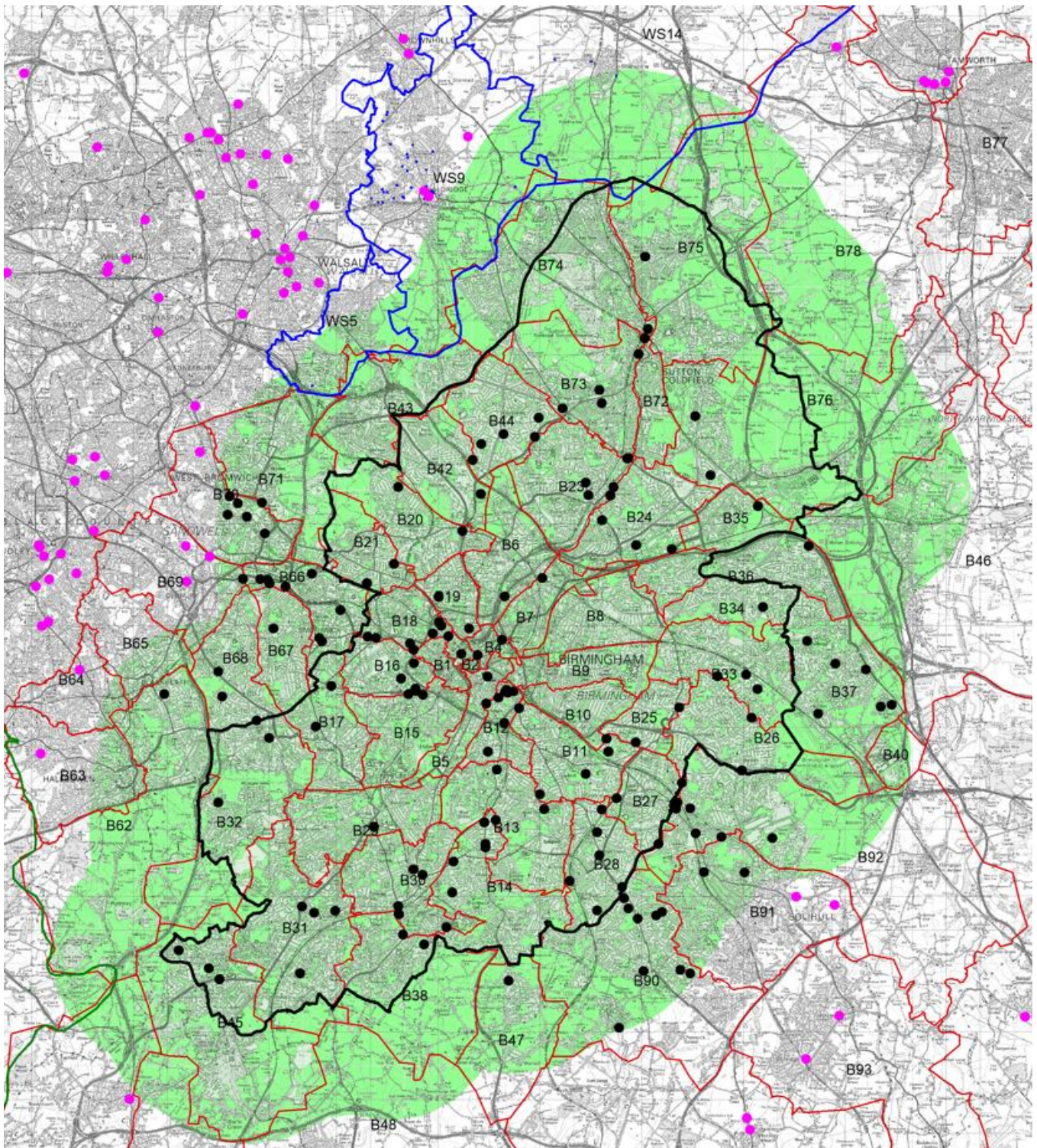
This is in the south west, comprising Bartley Green across to Bournebrook, down to Kings Norton and across to Rubery. There is a natural boundary between Bartley Green at the top of this area and the wards above it, caused by Woodgate Valley (with no roads across it)..

No of Providers in 2019:	14
Large	2
Medium	3
Small	9
Children's registered	5



Appendix Two – Maps of Geographic home support model and previous provider lot numbers

The location of the CQC registered office of each provider has been plotted in accordance with CQC published E and N data. A list of eligible provider locations will be published as part of the tender, along with the below map to ensure transparency for providers:



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APPENDIX 2**PROCUREMENT STRATEGY (P2170)****PROCUREMENT STRATEGY FOR THE PROVISION OF HOME SUPPORT AND QUICK DISCHARGE SERVICES P2170****1 Background****1.1 Background and Service Requirements**

1.1.1 The Council has a range of statutory duties and powers to assess the unmet eligible needs of citizens for care and support and commission a range of services that meet these needs. Home Support services are provided for children and young people with disabilities and for adults who are unable to live independently in their own home. The requirements and outcomes are set out in the accompanying Cabinet Report 'Regulated Adult Social Care Commissioning Strategy – Home Support and Quick Discharge Services'.

1.1.2 There are 2 distinct services based on the service users' requirements:

- A) Home Support Services provided in 5 geographical areas for children, young people and adults with disabilities.
- B) Quick Discharge Service (QDS) provided citywide for adults.

1.2 Market Analysis

The home support market is a fluid and competitive supply market with providers entering and exiting the market on a regular basis, largely due to low barriers to entry. There is a more than sufficient number of providers operating in Birmingham and the immediate surrounding area (within 2 miles of the Birmingham Council Tax boundary); supply currently outstrips demand for these services. The local home support market is long established and composed of large, medium and small organisations.

A sustainability assessment of the market indicates sufficient, diverse, quality services able to meet diverse needs of people in Birmingham. However, there are identified risks linked to the sector's dependence on labour, its vulnerability to current tight labour market conditions and high wage inflation. The Council has in part mitigated these risks by using government grants to increase fees and applies an established annual fee increase methodology. The current model provides choice for service users and allows the Council to discharge its duties and manage risk within the markets. It is essential that the Council continues to commission and contract with a range of providers and retain flexibility in the procurement model.

The Council aims to commission services from high quality providers. There are sufficient home support providers in the local area which are rated 'Good' or 'Outstanding' with the Care Quality Commission (CQC). The Council will therefore make award of contracts conditional on a Registered Location having a CQC 'Good' or 'Outstanding' rating and having a being within 2 miles of the Birmingham Council Tax boundary. There are 177 (as at November 2023) providers meeting this criteria which is sufficient.

1.3 Strategic Procurement Approach

The following options were considered for both the Home Support and the Quick Discharge Services:

- Option 1 - Do nothing. This has been discounted because it is a statutory requirement to meet unmet eligible care and support needs under the Care Act 2014 and the Children Act 1989.
- Option 2 - Use a collaborative framework agreement. This option was discounted as there are no collaborative framework agreements in place that meet the Council's requirements.
- Option 3 - to extend the contract period for existing contracts - The Council let and advertised these contracts for a maximum period of 5 years - subject to satisfactory performance. This period has now elapsed, and although a short extension is proposed, no long term extensions are possible under the Public Contracts Regulations 2015 and this option has therefore been discounted.
- Option 4 – Tender for a Framework Agreement. This option was discounted as it would close the market for the duration and result in a further procurement exercise if the provision became insufficient at any point.
- Option 5 – Use a select list of providers and spot purchase individual packages of care and support - This option has been discounted for the same reasons as Option 1.
- Option 6 – Move to block contracted provision - Although the Council does still have a very small number of block-contracted providers (who offer the Council surety of supply in providing care home placements), the Council has already reduced its reliance on block contracted provision, including internal Council operated provision. This has allowed us to provide choice for citizens (as required under the Care Act 2014) as well as to facilitate competition and to meet changes in demand for regulated adult social care services over time. This option has therefore been discounted.
- Option 7 - extend the scope of a new flexible contract with providers to cover other commissioned services such as NHS commissioned services. This option has been considered at length as we move towards a more integrated commissioning approach between the Council and the NHS. However it was agreed in July 2023 that the joint commissioning of these services would not be possible at this time and that our joint commissioning efforts would focus on jointly managing the provider market at a strategic level.

- Option 8 - Tender the services under the Light Touch Regime (LTR) similar to a Dynamic Purchasing System (DPS) to establish a Flexible Contracting Arrangement (FCA) which allows providers to apply and be added subject to set criteria. There is no commitment to spend at this stage; spend is committed at the award of the micro-tendering stage for the individual care package.

Option 8 is the recommended option as it provides sufficient flexibility in the market throughout the duration allowing the Council to ensure that appropriate and sufficient provision is available at all times. Similar to a DPS, the FCA framework will be operated via an electronic portal with maximum automation.

1.4 Procurement Approach

1.4.1 Duration, Value and Advertising Route

The Flexible Contract Arrangement (FCA) will be for a period of 5 years, with the option to extend for up to two years. Based upon a potential annual value of £159m the potential total value is £1.115bn for 7 years and includes the potential value for the Birmingham Childrens Trust and Health partners. However, the Council estimates spend under these arrangements to be £64m for home support services and £15m for quick discharge services in 2024/2025 (in accordance with the Council's current forecast spend).

The opportunity will be advertised via Find a Tender, www.finditinbirmingham.com and Contracts Finder.

The duration of the call off contracts will be based on the individual requirements – citizens care may remain commissioned under these arrangements until such time as the call-off ends and provision will be made for this within the associated contract terms.

1.4.2 Sourcing Strategy

1.4.2.1 The FCA will be awarded as follows:

Lot Ref	Lot Name	Minimum No. of Providers Required per Lot
Lot 1	Home Support Services North Birmingham and Optional QDS Plus	25 including 5 Childrens
Lot 2	Home Support Services West Birmingham and Optional QDS Plus	22 including 5 Childrens
Lot 3	Home Support Services East Birmingham and Optional QDS Plus	22 including 5 Childrens
Lot 4	Home Support Services South Central Birmingham and Optional QDS Plus	22 including 5 Childrens
Lot 5	Home Support Services South West Birmingham and Optional QDS Plus	22 including 5 Childrens
Lot Ref	Lot Name	Maximum No. of Providers
Lot 6	Home Support Services - Quick Discharge Service (Citywide)	1

In the unlikely event of the minimum number of providers not being achieved during the initial procurement process the FCA will be reopened as soon as is practicably possible to address the shortfall; **this may involve expanding the geographical area in which providers will be considered as eligible to apply.**

The 'Optional QDS Plus' allows providers to express an interest in delivering a Quick Discharge Service when demand exceeds capacity for the Lot 6 Home Support Services - Quick Discharge Service (Citywide). The expression of interest will not determine whether a provider is successful in being awarded to the FCA, however only providers awarded to the FCA will be able to apply for the Optional QDS Plus.

Lots 1-5 – Sourcing Strategy

The minimum number of providers as set out in the above table, ensures sufficient capacity within the FCA based on current demand information. There is no set maximum number of providers as this will be managed in the following ways:

1. The entry criteria of CQC Rated Good or Outstanding - this will ensure a minimum standard of 'Good' care provision for our vulnerable citizens at no additional cost to the Council; and
2. Only providers with a CQC registered office within 2 miles of the Birmingham Council Tax boundary will be admitted to the FCA. A detailed list of eligible providers will be published as part of the procurement exercise, as well as a detailed map showing the 2 mile boundary. The rationale for this locality restriction provides for the following:
 - i. It ensures sufficient provider capacity including capacity for the winter or other pressures, e.g. Children's Home Support
 - ii. Provision is within a reasonable distance (2 miles) to reduce late, missed or short calls.
 - iii. Supports the aspiration of keeping staff travel to a reasonable level, supporting Net Zero compliance and reducing environmental impacts.
 - iv. Quality assurance requirements can be met efficiently as in-person quality site visits are local.
 - v. The geographical areas, especially those near the Birmingham boundary, have sufficient local provision.
 - vi. It is the most efficient way to ensure local delivery as no provider will be more than 2 miles outside of the Birmingham Council Tax boundary and is easily identifiable and verified.
 - vii. There will be minimal impact on existing provision as the majority of existing providers meet this requirement.
3. Providers are limited to 2 Lots; this achieves the following:
 - i. Encourages providers to apply for their local areas; this is linked to the fee structure that assumes a maximum of 2 miles of travel per call and environmental requirements to minimise the impact of the service.
 - ii. A realistic capacity for each area by deterring providers from applying for more areas than they have the capacity for or intention to deliver in.

There may be a requirement during the lifetime of the FCA to increase the maximum number of Lots that can be applied for from 2 to 3. This decision would be at the discretion of commissioners.

Market intelligence is that there are 273 (as at October 2023) providers who meet the conditions of 1 & 2 above.

The allocation of providers to the Lots will be based on the following criteria:

1. Meet the pass / fail requirements
2. Provider states the 2 Lots they are applying for

Lot 6 Quick Discharge Service (QDS) – Sourcing Strategy

A single provider will be awarded to the Lot based on the following rationale:

- 1 A single point of contact for referrals is the most efficient way to deliver this service.
- 2 Aggregation of demand across the city to gain economies of scale and reduce back-office support costs to the Council.
- 3 A single large high-quality provider that is experienced in large scale QDS provision with associated processes and systems in place
- 4 Gain supplier commitment due to the value of the contract, ensuring responsive and quality provision.
- 5 The QDS Plus provision within Lots 1-5 ensures additional capacity within the wider market to support at peak times of demand or if there are short term provider capacity issues
- 6 The Lot can be reopened if required; this will be at the discretion of the commissioner.

1.4.3 Procurement Route

The requirements will be tendered using a Flexible Contracting Arrangement framework via the “restricted” procurement route which is standard for a DPS type of procurement. The procurement of these services will be subject to the Light Touch Regime of the Public Procurement. This allows the Council to design a procurement solution that can respond to fluctuations in demand over the duration of the arrangement and provide quality provision with sufficient choice for service users. The arrangement provides the same for the Birmingham Children Trust and Health partners and at the same time allows for local contract management by the respective organisation.

1.4.4 Scope and Specification

This framework is primarily for the Council and Birmingham Childrens Trust (BCT) and will also be available for Health partners to use.

The Council has a range of statutory duties and powers under the Care Act 2014 to assess the needs of citizens for care and support and commission a range of services that meet these needs. The Council currently commissions a wide range of regulated care and support services under the 2017 and 2023 Commissioning Strategies approved by Cabinet.

The Birmingham Childrens Trust also has a range of duties and powers under the Care Act 2014, and the Children Act 1989 Part III: Local Authority support for children and families (Children in Need). A child is deemed as “in need” if they are disabled or unlikely to achieve a reasonable standard of health or development unless services are provided. The local authority, via the Birmingham Childrens Trust, has a duty to provide or facilitate others to provide services for children in need.

Home Support services provide personal care to adults and children in their own home and can include help with the following:

- Personal care including washing and dressing;
- Housekeeping or cleaning;
- Cooking and preparing meals;
- Assistance with taking medications or health care needs;
- Companionship or activity based support.

The Quick Discharge Service also provides home support/personal care in the citizens own home, but is commissioned by the Council on behalf of our wider health and care system, to provide short term, rapid home care for those medically fit for discharge from hospital.

1.4.5 Tender Structure (Including Evaluation and Selection Criteria)

1.4.5.1 Evaluation and Selection Criteria

The quality / price balances below were established having due regard for the corporate document 'Evaluating Tenders' which considers the complexity of the services to be provided and the Fee Structure. The tender documents will include bespoke terms and conditions developed by commissioners with Legal Services Commercial Team.

1.4.5.2 The evaluation of tenders will be assessed as detailed below:

The assessment will be divided into the following stages:

Stage 1 – Selection Stage

Stage 2 – Invitation To Tender (micro tendering process for care packages)

Criteria	Evaluation
STAGE ONE – Selection Stage	
Company Information	Pass / Fail
Financial Information (including Insurance)	Pass / Fail
Health and Safety	Pass / Fail
Compliance with Equalities	Pass / Fail
Grounds for Mandatory Exclusion	Pass / Fail
Grounds for Discretionary Exclusion	Pass / Fail
Modern Slavery Act 2015	Pass / Fail
Third Party Data Protection Requirements	Pass / Fail
Cyber Security Requirements	Pass / Fail
Commitment to Social Value Requirements	Pass / Fail
Declaration	Pass / Fail
Lot 1-5 Selection	N/A
Lot 6 Quality Assessment	Scored

Tenderers will be required to pass all sections of Stage 1 and will be allocated to the appropriate Lot on the FCA as set out in section 1.4.2.1 and can bid for contracts at Stage 2.

After the initial set up of the Flexible Contracting Arrangements (FCA) the system will be reopened where the minimum number of providers is no longer met or is insufficient. The Council will decide whether to open for single or multiple Lots based on the requirement.

Lots 1-5 STAGE 2

Following the initial award, providers who have been successfully awarded to the FCA will be invited to bid for individual service packages via a further competition exercise as detailed in the micro tendering process.

Quality (100%)

Individual call off orders (individual care packages) under the Flexible Contracting Arrangements will be advertised via a micro tendering process (currently via the Council's CareMatch Portal) to relevant categories of providers, based upon the service user's care requirements, and then awarded to a provider based upon a quality determination. The provider quality determination - Provider Quality Rating - will be made in accordance with a Quality Assurance Framework as set out in the Tender and contract documents.

Micro Tendering Process

The micro tendering process will facilitate short-listing and selection of a provider based on the following:

1. A long list of potential Providers from the Flexible Contracting Arrangement, who can meet the needs of the Service User, will be generated. This will be based upon: Provider categories, geographic location and service type.
2. The top 'ranked' provider(s) will be identified and the score will be based upon the Provider's Quality Rating in accordance with the Integrated Quality Assurance Framework.
3. The Provider chosen to deliver Services to the Service User will have confirmed that they are able to meet the Service User's needs, preferences and requirements as described in the Support Plan.
4. If there is a tie between providers with an identical Provider Quality Rating, then providers shall be ranked based upon customer feedback data gathered through the social work review process.

Lots 6 STAGE 2

Following the initial award, the provider successfully awarded to Lot 6 will be directly allocated all referrals under the Quick Discharge Service initially. Should the provider be unable to meet these requirements (only in agreement with the Commissioner/Locality Operations Manager), the referrals will be made to providers registered to provide QDS Plus services. These call off arrangements will be carried out in accordance with those set out above for Lots 1 – 5.

Social Value (0%)

Social Value will not be used as an evaluation criteria as there is no guarantee of spend at this stage. Bidders will be required to commit at Stage 1 to provide a Social Value Action Plan (SVAP) when requested, making it a contractual requirement. Social Value Action Plans will be requested when the contract value threshold for a SVAP is achieved and will form part of the annual Quality Assurance process.

Price (0%)

Price will not be used as an evaluation criteria as a fixed pricing model for this tender will be used in line with the accompanying Cabinet report. Providers will have to confirm their

understanding and acceptance to the fixed pricing model during the pass/fail evaluation at Stage one.

1.4.6 Evaluation Team

The process for accepting providers onto the Flexible Contracting Arrangement system is set out as follows:

Lots 1-5 is on a pass/fail basis via a combination of automated and manual assessments which will be undertaken by a number of officers from Corporate Procurement Services, Adult Social Care, with representatives from Birmingham Children’s Trust, Health and Finance as required.

Lot 6 (QDS) is the same as Lots 1-5 with an additional quality assessment evaluation stage and ranking.

Feedback on unsuccessful applications is provided and must be issued at the time of award.

The evaluation of individual call-offs made under this agreement will be undertaken by Adult Social Care, Birmingham Children’s Trust and Health Commissioning Officers in line with the contract terms and published in line with necessary legal and governance requirements.

1.5 Indicative Implementation Plan

The implementation plan below has been produced to meet the overall deadline for the project.

Note; a high number of applications are anticipated therefore 5 weeks has been allocated for the evaluation period.

Activity	Earliest Possible Dates
Cabinet Approval (Strategy)	12 December 2023
<i>All dates beyond this point assume the requested 6 month extension is approved</i>	
Council Budget to Full Council	28 February 2024
ITT Issued	4 March 2024
Clarification Period (3 weeks)	4 March 2024 – 22 March 2024
ITQ Return (allowing 30 days)	3 April 2024
Evaluation Period (5 weeks)	4 April 2024 – 10 May 2024
Award Approval (3 weeks)	13 May 2024 – 3 June 2024
FCA Contract Award	10 June 2024
FCA Standstill Period (10 working days- 2 weeks)	10 June 2024 – 21 June 2024
FCA Award Letters Issued	26 June 2023
FCA Starts – Individual Contracts	1 July 2024

1.6 Service Delivery Management

1.6.1 Contract Management

The FCA will be managed operationally by Adults Social Care and Corporate Procurement Services. The call-off contracts will be managed by the respective Adult Social Care, Birmingham Children's Trust and Health teams. The Head of Commissioning will work closely with both Directorate Finance and operational colleagues to manage the associated budget. The approach to contract management is set out within the Commissioning Strategy and will be further detailed within the associated contractual documents. The key elements of the contract management approach are;

- Completion of a quality assurance self-assessment (as directed by Commissioners) by the provider against key contractual obligations and elements of the specification.
- Completion of quality assurance/risk assessment by the Council, NHS or CQC.
- Quarterly collection of market intelligence information from all care providers.
- Regular analysis of customer feedback.
- Maintenance of a provider risk register to monitor complaints, safeguarding incidents, quality concerns, live credit alerts etc.
- Regular data sharing meetings with partners locally and regionally to ensure coordinated contract management of providers.
- A geographic commissioning presence to ensure better oversight of providers.
- Regular contract review meetings with providers with the largest market share
- Monitoring compliance with Social Value requirements including obtaining action plans at the Quality Assurance stage and monitoring as appropriate
- Monitoring of contract awards and quarterly publishing of contract award notices in line with the Public Contract Regulations (PCR) 2015.

1.6.2 Performance Measurement

The FCA is responsive to service requirements and there are no Service Level Agreements as it is on a service need basis. Information on volumes and spend will be available.

The individual contract monitoring is included in the Integrated Quality Assurance process which ensures best quality with choice.

1.7 Birmingham Business Charter for Social Responsibility (BBC4SR)

Compliance with the BBC4SR is a mandatory requirement that will form part of the conditions of these contracts. Providers will be required to submit a social value action plan as part of their annual Quality Assurance statement. The action plan will be implemented and monitored during the call off contract period.

The BBC4SR has however been used as a fundamental platform to build the geographic commissioning model, to ensure services are delivered locally, employ local people and support the local economy and environment.

1.8 Safeguarding

Home Support and Quick Discharge services involve the provision of personal care in citizens own homes. The potential risks in relation to safeguarding are therefore significant and appropriate measures have been taken with regards to the procurement and commissioning of safe care and support to vulnerable citizens, including:

- Use of CQC ratings in the procurement gives an independent, evidence-based approach to the quality and compliance of services, including providers approach to safeguarding and protecting citizens from neglect
- Similarly, only allowing Good or Outstanding providers to join the FCA, gives a strong level of assurance of their safeguarding practices.
- All providers joining the FCA will be required to meet the Council's safeguarding requirements which form an integral part of the contracts and must:
 - have a clearly stated policy commitment to work to established safeguarding systems across the City.
 - raise multi-agency alerts promptly in cases where abuse is suspected
 - have a clearly stated policy commitment to deliver on the 'Dignity and Respect' agenda
 - have a policy statement on the application of the Mental Capacity Act 2005 principles (where applicable)
 - have a policy statement on the application of the Deprivation of Liberty Safeguards (DoLS) (where applicable)
 - provide evidence of reflection and learning following incidents, including adopting preventative strategies wherever possible
 - comply with the Birmingham Safeguarding Adult's Board's Protocol and procedures for responding to concerns about a person in a position of trust.
 - comply with the requirements and principles of all Multi-agency policy & procedures for the protection of children or adults with care & support needs
 - nominate a safeguarding lead and a Mental Capacity and Deprivation of Liberty Lead to develop and oversee best practice in relation to adult safeguarding and the application of the principles of the Mental Capacity Act within the service.
 - promote a culture of awareness around safeguarding issues, dignity and respect, and Mental Capacity.
 - demonstrate commitment to training leading to informed and improved practice.

1.9 Information and Data Protection

- 1.9.1 The 3rd Party Data Protection and Cyber Security Requirements will be secured by requiring contracted providers to achieve the relevant standard required by the Data Security and Protection Toolkit (DSPT) for social care providers.
- 1.9.2 The Data Sharing Agreement will be agreed with Legal Services and included in the contract terms and conditions.
- 1.10 Pre-Procurement Duty under the Public Service (Social Value) Act 2012
The Social Value outcomes reflect the national social value themes, outcomes and measures and included in the Invitation To Tender therefore no further stakeholder consultation is required.

Social Value Rationale

<p>Providers will produce a Social Value Action Plan as part of the annual Quality Assurance programme in the contract management stage. Commissioners will be able to support providers in the development of this plan. Key elements will be seeking to utilise local community assets via the MatchMyProject Scheme, links with Neighbourhood Network Services and support in the Environmental and Sustainability assessment.</p> <p>Social Value will not be part of the evaluation process, please refer to the Social Value section of the strategy for more information</p>
<p>The majority of the market is made up of small and medium providers, many of which are local businesses with a smaller number of medium and large national providers operating in the area.</p> <p>Although mature in terms of service provision the market is immature in terms of social value. There are opportunities for the care homes to become community assets as there are a range of facilities including meeting rooms which could be used by local community groups subject to safeguarding requirements. Comm</p>
<p>Total Social Value Weighting: 0%</p>
<p>Qualitative / Quantitative split: Not applicable</p>
<p>Reasons for which themes are to be prioritised:</p>
<p>List the themes in order of priority (sub-weighting not applicable)</p>
<p>Priority Theme 1: Local Employment</p> <p>Commissioners want more local employment on these contracts. There are a number of measures in the social value action plan where commitments could be made and achieved. One measure will be removed due to the vulnerability of the client group.</p>
<p>Priority Theme 2: Partners in Communities</p> <p>Commissioners want initiatives supporting disabled and vulnerable adults to build stronger community networks; e.g. befriending schemes, digital inclusion clubs, provision of community assets; e.g. use of meeting room or other facilities. Providers will be encouraged to join the Council's MatchMyProject scheme. One measure meets this requirement; providers will be guided to this measure.</p>
<p>Priority Theme 3: Green and Sustainable</p> <p>Commissioners have developed an Environmental and Sustainability assessment which requires providers to reduce their adverse impacts on the environment.</p>

APPENDIX 3 – WAIVER FORM

PROJECT / CONTRACT TITLE	COMMISSIONING STRATEGY FOR REGULATED ADULT SOCIAL CARE 2024+ - HOME SUPPORT AND QUICK DISCHARGE SERVICES
PROJECT / CONTRACT REFERENCE NUMBER	Home Support Services (adults and children) - current contract runs from 8 April 2019 – to 7 April 2024 Quick Discharge Service (adults) – current contract runs from 3 June 2019 to 2 June 2024
DESCRIPTION OF CONTRACT (GOODS / SERVICES PROVIDED)	Home care
SUPPLIER (where relevant)	Home Support Services – currently 66 providers Quick Discharge Services – currently a single provider
CONTRACT PERIOD	Extension for both contracts until no later than 7 October 2024 (max of 6 months)
VALUE (£/p)	These are Framework Agreements so no set value. However, the potential annual value is £159m and the potential total value is £1.115bn for 7 years – this includes possible values for the Birmingham Childrens Trust and NHS partners. The Council estimates spend under these arrangements to be £64m for home support services and £15m for quick discharge services in 2024/2025 (in accordance with the Council’s current forecast spend). All spend is subject to changes in demand, inflation and application of relevant Grants for future years and will need to be managed in line with the Council’s available budget.
FUNDING SOURCE	Home Support (adults): Adult Social Care revenue budget Quick Discharge Services (adults): Adult Social Care revenue budget and Better Care Fund Home Support (Children’s): Birmingham Children’s Trust revenue budget

DIRECTORATE	Adult Social Care (and on behalf of Birmingham Children's Trust)	
SERVICE AREA	Adults	
SERVICE LEAD	Alison Malik	
DIRECTOR/ ASSISTANT DIRECTOR	Louise Collett	
HEAD OF SERVICE	Alison Malik	
Please indicate the justification for a Waiver to the Procurement and Contract Rules		
i. Efficiency / expediency in relation to process: Following the Rules in whole or part would not add value to the intended outcomes and would significantly impact the delivery of the Council Plan and priority outcomes. A Waiver would not compromise transparency and accountability.		
ii. Increased cost / loss of income: Following the Rules in whole or part would likely result in increased costs or loss of opportunity.		
iii. Time constraints beyond the control of the Council: Following the Rules in whole or part would create unreasonable time pressures to deliver outcomes required. In such cases this must not be through poor planning or lack of action by the Council to have created the time constraint.		X
iv. Avoidance of reputational damage: Failure to act promptly would have a serious, damaging and long-term impact on the reputation of the Council, that from a time perspective the Council cannot afford to be mitigated through a formal tendering process.		
v. Request for noting for transparency as a formal Breach of the Rules: Noting outcome of formal Breach investigation and seeking to note in line with Waiver Approval procedure.		
Please provide details on reasons for applying for a Waiver		
<p>The Council currently commissions home support and quick discharge services under the following contracts:</p> <ul style="list-style-type: none"> • Home Support Services (adults and children) – commenced 8 April 2019 • Quick Discharge Service (adults) – commenced 3 June 2019 <p>As Framework contracts, these services were procured for a period of 3 years, with an option to extend for a further 2 years, subject to satisfactory performance.</p> <p>In early 2020, Covid 19 was confirmed as a Pandemic and the adult social care sector was heavily impacted. The impact is well documented but included home support providers not having access to PPE, availability of testing for home care workers was significantly later than for care home staff, restrictions to supporting Covid positive citizens, impact of lockdown on care workers - especially where schools were closed, sickness absence levels of care workers, access to appropriate transport for care workers, changes in practice and infection control</p>		

guidelines, additional training requirements, cost pressures, impact of furlough and the wider economic shutdown on care worker recruitment, vaccination rollout etc.

With the original contract terms coming to an end in 2022, a decision was made to extend the existing contracts for a further 2 years. The sector were unable to support a re-procurement of these services at that time.

As a result of these extensions, current contracts now expire as follows:

Home Support Services (adults and children) – expire 7 April 2024

Quick Discharge Service (adults) – expire 2 June 2024

During the Pandemic, the Council and NHS worked closely together, to ensure vulnerable citizens had their care needs met (both short and long term) and also to ensure that short term home care (Quick Discharge Services) was available at the scale and pace needed to support hospital discharge and wider health and social care system flow.

This included the establishment of the Birmingham Integrated Care Partnership programme, which identified working with the regulated adult social care sector as a priority.

Joint workshops were held between the Council and NHS between April 2021 – December 2021 to establish the priorities for joint commissioning of regulated care. However unfortunately this work had to be paused between December 2021 and February 2022 due to the Covid and winter response, which put significant pressure on the whole health and care system.

The programme resumed again in March 2022 and it was agreed that the first services we would seek to jointly commission, would be home support and quick discharge services, knowing that the Council's current contracts would expire in 2024. At the time, the Integrated Care Board was spot purchasing any such care they were commissioning for individuals.

To further complicate matters, in July 2022 (under the Health and Care Act 2022) the structure of local NHS commissioning changed, with Integrated Care Systems and Integrated Care Boards established across England. The purpose of these was to see partnerships of organisations come together to plan and deliver joined up health and care services, and to improve the lives of people who live and work in their area. New governance was established across health and social care to ensure the new requirements could be implemented and that we moved towards place-based commissioning. This included a restructure of what was then the Clinical Commissioning Group.

As part of this, priorities, programmes and resources were reviewed. Dialogue continued, however the scale of change across the NHS did make it difficult to secure direction and it wasn't until July 2023 when it was confirmed that unfortunately joint commissioning of home support services would not be possible in time for Council contracts expiring in April/June 2024 – albeit both partners are continuing to work towards strategic market management.

Council Officers have therefore been working on commissioning proposals to take forward home support and quick discharge services between July 2023 and October 2023, including data analysis, legal advice, market and citizen engagement and seeking views of partners.

Therefore due to the impact of the Covid-19 Pandemic on both the provider market alongside significant dialogue with the NHS about opportunities for joint commissioning of these services, Officers have been unable to progress commissioning proposals sooner. Whilst it

may be possible to recommission these services before current contract expiry in April 2024 (for home support services) and June 2024 (for quick discharge services), the market for these services is highly competitive and has previously been litigious. These issues combined, mean that recommissioning services before April 2024 is unrealistic and a short extension up until 7 October 2024 at the latest, is proposed. This will allow time for the process to be carefully managed and implemented, including dealing with any legal challenges and ensuring services are mobilised effectively.

Which part(s) of the Procurement and Contract Governance Rules are being sought to be waived?

Contract Extensions and Modifications clause 4.36

What implications, risk(s) or consequences would apply if a Waiver is not approved?			
<p>The Council would not have in place appropriate contracts to commission statutory care for citizens. This would have a significant impact on citizens, who would have to wait for home support services and also on the wider health and care system as we would be unable to support hospital discharges at the scale and pace needed.</p> <p>The risks of provider challenge with regards the extension have been mitigated as far as is practicable, through market engagement. Existing providers are unlikely to have any significant concerns with the proposed extension. Potential providers who are excluded from the current Framework Agreement will have the opportunity to tender at the earliest possible opportunity and the new commissioning arrangements have been designed to maximise the number of high quality providers and to re-open as needed. This will therefore offer far greater market opportunities in future.</p>			
What longer terms plans are in place to ensure compliant contractual arrangements will be established prior to the end of the contract awarded under Waiver?			
Extending the current contracts is a short term proposal to allow time for the future Commissioning and Procurement Strategies to be implemented.			
Other Comments			
None.			
DECLARATIONS			
I (the undersigned) declare that I have no conflicts of interest which would otherwise prevent my signature to this Waiver.			
Directorate Service Lead	Alison Malik	Date	23/10/23
Corporate Procurement Comments			
Waiver form appended to Cabinet report for Cabinet approval			
Name / Title Mike Smith Head of People Category		Date	

AUTHORISATIONS			
	DIRECTORATE SIGN OFF	CORPORATE SIGN OFF	Date

Over £5,000 up to £100,000	Assistant Director or Head of Service (in line with the Scheme of Delegations)	Relevant Head of Category (Corporate Procurement Service)	
Comment (if required)		Waiver form appended to Cabinet report for Cabinet approval	
Name / Title			
Over £100,000 to £200,000	Assistant Director	Assistant Director (Procurement)	
Comment (if required)			
Name / Title			
Over £200,000 to £500k (revenue) or to £1million (capital)**	Director	Section 151 Officer in conjunction with Cabinet Member (Finance)	
Comment (if required)	To be completed as part of Cabinet report sign-off process		
Name / Title			

** Above these levels and/ or Key Decision and/ or where deemed required by the Cabinet Member formal sign off is required at Cabinet.

Title of proposed EIA	HOME SUPPORT (INCLUDING CHILDREN AND YOUNG PEOPLE WITH A DISABILITY) & QUICK DISCHARGE SERVICES
Reference No	EQUA1205
EA is in support of	New Strategy
Review Frequency	Two Years
Date of first review	01/11/2025
Directorate	Adults Social Care
Division	Commissioning (Adult Care)
Service Area	
Responsible Officer(s)	<input type="checkbox"/> Chris MacAdams
Quality Control Officer(s)	<input type="checkbox"/> Alison Malik
Accountable Officer(s)	<input type="checkbox"/> Simon Talbot
Purpose of proposal	In order to progress recommissioning of two key care contracts
Data sources	Consultation Results; relevant reports/strategies
Please include any other sources of data	<p>The Council undertook a range of comparison, benchmarking and consultation to develop its fee structure in 2017 and to further understand the costs of care in Birmingham. The Council has since completed further cost of care exercises with care providers in 2019, 2021, 2022 and 2023 and has used the results in the setting of fees and increasing commissioner understanding of provider costs/pressures. These activities have been further complimented by a series of in person and online</p>

engagement sessions with Home Support providers in order to ensure that not only the pricing model but the delivery model meets the needs and requirements of citizens, care providers and Birmingham City Council.

ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS

Protected characteristic: Age

Age details:

Service Users / Stakeholders

The key statutory driver for the work of adult social care is currently the Care Act 2014 and for children's social care is the Children Act 1989 Part III: Local Authority Support for children and families (Children in Need). Both of these acts place clear duties on providing care and support to meet the assessed eligible needs of individuals and ensuring that wellbeing is promoted when carrying out any of the Council's care and support functions. The Acts also set out a range of commissioning and market shaping duties for Local Authority commissioners to ensure a range of quality and type of services are available to meet needs.

The existing service arrangements and the forthcoming tender are

aligned to these principles thus ensuring that the independence and wellbeing of citizens is improved. Furthermore, the services to be delivered are for children, young people with a disability and adults ensuring that everyone (regardless of their age) with eligible needs receives the care and support that they are entitled to. There is regular engagement with care providers and feedback is received from citizens and their family members in order to check that the services commissioned by the Council are meeting service users care and support needs.

Service Users / Stakeholders

For citizens requiring longer term Home Support, home support services provide personal care in the citizen's home and this can include help with the following: personal care including washing and dressing; housekeeping or cleaning; cooking and preparing meals; taking medications or health care needs; and companionship or activity based support. In relation to the Quick

Protected characteristic: Disability

Disability details:

Discharge Service, a key element of the Integrated Care System response is for those citizens ready to leave hospital, for them to receive short term rehabilitation and/or support when they return home. This may also include an Occupational Therapy assessment. With regards to children and young people with a disability, Home Support care providers are commissioned that have 'childrens care' as a specialism within their Care Quality Commission registration. Whichever support is provided, the focus is on improving people's ability to perform the tasks or support with performing the tasks that they need to do in their everyday life.

Protected characteristic: Sex

Gender details:

Service Users / Stakeholders

The contractual arrangements [as aligned to The Care Act 2014 and the Children Act 1989 Part III: Local Authority Support for children and families (Children in Need)] will stipulate as to how care is provided to citizens who have an assessed,

unmet, social care need. There is no Gender related exclusion for any citizens, the qualifying criteria is based on need and whether the Council has a legal duty to part or fully fund the care needs of the citizen. There is no negative impact upon citizens - for those identified as requiring care, the Care Provider will look to enhance the daily living experience of the citizen and will support and deliver care, support and medical interventions as determined to be appropriate by Health and Social Care staff.

Protected characteristics: Gender Reassignment

Gender reassignment details:

Service Users / Stakeholders

The contractual arrangements [as aligned to The Care Act 2014 and the Children Act 1989 Part III: Local Authority Support for children and families (Children in Need)] will stipulate as to how care is provided to citizens who have an assessed, unmet, social care need. There is no Gender Reassignment related exclusion for any citizens, the qualifying criteria is based on need and whether the Council has a legal duty to part or fully fund the care

needs of the citizen. There is no negative impact upon citizens - for those identified as requiring care, the Care Provider will look to enhance the daily living experience of the citizen and will support and deliver care, support and medical interventions as determined to be appropriate by Health and Social Care staff.

Protected characteristics: Marriage and Civil Partnership

Marriage and civil partnership details:

Service Users/ Stakeholders

The contractual arrangements [as aligned to The Care Act 2014 and the Children Act 1989 Part III: Local Authority Support for children and families (Children in Need)] will stipulate as to how care is provided to citizens who have an assessed, unmet, social care need. There is no Marriage and Civil Partnership related exclusion for any citizens, the qualifying criteria is based on need and whether the Council has a legal duty to part or fully fund the care needs of the citizen. There is no negative impact upon citizens - for those identified as requiring care, the Care Provider will look to enhance the daily living experience of

Protected characteristics: Pregnancy and Maternity

Pregnancy and maternity details:

the citizen and will support and deliver care, support and medical interventions as determined to be appropriate by Health and Social Care staff.

Service Users / Stakeholders

The contractual arrangements [as aligned to The Care Act 2014 and the Children Act 1989 Part III: Local Authority Support for children and families (Children in Need)] will stipulate as to how care is provided to citizens who have an assessed, unmet, social care need. There is no Pregnancy and Maternity related exclusion for any citizens, the qualifying criteria is based on need and whether the Council has a legal duty to part or fully fund the care needs of the citizen. There is no negative impact upon citizens - for those identified as requiring care, the Care Provider will look to enhance the daily living experience of the citizen and will support and deliver care, support and medical interventions as determined to be appropriate by Health and Social Care staff.

Protected characteristics: Race

Race details:

Service Users / Stakeholders

The contractual arrangements [as aligned to The Care Act 2014 and the Children Act 1989 Part III: Local Authority Support for children and families (Children in Need)] will stipulate as to how care is provided to citizens who have an assessed, unmet, social care need. There is no Race related exclusion for any citizens, the qualifying criteria is based on need and whether the Council has a legal duty to part or fully fund the care needs of the citizen. There is no negative impact upon citizens - for those identified as requiring care, the Care Provider will look to enhance the daily living experience of the citizen and will support and deliver care, support and medical interventions as determined to be appropriate by Health and Social Care staff.

Protected characteristics: Religion or Beliefs

Religion or beliefs details:

Service Users / Stakeholders

The contractual arrangements [as aligned to The Care Act 2014 and the Children Act 1989 Part III: Local Authority Support for

children and families (Children in Need)] will stipulate as to how care is provided to citizens who have an assessed, unmet, social care need. There is no Religion or Beliefs related exclusion for any citizens, the qualifying criteria is based on need and whether the Council has a legal duty to part or fully fund the care needs of the citizen. There is no negative impact upon citizens - for those identified as requiring care, the Care Provider will look to enhance the daily living experience of the citizen and will support and deliver care, support and medical interventions as determined to be appropriate by Health and Social Care staff.

Service Users / Stakeholders

The contractual arrangements [as aligned to The Care Act 2014 and the Children Act 1989 Part III: Local Authority Support for children and families (Children in Need)] will stipulate as to how care is provided to citizens who have an assessed, unmet, social care need.

Protected characteristics: Sexual Orientation

Sexual orientation details:

There is no Sexual Orientation related exclusion for any citizens, the qualifying criteria is based on need and whether the Council has a legal duty to part or fully fund the care needs of the citizen. There is no negative impact upon citizens - for those identified as requiring care, the Care Provider will look to enhance the daily living experience of the citizen and will support and deliver care, support and medical interventions as determined to be appropriate by Health and Social Care staff.

Socio-economic impacts

None.

Please indicate any actions arising from completing this screening exercise.

Commissioners will continue to work with partners including the Care Quality Commission to obtain feedback on commissioned services and ensure coordinated action to support service improvement.

Please indicate whether a full impact assessment is recommended

NO

What data has been collected to facilitate the assessment of this policy/proposal?

There is no documents to attach in this instance. Services are being recommissioned as contracts have reached the expiration date. The Commissioning Strategy will be revisited and updated and refinements will be made in order to take on

any learning during the lifetime of the contract(s).

Consultation analysis

Adverse impact on any people with protected characteristics.

None

Could the policy/proposal be modified to reduce or eliminate any adverse impact?

How will the effect(s) of this policy/proposal on equality be monitored?

What data is required in the future?

Are there any adverse impacts on any particular group(s)

No

If yes, please explain your reasons for going ahead.

Initial equality impact assessment of your proposal

The initial equality impact assessment does not identify anyone with protected characteristics who would be impacted by this decision.

Consulted People or Groups

Informed People or Groups

Summary and evidence of findings from your EIA

Review of Service Arrangements/Specification has taken place with key stakeholders and only minor changes to the existing specification and arrangements is required.

Existing Home Support Providers have been consulted as to whether any changes are required to the existing arrangements and a limited number of suggested or proposed changes have been made which have been considered and taken on board as appropriate.

QUALITY CONTROL SECTION

Submit to the Quality Control Officer for reviewing?	No
Quality Control Officer comments	No further comments.
Decision by Quality Control Officer	Proceed for final approval
Submit draft to Accountable Officer?	No
Decision by Accountable Officer	Approve
Date approved / rejected by the Accountable Officer	20/10/2023
Reasons for approval or rejection	
Please print and save a PDF copy for your records	Yes

Content Type: Item

Version: 40.0

Created at 19/10/2023 09:25 PM by Chris MacAdams

Last modified at 20/10/2023 01:56 PM by Workflow on behalf of Simon Talbot

Close

Environment and Sustainability Assessment

Birmingham City Council is required to assess any positive or negative impacts that any policy/strategy/ decision/development proposal is likely to have on the environment. This assessment must be completed for CLT and Cabinet reports where appropriate. It is the responsibility of the Service Director signing off the report to ensure that the assessment is complete.

To complete the assessment, you should consider whether the proposal will have a positive or a negative impact on each of the key themes by placing a (√) for positive, (x) for negative and (?) for unclear impact, and (N/A) for non-applicable impact. Further guidance on the completion of the template is available on page 3 below.

Project Title:	Regulated Adult Social Care Commissioning – Home Support and Quick Discharge Services			
Directorate: Adults	Team: Commissioning		Person Responsible for assessment: Alison Malik	
Date of assessment: 23/10/23	Is it a new or existing proposal? Existing services being recommissioned			
Brief description of the proposal: Approval is being sought to a Commissioning Strategy for the commissioning of Regulated Adult Social Care – in particular for home support services for adults and children and quick discharge services to support hospital discharge that the Council has a statutory duty to provide for citizens under the Care Act 2014. The Council currently commissions around 70 independent care providers to provide these services on our behalf and holds contracts with each organisation/care location.				
Potential impacts of the policy/development/ decision on:	Positive Impact	Negative Impact	No Specific Impact	What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken?
Natural Resources - including water, soil, air		X		<p>The services provided will require the use of natural resources to operate their offices, however care is provided in citizens own homes and the carers would make use of the citizen's utilities as needed.</p> <p>However, contracts require all providers to ensure that they are familiar with the Council's aims for a Sustainable Birmingham and shall ensure that in its performance of the</p>

				<p>Service, it uses working methods, equipment, materials and consumables which minimise environmental impact.</p> <p>The environmental impact will also be incorporated into provider Social Value action plans.</p>
Energy use and CO ₂ emissions		x		<p>The services provided will require energy use through things like lighting and heating in care providers offices, through to travel to citizens homes.</p> <p>Citizens are living in their own homes and the carers would make use of the citizen's utilities. Carers will be required to travel to provide care to individuals in their own homes and this is a significant part of the service delivery model for home care.</p> <p>However, contracts require all providers to ensure they are familiar with the Council's aims for a Sustainable Birmingham and shall ensure that in its performance of the Service, it uses working methods, equipment, materials and consumables which minimise environmental impact.</p> <p>The environmental impact will also be incorporated into provider Social Value action plans.</p> <p>Finally, Commissioners have designed the commissioning model on a geographic basis, to reduce travel or carers to a maximum of 2 miles per call for home support services. Recent cost of care data, confirms the average travel time for home support to be 1.5miles per call. This geographic model takes into account road and public transport routes and therefore not only reducing the need for travel, but also maximises the opportunity for use of public transport in delivering care.</p>

13.7.21

2

				Although the Quick Discharge Service is a city-wide service, the provider is required to operate a locality level, as this is an integral part of the Intermediate Care Service approach.
Quality of environment			x	Care providers generally operate from fairly small offices and contracts require all providers to ensure they are familiar with the Council's aims for a Sustainable Birmingham and shall ensure that in its performance of the Service, it uses working methods, equipment, materials and consumables which minimise environmental impact.
Impact on local green and open spaces and biodiversity			x	None identified.
Use of sustainable products and equipment		x		As providers are providing personal care, in some cases it is not always possible to use sustainable products e.g. the requirement to use disposable PPE. The use of sustainable products and equipment will be incorporated into provider Social Value action plans. However, contracts require all providers to ensure they are familiar with the Council's aims for a Sustainable Birmingham and shall ensure that in its performance of the Service, it uses working methods, equipment, materials and consumables which minimise environmental impact.
Minimising waste		x		As providers are providing personal care, in some cases it is not always possible to reduce waste as some products must be disposable and certain waste types must be disposed of in line with Infection Control Procedures e.g. disposal of human waste. Minimisation of waste will be incorporated into provider Social Value action plans. However, contracts require all providers to ensure they are

				familiar with the Council's aims for a Sustainable Birmingham and shall ensure that in its performance of the Service, it uses working methods, equipment, materials and consumables which minimise environmental impact.
Council plan priority: a city that takes a leading role in tackling climate change			x	See conclusion below.
Overall conclusion on the environmental and sustainability impacts of the proposal	<p>Whilst the services commissioned by the Council that are within scope of this decision do have an impact on the environment, carers are delivering care to citizens in their own homes. The key environmental impact of the service is in travelling between care calls, however Commissioners have designed the commissioning model on a geographic basis, to reduce travel or carers to a maximum of 2 miles per call for home support services. Recent cost of care data, confirms the average travel time for home support to be 1.5 miles per call. This geographic model takes into account road and public transport routes and therefore not only reduces the need for travel, but also maximises the opportunity for use of public transport in delivering care.</p> <p>Some elements of the service require compliance with national guidance and legislation in relation to Infection Control practice and the type of supplies that can be used. In these cases, there are sometimes limitations in relation to use of sustainable products. However, providers are required to take opportunities to reduce their environmental impact wherever possible and we will capture any actions taken through their Social Value action plan.</p> <p>All care providers are required to ensure that they are familiar with the Council's aims for a Sustainable Birmingham and shall ensure that in its performance of the Service, it uses working methods, equipment, materials and consumables which minimise environmental impact. This will be monitored through providers Social Value Action Plans, including:</p> <ul style="list-style-type: none"> • Transport: encouraging use of low/zero emissions vehicles to travel between residents • Buildings: encouraging homes to work towards lowering their emissions by moving away from fossil fuel to low emission technologies and improving the fabric of their buildings in order to reduce their heating etc. • Minimising Waste and the use of sustainable products: encouraging providers to procure locally and 			

	avoiding single use products wherever possible.
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If you require further assistance with completing this template, please contact: ESAGuidance@birmingham.gov.uk

Birmingham City Council

Cabinet

12 December 2023



Subject: **Corporate Plan 2022-2026: Performance and Delivery Monitoring Report**

Commissioner Review

This report considers progress against the Council's current published Corporate Plan. To be of any value to Members it should not only report on past performance but on the prospects and risks of future achievement. Nowhere is this more starkly illustrated than in the commentary on the financial position which fundamentally underplays the challenge facing the council.

A new Corporate plan will need to be prepared based on the Improvement and Recovery Plan required by the Direction regime. When that is compared to the aspirations set out in this document the true scale of the optimism bias and failure to recognise reality will be evident.



Birmingham City Council Report to Cabinet

12th December 2023

Subject:	CORPORATE PLAN 2022-2026: PERFORMANCE AND DELIVERY MONITORING REPORT
Report of:	Richard Brooks, Director of Strategy, Equalities and Partnerships
Relevant Cabinet Member:	Councillor Sharon Thompson, Deputy Leader
Relevant O&S Chair(s):	Councillor Albert Bore – Co-ordinating O&S Committee
Report author:	Paul Clarke, Assistant Director (Programmes, Performance, and Improvement)

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for call-in?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

1 Executive Summary

- 1.1 This report provides Cabinet with a summary of performance and delivery progress for Q2 2023/24 against the 'Be Bold' ambitions and priorities set out in the Council's Corporate Plan 2022-2026.
- 1.2 Performance and delivery is reported using a set of Key Performance Indicators (KPIs) and commentary on key delivery activity and milestones (2023/24) in relation to each of the key strategic ambitions and outcomes in the Corporate Plan 2022-2026:

A Bold **Prosperous** Birmingham

A Bold **Safe** Birmingham

A Bold **Green** Birmingham

A Bold **Inclusive** Birmingham

A Bold **Healthy** Birmingham

A Bold **Best-in-Class** Council

2 Recommendations

- 2.1 That Cabinet notes the performance and progress against the priorities and ambitions set out in the Council's Corporate Plan 2022-2026.

3 Background

- 3.1 The City Council approved the Corporate Plan 2022-2026 on 11th October 2022, following recommendation for approval by Cabinet on 26th July 2022. The Plan updates the priorities in the Council Plan 2018-2022 and brings together elements from other documents to provide a framework for

the council's business planning, and context for service priorities, programme development and transformation activity.

- 3.2 A refreshed Corporate Performance and Delivery Plan was considered by Cabinet on 27th June 2023, and summarises key activities including delivery milestones from directorate business plans, current delivery plans/strategies, and transformation activity that make a direct contribution to the delivery of Corporate Plan priorities. The Plan also included a set of key performance indicators (KPIs). The Plan was agreed as the basis for performance reporting against the Corporate Plan, and this report provides an update of performance, progress, and delivery against those milestones and KPIs for the second quarter of 2023/24.
- 3.3 The report forms part of the Council's Corporate Performance Framework and reporting arrangements. The framework includes other forums that ensure regular oversight and consideration of service performance and delivery of the Council's overall priorities. These include:
- A Corporate Leadership Team (CLT) Performance and Assurance Board that considers a range of performance and assurance reports, which together provide updates and highlighted issues regarding organisational health, delivery of key services, customer experience, and transformation.
 - A Quarterly Performance Meeting (QPM) with each Directorate: a corporately led process that facilitates discussion and a deeper understanding of the issues impacting on service performance. Where appropriate, this includes an exploration of the actions required to ensure improvement is realised.
 - Performance reporting to Overview and Scrutiny Committees: regular reporting and scrutiny of service performance data and other performance information aligned to committee work programmes.
- 3.4 The performance framework also includes a set of 'State of the City' outcome indicators. These provide the context for our priorities and delivery and help measure the overall city and citizen outcomes we are trying to impact and influence through our delivery, enabling and influencing roles and activity. They are published separately as part of the City Observatory.¹
- 3.5 An Improvement and Recovery Plan (IRP) is currently being developed in response to the Secretary of State's intervention. Once approved by Commissioners, it is expected that the IRP will be the primary document upon which performance and delivery will be reported, superseding and/or incorporating those delivery activities and KPIs relating to a Best in Class Council. There will be a continuation of some reporting against our

1

<https://app.powerbi.com/view?r=eyJrIjoieWwQ0MzYxZDQzMjU1Ni00YzNjLWwZGYtYjQxN2U1MjMxYmNiliwidCI6IjY5OWFjZTY3LWwQyZTQ0tNGJjZC1iMzAzLWwQyYmJlMml5YmJmMSJ9>

Corporate Plan ambitions and priorities focusing on the Be Bold outcomes of Prosperous, Safe, Inclusive, Green, and Healthy.

4 Structure of the report

- 4.1 Section 5 provides a high-level summary of performance against KPIs and progress against delivery milestones for each of the key strategic ambitions in the Corporate Plan 2022-2026.
- 4.2 This includes the percentage of KPIs, and delivery milestones being reported as blue, red, amber and green for the current reporting period. Definitions of these ratings are provided in table 1 below.

Table 1 – Definitions for RAG and BRAG ratings

RAG ratings for KPIs		BRAG ratings for delivery milestones
Blue	Not applicable.	Activity has been achieved/delivered.
Green	Performance is equal to or better than target.	Activity is on course to be delivered as agreed by Cabinet in the published Corporate Performance and Delivery Plan. We expect to rate this blue at year end or before.
Amber	Performance is lower than target but better or equal to tolerance.	Risk of activity not being delivered as planned. However, mitigating actions are in place to resolve and delivery against original milestone is expected to be recoverable.
Red	Performance is below tolerance.	Risk of activity not being delivered as planned. Whilst mitigating actions may already be in place delivery against original milestone is unlikely to be recoverable.

- 4.3 Section 6 provides an overview of performance against both KPIs and delivery milestones, including a summary of notable delivery and performance, and areas of non-delivery or underperformance.
- 4.4 Appendix A provides a summary of key changes and clarifications on how data is being reported in year. Appendix B provides more detailed information on each KPI, including direction of travel, benchmarked performance (where available) and commentary about the performance. Appendix C.1 provides an overview of BRAG ratings for activity and milestones and appendix C.2 highlights Red and Amber rated activity milestones.

5 Overview of Performance

5.1 Summary of performance against delivery milestones

5.2 Of the 122 delivery milestones reported at quarter 2:

- 72 (59.0%) are reported as being on track or already fully delivered (Green and Blue rated respectively)
- 34 (27.9%) are currently rated Amber

- 16 activities (13.1%) reported as Red.

5.3 The highest proportions of milestones on track are demonstrated for Be Safe (18 out of 26 on track) and Be Healthy (17 out of 19 on track or delivered). The lowest proportions of milestones that are on track are within Best in Class Council (3 out of 10 on track). There are Amber and Red ratings across all six Be Bold ambitions, highlighting where there are risks to planned delivery in 2023/24.

5.4 Chart 1 below provides a summary of progress towards all Performance and Delivery Plan milestones and is also broken down by the corporate ambitions.

Chart 1. Summary of progress towards delivery milestones at quarter 2

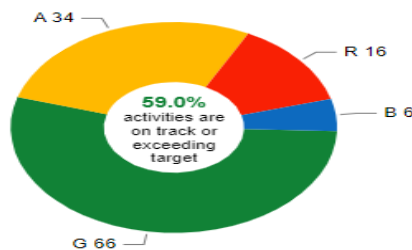
Activity : Overall RAG Status for Activities

A total of **122** activities are available to report against the Corporate Plan.

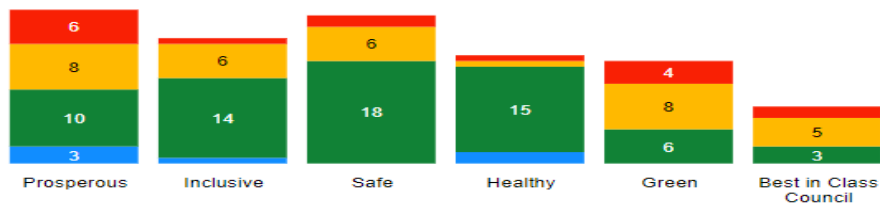
72 (59.0%) are on track or exceeding Target.

16 (13.1%) are reported off track.

Overall Activity RAG Status Overview



Breakdown by Ambition - Overall Performance against ACTIVITIES available to report on



Further detail on the progress towards the full set of milestones can be found in Appendix C.2.

5.5 Summary of performance against KPIs

5.6 The Corporate Performance and Delivery Plan includes 80 KPIs for monitoring and reporting against during 2023/24. This quarter, data is presented for 67 of these. The remaining 13 KPIs are 'not yet due' (NYD) with results to be reported later in the year. 49 of the 65 KPIs due this quarter have targets and are rag rated (Red, Amber, Green). All but one of the KPIs due this quarter have also been assessed in terms of the direction of travel (comparing current performance to either the last reporting period or the same point in the previous year as appropriate).

5.7 At quarter 2 there is a mixed picture in terms of the direction of travel from

quarter 1 for the KPIs that have been reported:

- 29 (43.28%) have improved
- 15 (22.39%) have remained static
- 22 (32.84%) have declined
- 1 (1.49%) does not have a previous comparator
- 13 KPIs are not yet due to be reported until later in the year.

Chart 2 below summarises the direction of travel of the reported KPIs for quarter 2.

Chart 2. Summary of KPI Direction of Travel

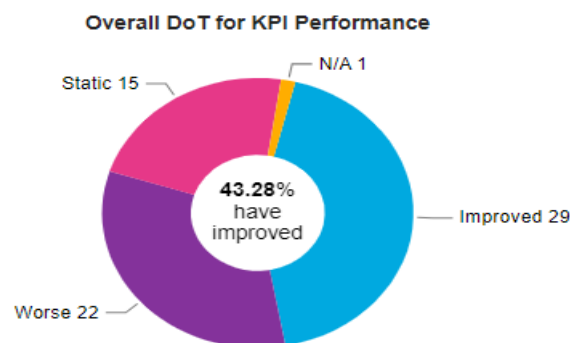
KPI: Direction of Travel Performance Based on Last Quarter or Previous Year

A total of **67** indicators are available for reporting against the Corporate Plan

29 (43.28%) have improved. **22 (32.84%)** have worsened. **15 (22.39%)** have remained static.

1 (1.49%) are reporting for the first time and do not have a trend.

13 are not yet due and will be reported later in the year.



- 5.8 Analysis of the RAG status for the KPIs reported against a target highlights a broadly static position overall, with a marginal increase of 3 in the number of amber rated indicators and 5 fewer green when compared with the quarter 1 report. **Chart 3** overleaf provides an overview of the proportions of Red, Amber and Green KPIs this quarter.

Chart 3. Summary of KPI RAG Status

KPI : Overall RAG Status for KPIs with Targets

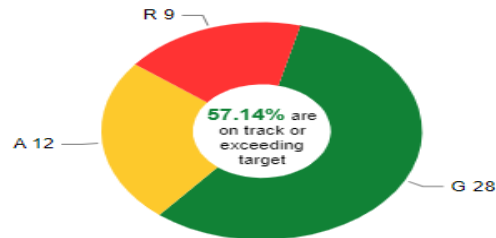
A total of **49** indicators with targets are available to report against the Corporate Plan.

28 (57.14%) are on track or exceeding target,

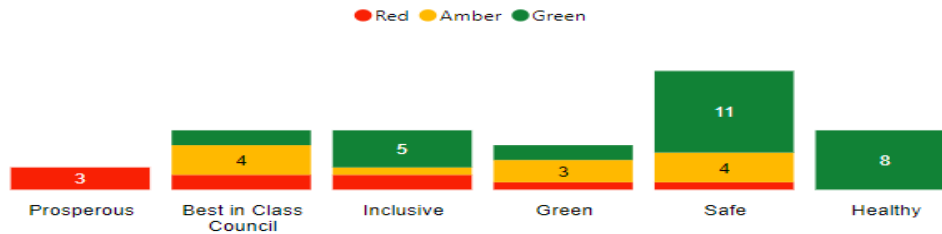
9 (18.4%) are reported off track.

13 are not yet due and will be reported later in the year.

Overall Targeted KPI RAG Status Overview



Breakdown by Ambition - Overall Performance against targeted KPIs available to report on



6 Corporate Plan key successes and delivery achievements, and areas where performance or delivery is not on track.

6.1 The tables below provide a summary for each Be Bold ambition, with further detail provided in the appendices.

A Bold PROSPEROUS Birmingham Delivery Milestones progress: Blue/Green: 13, rated Amber: 8, rated Red: 6 KPI's progress- with Target (RAG): Green: 0, Amber: 0, Red: 3	
Key successes and achievements	Areas where performance or delivery is off target
<ul style="list-style-type: none"> • Breaking down barriers has continued to make progress. The reduction of cost of public transport for 16-to-18-year-olds was launched in Sept 2023 and the careers advice and guidance services was reshaped as part of the recommendations from the implementation plan. (23_2.2) ² • A private sector partner and the further education sector have signed up to the revised Memorandum of Understanding for Birmingham Anchor Network and aims to work towards the shared commitment to create a more inclusive economy in Birmingham. (23_1.3) 	<ul style="list-style-type: none"> • Three delivery milestones related to the implementation of the City Centre Enterprise Zone have High Speed 2 dependencies and are reported red at quarter 2. Commentary is provided at appendix C2. • Additional consultation and engagement around the Adopt our Future City Central Birmingham Framework (23_3.1) has taken place as a result of significant interest in the document. This has led to an extended overall timetable, with a final report and approval expected by March 2024. • No new jobs have yet been created through the Business Growth Programme and this indicator is reported as red. However, there is recognition that a time lag exists between beneficiary companies receiving intervention and subsequently creating the jobs. Commentary at Appendix C2 suggests that the end of year target will be met despite this. (PPS_CP_01)

² Numbers in brackets are ID reference to activities and KPIs noted on Corporate Performance Development Plan 2023-24.

A Bold INCLUSIVE Birmingham

Delivery Milestones progress: Blue/Green: 15, rated Amber: 6, rated Red: 1

KPI's progress-with Target (RAG): Green: 5, Amber: 1, Red: 2

Key successes and achievements	Areas where performance or delivery is off target
<ul style="list-style-type: none"> The 2023/24 Early Education Entitlement (EEE) District Action Plans have been implemented with planned activities to increase EEE take-up. Targeted intervention for families in temporary accommodation has taken place whereby 32% have accessed EEE place during Summer. (23_8.1) Followers on social media (Twitter, Facebook, Instagram, LinkedIn, You Tube and Tik Tok) has seen an upward trajectory and increased by 2.4% from last quarter. (SEP_C0_5). 	<ul style="list-style-type: none"> The delivery milestone “raise the cultural profile and ambition of the city” is rated red, with externally commissioned work to deliver the Cultural Strategy no longer deemed appropriate and alternate delivery methods being assessed. (23_7.1) The total additional income achieved for citizens from benefits / charitable sources by third sector advice providers has seen a decline in performance since the same period last year and is not currently meeting target performance. It is anticipated that performance is recoverable and the year-end target will be met (CO-CP_03).

A Bold SAFE Birmingham

Delivery Milestones progress: Blue/Green: 18, rated Amber: 6, rated Red: 2

KPI's progress- with Target (RAG): Green: 11, Amber 4, Red 1

Key successes and achievements	Areas where performance or delivery is off target
<ul style="list-style-type: none"> 236 private rented sector properties were improved as a result of BCC intervention during quarter 1 (CO_CP_17) and 192 empty properties were brought back into use (CO_CP_18) against a target of 175. These KPI's are showing a positive trajectory quarter on quarter. The percentage of Council housing routine repairs completed within 30 days is performing strongly against target with 94.8% achieved against the contractual target of 92.6%. (CH_CP_02) The percentage of households where homelessness is 	<ul style="list-style-type: none"> The average Children's Social Worker caseload has improved from 19 at quarter 1 to 18 at quarter 2 (lower is better). This is still slightly above the target of 17 but within tolerance and is therefore amber rated. (CF_VS_20) Adults social care clients who are reviewed or reassessed within 12 months is 83%, marginally below the set target of 85% and showing a decline from the previous quarter. A slight dip in performance had been anticipated over the summer and performance is likely to be recoverable during quarters 3 and 4. (AS_CP_04)

<p>prevented improved for quarter 2 and performance is better than the set target (53.6% vs 48.5%). In September the Homelessness Prevention Fund was used to support more households into maintaining secure accommodation and supporting more households into secure accommodation. (CH_CP_O3)</p>	<ul style="list-style-type: none"> • Number of Anti-Social Behaviour Case Review enquiries received was above target by 4 and not achieved the desired performance. A new process has been implemented to improve this and bring it back on track. (CO_CP_28). • The delivery milestone to accelerate the delivery of affordable housing by August 2023 was not achieved and is reported as red for quarter 2. (23_11.1)
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<p>A Bold HEALTHY Birmingham Delivery Milestones progress: Blue/Green: 17, rated Amber: 1 rated Red: 1 KPI's progress- with Target (RAG): Green: 8, Amber 0, Red 0</p>	
<p>Key successes and achievements</p> <ul style="list-style-type: none"> • The number of unique children attending the Holiday Activity Funds Summer programme has exceeded target by 1,518 from this time last year. 82% of children who were eligible for free school meals accessed the summer programme. Their success was due to targeted work with eligible groups. (CF_CP_17) • Adult Social Care clients discharged into pathway 0 and pathway 1 has exceeded the target of 95%, with current performance reported at 98%. Partnership work and working towards the principle of 'home first' has led to the achievement. (AS_CP_07) 	<p>Areas where performance or delivery is off target</p> <ul style="list-style-type: none"> • The Sports Strategy milestone c) Progress the capital works at the Alexander Stadium is paused. Therefore, options for delivery and impacts on the stadium/community are being considered. (23_14.1) • The delivery milestone to review and update the suicide prevention action plan by September 2023 has not been achieved. The action plan review is scheduled to be complete by the end of quarter 3 and an update will be provided in the next report. (23_15.2)

<p>A Bold GREEN Birmingham Delivery Milestones progress: Blue/Green: 6, rated Amber: 8, rated Red: 4 KPI's progress: Green: 2 Amber 3, Red: 1</p>	
<p>Key successes and achievements</p> <ul style="list-style-type: none"> • Birmingham Tree people have successfully secured funding for Winter's community tree planting and will be carry out 	<p>Areas where performance or delivery is off target</p> <ul style="list-style-type: none"> • Reported missed waste collections is reported slightly below profile target for this quarter, with 152 missed collections per 100k scheduled against a

<p>engagement work with selected locations. (23_20.3)</p> <ul style="list-style-type: none"> • There were 82 Love your environment events held of which 43 (52%) were in the 15 worst performing wards. (23_17.1) 	<p>target of 126. The service has had an increased level of staff sickness at one of the depots, which has had an adverse impact on the performance this period. The service is currently identifying repeat missed collections to improve service delivery. (CO_CP_21a)</p> <ul style="list-style-type: none"> • The delivery of the Council's Clean air strategy has been delayed. The overall process is now expected to be complete by Summer 2024. (23_18.1)
<p>A BEST IN CLASS Council</p> <p>Delivery Milestones progress: Blue/Green: 3, rated Amber: 5, rated Red: 2</p> <p>KPI's progress- with Target (RAG): Green: 2 Amber: 4, Red: 2</p>	
<p>Key successes and achievements</p>	<p>Areas where performance or delivery is off target</p>
<ul style="list-style-type: none"> • Business rates collection is on target for this point in the year at 53.51% (CM_OH_04). • The digital strategy is helping to support new ways of working including the customer programme and children's placement portal. (23_21.8) • There has been some improvement in the proportion of top 5% of earners from an ethnic minority from 20% at the end of 22/34 to current performance of 21.21%. (CM_OH_15b) 	<ul style="list-style-type: none"> • Council tax collection rate is below profile target by 2.3%. However, performance compares favourably to the same point last year (50.8%). There is a higher number of citizens defaulting on their payments and increased levels of recovery action for the service to handle. (CM_OH_03) • Housing rents collected is below target by 1.67%, however performance is better than at the same period during last year. It is expected that performance will improve in the next quarter. (CM_OH_05) • Customer satisfaction, as measured by the contact centre survey, is at 53% (2% lower than last quarter), and 11% below target. (CM_OH_07) • The percentage of complaints responded within SLA of 15 working days remains below target by 15%. (CM_OH_08)

7 Options considered and Recommended Proposal

7.1 This report is a performance update. The recommended action is provided in paragraph 2.1.

8 Consultation

8.1 Cabinet Members, Corporate Leadership Team and directorate staff have been involved in discussions around performance against the performance and delivery plan actions and key performance indicators contained within this report and appendices.

9 Risk Management

9.1 This report provides progress against the council's strategic ambitions, and the measures in place to achieve them, and allows for CLT and Cabinet to consider progress against the Council's Corporate Plan priorities.

10 Compliance Issues:

10.1 The Corporate Plan 2022-2026 provides a refreshed statement of Be Bold ambitions and key priorities to be used to develop the Council's policies, plans and strategies.

11 Legal Implications

11.1 There are no direct legal implications arising from this report.

12 Financial Implications

12.1 There are no direct financial implications arising from this report. The activity listed is planned activity and delivery commitments from current plans and strategies. Given the current financial context, a number of these activities and commitments may not now be deliverable.

13 Procurement Implications (if required)

13.1 There are no direct Procurement implications arising from this report.

14 Human Resources Implications (if required)

14.1 There are no direct Human Resources implications arising from this report.

15 Public Sector Equality Duty

15.1 The Corporate Plan 2022-26 sets out the Council's intent to act to address the many challenges the city of Birmingham faces, such as higher than average levels of employment, homelessness, and child poverty.

16 Appendices

- 16.1 Appendix A: Changes and corrections
- 16.2 Appendix B.1: Ambition summaries
- 16.3 Appendix B.2: Performance against key performance indicators
- 16.4 Appendix C.1: Performance against delivery milestones
- 16.5 Appendix C.2: Delivery milestones rated amber and Red.

17 Background Documents

- 17.1 Corporate Plan 2022-2026 (Full City Council 11th October 2022)
- 17.2 Performance and Delivery report to cabinet-Q1 and Q2 2022/23 (13th December 2022)
- 17.3 Performance and Delivery report to cabinet-Q3 2022/23 (21st March 2023)
- 17.4 Corporate Performance and Delivery Plan 2023/24 (Cabinet 27th June 2023)
- 17.5 Performance and Delivery report to cabinet-Q4 2022/23 (27th June 2023)
- 17.6 Performance and Delivery report to cabinet-Q1 2023/24 (5th September 2023)

Appendix A: Changes and corrections

Some minor changes and variations have been made to the delivery activities within the Corporate Performance and Delivery Plan agreed by Cabinet on 27th June 2023 and approved by Directorate leads including Portfolio Holders:

A1. Activities

Ref. No.	Activity milestone description	Reason for change	Lead Directorate	Lead Portfolio	Date of change
23_8.5	Increase breast-feeding through the Family Hub model	Reframed for clarity to: <i>'Through the Healthy Child Programme ensure together with the developing Family Hubs Model we increase breastfeeding rates across the city.'</i>	SEP	H&SC	20/06/2023
23_10.2	Domestic Abuse Prevention Strategy	Reprofiled delivery date	ASC	SJCS&E	05/07/2023
23_21.3	Delivery of the Bold People Service Plan including: a) Strategic priorities including Technology, Permanent Pay Equity (EBEB) and Organisation Change	Reframed for clarity to include reference to job evaluation: <i>'a) strategic priorities including Technology, Organisational Change, Permanent Pay Equity (JE and equal pay) and EBEB'</i>	CM	Leader	25/07/2023
23_21.4	a) implement best in class resourcing and recruitment services	From Q2 onwards, this activity will be tracked as part of reference 23_21.3- Bold People Service Plan (as above)	CM	Leader	25/07/2023
23_21.5	b) initiate job evaluation project	From Q2 onwards, this activity will be tracked as part of 23_21.3- Bold People Service Plan (as above)	CM	Leader	25/07/2023

A2. KPI's

Ref No.	KPI description	Reason for change	Lead Directorate	Lead Portfolio	Date of change
CF_VS_03	Percentage of new Education Health Care Plans (EHCPs) issued within 20 weeks, excluding exceptions	Target adjusted - confirmed target is 65.0%	C&F	CYP&F	19/07/23
CF_VS_19	BCT Measure: Re-referral Rate	Target adjusted-confirmed target is 22%	C&F	CYP&F	19/07/23
CM_OH_14b and CM_OH_14a	Sickness absence (short and long term)	Results for Q1 updated due to robust data quality assurance	CMD	SJCS &E	20/10/23
CO_CP_25	Percentage of offensive/racist graffiti incidents cleared within SLA by street cleansing	Results for Q1 updated due to robust data quality assurance	CO	Neighbourhoods	08/09/23



Appendices B-C

B.1 Ambition Summaries

B.2 Performance against Key Performance Indicators

C.1 Performance against Delivery Milestones

C.2 Delivery Milestones Rated Amber and Red



Appendix B.1: Ambition Summaries

A Bold Prosperous Birmingham

1. Supporting inclusive economic growth

Key Performance Indicators

Measure	Target	Result	DofT	RAG Status
The number of jobs created through the Business Growth Programme	20	0	Worse	R

Activities

Activity	Delivery Date	BRAG Status
Progress Bordesley Park Area Action Plan	December 2024	A
Further harness and develop Birmingham's Council's Charter for Social Responsibility to leverage BCC procurement	March 2024	B
Extend the Cost of Living Programme to include elements of inclusive growth and innovate, incubate, accelerate and mainstream activity across the council	March 2024	A
Embed the Birmingham Anchor Network Memorandum of Understanding building on the shared commitment of members to work together to create a more inclusive economy in Birmingham	March 2024	G
East Birmingham Inclusive Growth Programme - continue to implement phase 1	May 2024	A
Deliver the Living Wage Action Plan	March 2024	A

2. Tackle unemployment

Key Performance Indicators

Measure	Target	Result	DofT	RAG Status
Percentage of 16- and 17- year olds that are Not in or Not Known status, in terms of Education, Employment or Training	16.00%	33.70%	Worse	R
Percentage of 16- and 17- year olds that are participating in Education, Employment or Training	84.00%	63.90%	Worse	R

Activities

Activity	Delivery Date	BRAG Status
Continue to develop and deliver PURE employment activities to inactive vulnerable adults who have complex and multifaceted needs to enable them to get closer and into the labour market	March 2024	B
Implement the Breaking Down Barriers Report (employment support)	March 2024	G



A Bold Prosperous Birmingham

3. Attract inward investment and infrastructure

Key Performance Indicators

Measure	Target	Result	DoT	RAG Status
Private sector investment in the Enterprise Zone	£47m	NYD	NYD	N/A
Public sector investment in the Enterprise Zone	£1m	NYD	NYD	N/A

Activities

Activity	Delivery Date	BRAG Status
Adopt Our Future City Central Birmingham Framework and progress delivery of key actions for delivering the city's growth needs	November 2023	R
Continued implementation of the City Centre Enterprise Zone a) HS2 Curzon station - appoint stage 2 contractor for enhanced public realm	August 2023	R
Continued implementation of the City Centre Enterprise Zone b) Digbeth High Street - complete public realm section 5 handover	December 2023	R
Continued implementation of the City Centre Enterprise Zone c) Moor Street Queensway - Outline business case submitted	February 2024	R
Continued implementation of the City Centre Enterprise Zone d) Southside Public Realm - Full Business Case approved	October 2023	G
Continued implementation of the City Centre Enterprise Zone f) Digbeth High Street - metro works complete	January 2024	G

Activity	Delivery Date	BRAG Status
Progress regeneration programmes: d) Rea Valley Urban Quarter	March 2024	G
Progress regeneration programmes: b) Paradise	March 2024	G
Progress regeneration programmes: a) Birmingham Smithfield	March 2024	A
Progress regeneration programmes: c) Peddimore	March 2024	A
Progress investment programme linked to HS2	August 2024	G
Progress City Region Sustainable Transport Settlement (CRSTS) projects	March 2024	G
Progress Birmingham Development Plan Review	October 2024	A
Continued implementation of the City Centre Enterprise Zone e) Martineau Galleries - Outline Business Case approved	November 2023	R
Continued implementation of the City Centre Enterprise Zone h) Snow Hill - Public Realm project phase 3a works commence	February 2024	G
Continued implementation of the City Centre Enterprise Zone g) Curzon Metro Stop - Stage 2 contract awarded	May 2023	R



4. Maximise the benefits of the Commonwealth Games

Activities

Activity	Delivery Date	BRAG Status
An annual Birmingham Festival that will be a meaningful legacy from the Commonwealth Games	March 2024	B
Position Birmingham as a world renowned major event hosting city	March 2024	G
Progress regeneration of Perry Barr to delivery homes, jobs and Social Value opportunities to benefit local people	March 2024	A



A Bold **Inclusive** Birmingham

5. Tackle poverty and inequalities

Key Performance Indicators

Measure	Target	Result	DofT	RAG Status
Total no. of people supported to achieve the KPI "Maximising income for citizens: a) total additional income achieved for citizens from benefits / charitable sources by the Neighbourhood Advice and Information Service"	N/A	6206	Worse	N/A
Maximising income for citizens: a) total additional income achieved for citizens from benefits / charitable sources by the Neighbourhood Advice and Information Service	3000000	3849798	Worse	G
Total no. of people supported to achieve KPI "Maximising income for citizens: b) total additional income achieved for citizens from benefits / charitable sources by third sector advice providers contracted by the Council"	N/A	1401	Worse	N/A
Maximising income for citizens: b) total additional income achieved for citizens from benefits / charitable sources by third sector advice providers contracted by the Council	1200000	1048798	Worse	R

Activities

Activity	Delivery Date	BRAG Status
Evaluate delivery of the Cost-of-Living Emergency Response Programme	March 2024	A
Integrate the current Financial Inclusion Partnership and strategy into the Cost of Living Programme and deliver objectives set out in the Housing Strategy relating to financial Inclusion	March 2024	G
Introduction of private rented sector licensing schemes that seek to tackle deprivation and crime in 25 wards	March 2024	B
Progress delivery of the Digital Inclusion Strategy	March 2024	A



A Bold **Inclusive** Birmingham

6. Empower citizens and enable the citizen voice

Key Performance Indicators

Measure	Target	Result	DofT	RAG Status
Average opens of Birmingham eBulletin	23366	30381	Improved	G
Number of community organisations developing and submitting crowdfunding and CIL (local element) small grants projects	80	NYD	NYD	N/A
Number of ward forum meetings held by Elected Members annually	69	39	Worse	R
Number of ward plans updated or completed by Elected Members in the year	69	NYD	NYD	N/A
Total number of followers of the corporate social media accounts	304392	304630	Improved	G

Activities

Activity	Delivery Date	BRAG Status
Design and develop an approach to a 'Big Conversation' for Birmingham, including qualitative and quantitative surveys and engagement activities	March 2024	A
Enable more people with a learning disability and/or autistic people to ... get the support they need to live healthy, safe and ordinary lives	March 2024	G
Improve capacity in neighbourhoods	March 2024	A

Activity	Delivery Date	BRAG Status
Progressing and developing the Council's cross-directorate "Working Together in Birmingham's Neighbourhoods" policy	March 2024	G
Re-engineer our approach to tenant engagement	March 2024	G

7. Promote and champion diversity, civic pride and culture

Activities

Activity	Delivery Date	BRAG Status
Commission a range of cultural engagement projects	March 2024	A
Complete refresh of the Heritage Strategy	December 2023	A
Everyone's Battle, Everyone's Business: plan and deliver programme of cultural, faith and other key significant events to build community cohesion	March 2024	G
Everyone's Battle, Everyone's Business: refresh the action plan of activity for 2023/24 onwards	March 2024	G
Raise the cultural profile and ambition of the City	March 2024	R



A Bold **Inclusive** Birmingham

8. Support and enable all children and young people to thrive

Key Performance Indicators

Measure	Target	Result	DofT	RAG Status
Percentage of care leavers in employment, education or training (EET) on their 19th to 21st birthday	62.00%	62.00%	Static	G
Percentage of new Education Health Care (EHC) plans issued within 20 weeks, excluding exceptions	65.00%	65.00%	Worse	G
Early Years Entitlement: Percentage of 2-year-olds accessing Early Education Entitlement (EEE)	76.00%	NYD	NYD	N/A
Care leavers in suitable accommodation aged 19, 20 or 21	95.00%	91.00%	Static	A
Early Years Entitlement: Percentage of 3 and 4-year-olds accessing 15 hours Early Education Entitlement (EEE)	96.00%	NYD	NYD	N/A
Absence Rate: Primary	N/A	NYD	NYD	N/A
Absence Rate: Secondary	N/A	NYD	NYD	N/A
Number of children and young people (aged 5-16) with an EHCP awaiting specialist placements for more than 12 weeks	N/A	145	Improved	N/A
Number of students we provide transport for	N/A	5177	Improved	N/A
Primary school exclusion rate	N/A	0.01%	Improved	N/A
Secondary school exclusions rate	N/A	0.02%	Improved	N/A
Special School Exclusion rate	N/A	0.01%	Improved	N/A

Activities

Activity	Delivery Date	BRAG Status
Commission the Healthy Child Programme (HCP), taking into account the developing Family Hubs Model, in order to achieve the best outcomes for children and young people 0-19	March 2024	G
Further develop the Children and Young Persons' Travel Service	March 2024	G
Further develop the school place sufficiency strategy	March 2024	G
Further improve school attendance, attainment and achievement	March 2024	G
Increase breast-feeding through the Family Hub model	March 2024	G
Take forward the Change for Children and Young People Plan	March 2024	G
Transform and improve services for children with Special Educational Needs and Disabilities (SEND)	March 2024	G
Widen access to Early Education Entitlement (EEE) and improve Early Years multiagency arrangements with health colleagues	March 2024	G



A Bold **Safe** Birmingham

9. Make the city safer

Key Performance Indicators

Measure	Target	Result	DofT	RAG Status
Number of Anti Social Behaviour Case Reviews received	10	14	Static	R
Number of Anti-Social Behaviour incidents reported to the Council	N/A	3064	Worse	N/A
Number of hate crimes reported to the Council	N/A	91	Improved	N/A
Percentage of Category 1 road defects and urgent faults that are attended to and made safe within 2 hours	99.00%	98.01%	Static	A
Percentage of Community Safety 'front door' enquiries closed within 28 days	75.00%	68.00%	N/A	A
Percentage of Streetlight In-Light repairs carried out within service standard (time)	95.00%	97.82%	Static	G

Activities

Activity	Delivery Date	BRAG Status
Expand delivery of Knife Crime Reduction Programme	March 2024	G
Implement the requirements of the Serious Violence Duty	March 2024	G
Update Road Safety Strategy	March 2024	R

Activity

Delivery Date BRAG Status

Work with neighbourhoods, communities and partners to improve community safety by refreshing Council's Anti Social Behaviour Policy	December 2023	G
Work in partnership with schools and DfE to deliver and evaluate a 3-year SAFE (Support, Attend, Fulfil, Achieve) project	March 2024	G

10. Protect and safeguard vulnerable citizens

Key Performance Indicators

Measure	Target	Result	DofT	RAG Status
BCT Measure: Average social worker caseload	17	18	Improved	A
Proportion of Adult Social Care clients reviewed, reassessed or assessed within 12 months	85.00%	83.00%	Worse	A
BCT Measure: Percentage of children in care experiencing three or more moves within a year	9.00%	7.00%	Improved	G
BCT Measure: Percentage of children who become the subject of a Child Protection plan for a second or subsequent time within the last 2 years	14.00%	11.00%	Improved	G
BCT Measure: Re-referral Rate	22.00%	22.00%	Improved	G
Percentage of concluded Adult Social Care Safeguarding enquiries where the desired outcomes were met	85.00%	95.00%	Static	G
Total no. of domestic abuse victims supported through the Part 4 new statutory duty	1650	2008	Static	G



A Bold **Safe** Birmingham

Activities

Activity	Delivery Date	BRAG Status
Develop a Violence Against Women and Girls Strategy and strengthen the link to existing Domestic Abuse Prevention Strategy	March 2024	G
Ensure the effective implementation of the Hate Crime Strategy	December 2023	G
Review and develop a new Domestic Abuse Prevention Strategy	March 2024	G
Strengthen approaches to identify, recognise and respond to the vulnerability of specific groups of children and young people	December 2023	G

11. Increase affordable, safe, green housing

Key Performance Indicators

Measure	Target	Result	DofT	RAG Status
Number of properties improved in the Private Rented Sector as a result of Local Authority intervention	175	236	Improved	G
Percentage of Council housing routine repairs completed within 30 days	92.60%	94.48%	Static	G
Private sector empty properties brought back into use	175	192	Improved	G
Number of affordable homes reaching Practical Completion through the Birmingham Municipal Housing Trust's direct delivery programme	96	NYD	NYD	N/A
Number of homes built that are affordable	10773	NYD	NYD	N/A
Number of new homes completed in the city across all tenures	28350	NYD	NYD	N/A

Activities

Activity	Delivery Date	BRAG Status
Accelerate the delivery of affordable housing	August 2023	R
Complete the 300 home retrofit pilot in East Birmingham	March 2024	G
Continue to progress key housing development and regeneration projects: a) Ladywood Estate	March 2024	G
Continue to progress key housing development and regeneration projects: b) Yardley Brook	March 2024	A
Continue to progress key housing development and regeneration projects: c) Langley Sustainable Urban Extension (SUE)	March 2024	A
Continue to progress key housing development and regeneration projects: d) Druids Heath	March 2024	A
Continue to progress key housing development and regeneration projects: e) Pool Farm Place	March 2024	A
Delivery of Housing Strategy Delivery Plan priorities	March 2024	G
Embed compliance board to oversee delivery of a robust action plan that ensures the service is compliant against statutory requirements	March 2024	A
Implement an Asset Management approach to guide how we invest in and look after our housing stock	March 2024	A
Work with partner agencies and utilise appropriate powers as necessary to ensure the risk from unsafe cladding on private high rise residential buildings is removed	March 2024	G



12. Tackle homelessness

Key Performance Indicators

Measure	Target	Result	DofT	RAG Status
Total numbers of families in Bed and Breakfast over 6 weeks	474	468	Improved	G
Households where homelessness is prevented	48.50%	53.63%	Improved	G

Activities

Activity	Delivery Date	BRAG Status
A continued focus on supported Exempt Accommodation (unregulated supported provision managed by private landlords)	March 2024	G
Addressing rough sleeping including through the pilot work with the Centre for Homelessness Impact so that rough sleeping is prevented, rare, brief and non-recurring	March 2024	G
Ensuring our services are prevention focused, investing in keeping people in their homes, and moving away from reactive, crisis driven service delivery	March 2024	G
Implementing a comprehensive Temporary Accommodation Strategy to ensure families do not remain in B&B longer than 6 weeks	March 2024	G
Review and update the Homelessness Prevention Strategy and Rough Sleeping Addendum	March 2024	G
Utilise appropriate powers to ensure that tenants are protected from illegal eviction and harassment	March 2024	G



A Bold **Healthy** Birmingham

13. Tackle health inequalities

Key Performance Indicators

Measure	Target	Result	DofT	RAG Status
▲				
Number of individual children attending the Holiday Activities and Food programme	24838	26356	Improved	G
Proportion of children aged 2-2½yrs receiving ASQ-3 as part of the Healthy Child Programme or integrated review	85.00%	90.00%	Worse	G
The percentage of NHS Health Checks offered by the total eligible population in the quarter	5.00%	7.81%	Improved	G
The number of NHS Health Checks offered by the total eligible population in the quarter	14283	22301	Improved	G
The number of NHS Health Checks received by the total eligible population in the quarter	7141.5	10935	Improved	G
The percentage of NHS Health Checks received by the total eligible population in the quarter	2.50%	3.83%	Improved	G

Activities

Activity	Delivery Date	BRAG Status
▼		
Production of public health reports: a) Joint Strategic Needs Assessment	December 2023	G
Implement learning from the Birmingham and Lewisham African Health Inequalities Review (BLACHIR)	March 2024	G

Activity	Delivery Date	BRAG Status
▼		
Recommission the uptake of Tier 2 Adult Weight Management Services in targeted disability groups	December 2023	G
Production of public health reports: d) Health needs assessments	March 2024	G
Production of public health reports: c) Community Health profiles	March 2024	G
Production of public health reports: b) The Annual Director of Public Health report	March 2024	G

14. Encourage and enable physical activity and healthy living

Key Performance Indicators

Measure	Target	Result	DofT	RAG Status
Number of children and adult visits utilising the Be Active free leisure offer across all Birmingham Wellbeing and Leisure Centres	69000	84541	Worse	G
Number of physical activity interventions delivered by The Active Wellbeing Society (TAWs) across various programmes including Active Parks, Active Streets, the Run Project and Virtual Activities	N/A	421	Improved	N/A



A Bold **Healthy** Birmingham

Activities

Activity	Delivery Date	BRAG Status
Deliver a city-wide healthy eating campaign targeting food businesses, schools and families	June 2023	G
Deliver a Sport Strategy that recognises diversity and provides inclusive opportunities for all residents to become more active	March 2024	A
Establish and deliver an updated service specification for Be Active and Be Active +	September 2023	B
Production and agreement of a multi agency Physical Activity (PA) Strategy	December 2023	G

15. Champion mental health

Activities

Activity	Delivery Date	BRAG Status
Implement legislative changes arising from the reform of the Mental Health Act	March 2024	G
Review and update the suicide prevention action plan	September 2023	R
Support schools to address concerns around pupils' emotional wellbeing and mental health	March 2024	B

16. Improve outcomes for adults with disabilities and older people

Key Performance Indicators

Measure	Target	Result	DofT	RAG Status
Percentage/Proportion of clients discharged into Pathway 0 & Pathway 1	95.00%	98.00%	Improved	G
The percentage of people who receive Adult Social Care in their own home	N/A	70.00%	Static	N/A

Activities

Activity	Delivery Date	BRAG Status
Continue to prepare for Adult Social Care Reform	March 2024	G
Implement activity identified from the co-produced review of Day Opportunity Services	March 2024	G
Implement shared lives improvement programme	March 2024	G
Intervene earlier and differently by supporting young people entering adulthood to be physically and emotionally resilient	December 2023	G
Work together in the community to better manage ongoing and long-term conditions and to reduce the risk of citizens experiencing health and care crises	June 2024	G
Work with partners to implement the joint Dementia Strategy 2022-2027	March 2024	G



A Bold Green Birmingham

17. Improve street cleanliness

Key Performance Indicators

Measure	Target	Result	DofT	RAG Status
Reported missed collections per 100k collections scheduled	126	152	Worse	A
Recycling, Reuse, and Green Waste (both with and without bottom ash)	40.00%	39.71%	Worse	A
Percentage of waste presented to landfill	11.20%	7.83%	Worse	G
Percentage of offensive/racist graffiti incidents cleared within SLA by Street Cleansing	100%	22.20%	Worse	R
Level of street cleanliness as assessed by the Land Audit Management System (LAMS)	85.00%	85.96%	Static	G
Actual missed collections	N/A	NYD	NYD	N/A

Activities

Activity	Delivery Date	BRAG Status
Progress initiatives to improve the cleanliness of the city including fly tipping and graffiti crews, Grime Watch and targeted waste enforcement	March 2024	G
Develop an environmental education programme for the City that can be presented to all schools in the City	March 2024	A
Continue to promote and support Love Your Environment events to deliver cleaner streets	March 2024	G
Continue to improve the perception and performance of waste collections	March 2024	G

18. Improve air quality

Key Performance Indicators

Measure	Target	Result	DofT	RAG Status
Percentage increase in the number of trips taken by bicycle per annum	2.00%	NYD	NYD	N/A
Percentage of vehicles (passenger car - M1) entering Clean Air Zone that meet the emissions standards of the zone	95.00%	94.40%	Static	A

Activities

Activity	Delivery Date	BRAG Status
Support the strategic air quality objectives through the utilisation of environmental protection powers to improve air quality	March 2024	A
Progress master-planning study at Perry Park and preparing a business case to support its enhancement into a sustainable destination park	March 2024	R
Deliver the Council's Clean Air Strategy	March 2024	A



A Bold **Green** Birmingham

19. Continue on the Route to Net Zero

Activities

Activity	Delivery Date	BRAG Status
▲		
Birmingham Transport Plan delivery	March 2024	A
Continue to deliver the Route to Zero Programme comprising a portfolio of short-, medium- and long-term projects designed to reduce carbon emissions	March 2024	G
Develop future waste strategy to develop a shared vision for the City's waste post 2034	March 2024	A
Finalise scope and commence delivery of a climate change strategy	March 2024	R
Further develop Birmingham District Energy Company decarbonisation road map	March 2024	A
Launch an engagement and behaviour change strategy	March 2024	A
Work with City Housing and Housing Development on a city-wide delivery and funding plan to improve the energy performance and decarbonisation of existing and new housing	March 2024	R

20. Be a city of nature

Activities

Activity	Delivery Date	BRAG Status
▼		
Review the current provision in our Parks and Open spaces by supporting Partners to submit bid applications to achieve local improvements	March 2024	G
Progress Urban Forest Accelerator pilot	October 2024	G
Progress the Urban Nature Development Programme	December 2023	R
Progress the City of Nature Plan	March 2024	A



A Bold Best in Class Council

21. Delivering a bold Best in Class Council

Key Performance Indicators

Measure	Target	Result	DofT	RAG Status
▲				
% of customer / citizen complaints responded to within SLA	90.00%	75.00%	Worse	R
% of housing rents collected	90.10%	88.43%	Improved	A
% of ombudsmen complaints upheld	N/A	30.86%	Improved	N/A
Business rates collection rate (as % of due in entire year)	53.43%	53.51%	Worse	G
Complaints received per 1,000 residents	N/A	1.76	Improved	N/A
Council tax collection rate	53.73%	51.38%	Static	A
Health and Safety - HSE notifiable instances	0	3	Improved	A
Level of borrowing (this is the amount of the Council's budget that funds debt per annum, the aim is to reduce this percentage)	30.00%	30.00%	Static	G
Level of general fund reserves (unearmarked reserves) - %	4.50%	4.15%	Worse	A
Number of customers registering satisfaction with the Council (Contact Centre Survey)	64.00%	53.00%	Worse	R
Proportion of top 5% per cent earners who are from an ethnic minority	N/A	21.21%	Improved	N/A
Proportion of top 5% per cent earners who are women	N/A	50.29%	Static	N/A
Proportion of top 5% per cent earners who have a disability	N/A	8.84%	Static	N/A

Measure	Target	Result	DofT	RAG Status
Staff Absence: (b) Long-term absence rate	N/A	2.05	Improved	N/A
Staff Absence: (a) Short-term absence rate	N/A	0.69	Worse	N/A

Activities

Activity	Delivery Date	BRAG Status
▼		
Lead development of strategy to achieve Medium-term financial stability	March 2024	R
Ensure best in class services across the Council introducing a corporate approach for assessing and improving services to become best in class	March 2024	A
Drive the Council's Digital Strategy	March 2024	G
Develop and deliver a communications strategy aligned to the Corporate Plan priorities	September 2023	R
Delivery of the Bold People Service Plan	March 2024	A
Deliver year 2 of the Customer Service programme	March 2024	A
Deliver commercial excellence through robust, efficient, and effective commercial governance	March 2024	A
Build and embed a culture of data driven decision making	March 2024	G



BE BOLD BE BIRMINGHAM

A Bold Best in Class Council

Activity	Delivery Date	BRAG Status
Continued delivery of Workforce Race Equality actions as part of 'Everyone's Battle, Everyone's Business'	March 2024	G
Continue the implementation of our Strategy 'Everyone's Battle, Everyone's Business'	March 2024	A



KPIs which are rated as Amber, Red, or Worse in this reporting cycle

Year and Cycle	2022-23 Report_Cycle3			2022-23 Report_Cycle4			2023-24 Report_Cycle1			2023-24 Report_Cycle2		
Measure	Target	Result	RAG	Target	Result	RAG	Target	Result	RAG	Target	Result	RAG
ASC_CP_04 - Proportion of Adult Social Care clients reviewed, reassessed or assessed within 12 months	85.00%	69.00%	R	85.00%	84.00%	A	85.00%	85.00%	G	85.00%	83.00%	A
CF_CP_02 - Care leavers in suitable accommodation aged 19, 20 or 21	93.00%	91.00%	A	93.00%	93.00%	G	95.00%	92.00%	A	95.00%	91.00%	A
CF_CP_28 - Percentage of 16- and 17- year olds that are Not in or Not Known status, in terms of Education, Employment or Training							7.00%	5.90%	G	16.00%	33.70%	R
CF_CP_30 - Percentage of 16- and 17- year olds that are participating in Education, Employment or Training							93.00%	93.10%	G	84.00%	63.90%	R
CF_VS_20 - BCT Measure: Average social worker caseload	15	18	A	15	18	A	17	19	A	17	18	A
CM_OH_03 - Council tax collection rate	78.90%	73.76%	R	92.75%	90.16%	A	28.72%	27.22%	R	53.73%	51.38%	A
CM_OH_05 - % of housing rents collected	93.20%	97.40%	G	94.60%	96.78%	G	82.70%	91.11%	G	90.10%	88.43%	A
CM_OH_07 - Number of customers registering satisfaction with the Council (Contact Centre Survey)	64.00%	53.00%	R	64.00%	54.00%	R	64.00%	55.00%	R	64.00%	53.00%	R
CM_OH_08 - % of customer / citizen complaints responded to within SLA	90.00%	75.00%	R	90.00%	65.00%	R	90.00%	77.00%	R	90.00%	75.00%	R
CM_OH_13 - Health and Safety - HSE notifiable instances	0	3	A	0	5	R	0	4	R	0	3	A
CM_OH_16a - Level of general fund reserves (unearmarked reserves) - %	4.50%	5.00%	G	4.50%	5.00%	G	4.50%	4.15%	A	4.50%	4.15%	A
CO_CP_03 - Maximising income for citizens: b) total additional income achieved for citizens from benefits / charitable sources by third sector advice providers contracted by the Council	2400000	2698455	G	3600000	4107600	G	5000000	5339791	G	1200000	1048798	R
CO_CP_05 - Number of ward forum meetings held by Elected Members annually	138	46	R	207	111	R	276	174	R	69	39	R
CO_CP_16 - Percentage of Category 1 road defects and urgent faults that are attended to and made safe within 2 hours	99.00%	97.50%	R	99.00%	98.22%	R	99.00%	98.30%	A	99.00%	98.01%	A
CO_CP_21a - Reported missed collections per 100k collections scheduled	126	170	R	126	219	R	126	142	A	126	152	A
CO_CP_23 - Recycling, Reuse, and Green Waste (both with and without bottom ash)	40.00%	41.00%	G	40.00%	40.09%	G	41.00%	44.81%	G	40.00%	39.71%	A
CO_CP_25 - Percentage of offensive/racist graffiti incidents cleared within SLA by Street Cleansing	N/A	42.90%	N/A	N/A	14.30%	N/A	100%	58.60%	R	100%	22.20%	R
CO_CP_27 - Percentage of Community Safety 'front door' enquiries closed within 28 days							75.00%	NYD	N/A	75.00%	68.00%	A
CO_CP_28 - Number of Anti Social Behaviour Case Review enquiries received							16	14	G	10	14	R
PPS_CP_01 - The number of jobs created through the Business Growth Programme	300	435	G	400	479	G	0	NYD	N/A	20	0	R
PPS_CP_08 - Percentage of vehicles (passenger car - M1) entering Clean Air Zone that meet the emissions standards of the zone							94.50%	93.84%	A	95.00%	94.40%	A

Year and Cycle	2022-23 Report_Cycle3		2022-23 Report_Cycle4		2023-24 Report_Cycle1		2023-24 Report_Cycle2	
	Result	RAG	Result	RAG	Result	RAG	Result	RAG
CM_OH_14a - Staff Absence: (a) Short-term absence rate	0.81	No Target - Worse	0.77	No Target - Improved	0.63	No Target - Improved	0.69	No Target - Worse
CO_CP_02 - Total no. of people supported to achieve the KPI "Maximising income for citizens: a) total additional income achieved for citizens from benefits / charitable sources by the Neighbourhood Advice and Information Service"	18253	No Target - New	30329	No Target - New	39223	No Target - Improved	6206	No Target - Worse
CO_CP_04 - Total no. of people supported to achieve KPI "Maximising income for citizens: b) total additional income achieved for citizens from benefits / charitable sources by third sector advice providers contracted by the Council"	3223	No Target - New	4656	No Target - New	6275	No Target - Improved	1401	No Target - Worse
CO_CP_12 - Number of Anti-Social Behaviour incidents reported to the Council	100%	G	5391	G	1417	No Target - Static	3064	No Target - Worse



Appendix B.2: Performance against Key Performance Indicators

A Bold Prosperous Birmingham

Measure: PPS_CP_01 - The number of jobs created through the Business Growth Programme

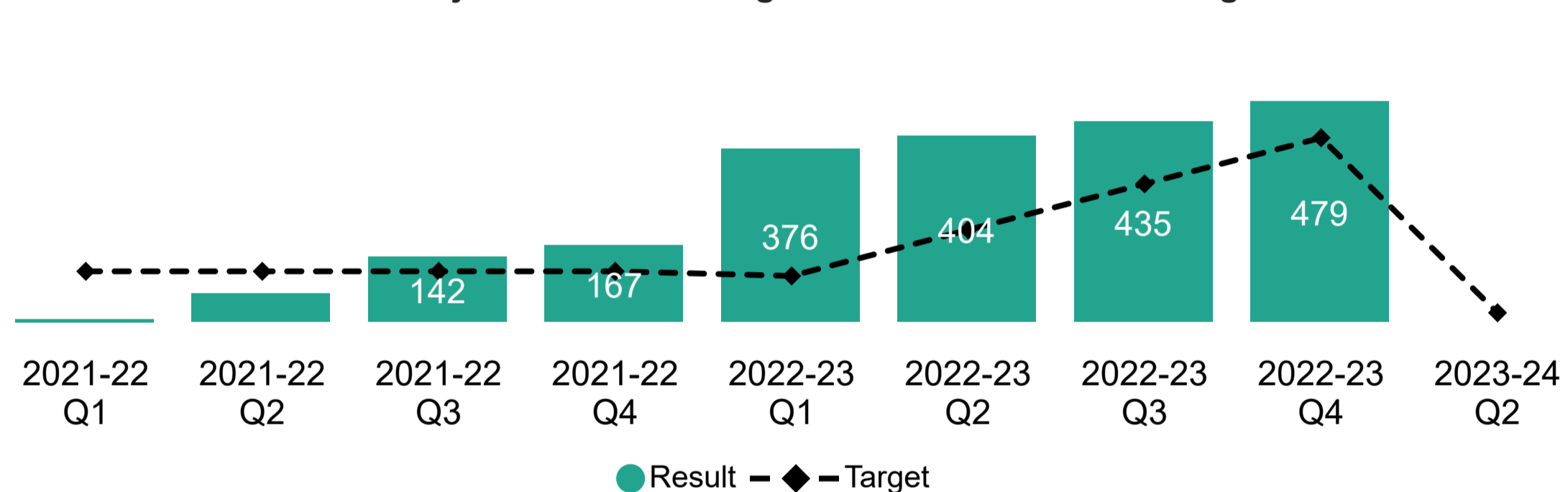
Portfolio: Leader

Directorate: Places, Prosperity and Sustainability (PPS)

Latest Summary:

Pref. DoT	Target	Result	DoT	RAG Status
▲	20	0	Worse	R

The number of jobs created through the Business Growth Programme



Latest Comments

No new jobs have been logged as yet. Due to delays in starting delivery of the programme and the fact that our beneficiary SMEs have up to 7 months following our intervention to create the jobs there is time lag getting the jobs through. As of end September we have 88 jobs to be created in Birmingham by end of March, and this will increase over the next 2/3 months so we have no concerns about meeting the target.

A Bold Prosperous Birmingham

Measure: CF_CP_30 - Percentage of 16- and 17- year olds that are participating in Education, Employment or Training

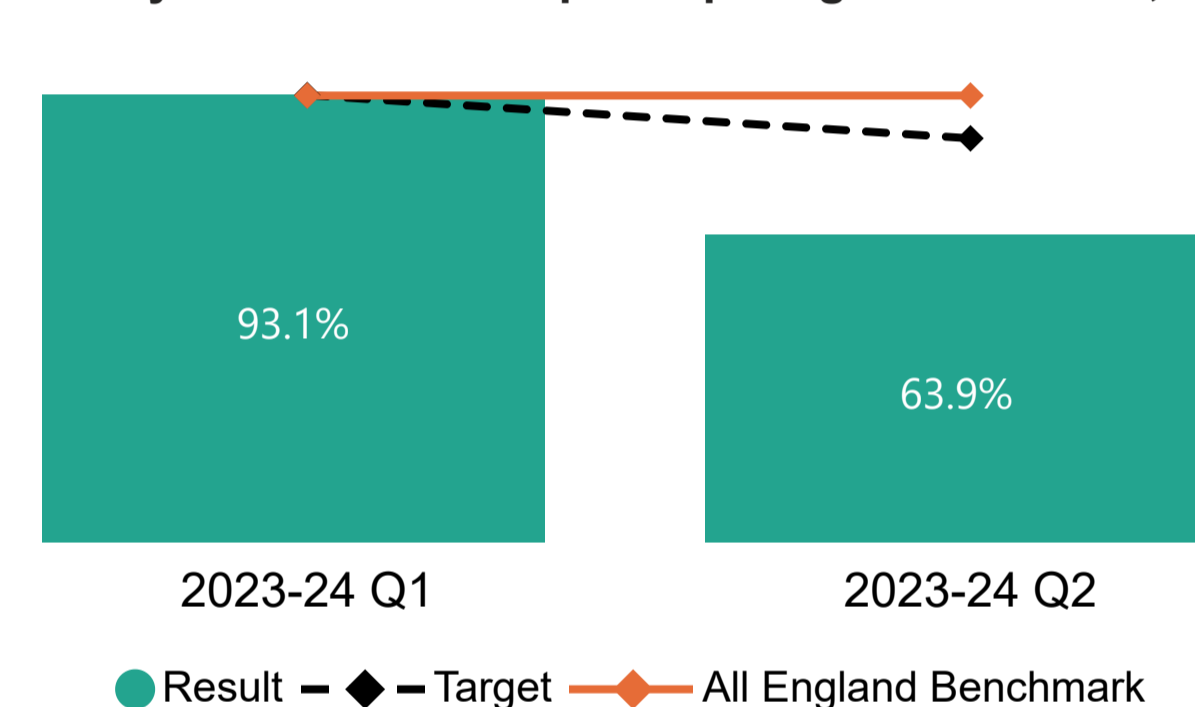
Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoT	Benchmark	Target	Result	DoT	RAG Status
▲	92.90%	84.00%	63.90%	Worse	R

Percentage of 16- and 17- year olds that are participating in Education, Employment or Training



Latest Comments

This is the start of the new recording of the figures for department for education, all local authorities will be measured against the September data during the next 12 months. The figure will change on a daily basis as we are currently confirming with providers enrolment data and who is actively engaging. The DfE set a 3-month period for Local Authorities to confirm these details, and the reporting months are Dec 2023 - Feb 2024. The figure for this year is small increase from the same time last year (60%)



A Bold Prosperous Birmingham

Measure: CF_CP_28 - Percentage of 16- and 17- year olds that are Not in or Not Known status, in terms of Education, Employment or Training

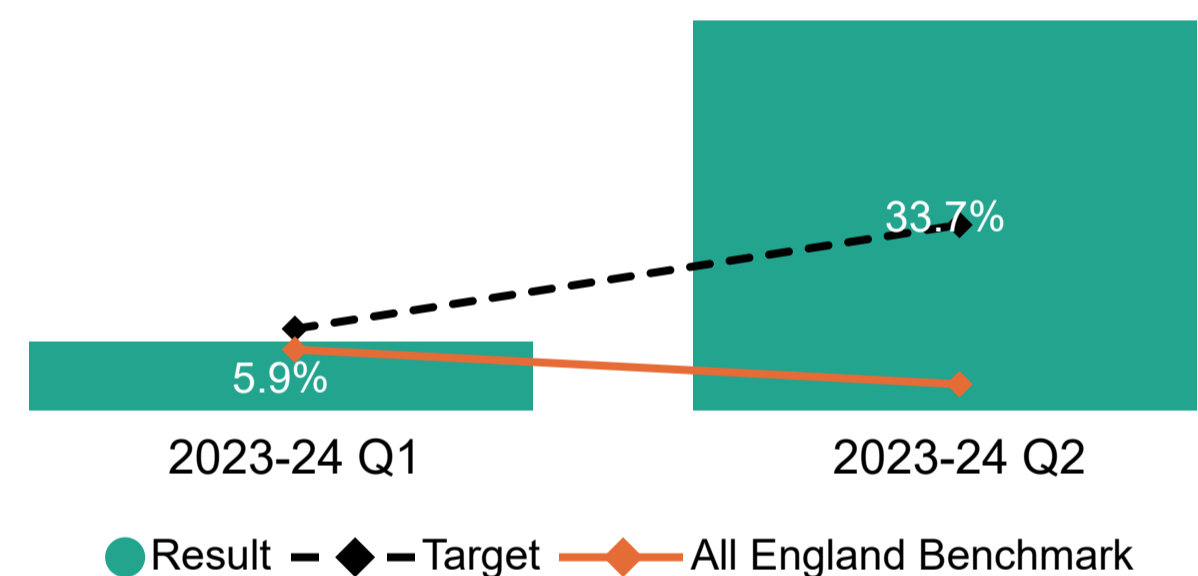
Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoIT	Benchmark	Target	Result	DoIT	RAG Status
▼	2.20%	▲ 16.00%	33.70%	Worse	R

Percentage of 16- and 17- year olds that are Not in or Not Known status, in terms of Education, Employment or Training



Latest Comments

This is the start of the new recording of the figures for department for education, all local authorities will be measured against the September data during the next 12 months. 33.7% of this figure is Not Known but from October onwards this figure will reduce as we receive data from providers. for example at the time of reporting it has reduced to 5.45%. Young people are supported by Birmingham Careers Services, case loaded to personal advisors for impartial advice and guidance.

A Bold Prosperous Birmingham

Measure: PPS_CP_02 - Public sector investment in the Enterprise Zone

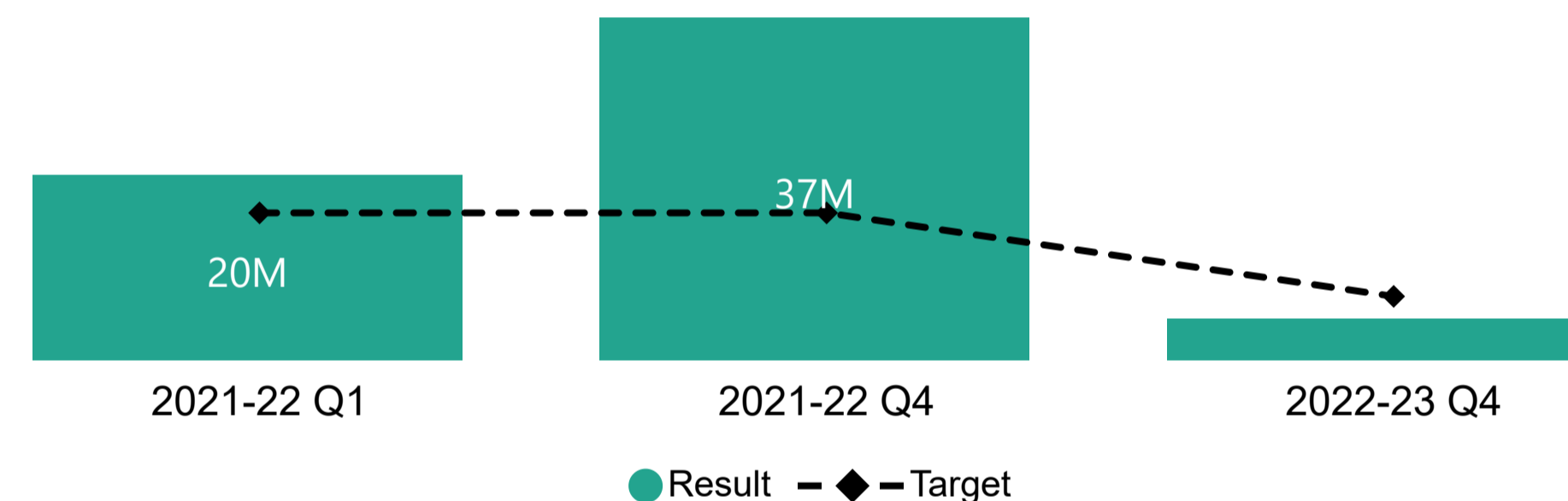
Portfolio: Leader

Directorate: Places, Prosperity and Sustainability (PPS)

Latest Summary:

Pref. DoIT	Target	Result	DoIT	RAG Status
▲	£1m	NYD	▲ NYD	NYD

Public sector investment in the Enterprise Zone



Latest Comments

This is annual measure and will be reported at Quarter 4 2023/24.



A Bold Prosperous Birmingham

Measure: PPS_CP_06 - Private sector investment in the Enterprise Zone

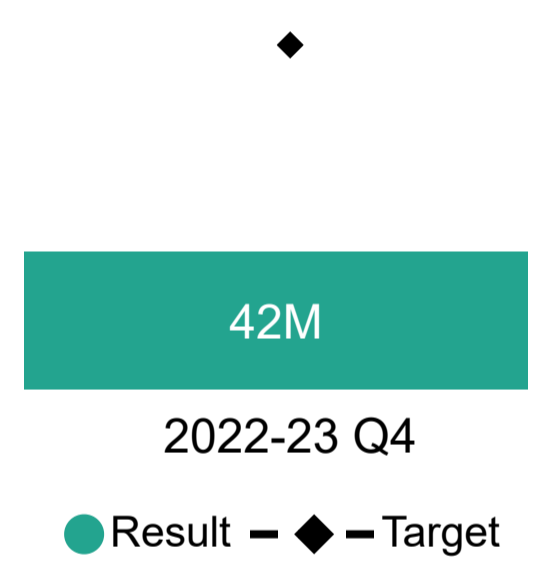
Portfolio: Leader

Directorate: Places, Prosperity and Sustainability (PPS)

Latest Summary:

Pref. DoIT	Target	Result	RAG Status
▲	£47m	NYD	N/A

Private sector investment in the Enterprise Zone



Latest Comments

This is annual measure and will be reported at Quarter 4 2023/24.



A Bold **Inclusive** Birmingham

Measure: CO_CP_01 - Maximising income for citizens: a) total additional income achieved for citizens from benefits / charitable sources by the Neighbourhood Advice and Information Service

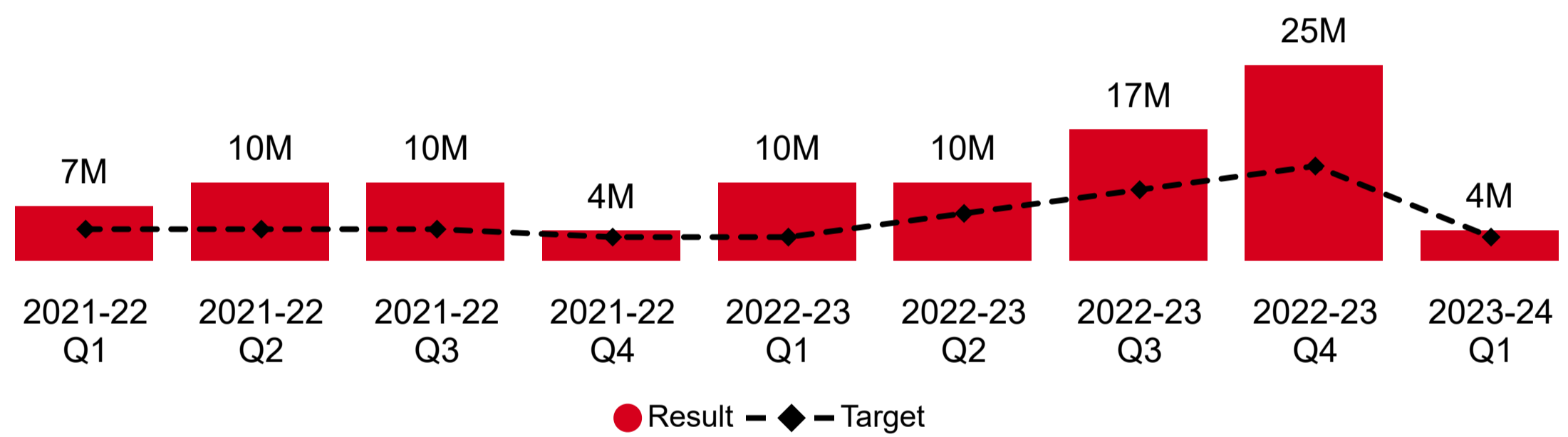
Portfolio: Finance & Resources

Directorate: City Operations

Latest Summary:

Pref. DoT	Target	Result	DoT	RAG Status	Reporting in arrears?
▲	3M	4M	Worse	G	Quarter

Maximising income for citizens: a) total additional income achieved for citizens from benefits / charitable sources by the Neighbourhood Advice and Information Service



Latest Comments

This KPI is reported one quarter in arrears. The Quarter 1 result of £3,849,798 has exceeded the £3,000,000 target for this period. To achieve this level of income maximisation reported in Quarter 1, NAIS supported 6,206 people. The result for the same period last year was 8,305 people (2022-23 Q1).

Local Welfare Provision (LWP) crisis cards are now posted to citizens by the Benefit Service instead of collected in person from the Neighbourhood Advice and Information Service (NAIS) centres and, subsequently, numbers of citizen visits may be lower this year. The advisor resource freed up from LWP duties will be redirected toward new Early Intervention and Prevention / Homes and Money casework.

Quarter 1 performance is satisfactory and on track to meet the year-end target.

NB: Direction of travel (DoT) status compares against same quarter last year.

A Bold **Inclusive** Birmingham

Measure: CO_CP_02 - Total no. of people supported to achieve the KPI "Maximising income for citizens: a) total additional income achieved for citizens from benefits / charitable sources by the Neighbourhood Advice and Information Service"

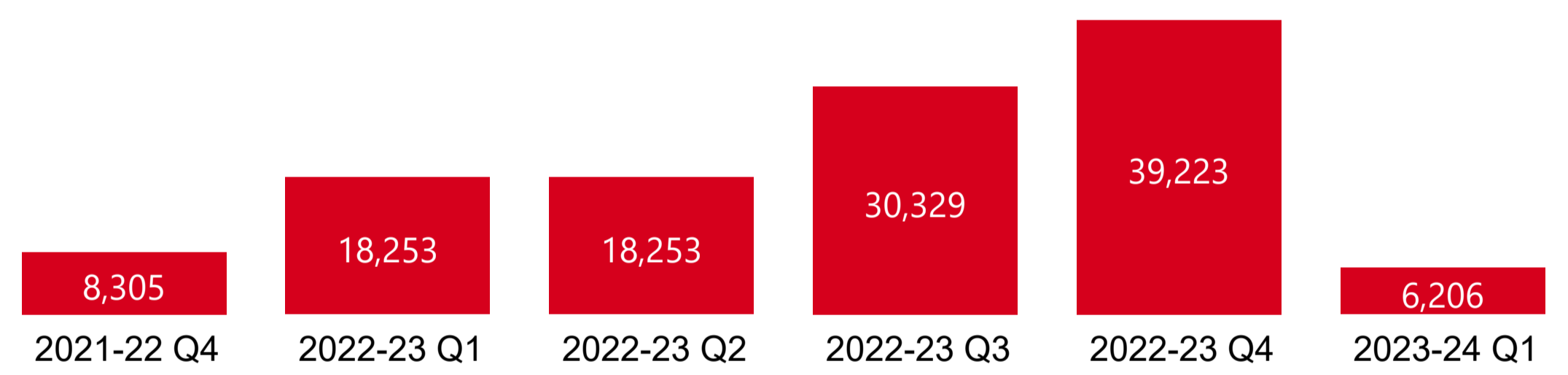
Portfolio: Finance & Resources

Directorate: City Operations

Latest Summary:

Pref. DoT	Target	Result	DoT	Reporting in arrears?
▲	N/A	6206	Worse	Quarter

Total no. of people supported to achieve the KPI "Maximising income for citizens: a) total additional income achieved for citizens from benefits / charitable sources by the Neighbourhood Advice and Information Service"



Latest Comments

(Same commentary as KPI "Maximising income for citizens: a)", as these are composite KPIs).

NB: Direction of travel (DoT) status compares against same quarter last year.



A Bold **Inclusive** Birmingham

Measure: CO_CP_03 - Maximising income for citizens: b) total additional income achieved for citizens from benefits / charitable sources by third sector advice providers contracted by the Council

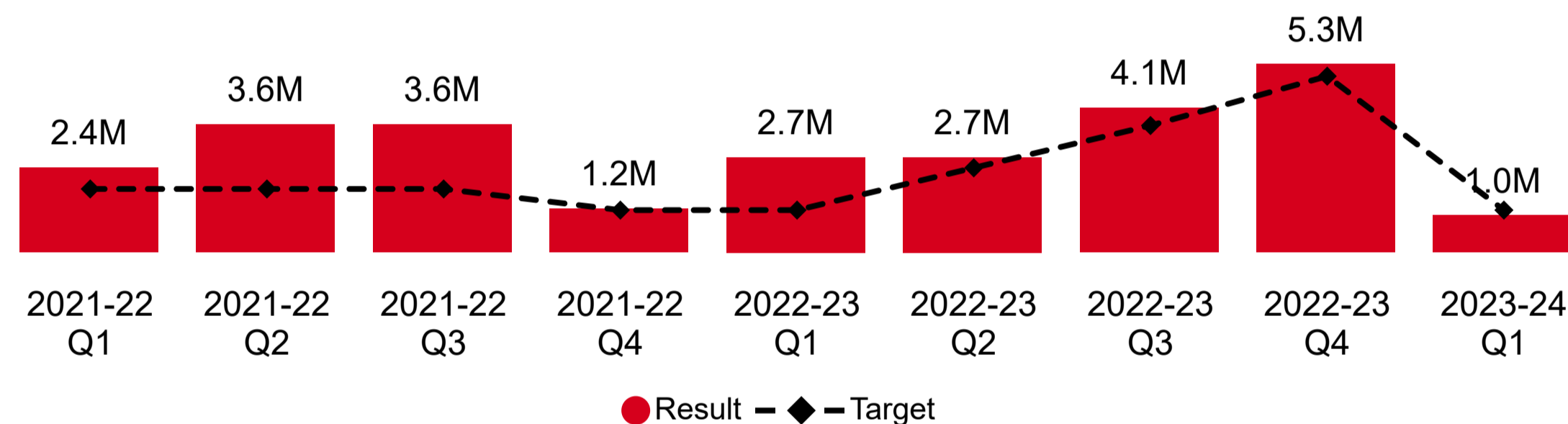
Portfolio: Finance & Resources

Directorate: City Operations

Latest Summary:

Pref. DoT	Target	Result	DoT	RAG Status	Reporting in arrears?
▲	1M	1.05M	Worse	R	Quarter

Maximising income for citizens: b) total additional income achieved for citizens from benefits / charitable sources by third sector advice providers contracted by the Council



Latest Comments

This KPI is reported one quarter in arrears. The Quarter 1 result of £1,048,798 has not achieved the £1,200,000 target for this period. To achieve this level of income maximisation reported in Quarter 1, the third sector advice partners have supported 1,401 people. The result for the same period last year was 1,508 people (2022-23 Q1).

Performance review discussions are ongoing and, whilst performance is a little below the profile target, it is anticipated that, with three quarters of the year ahead, performance will improve and the year-end target will be achieved. With Household Support Funding for citizens not available until the second quarter income maximisation opportunities have been more limited but this will become available in the second quarter onwards and performance is likely to improve.

NB: Direction of travel (DoT) status compares against same quarter last year.

A Bold **Inclusive** Birmingham

Measure: CO_CP_04 - Total no. of people supported to achieve KPI "Maximising income for citizens: b) total additional income achieved for citizens from benefits / charitable sources by third sector advice providers contracted by the Council"

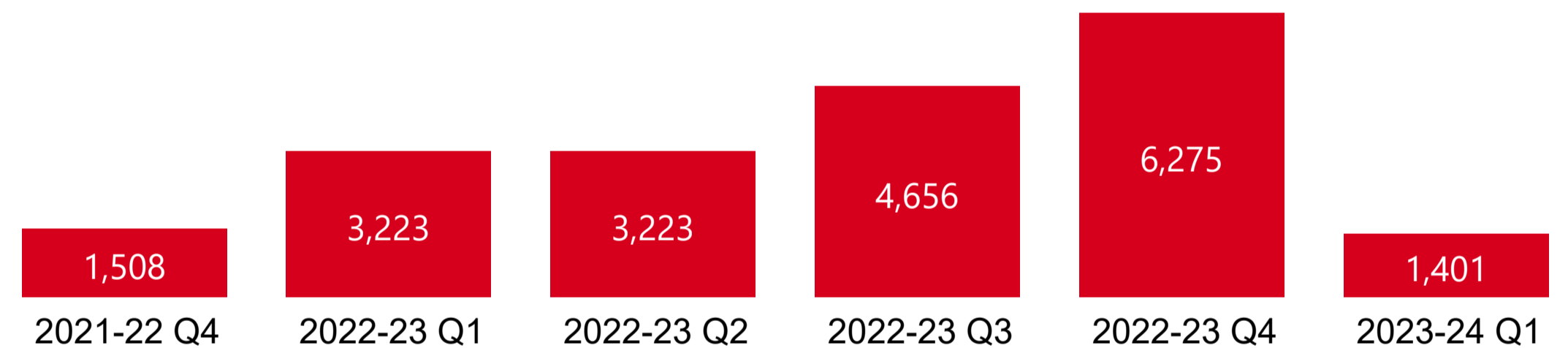
Portfolio: Finance & Resources

Directorate: City Operations

Latest Summary:

Pref. DoT	Target	Result	DoT	Reporting in arrears?
▲	N/A	1401	Worse	Quarter

Total no. of people supported to achieve KPI "Maximising income for citizens: b) total additional income achieved for citizens from benefits / charitable sources by third sector advice providers contracted by the Council"



Latest Comments

(Same commentary as KPI "Maximising income for citizens: b)", as these are composite KPIs).

NB: Direction of travel (DoT) status compares against same quarter last year.



A Bold **Inclusive** Birmingham

Measure: CO_CP_05 - Number of ward forum meetings held by Elected Members annually

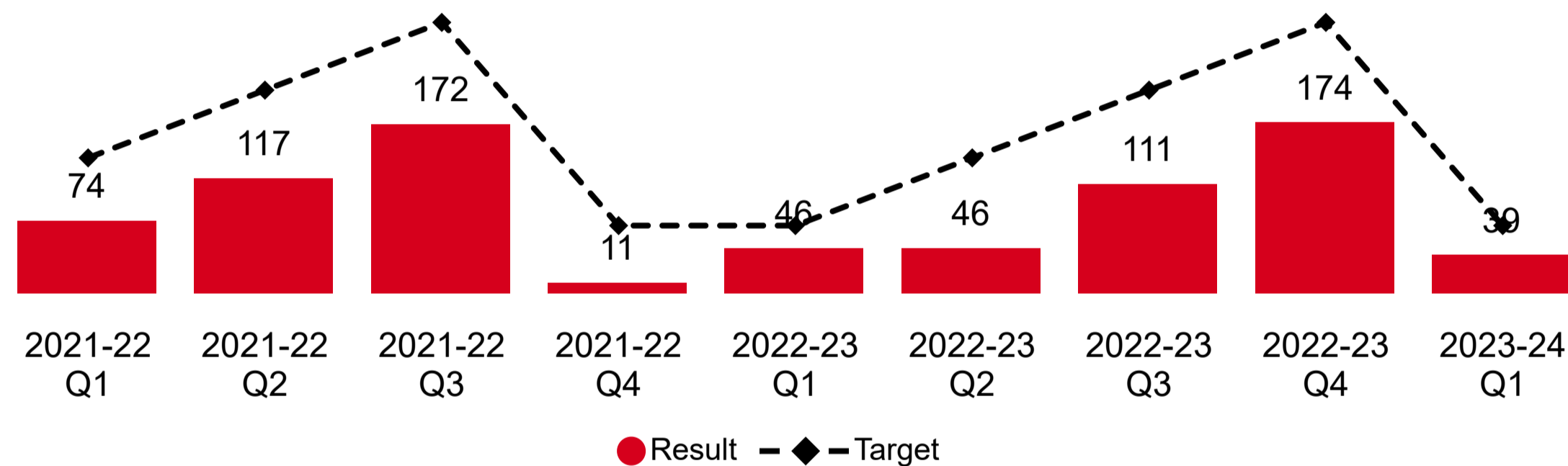
Portfolio: Leader

Directorate: City Operations

Latest Summary:

Pref. DoT	Target	Result	DoT	RAG Status	Reporting in arrears?
▲	69	39	Worse	R	Quarter

Number of ward forum meetings held by Elected Members annually



Latest Comments

This KPI is reported one quarter in arrears. The year-to-date (Apr-Jun) result of 39 meetings hasn't achieved the target of 69. This is based on one meeting held per ward in each quarter as per the constitution. Some Councillors book meetings in advance, others arrange meetings more ad hoc when they're needed. Community Governance Managers from the Neighbourhood Development and Support Unit continue to engage with councillors who haven't yet been in touch and will encourage all Councillors to book meetings. 5 meetings were cancelled this quarter due to officer availability, venue availability, Cabinet Member commitments, and police advice. The service are expecting Q2 figures to be higher than Q1 as (at the time of writing) there were 41 meetings already scheduled across July, August and September. However, this period also covers the summer break which may have an impact on overall meeting numbers.
 NB: Direction of travel (DoT) status compares against same quarter last year.

A Bold **Inclusive** Birmingham

Measure: CO_CP_06 - Number of ward plans updated or completed by Elected Members in the year

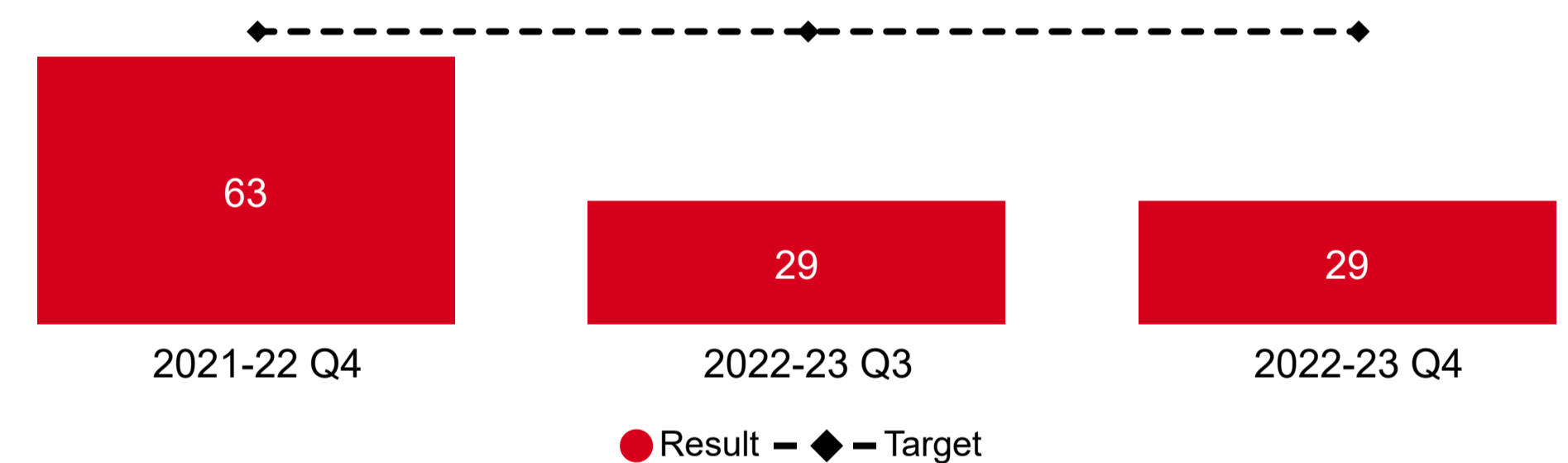
Portfolio: Leader

Directorate: City Operations

Latest Summary:

Pref. DoT	Target	Result	DoT	RAG Status	Reporting in arrears?
▲	69	NYD	NYD	NYD	Quarter

Number of ward plans updated or completed by Elected Members in the year



Latest Comments

This KPI is reported annually but updates are available each quarter (one quarter in arrears). Q1 update: 38 ward action plans completed (year-end target is 69, one per ward). 28 plans are in progress and 3 are rated red as no information relating to progress has been received. Elected Members are responsible for ensuring a plan is submitted for their ward, with support from officers where needed. Support from the Neighbourhood Development Support Unit is ongoing for Members, officers and residents engaging in the process. Quarterly drop-in sessions will continue, allowing members to share progress and/or troubleshoot issues. These sessions also help to understand any blockages with outstanding ward plans. Localised funding is already aligned to local priorities and it's understood that upcoming/future funds will also align to these priorities, necessitating ward action plans to access funding.
 NB: Direction of travel (DoT) status compares against same quarter last year.



A Bold **Inclusive** Birmingham

Measure: CO_CP_07 - Number of community organisations developing and submitting crowdfunding and CIL (local element) small grants projects

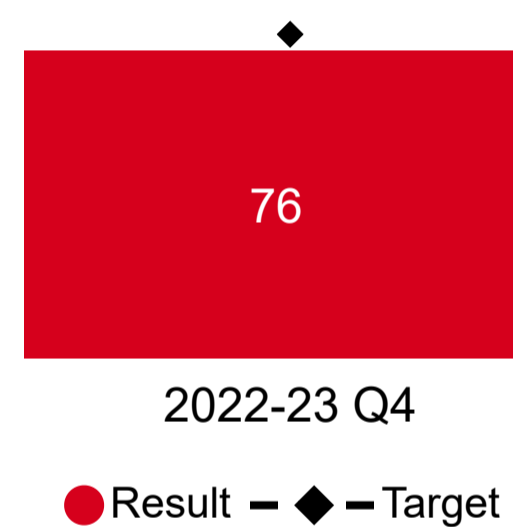
Portfolio: Leader

Directorate: City Operations

Latest Summary:

Pref. DoT	Target	Result	DoT	RAG Status
▲	80	NYD	▲	NYD

Number of community organisations developing and submitting crowdfunding and CIL (local element) small grants projects



Latest Comments

This KPI is reported annually but progress updates are available each quarter (one quarter in arrears). Quarter 1 progress update: 12 organisations expressed an interest in developing crowdfunding campaigns with 4 developing full campaigns.

As the figures are lower than expected so far, the service have put in place marketing and communications arrangements and a launch webinar, for the next campaign round.

NB: Direction of travel (DoT) status compares against same quarter last year.

A Bold **Inclusive** Birmingham

Measure: SEP_CP_04 - Average opens of Birmingham eBulletin

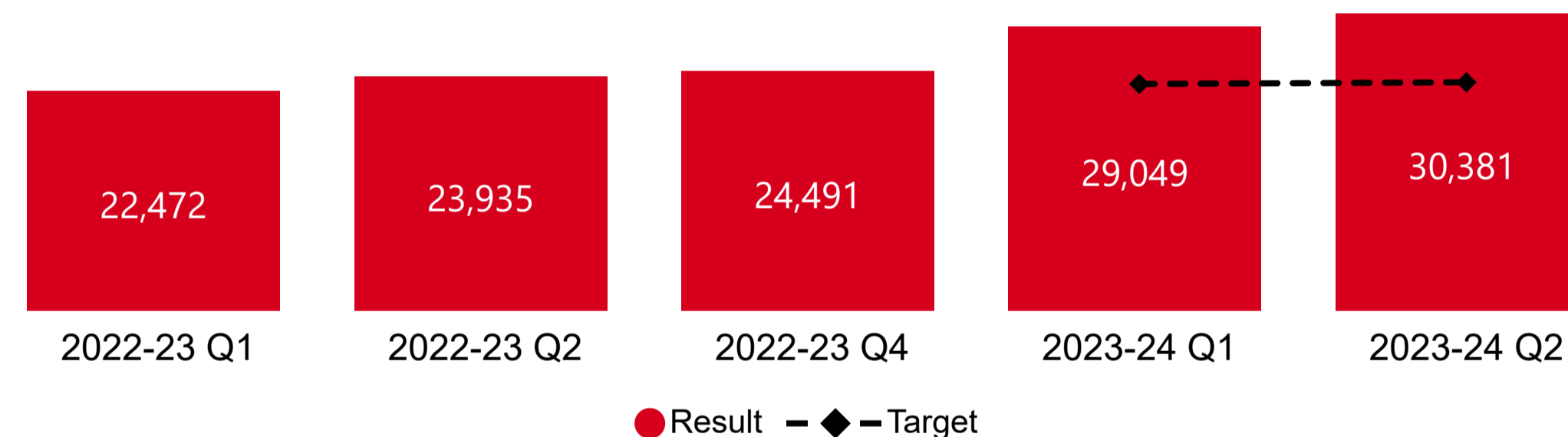
Portfolio: Leader

Directorate: Strategy, Equality and Partnerships (SEP)

Latest Summary:

Pref. DoT	Target	Result	DoT	RAG Status
▲	23,366	30,381	Improved	G

Average opens of Birmingham eBulletin



Latest Comments

The average number of opens has risen by 4.6% on the previous quarter. The number of subscribers receiving the Birmingham Bulletin has also increased from 77k to 77.3k.



A Bold **Inclusive** Birmingham

Measure: SEP_CP_05 - Total number of followers of the corporate social media accounts

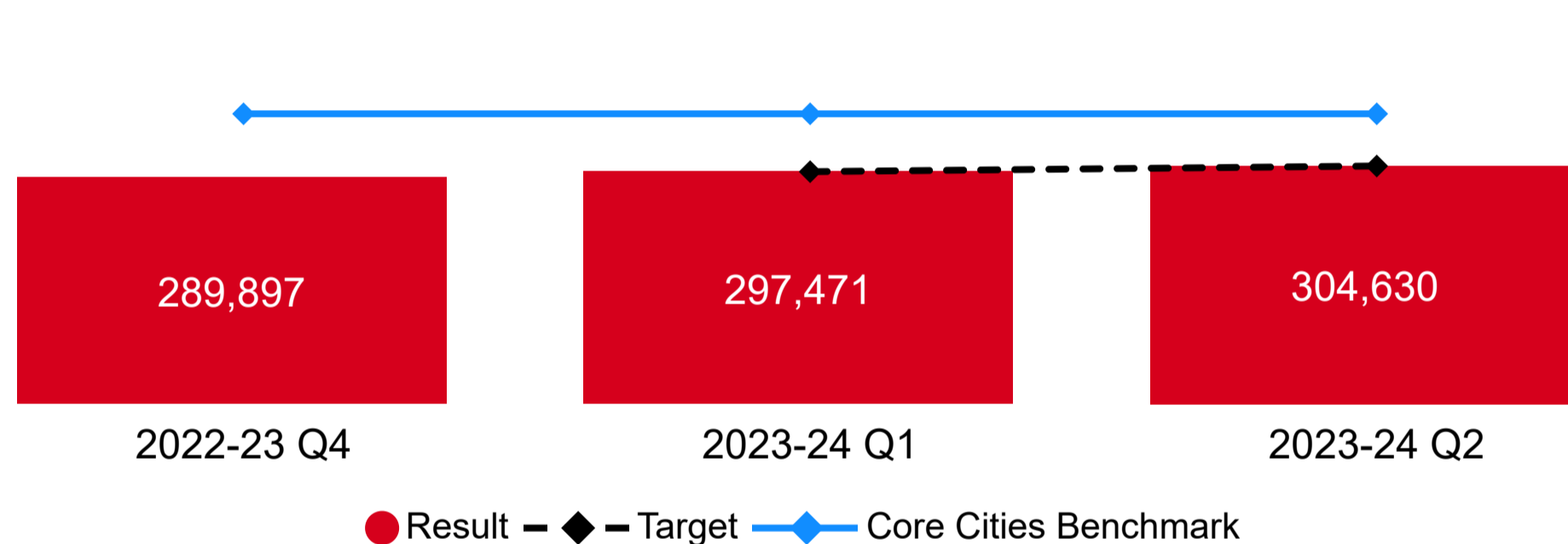
Portfolio: Leader

Directorate: Strategy, Equality and Partnerships (SEP)

Latest Summary:

Pref. DoT	Benchmark	Target	Result	DoT	RAG Status
▲	371190	304,392	304,630	Improved	G

Total number of followers of the corporate social media accounts



Latest Comments

Followers of the corporate accounts of Twitter, Facebook, Instagram, LinkedIn, You Tube and Tik Tok have increased by 2.4% from the end of the previous quarter.

A Bold **Inclusive** Birmingham

Measure: CF_CP_11 - Early Years Entitlement: Percentage of 2-year-olds accessing Early Education Entitlement (EEE)

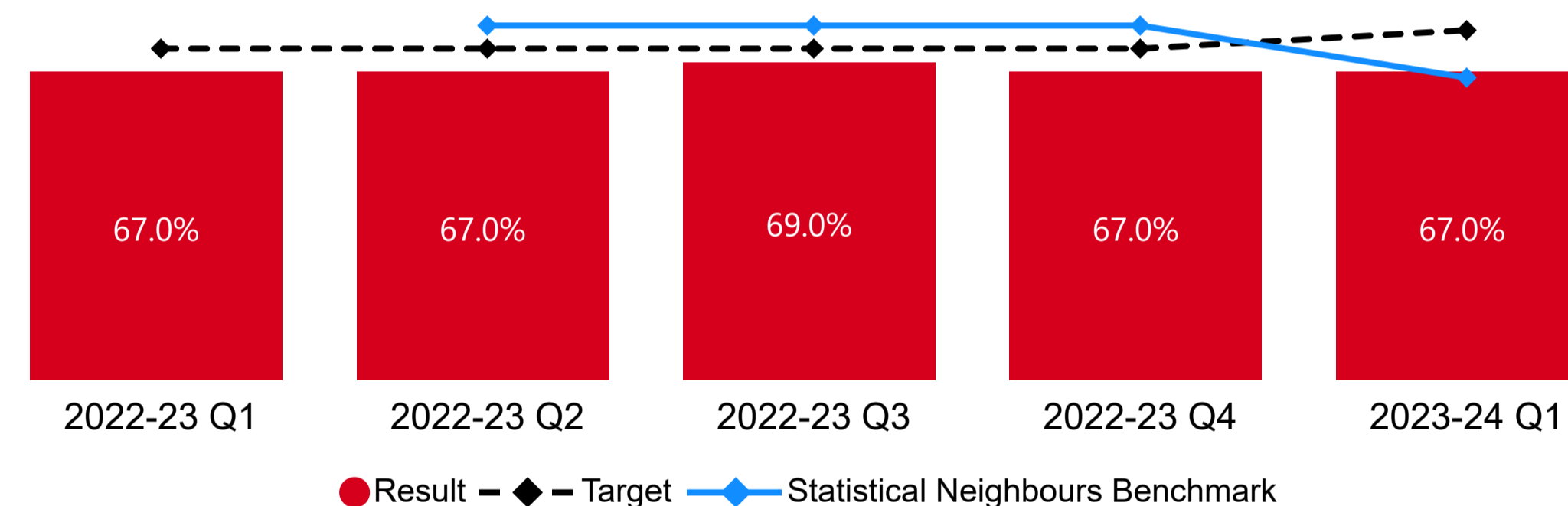
Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoT	Benchmark	Target	Result	DoT	RAG Status
▲	65.70%	76.0%	NYD	NYD	NYD

Early Years Entitlement: Percentage of 2-year-olds accessing Early Education Entitlement (EEE)



Latest Comments

Autumn term head count has only taken place beginning of October, statistics will not be available until Nov23 and will be reported in Q3.



A Bold **Inclusive** Birmingham

Measure: CF_CP_12 - Early Years Entitlement: Percentage of 3 and 4-year-olds accessing 15 hours Early Education Entitlement (EEE)

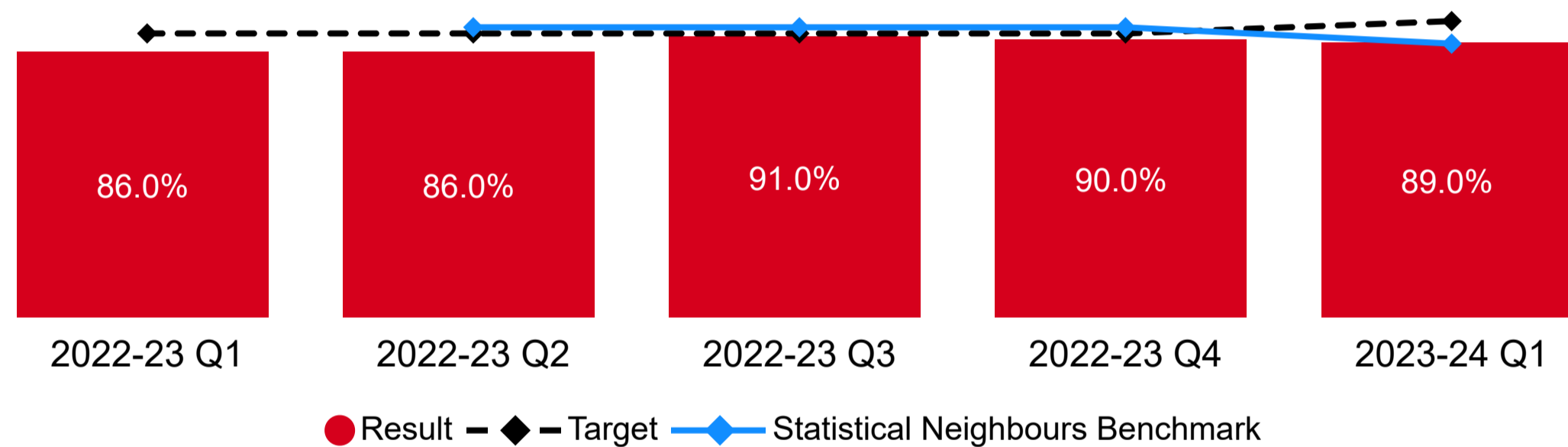
Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoIT	Benchmark	Target	Result	DoIT	RAG Status
▲	88.70%	96.0%	NYD	NYD	NYD

Early Years Entitlement: Percentage of 3 and 4-year-olds accessing 15 hours Early Education Entitlement (EEE)



Latest Comments

Autumn term head count has only taken place beginning of October, statistics will not be available until Nov23 and will be reported in Q3.

A Bold **Inclusive** Birmingham

Measure: CF_VS_03 - Percentage of new Education Health Care (EHC) plans issued within 20 weeks, excluding exceptions

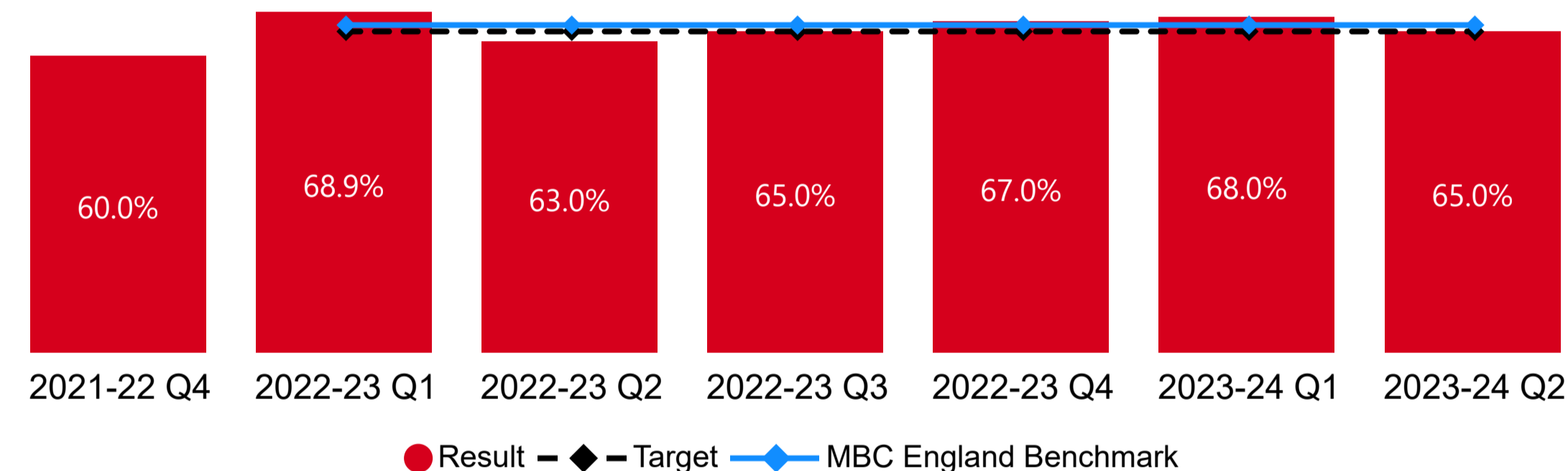
Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoIT	Benchmark	Target	Result	DoIT	RAG Status
▲	66.30%	65.0%	65.0%	Worse	G

Percentage of new Education Health Care (EHC) plans issued within 20 weeks, excluding exceptions



Latest Comments

The % of EHCPs issued within 20 weeks is 0.5% below target but significantly above the current national average of 49%. Q2 is slightly down on Q1 (68%) and is due to holiday time having an impact on the availability of Special Educational Needs Assessment Review staff and staff in partners to confirm details used in each EHCP. As staff return to normal working hours we expect this to increase for Q3. Ongoing recruitment will further support this.



A Bold **Inclusive** Birmingham

Measure: CF_CP_14 - Number of children and young people (aged 5-16) with an EHCP awaiting specialist placements for more than 12 weeks

Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoiT	Target	Result	DoiT
▼	N/A	145	Improved

Number of children and young people (aged 5-16) with an EHCP awaiting specialist placements for more than 12 weeks



Latest Comments

Numbers have reduced significantly since Q1 (322) this has been due to September placements and increased capacity in our schools.

A Bold **Inclusive** Birmingham

Measure: CF_CP_15 - Absence Rate: Primary

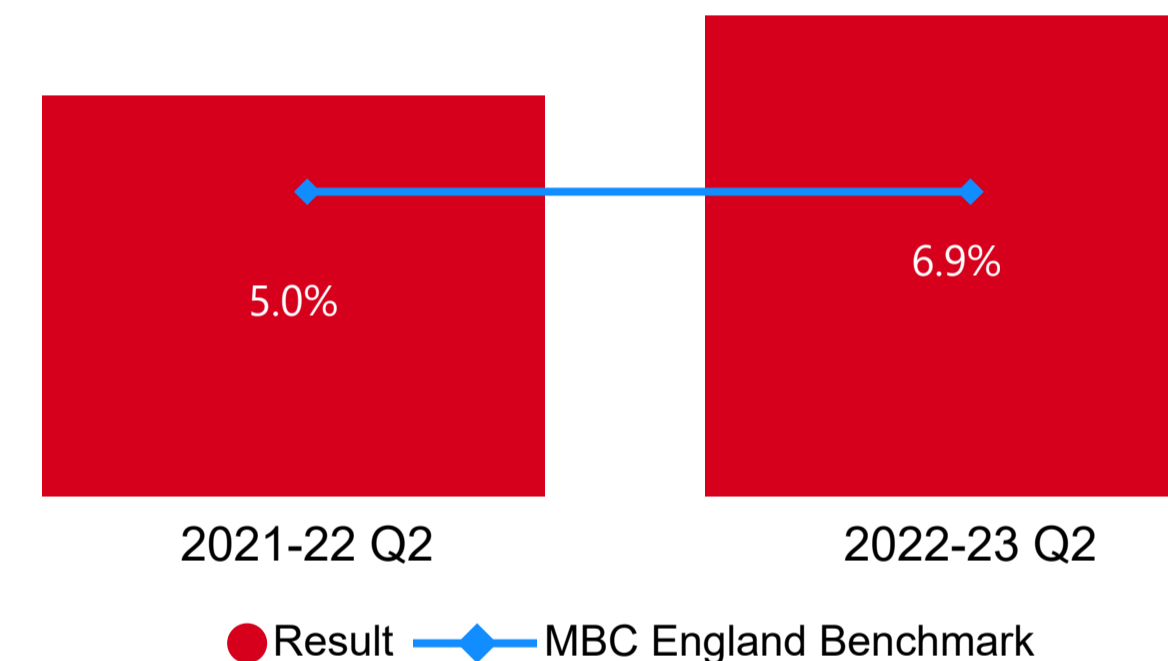
Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoiT	Benchmark	Target	Result	DoiT	Reporting in arrears?
▼	6.30%	N/A	NYD	NYD	Previous school year

Absence Rate: Primary



Latest Comments

Absence data not available until Q4.



A Bold **Inclusive** Birmingham

Measure: CF_CP_16 - Absence Rate: Secondary

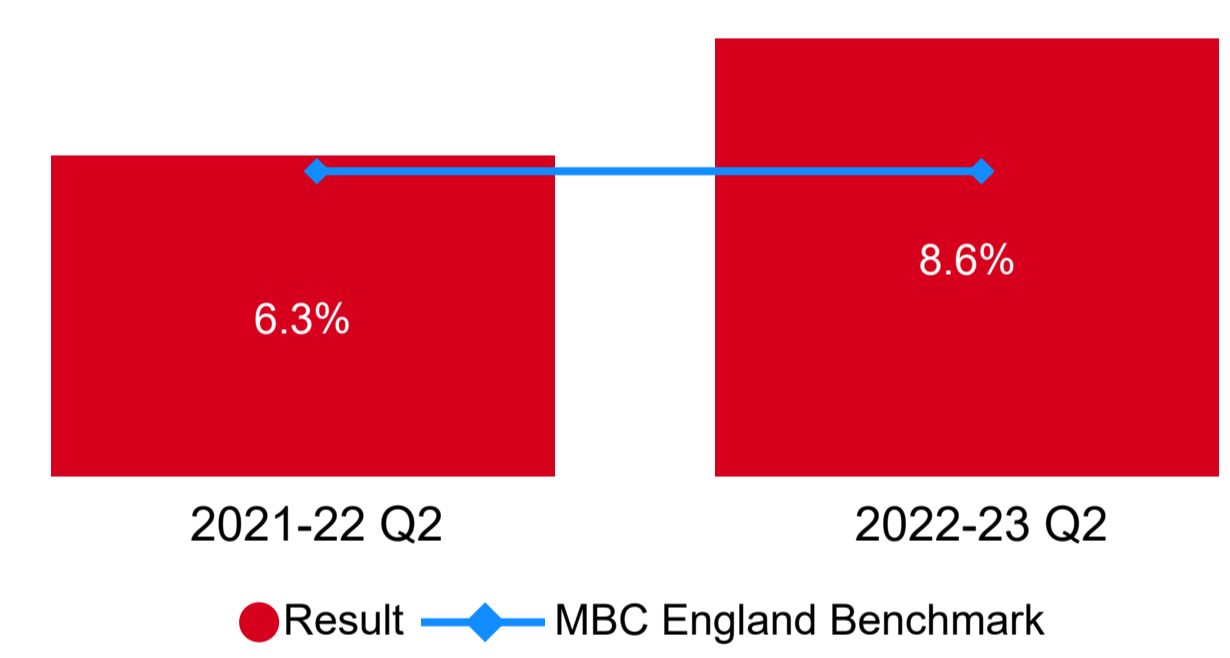
Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoT	Benchmark	Target	Result	DoT	Reporting in arrears?
▼	9.50%	N/A	NYD	NYD	Previous school year

Absence Rate: Secondary



Latest Comments

Absence data not available until Q4.

A Bold **Inclusive** Birmingham

Measure: CF_CP_23 - Primary school exclusion rate

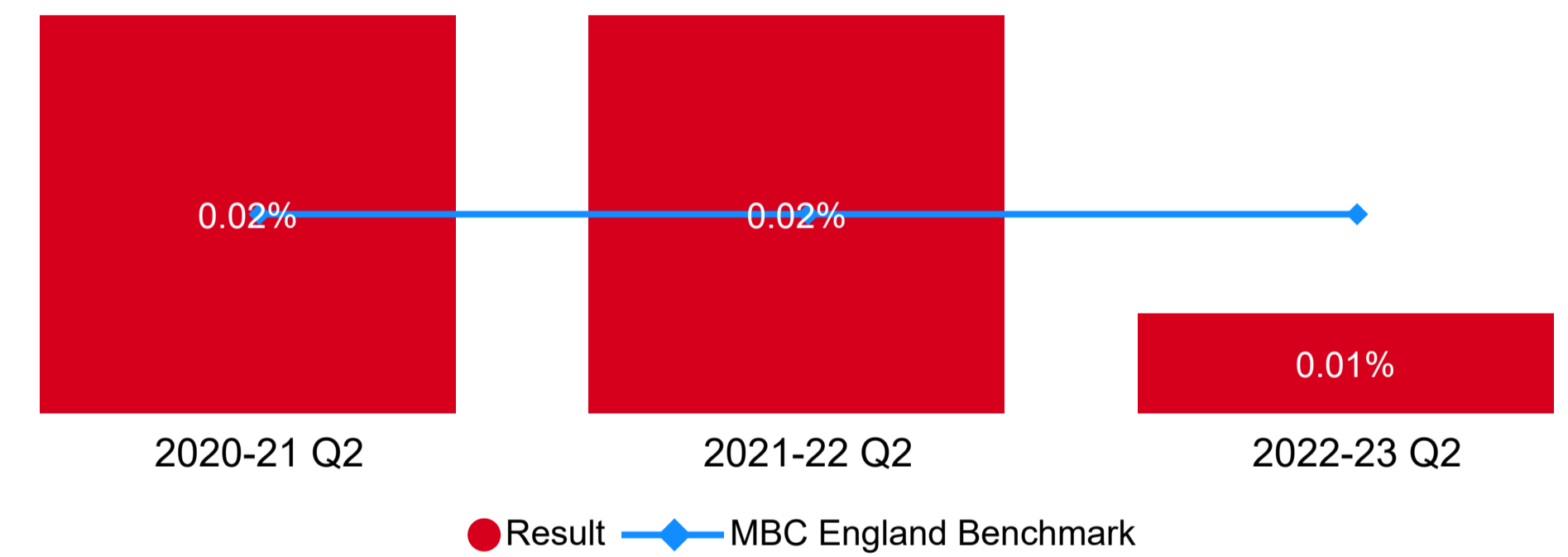
Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoT	Benchmark	Target	Result	DoT	Reporting in arrears?
▲	0.01%	N/A	0.01%	Improved	Previous school year

Primary school exclusion rate



Latest Comments

Performance reflects DfE data for the period 21/22 (academic) and shows an increase in Primary exclusions. Birmingham has recently undertaken consultations with schools on the reasons for the increases in exclusions, these have included:

- Worsening levels of behaviour following the pandemic
- Pressure on schools budget leading to less spend on specialist and pastoral staffing
- Changes to the DfE guidance has led to a different approach to permanent exclusions

The City is continuing to work with schools and partner organisations to try and address the increase.



A Bold **Inclusive** Birmingham

Measure: CF_CP_24 - Secondary school exclusions rate

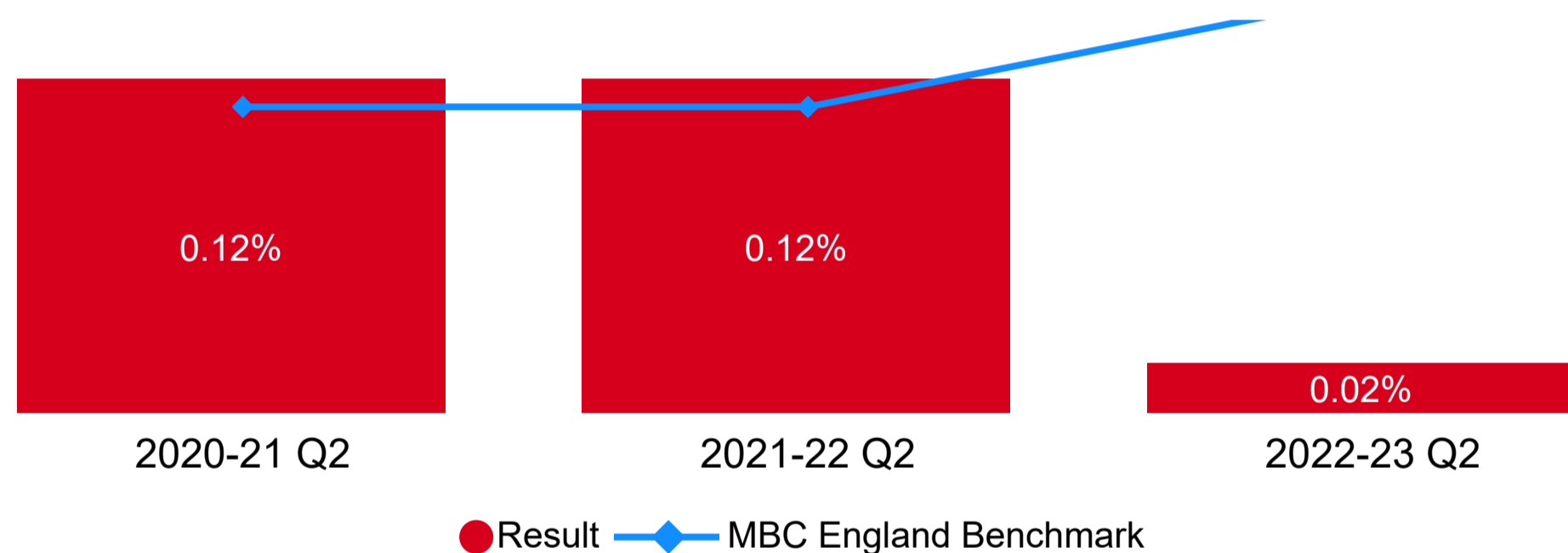
Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoT	Benchmark	Target	Result	DoT	Reporting in arrears?
▼	0.15%	N/A	0.02%	Improved	Previous school year

Secondary school exclusions rate



Latest Comments

Performance reflects DfE data for the period 21/22 (academic) and shows an increase in Secondary exclusions. Birmingham has recently undertaken consultations with schools on the reasons for the increases in exclusions, these have included:

- Worsening levels of behaviour following the pandemic
- Pressure on schools budget leading to less spend on specialist and pastoral staffing
- Changes to the DfE guidance has led to a different approach to permanent exclusions

The City is continuing to work with schools and partner organisations to try and address the increase.

A Bold **Inclusive** Birmingham

Measure: CF_CP_27 - Special School Exclusion rate

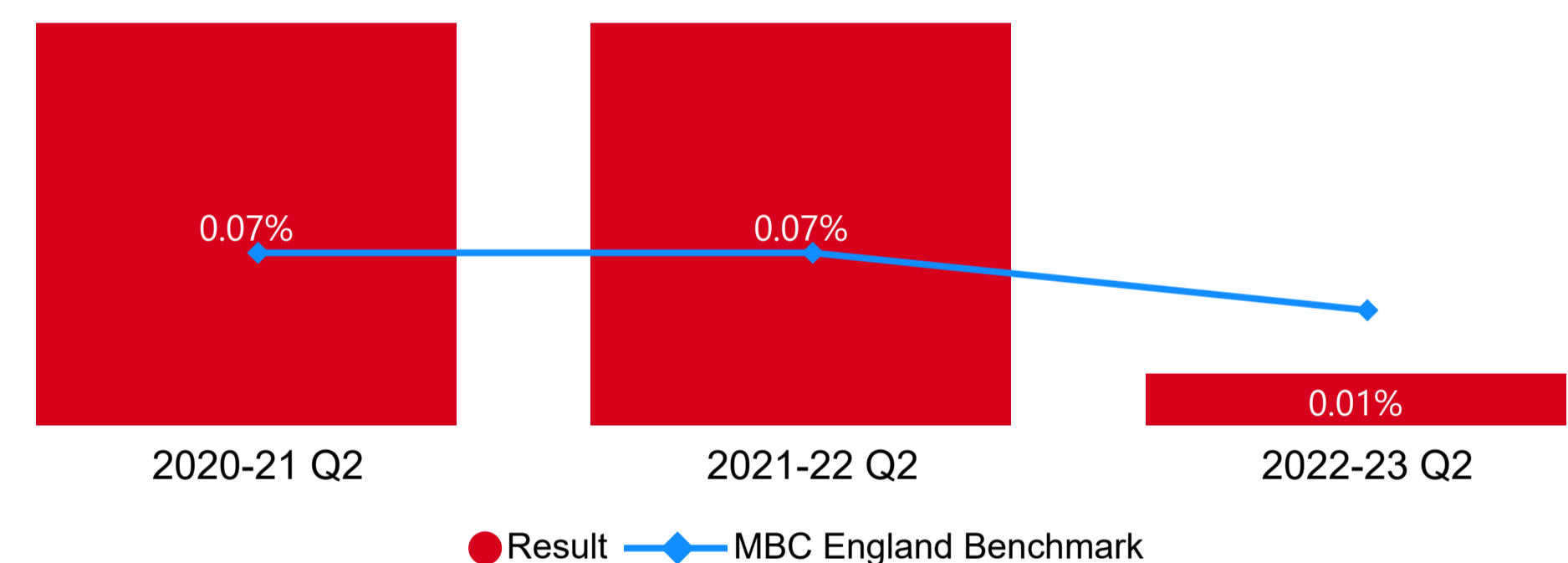
Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoT	Benchmark	Target	Result	DoT	Reporting in arrears?
▼	0.02%	N/A	0.01%	Improved	Previous school year

Special School Exclusion rate



Latest Comments

Performance reflects DfE data for the period 21/22 (academic) and shows an increase in Special school exclusions. Birmingham has recently undertaken consultations with schools on the reasons for the increases in exclusions, these have included:

- Worsening levels of behaviour following the pandemic
- Pressure on schools budget leading to less spend on specialist and pastoral staffing
- Changes to the DfE guidance has led to a different approach to permanent exclusions

The City is continuing to work with schools and partner organisations to try and address the increase.



A Bold **Inclusive** Birmingham

Measure: CF_CP_29 - Number of students we provide transport for

Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoFT	Target	Result	DoFT	Reporting in arrears?
▼	N/A	5177	Improved	Month

Number of students we provide transport for



Latest Comments

5177 students were transported to education settings achieving over a 99% success rate. To increase the numbers of students with Personal Transport Budgets a matrix is being developed to support future savings, The matrix will work on a tiered system to identify the best and most cost effective solution for transporting eligible children to school.

A Bold **Inclusive** Birmingham

Measure: CF_CP_02 - Care leavers in suitable accommodation aged 19, 20 or 21

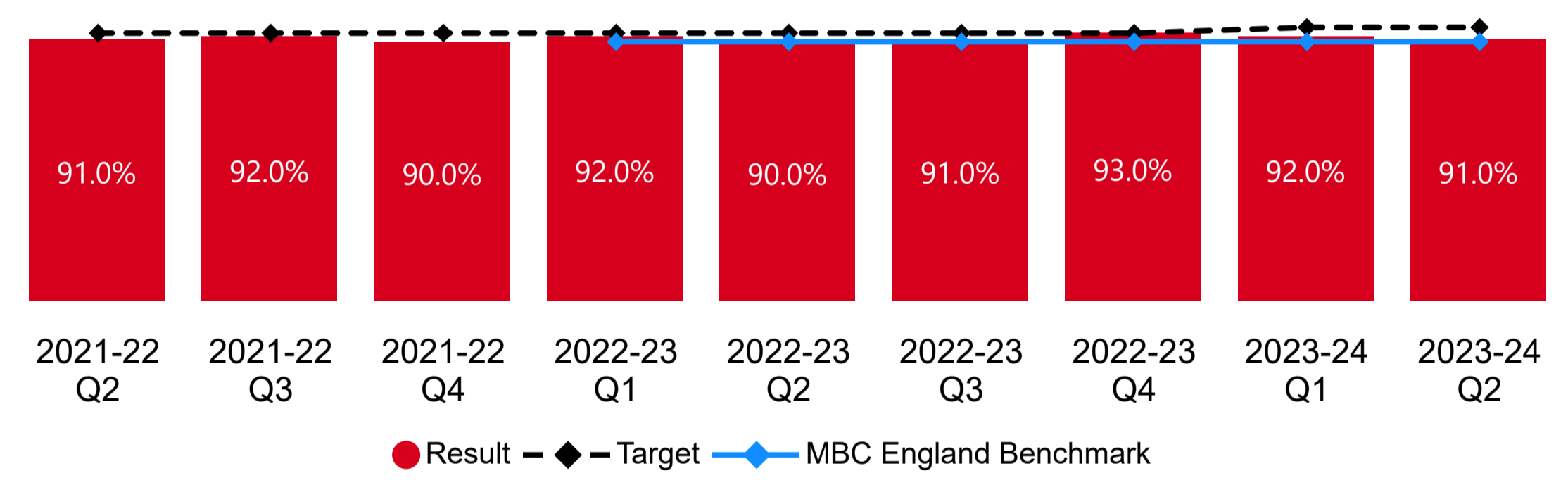
Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoFT	Benchmark	Target	Result	DoFT	RAG Status
▲	90.00%	95.0%	91.0%	Static	A

Care leavers in suitable accommodation aged 19, 20 or 21



Latest Comments

Performance for the quarter has reached 91%, which has remained consistent for some months now. The KPI is above the national (90%) and statistical neighbour averages (90%). This is supported by the availability of accommodation through the City Council and third sector housing providers, care leavers being a priority for City Council housing.



A Bold **Inclusive** Birmingham

Measure: CF_CP_01a - Percentage of care leavers in employment, education or training (EET) on their 19th to 21st birthday

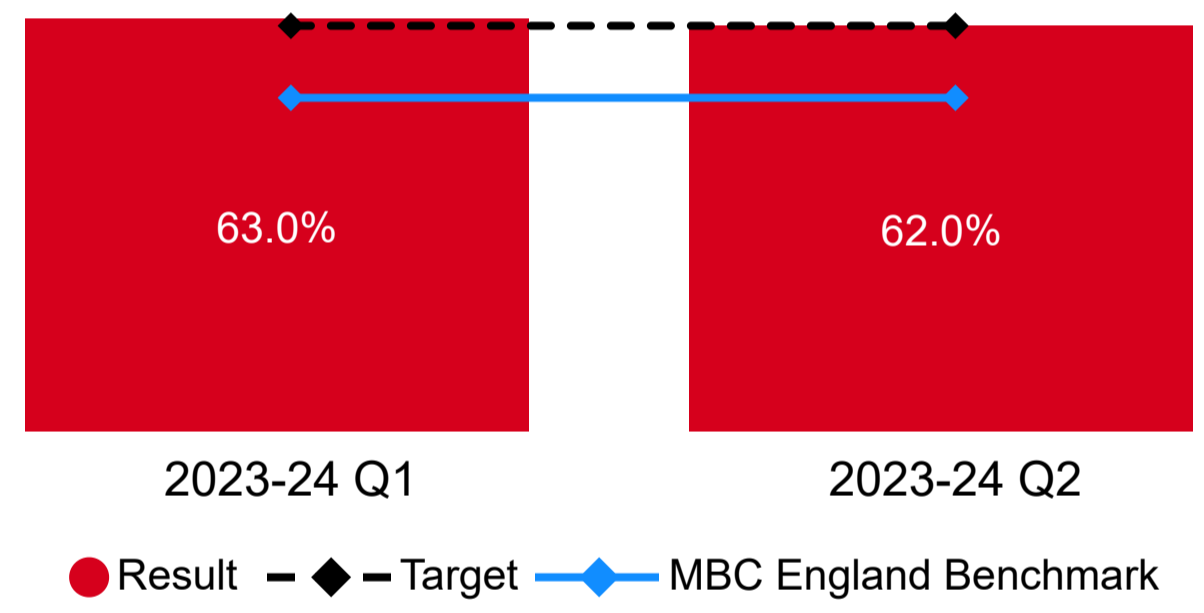
Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoiT	Benchmark	Target	Result	DoiT	RAG Status
▲	51.00%	62.0%	62.0%	Static ▲	G

Percentage of care leavers in employment, education or training (EET) on their 19th to 21st birthday



Latest Comments

We have remained on target throughout Q2 and consistent with Q1 (61%). At the end of the quarter 27 young people have started higher education courses which is great news and will improve their outcomes in the future. We continue to work with employers through the corporate parenting team and directly – current partnerships include John Lewis and the Civil Service Going Forward into Employment scheme. We are also preparing for our next in-person careers conference; fourteen education, employment and training providers plus an equal number of support services will all come together to provide info and opportunities for our care experienced young people.



A Bold **Safe** Birmingham

Measure: CO_CP_12 - Number of Anti-Social Behaviour incidents reported to the Council

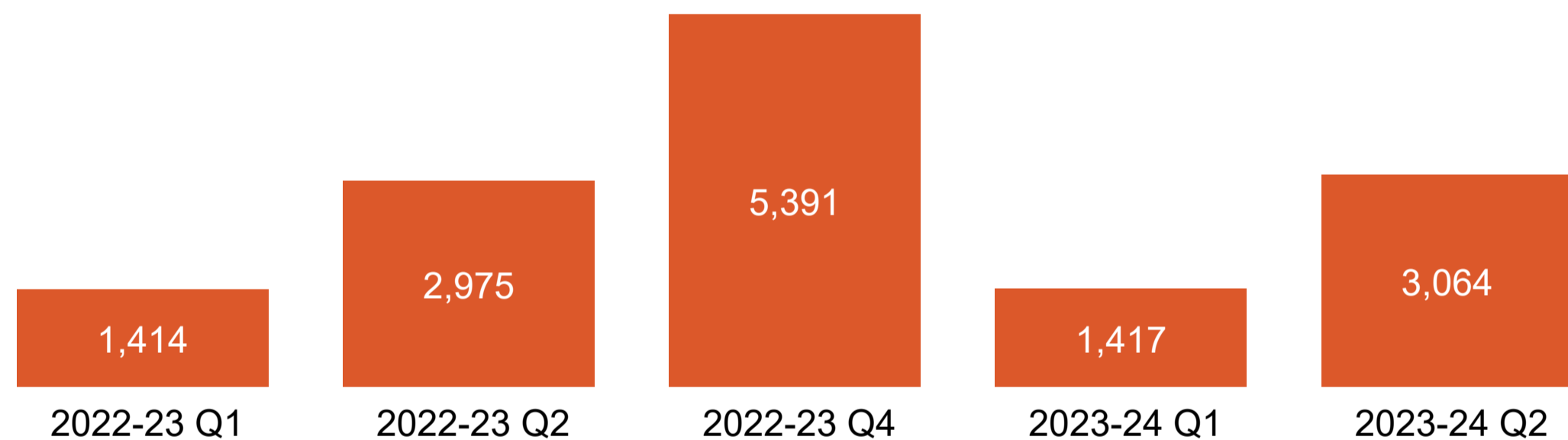
Portfolio: Social Justice, Community Safety and Equalities

Directorate: City Operations

Latest Summary:

Pref. DoT	Target	Result	DoT
▼	N/A	3064	▲ Worse

Number of Anti-Social Behaviour incidents reported to the Council



Latest Comments

The year-to-date (01/04/2023 - 30/09/2023) result is 3,064, which is slightly higher than the same period last year of 2,975.

Reports of ASB to the Council are wide ranging for the purpose of this KPI. The figures shown are from the Community Safety Team and from the City Housing Directorate. The reports received mostly relates to domestic noise, aggressive behaviour, and drug usage. Although there have also been reports of assault, gangs and illegal use of property, these are small numbers.

NB: Direction of travel (DoT) status compares against same quarter last year.

A Bold **Safe** Birmingham

Measure: CO_CP_28 - Number of Anti Social Behaviour Case Review enquiries received

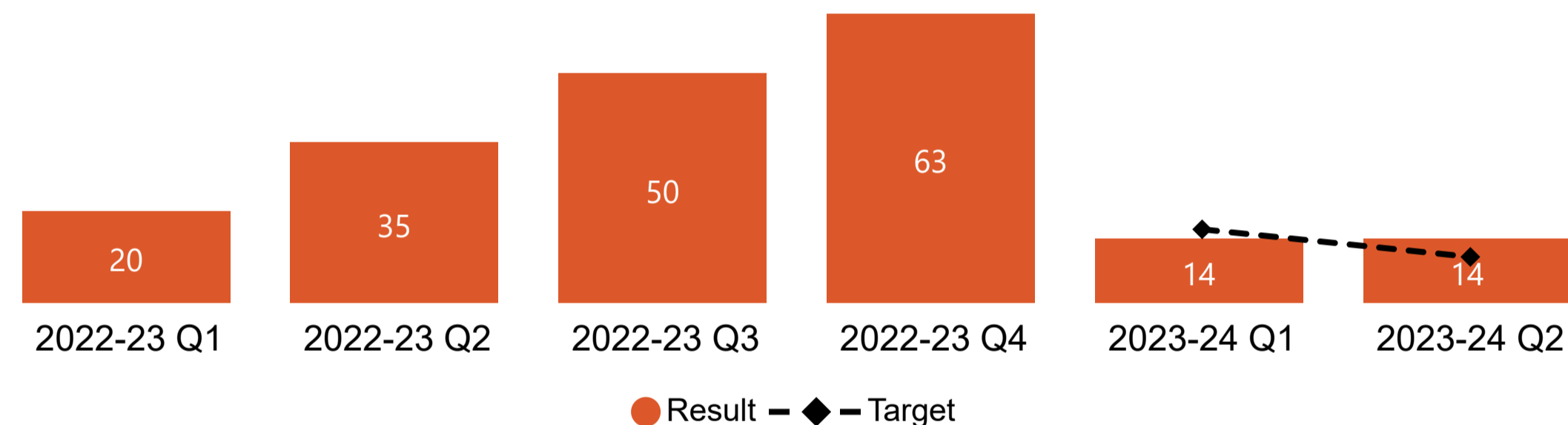
Portfolio: Social Justice, Community Safety and Equalities

Directorate: City Operations

Latest Summary:

Pref. DoT	Target	Result	DoT	RAG Status
▼	10	14	Static	▲ R

Number of Anti Social Behaviour Case Review enquiries received



Latest Comments

The Quarter 2 result is 14 which has not achieved the target of 10. 14 new ASB case review requests were made. All 14 cases completed the pre-assessment stage where each applicant received a meeting to discuss their concerns and agree the next stage. From these 14 cases, 4 did not meet the threshold, however they did receive the relevant support and advice from the service. 3 cases met the threshold and are progressing. 2 cases are now in stage 1 assessment. 3 cases closed at the pre-assessment stage following action within the Community Safety Team that resolved their concerns (e.g., the service works with their landlords to send out actions and warnings). 2 cases completed the panel process. It is anticipated the year-end target will be met as the number of cases meeting the threshold are reducing based on the processes the service have introduced.



A Bold **Safe** Birmingham

Measure: CO_CP_27 - Percentage of Community Safety 'front door' enquiries closed within 28 days

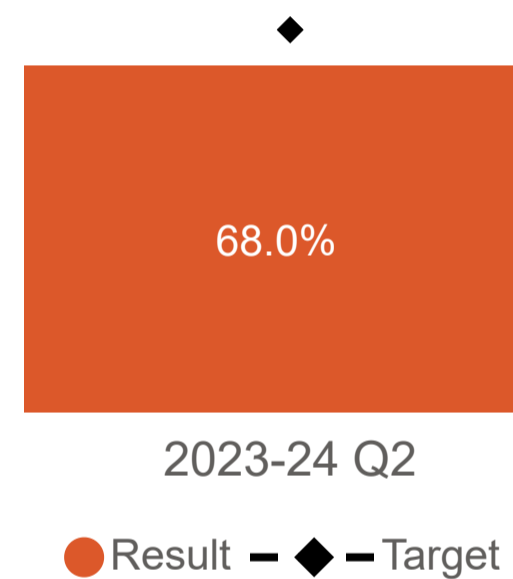
Portfolio: Social Justice, Community Safety and Equalities

Directorate: City Operations

Latest Summary:

Pref. DoIT	Target	Result	DoIT	RAG Status	Reporting in arrears?
▲	75.0%	68.00%	▲	A	Quarter

Percentage of Community Safety 'front door' enquiries closed within 28 days



Latest Comments

This KPI is reported a quarter in arrears. The Quarter 1 (01/04/2023 to 30/06/2023) result is 68% which has not achieved the target of 75% but is still within tolerance. During this period 360 cases were received, of which 245 were closed within 28 days. The percentage of front door enquiries closed in 28 days is a new indicator that has been introduced for reporting for the first time this quarter. Retrospective calculations on previous data have been made and shows the 23/24 Quarter 1 result is an improvement on the 22/23 Quarter 4 result, which was 37.44%, but is lower than the same quarter last year. The deterioration in performance during 2023 has been as a result of reduced capacity in the team due to illness and sick leave. The areas impacted have now been assigned to other managers, ensuring all cases are picked up in a timely way, and it is hoped this will lead to improved response times in the next quarter.

A Bold **Safe** Birmingham

Measure: CO_CP_14 - Number of hate crimes reported to the Council

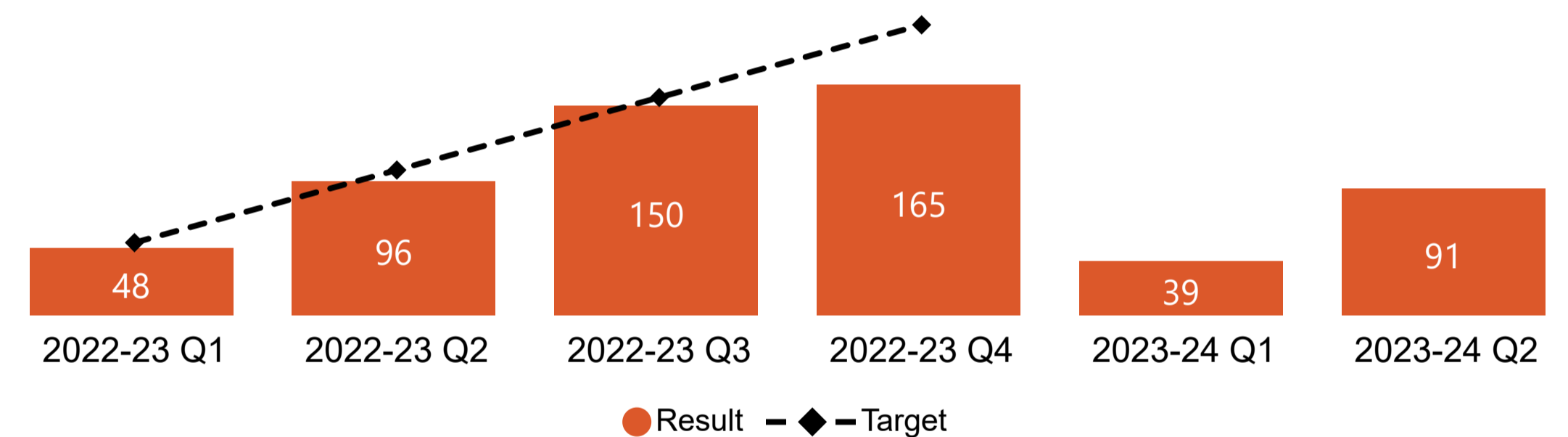
Portfolio: Social Justice, Community Safety and Equalities

Directorate: City Operations

Latest Summary:

Pref. DoIT	Target	Result	DoIT
▼	N/A	91	▲

Number of hate crimes reported to the Council



Latest Comments

The year-to-date (01/04/2023 to 30/09/2023) result is 91, which is 5% lower than the same period last year.

NB: Direction of travel (DoIT) status compares against same quarter last year.



A Bold **Safe** Birmingham

Measure: CO_CP_16 - Percentage of Category 1 road defects and urgent faults that are attended to and made safe within 2 hours

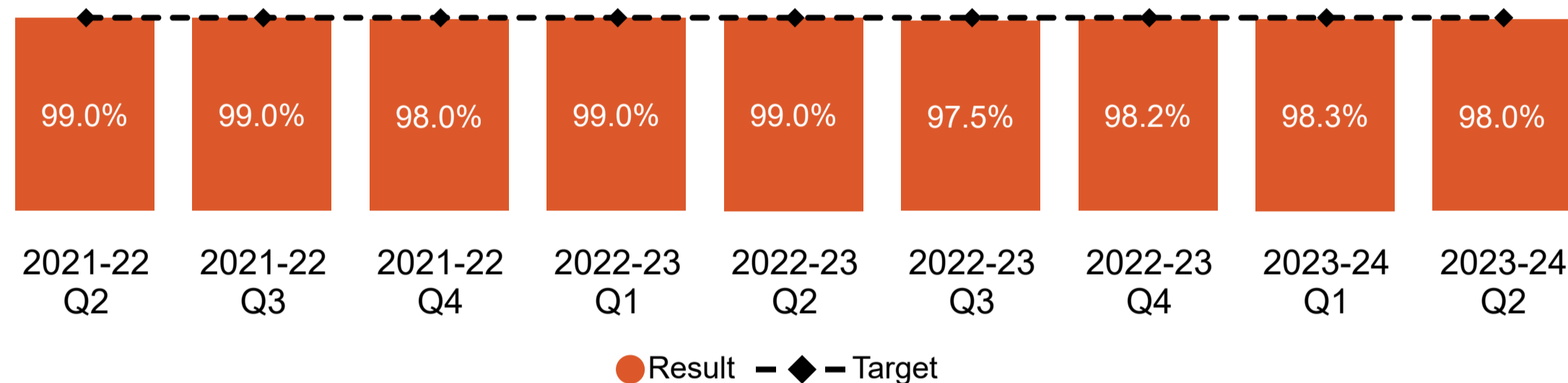
Portfolio: Transport

Directorate: City Operations

Latest Summary:

Pref. DoFT	Target	Result	DoFT	RAG Status	Reporting in arrears?
▲	99.0%	98.0%	Static	A	Month

Percentage of Category 1 road defects and urgent faults that are attended to and made safe within 2 hours



Latest Comments

The Quarter 2 (01/06/2023 - 31/08/2023) result is 98.01% which is slightly below the 99.00% target, but is within tolerance for this period. This is being addressed with the Service Provider to help improve services. The current contractual target of responding to any serious defect on the road network is set at 2 hours. As part of the monthly audit and assurance processes, checks are conducted against the services delivered. With a monthly target performance level of 99.00% for this key performance indicator, where performance falls below the target, this results in the sub-contractor losing performance related monies. In instances where the contractual requirement is not met, it is important to highlight that the defects in question have still been attended and made safe, ensuring statutory requirements are met.
 NB: the quarterly periods for this KPI are as follows: Q1: March to May, Q2: June to August, Q3: September to November, and Q4: December to February.

A Bold **Safe** Birmingham

Measure: CO_CP_15 - Percentage of Streetlight In-Light repairs carried out within service standard (time)

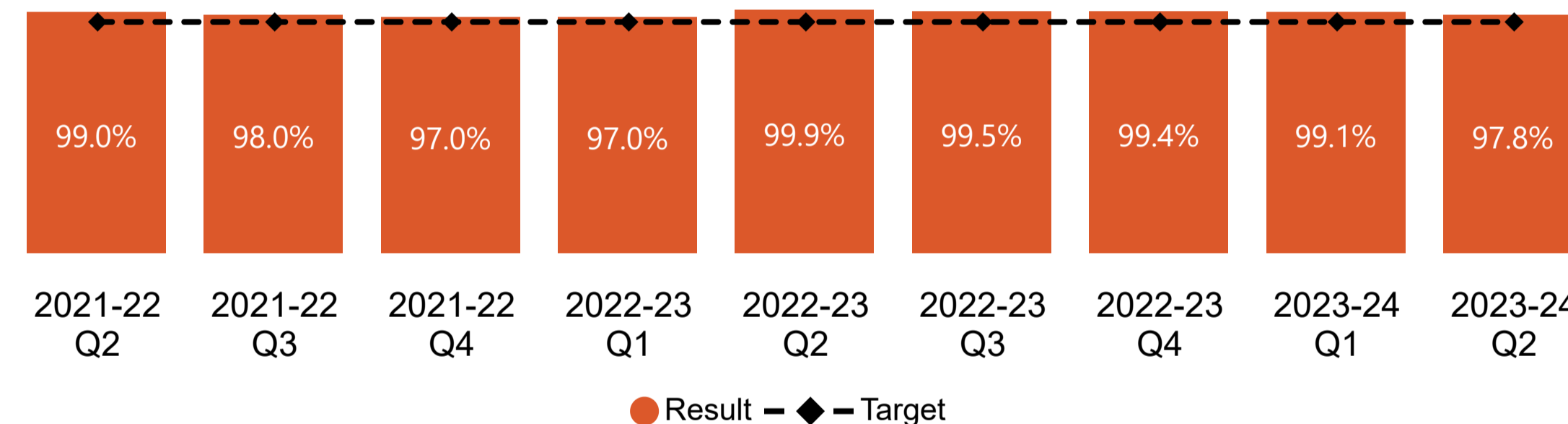
Portfolio: Transport

Directorate: City Operations

Latest Summary:

Pref. DoFT	Target	Result	DoFT	RAG Status	Reporting in arrears?
▲	95.0%	97.8%	Static	G	Month

Percentage of Streetlight In-Light repairs carried out within service standard (time)



Latest Comments

The Quarter 2 (01/06/2023 - 31/08/2023) result is 97.82% which has achieved the contractual target of 95.00% for this period.
 The service provider has performed above the expected contractual target for this period.
 NB: the quarterly periods for this KPI are as follows: Q1: March to May, Q2: June to August, Q3: September to November, and Q4: December to February.



A Bold **Safe** Birmingham

Measure: ASC_CP_04 - Proportion of Adult Social Care clients reviewed, reassessed or assessed within 12 months

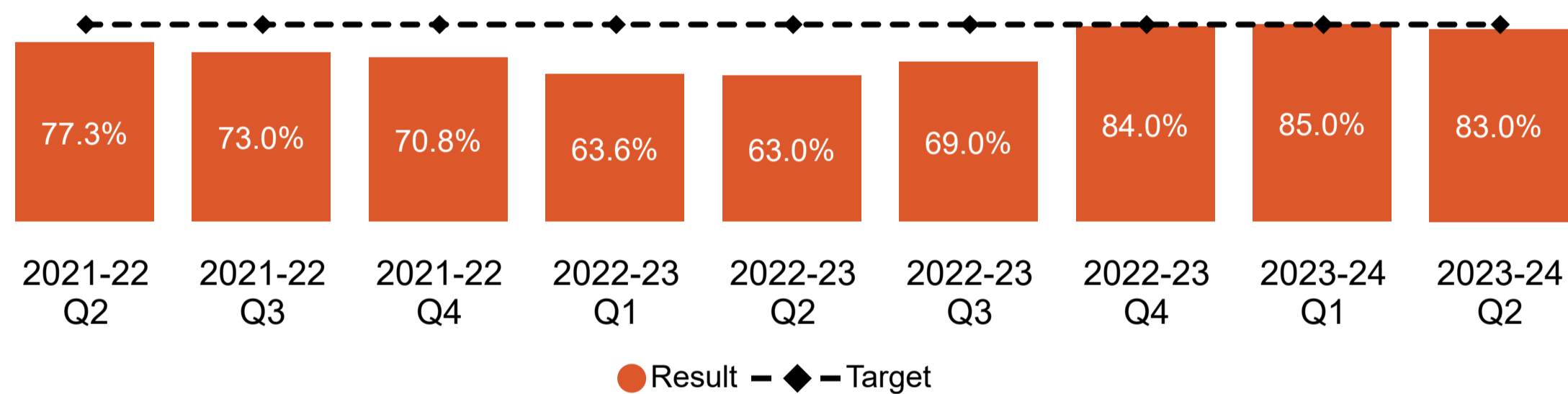
Portfolio: Health & Social Care

Directorate: Adult Social Care

Latest Summary:

Pref. DoIT	Target	Result	DoIT	RAG Status
▲	85.0%	83.0%	Worse	A

Proportion of Adult Social Care clients reviewed, reassessed or assessed within 12 months



Latest Comments

This quarter our performance has dropped to 83%. We expected to see a slight dip in performance over the summer holiday season, and we expect to get back on target over the following quarter. We are focusing on carrying out reviews by their due dates, and prioritising when changes in citizens' circumstances or risks are identified through our duty and safeguarding teams. We will also be monitoring our performance with regular reports and addressing issues in monthly performance meetings.

A Bold **Safe** Birmingham

Measure: ASC_CP_05 - Percentage of concluded Adult Social Care Safeguarding enquiries where the desired outcomes were met

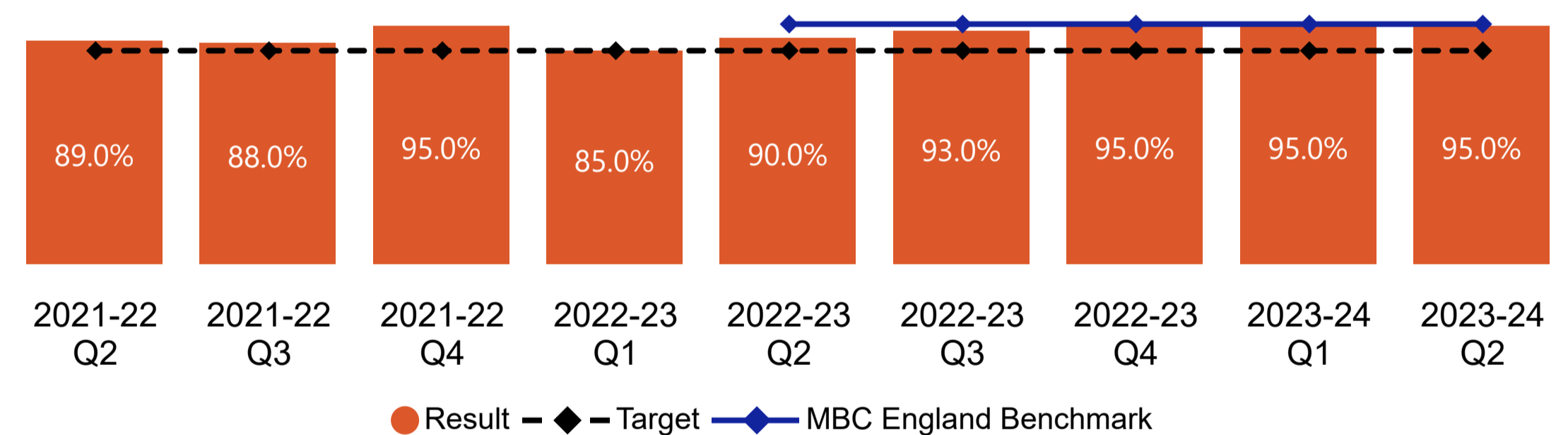
Portfolio: Health & Social Care

Directorate: Adult Social Care

Latest Summary:

Pref. DoIT	Benchmark	Target	Result	DoIT	RAG Status
▲	95.60%	85.0%	95.0%	Static	G

Percentage of concluded Adult Social Care Safeguarding enquiries where the desired outcomes were met



Latest Comments

This quarter we have continued to exceed our target of 85%, achieving a sustained result of 95%. We continue to experience high demand, with an average of 275 new concerns a week. However, our triage function is providing effective management of priorities at the front door. We are continuing to develop partnership working arrangements to promote prevention and streamline our responses. These changes are enabling us to offer the right response at the right time, improving citizens' experience and outcomes. In this quarter, we will continue to monitor demand, performance, and the outcomes that the service is delivering for citizens. We will continue to set clear expectations for the service, and to monitor and promote accountability via effective management oversight.



A Bold **Safe** Birmingham

Measure: ASC_CP_02 - Total no. of domestic abuse victims supported through the Part 4 new statutory duty

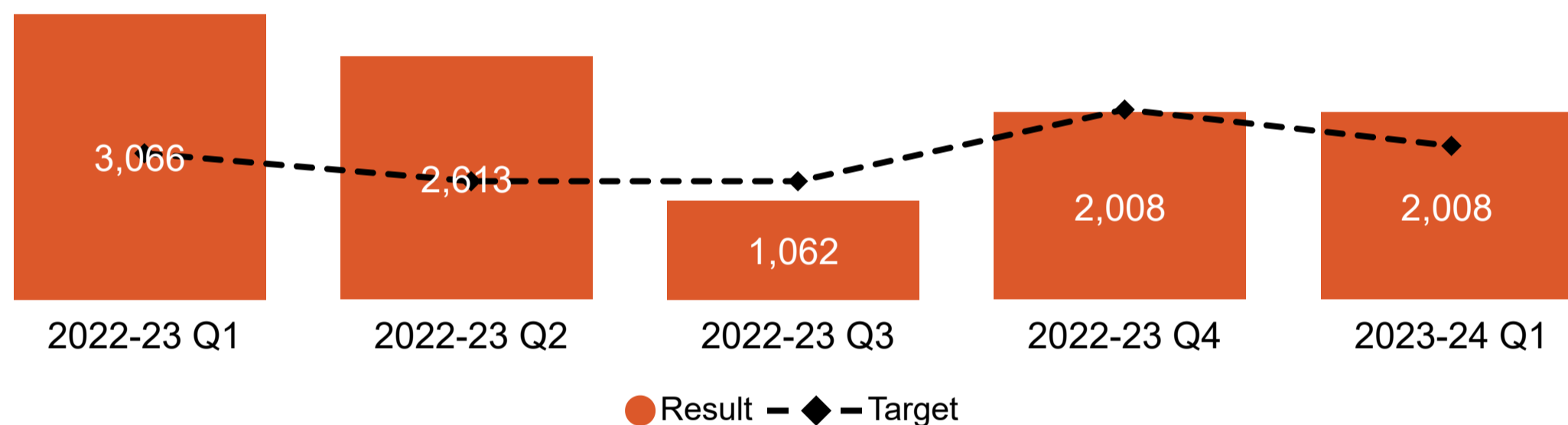
Portfolio: Social Justice, Community Safety and Equalities

Directorate: Adult Social Care

Latest Summary:

Pref. DoIT	Target	Result	DoIT	RAG Status	Reporting in arrears?
▲	1,650	2,008	Static	G	Quarter

Total no. of domestic abuse victims supported through the Part 4 new statutory duty



Latest Comments

To meet our statutory duty, Birmingham City Council continues to provide support within commissioned safe accommodation. This includes support in refuge for women and children, helpline and webchat, counselling, and wellbeing activities. In this quarter, we exceeded the target by over 300 people. This is partly due to projects now being fully mobilised which were not previously. These projects include work in schools, where larger numbers of children and young people are accessing support. Another development was the Domestic Abuse Hub opening for drop-in services in this quarter, meaning that more women could access support face-to-face, as well as over the phone and through webchat. We are continuing to review and evaluate gaps in services, and plan to release a third community grant call targeted at enhancing support within safe accommodation across grassroots services that are not currently commissioned to deliver support.

A Bold **Safe** Birmingham

Measure: CF_CP_07 - BCT Measure: Percentage of children who become the subject of a Child Protection plan for a second or subsequent time within the last 2 years

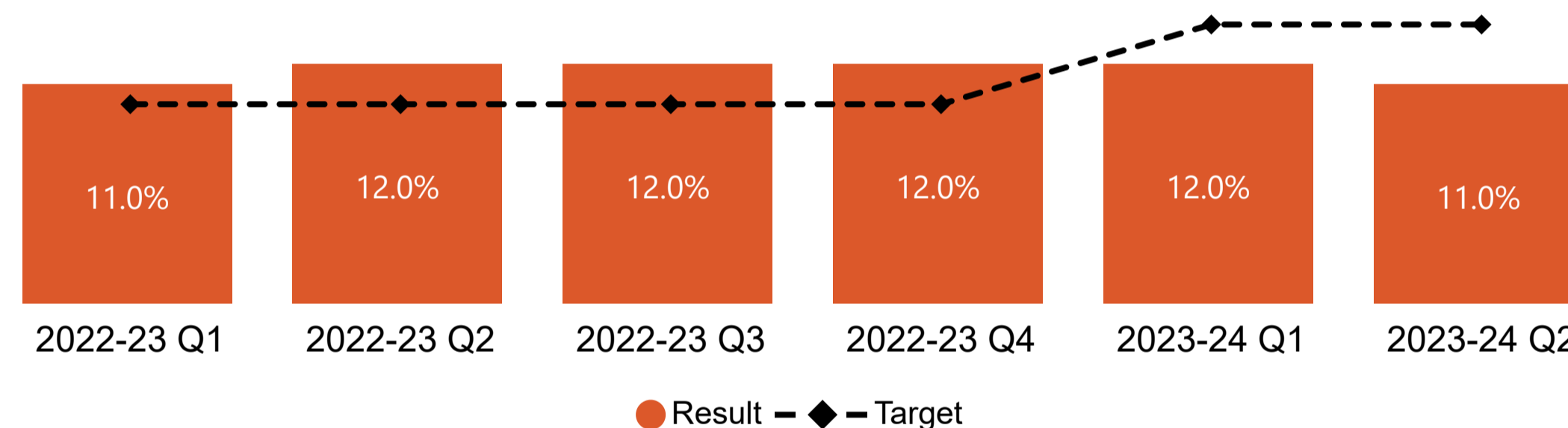
Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoIT	Target	Result	DoIT	RAG Status
▼	14.0%	11.0%	Improved	G

BCT Measure: Percentage of children who become the subject of a Child Protection plan for a second or subsequent time within the last 2 years



Latest Comments

We continue to perform well against target with a decrease to 11% at the end of Q2 compared to 12% in Q1. We continue to ensure children are not being de-listed from Child Protection prematurely or re-listed inappropriately. All cases of re-listed children are reviewed to ensure an appropriate plan was in place.



A Bold **Safe** Birmingham

Measure: CF_CP_26 - BCT Measure: Percentage of children in care experiencing three or more moves within a year

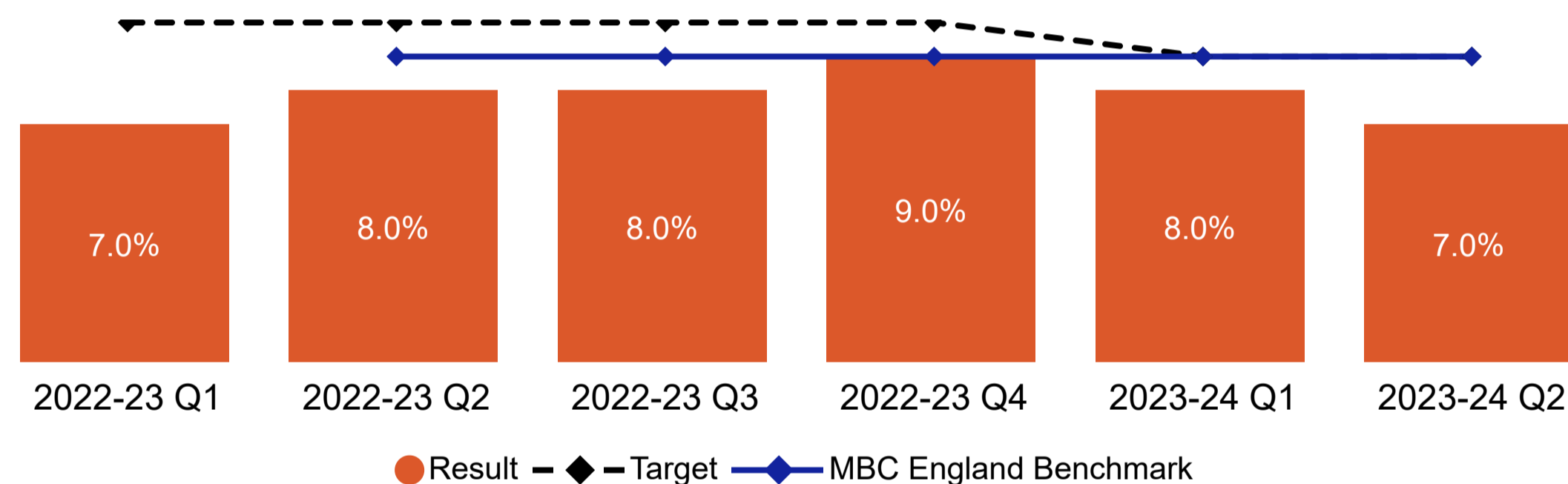
Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoIT	Benchmark	Target	Result	DoIT	RAG Status
▼	9.00%	9.0%	7.0%	Improved	G

BCT Measure: Percentage of children in care experiencing three or more moves within a year



Latest Comments

At the end of Q2 we are recording 7% which is a 1% reduction from Q1. We are performing far better than the National Average (10%) and Statistical Neighbours at (9%).

A Bold **Safe** Birmingham

Measure: CF_VS_19 - BCT Measure: Re-referral Rate

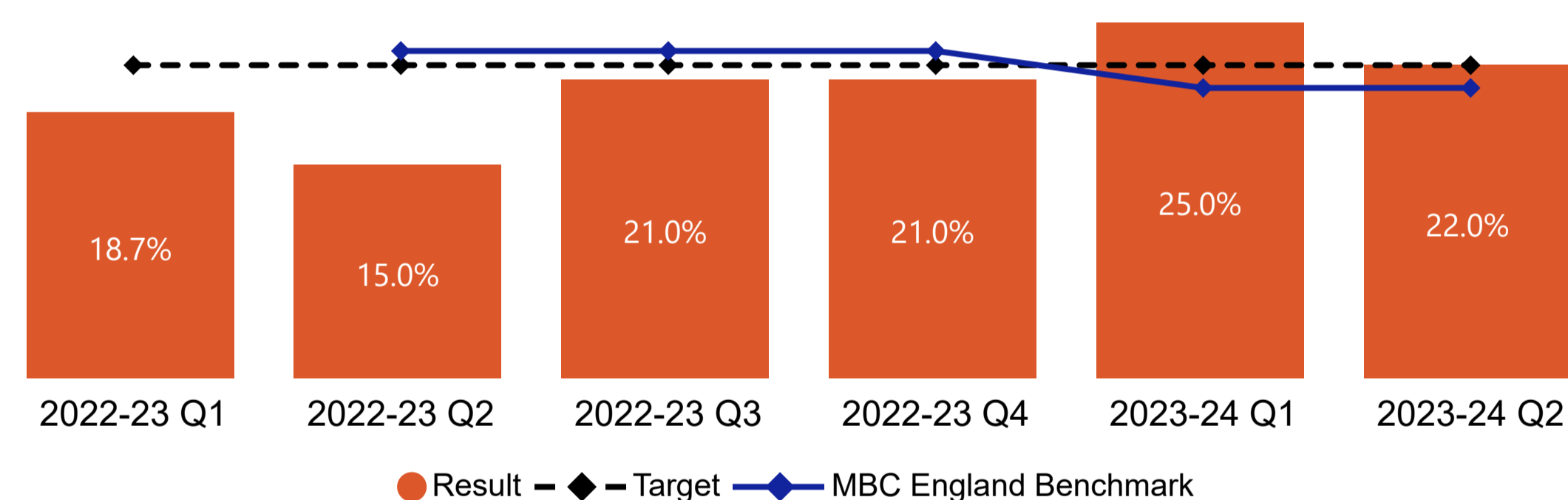
Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoIT	Benchmark	Target	Result	DoIT	RAG Status
▼	20.40%	22.0%	22.0%	Improved	G

BCT Measure: Re-referral Rate



Latest Comments

At the end of Q2 the rate of re-referrals has fallen from 25% to 22%. We now sit favourably against Nat Ave (22%) and Stat Neighbours (21%). This now meets our target and is well within our tolerance. Analysis on the earlier steady increase demonstrated a slow and steady rise predominantly linked to domestic abuse, this continues to be monitored.



A Bold **Safe** Birmingham

Measure: CF_VS_20 - BCT Measure: Average social worker caseload

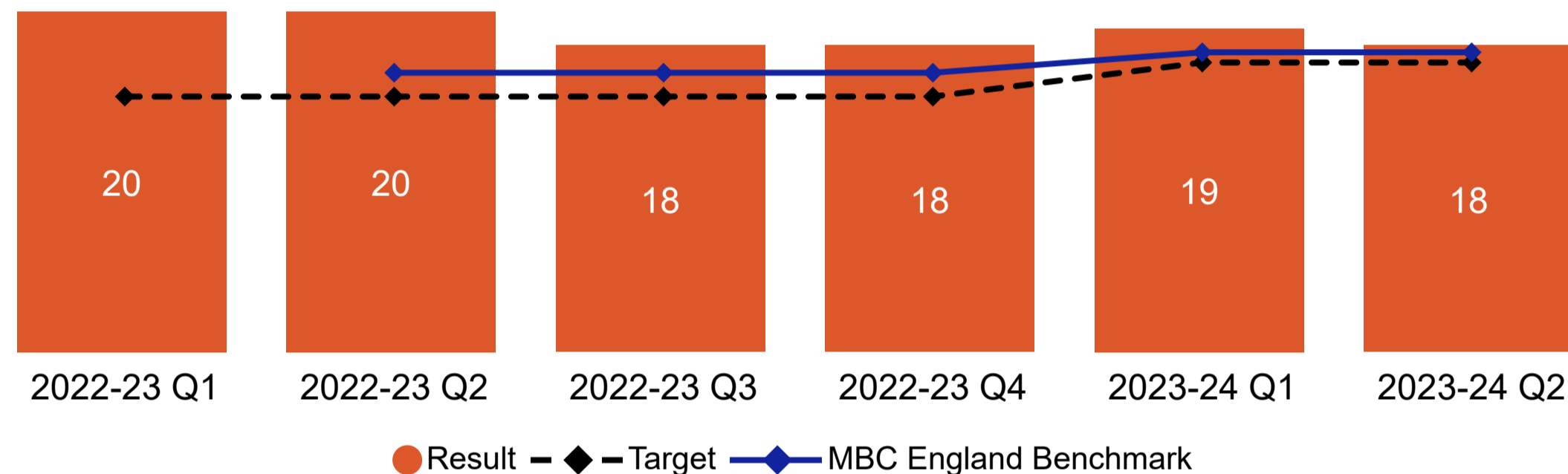
Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoIT	Benchmark	Target	Result	DoIT	RAG Status
▼	17.6	17	18	Improved	A

BCT Measure: Average social worker caseload



Latest Comments

At the end of Q2 the caseload average has reduced to 18. This is now 1 above the Nat Ave and Stat Neighbours (17). This figure remains within tolerance but above our target figure for 2023/24. We know that caseloads across the Trust vary.

A Bold **Safe** Birmingham

Measure: CO_CP_17 - Number of properties improved in the Private Rented Sector as a result of Local Authority intervention

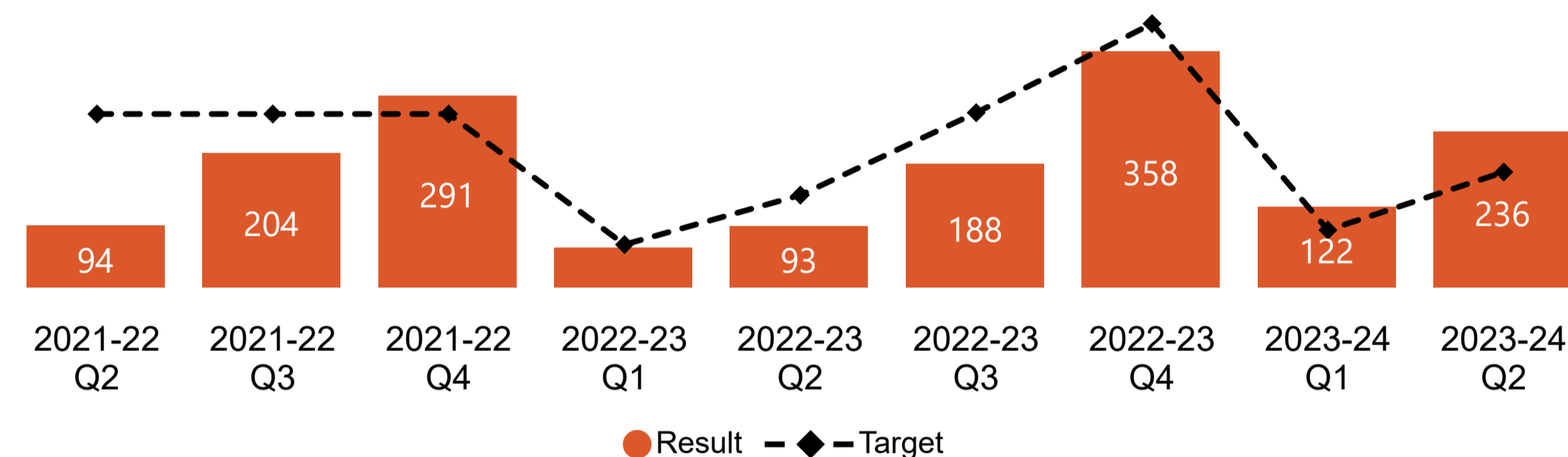
Portfolio: Housing and Homelessness

Directorate: City Operations

Latest Summary:

Pref. DoIT	Target	Result	DoIT	RAG Status
▲	175	236	Improved	G

Number of properties improved in the Private Rented Sector as a result of Local Authority intervention



Latest Comments

The year-to-date (01/04/2023 - 30/09/2023) result is 236 which has achieved the year-to-date target of 175. The following are the success factors contributing towards this achievement;

- Vacancies have been filled.
- Revised procedures incorporating best practice and making them more streamlined.
- Multi-Agency approach to resolving residents' issues.
- Robust training programme.
- Use of Team Meetings and one-to-one meetings to embed the purpose of the service and the individual officers responsibility and contribution to ensure improved service delivery which result in performance targets being met.
- Identified champions for particular aspects of the work.
- Managers regularly monitor performance throughout the month and update staff accordingly.

NB: Direction of travel (DoIT) status compares against same quarter last year.



A Bold **Safe** Birmingham

Measure: CO_CP_18 - Private sector empty properties brought back into use

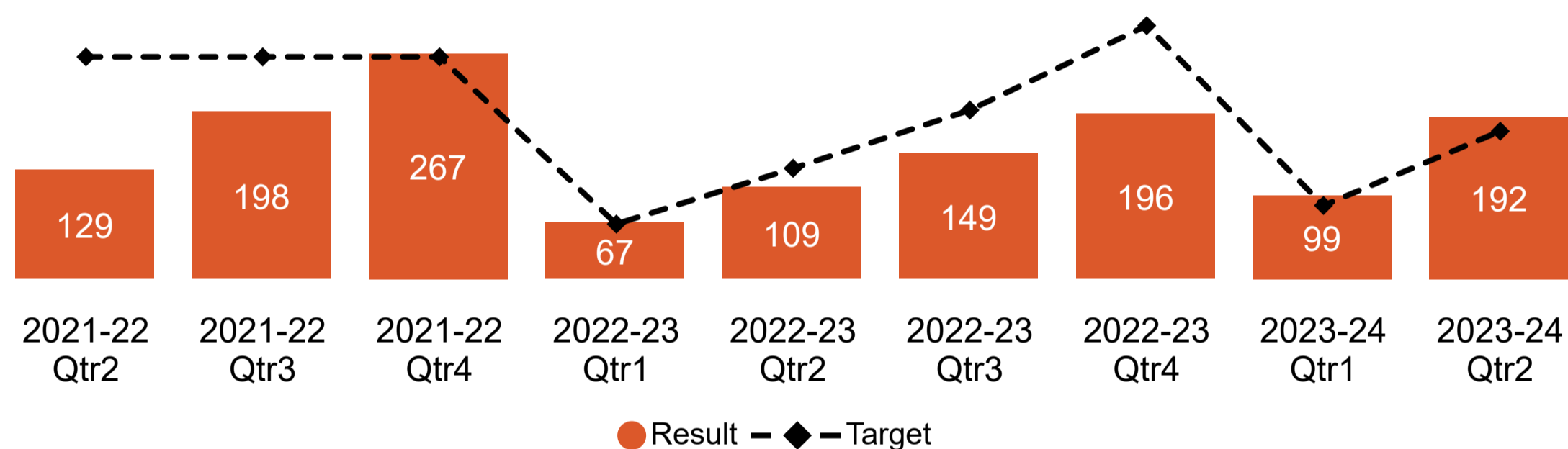
Portfolio: Housing and Homelessness

Directorate: City Operations

Latest Summary:

Pref. DoFT	Target	Result	DoFT	RAG Status
▲	175	192	Improved	G

Private sector empty properties brought back into use



Latest Comments

The year-to-date (01/04/2023 - 30/09/2023) result is 192 which has achieved the year-to-date target of 175. During this period the team engaged with the owners of 242 properties from which 192 were bought back into use. The following contributed towards this achievement:

- Recruitment to vacancies
- Revised procedures incorporating best practice and making them more streamlined
- Multi-Agency approach to resolving residents' issues in particular working with owners of properties to bring the properties back into use
- Providing options to owners who may not have the capital for refurbishment, enabling them to work in partnership with other social housing and social enterprise organisations
- Robust training programme
- Identified champions for particular aspects of the work.
- Managers regularly monitor performance throughout the month and update staff

NB: Direction of travel (DoFT) status compares against same quarter last year.

A Bold **Safe** Birmingham

Measure: PPS_CP_10 - Number of new homes completed in the city across all tenures

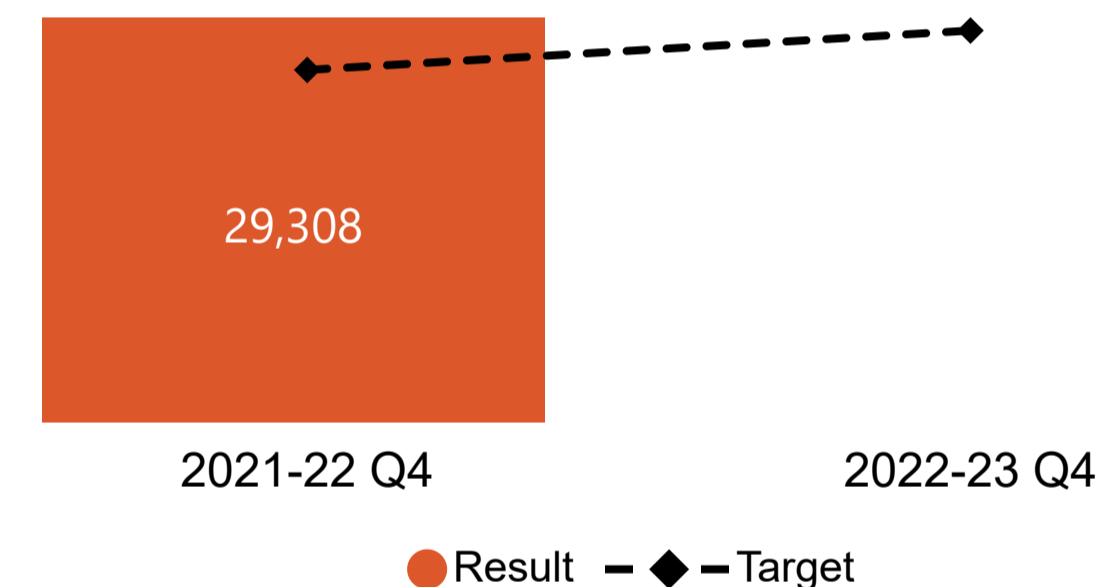
Portfolio: Leader

Directorate: Places, Prosperity and Sustainability (PPS)

Latest Summary:

Pref. DoFT	Target	Result	DoFT	RAG Status	Reporting in arrears?
▲	28,350	NYD	NYD	NYD	Year

Number of new homes completed in the city across all tenures



Latest Comments

This is annual measure and will be reported at Quarter 4 2023/24.



A Bold **Safe** Birmingham

Measure: PPS_CP_07 - Number of homes built that are affordable

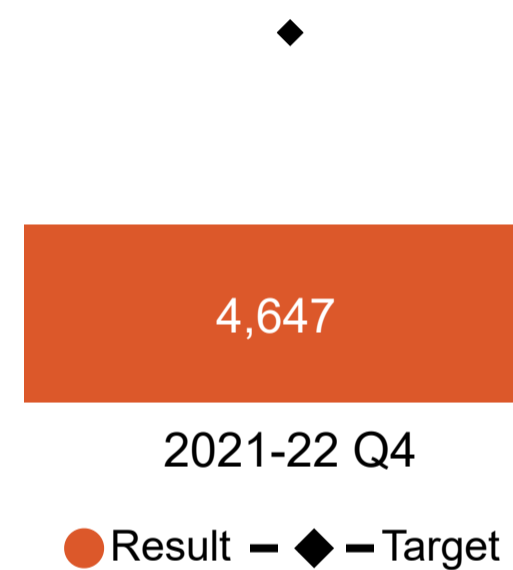
Portfolio: Leader

Directorate: Places, Prosperity and Sustainability (PPS)

Latest Summary:

Pref. DoT	Target	Result	DoT	RAG Status	Reporting in arrears?
▲	10,773	NYD	▲	NYD	Year

Number of homes built that are affordable



Latest Comments

This is annual measure and will be reported at Quarter 4 2023/24.

A Bold **Safe** Birmingham

Measure: PPS_CP_11 - Number of new homes completed in the City across a range of tenures through the Birmingham Municipal Housing Trust (BMHT) and InReach development programmes

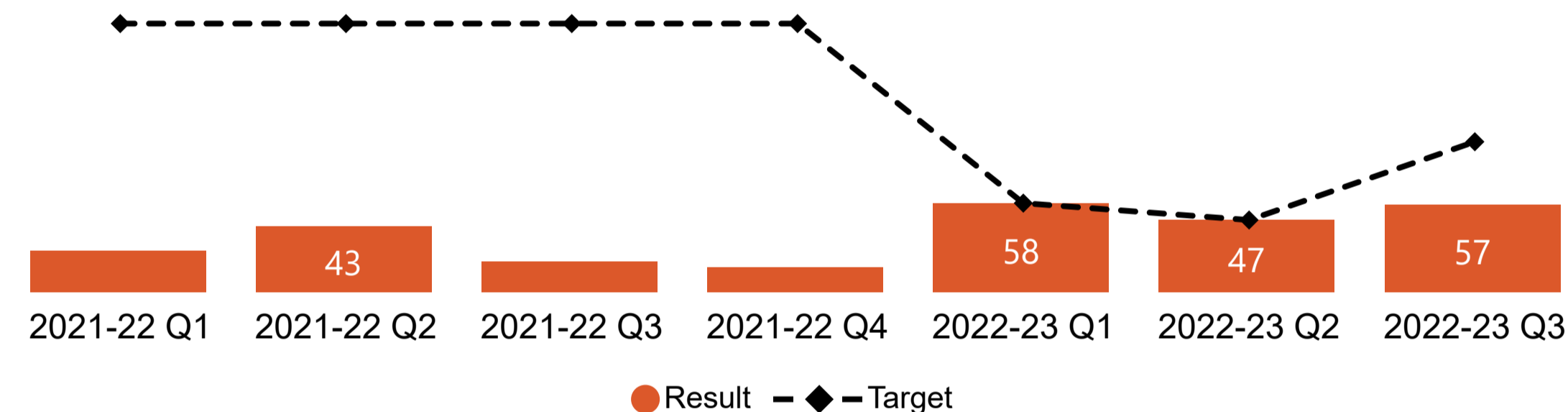
Portfolio: Leader

Directorate: Places, Prosperity and Sustainability (PPS)

Latest Summary:

Pref. DoT	Target	Result	DoT	RAG Status
▲	96	NYD	▲	NYD

Number of new homes completed in the City across a range of tenures through the Birmingham Municipal Housing Trust (BMHT) and InReach development programmes



Latest Comments

This is annual measure and will be reported at Quarter 4 2023/24.



A Bold **Safe** Birmingham

Measure: CH_CP_02 - Percentage of Council housing routine repairs completed within 30 days

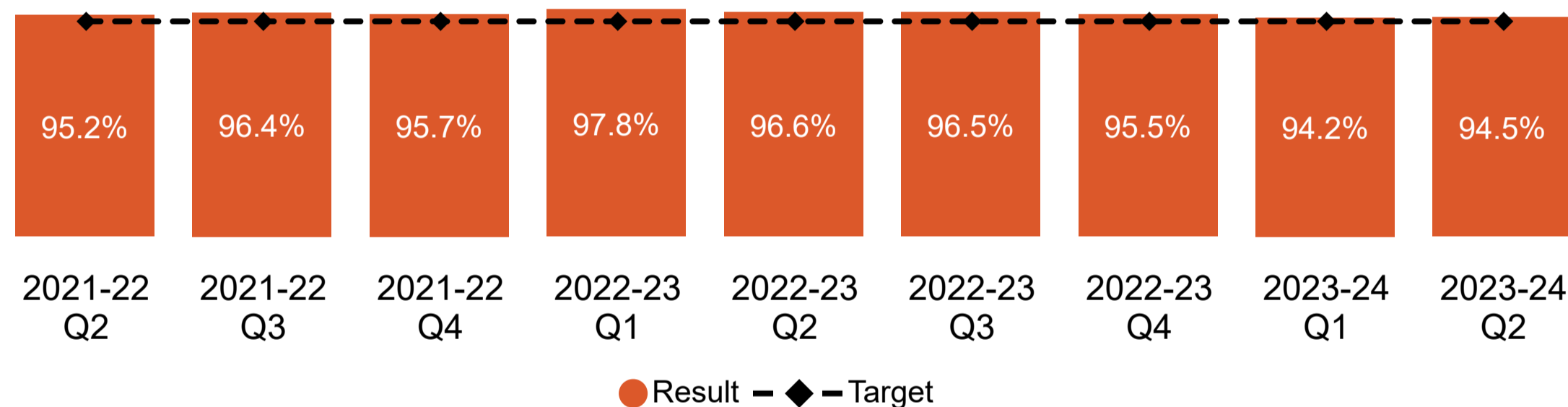
Portfolio: Housing and Homelessness

Directorate: City Housing

Latest Summary:

Pref. DoT	Target	Result	DoT	RAG Status
▲	92.6%	94.5%	Static	G

Percentage of Council housing routine repairs completed within 30 days



Latest Comments

The cumulative quarter two result is 94.48% which is above the contractual target of 92.6% (45,001 repairs out of 47,494). The result for July was 94%, August 95.1% and September 95.3%.

Contractor performance is monitored by our KPI results, daily work in progress alerts and monthly performance meetings which enable us to drill into areas which need targeted attention.

A Bold **Safe** Birmingham

Measure: CH_CP_03 - Households where homelessness is prevented

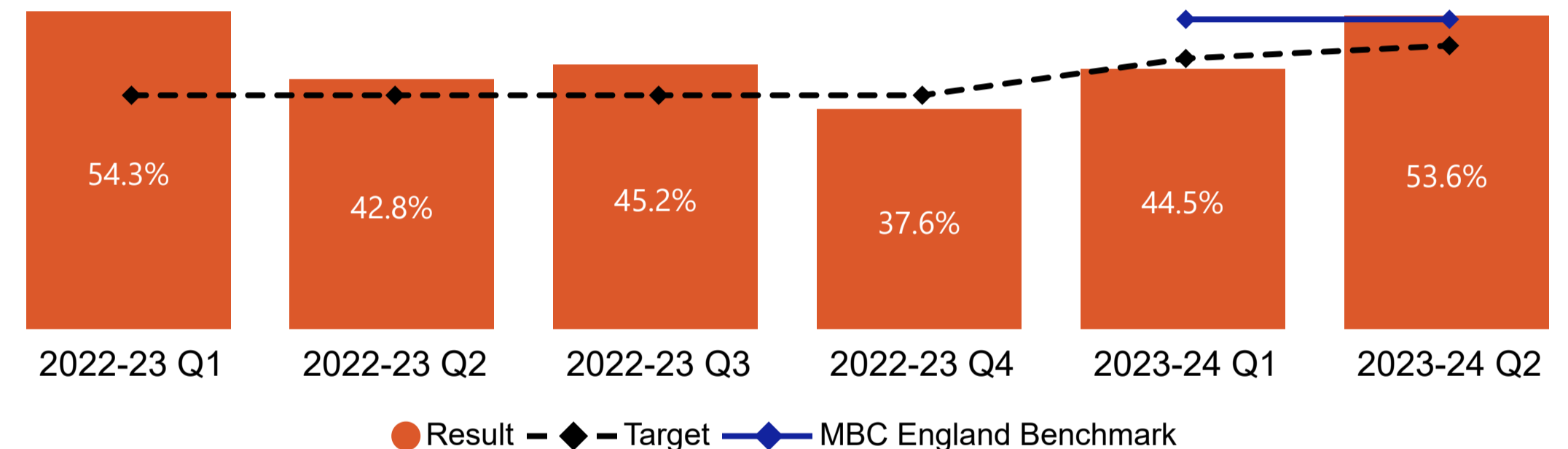
Portfolio: Housing and Homelessness

Directorate: City Housing

Latest Summary:

Pref. DoT	Benchmark	Target	Result	DoT	RAG Status
▲	53.00%	48.5%	53.6%	▲ Improved	G

Households where homelessness is prevented



Latest Comments

This target has been refreshed and is a stretch target for 2023/24 which seeks to achieve the England average of 53% by March 2024. At the end of quarter 2, the service achieved 53.6%, against a target of 48.50%. For the single month of September 2023, the service achieved 63.57% above the 48.50% target. Performance has improved substantially, however, individual months are dependent upon the profile of those presenting as homeless, and whether there is the opportunity to intervene at the prevention stage. In September the Homelessness Prevention Fund was used to support more households into maintaining secure accommodation and supporting more households into secure accommodation. The month also saw a high level of single homeless presentations - cases that are easier to prevent. Ongoing implementation of the Target Operating Model, investment in Housing Solutions Hubs and promotion of the Duty to Refer early, all seek to strengthen performance in this area.



A Bold **Safe** Birmingham

Measure: CH_CP_07 - Total numbers of families in Bed and Breakfast over 6 weeks

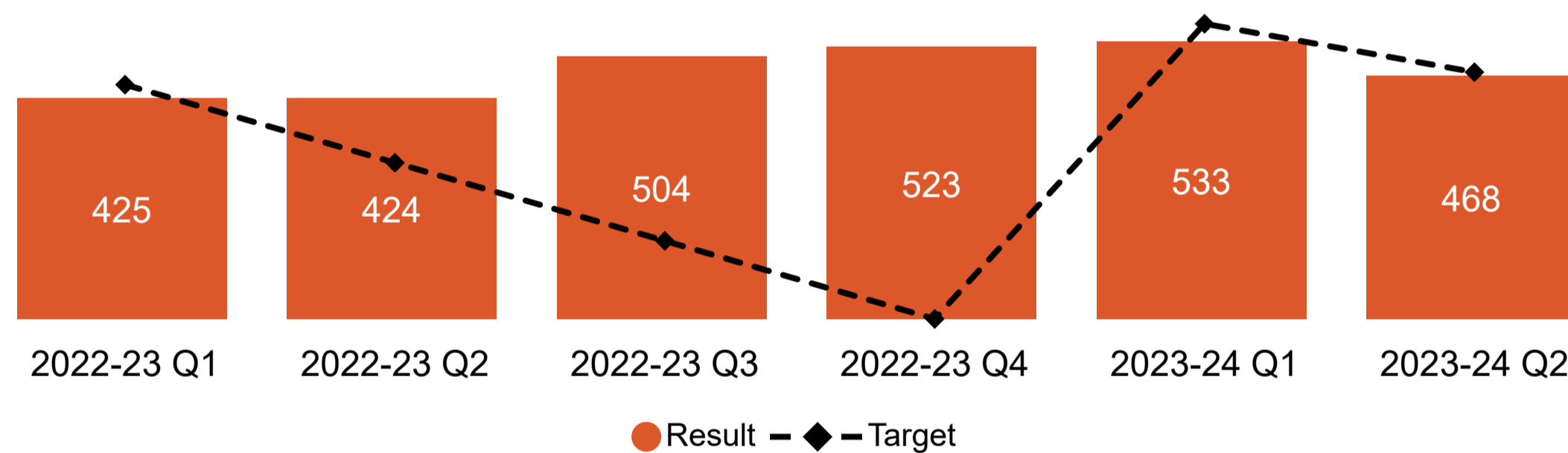
Portfolio: Housing and Homelessness

Directorate: City Housing

Latest Summary:

Pref. DoT	Target	Result	DoT	RAG Status
▼	474	468	Improved	G

Total numbers of families in Bed and Breakfast over 6 weeks



Latest Comments

The Bed & Breakfast (B&B) reduction target has been reprofiled at the invitation of DLUHC to recognise the demand pressures and the extensive range of interventions that are in place. The revised stretched target seeks to achieve zero families in B&B over 6 weeks at July 2024. As of September 2023 (end of quarter 2) 468 households with dependents had been in B&B accommodation for more than 6 weeks against a target of 474. This is better than April's result (end of quarter 1) of 533 against a target of 575, a decrease of 59 households. Performance has remained consistent in achieving the monthly profiled reductions. In order to achieve the target for September 2023, the projected number of households requiring move-on out of B&B was 178. Success requires effective prevention and move-on through Homeless Centres, Dispersed Temporary Accommodation, Private Sector Leased, acquisitions, the private rented sector and social housing allocations.



A Bold **Healthy** Birmingham

Measure: SEP_CP_02b - The percentage of NHS Health Checks offered by the total eligible population in the quarter

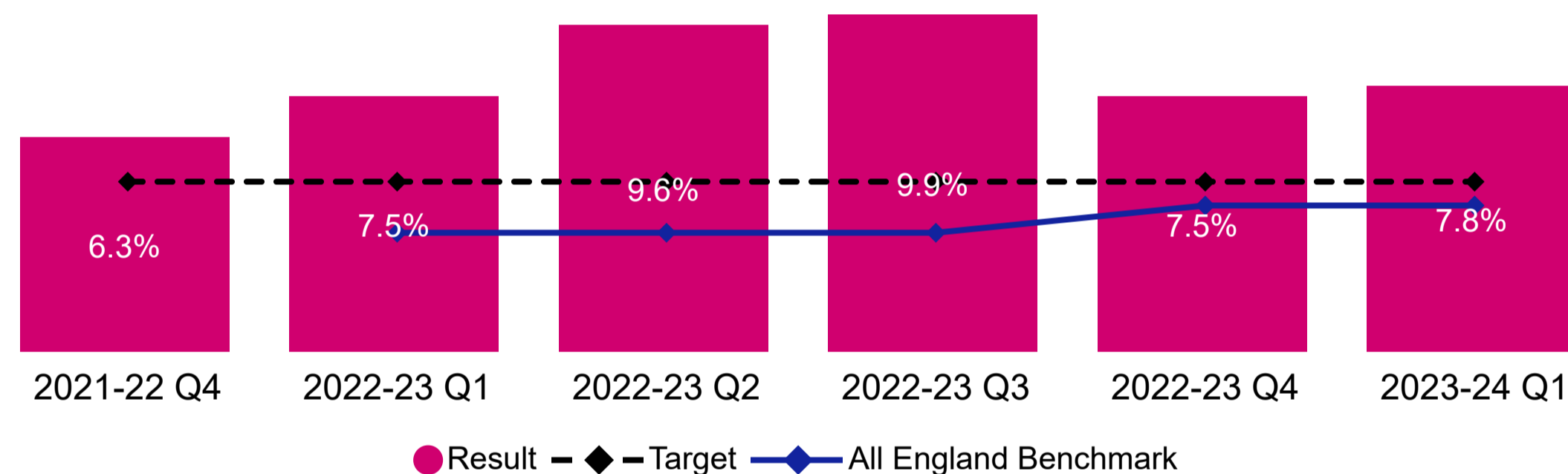
Portfolio: Health & Social Care

Directorate: Strategy, Equality and Partnerships (SEP)

Latest Summary:

Pref. DoIT	Benchmark	Target	Result	DoIT	RAG Status	Reporting in arrears?
▲	4.30%	5.0%	7.8%	Improved	G	Quarter

The percentage of NHS Health Checks offered by the total eligible population in the quarter



Latest Comments

Note, data excludes 1 Practice whose data is supplied to the Council directly. Overall performance has increased compared to Q1.

A Bold **Healthy** Birmingham

Measure: SEP_CP_02a - The number of NHS Health Checks offered by the total eligible population in the quarter

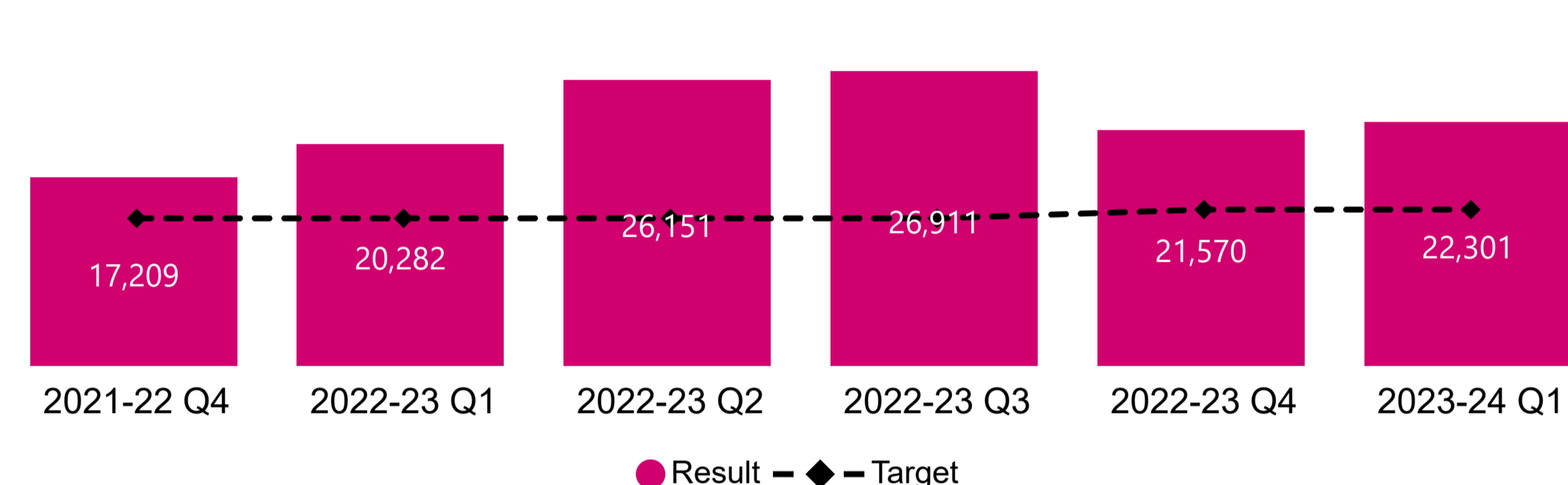
Portfolio: Health & Social Care

Directorate: Strategy, Equality and Partnerships (SEP)

Latest Summary:

Pref. DoIT	Target	Result	DoIT	RAG Status	Reporting in arrears?
▲	14,283	22,301	Improved	G	Quarter

The number of NHS Health Checks offered by the total eligible population in the quarter



Latest Comments

Note, data excludes 1 Practice whose data is supplied the Council directly. Overall performance has increased compared to Q1.



A Bold **Healthy** Birmingham

Measure: SEP_CP_02d - The percentage of NHS Health Checks received by the total eligible population in the quarter

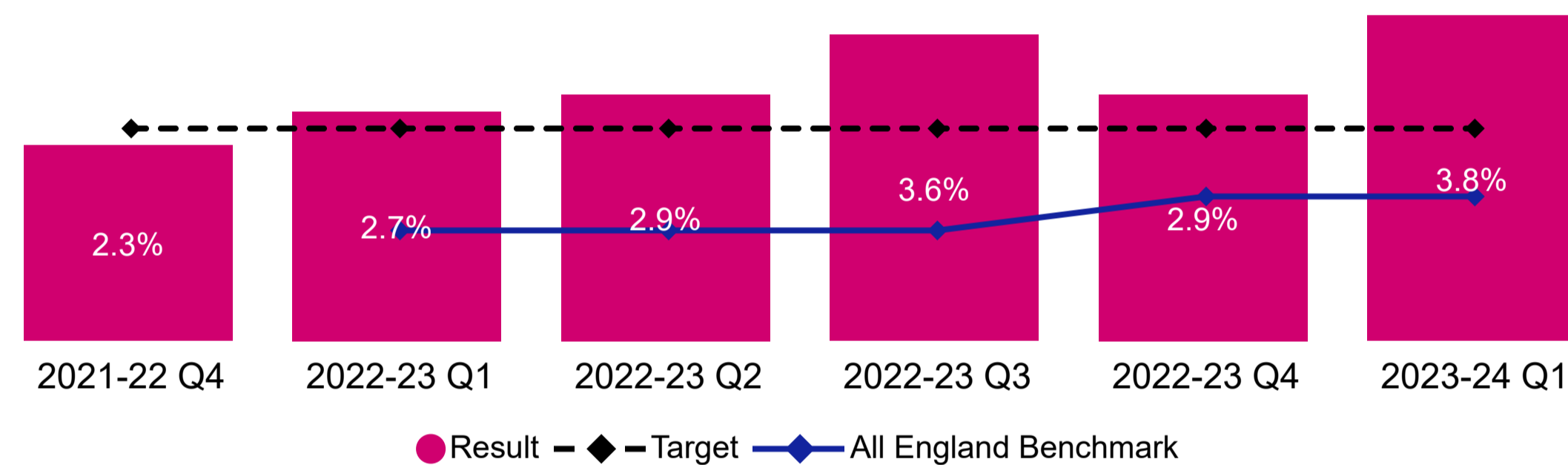
Portfolio: Health & Social Care

Directorate: Strategy, Equality and Partnerships (SEP)

Latest Summary:

Pref. DoIT	Benchmark	Target	Result	DoIT	RAG Status	Reporting in arrears?
▲	1.70%	2.5%	3.83%	Improved	G	Quarter

The percentage of NHS Health Checks received by the total eligible population in the quarter



Latest Comments

Note, date excludes 1 Practice whose data is supplied the Council directly. Overall performance has increased compared to Q1.

A Bold **Healthy** Birmingham

Measure: SEP_CP_02c - The number of NHS Health Checks received by the total eligible population in the quarter

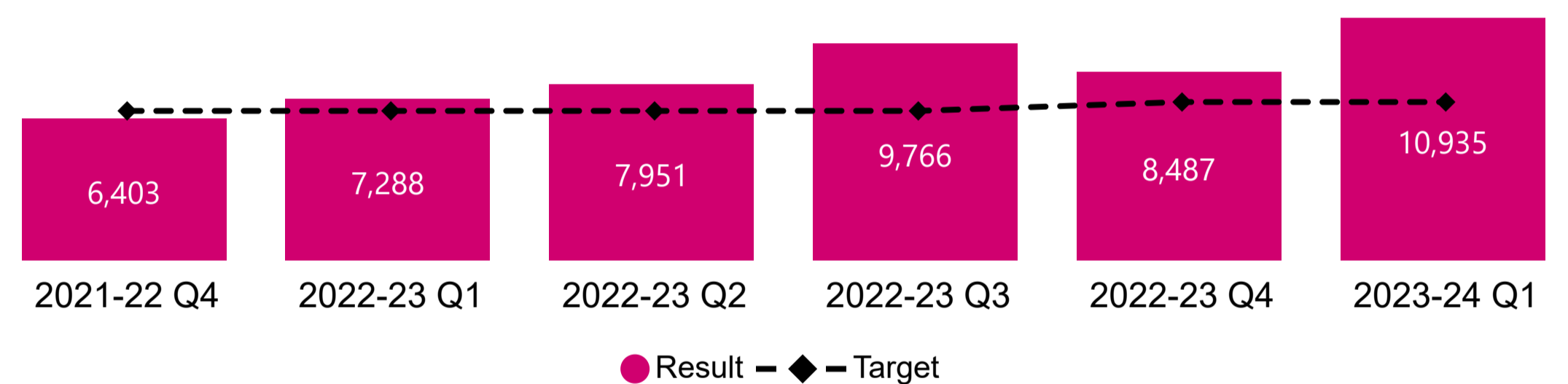
Portfolio: Health & Social Care

Directorate: Strategy, Equality and Partnerships (SEP)

Latest Summary:

Pref. DoIT	Target	Result	DoIT	RAG Status	Reporting in arrears?
▲	7,142	10,935	Improved	G	Quarter

Number of community and cultural projects and events held in Birmingham via the funding programmes



Latest Comments

Note, date excludes 1 Practice whose data is supplied the Council directly. Overall performance has increased compared to Q1.



A Bold **Healthy** Birmingham

Measure: SEP_CP_01 - Proportion of children aged 2-2½yrs receiving ASQ-3 as part of the Healthy Child Programme or integrated review

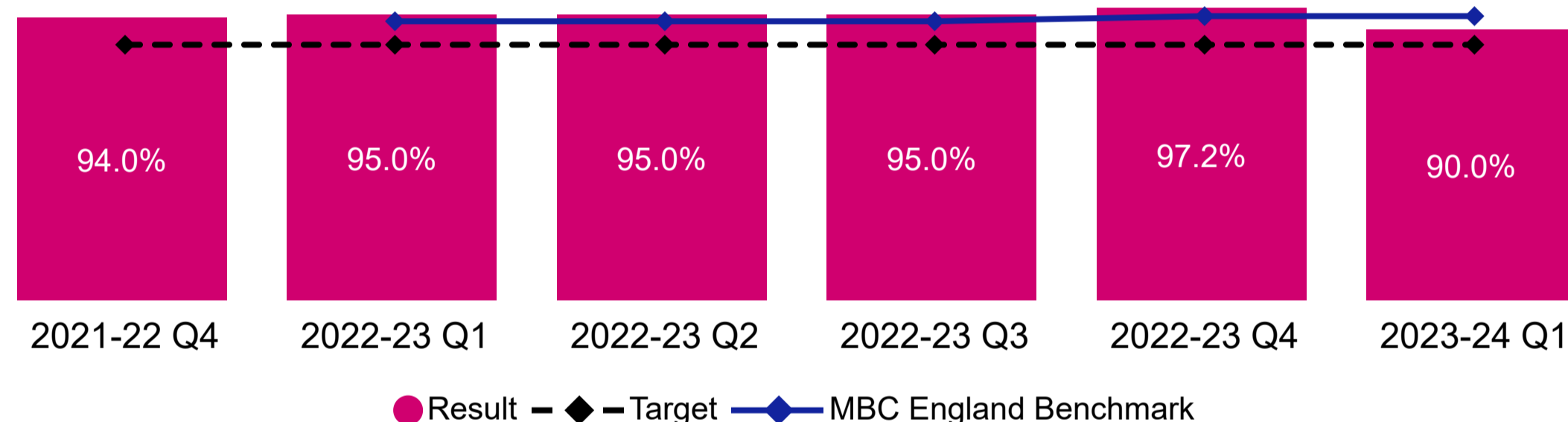
Portfolio: Children, Young People & Families

Directorate: Strategy, Equality and Partnerships (SEP)

Latest Summary:

Pref. DoiT	Benchmark	Target	Result	DoiT	RAG Status	Reporting in arrears?
▲	94.50%	85.0%	90.0%	Worse	G	Quarter

Proportion of children aged 2-2½yrs receiving ASQ-3 as part of the Healthy Child Programme or integrated review



Latest Comments

This data relates to Q1 as it's reported with a quarter lag.

The uptake of the ASQ as part of the delivery of the 2-2.5 year reviews remains above the agreed target. This measure, alongside other KPIs, continues to be monitored on a quarterly basis and will continue to remain a KPI for the providers through the transformation work set to begin following contract extension.

A Bold **Healthy** Birmingham

Measure: CF_CP_17 - Number of individual children attending the Holiday Activities and Food programme

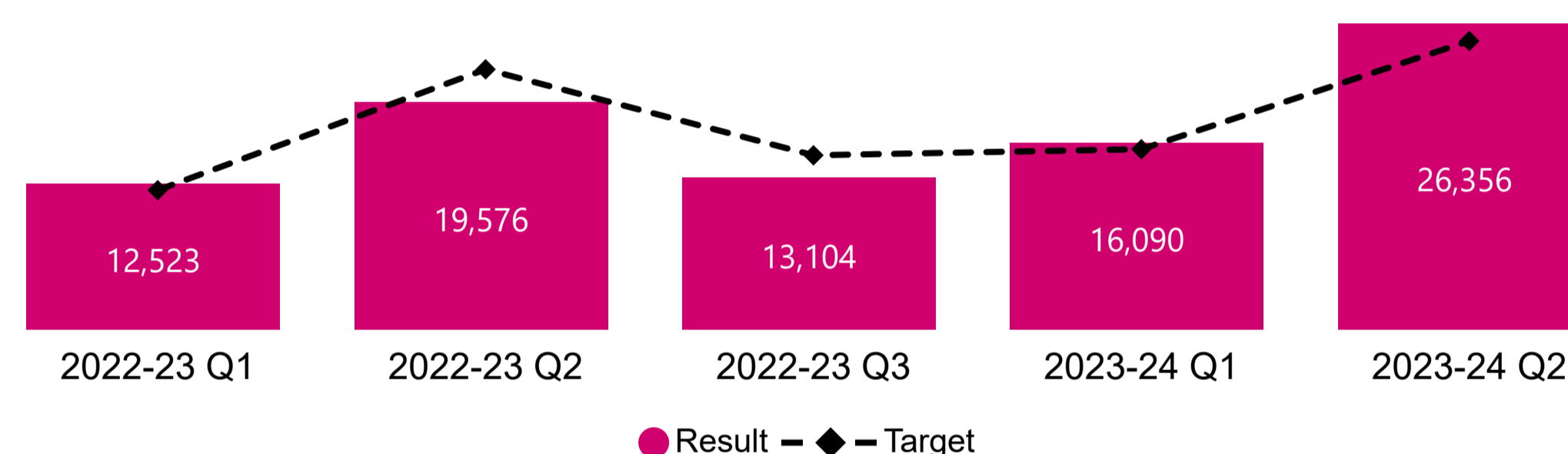
Portfolio: Children, Young People & Families

Directorate: Children and Families

Latest Summary:

Pref. DoiT	Target	Result	DoiT	RAG Status	Reporting in arrears?
▲	24838	26356	Improved	G	Quarter

Number of individual children attending the Holiday Activities and Food programme



Latest Comments

26356 unique children accessed provision for the Summer HAF programme in 2023 compared to 26101 in 2022. 82% were who were eligible for Free School Meals accessed HAF, 82% were of primary age and 18% of secondary age, 15% were SEND. Targeted work is continuing to further increase its success.



A Bold **Healthy** Birmingham

Measure: CO_CP_19 - Number of physical activity interventions delivered by The Active Wellbeing Society (TAWS) across various programmes including Active Parks, Active Streets, the Run Project and Virtual Activities

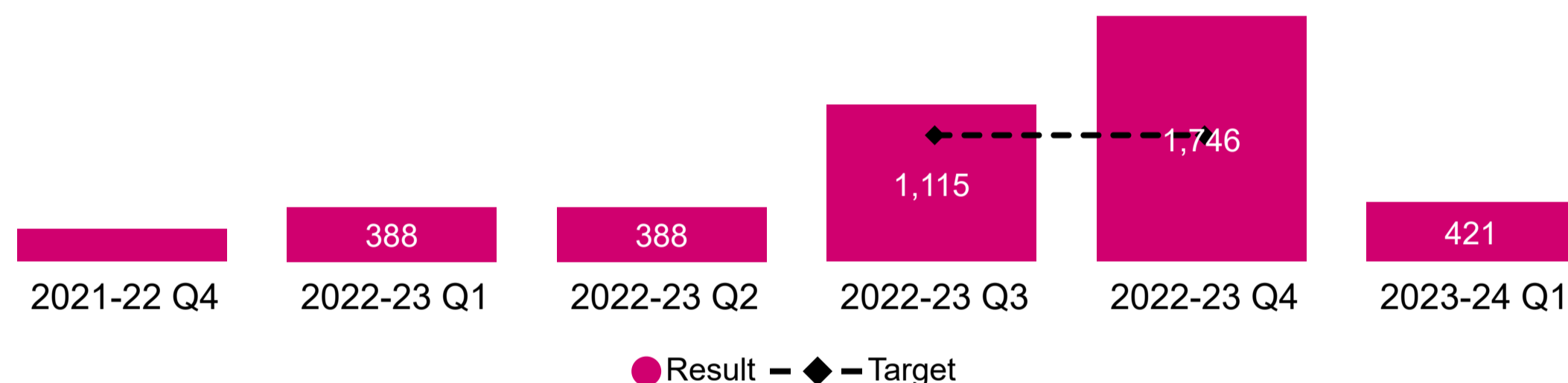
Portfolio: Health & Social Care

Directorate: City Operations

Latest Summary:

Pref. DoT	Target	Result	DoT	RAG Status	Reporting in arrears?
▲	N/A	421	Improved	No Target - Improved	Quarter

Number of physical activity interventions delivered by The Active Wellbeing Society (TAWs) across various programmes including Active Parks, Active Streets, the Run Project and Virtual Activities



Latest Comments

KPI reported a quarter in arrears. The year-to-date (01/04/2023 - 30/06/2023) result is 421 (53% of the annual target of 790). This is a strong result for the first quarter. During this period the Active Wellbeing Society have supported communities with both face to face and virtual interventions based on demand and need. In the next quarter there will be an even greater focus on face to face interventions for walking, running, Active Parks, Active Streets, and Community Sport to support communities to be more socially and physically active. NB: No quarterly targets have been set for this KPI, only an annual year-end target as there are fluctuations in delivery throughout the year based on seasonal and sector trends. Therefore, performance is focused on achieving the year-end target rather than quarterly milestones but the year-end projection remains within tolerance of the annual target. NB: Direction of travel (DoT) status compares against same quarter last year.

A Bold **Healthy** Birmingham

Measure: CO_CP_20 - Number of children and adult visits utilising the Be Active free leisure offer across all Birmingham Wellbeing and Leisure Centres

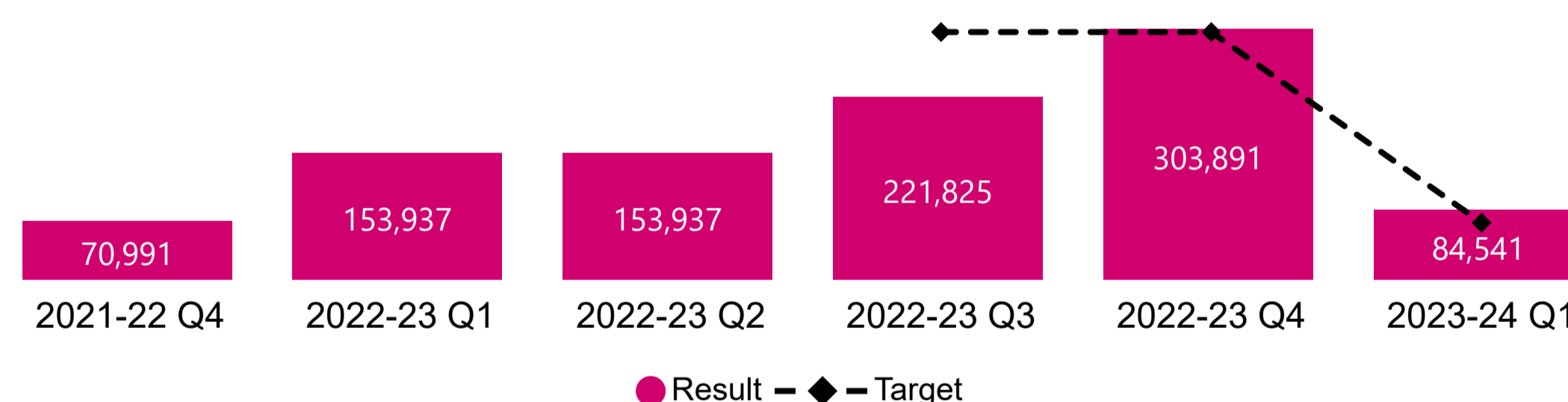
Portfolio: Health & Social Care

Directorate: City Operations

Latest Summary:

Pref. DoT	Target	Result	DoT	RAG Status	Reporting in arrears?
▲	69,000	84,541	Worse	G	Quarter

Number of children and adult visits utilising the Be Active free leisure offer across all Birmingham Wellbeing and Leisure Centres



Latest Comments

KPI reported a quarter in arrears. The year-to-date (01/04/2023 - 30/06/2023) result is 84,541 which has surpassed the target of 69,000 for this period. This result is 22.5% ahead of the quarterly target, a strong quarterly result. There are fluctuations in delivery throughout the year based on seasonal and sector trends, therefore performance has a greater focus on achieving the year-end target rather than quarterly milestones. The service is on track to achieve the year-end target.



A Bold **Healthy** Birmingham

Measure: ASC_CP_06 - The percentage of people who receive Adult Social Care in their own home

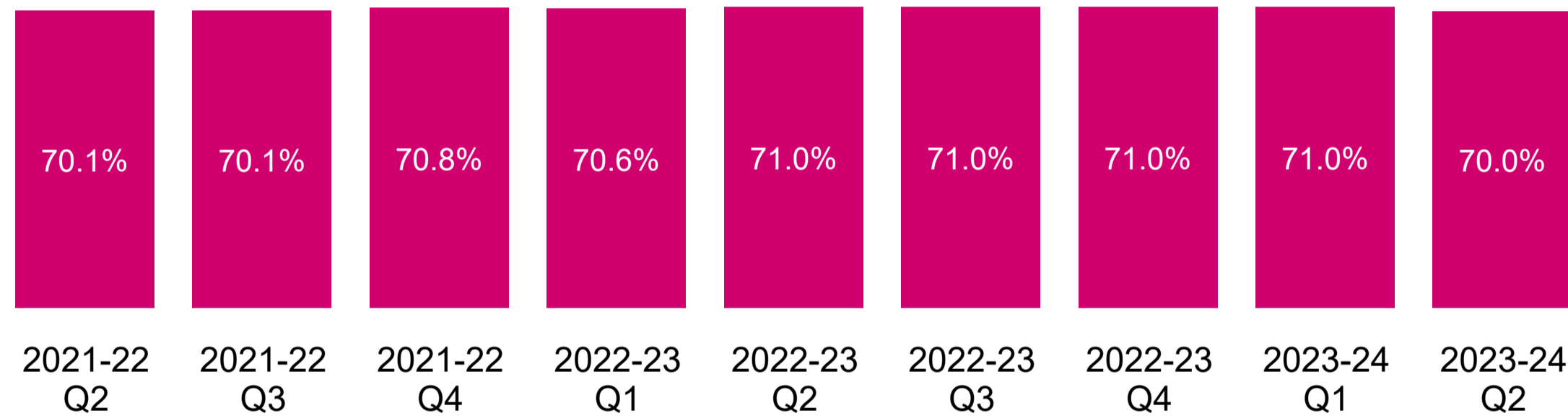
Portfolio: Health & Social Care

Directorate: Adult Social Care

Latest Summary:

Pref. DoiT	Target	Result	DoiT	Reporting in arrears?
▲	N/A	70.00%	Static	Month

The percentage of people who receive Adult Social Care in their own home



Latest Comments

This quarter the result has dropped slightly from 71% to 70% since last quarter. We will always seek to support as many people as we can to receive care at home, but we can only do this when it is safe and will meet people’s needs within the framework set by the Care Act 2014. This means that some people’s care needs will be greater than can be met at home, so we have to arrange care in a suitable setting such as a care home. Our social work teams in the Hospital and Discharge to Assess services follow a “home first” policy where they support citizens to return home after stays in hospital wherever possible. However, there is a suggestion that people are more severely ill when they are being admitted, which is beyond our control but could impact on our ability to discharge people home safely.

A Bold **Healthy** Birmingham

Measure: ASC_CP_07 - Percentage/Proportion of clients discharged into Pathway 0 & Pathway 1

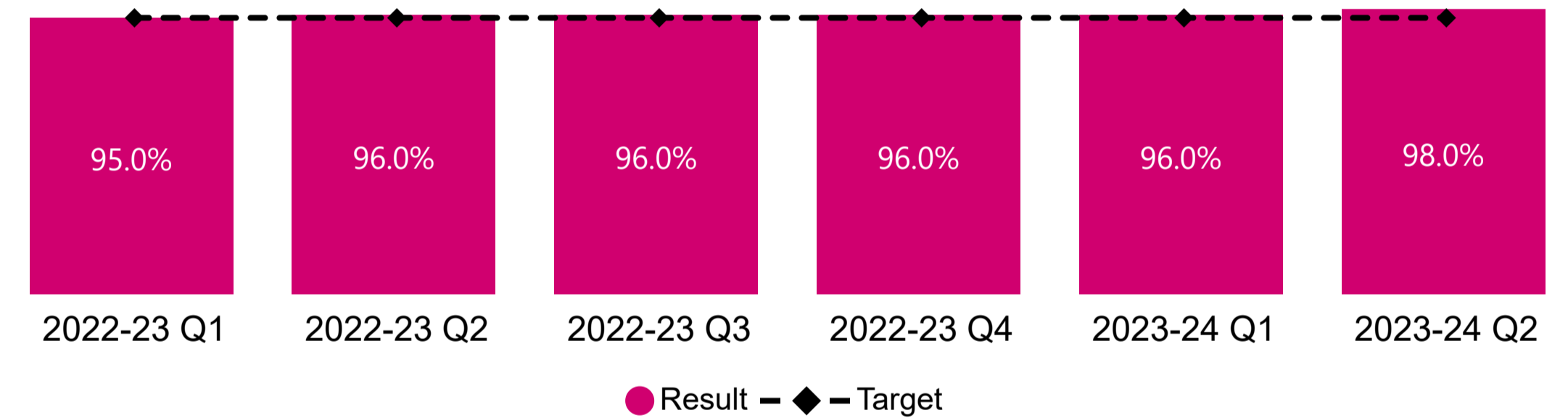
Portfolio: Health & Social Care

Directorate: Adult Social Care

Latest Summary:

Pref. DoiT	Target	Result	DoiT	RAG Status
▲	95.0%	98.0%	Improved	G

Percentage/Proportion of clients discharged into Pathway 0 & Pathway 1



Latest Comments

This quarter we have exceeded the target of 95% with a result of 98%. Our social work teams in the Hospital and Discharge to Assess service, working with our partners in the NHS, are continuing to perform above the target despite significant pressures on the hospital system currently. We continue to follow our home first principle where we actively work to move citizens from acute and community hospital beds into their own homes and provide the care to ensure that they are in the right place, at the right time to meet their needs.



A Bold Green Birmingham

Measure: CO_CP_22 - Level of street cleanliness as assessed by the Land Audit Management System (LAMS)

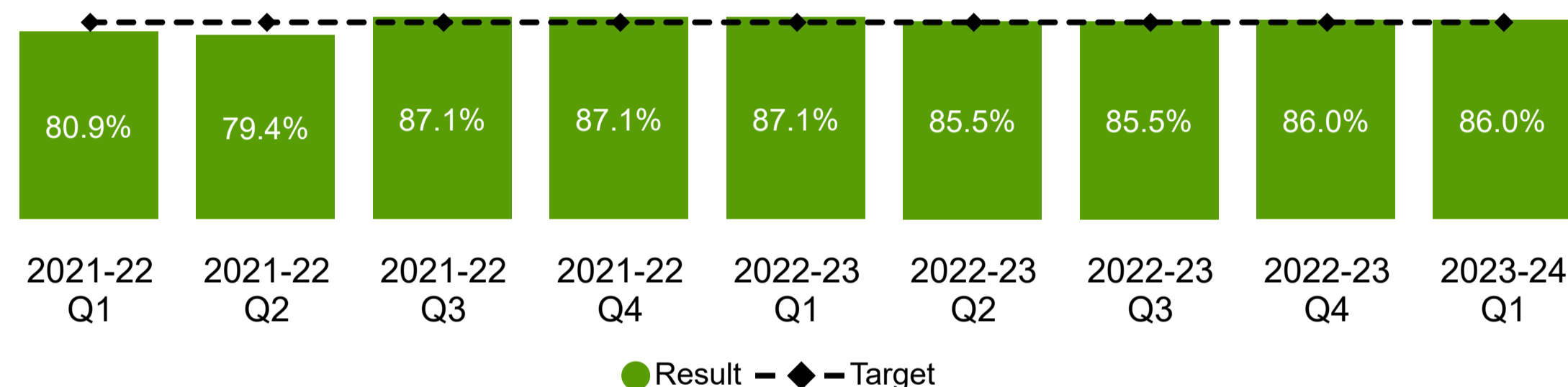
Portfolio: Environment

Directorate: City Operations

Latest Summary:

Pref. DoFT	Target	Result	DoFT	RAG Status	Reporting in arrears?
▲	85.0%	86.0%	Static	G	Quarter

Level of street cleanliness as assessed by the Land Audit Management System (LAMS)



Latest Comments

KPI reported one quarter in arrears. The year-to-date (01/04/2023 – 30/06/2023) result is 85.96% which has exceeded the target of 85.00%.

The Street Cleansing department has received some short-term internal funding to carry out some new initiatives, to help compliment the scheduled street cleansing works, and to work alongside the Love Your Streets teams. The teams are working using a structured approach to tackle the worst affected areas of the city that have high instances of fly-tipping, graffiti, dumped Waste Electrical and Electronic Equipment (WEEE) items, litter and detritus.

The early results are encouraging, and the department is seeing a reduction in complaints. NB: Direction of travel (DoFT) status compares against same quarter last year.

A Bold Green Birmingham

Measure: CO_CP_23 - Recycling, Reuse, and Green Waste (both with and without bottom ash)

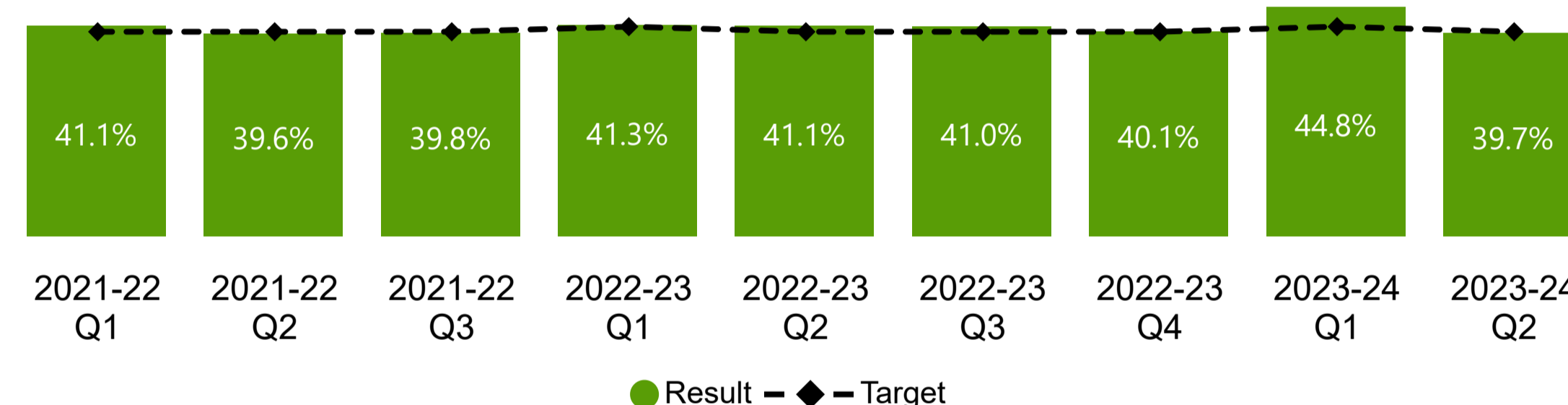
Portfolio: Environment

Directorate: City Operations

Latest Summary:

Pref. DoFT	Target	Result	DoFT	RAG Status	Reporting in arrears?
▲	40.0%	39.7%	Worse	A	Month

Recycling, Reuse, and Green Waste (both with and without bottom ash)



Latest Comments

The year-to-date (April to August) estimated result is 39.71% which is slightly below target but within tolerance of the year-to-date target of 40.00%. The estimated year-to-date amount of waste disposed is 196,094 tonnes, of which 77,876 tonnes were reused, recycled, or composted. Year-to-date, an estimated 19,600 tonnes of materials were collected separately and sent for reuse, recycling, or composting at the household recycling centres (HRCs). This is 70% of all the materials disposed at the HRCs. The year-to-date estimated result (excluding bottom ash) is 26.65% which is a slight improvement on the year-to-date (April 2022 to August 2022) result of 26.40%.

NB: Direction of travel (DoFT) status compares against same quarter last year.



A Bold Green Birmingham

Measure: CO_CP_24 - Percentage of waste presented to landfill

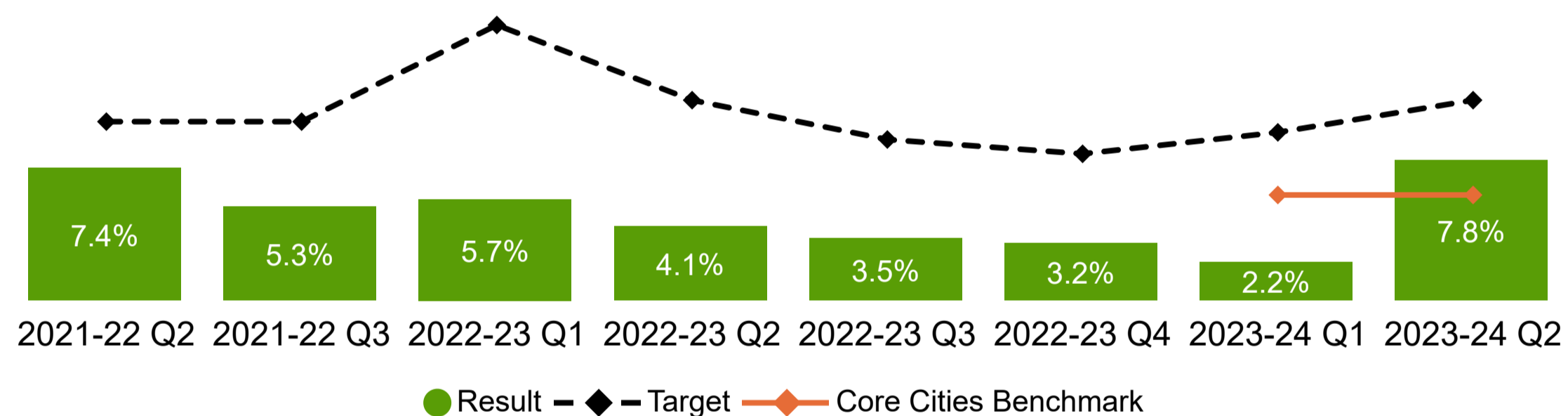
Portfolio: Environment

Directorate: City Operations

Latest Summary:

Pref. DoFT	Benchmark	Target	Result	DoFT	RAG Status	Reporting in arrears?
▼	5.90%	11.2%	7.8%	Worse	G	Month

Percentage of waste presented to landfill



Latest Comments

The year-to-date (April to August) estimated result is 7.83% which has surpassed the year-to-date target of 11.20%. The target is profiled to account for a planned maintenance shutdown of the Tyseley Energy Recovery Facility (ERF) in June. The year-to-date estimated amount of waste disposed is 196,094 tonnes, of which 15,354 tonnes were landfilled. In 2023-24, the service will continue to make best use of available alternate Energy Recycling Facilities (ERFs) that endeavour to recycle their post-incineration ash output, reducing as far as possible the need for landfill. Year-to-date, 11,782 tonnes of waste have been diverted from landfill to alternate ERFs.

NB: Direction of travel (DoFT) status compares against same quarter last year.

A Bold Green Birmingham

Measure: CO_CP_25 - Percentage of offensive/racist graffiti incidents cleared within SLA by Street Cleansing

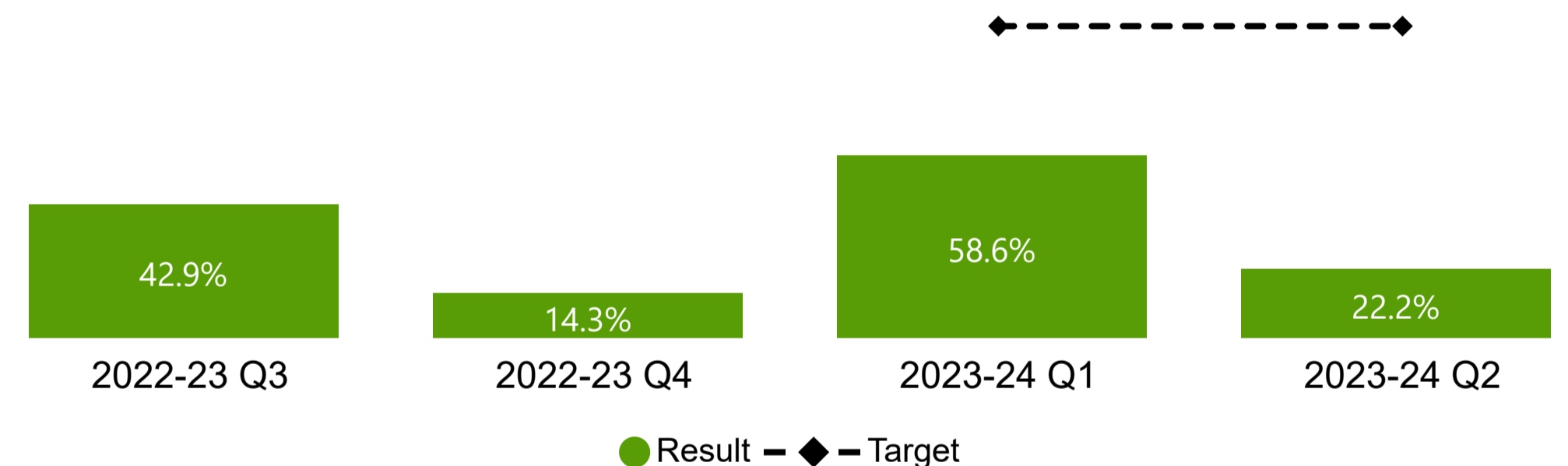
Portfolio: Environment

Directorate: City Operations

Latest Summary:

Pref. DoFT	Target	Result	DoFT	RAG Status
▲	100.0%	22.2%	Worse	R

Percentage of offensive/racist graffiti incidents cleared within SLA by Street Cleansing



Latest Comments

NB: We are aware of issues with data collection for this KPI which may be affecting accuracy of results. We will seek to address this, and historical data quality issues will be addressed in the Q3 report. The Quarter 2 (01/07/23 - 30/09/23) result is 22.2% which has not achieved the target of 100%. There were 18 offensive graffiti incidents reported from July to September 2023, 4 of which were cleared within one working day. A contract is being developed to provide additional graffiti crews to cope with the increase in tagging across the city. Priority will be given to offensive graffiti incidents and a single manager has been tasked to coordinate crews and ensure offensive graffiti is removed within the Service Level Agreement (SLA).



A Bold Green Birmingham

Measure: CO_CP_26 - Actual missed collections

Portfolio: Environment

Directorate: City Operations

Latest Summary:

Pref. DoFT	Target	Result	RAG Status
▼	N/A	NYD	NYD

Actual missed collections

New measure: data will be available in Qtr 3.

Latest Comments

This measure will be reported from Quarter 3.

A Bold Green Birmingham

Measure: CO_CP_21a - Reported missed collections per 100k collections scheduled

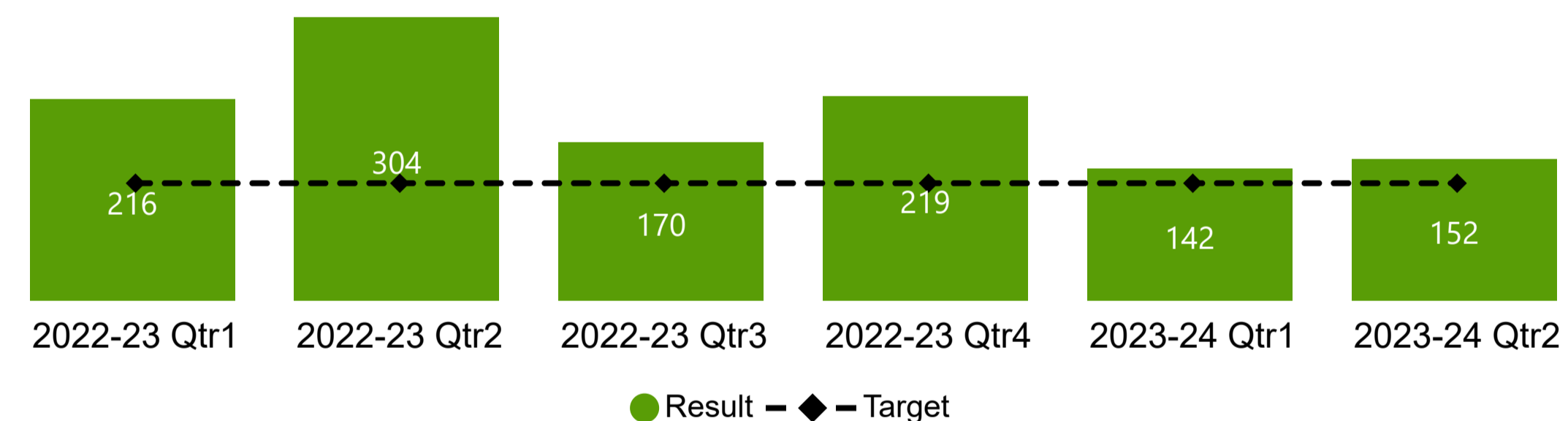
Portfolio: Environment

Directorate: City Operations

Latest Summary:

Pref. DoFT	Target	Result	DoFT	RAG Status
▼	126	152	Worse	A

Reported missed collections per 100k collections scheduled



Latest Comments

This KPI hasn't achieved the target this quarter but performance is within tolerance.

The service has had an increased level of staff sickness at one of the depots, which has had an adverse impact on the performance this period. The service is currently identifying repeat missed collections to improve service delivery.

The July result was 120, August was 140, and September was 195.



A Bold Green Birmingham

Measure: PPS_CP_05 - Percentage increase in the number of trips taken by bicycle per annum

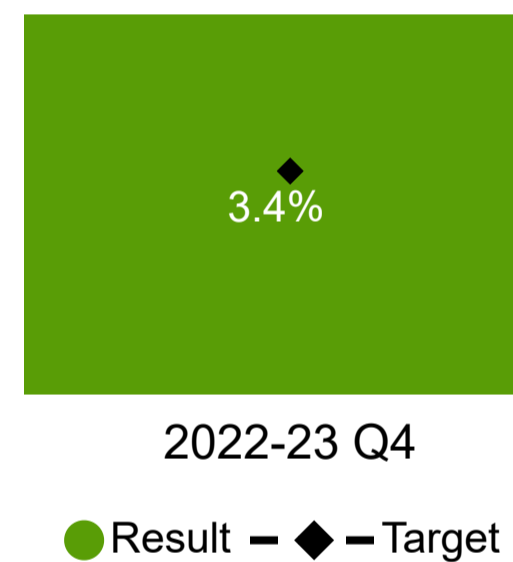
Portfolio: Transport

Directorate: Places, Prosperity and Sustainability (PPS)

Latest Summary:

Pref. DoT	Target	Result	DoT	RAG Status
▲	2.0%	NYD	▲	NYD

Percentage increase in the number of trips taken by bicycle per annum



Latest Comments

This is annual measure and will be reported at Quarter 4 2023/24.

A Bold Green Birmingham

Measure: PPS_CP_08 - Percentage of vehicles (passenger car - M1) entering Clean Air Zone that meet the emissions standards of the zone

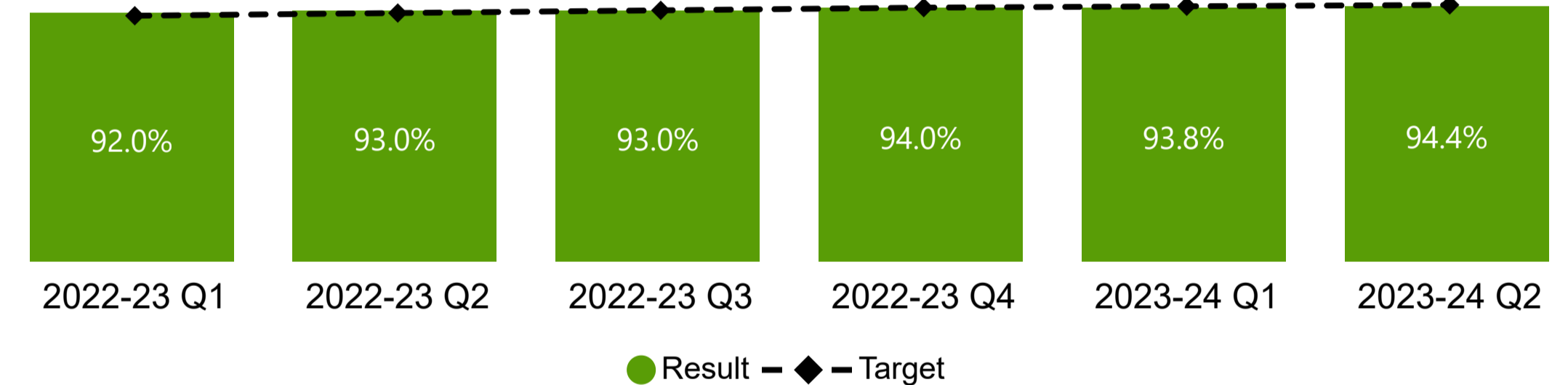
Portfolio: Transport

Directorate: Places, Prosperity and Sustainability (PPS)

Latest Summary:

Pref. DoT	Target	Result	DoT	RAG Status
▲	95.0%	94.4%	Static	A

Percentage of vehicles (passenger car - M1) entering Clean Air Zone that meet the emissions standards of the zone



Latest Comments

The rate of change within the passenger vehicle category continues to be +0.1 to +0.3 percentage points per month. On that basis it is still anticipated that we should still be close or above the compliance rate of 96% by the end of the reporting year. It should also be noted that the Council has published its latest progress report for the Clean Air Zone. The report highlights that the levels of nitrogen dioxide in the Zone have reduced by an average of 17% when compared with 2019 (i.e. the last 'normal' year before COVID). And by 40% when compared with 2016 (the original year used for modelling the expected impacts of the Zone). The report also highlights two areas within the Zone where there are ongoing exceedances of the legal limits for nitrogen dioxide and that further studies are underway to better understand the source(s) of this pollution.



A Bold Best in Class Council

Measure: CM_OH_03 - Council tax collection rate

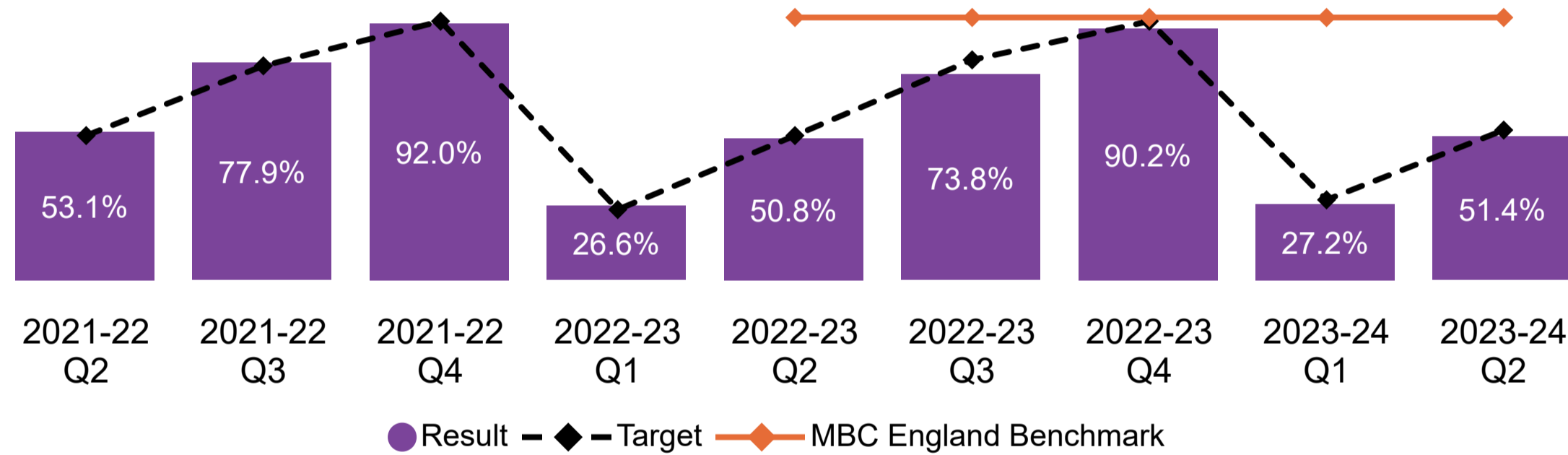
Portfolio: Finance & Resources

Directorate: Council Management

Latest Summary:

▲ Pref. DoT	Benchmark	Target	Result	▲ DoT	RAG Status
▲	94.09%	53.7%	51.4%	Static	A

Council tax collection rate



Latest Comments

The council tax collection rate is down on the target profile due to a combination of a higher numbers of citizens defaulting on their council tax accounts, customer payments still awaiting allocation to their accounts and certain accounts remaining on hold from recovery action due to the Oracle implementation. Due to a higher number of citizens defaulting on their payments this has also resulted in increased levels of recovery action for the Revenues Service to handle.
 NB: Direction of travel (DoT) status compares against same quarter last year.

A Bold Best in Class Council

Measure: CM_OH_04 - Business rates collection rate (as % of due in entire year)

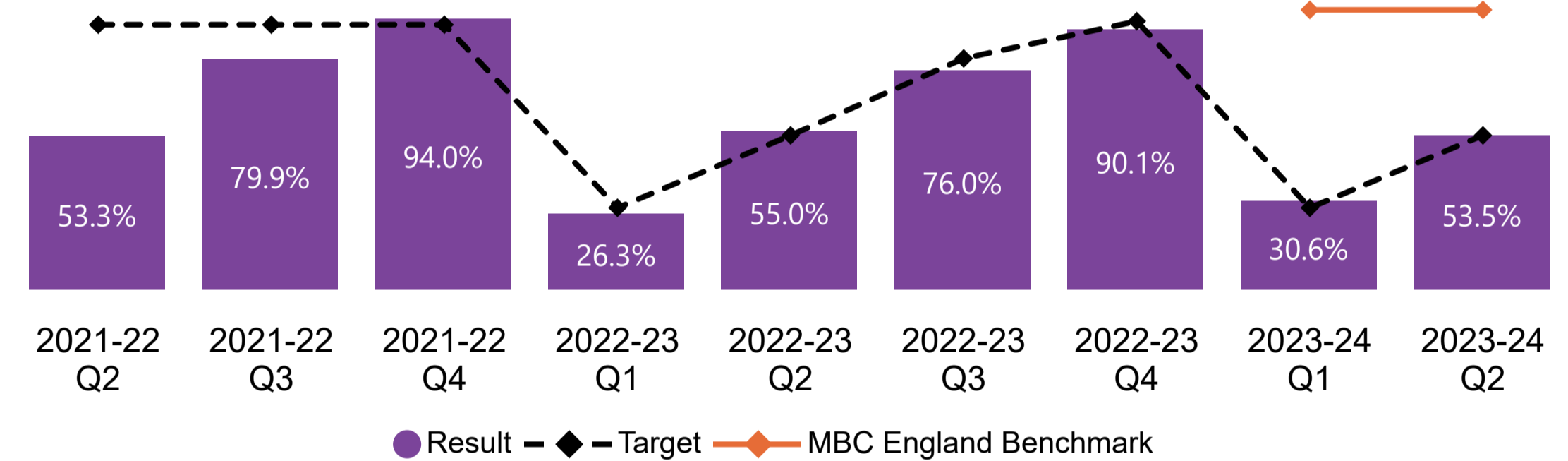
Portfolio: Finance & Resources

Directorate: Council Management

Latest Summary:

▲ Pref. DoT	Benchmark	Target	Result	Worse DoT	RAG Status
▲	96.92%	53.4%	53.5%	Worse	G

Business rates collection rate (as % of due in entire year)



Latest Comments

The business rates collection rate is on track to meet the year end target as the Revenues Service works through its recovery case load. The Service continues to reduce its correspondence backlog and pursue companies with arrears outstanding.
 NB: Direction of travel (DoT) status compares against same quarter last year.



A Bold Best in Class Council

Measure: CM_OH_05 - % of housing rents collected

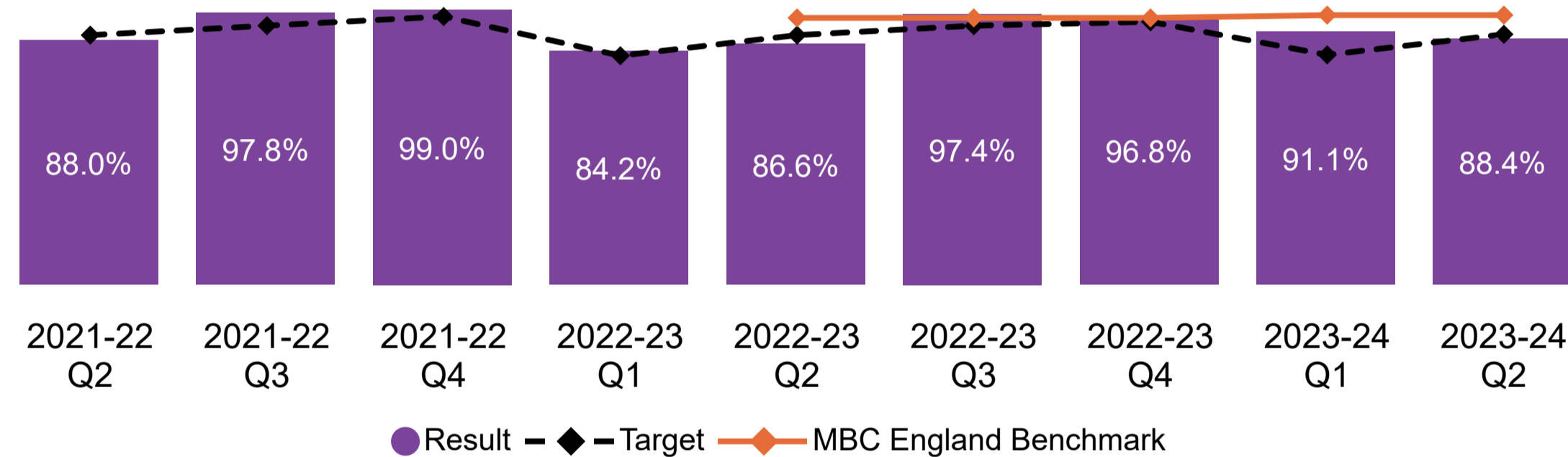
Portfolio: Finance & Resources

Directorate: Council Management

Latest Summary:

Pref. DoFT	Benchmark	Target	Result	DoFT	RAG Status
▲	97.00%	90.1%	88.4%	Improved	A

% of housing rents collected



Latest Comments

The overall performance for Quarter 2 is under target but within the tolerance of 5%. Payment holidays in the next quarter will see an increase in collection. NB: Direction of travel (DoFT) status compares against same quarter last year.

A Bold Best in Class Council

Measure: CM_OH_07 - Number of customers registering satisfaction with the Council (Contact Centre Survey)

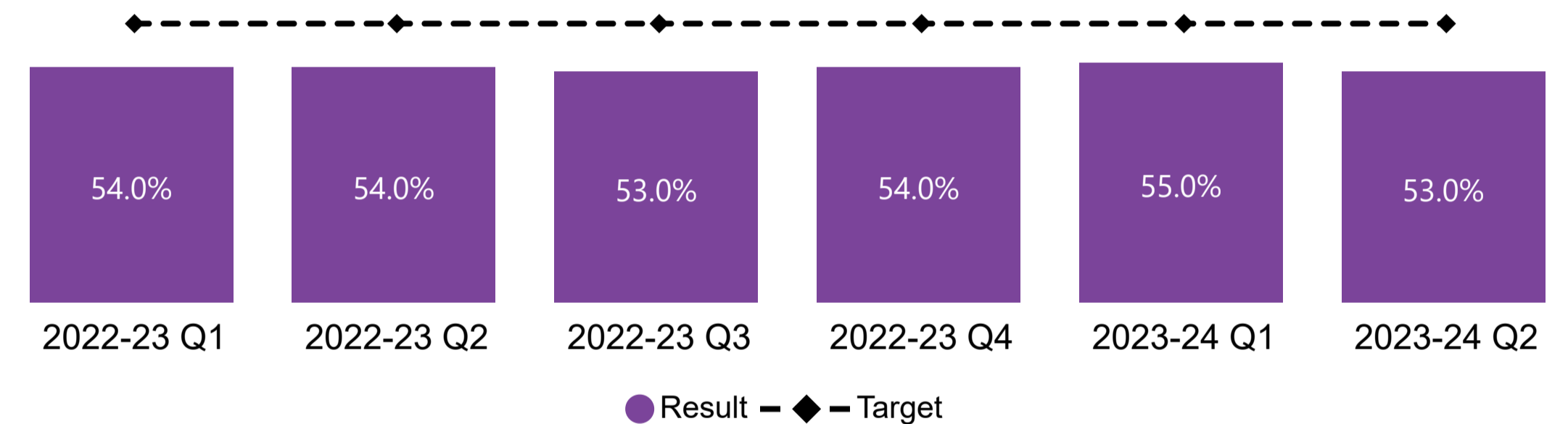
Portfolio: Deputy Leader

Directorate: Council Management

Latest Summary:

Pref. DoFT	Target	Result	DoFT	RAG Status
▲	64.0%	53.0%	Worse	R

Number of customers registering satisfaction with the Council (Contact Centre Survey)



Latest Comments

Overall Customer Satisfaction Score (CSAT) of 53% (vs. 64% target) is based on 7,495 responses, while agent willingness (AW) was 80% vs 83% target. This demonstrates that, whilst overall CSAT is low, the Contact Centre generally does everything they can to resolve the issue for the citizen. The feedback we receive, for example, are frustrations with incomplete repairs, Penalty Charge Notices, lack of housing, and ongoing missed refuse collections. Breakdown of top 10 services (making up 87% of response volumes):
 Housing Repairs (2,040): 55% CSAT, 82% AW | Revenues (900): 59% CSAT, 84% AW | Tenancy Estate Management (726): 64% CSAT, 78% AW | Brum Account (514): 68% CSAT (Chat only) | Clean Air Zone (514): 17% CSAT, 44% AW | Housing Solutions (511): 49% CSAT, 73% AW | Contact Us / Switchboard (395): 57% CSAT, 77% AW | School Admissions (354): 59% CSAT, 78% AW | Waste Management (321): 48% CSAT, 85% AW | Benefits (229): 55% CSAT, 80% AW



A Bold Best in Class Council

Measure: CM_OH_09 - Complaints received per 1,000 residents

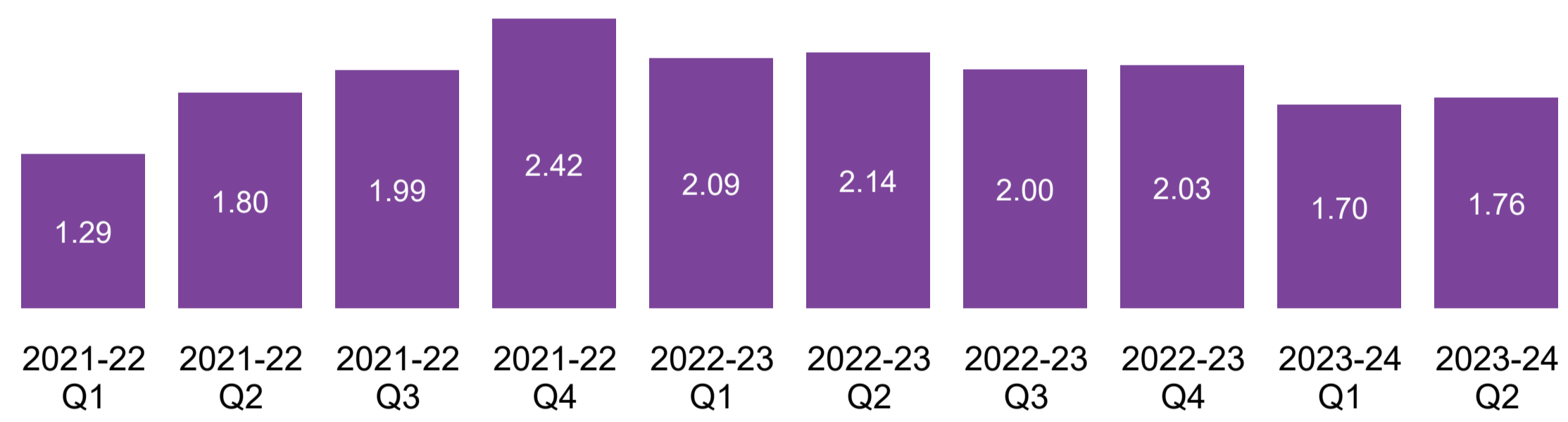
Portfolio: Deputy Leader

Directorate: Council Management

Latest Summary:

Pref. DoFT	Target	Result	DoFT
▼	N/A	1.76	Improved

Complaints received per 1,000 residents



Latest Comments

The Q2 complaints per 1000 is at 1.76/1000 which is higher than Q 1 which closed at 1.70. The benchmark for this measure is 2.0.
 NB: Direction of travel (DoFT) status compares against same quarter last year.

A Bold Best in Class Council

Measure: CM_OH_08 - % of customer / citizen complaints responded to within SLA

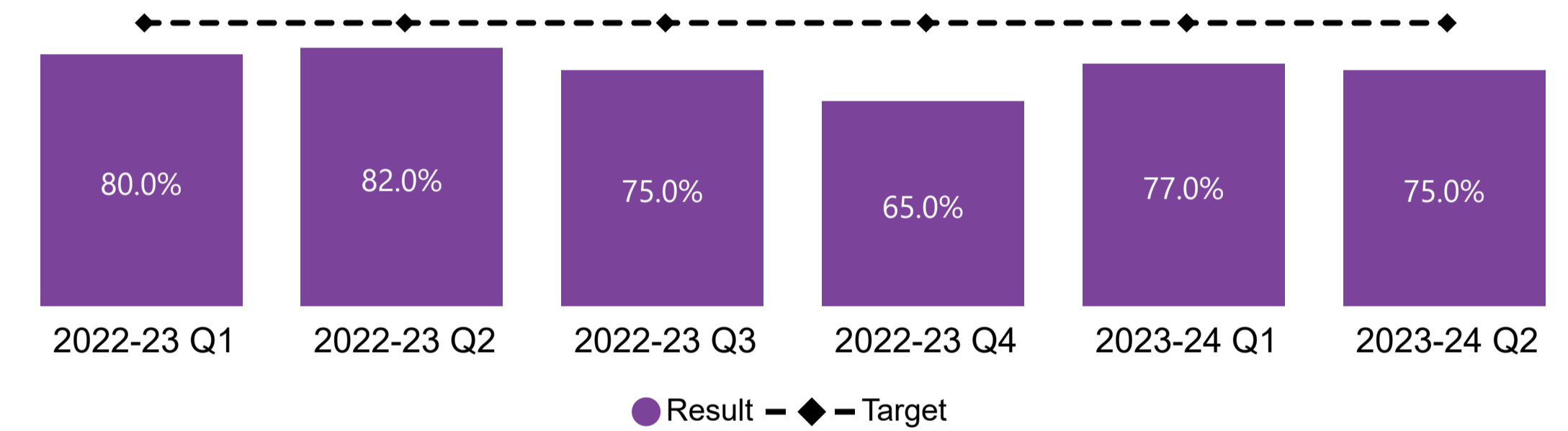
Portfolio: Deputy Leader

Directorate: Council Management

Latest Summary:

Pref. DoFT	Target	Result	DoFT	RAG Status
▲	90.00%	75.00%	Worse	R

% of customer / citizen complaints responded to within SLA



Latest Comments

Average service level agreement (SLA) for complaints being responded to within 15 working days for Q2 was 75% a reduction from 78% in Q1. 3 Directorates achieved 90% SLA (Council Management, PPS, and SEP). Q2 has seen City Housing complaints decrease by 347 complaints to 1802 (2149 in Q1). There has been a focus on addressing overdue and outstanding complaints resulting in the reduction of the age and volume of the backlog of complaints and enquiries within City Housing. Children and Families September saw complaint volumes double compared to previous months in the Quarter. Travel Assist account for 42% of the complaints within this Directorate. Travel Assist SLA at 46% over Q2 which accounts for the drop in SLA. Travel Assist has been through a recent redesign and is struggling to resource its key areas and deal with volume of customer queries and supports the complaints service with resolutions. NB: Direction of travel (DoFT) status compares against same quarter last year.



A Bold Best in Class Council

Measure: CM_OH_11 - % of ombudsmen complaints upheld

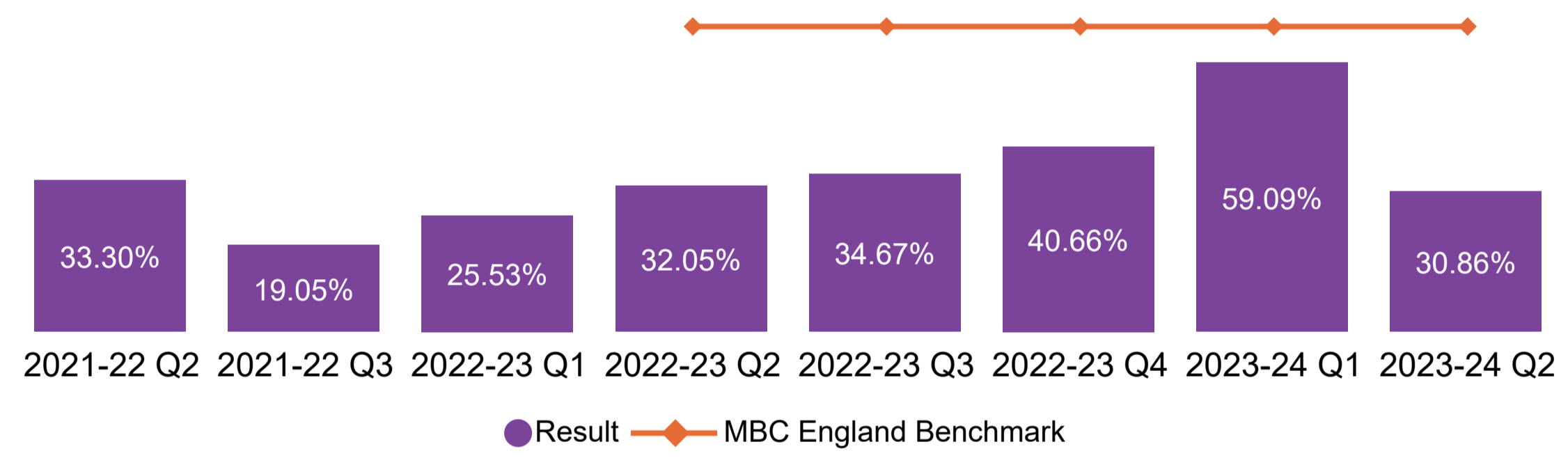
Portfolio: Deputy Leader

Directorate: Council Management

Latest Summary:

Pref. DoIT	Benchmark	Target	Result	DoIT
▼	67.00%	N/A	30.86%	Improved

% of ombudsmen complaints upheld



Latest Comments

Overall, 30.86% of matters were upheld this quarter in comparison to the previous quarter (59%). However, the number of matters received during the quarter was higher than the previous quarter. The City Housing Directorate continue to receive the highest number of matters as they have involvement with both the Local Government and Social Care Ombudsman and the Housing Ombudsman. Regular meetings are taking place with the Directorate where matters are discussed in detail and trends that have been identified are raised and analysed.

A Bold Best in Class Council

Measure: CM_OH_12 - Level of borrowing (this is the amount of the Council's budget that funds debt per annum, the aim is to reduce this percentage)

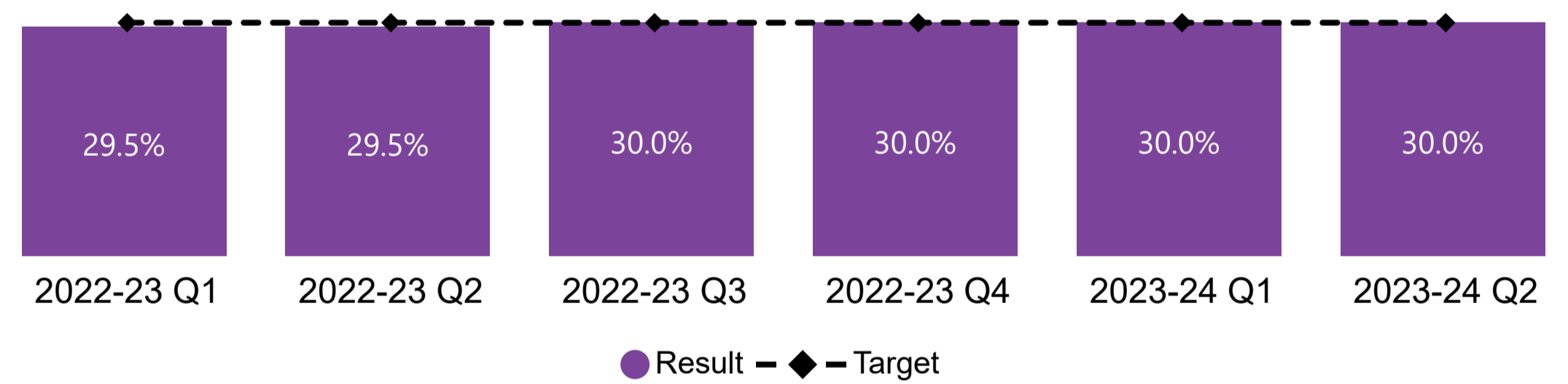
Portfolio: Finance & Resources

Directorate: Council Management

Latest Summary:

Pref. DoIT	Target	Result	DoIT	RAG Status
▼	30.00%	30.00%	Static	G

Level of borrowing (this is the amount of the Council's budget that funds debt per annum, the aim is to reduce this percentage)



Latest Comments

At end of Q2 borrowing and costs are still forecast to be within budget. Interest costs have risen sharply in Q1 and Q2 and there is a risk that financial pressures in the economy may force up borrowing costs further or remain longer at the higher level which will put pressure on this indicator. A review of the Council's borrowing requirements is planned in the next two quarters.



A Bold Best in Class Council

Measure: CM_OH_16a - Level of general fund reserves (unearmarked reserves) - %

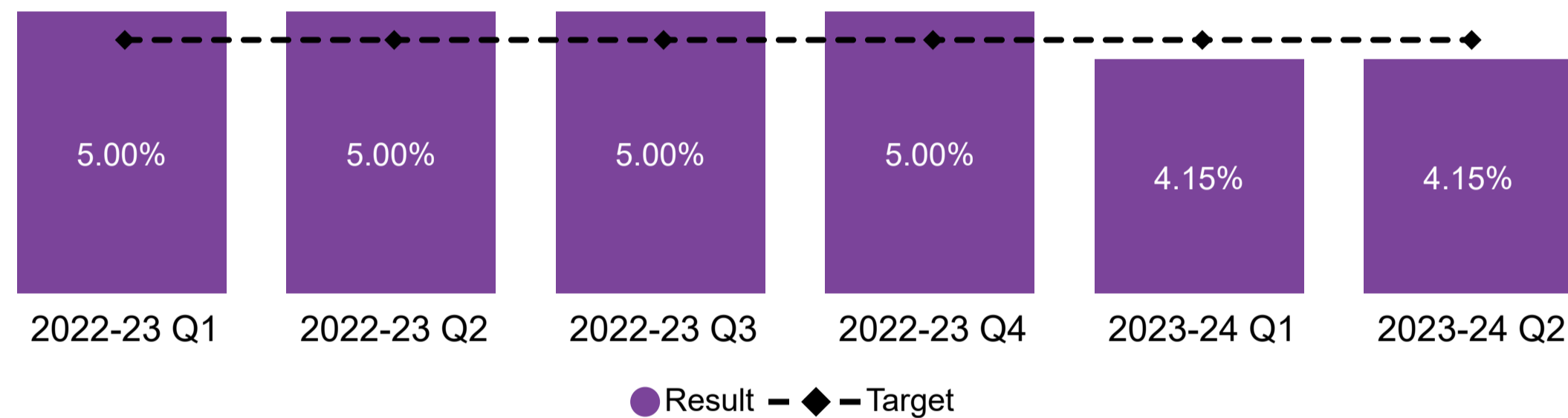
Portfolio: Finance & Resources

Directorate: Council Management

Latest Summary:

Pref. DoIT	Target	Result	DoIT	RAG Status
▲	4.50%	4.15%	▼	Worse
				A

Level of general fund reserves (unearmarked reserves) - %



Latest Comments

Whilst the 2022/23 outturn has not yet been completed, the value of the General Fund Balance is expected to remain at £38.382m. As the net budget for 2023/24 is £925.078m, this gives a percentage of 4.15% which is expected to stay the same throughout 2023/24. The Council will look to bring the value of the General Fund Balance back up to 4.5% of net budget as part of setting the budget for 2024/25.

A Bold Best in Class Council

Measure: CM_OH_13 - Health and Safety - HSE notifiable instances

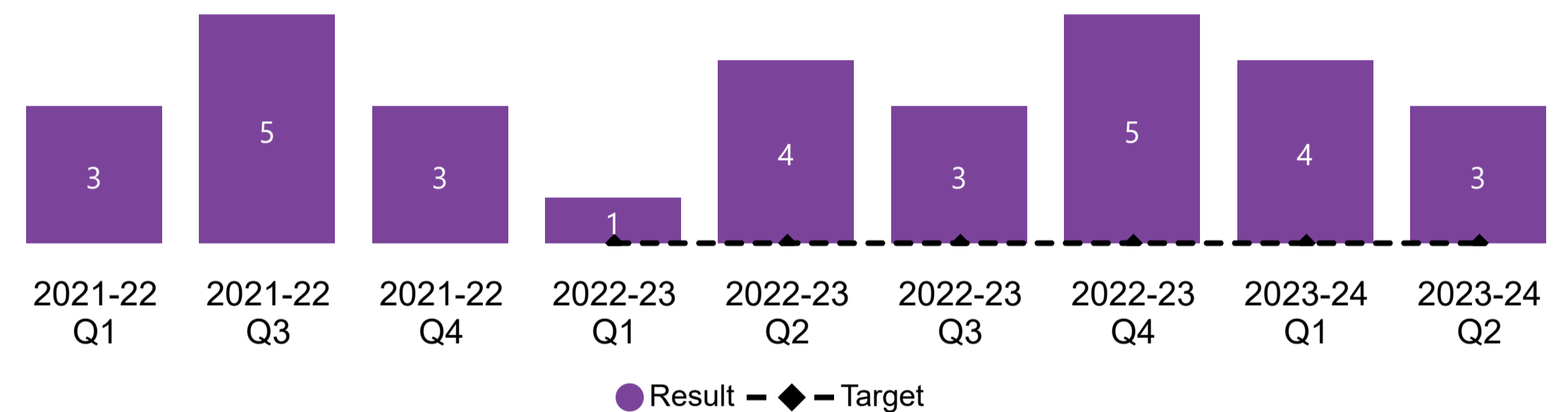
Portfolio: Finance & Resources

Directorate: Council Management

Latest Summary:

Pref. DoIT	Target	Result	DoIT	RAG Status
▼	0	3	▲	Improved
				A

Health and Safety - HSE notifiable instances



Latest Comments

The numbers of Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) incidents reportable for the organisation are at consistently low levels and within historic ranges. Data for this period is within that of the quarter's tolerance. None of this quarters entries related to specified injuries (e.g. a break or fracture) but did lead to an employee absence for over 7 days requiring the incident to be reported. There are many variables associated with this figure, a number of which are out of the Council's control and so are not readily preventable, although associated risk assessments are reviewed in response to receiving a report and any further mitigations considered as necessary.



A Bold Best in Class Council

Measure: CM_OH_14a - Staff Absence: (a) Short-term absence rate

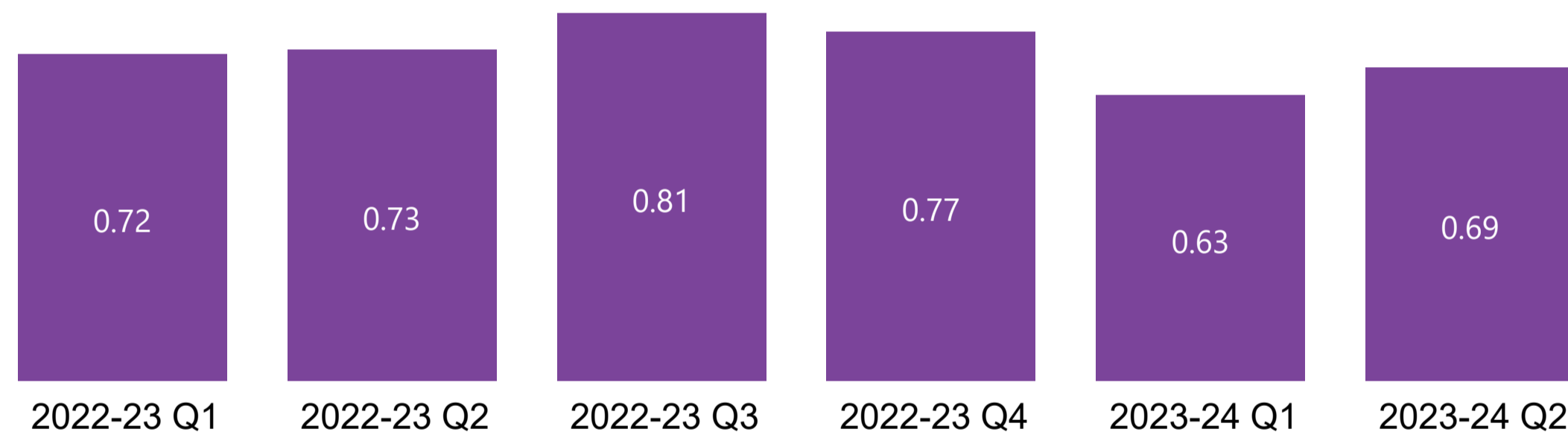
Portfolio: Leader

Directorate: Council Management

Latest Summary:

Pref. DoT	Target	Result	DoT
▼	N/A	0.69	Worse

Staff Absence: (a) Short-term absence rate *



Latest Comments

Short-term absence rate is measured as "less than 28 days" and is calculated as "Total Full Time Employee (FTE) Sickness Days in Period / FTE count". Q2 result is 0.69, compared with 0.63 for Q1.

A Bold Best in Class Council

Measure: CM_OH_14b - Staff Absence: (b) Long-term absence rate

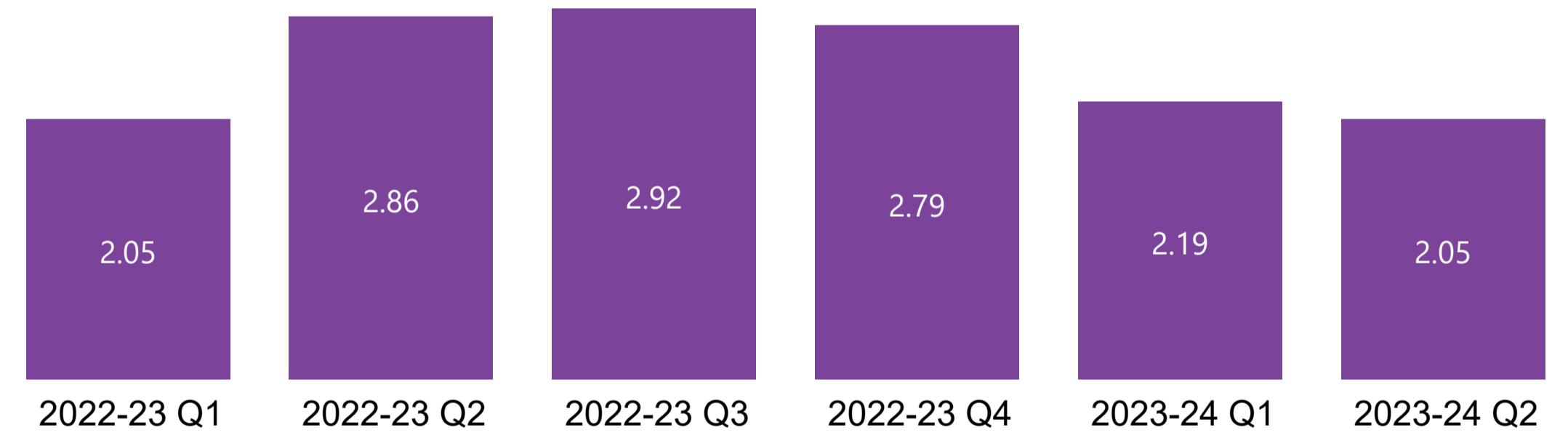
Portfolio: Leader

Directorate: Council Management

Latest Summary:

Pref. DoT	Target	Result	DoT
▲ ▼	N/A	2.05	Improved

Staff Absence: (b) Long-term absence rate *



Latest Comments

Long-term absence rate is measured as "more than 28 days" and is calculated as "Total Full Time Employee (FTE) Sickness Days in Period / FTE count". Q2 result is 2.05, compared with 2.19 in Q1.



A Bold Best in Class Council

Measure: CM_OH_15a - Proportion of top 5% per cent earners who are women

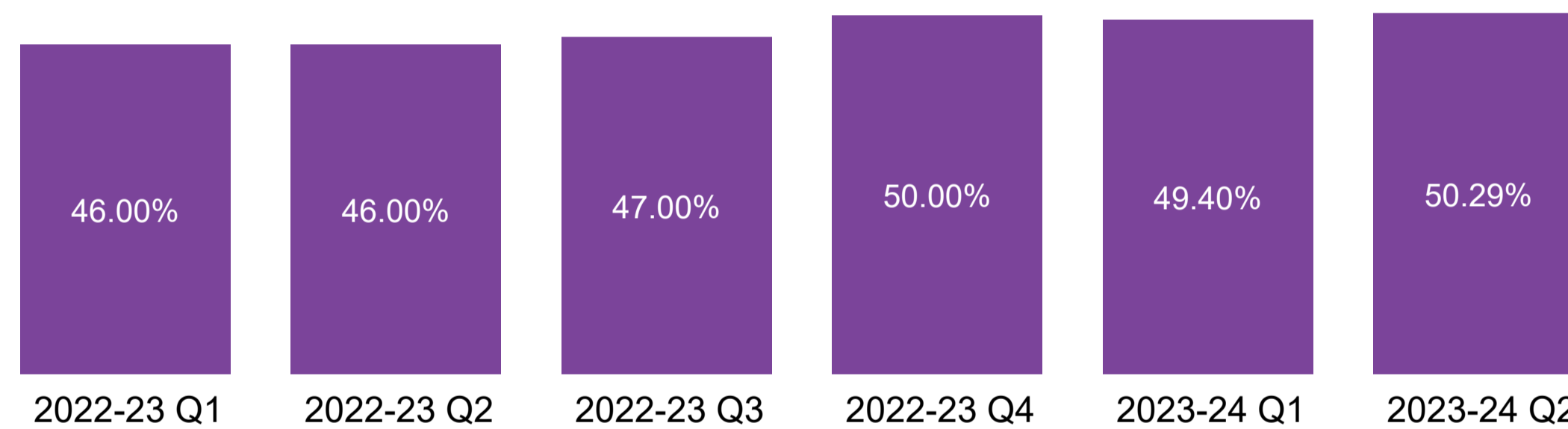
Portfolio: Leader

Directorate: Council Management

Latest Summary:

Pref. DoT	Target	Result	DoT
▲	N/A	50.29%	Static

Proportion of top 5% per cent earners who are women, Proportion of top 5% of earners who are women



Latest Comments

50.29% of the top 5% of earners (509 people) are women (256 people) compared to 49.4% in the previous quarter. Overall Council headcount = 9,853. Overall Council Full Time Employees = 8594.55. NB: Direction of travel (DoT) status compares against same quarter last year.

A Bold Best in Class Council

Measure: CM_OH_15b - Proportion of top 5% per cent earners who are from an ethnic minority

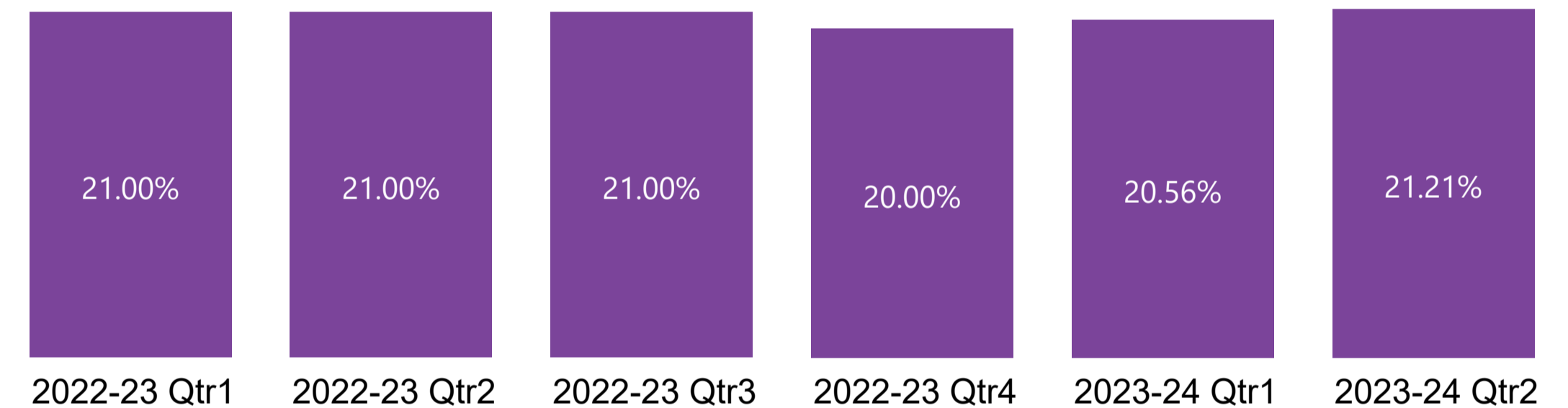
Portfolio: Leader

Directorate: Council Management

Latest Summary:

Pref. DoT	Target	Result	DoT
▲	N/A	21.21%	Improved

Proportion of top 5% per cent earners who are from an ethnic minority



Latest Comments

21.21% of the top 5% of earners (509 people) are from an ethnic minority (108 people) compared with 20.56% in the previous quarter. Overall Council headcount = 9,853. Overall Council Full Time Employees = 8594.55. People from ethnic minority backgrounds are underrepresented at higher grades in the Council. This is being addressed as part of the Everyone's Battle, Everyone's Business Strategy with initiatives such as the emerging leaders career acceleration programme. NB: Direction of travel (DoT) status compares against same quarter last year.



A Bold Best in Class Council

Measure: CM_OH_15c - Proportion of top 5% per cent earners who have a disability

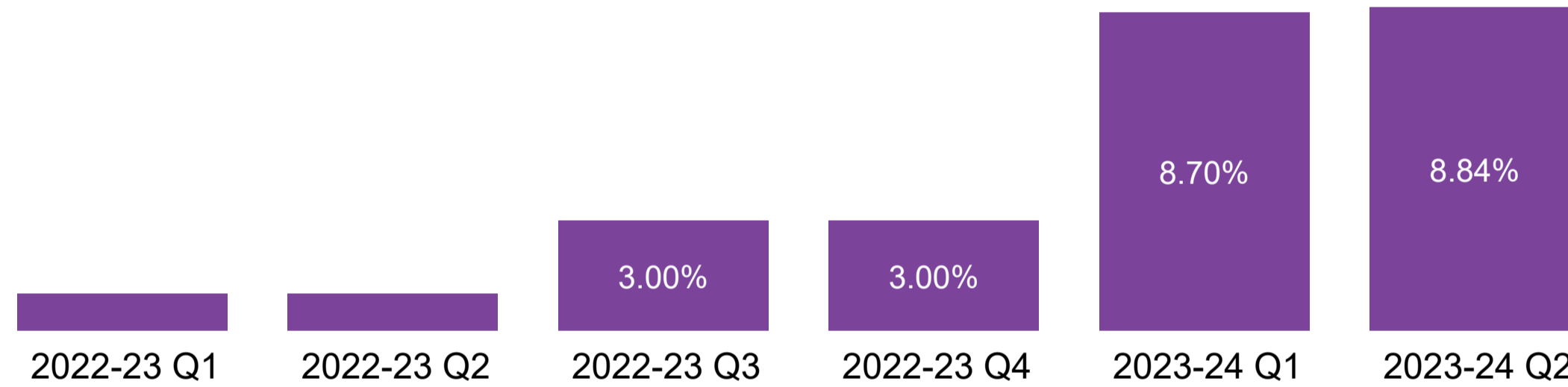
Portfolio: Leader

Directorate: Council Management

Latest Summary:

Pref. DoT	Target	Result	DoT
▲	N/A	8.84%	Static

Proportion of top 5% per cent earners who have a disability, Proportion of top 5% of earners who have a disability



Latest Comments

8.84% of the top 5% of earners have a disability compared with 8.67% in the previous quarter.
 Disability count/Headcount of top 5% earners = 45/509
 Overall Council headcount = 9,853. Overall Council Full Time Employees = 8594.55.

The Council is now a Disability Confident Employer Level 2, and colleagues in People Services and Strategy, Equality and Partnerships are exploring and working towards Level 3 status.
 NB: Direction of travel (DoT) status compares against same quarter last year.





Appendix C.1: Performance against Delivery Milestones

Be Prosperous Delivery Milestones – position at end of Quarter 2 - 2023/24

Portfolio	Directorate	Ref No	Activity	Delivery Date	BRAG Status
Leader	PPS	23_3.1	Adopt Our Future City Central Birmingham Framework and progress delivery of key actions for delivering the city's growth needs in the context of decarbonising development, greening and adding biodiversity; clean air; minimising waste; and embracing technology and innovation. a) Consultation draft published - May 2023 b) Consultation review and framework revisions - Sep 2023 c) Adopt Framework - Nov 2023	November 2023	R
Leader	PPS	23_3.10	Continued implementation of the City Centre Enterprise Zone to support accelerated delivery of office and residential development, job creation and new homes: d) Southside Public Realm - Full Business Case approved	October 2023	G
Leader	PPS	23_3.11	Continued implementation of the City Centre Enterprise Zone to support accelerated delivery of office and residential development, job creation and new homes: e) Martineau Galleries - Outline Business Case approved	November 2023	R
Leader	PPS	23_3.12	Continued implementation of the City Centre Enterprise Zone to support accelerated delivery of office and residential development, job creation and new homes: f) Digbeth High Street - metro works complete	January 2024	G
Leader	PPS	23_3.13	Continued implementation of the City Centre Enterprise Zone to support accelerated delivery of office and residential development, job creation and new homes: g) Curzon Metro Stop - Stage 2 contract awarded	May 2023	R
Leader	PPS	23_3.14	Continued implementation of the City Centre Enterprise Zone to support accelerated delivery of office and residential development, job creation and new homes: h) Snow Hill - Public Realm project phase 3a works commence	February 2024	G
Leader	PPS	23_3.7	Continued implementation of the City Centre Enterprise Zone to support accelerated delivery of office and residential development, job creation and new homes: a) HS2 Curzon station - appoint stage 2 contractor for enhanced public realm	August 2023	R
Leader	PPS	23_3.8	Continued implementation of the City Centre Enterprise Zone to support accelerated delivery of office and residential development, job creation and new homes: b) Digbeth High Street - complete public realm section 5 handover	December 2023	R
Leader	PPS	23_3.9	Continued implementation of the City Centre Enterprise Zone to support accelerated delivery of office and residential development, job creation and new homes: c) Moor Street Queensway - Outline business case submitted	February 2024	R



Be Prosperous Delivery Milestones – position at end of Quarter 2 - 2023/24

Portfolio	Directorate	Ref No	Activity	Delivery Date	BRAG Status
Leader	PPS	23_1.1	East Birmingham Inclusive Growth Programme - continue to implement phase 1 including: a) Agreement of National Trust Strategic Partnership community asset - Jul 23 b) Establishment of Employment & Skills collaboration body for East Birmingham - Jul 23 c) Strategic Outline Cases for Meadway Local Centre and Ward End Park House - Aug 23 d) Completion of East Birmingham Impact and Monitoring Framework in line with the developing corporate Levelling Up Measures framework - Nov 23 e) East Birmingham and North Solihull Levelling Up Zone (EBNS LUZ) to Cabinet (via devolution deal report) - Nov 23 f) Establishment of EBNS LUZ - May 24	May 2024	A
Leader	PPS	23_1.2	Progress Bordesley Park Area Action Plan a) Phase 1 (Bordesley Green Road & Venetia Road) to commence on site in July 2023 b) Planning application for phase 2 (former Wheels site) to be submitted in Summer 2023 with works being undertaken throughout 2024	December 2024	A
Leader	PPS	23_3.15	Progress Birmingham Development Plan Review: a) Complete preferred options consultation Nov 23 b) Prepare for publication in October 24 and adoption in Spring 26	October 2024	A
Leader	PPS	23_3.2	Progress regeneration programmes: a) Birmingham Smithfield - Outline planning and detailed Phase 1 Planning Consent - Oct 23 - Outline business case funding approval secured - Nov 23 - Start on site - Feb 24	March 2024	A
Leader	PPS	23_3.3	Progress regeneration programmes: b) Paradise - progress phase 2: confirming tenancies for One Centenary Way, continuing work on The Octagon and commencing work on the second commercial building (Three Centenary Way).	March 2024	G
Leader	PPS	23_3.4	Progress regeneration programmes: c) Peddimore - Infrastructure works completed and Phase 2 prepared for development - Jul 23 - Completion of initial phase 1 building - Nov 23	March 2024	A
Leader	PPS	23_3.5	Progress regeneration programmes: d) Rea Valley Urban Quarter Finalise SPD Delivery Documents in July 2023 and publish on website. This will support the Our Future City 'Central Birmingham Framework 2040' evidence base and inform BLP Preferred Options Report Consultation Stage.	March 2024	G

Be Prosperous Delivery Milestones – position at end of Quarter 2 - 2023/24

Portfolio	Directorate	Ref No	Activity	Delivery Date	BRAG Status
Leader	PPS	23_3.6	Progress investment programme linked to HS2 including: a) Schedule 17 Planning Consent for Curzon No 3 Viaduct - Jul 2023 b) HS2 Curzon Station Construction start on site - Aug 2024	August 2024	G
Leader	PPS	23_4.3	Progress regeneration of Perry Barr to deliver homes, jobs and Social Value opportunities to benefit local people. Activity this year will focus on the Final Development Strategy/ Business Case for Phase 2 and wider.	March 2024	A
Deputy Leader	SEP	23_1.6	Extend the Cost of Living Programme to include elements of inclusive growth and innovate, incubate, accelerate and mainstream activity across the council which involves: a) Drawing up an inclusive growth plan with goals, data and analysis of the city economy b) Economic analysis including an Economy Dashboard c) Developing a selection of priority actions focused on employment and income agreed through the extended Cost of Living Programme	March 2024	A
CYPF	Children and Families	23_2.2	Implement the Breaking Down Barriers Report including: a) Establish a city-wide, locally developed employment support scheme for young people and businesses b) Enhance and expand the careers service to ensure all young people are equipped with the skills and knowledge to succeed in the modern world c) A one stop hub for youth work placements d) Develop a Good Employment Charter - a business kitemark scheme to support higher employment standards, diverse recruitment, higher pay rates, employee voice at work and youth recruitment	March 2024	G
DCHT	City Operations	23_4.1	An annual Birmingham Festival that will be a meaningful legacy from the Commonwealth Games – showcasing the city’s cultural offer, increasing engagement in culture and raising the profile and economy of the city through increased tourism	March 2024	B
DCHT; Leader; Deputy Leader	City Operations	23_4.2	Position Birmingham as a world renowned major event hosting city, to include: a) Hosting British Open Squash Championships, World Blind Games & World Trampoline Championships b) Bidding to host high profile events that contribute to our key criteria set out in the Major Sporting Events Strategy	March 2024	G
Health & Social Care	Adult Social Care	23_2.1	Continue to develop and deliver PURE employment activities to inactive vulnerable adults who have complex and multifaceted needs to enable them to get closer and into the labour market, including: a) implementing a PURE Digital inclusion Lending Library by Sept 23 and b) seeking additional funding post Dec 23	March 2024	B
SJCSE	SEP	23_1.5	Deliver the Living Wage Action Plan including: a) Working with employers to increase the pay of Birmingham workers who still don’t receive the Living Wage b) Increasing the number of accredited Living Wage employers headquartered in Birmingham	March 2024	A

Be Prosperous Delivery Milestones – position at end of Quarter 2 - 2023/24

Portfolio	Directorate	Ref No	Activity	Delivery Date	BRAG Status
Finance & Resources	Council Management	23_1.4	Further harness and develop Birmingham's Council's Charter for Social Responsibility to use BCC procurement to: a) Further retain wealth by supporting local businesses including social enterprises, boost employment of local people, enhance diversity within BCC's supply chain, support employee voice including freedom of association and treat the supply chain fairly including prompt payment b) Support BCC's cost of living programme c) Explore expanding the principles of the Charter into the planning system and demonstrate ethical leadership by collaborating with the Birmingham Anchor Network	March 2024	B
SJCSE	SEP	23_1.3	Embed the Birmingham Anchor Network Memorandum of Understanding building on the shared commitment of members to work together to create a more inclusive economy in Birmingham, through building wealth for local communities including activity to expand the network and set up an employment programme to help local recruitment into the waste service.	March 2024	G
Transport	PPS	23_3.16	Progress City Region Sustainable Transport Settlement (CRSTS) projects: a) Cabinet Report setting out approach to programme governance - Mar 24 b) Re-base CRSTS programme with TfWM/WMCA - May 23 c) Development of projects and advancement through the West Midlands Combined Authority Single Assurance Framework Process. (NB: as projects progress beyond SOC they will be reported individually rather than as a CRSTS programme) - Jul 23	March 2024	G

Be Inclusive Delivery Milestones – position at end of Quarter 2 - 2023/23

Portfolio	Directorate	Ref No	Activity	Delivery Date	BRAG Status
Leader	SEP	23_6.1	Design and develop an approach to a 'Big Conversation' for Birmingham, including qualitative and quantitative surveys and engagement activities	March 2024	A
Leader	City Operations	23_6.2	Improve capacity in neighbourhoods by: a) Working with communities and partners to deliver the year 2 programme of work and associated outputs for the Community & Place aspect of the Shared Prosperity Fund; and b) Implement Schemes that maximise resources available with wards and local communities, including Shared Prosperity Fund, Community Chest, Be Bold Crowdfunder, Enterprise Zone Funding (Cultural Action Zones), CWG's Legacy Funding for Cultural Engagement, & Celebrating Communities programmes	March 2024	A
Leader	City Operations	23_6.5	Progressing and developing the Council's cross-directorate "Working Together in Birmingham's Neighbourhoods" policy	March 2024	G
Deputy Leader	City Housing	23_5.1	Contribute to the Council's overarching anti-poverty agenda and response to the Cost of Living response programme: integrate the current Financial Inclusion Partnership and strategy into the Cost of Living Programme and deliver objectives set out in the Housing Strategy relating to financial Inclusion.	March 2024	G
Deputy Leader	SEP	23_5.2	Evaluate delivery of the Cost-of-Living Emergency Response Programme, to emerge lessons learnt and to develop options for longer term actions. Evaluation to be completed by June 23, with implementation of recommendations to follow.	March 2024	A
DCHT	City Operations	23_7.3	Commission a range of cultural engagement projects for residents across the city including; through three commissioning themes – 'Culture on our Doorstep', 'Next Generation' and 'Cultural Leadership', the annual Birmingham Heritage Week in September, the annual black History Month in October, Young People Arts Training Programme and, supporting other 'one-off' cultural projects during the year such as refugee week, anniversary events such as Windrush, and national tours of community education projects.	March 2024	A
DCHT	City Operations	23_7.5	Complete refresh of the Heritage Strategy, including undertaking consultation to ensure we reflect on the contribution from the city's different communities in telling the Birmingham story	December 2023	A
DCHT	Council Management	23_5.3	Progress delivery of the Digital Inclusion Strategy, including: a) Distributing new devices to support inclusive growth and increase employment opportunities b) Identifying and allocating connectivity/data packages to vulnerable citizens c) Establishing Digital Champions network for the Primary Care Networks d) Raising awareness of social tariffs for all relevant citizens	March 2024	A
DCHT	City Operations	23_7.1	Raise the cultural profile and ambition of the City including developing a new cultural strategy and culture compact (partnerships to support the local cultural sector)	March 2024	R
SJCSE	SEP	23_7.4	Everyone's Battle, Everyone's Business: refresh the action plan of activity for 2023/24 onwards	March 2024	G

Be Inclusive Delivery Milestones – position at end of Quarter 2 - 2023/23

Portfolio	Directorate	Ref No	Activity	Delivery Date	BRAG Status
SJCSE	SEP	23_7.2	Everyone's Battle, Everyone's Business: plan and deliver programme of cultural, faith and other key significant events to build community cohesion	March 2024	G
Housing and Homelessness	City Operations	23_5.4	Introduction of private rented sector licensing schemes that seek to tackle deprivation and crime in 25 wards to commence in Jun 23	March 2024	B
CYPF	Children and Families	23_8.4	Commission the Healthy Child Programme (HCP), taking into account the developing Family Hubs Model, in order to achieve the best outcomes for children and young people 0-19. Including: a) 0-19 Healthy Child Programme contract goes out to tender (MG-PH) b) Publish the Start for Life offer so that families have ready access to information about what is locally available to them c) We will be mobilising a range of pilots that include infant feeding, peri-natal mental health and parent/infant relationships, parenting support and home learning environments d) Go live with our first Family Hub Network in Birmingham	March 2024	G
CYPF	Children and Families	23_8.1	Ensure services are sustainable, compliant and designed to deliver best outcomes for children, young people, families and communities through: Continuing to work with key partners to widen access to Early Education Entitlement (EEE) and improve Early Years multiagency arrangements with health colleagues	March 2024	G
CYPF	Children and Families	23_8.3	Further develop the Children and Young Persons' Travel Service with a robust eligibility process that identifies the needs of the young people we support, ensuring that Transport is suitable for their needs and encourages their development and develop a travel menu that will include promotion of personal transport budgets and a Travel Training service to support development towards independent travel.	March 2024	G
CYPF	Children and Families	23_8.8	Further develop the school place sufficiency strategy to enable the provision of mainstream specialist and special school places for children and young people with additional educational needs	March 2024	G
CYPF	Children and Families	23_8.6	Further improve school attendance, attainment and achievement, targeting the worst-performing schools, with a strategy working with schools, to improve the educational attainment of poor-performing cohorts including KS1 and KS2 for expected levels of reading writing and maths, increasing attainment of level 2 and 3 qualifications by the age of 10 and targeting poor attendance at primary and secondary	March 2024	G
CYPF	Children and Families	23_8.7	Take forward the Change for Children and Young People Plan and support and empower children and young people to develop strong voices, get involved, influence decision-making including through the Birmingham Youth City Board	March 2024	G
CYPF	Children and Families	23_8.2	Transform and improve services for children with Special Educational Needs and Disabilities (SEND) in line with statutory requirements and to deliver sustainable, well performing services with inclusion of children and young people at the heart through delivering the Accelerated Progress Plan (as part of the DfE Statutory direction) and the action plans of the SEND and Inclusion strategies.	March 2024	G



Be Inclusive Delivery Milestones – position at end of Quarter 2 - 2023/23

Portfolio	Directorate	Ref No	Activity	Delivery Date	BRAG Status
Housing and Homelessness	City Housing	23_6.3	Re-engineer our approach to tenant engagement in line with action proposed by the Tenant Participatory Advisory Service, including activity to: a) Create a Resident Influence and Assurance Board - Mar 24 b) Create a Resident and Community Influencing Strategy - Mar 24 c) Create Community Influence Boards - Mar 24	March 2024	G
Health & Social Care	Adult Social Care	23_6.4	Drive system wide change and enable more people with a learning disability and/or autistic people to have a home within their community, be able to develop and maintain relationships and get the support they need to live healthy, safe and ordinary lives. Including: a) review to inform person-centred support - Jul 2023 b) invite people with lived experience of a learning disability/ autism to supportively challenge quality and accessibility of services - Sept 2024 c) System approval for ten-year Learning Disability and Autism Framework for Change - Dec 2023 d) Establish Respite Innovation Partnership to shape person-centred support options - Apr 2024	March 2024	G
Health & Social Care	SEP	23_8.5	Increase breast-feeding through the Family Hub model	March 2024	G

Birmingham City Council **Be Safe Delivery Milestones – position at end of Quarter 2 - 2023/24**

Portfolio	Directorate	Ref No	Activity	Delivery Date	BRAG Status
Leader	PPS	23_11.1	Accelerate the delivery of affordable housing in Birmingham, including working with partners and Homes England to shape the new West Midlands Strategic Place Partnership and the new additional affordable housing funding opportunity via the devolution deal, through the development of a robust 5-year affordable homes delivery programme/pipeline	August 2023	R
Leader	PPS	23_11.2	Continue to progress key housing development and regeneration projects including: a) Ladywood Estate - report to go to Cabinet in Jun 23, contract to be entered with delivery partner, planning application process and stakeholder engagement with local community to commence	March 2024	G
Leader	PPS	23_11.3	Continue to progress key housing development and regeneration projects including: b) Yardley Brook - work on site to commence July 23	March 2024	A
Leader	PPS	23_11.4	Continue to progress key housing development and regeneration projects including: c) Langley Sustainable Urban Extension (SUE) - Conclude discussions on the Section 106 Agreement and issue the outline planning permission for the site. Process the full infrastructure planning application and initial reserved matters submissions with the aim of starting construction on site in 2024.	March 2024	A
Leader	PPS	23_11.5	Continue to progress key housing development and regeneration projects including: d) Druids Heath - including completing master planning and viability testing for Sep 23 and approving a development partner by Jan 24	March 2024	A
Leader	PPS	23_11.6	Continue to progress key housing development and regeneration projects including: e) Pool Farm Place - delivery of 315 affordable homes - Full scheme review/design and feasibility - Jun 23 - Agree a procurement route to engage with a developer partner - Aug 23 - Submit planning application - Dec 23	March 2024	A
SJCSE	City Operations	23_10.3	Develop a Violence Against Women and Girls Strategy and strengthen the link to existing Domestic Abuse Prevention Strategy	March 2024	G
SJCSE	City Operations	23_10.4	Ensure the effective implementation of the Hate Crime Strategy through continued partnership working, engagement with communities and the establishment of the hate crime tasking group	December 2023	G
SJCSE	City Operations	23_9.2	Implement the requirements of the Serious Violence Duty providing: a) A serious violence profile for Birmingham by Jun 23 b) A service needs assessment by Sep 23 c) A Serious Violence Strategy by Dec 23 and d) Training and awareness activities across Birmingham by Mar 24	March 2024	G
SJCSE	Adult Social Care	23_10.2	Review and develop a new Domestic Abuse Prevention Strategy: completing consultation by July 2023 gaining approval by Dec 2023 ready to implement for 2024	March 2024	G

Birmingham City Council **Be Safe Delivery Milestones – position at end of Quarter 2 - 2023/24**

Portfolio	Directorate	Ref No	Activity	Delivery Date	BRAG Status
SJCSE	City Operations	23_9.1	Work with neighbourhoods, communities and partners to improve community safety by refreshing Council's Anti Social Behaviour Policy	December 2023	G
Housing and Homelessness	City Housing	23_11.7	Complete the 300 home retrofit pilot in East Birmingham, take forward the SHDF round 2 programme to retrofit 2,000 homes and the Sustainable Warmth and Home Grants funding programmes	March 2024	G
Housing and Homelessness	City Housing	23_12.1	Continue to work with our partners to prevent and tackle homelessness and provide housing solutions to meet the needs of our vulnerable citizens, including: a) Implementing a comprehensive Temporary Accommodation Strategy to ensure families do not remain in B&B longer than 6 weeks, achieving reductions in line with monthly targets	March 2024	G
Housing and Homelessness	City Housing	23_12.2	Continue to work with our partners to prevent and tackle homelessness and provide housing solutions to meet the needs of our vulnerable citizens, including: b) Ensuring our services are prevention focused, investing in keeping people in their homes, and moving away from reactive, crisis driven service delivery. Evidenced through prevention target, that by year end achieving 53% prevention rate.	March 2024	G
Housing and Homelessness	City Housing	23_12.3	Continue to work with our partners to prevent and tackle homelessness and provide housing solutions to meet the needs of our vulnerable citizens, including: c) Addressing rough sleeping including through the pilot work with the Centre for Homelessness Impact so that rough sleeping is prevented, rare, brief and non-recurring. Evidenced through annual count (Nov 23) and monthly snapshots.	March 2024	G
Housing and Homelessness	City Housing	23_12.4	Continue to work with our partners to prevent and tackle homelessness and provide housing solutions to meet the needs of our vulnerable citizens, including: d) Review and update the Homelessness Prevention Strategy and Rough Sleeping Addendum. To be completed by March 2024.	March 2024	G
Housing and Homelessness	City Housing	23_12.5	Continue to work with our partners to prevent and tackle homelessness and provide housing solutions to meet the needs of our vulnerable citizens, including: e) A continued focus on supported Exempt Accommodation (unregulated supported provision managed by private landlords) and specifically delivering the recommendations and actions from the Overview & Scrutiny report over the next 12 months.	March 2024	G
Housing and Homelessness	City Housing	23_11.8	Delivery of Housing Strategy Delivery Plan priorities including embedding governance and delivery of structures for each of the strategy priorities. Delivery plan and governance structures are in place with finalised targets for delivery plan to be completed by March 24	March 2024	G
Housing and Homelessness	City Housing	23_11.9	Embed compliance board to oversee delivery of a robust action plan that ensures the service is compliant against statutory requirements including regulatory health and Safety requirements and the introduction of Tenant Satisfaction Measures	March 2024	A

Birmingham City Council **Be Safe Delivery Milestones – position at end of Quarter 2 - 2023/24**

Portfolio	Directorate	Ref No	Activity	Delivery Date	BRAG Status
Transport	PPS	23_9.3	Update Road Safety Strategy: a) Publish revised Strategy that considers how to redesign streetscape to prioritise quality of place, accessibility, safety and functionality for all users for consultation - Sep 23 b) Adopt as Policy - Mar 24	March 2024	R
Housing and Homelessness	City Housing	23_11.10	Implement an Asset Management approach to guide how we invest in and look after our housing stock, including implementing an Asset Management Strategy. Report will go to Cabinet in October 2023 with subsequent mobilisation together with staff engagement workshops by March 2024	March 2024	A
Housing and Homelessness	City Operations	23_12.6	Utilise appropriate powers to ensure that tenants are protected from illegal eviction and harassment	March 2024	G
Housing and Homelessness	City Operations	23_11.11	Work with partner agencies and utilise appropriate powers as necessary to ensure the risk from unsafe cladding on private high rise residential buildings is removed	March 2024	G
CYPF	Children and Families	23_9.5	Expand delivery of Knife Crime Reduction Programme	March 2024	G
CYPF	Children and Families	23_10.1	Strengthen approaches to identify, recognise and respond to the vulnerability of specific groups of children and young people including additional action to ensure: a) Children missing out on education are identified and supported to quickly return to school/education b) Robust arrangements are in place for children and young people who are Electively Home Educated c) Children supported by the Virtual School receive a stable education and are enabled to achieve their academic potential d) License functions for Child Employment and Chaperones are improved to ensure a timely and appropriate response	December 2023	G
CYPF	Children and Families	23_9.4	Work in partnership with schools and DfE to deliver and evaluate a 3-year SAFE (Support, Attend, Fulfil, Achieve) project	March 2024	G

Be Healthy Delivery Milestones – position at end of Quarter 2 - 2023/24

Portfolio	Directorate	Ref No	Activity	Delivery Date	BRAG Status
Leader	City Operations	23_14.1	Deliver a Sport Strategy that recognises diversity and provides inclusive opportunities for all residents to become more active including activity to: a) support grass roots sport particularly those with potential to increase activity in most inactive or disadvantages areas b) Seek investment and maximise opportunities to improve the quality and range of sporting and leisure facilities across the city c) Progress the capital works at the Alexander Stadium and secure partnerships that will deliver a sustainable stadium supporting both community activity and elite sport.	March 2024	A
CYPF	Children and Families	23_15.3	Work across the range of safeguarding partners to support schools to address concerns around pupils' emotional wellbeing and mental health	March 2024	B
Health & Social Care	Adult Social Care	23_16.6	Continue to prepare for Adult Social Care Reform including the development of an implementation plan for the Market Sustainability Plan by June 23	March 2024	G
Health & Social Care	SEP	23_14.4	Deliver a city-wide healthy eating campaign targeting food businesses, schools and families	June 2023	G
Health & Social Care	Adult Social Care	23_16.3	Implement activity identified from the co-produced review of Day Opportunity Services	March 2024	G
Health & Social Care	SEP	23_13.5	Implement learning from the Birmingham and Lewisham African Health Inequalities Review (BLACHIR): a) produce forward plan of activity - Jun 23 b) hold three task and finish groups focused on cultural competency and better data - Sep 23 c) share learning and build on success through annual conference - Dec 23	March 2024	G
Health & Social Care	Adult Social Care	23_15.1	Implement legislative changes arising from the reform of the Mental Health Act: a) Review the current implementation of the Mental Health Team; feedback from staff, citizens. Comparison of response times/waiting lists - Apr 23 b) Review the current allocation of statutory work Apr -23 c) Pursue the current recruitment drive - Mar 23 d) National Workforce plan for AMHPs – Sep 23	March 2024	G
Health & Social Care	Adult Social Care	23_16.4	Implement shared lives improvement programme, including: a) implementing a directorate -wide project board - May 2023 b) undertaking an in-depth review to inform and develop proposals for future delivery across the work streams - Jun 2023 c) develop an action plan for the identified workshops from Jun 2023	March 2024	G
Health & Social Care	Adult Social Care	23_16.5	Work with partners to implement the joint Dementia Strategy 2022-2027	March 2024	G

Be Healthy Delivery Milestones – position at end of Quarter 2 - 2023/24

Portfolio	Directorate	Ref No	Activity	Delivery Date	BRAG Status
Health & Social Care	Adult Social Care	23_16.2	Intervene earlier and differently by supporting young people entering adulthood to be physically and emotionally resilient, so once they become an adult, they will have a connective, fulfilling productive life: a) Complete full financial review of expenditure - Jul 23 b) Work with BCT to improve data sharing and build forecasting dashboard - Oct 23 c) Scoping of existing provision and development of commissioning options – Dec 23	December 2023	G
Health & Social Care	SEP	23_14.3	Production and agreement of a multi agency Physical Activity (PA) Strategy aimed at increasing PA and reducing inactivity of the population in Birmingham	December 2023	G
Health & Social Care	SEP	23_13.1	Production of public health reports to inform the Council and its strategic partners commissioning intentions - including: a) Joint Strategic Needs Assessment - Dec 23	December 2023	G
Health & Social Care	SEP	23_13.2	Production of public health reports to inform the Council and its strategic partners commissioning intentions - including: b) The Annual Director of Public Health report - Mar 24	March 2024	G
Health & Social Care	SEP	23_13.3	Production of public health reports to inform the Council and its strategic partners commissioning intentions - including: c) Community Health profiles - Mar 24	March 2024	G
Health & Social Care	SEP	23_13.4	Production of public health reports to inform the Council and its strategic partners commissioning intentions - including: d) Health needs assessments linked to priorities of Health and Wellbeing Board - Mar 24	March 2024	G
Health & Social Care	SEP	23_13.6	Recommission the uptake of Tier 2 Adult Weight Management Services in targeted disability groups	December 2023	G
Health & Social Care	SEP	23_15.2	Review and update the suicide prevention action plan by incorporating the BSol 5 year coronial audit and other relevant local intelligence gathered through collaboration with partners	September 2023	R
Health & Social Care	Adult Social Care	23_16.1	Work together in the community across social care, community nursing, therapy services, GP practices and mental health services to better manage ongoing and long-term conditions and to reduce the risk of citizens experiencing health and care crises: a) Build on work being completed in proof-of-concept trials for wider roll out in 2023 b) Embed organisational development programme - Jun 23 c) Review impact of new model including staff surveys and progress tracking of individuals receiving support - Jun 24	June 2024	G
Health & Social Care	City Operations	23_14.2	Work with Public Health to establish and deliver an updated service specification for Be Active and Be Active + to support the social, physical, emotional, and mental wellbeing of citizens and wider communities through our Wellbeing and Community Centres	September 2023	B

Birmingham City Council **Be Green Delivery Milestones – position at end of Quarter 2 - 2023/24**

Portfolio	Directorate	Ref No	Activity	Delivery Date	BRAG Status
Environment	PPS	23_19.1	Continue to deliver the Route to Zero Programme comprising a portfolio of short-, medium- and long-term projects designed to reduce carbon emissions, including activity to: a) Update BCC Greenhouse Gas emissions baseline and use to inform engagement and priority activity – Sept 23 b) Review and refine the Environmental Sustainability Assessment process to ensure climate change, nature and net zero is embedded into decision making – Sept 23 c) Review BCC use of its powers and levers in net zero delivery; flag areas for greater use of powers – Oct 23	March 2024	G
Environment	City Operations	23_17.3	Continue to improve the perception and performance of waste collections through service enhancements and better communication with citizens, including optimising collections, implementing a citizen communication plan, Residents' Charter, and Waste Management Charter	March 2024	G
Environment	City Operations	23_17.1	Continue to promote and support Love Your Environment events to deliver cleaner streets targeting the worse performing 15 Wards providing at least 1 event per ward	March 2024	G
Environment	City Operations	23_17.2	Develop an environmental education programme for the City that can be presented to all schools in the City	March 2024	A
Environment	City Operations	23_19.3	Develop future waste strategy to develop a shared vision for the City's waste post 2034, including energy generation, resource efficiency and circular economy considerations this will take a number of years to complete working with partners and the market	March 2024	A
Environment	PPS	23_19.2	Finalise scope and commence delivery of a climate change strategy specifying the interventions required across programme themes, and ensure clear objectives, priorities and scale of activity required to deliver the city's Route to Net Zero ambition. a) Commission strategy work – Jun 23 b) Draft strategy and key interventions – Oct 23	March 2024	R
Environment	PPS	23_19.4	Further develop Birmingham District Energy Company decarbonisation road map: a) Draft decarbonisation roadmap - Jun 23 b) Detailed modelling and final roadmap - Sep 23 c) Delivery and funding plan - Mar 24	March 2024	A
Environment	City Operations	23_17.4	Progress initiatives to improve the cleanliness of the city including fly tipping and graffiti crews, Grime Watch and targeted waste enforcement	March 2024	G
Environment	City Operations	23_18.3	Progress master-planning study at Perry Park and preparing a business case to support its enhancement into a sustainable destination park	March 2024	R
Environment	City Operations	23_20.2	Progress the City of Nature Plan to include: identifying 28 Green Champions across the 14 'red wards' the areas of the city where environmental focus is most needed and commencing improvement activities in the 6 priority wards (Bordesley & Highgate, Castle Vale, Gravelly Hill, Nechells, Pype Hayes, Balsall Heath West)	March 2024	A

Birmingham City Council **Be Green Delivery Milestones – position at end of Quarter 2 - 2023/24**

Portfolio	Directorate	Ref No	Activity	Delivery Date	BRAG Status
Environment	PPS	23_19.7	Launch an engagement and behaviour change strategy plan with clear set of mechanisms to support engagement of city stakeholders including launching a staff engagement network, including: a) Public engagement event – May 23 b) Draft engagement and behaviour change strategy and plan – Jul 23 c) Strategy and plan approved – Jan 24	March 2024	A
Environment	City Operations	23_20.2	Progress the City of Nature Plan to include: identifying 28 Green Champions across the 14 'red wards' the areas of the city where environmental focus is most needed and commencing improvement activities in the 6 priority wards (Bordesley & Highgate, Castle Vale, Gravelly Hill, Nechells, Pype Hayes, Balsall Heath West)	March 2024	A
Environment	PPS	23_20.4	Progress the Urban Nature Development Programme including: a) Developing and adopting a Local Nature Recovery Strategy and biodiversity policy by Nov 23 b) Creating a biodiversity habitat bank, a Green Infrastructure Master Plan for East Birmingham, and a process to assess and manage parks by Dec 23	December 2023	R
Environment	PPS	23_20.3	Progress Urban Forest Accelerator pilot, a two year, externally funded project, including working with the Woodland Trust and Birmingham Tree People; and commencing work on devising a 5 year tree planting programme targeting lowest canopy cover wards - Oct 24	October 2024	G
Environment	City Operations	23_20.1	Review the current provision in our Parks and Open spaces by supporting Partners to submit bid applications to achieve local improvements	March 2024	G
Environment	City Operations	23_18.2	Support the strategic air quality objectives through the utilisation of environmental protection powers to improve air quality, including to: a) Submit Air Quality annual status report within agree timeframes b) Deliver the Environmental permitting programme inspection regime	March 2024	A
Environment	PPS	23_19.6	Work with City Housing and Housing Development on a city-wide delivery and funding plan to improve the energy performance and decarbonisation of existing and new housing a) Launch procurement for housing decarbonisation delivery plan – Jul 23 b) Draft delivery plan – Dec 23 c) Final delivery plan – Mar 24	March 2024	R
Transport	PPS	23_19.5	Birmingham Transport Plan delivery, including: a) Publish the Birmingham Transport Plan Delivery Plan and associated documents - May 23 b) Identify a series of Major Projects, Sub Programmes and Policies as the basis for future reporting - Sep 23	March 2024	A
Transport	PPS	23_18.1	Deliver the Council's Clean Air Strategy, including: a) Expansion of air quality monitoring at schools (linking to initiatives such as Safe School Streets and Mode SHIFT Stars) b) Determine the future role of the Clean Air Zone c) Awareness building around the sources of Particulate Matter and impacts on health ('Time to Act') campaign	March 2024	A

Birmingham City Council **Be Best in Class Council Delivery Milestones – position at end of Quarter 2 - 2023/24**

Portfolio	Directorate	Ref No	Activity	Delivery Date	BRAG Status
Leader	Council Management	23_21.6	Continue the implementation of our Strategy 'Everyone's Battle, Everyone's Business' to include: a) Achieve Disability Confident Level 2 Status - May 23 b) Positive Action Statement implemented, including positive action shortlisting and diverse panels - Jul 23 c) 2023 Gender and Ethnicity joint reports produced with actions to narrow gaps/ promote equity - Aug 23 d) Launch Emerging Leaders Programme career acceleration programme for internal staff to address under-representation (Level 5) - Sep 23 e) Inclusive leaders support package defined and implemented - ongoing	March 2024	A
Leader	Council Management	23_21.3	Delivery of the Bold People Service Plan including: a) Strategic priorities including Technology, Permanent Pay Equity (EBEB) and Organisation Change b) Fit for purpose / Short Term priorities including; Health Safety and Wellbeing, Employee Relations, Employee Engagement, Talent Management, Performance management, Recruitment, MARS, Trade Union relations, Data Insight and analytics and Total Reward.	March 2024	A
Leader	SEP	23_21.12	Develop and deliver a communications strategy aligned to the Corporate Plan priorities, supporting the delivery of Be Bold Be Birmingham with specific campaigns aligned to the five priorities.	September 2023	R
Deputy Leader	SEP	23_21.9	Build and embed a culture of data driven decision making, including: a) establish a Birmingham Data Charter that ensures ethical and safe publication by Sep 23 b) Deliver a pipeline of data and insight publications as Birmingham City Council's contribution to the City Observatory	March 2024	G
Deputy Leader	Council Management	23_21.1	Deliver year 2 of the Customer Service programme continuing to embed the adoption of user centred design principles across our customer service offerings to improve customer satisfaction and reduce complaints	March 2024	A
Deputy Leader	SEP	23_21.2	Ensure best in class services across the Council introducing a corporate approach for assessing and improving services to become best in class	March 2024	A
DCHT	Council Management	23_21.8	Drive the Council's Digital Strategy including: a) Communication and engagement with senior leaders and staff more generally to build awareness and confidence in the development of digital solutions b) Developing a framework service teams can use to help them develop digital solutions and automate processes c) Progressing the data programme to support quality assured data analysis and provide the skills and toolsets to support data driven decision making d) Refreshing the delivery plan by Apr 23 and delivering the agreed actions	March 2024	G
SJCSE	SEP	23_21.7	Continued delivery of Workforce Race Equality actions as part of 'Everyone's Battle, Everyone's Business'	March 2024	G

Birmingham City Council **Be Best in Class Council Delivery Milestones – position at end of Quarter 2 - 2023/24**

Portfolio	Directorate	Ref No	Activity	Delivery Date	BRAG Status
Finance & Resources	Council Management	23_21.10	Deliver commercial excellence through robust, efficient, and effective commercial governance, including action to: <ul style="list-style-type: none"> a) Embed a Category Management approach looking to maximise value from similar spend across the Council b) Further embed the Contract Management Framework to drive effective management of commercial arrangements c) Review tender documents to promote supply chain diversity d) Proactively tackle Modern Slavery in the supply chain e) create a Commercial and Investment Centre of Excellence 	March 2024	A
Finance & Resources	Council Management	23_21.11	Lead development of strategy to achieve Medium-term financial stability through: <ul style="list-style-type: none"> (a) Further promoting the financial accountability framework through mandatory training in financial awareness and increased roll out of accountability letters. (b) Further developing accountability framework through financial controls review, linking operational financial control to strategic organisational assurance framework 	March 2024	R



**Appendix C.2:
Delivery Milestones
Rated Amber and Red**

Activity

1. **Adopt Our Future City Central Birmingham Framework and progress delivery of key actions for delivering the city's growth needs**

Ref. No.	Directorate	Portfolio ▲	Delivery Date	BRAG Status
23_3.1	Places, Prosperity and Sustainability (PPS)	Leader	November 2023	

2. **Continued implementation of the City Centre Enterprise Zone a) HS2 Curzon station - appoint stage 2 contractor for enhanced public realm**

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_3.7	Places, Prosperity and Sustainability (PPS)	Leader	August 2023	

3. **Continued implementation of the City Centre Enterprise Zone b) Digbeth High Street - complete public realm section 5 handover**

Ref. No.	Directorate	Portfolio ▲	Delivery Date	BRAG Status
23_3.8	Places, Prosperity and Sustainability (PPS)	Leader	December 2023	

4. **Continued implementation of the City Centre Enterprise Zone c) Moor Street Queensway - Outline business case submitted**

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_3.9	Places, Prosperity and Sustainability (PPS)	Leader	February 2024	

Commentary

The timetable for approving the draft framework has moved in line with additional consultation and engagement added into the programme. The significant level of interest in the document led to an extra month of formal consultation in July. Engagement has continued through September and October with several roundtable events held to capture input from major stakeholders, and targeted youth engagement events which completed on 16th October. The successful engagement programme has resulted in a significant volume of comments and reps from residents, businesses, statutory consultees, land-owners, developers, many other key stakeholders. The detailed feedback is currently being collated and analysed and proposed changes to the document will need to be signed-off by the Our Future City Board. To ensure that there is sufficient time to provide robust and full reports to the early stages of the three month Cabinet process, the date for approval is now expected to be March 2024.

HS2 await Treasury approval before the stage 2 contract can be awarded. HS2 are reporting that this will be awarded in Quarter 3 2023/24.

Works are ongoing and are on target to be completed by January 2024. The completion date has slipped by one month and there is no additional impact on costs, dependencies and risks. The whole Metro extension will not open until at least 2027, therefore the scheme benefits will remain unchanged. All the Enterprise Zone funded works have been completed and will be handed over to the Council in March 2024.

Due to additional modelling works and additional detailed work to support the City Regional Sustainable Transport settlement (CRSTs) bid now being required (for example Road Safety Audit Stage 1 and Carbon Management Plan) Outline Business Case is expected in Quarter 1 2024/25. Outline Business Case is expected in Quarter 1 2024/25.

Activity

Commentary

5. Continued implementation of the City Centre Enterprise Zone e) Martineau Galleries - Outline Business Case approved

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_3.11	Places, Prosperity and Sustainability (PPS)	Leader	November 2023	

Negotiations are still on-going and the delivery date of November 2023 is unlikely to be achieved. The project remains on the Enterprize Zone Pipeline. The Programme team are working with the applicants to review the timeline. The reasons for the delay are due to the commercially sensitive negotiations between the Council and leaseholder to agree new terms which will enable the development to progress.

6. Continued implementation of the City Centre Enterprise Zone g) Curzon Metro Stop - Stage 2 contract awarded

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_3.13	Places, Prosperity and Sustainability (PPS)	Leader	May 2023	

HS2 have received DfT approval and now require Treasury approval before awarding the Stage 2 contract. HS2 are still reporting that this will be awarded in Quarter 3 2023/24.

7. Deliver the Living Wage Action Plan

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_1.5	Strategy, Equality and Partnerships (SEP)	Social Justice, Community Safety and Equalities	March 2024	

The Real Living Wage (RLW) continues to be a pass / fail criteria for selecting suppliers and development partners as part of the Council's established policy and practice. Additionally, external funding is being sought to recruit a full time officer to promote the RLW to non-contracted businesses as well as supporting contracted businesses to become RLW accredited. The recruitment of a GR5 Living Wage post was at the shortlisting stage when the council issued a 114 notice, recruitment is on pause pending securing alternative funding (as part of a wider Cost of Living Phase 2 bid). We are finalising a bid for Public Health funding and are confident this will be approved.

We continue to promote/obligate employers to pay the Living Wage through the Birmingham Charter of Social Responsibility – this will be a particular theme during business breakfasts and events during Cost-of-Living week which is being co-ordinated by the Leaders and Cabinet Officers team.

8. East Birmingham Inclusive Growth Programme - continue to implement phase 1

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_1.1	Places, Prosperity and Sustainability (PPS)	Leader	May 2024	

The East Birmingham Programme is delivering well including the submission of a Levelling Up Zone proposition to Government in October 2023, however some wider project activity will be delayed due to the council's current financial position.

a) National Trust Partnership Senior level dialogue commenced 3rd August, MOU terms due to be completed November 2023 - delayed early 2024 to be aligned to the Green Infrastructure assessment for the area

b) Complete

c) Strategic Outline Plans for Meadway and WEPH - These are now on hold due to the Council's S114 Notice, these and other key development potentials will be pursued as part of the proposed Levelling Up Zone.

d) Monitoring Framework - to be developed as part of the Levelling Up Zone impact framework, and alongside the Council's new Economic Insight working group. To be integrated into the Levelling Up Zone Development Plan 2024/25.

e) EBNS LUZ to Cabinet - on track

f) EBNS LUZ establishment - on track

Activity

9. Extend the Cost of Living Programme to include elements of inclusive growth and innovate, incubate, accelerate and mainstream activity across the council

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_1.6	Strategy, Equality and Partnerships (SEP)	Deputy Leader	March 2024	

10. Progress Birmingham Development Plan Review

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_3.15	Places, Prosperity and Sustainability (PPS)	Leader	October 2024	

11. Progress Bordesley Park Area Action Plan

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_1.2	Places, Prosperity and Sustainability (PPS)	Leader	December 2024	

12. Progress regeneration of Perry Barr to delivery homes, jobs and Social Value opportunities to benefit local people

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_4.3	Places, Prosperity and Sustainability (PPS)	Leader	March 2024	

Commentary

The Cabinet Report on Cost of Living did not get submitted in September because of the declaration of the Section 114. The employment element of this proposal is delayed because of the withdrawal of the General Fund. We are now seeking Public Health funding to replace this. The other elements continue to be delivered using the Household Support Fund.

The Local Development Scheme was not reported to October Cabinet, the delay was to allow time to go through spend control with an ask for the full funding package to support the preparation of the Local Plan. It is anticipated that the LDS will be reported to November 23 cabinet, however, the Preferred Options will now be delayed but must be reported to May 24 Cabinet at the latest to stay on track to submit the Plan in June 2025. The key milestones will be updated in the next round of reporting, once the revised LDS has been approved by Cabinet.

The preparation of the planning application requires an Environmental Impact Assessment and a significant number of other supporting documents, and has taken longer than expected. An early November submission would still facilitate a start of the Phase 2 remediation works on site in Spring 2024.

Disposal of the 968 apartments was delayed between March and September 23 as a consequence of working to resolve the significant down valuation by Mortgage Lender Valuers. The Council has revised its disposal strategy and is marketing the apartments for sale. Given the council's financial situation, a funding bid has been made to Homes England to fund the site surveys for phase 2 and 3. This will enable the Council to go to market to secure a development partner once all known risks are understood. Full report will be taken to Cabinet in March 24 on the overall scheme which will include proposed next steps for bringing forward Phase 2 and 3 development. Strong relationships continue to be built with public sector partners and private developers to support the Perry Barr Master Plan. We continue to work with WMCA and Homes England to explore opportunities to bring forward the undeveloped sites and have contributed funding towards feasibility studies and development of Phase 1..

Activity

13. Progress regeneration programmes: c) Peddimore

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_3.4	Places, Prosperity and Sustainability (PPS)	Leader	March 2024	

14. Progress regeneration programmes: a) Birmingham Smithfield

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_3.2	Places, Prosperity and Sustainability (PPS)	Leader	March 2024	

Commentary

The public highways works were certified as Practically Complete on 31 July 2023. The infrasturcture works were certified as complete 13th September 2023.

Phase 2 earthworks are complete with the exception of the diversion of the 132kV power cable. Works will progress following NGED approval of the 132kV diversion route submission.

Practical Completion of the initial phase 1 building was certified on 15th September 2023. The business is planning to launch on 8th October 2023 and recruitment is in full flow.

The design and installation of the primary power station has been delayed due to protracted negotiations of easements with National Grid Electricity Distribution and long lead in times. Works are currently expected to complete beyond Mar 24. Status changed to Amber.

The masterplan is being refined in consultation with Historic England, public consultation has been arranged to take place in October 23 and a planning addendum will be submitted in November 2023 .It is now anticipated that planning consent will be achieved by Feb 24, Outline Business Case Funding Approval May 24 and Start on Site Aug 24.

Activity

1. Raise the cultural profile and ambition of the City

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_7.1	City Operations	Digital, Culture, Heritage and Tourism	March 2024	

Commentary

The Cultural Statement of Intent for Culture was approved in 2022 following widespread consultation with arts and community groups. Externally commissioned work to deliver the Cultural Strategy is no longer appropriate and alternative delivery methods are being assessed. The Culture Compact development is awaiting appointment of a chairperson to oversee and lead the strategic development / direction.

Activity

2. Commission a range of cultural engagement projects

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_7.3	City Operations	Digital, Culture, Heritage and Tourism	March 2024	

3. Complete refresh of the Heritage Strategy

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_7.5	City Operations	Digital, Culture, Heritage and Tourism	December 2023	

4. Design and develop an approach to a 'Big Conversation' for Birmingham, including qualitative and quantitative surveys and engagement activities

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_6.1	Strategy, Equality and Partnerships (SEP)	Leader	March 2024	

5. Evaluate delivery of the Cost-of-Living Emergency Response Programme

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_5.2	Strategy, Equality and Partnerships (SEP)	Deputy Leader	March 2024	

Commentary

A range of cultural projects have been commissioned/delivered including Windrush Anniversary Events, Birmingham Heritage Week, Black History Month, Eurocities Cultural Forum, and Young People on Arts Board training.

Culture on our Doorstep, Next Generation, and Cultural Leadership projects are currently under review as Project Commissioning budget has had to be offered up for savings.

Heritage Strategy Refresh due for ratification at Heritage Strategy Group in October prior to presentation at Cabinet.

Scope has changed to include a high level summary requested by the Heritage Strategy Group, but this Activity is also delayed as we are waiting for issues to be resolved with the Supplementary Planning Document (SPD) element of the Strategy.

Two citizen insight surveys have been launched and are due to be reported on in September/October 2023. Findings from the citizen perception insight are now available. The team is attending the Council's Corporate Leadership Team on 31st October and Extended Corporate Leadership Team on 8th November to share the results and key themes, and to seek advice around publication and next steps.

Corporate Partner has offered consultancy time free of charge. The Cost of Living (CoL) Programme will engage with Corporate Partner to see if they can work in liaison with the CoL Programme Management Office, Programme and City Observatory teams to evaluate the response programme and develop options for longer term actions.

The target date for Phase 1 evaluation is March 2024 and Phase 2 is March 2025. These timelines coincide with the cycles of our Cost of Living funding streams.

Activity

Commentary

6. Improve capacity in neighbourhoods

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_6.2	City Operations	Leader	March 2024	

a) The Shared Prosperity Fund funding agreement between the Council and West Midlands Combined Authority has been delayed but is expected to be signed off this month. Delivery programmes are being reassessed to ensure maximum delivery in-year.

b) Three new Council Localised funding for wards that were launched (including Beyond Birmingham 22 - Celebrating Communities; Community Chest; and Be Bold Crowdfunder) are ongoing. All funding streams are subject to the Section 151 Spending Board Review.

7. Progress delivery of the Digital Inclusion Strategy

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_5.3	Council Management	Digital, Culture, Heritage and Tourism	March 2024	

The programme is currently showing as Amber due to staffing pressures which is impacting on delivery. However, as the Digital Inclusion Team is due to cease on 31st December 2023, the focus has been to consolidate existing work and draw the programme to a close. For this quarter the majority of the work has been focussed on allocating the 3,775 new devices and 1,500 MiFi units received from the WMCA. To date we have allocated 3,400 devices and all of the MiFi units to charities and community groups. The other key area of activity has focussed on exploring ways to continue the digital inclusion function to support warm spaces and Cost of Living issues. We continue to work with the WM5G to develop marketing and comms to raise awareness and support the take-up of social tariffs.

Activity

Commentary

1. Accelerate the delivery of affordable housing

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_11.1	Places, Prosperity and Sustainability (PPS)	Leader	August 2023	

Red as the 5 year delivery plan is now expected to go to Cabinet in November 23.

Affordable Housing Programme Manager in post to support acceleration of affordable housing delivery. Scoping/planning for the 4 workstreams is underway.

5 year programme/pipeline - The Housing Revenue Account (HRA) business plan (which provides the financial envelope for the 5-year development programme) is progressing through approvals, aiming for November 23 cabinet. Procurement paper is going to cabinet in November (will bring forward 10 new sites which will deliver 196 new homes). Additional schemes are being considered as part of spend control processes.

West Midlands Strategic Place Partnership/Devolution deal - Discussions/engagement with the combined authority re: pipeline of sites development are continuing.

Activity

2. Update Road Safety Strategy

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_9.3	Places, Prosperity and Sustainability (PPS)	Transport	March 2024	

3. Continue to progress key housing development and regeneration projects: b) Yardley Brook

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_11.3	Places, Prosperity and Sustainability (PPS)	Leader ▲	March 2024	

4. Continue to progress key housing development and regeneration projects: c) Langley Sustainable Urban Extension (SUE)

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_11.4	Places, Prosperity and Sustainability (PPS)	Leader ▲	March 2024	

5. Continue to progress key housing development and regeneration projects: d) Druids Heath

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_11.5	Places, Prosperity and Sustainability (PPS)	Leader	March 2024	

Commentary

Publication for consultation of the revised strategy is further delayed due to needing to align with the work programme for Sustainability and Transport Overview and Scrutiny Committee who are supporting the development of the revised strategy. It is still anticipated that the consultation will commence before the end of Q3, with an adoption date now June 24,

Pre commencement conditions for start on site being worked through by the contractor partner for the scheme. Resolution expected for February 2024. There is approval through spend controls for the contract to be entered into. This is conditional on the Environment Agency and Environmental Health sign off and West Midlands Combined Authority funding confirmed. This is anticipated to be March 2024. On going progress with Midland Heart for their acquisition of homes.

Negotiations on the S106 are ongoing and, as a whole, are moving forward; however, there are complications with regards the funding for the early implementation of the all-through school. Talks with external parties are taking place in this regard. The infrastructure and access applications are currently being assessed, with decisions expected before the end of the year. It is still projected that construction on site will begin in March 2024.

Amber due to the delay in design freeze with the masterplan the financial /viability work has been delayed . This is now underway and we anticipate concluding a design freeze and financial model by Dec23 (delayed)
 Druids Heath project team working on drafting the outline planning application for submission in May 2024 (on target).
 Working with Arcadis to identify suitable routes to market and funding in progress (on target).
 Ongoing discussions to identify funding opportunities are continuing (on target). Residents Engagement & Consultation are ongoing (on target for completion in Feb 2024) and the Viability testing is underway (will be running alongside the updated options for the design).

Activity

6. Continue to progress key housing development and regeneration projects: e) Pool Farm Place

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status ▲
23_11.6	Places, Prosperity and Sustainability (PPS)	Leader	March 2024	

7. Embed compliance board to oversee delivery of a robust action plan that ensures the service is compliant against statutory requirements

Ref. No.	Directorate	Portfolio ▲	Delivery Date	BRAG Status
23_11.9	City Housing	Housing and Homelessness	March 2024	

8. Implement an Asset Management approach to guide how we invest in and look after our housing stock

Ref. No.	Directorate	Portfolio ▲	Delivery Date	BRAG Status
23_11.10	City Housing	Housing and Homelessness	March 2024	

Commentary

Pool Farm Place - Design and feasibility continuing, working with City Design and City Housing. Revised milestone dates to follow. City design workshop is scheduled to be held in Nov 23. Internal processes being followed on a procurement option and route to engage with a developer partner. Delay is recoverable based on appointment of partner accelerating the process.

Amber as the Council is under regulatory notice, although working to agree a voluntary undertakings and action plan with the Regulatory for Social Housing. Significant progress towards this is being made through the monthly Compliance Board. Oversight is supplemented by monthly CLT Assurance Boards and monitoring meetings with the Regulator of Social Housing. Quarterly reporting at Overview and Scrutiny commenced Sept 23. The Board examines all aspects of landlord compliance and the directorate is making preparations for a full inspection April 2024.

Reporting in this area has significant complexity; the action to embed the Compliance Board is completed but given the continued focus on compliance, it is felt that Amber is the most reflective rating to include. Discussions are whether the nature of the action needs to reflect the overall compliance programme rather than just the mobilisation of the Compliance Board are ongoing.

Amber due to time slippage - the Asset Management Strategy and Housing Revenue Account (HRA) Business Plan have been prepared and are now being reviewed by the Commissioner ahead of proceeding to Cabinet in due course, before Christmas.

Activity

1. Review and update the suicide prevention action plan

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_15.2	Strategy, Equality and Partnerships (SEP)	Health & Social Care	September 2023	

2. Deliver a Sport Strategy that recognises diversity and provides inclusive opportunities for all residents to become more active

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_14.1	City Operations	Leader	March 2024	

Commentary

The Suicide prevention action plan is currently under review in light of the recently published national Suicide Prevention Strategy for England 2023-2028.

The validation of the Coronial Audit is nearing completion and the data, once shared, will inform the update of the action plan.

The recently launched Orange Button Community Scheme, intended to create greater community awareness and participation, will provide for significant input as a key driver of engagement.

The action plan review is scheduled to be complete by the end of quarter 3. The Suicide Prevention Advisory Group (SPAG) continues to have oversight of the review of the action plan.

Sport Strategy delivery is on programme to meet April 2024 completion. Over 25 National Governing Bodies (NGBs) have been consulted alongside 30 grassroot sport organisations. Stakeholder consultation is ongoing and linked in with Public Health on the Physical Activity Strategy. Inclusivity and accessibility will be at the forefront of the strategy with learning taken from reports such as the Birmingham Pakistani Report. Grassroot sports is being supported through the rollout of Basketball, Playzone and Tennis refurbishment and activation programmes. All programmes have brought in investment from NGBs up to the value of £1.4m, to drive up participation and provision across the city. Alexander Stadium development is currently on hold pending spend approval. Stakeholder and public consultation has been completed. Options for delivery and impacts on the stadium/community are being considered.

Activity

1. Finalise scope and commence delivery of a climate change strategy

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_19.2	Places, Prosperity and Sustainability (PPS)	Environment	March 2024	

Commentary

Action is red rated due to further work to map city territorial emissions and define scope of council role. This will inform scope and expertise required to develop Strategy. Paper on Greenhouse Gas boundaries complete, proposing to adopt the organisational control approach for council emissions, and agreed by board. Engagement plan being developed with key emissions owners to agree short and long term visions to decarbonise their area. Session hosted with city partnership board to endorse a proposal for partnership working, supporting the city's overarching strategy. Completion of initial Advanced heat network zoning work has identified the scale of opportunity for heat decarbonisation via heat networks in the city. Transport delivery plan emissions reduction analysis informing policy and project priorities. With further work required to define council city-wide net zero scope and role, engage with city partners, alongside resourcing constraints, delivery date March 2024 is at risk.

Activity

2. Progress the Urban Nature Development Programme

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_20.4	Places, Prosperity and Sustainability (PPS)	Environment	December 2023	

3. Progress master-planning study at Perry Park and preparing a business case to support its enhancement into a sustainable destination park

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_18.3	City Operations	Environment	March 2024	

4. Work with City Housing and Housing Development on a city-wide delivery and funding plan to improve the energy performance and decarbonisation of existing and new housing

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_19.6	Places, Prosperity and Sustainability (PPS)	Environment	March 2024	

5. Birmingham Transport Plan delivery

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_19.5	Places, Prosperity and Sustainability (PPS)	Transport	March 2024	

Commentary

A) + B) Local Nature Recovery Network identified, selected sites surveyed and awaiting final reports. Delays in Central government not publishing secondary legislation (Env act 2021) will delay finalising to March 2024. This is outside of direct control, but letter to government has been drafted. Paper on capacity and resource to be presented to directorate management team October 2023.

C) Green Infrastructure Master Plan - main gap analysis has been undertaken and key areas identified. Approach to how these should be is being developed pulling together early work on a 4 tier approach and the future parks standard. Final plan delivery to be extended into January or early February 2024

D) Future Parks Standard drafted and in testing. Finalising of standard should be complete by end December 23

The community consultation was completed in August 2023 following presentation by the design consultants of a draft masterplan. Evaluation of the responses has been undertaken which included a petition to extend the scope of the proposals and retain/return some areas back to the park. This will inform the final design however also looking at value engineering to bring scheme within budget. Parks in discussion over possibility of separating the delivery of the park from the stadium development works.

Commissioning of decarbonisation delivery plan on hold as priority spend reviewed. Prioritising the use of internal capability and capacity to progress development of delivery and funding plan for council owned property. Development of baseline energy performance and affordability assessment underway to inform delivery plan and target setting. Timescale for development of delivery plan still to be agreed with City Housing. Social Housing Decarbonisation Fund programme underway (supporting energy efficiency improvements in council homes) and partnership established with E.ON to maximise uptake of energy supplier funded energy efficiency measures, primarily in private sector homes. Via Cost of Living group, a significantly scaled up energy supplier funded scheme is being developed. City-wide delivery plan is unlikely to be completed within original timescales.

Publication of Birmingham Transport Plan Delivery Plan and associated documents delayed until November 2023 to allow time for a public facing document to be produced. As the technical work is largely complete and the actual programme itself is already available, this does not impact on the overall programme and identification of projects, sub programmes and policies for annual delivery timescales - work will commence shortly on socialising the content of the programme internally to the city council.

Activity

6. Deliver the Council's Clean Air Strategy

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_18.1	Places, Prosperity and Sustainability (PPS)	Transport	March 2024	

7. Develop an environmental education programme for the City that can be presented to all schools in the City

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_17.2	City Operations	Environment	March 2024	

8. Develop future waste strategy to develop a shared vision for the City's waste post 2034

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_19.3	City Operations	Environment	March 2024	

9. Further develop Birmingham District Energy Company decarbonisation road map

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_19.4	Places, Prosperity and Sustainability (PPS)	Environment	March 2024	

Commentary

Procurement of a partner to support phase 2 of the air quality monitors in schools programme has been delayed due to the need for additional authorisation of the spend. Approval to spend now received so procurement activity expected to re-start before the end of the year. With the overall process now expected to be completed in the Summer of 2024.

As part of the new Veolia Contract starting January 2024, an environmental schools package has been included which includes a virtual schools visit. We are running through the content of the proposal and will implement the programme in January 2024.

We have started work on the strategy including identifying key legislation changes and key decision dates, and a draft outlying strategy has been produced. We are continuing to work with the Department for Environment, Food and Rural Affairs and colleagues in Aston and Birmingham Universities to identify any future replacement of our Energy Recovery Facility.

At this point (Q2) the reason it was Amber was that DEFRA had not provided the information needed for us to be specific about dates of implementation. This information has now been received on 24 October and therefore the draft strategy is currently being revised in light of it.

Techno-economic appraisal completed with steering group members. Decarbonisation opportunities identified - detailed techno-economic modelling and final report drafted. Work on commercial, financial and management cases now being planned. Potential to align current network with next phase of work with Department for Energy Security & Net Zero on heat network zoning for Birmingham. Business Case risk of delay due to existing contract disputes with service providers, the need to agree contractual changes required to enable decarbonisation and identify suitable mechanism through which to deliver the funding strategy within the remaining 9 years. BCC legal team appointed to assist in expediting resolution on contract disputes. Commercial advisor appointed to support identification of mechanism to enable investment. In discussion with Department on provision of additional resource and capability to develop business case for zoning which may also assist Birmingham District Energy Company

Activity

10. **Launch an engagement and behaviour change strategy**

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status ▲
23_19.7	Places, Prosperity and Sustainability (PPS)	Environment	March 2024	

11. **Progress the City of Nature Plan**

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status ▲
23_20.2	City Operations	Environment	March 2024	

12. **Support the strategic air quality objectives through the utilisation of environmental protection powers to improve air quality**

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status ▲
23_18.2	City Operations	Environment	March 2024	

Commentary

Public engagement event held in May and feedback gathered to shape strategy. Initial deadline of June slipped to October due to large amount of feedback and emerging research. Draft Climate Change, Nature, and Net Zero Engagement Framework completed (communications, behaviour change, participation, and partnership principles) and being circulated with team (September) before shared with councillors and expert partners for feedback. On track for Jan 24. Staff Network Teams Channel launched with 31 members currently Teams Net Zero Knowledge Hub page being drafted

Focus to deliver City of Nature Plan (CoNP) actions: Future Parks Standard (ensuring parks/open spaces managed to agreed standard) and developing a future operating model for delivering biophilic green infrastructure (GI) masterplan and nature recovery programme, starting with East Birmingham (EB). Urban Nature Development (UND) work to deliver Master Plan for GI in EB and data gathering for the Nature Recovery Strategy will be delivered on time. Remaining initiatives progressing well but tied to operational systems and won't be completed in current term of externally funded UND project (Dec 23). Delayed initiatives: a) establish mechanisms for residents to become involved with green spaces/nature on their doorstep including green champions (GC) and b) develop operating model for delivering CoNP including a Sustainable Finance Framework. Re GC's, ~40 signed up, monthly newsletters to 300+ people, and regular online meetings. Request to extend the grant period to Sep 24 has been agreed.

The Annual Status Report has been submitted and accepted by the Department for Environment, Food and Rural Affairs with minor typographical changes requested. Changes were made and the report is now ready for publication. This activity is complete.

Environmental Permitting Regulations inspections are continuing. This activity is Amber as there is not adequate officer resource to deliver the inspections. Progression of ongoing recruitment / agency support to recruit to or cover vacancies is required and will be the subject of an application to the Section 151 Board.

Activity

1. **Develop and deliver a communications strategy aligned to the Corporate Plan priorities**

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_21.12	Strategy, Equality and Partnerships (SEP)	Leader	September 2023	

2. **Lead development of strategy to achieve Medium-term financial stability**

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_21.11	Council Management	Finance & Resources	March 2024	

3. **Continue the implementation of our Strategy 'Everyone's Battle, Everyone's Business'**

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_21.6	Council Management	Leader	March 2024	

4. **Deliver commercial excellence through robust, efficient, and effective commercial governance**

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_21.10	Council Management	Finance & Resources	March 2024	

Commentary

A communications strategy aligned to corporate plan priorities was drafted and being reviewed at Director level. The draft is now being reviewed and will be adapted to reflect the Council's current financial situation and changing priorities for communications.

A refreshed medium-term financial strategy (MTFS) was presented to Cabinet in July. This paper also introduced the Robust Budget Savings & Recovery Plan to seek to mitigate future financial pressures. This plan is owned by Cabinet and Corporate Leadership Team (CLT). A Section 114 report was issued in September, partly due to a lack of progress to address the budget gap. New savings are being identified through a Financial Recovery Group. RAG rated savings expected for 23/24 are being reviewed by all Scrutiny Committees. We expect the RAG rating to improve for future quarters as CLT and Cabinet take action to address the forecast budget gaps. This would include identification of existing savings proposals in sufficient time to enable the Council to set a balanced budget for the 24/25 year (which will need to be agreed by Cabinet and Full Council in February 2024).

4 of 5 actions complete or progressing well and 1 action behind deadline:

- a. BCC is now Disability Confident Employer Level 2 (complete)
- b. Positive Action shortlisting remains a challenge: required Oracle report is in test mode and a manual pilot is in place.
- c. Gender and Ethnicity Pay Gap Reports produced. Gender data uploaded to Gov.uk ahead of target. For both, we have narrowed the median pay gap which is excellent news and, for first time, have accurate intersectional reporting available. Next step is directorate reports.
- d. Targeted Programme launched September with 19 participants.
- e. Ongoing – over 2,000 staff received EBEB and disability awareness training.

Due to capacity issues and the Council's financial position this remains Amber. Embedding category management continues but is hampered by the volume of activity/tactical procurements required. The contract management handbook has been developed and is being tested but full adoption is impacted by directorate capacity. Mandatory procurement/contract management training will be launched soon (part of 24/25 mandatory training) Review of tender documents used with SMEs continues. The contract register is up to date and we're now updating all contract managers. Business Analyst recruitment is on hold, delaying Oracle projects. Corporate Procurement are contributing to the Stonewall accreditation from a supply chain perspective.

Activity

Commentary

5. Deliver year 2 of the Customer Service programme

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_21.1	Council Management	Deputy Leader	March 2024	

Phase 2 of the Customer Service Strategy is being re-purposed to support consolidation and Voice Automation (VA) to meet the Council's savings targets. We are going through the Financial Recovery Group for approvals to proceed with the business case for VA which is currently awaiting decision from the 151 Board. The programme is delivering the new service design for the Children and Families Employment Team which was due to launch in Oct 23. Work on Housing's customer satisfaction for the six priority services is on track and we have now completed Phase 1 of the content redesign work for Bereavement Services, Waste, Adults, and Housing. The Customer Programme is looking at the next priority service areas which are council tax and business rates, and these are now progressing to a new plan. The Programme Team have been reviewing its resource profile requested from Digital and Technology Services recruitment which has presented some risks in order to fully resource phase 2.

6. Delivery of the Bold People Service Plan

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_21.3	Council Management	Leader	March 2024	

Progress continues but Plan is being reviewed against corporate context. Priority actions to be identified following appointment of a new People Services Director. Recruitment: Progressing well. New recruitment model is in place. Directorates should have a named Recruitment Consultant to support with permanent recruitment needs. Recruitment Ops Teams have been restructured and new tracker introduced. Job evaluation (JE): Programme has been under review since Jan, resulting in a paper at July Cabinet. Council Business Management Committee decided on an option for JE process, subject to Trade Union agreement which wasn't achieved. The decision is due at Full Council on 12 Oct. Programme is in its first phase - updating job information for ~3,200 roles in scope (completion now expected in Dec 23). Managers at Grade 6 and above offered training in Job Description and Person Specification writing. The future status of the programme is dependent upon a timely decision on methodology.

7. Ensure best in class services across the Council introducing a corporate approach for assessing and improving services to become best in class

Ref. No.	Directorate	Portfolio	Delivery Date	BRAG Status
23_21.2	Strategy, Equality and Partnerships (SEP)	Deputy Leader	March 2024	

Work has paused temporarily on the programme while we review how it best fits with the arrival of Commissioners and the development of an Improvement and Recovery Plan for the Council.

Birmingham City Council Cabinet

12 December 2023



Key Decision Planned Procurement Activities

Commissioner Review

Commissioners expect the procurements outline in this report to be driven by clear requirements and the procurement process to deliver efficient commercial and service level agreements to meet BCC needs.

This procurement must consider break points, where/if appropriate, for some of the longer contracts to provide the opportunity for future cost efficiencies.

Commissioner's support this Cabinet submission.

Birmingham City Council

Report to Cabinet

Date: 12th December 2023



Subject: KEY DECISION PLANNED PROCUREMENT ACTIVITIES (JANUARY 2024 – MARCH 2024)

Report of: ASSISTANT DIRECTOR – PROCUREMENT

Relevant Cabinet Member: Councillor Brigid Jones, Cabinet Member for Finance and Resources

Relevant O & S Chair(s): Councillor Jack Deakin, Chair of Finance and Resources OSC

Report author: Steve Sandercock, Assistant Director, Procurement
Email Address: steve.sandercock@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 012132/2023		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential : n/a.		

1 Executive Summary

- 1.1 This report provides details of the planned procurement activity for the period January 2024 – March 2024 which are key decisions. Planned procurement activities reported previously are not repeated in this report.
- 1.2 The report enables Cabinet to identify whether any reports for procurement activities should be brought to this meeting for specific executive decision,

otherwise they will be dealt with under Chief Officer delegations up to the value of £10m, unless TUPE applies to current Council staff.

2 Recommendations

- 2.1 To approve the planned procurement activities as set out in Appendix 1 and approve Chief Officer delegations, set out in the Constitution, for the subsequent decisions around procurement strategy and contract awards.

3 Background

- 3.1 The report approved by Council Business Management Committee on 16 February 2016 set out the case for introducing this process.
- 3.2 At the 12th July 2022 meeting of Council changes to procurement governance were agreed which gives Chief Officers the delegated authority to approve procurement contracts up to the value of £10m for key decisions over the life of the contract. Where it is likely that the award of a contract will result in staff employed by the Council transferring to the successful contract under TUPE, the contract award decision has to be made by Cabinet.
- 3.3 In line with the Procurement and Contract Governance Rules that form part of the Council's Constitution, this report acts as the process to consult with and take soundings from Cabinet Members and the Resources Overview & Scrutiny Committee.
- 3.4 This report sets out the planned procurement activity over the next few months where the contract value is between the procurement threshold £177,897.50 (excluding VAT) and £10m (excluding VAT) for key decisions. This will give members visibility of all procurement activity within these thresholds and the opportunity to identify whether any procurement reports should be brought to Cabinet for approval even though they are below the £10m delegation threshold.
- 3.5 It should be noted that the procurement threshold has changed from £189,330 to £177,897.50 (excluding VAT) and applies from 1st January 2022 for a period of 2 years.
- 3.6 Individual procurements may be referred to Cabinet for an executive decision at the request of Cabinet, a Cabinet Member or the Chair of Resources Overview & Scrutiny Committee where there are sensitivities or requirements that necessitate a decision being made by Cabinet.
- 3.7 Procurements below £10m contract value that are not listed on this or subsequent monthly reports can only be delegated to Chief Officers if specific approval is sought from Cabinet. Procurements above £10m contract value will still require an individual report to Cabinet in order for the award decision to be delegated to Chief Officers if appropriate.

4 Options considered and Recommended Proposal

- 4.1 The options considered are:

- To identify specific individual procurements as listed in appendix 1 for further consideration, along with clear reason(s) for such additional consideration, to Cabinet around the procurement strategy and contract award.
- To approve the planned procurement activities for all the projects listed in appendix 1 and approve Chief Officer delegations as set out in the Constitution, for the subsequent decisions around procurement strategy and contract awards.– this is the recommended option.

5 Consultation / Engagement

- 5.1 This report to Cabinet is copied to Cabinet Members, Cabinet Support Officers and to Resources Overview & Scrutiny Committee and therefore is the process for consulting with relevant cabinet and scrutiny members. At the point of submitting this report Cabinet Members/ Resources Overview & Scrutiny Committee Chair have not indicated that any of the planned procurement activity needs to be brought back to Cabinet for executive decision.

6 Risk Management

- 6.1 Members should note that in respect of any procurement projects which are sought to be referred back to Cabinet for further considerations these may impact on timescales around the delivery of those projects.
- 6.2 Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 Details of how the contracts listed in Appendix 1 and Appendix 2 support relevant Council policies, plans or strategies, will be set out in the individual reports.

7.2 Legal Implications

- 7.2.1 Members are reminded that as a Local Authority the Council has specific duties under public sector procurement, specifically the Public Contract Regulations 2015.
- 7.2.2 Specific details of any implications related to public sector procurement Regulations are set out- in the individual reports appended to this report.

7.3 Financial Implications

- 7.3.1 Specific details of how decisions will be carried out within existing finances and resources will be set out in the individual reports.
- 7.3.2 Any cashable savings generated as a result of the procurement exercises are detailed in Appendix 2 to the delivery of procurement related savings and be removed from Directorate where identified in addition to the existing service area

savings target as set out in the Medium-Term Financial Plan (MTFP) in line with the principles to treatment of identified savings against third party contracts as agreed by CLT on 24th January 2022.

7.4 Procurement Implications (if required)

7.4.1 As noted under the Legal Implications the Council has a duty to ensure that public sector procurement activity is in line with public sector legislation, specifically the Public Contracts Regulations 2015.

7.4.2 For each of the individual projects the specific procurement implications associated to the legislation are set out and detailed in the appendices.

7.5 Human Resources Implications (if required)

7.5.1 None.

7.6 Public Sector Equality Duty

7.6.1 Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports which should also give consideration to application of Equality Impact Assessments in line with Council Policy

8 Background Documents

8.1 List of Appendices accompanying this Report (if any):

- 1. Appendix 1 - Planned Procurement Activity January 2024 – March 2024
- 2. Appendix 2 – Background Briefing Paper

APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (JANUARY 2024 – MARCH 2024)

No.	Type of Report	Title of Procurement	Ref	Brief Description	Contract Duration	Directorate	Portfolio	Finance Officer	Contact Name	Planned CO Decision Date
1	Strategy / Award	Electoral Print and Services	P0358	The services are for: 1) Electronic verification of returned postal votes and; 2) Elections print services – Postal voting ballot pack production the printing of registration forms for the purpose of updating the Register of Electors and printing ballot papers and poll cards for elections.	2 years	Council Management	Deputy Leader	Lee Bickerton	Andrea Webster	22/01/2024
2	Approval to Tender	Enforcement Agency Services – Unauthorised Encampments	P0439_2024	The provision of Enforcement Agency Services for Unauthorised Encampments is required to ensure that the Council is able to support the management of unauthorised encampments (the removal of unauthorised encampments on Council owned land).	4 years	City Operations	Housing and Homelessness	Carl Tomlinson	Mark Wolstencroft / Snehal Patel	01/03/2024
3	Strategy / Award	Stock Condition & Energy Performance Surveys		The Council needs to appoint the services of surveying contractors to carry out all Stock Condition Surveys (SCS's) and/or Energy Performance Certificates (EPCs) to approximately 8,000 of its properties by 31st March 2024.	3 months	City Housing	Housing and Homelessness	Andrew Healey	Adele Livesey / Dean Billingham	22/01/2024
4	Strategy / Award	Works to create Playzones	TBC	To refurbish multi use games areas and to erect new outdoor sports facilities on Council land as listed below for resurfacing and painting, upgrades to fencing, gated access and new posts and nets: •The Concord Centre •Action Indoor Sports Centre •Adderley Park •Batchelors Farm Recreation Ground	6 months	City Operations	Health and Social Care	Carl Tomlinson	Panikos Panayiotou / Charlie Short	22/01/2024
5	Approval to Tender	Maintenance and Replacement of Non-PFI Lighting Assets on Housing Land	TBC	Provision of lighting maintenance and replacement services to around 3,000 non-PFI lighting assets, which are located City-wide on Housing land. The benefit of the proposed contract will enable a structured programme of maintenance and replacement of the assets throughout the city.	4 years	City Operations	Housing and Homelessness	Andrew Healey	Paul Laythorpe / Charlie Short	19/02/2024

APPENDIX 2

BRIEFING NOTE ON PLANNED PROCUREMENT ACTIVITIES CABINET – 12th December 2023

Title of Contract	Electoral Print and Services
Contact Officers	Director / Assistant Director: Robert Connelly, Assistant Director Legal & Governance Client Officer: Victoria Beavon, Electoral Services Manager Procurement Officer: Andrea Webster, Sub Category Manager
Relevant Portfolio	Councillor Brigid Jones - Cabinet Member for Finance & Resources and Councillor Sharon Thompson - Deputy Leader
Briefly describe the service required	The services are for: 1) Electronic verification of returned postal votes and; 2) Elections print services – Postal voting ballot pack production the printing of registration forms for the purpose of updating the Register of Electors and printing ballot papers and poll cards for elections.
What is the proposed procurement route?	To call off the Council's existing framework agreements (FA) for the two services set out above. To undertake two separate call off contracts (1) and (2) under these FAs for a period of 2 years (one call off per FA).
What are the existing arrangements? Is there an existing contract? If so when does that expire?	There are two single supplier Framework Agreements. The FAs will expire on 28 January 2024. The FA permits multiple call off contracts to be let under the Framework Agreement. Call off contracts # 1 commenced 29 January 2019 & will expire 28 th January 2024.
Will any savings be generated?	No cashable savings will be generated by this project.
Has the In-House Preferred Test been carried out?	Previous procurement has established that the in-house option is not viable as they are unable to meet all the technical specifications required in respect of both frameworks and all goods & services.
How will this service assist with the Council's commitments to Route to Zero?	There is no direct impact on the Councils commitments to Route to Zero from the award of this contract.
How do these activities assist the Council with Everybody's Battle; Everybody's Business?	There is no direct impact on Everybody's Battle; Everybody's Business from the award of this contract.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	The Council is under a statutory obligation to ensure it conducts all relevant polls in accordance with the statutory requirements and that the register of electors is maintained to ensure its accuracy in order to allow citizens to register to vote and then have the ability to vote. Save for local polls (such as the City Council elections, and certain by elections), the costs of producing ballot papers, ballot packs, and poll cards are a recoverable cost.
Approval via Spend Control Board.	Approval to conduct the schedule polls in May 2024 was obtained from Section 151 Board on 19 th September 2023 (ID: 1071) and further approvals are currently being sought in relation to other polls that are likely to be held in 2024 including the Parliamentary General Election (date unknown).
What budget is the funding from for this service?	The funding of schedule elections due in May 2024 and the Parliamentary General Election will be met by external grant funding whereas all registration costs (including printing of registration forms) will be met from the general fund, (save where these will fall under the new governments new burden principles)
Estimated value of project (note: value estimated at time of submission of PPAR, this may change at time of advancing any related procurement activity)	The estimated value for the period of the contract for call off 1 is £188,000 and for call off 2 approximately £500,000 based on costs of previous schedule elections.
Proposed start date and duration of the new contract	The proposed start date is 29 th January 2024 for a period of 2 years for call off under framework 1 above (Electronic verification of returned postal votes) and 2 years for call off under framework 2 above (Elections print services).

Title of Contract	Enforcement Agency Services – Unauthorised Encampments
Contact Officers	Director / Assistant Director: Sajeela Naseer, Director of Regulation & Enforcement Client Officer: Mark Wolstencroft, Operations Manager, Environmental Health Procurement Officer: Snehal Patel, Sub Category Officer
Relevant Portfolio	Councillor Jayne Francis - Cabinet Member for Housing and Homelessness
Briefly describe the service required	The provision of Enforcement Agency Services for Unauthorised Encampments is required to ensure that the Council is able to support the management of unauthorised encampments (the removal of unauthorised encampments on Council owned land).
What is the proposed procurement route?	An open tender exercise is proposed advertised on www.finditinbirmingham.com , Contracts Finder and Find A Tender.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	There is an existing contract which will expire on 31 st August 2024.
Will any savings be generated?	No cashable savings will be generated by this project.
Has the In-House Preferred Test been carried out?	There is no in-house option. This is a specific function requiring trained and competent officers and BCC does not have a cadre of officers who act as certified bailiffs in the eviction of persons from land.
How will this service assist with the Council's commitments to Route to Zero?	Companies who are commissioned are expected to be able to draw on a cadre of officers (enforcement agents) from the locality so as to provide a more localised and speedy response, whilst also reducing miles driven. Enforcement agents attend site in fewest vehicles possible e.g. car sharing, so as to reduce miles driven.
How do these activities assist the Council with Everybody's Battle; Everybody's Business?	The repossession of land is undertaken by certified bailiffs who's competency / knowledge and experience encompasses: <ul style="list-style-type: none"> • Understanding differences especially those relating to the GRT (Gypsy, Romany & Traveller) communities • Conflict management so as to deliver the service without escalating conflict or undermining community cohesion
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	There is not a statutory duty to provide this service. However, the service is required to manage unauthorised encampments in line with the joint protocol between Birmingham City Council and West Midlands Police and to remedy the illegal trespass on Council land and to return said land to proper use in the shortest possible time.
Approval via Spend Control Board.	Approval for this requirement was obtained from City Operations Spend Control Board on the 24 th October 2023 and approved at Section 151 Board on 6 th November 2023.
What budget is the funding from for this service?	This will be funded from the Environmental Health budget where pre-eviction action is taken and from the landowning budgets (Parks & Leisure, Housing, EDD, Education) where eviction action is undertaken.
Estimated value of project (note: value estimated at time of submission of PPAR, this may change at time of advancing any related procurement activity)	The estimated value for the period of the contract is £180,000 per annum based on historic spend with a total value of £720,000 over the 4 years.
Proposed start date and duration of the new contract	The proposed start date is 1 st September 2024 for a period of 4 years.

Title of Contract	Stock Condition & Energy Performance Surveys
Contact Officers	Director / Assistant Director: Service Director Asset Management (Housing) Client Officer: Adele Livesey, Lead Consultant (Capital Programme) Procurement Officer: Dean Billingham, Procurement Specialist
Relevant Portfolio	Councillor Jayne Francis - Cabinet Member for Housing and Homelessness
Briefly describe the service required.	The Council needs to appoint the services of surveying contractors to carry out all Stock Condition Surveys (SCS's) and/or Energy Performance Certificates (EPCs) to approximately 8,000 of its properties by 31 st March 2024. Whilst the Council undertakes a recruitment exercise to appoint in house surveyors, it has been agreed that it should appoint additional resource to help increase the level of recent stock data held. Acivico have already been appointed to undertake a significant number, but it was agreed that additional alternative resources should be identified. Savills are providing an equivalent surveying service undertaken by directly employed teams, at the same rate as the reduced rates agreed with Acivico but will also undertake in house validation and reporting which is added value we do not receive from Acivico.
What is the proposed procurement route?	Direct Award to Savills via the Procurement Hub. Savills have been identified as having the resource capacity and necessary skill sets following a robust Expression of Interest (EOI) process to complete both SCS and EPC at the same time therefore reducing occupier/tenant disruption. The framework rate card has been competitively competed with the wider market prior to the appointment of Savills to this framework. The framework rate card agreed for the combined delivery of SCS and EPC surveys is also comparable with the reduced rate charged by Acivico.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	The Council is currently utilising the services of Acivico, under its exclusivity arrangements, however whilst the recruitment exercise is undertaken to source in house resources it was agreed that alternative surveying resources be identified. The Acivico arrangements will remain in place alongside the Savills contract arrangements until the required number of surveys required by the Regulator are completed within the agreed timeframes.
Will any savings be generated?	No cashable savings will be generated by this project.
Has the In-House Preferred Test been carried out?	The Council does not currently have a team of in-house surveyors with the necessary skill sets to deliver this service. The Council is currently utilising the services of Acivico, and additional resources have been identified via this proposed route for immediate short-term resource whilst it implements an external campaign to recruit its own surveyors to deliver the services over the long term.
How will this service assist with the Council's commitments to Route to Zero?	The EPC data we collect as part of this programme will help us to develop future retrofit programmes and identify any energy inefficient properties within the Councils current housing stock.
How do these activities assist the Council with Everybody's Battle; Everybody's Business?	These services will support the Councils Levelling Up Strategy (November 2021) and ensure its housing stock meets the minimum statutory requirements to provide a safe, clean, dry and warm environment for its residents.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	There is a statutory duty to provide this service. The Regulator expects the Council to hold on record accurate up to date data on its housing stock and this will help accelerate this process.
Approval via Spend Control Board.	Approval for this requirement was obtained from City Housing Spend Control Board on the 9 th October 2023 and approved at Section 151 Board on 30 th October 2023.
What budget is the funding from for this service?	This is funded from the HRA budget.

Estimated value of project (note: value estimated at time of submission of PPAR, this may change at time of advancing any related procurement activity)	The estimated value for the initial 3-month contract period is £517,690.
Proposed start date and duration of the new contract	The proposed start date is mid to end January 2024 for an initial period of 3 months.

Title of Contract	Works to create Playzones
Contact Officers	Director / Assistant Director: Chris Jordan, Assistant Director, Neighbourhoods Client Officer: Panikos Panayiotou, Sports Development Manager Procurement Officer: Charlie Short, Procurement Manager
Relevant Portfolio	Councillor Mariam Khan – Cabinet Member for Health and Social Care
Briefly describe the service required	To refurbish multi use games areas and to erect new outdoor sports facilities on Council land as listed below for resurfacing and painting, upgrades to fencing, gated access and new posts and nets: <ul style="list-style-type: none"> • The Concord Centre • Action Indoor Sports Centre • Adderley Park • Batchelors Farm Recreation Ground
What is the proposed procurement route?	The Football Foundation undertook a procurement process using their framework agreement for works to create Playzones across the country. The Council will enter into a contract with Support in Sport (SIS Pitches) called off this framework in accordance with its protocol.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	This is a one-off requirement.
Will any savings be generated?	No savings will be generated from this procurement process for a one-off works project.
Has the In-House Preferred Test been carried out?	Yes, and the test demonstrated this is not suitable to be carried out in-house for a construction project.
How will this service assist with the Council's commitments to Route to Zero?	The works will be undertaken using the most up-to-date sustainable materials.
How do these activities assist the Council with Everybody's Battle; Everybody's Business?	The creation of Playzones will be inclusive and available to all sections of the community.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	There is not a statutory duty to provide this service. However, the works support the Council's commitment to creating a sustainable legacy of hosting the Commonwealth Games and delivering sporting facilities and infrastructure that encourage all citizens to engage in sport and physical activity.
Approval via Spend Control Board	Approved at City Operations Spend Control Board on the 16th of October 2023 and Section 151 approval on 18th of October 2023.
What budget is the funding from for this service?	The scheme is funded by the Sport Service budget from funding received by the Football Foundation.
Estimated value of project (note: value estimated at time of submission of PPAR, this may change at time of advancing any related procurement activity)	The value of the contract is £858,645 based on the fixed costs of the Football Foundation contract.
Proposed start date and duration of the new contract	The proposed start date is February 2024 for a period of 6 months.

Title of Contract	Maintenance and Replacement of Non-PFI Lighting Assets on Housing Land
Contact Officers	Director / Assistant Director: Wayne Davies, Director Asset Management Client Officer: Paul Laythorpe, Highways Electrical Asset Manager Procurement Officer: Charlie Short, Procurement Manager
Relevant Portfolio	Councillor Jayne Francis – Cabinet Member for Housing and Homelessness
Briefly describe the service required	Maintenance and replacement services to around 3,000 lighting assets located city-wide on land owned by City Housing to support a structured programme of maintenance and replacement. Maintenance of these assets is currently undertaken on an ad-hoc basis primarily on a 'make safe' basis under the Housing repair and maintenance contract. The requirement is not covered under the scope of the Highways PFI and the housing repair and maintenance contracts.
What is the proposed procurement route?	A procurement process open to the market advertised on www.finditinbirmingham.com and Contracts Finder.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	There is no existing contract for this work.
Will any savings be generated?	No cashable savings will be generated by this project.
Has the In-House Preferred Test been carried out?	Yes, and the test demonstrated this is not suitable to be carried out in-house as there is not the resources within the Council to provide these services.
How will this service assist with the Council's commitments to Route to Zero?	The contract will facilitate the replacement of old lamp sources with new LED lamp sources, which are more energy efficient and will assist with the reduction of service-related carbon use. In addition, the new units will have the capability to be dimmed, thus providing a further opportunity to reduce energy consumption and carbon.
How do these activities assist the Council with Everybody's Battle; Everybody's Business?	There is no direct impact on Everybody's Battle, Everybody's Business from the award of this contract.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	The Council has a duty of care to maintain its lighting assets under Section 97 of the Highways Act 1980 - Lighting of Highways (maintenance of existing lighting assets) and the Council also has a duty to adhere to the regulations set out in 'Electrical Testing of Street Lighting Assets –BS7671:2018 IET Wiring Regs'.
Approval via Spend Control Board.	Approved at City Housing Spend Control Board on 14th November 2023 and Section 151 approval on 16th November 2023.
What budget is the funding from for this service?	This is funded from the Housing Revenue Account budget.
Estimated value of project (note: value estimated at time of submission of PPAR, this may change at time of advancing any related procurement activity)	The estimated total contract value is £3,000,000 for the period of 4 years.
Proposed start date and duration of the new contract	The proposed start date is 1 st June 2024 for a period of 4 years.

Birmingham City Council

Cabinet

12 December 2023



Key Decision Planned Procurement Activities

Commissioner Review

The Commissioner supports this Cabinet submission.

Birmingham City Council

Report to Cabinet

Date: 12th December 2023



Subject: **NON-KEY DECISION PLANNED PROCUREMENT ACTIVITIES (JANUARY 2024 – MARCH 2024)**

Report of: **ASSISTANT DIRECTOR – PROCUREMENT**

Relevant Cabinet Member: **Councillor Brigid Jones, Cabinet Member for Finance and Resources**

Relevant O & S Chair(s): **Councillor Jack Deakin, Chair of Finance and Resources OSC**

Report author: Steve Sandercock, Assistant Director, Procurement
Email Address: steve.sandercock@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

- 1.1 This report provides details of the planned procurement activity for the period January 2024 – March 2024 which are not key decisions. Planned procurement activities reported previously are not repeated in this report.
- 1.2 The report enables Cabinet to identify whether any reports for procurement activities should be brought to this meeting for specific executive decision,

otherwise they will be dealt with under Chief Officer delegations up to the value of £500,000, unless TUPE applies to current Council staff.

2 Recommendations

- 2.1 To note the planned procurement activities as set out in Appendix 1 and Chief Officer delegations, set out in the Constitution, for the subsequent decisions around procurement strategy and contract awards.

3 Background

- 3.1 The report approved by Council Business Management Committee on 16 February 2016 set out the case for introducing this process.
- 3.2 At the 12th July 2022 meeting of Council changes to procurement governance were agreed which gives Chief Officers the delegated authority to approve procurement contracts up to the value of £500,000 for non-key decisions over the life of the contract. Where it is likely that the award of a contract will result in staff employed by the Council transferring to the successful contract under TUPE, the contract award decision has to be made by Cabinet.
- 3.3 In line with the Procurement and Contract Governance Rules that form part of the Council's Constitution, this report acts as the process to consult with and take soundings from Cabinet Members and the Resources Overview & Scrutiny Committee.
- 3.4 This report sets out the planned procurement activity over the next few months where the contract value is between the procurement threshold £177,897.50 (excluding VAT) and £500,000 (excluding VAT) for non-key decisions. This will give members visibility of all procurement activity within these thresholds and the opportunity to identify whether any procurement reports should be brought to Cabinet for approval even though they are below the £10m delegation threshold.
- 3.5 It should be noted that the procurement threshold has changed from £189,330 to £177,897.50 (excluding VAT) and applies from 1st January 2022 for a period of 2 years.
- 3.6 Individual procurements may be referred to Cabinet for an executive decision at the request of Cabinet, a Cabinet Member or the Chair of Resources Overview & Scrutiny Committee where there are sensitivities or requirements that necessitate a decision being made by Cabinet.
- 3.7 Procurements below £500,000 contract value that are not listed on this or subsequent monthly reports can only be delegated to Chief Officers if specific approval is sought from Cabinet. Procurements above £10m contract value will still require an individual report to Cabinet in order for the award decision to be delegated to Chief Officers if appropriate.

4 Options considered and Recommended Proposal

- 4.1 The options considered are:

- To identify specific individual procurements as listed in appendix 1 for further consideration, along with clear reason(s) for such additional consideration, to Cabinet around the procurement strategy and contract award.
- To note the planned procurement activities for all the projects listed in appendix 1 and the Chief Officer delegations as set out in the Constitution, for the subsequent decisions around procurement strategy and contract awards.– this is the recommended option.

5 Consultation / Engagement

- 5.1 This report to Cabinet is copied to Cabinet Members, Cabinet Support Officers and to Resources Overview & Scrutiny Committee and therefore is the process for consulting with relevant cabinet and scrutiny members. At the point of submitting this report Cabinet Members/ Resources Overview & Scrutiny Committee Chair have not indicated that any of the planned procurement activity needs to be brought back to Cabinet for executive decision.

6 Risk Management

- 6.1 Members should note that in respect of any procurement projects which are sought to be referred back to Cabinet for further considerations these may impact on timescales around the delivery of those projects.
- 6.2 Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 Details of how the contracts listed in Appendix 1 and Appendix 2 support relevant Council policies, plans or strategies, will be set out in the individual reports.

7.2 Legal Implications

- 7.2.1 Members are reminded that as a Local Authority the Council has specific duties under public sector procurement, specifically the Public Contract Regulations 2015.
- 7.2.2 Specific details of any implications related to public sector procurement Regulations are set out- in the individual reports appended to this report.

7.3 Financial Implications

- 7.3.1 Specific details of how decisions will be carried out within existing finances and resources will be set out in the individual reports.

7.3.2 Any cashable savings generated as a result of the procurement exercises are detailed in Appendix 2 to the delivery of procurement related savings and be removed from Directorate where identified in addition to the existing service area savings target as set out in the Medium Term Financial Plan (MTFP) in line with the principles to treatment of identified savings against third party contracts as agreed by CLT on 24th January 2022.

7.4 Procurement Implications (if required)

7.4.1 As noted under the Legal Implications the Council has a duty to ensure that public sector procurement activity is in line with public sector legislation, specifically the Public Contracts Regulations 2015.

7.4.2 For each of the individual projects the specific procurement implications associated to the legislation are set out and detailed in the appendices

7.5 Human Resources Implications (if required)

7.5.1 None.

7.6 Public Sector Equality Duty

7.6.1 Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports which should also give consideration to application of Equality Impact Assessments in line with Council Policy

8 Background Documents

8.1 List of Appendices accompanying this Report (if any):

- 1. Appendix 1 - Planned Procurement Activity January 2024 – March 2024
- 2. Appendix 2 – Background Briefing Paper

APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (JANUARY 2024 – MARCH 2024)

No.	Type of Report	Title of Procurement	Ref	Brief Description	Contract Duration	Directorate	Portfolio	Finance Officer	Contact Name	Planned CO Decision Date
1	Strategy / Award	Employer's Agent Services for the Druids Heath Estate Regeneration Scheme	TBC	The services will conclude the work to complete the outline planning application and masterplan and include: <ul style="list-style-type: none"> •additional surveys for the Environmental Impact Assessment and advice •further design work •planning, transport and sustainability advice 	up to 18 months	Place, Prosperity and Sustainability	Housing and Homelessness	Andrew Healey	Deborah Greenhill / Jessica Brittle	22/01/2024
2	Strategy / Award	Tennis Court Refurbishment Works	TBC	To refurbish the tennis courts in the Council's parks as listed below for court resurfacing and painting, upgrades to fencing, gated access and new posts and nets: <ul style="list-style-type: none"> •Bournville •Brookvale •Cannon Hill •Gilbertstone •Lickey Hills •Mere Green •Pype Hayes •Rookery •Summerfield 	6 months	City Operations	Health and Social Care	Carl Tomlinson	Helen Corrigan / Charlie Short	22/01/2024
3	Strategy / Award	Computer Aided Facilities Management (CAFM) Software	TBC	CAFM system (migration to Cloud) used for Repair and Maintenance and Statutory Maintenance to ensure Building Health and Safety Compliance. The system is critical to the management of Council properties and maintenance / monitoring of statutory responsibilities relating to the Health and Safety of building users including for example the public, care home residents and staff.	2 years	Place, Prosperity and Sustainability	Transport	Azhar Rafiq	Michael McGuinness / Vijay Rubanathan	22/01/2024

APPENDIX 2

BRIEFING NOTE ON PLANNED PROCUREMENT ACTIVITIES CABINET – 12th DECEMBER 2023

Title of Contract	Employer's Agent Services for the Druids Heath Estate Regeneration Scheme
Contact Officers	Director: Paul Kitson – Director of Place, Prosperity and Sustainability Client Officer: Deborah Greenhill – Project Lead (Druids Heath) Procurement Officer: Katharyn Jones – Procurement Manager
Relevant Portfolio	Councillor Jayne Francis - Cabinet Member for Housing and Homelessness
Briefly describe the service required	To support the Druids Heath Regeneration Scheme approved by Cabinet on 13 th December 2022, there is a requirement for employer's agent services with WSP UK Ltd. The services will conclude the work to complete the outline planning application and masterplan and include: <ul style="list-style-type: none"> • additional surveys for the Environmental Impact Assessment and advice • further design work • planning, transport and sustainability advice It is an urgent requirement that employer's agent services are undertaken to enable the completion of the masterplan.
What is the proposed procurement route?	Direct award calling off from the NHS Shared Business Services Healthcare Planning, Construction Consultancy and Ancillary Services framework agreement. In accordance with the NHS SBS framework agreement guidance, it is permissible to use direct award where the customer identifies this as the most appropriate route and on the basis that it is an urgent requirement where the delay caused by undertaking a further competition exercise would be detrimental to the outcome.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	The current contract expires in January 2024. This contract cannot be extended due to the value of expenditure increased more than 50% of the original contract value in accordance with the Public Contracts Regulations 2015.
Will any savings be generated?	No cashable savings will be generated by this project.
Has the In-House Preferred Test been carried out?	Yes, and the test demonstrated this is not suitable to be carried out in-house for a service the Council does not have the capability to undertake.
How will this service assist with the Council's commitments to Route to Zero?	The works will be undertaken using online platforms and minimising paper usage. Car trips will be minimised, and the public transport links maximised. Therefore, reducing carbon footprint.
How do these activities assist the Council with Everybody's Battle; Everybody's Business?	There is no direct impact on Everybody's Battle, Everybody's Business from the award of this contract.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	There is not a statutory duty to provide this service. However, the services are essential to support the regeneration scheme to improve the Druids Heath area.
Approval via Spend Control Board.	Approved at Place, Prosperity and Sustainable Spend Control Board 4 th September 2023 and Section 151 approval on 27 th September 2023.
Estimated value of project (note: value estimated at time of submission of PPAR, this may change at time of advancing any related procurement activity)	The estimated value contract is £395,756 based on the framework rates for the resourcing to deliver the services.
What budget is the funding from for this service?	This is funded from BMHT HRA budget allocation for Druids Heath Regeneration.
Proposed start date and duration of the new contract	The proposed start date is January 2024 for a period of up to 18 months or until the approval of the outline planning.

Title of Contract	Tennis Court Refurbishment Works
Contact Officers	Director / Assistant Director: Chris Jordan, Assistant Director, Neighbourhoods Client Officer: Helen Corrigan, Senior Sports Manager Procurement Officer: Charlie Short, Procurement Manager
Relevant Portfolio	Councillor Mariam Khan – Cabinet Member for Health and Social Care
Briefly describe the service required	To refurbish the tennis courts in the Council's parks as listed below for court resurfacing and painting, upgrades to fencing, gated access and new posts and nets: <ul style="list-style-type: none"> • Bournville • Brookvale • Cannon Hill • Gilbertstone • Lickey Hills • Mere Green • Pype Hayes • Rookery • Summerfield
What is the proposed procurement route?	The Lawn Tennis Association undertook a further competition exercise using the Football Foundation's tennis court refurbishment framework agreement. The Council will enter into a contract with Fosse Contractors Ltd called off this framework in accordance with its protocol.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	This is a one-off requirement.
Will any savings be generated?	No savings will be generated from this procurement process for a one-off works project.
Has the In-House Preferred Test been carried out?	Yes, and the test demonstrated this is not suitable to be carried out in-house for a construction project.
How will this service assist with the Council's commitments to Route to Zero?	The works will be undertaken using the most up-to-date sustainable materials.
How do these activities assist the Council with Everybody's Battle; Everybody's Business?	The refurbishment of the tennis courts to enable them to be inclusive and available to all sections of the community.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	There is not a statutory duty to provide this service. However, the works support the Council's commitment to creating a sustainable legacy of hosting the Commonwealth Games and delivering sporting facilities and infrastructure that encourage all citizens to engage in sport and physical activity.
Approval via Spend Control Board	Approved at Place, Prosperity and Sustainable Spend Control Board on 25 th September 2023 and Section 151 approval on 28 th September 2023.
Estimated value of project (note: value estimated at time of submission of PPAR, this may change at time of advancing any related procurement activity)	The value of the contract is £303,770 based on the fixed costs of the Lawn Tennis Association contract.
What budget is the funding from for this service?	The scheme is funded by the Sport Service budget from funding received by the Lawn Tennis Association.
Proposed start date and duration of the new contract	The proposed start date is February 2024 for a period of 6 months.

Title of Contract	Computer Aided Facilities Management (CAFM) Software
Contact Officers	Assistant Director: Philip Edwards, Assistant Director Transport and Connectivity Client Officer: Michael McGuinness, Property and Technical Development Manager Procurement Officer: Vijay Rubanathan, IT Commissioning Manager
Relevant Portfolio	Councillor Liz Clements - Cabinet Member for Transport
Briefly describe the service required	There is a requirement of CAFM system (migration to Cloud) used for Repair and Maintenance and Statutory Maintenance to ensure Building Health and Safety Compliance. This is a contractual commitment and must be agreed prior to April 2024 otherwise a penalty of £230,000 applies. The system is critical to the management of Council properties and maintenance/monitoring of statutory responsibilities relating to the health and safety of building users including for example the public, care home residents and staff.
What is the proposed procurement route?	A procurement process will be undertaken by way of a National Framework in accordance with its protocol.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	The current on prem CAFM system provided by Civica has reached its end of life and the current contract expires on 31 st January 2024. The software goes out of support at the end of March 2024 and cannot be used beyond that date.
Will any savings be generated?	This contract is essential for income generation from the commercial/investment portfolio. If buildings are not safe, we cannot operate services such as libraries, leisure, care homes, homeless centres, etc.
Has the In-House Preferred Test been carried out?	Yes, CAFM is a specialist piece of software needed to manage around HSE regulations and manage/monitor spend on all our properties. To design something of this nature in house would be a huge risk to the Council to implement and have continuous ongoing development costs to meet changing needs, demands and legislation.
How will this service assist with the Council's commitments to Route to Zero?	This procurement is for a software solution hosted on cloud, it reduces the need for hosting servers within the Council and thereby reduce carbon footprint.
How do these activities assist the Council with Everybody's Battle; Everybody's Business?	The required activities support tackling inequalities as per the Council's Equality Strategy and Action Plan documented here. The activities i.e. managing Council's property portfolio in an efficient manner is an important activity in providing continued revenue to the council which can be used to fund other projects that can tackle inequality.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	Yes, the Health & Safety at Work etc. Act 1974 makes it a legal responsibility for the Council to ensure all Council buildings are safe. This means ensuring repairs are carried out and statutory testing is undertaken on items such as legionella, lifts, gas, RCD, asbestos etc. Without the system we could not issue R&M or Statutory maintenance instructions to contractors and could not operate or lease any buildings safely, affecting statutory services and rental income from those buildings.
Approval via Spend Control Board.	Approval for this requirement was obtained from Place, Prosperity and Sustainability Spend Control Board on the 3 rd November 2023 and approved at Section 151 Board on 6 th November 2023.
Estimated value of project (note: value estimated at time of submission of PPAR, this may change at time of advancing any related procurement activity)	The estimated value for the period of the contract is £283,487.
What budget is the funding from for this service?	The implementation cost will be funded by Place, Prosperity & Sustainability Directorate and the ongoing license fee will be funded by DTS.
Proposed start date and duration of the new contract	The proposed start date is 1 st February 2024 for a period of 2 years.