

BIRMINGHAM CITY COUNCIL

HOMES OVERVIEW AND SCRUTINY COMMITTEE

THURSDAY, 22 FEBRUARY 2024 AT 14:00 HOURS
IN COMMITTEE ROOM 6, 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.

- 5 - 12** 4 **MINUTES**
- To confirm the minutes of the meeting held on 25 January 2024.
- 13 - 14** 5 **ACTION TRACKER**
- To note the action tracker.
- 6 **COMMISSIONER'S REVIEW AND COMMENTS ON THE AGENDA**
- For the Committee to note there were no comments on this agenda from the Commissioner.
- 15 - 28** 7 **EXEMPT ACCOMMODATION INQUIRY RECOMMENDATIONS TRACKING UPDATE**
- To review the updates of outstanding recommendations and confirm agreement with the relevant status given for each recommendation. Councillor Jayne Francis, Cabinet Member for Housing and Homelessness; Guy Chaundy, Assistant Director, Housing Strategy and Enabling; and Collette Campbell, Acting Strategic Lead, Strategy and Enabling Service, in attendance.
- 29 - 48** 8 **WORK PROGRAMME**
- To consider the Committee's work programme and agree any updates/amendments.
- 9 **DATE OF THE NEXT MEETING**
- To note the date of the next meeting on Thursday 14 March at 1400 hours in Committee Room 6.
- 10 **REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR ACTION/PETITIONS RECEIVED (IF ANY)**
- To consider any request for call in/councillor call for action/petitions (if received).
- 11 **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.
- 12 **AUTHORITY TO CHAIR AND OFFICERS**

Chair to move:-

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

BIRMINGHAM CITY COUNCIL

HOMES O&S COMMITTEE – PUBLIC MEETING

1400 hours on Thursday 25 January 2024, Committee Room 6, Council House

Minutes**Present:**

Councillor Mohammed Idrees (Chair)

Councillors: Saqib Khan, Ziaul Islam, Rinkal Shergill, Ron Storer, Penny Wagg and Ken Wood

Also Present:

Councillor Jayne Francis, Cabinet Member for Housing and Homelessness

Councillor Julien Pritchard

Guy Chaundy, Assistant Director, Housing Strategy and Enabling

Neil Cox, Senior Consultant, Housing

Wayne Davies, Director, Asset Management

Lucy Ford, Sub-Category Manager, Procurement - Online

Stephen Gabriel, Director, Housing Management

Andrew Healey, Finance Business Partner, Housing

Paul Langford, Strategic Director, City Housing - Online

Naomi Morris, Housing Modernisation and Partnership Manager

Asha Patel, Interim Head of Repairs

Stephen Philpott, Director, Housing Solutions and Support Service

Steve Sandercock, Assistant Director, Procurement - Online

Amelia Wiltshire, Overview and Scrutiny Manager

Jayne Bowles, Scrutiny Officer

1. NOTICE OF RECORDING/WEBCAST

The Chair advised that this meeting would be webcast for live or subsequent broadcast via the Council's Public-I microsite and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2. APOLOGIES

None.

3. DECLARATIONS OF INTERESTS

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

No interests were declared.

4. MINUTES

There were no matters arising from the minutes.

RESOLVED:

That the minutes of the meeting held on 23 November 2023 be confirmed as correct and signed by the Chair.

5. ACTION TRACKER

The Chair referred to the outstanding action in relation to contractor performance and informed the Committee that officers would provide the requested information after the meeting.

RESOLVED:

That the action tracker be noted.

6. COMMISSIONER'S REVIEW AND COMMENTS ON THE AGENDA

The Chair drew the Committee's attention to the Commissioner's comments on agenda item 7 – Regulatory Compliance.

RESOLVED:

That the Commissioner's comments be noted.

7. REGULATORY COMPLIANCE

Councillor Jayne Francis, Cabinet Member for Housing and Homelessness; Guy Chaundy, Assistant Director, Housing Strategy and Enabling; Wayne Davies, Director, Asset Management; Stephen Gabriel, Director, Housing Management; Naomi Morris, Housing Modernisation and Partnership Manager; and Stephen Philpott, Director, Housing Solutions and Support Service, were in attendance for this item and Paul Langford, Strategic Director, City Housing was in attendance online.

The Strategic Director, City Housing introduced the item and explained the context. He advised that:

- The Commissioner with specific focus on Housing had been included in regular formal meetings with the Regulator of Social Housing;
- City Housing had set itself a target of end June 2024 to resolve all areas on the breach notice and were on track to do that.
- It would take seven to eight years to bring all council homes back to the decent standard, with over £1.4 billion investment.

The Committee received a presentation from the Director of Asset Management and the Housing Modernisation and Partnership Manager, which provided an update on Landlord Health and Safety compliance; Remedial Actions; Decent Homes Standard; Complaints backlog and summary; Housing Ombudsman key messages, including Compensation Policy; and the Voluntary Undertaking:

During the discussion and in response to Members' questions, the main points included:

- The categorisation of Remedial Actions was queried and the Committee were advised that low risk actions are not a health and safety risk and can be done over a longer period of time, medium risk are those done in a shorter time period but are not emergencies and high risk are those which need to be carried out immediately.
- With regard to asbestos in properties, this comes with varying levels of risk and a proportionate response is required to deal with this in a planned way.
- There are still 8,500 carbon monoxide detectors to complete and this needs to be 100% compliant by the end of June. Where a property has not got an electrical certificate or a carbon monoxide detector, the strategy is to complete both at the same time.
- In terms of Stock Condition Surveys, the target is to complete 12,000 surveys a year over five years all surveys will be in place at the end of that period.
- City Housing is working closely with the Housing Ombudsman in relation to complaints and compensation and the Committee noted that a report on the Council's Compensation Policy had been agreed at Cabinet in January.
- Staff are working overtime to bring down complaints backlog volumes and it was noted that in September and October this had been challenging due to spend control approvals being required for overtime requests.
- A significant proportion of complaints relate to repairs funded from the Housing Revenue Account which is not under the same pressure as the General Fund but still has to go through the spend control process.
- New staff are being trained in the Complaints Team and the position has started to stabilise.
- Both the Cabinet Member and the Strategic Director informed the Committee that the team were working extremely hard to minimise complaints and to address issues as quickly and compassionately as possible and the new procurement should help deliver improvements over time.
- A request was made for members to be given the opportunity to visit the Complaints Team and it was suggested that this request be passed on to the Assistant Director of Customer Services.
- The Committee noted that the Housing Ombudsman wants to see that the directorate and the Council learns from the complaints it receives and listens to tenants.

- The action plan is in the latter stages of being finalised and the directorate hopes to shortly be in a position where the Housing Ombudsman signs it off.
- In terms of lessons learnt, following the Meet the Ombudsman event where issues regarding anti-social behaviour (ASB) were voiced, a new ASB policy has now been drafted and will be embedded in the re-design work in Housing Management.
- It is important to have the right channels in place to deal with ASB and if tenants have concerns, these can be reported through local housing teams.
- Focus groups have been held with tenants and it will be important to continue to do that so money is spent where it is important to tenants.
- Another key piece of work which has come from tenant feedback is the introduction of a CCTV strategy as part of the Asset Management Strategy.
- Reference was made to the draft Voluntary Undertaking which had been shared at the last regulatory compliance session and the commitment from the Council to deliver in a certain timeframe. The Committee were advised that the Regulator has asked to see a chronology which is being worked on at the moment with a view to phasing in some of the deadlines and it is hoped a final draft will be ready for the next session in April.

RESOLVED:

That the Committee would continue to take a proactive role in providing oversight, scrutiny and productive challenge to the Directorate whilst moving towards a position of regulatory compliance.

8. DATE OF THE NEXT MEETING

Members noted that reports on Affordable Housing and Exempt Accommodation Tracking were scheduled for the next meeting.

RESOLVED:

- i. The date of the next meeting on Thursday 22 February at 1400 hours in Committee Room 6 was noted.
- ii. An informal work programme session would be arranged to take place before the next formal meeting.

9. REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR ACTION/PETITIONS RECEIVED (IF ANY)

9a Request for Call In – Contract Award for the Provision of Repairs and Maintenance 2024-2026

Councillor Jayne Francis, Cabinet Member for Housing and Homelessness; Councillor Julien Pritchard; Neil Cox, Senior Consultant, Housing; Wayne Davies, Director, Asset Management; Asha Patel, Interim Head of Repairs, were in attendance. Lucy Ford, Sub-Category Manager and Steve Sandercock, Assistant Director, Procurement, were in attendance online.

It was noted that Councillor Rob Grant had given his apologies.

The Chair outlined the procedure, including reference to the exempt information and Councillor Pritchard confirmed that he did not intend to refer to the exempt appendices.

The Chair then invited Councillor Pritchard to explain the reasons for the Request for Call-In and in doing so the following were amongst the main points made:

Criteria 2: the decision appears to be inconsistent with any other form of policy approved by the full Council, the Executive or the Regulatory Committees

- The decision to do a direct award to the existing two contractors is inconsistent with previous Cabinet decisions and supporting information which recommended more than two contractors.
- The advice had been to have three or four contractors.
- It was highlighted that Criteria 5 could also apply here as referenced below.

Criteria 5: the Executive appears to have overlooked some relevant consideration in arriving at its decision

- The decision appears to overlook the performance of the contractors under the current contract, and the amount of change to the contracts appears insufficient to address this.
- The decision overlooks advice received previously. The original abandoned procurement process had received advice from consultants to have three or four contractors.
- The decision appears to overlook past and current performance of contractors, particularly in the south of the city, where there are lots of reports of repairs taking longer than the service level agreement and not being done properly.
- If existing KPIs (Key Performance Indicators) are not being achieved, how can we be sure the new ones will be, and how will this be checked and audited by the Council.

Criteria 6: the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do

- The poor condition of the Council's housing stock is well documented and has already generated considerable press attention, complaints from residents and judgements from regulators. A poor repairs contract will only worsen this situation.
- The previous item on the agenda had referred to complaints and the poor condition of stock is well documented in the press, with Regulator and Ombudsman involvement, and that will only be made worse if the Council gets the repairs contract wrong.

Criteria 8: the decision appears to give rise to significant legal, financial, governance or propriety issue

- There needs to be greater reassurance around the legality of the procurement process for this contract award.
- This is a brand new contract, not an extension and it is clear that the previous contract did not include the possibility for extension.
- The Council is awarding a contract without any competition to a contractor around whom there are serious concerns.

- The Cabinet report states that there are technical reasons why there was no other procurement option, however it seems to be due to poor project management rather than technical reasons.

In conclusion, Councillor Pritchard stated that referring the decision back to Cabinet would send a clear message that this is not acceptable and perhaps lessons will be learnt.

The Cabinet Member and officers responded to the issues raised and in further discussion with Members, the following were amongst the main points raised:

- Officers had taken external legal advice and assessed the risk and opportunity to maintain the best service for residents.
- The decision to abandon the procurement was the right decision at the time to minimise risk and ensure continuity of service.
- The two year extension will allow time for the contract to be re-designed and to seek feedback to ensure it meets the requirements for all stakeholders. This will include dialogue with elected members.
- The timetable for engagement and a finalised plan was queried and the Committee noted there was a draft timetable due to be completed imminently and a mobilisation plan could then be shared with members.
- The importance of carrying out inspections was accepted. Historically, contractors had managed their own performance with some KPIs and that imbalance needs to be addressed.
- New KPIs are being put in place, the most important one being 'Recalls' - where a contractor reports a job is closed only to find the work has not been completed.
- There had been intensive negotiations with the contractors who have been positive in their response, acknowledging the service is not right and wanting to make the two year interim period successful.
- The Committee was reassured that compensation clauses had been built into the interim contract.

The Cabinet Member, supporting officers and Councillor Pritchard left the meeting room.

Members then held a discussion on the issues that had been raised. The Committee considered it was the right decision to abandon the previous procurement. It would also be important to ensure there is more robust performance management for the contractors over the next two years, and this time is taken to design a better contract for tenants in this city.

The Chair moved to a vote and the Committee agreed unanimously for the decision not to be called in.

The Cabinet Member, supporting officers and Councillor Pritchard returned to the meeting room and were informed of the Committee's decision.

RESOLVED:

That the decision was not called in.

10. OTHER URGENT BUSINESS

None.

11. AUTHORITY TO CHAIR AND OFFICERS

RESOLVED:

That in an urgent situation between meetings, the Chair jointly with the relevant Chief Officer, has authority to act on behalf of the Committee.

The meeting ended at 1605 hours.

**HOMES O&S COMMITTEE
ACTION TRACKER 2023/24**

Date	Agenda Item	Action	Notes
23 November 2023	Work Programme	Contractor Performance to be included in the Regulatory Compliance report to Committee in January.	It was agreed at the January meeting that information on contractor performance would be circulated to members.
19 October 2023	Scrutiny of Delivery of 2023/24 Budget Savings and Update on Council's Response to Section 114 Notice and Financial Recovery Plan	HRA and Temporary Accommodation rent collection figures to be provided to the Committee.	Emailed to Members on 22 nd November.
	Exempt Accommodation Inquiry Recommendations Tracking Update	Next tracking report to be scheduled for three months' time.	Work Programme updated – report scheduled for February.
21 September 2023	Financial Challenges – Scrutiny Contribution to the Budget Savings and Recovery Plan	Scrutiny of Delivery of 2023/24 Budget Savings to be a standing item on the Committee's agenda.	Work Programme updated.
	Regulatory Compliance	Committee agreed to engage in quarterly meetings specifically on the subject of Landlord Compliance.	Work Programme updated.
20 July 2023	Work Programme	Task & Finish Group to re-visit the Voids Terms of Reference	Task & Finish group established. Outline Terms of Reference for an inquiry on Improving Standards of

**HOMES O&S COMMITTEE
ACTION TRACKER 2023/24**

Date	Agenda Item	Action	Notes
		<p>Scrutiny Officers to seek clarification on the following matters raised on behalf of Cllr Wood:</p> <ul style="list-style-type: none"> • Backlog of inspections • Contractor Performance 	<p>Council Homes agreed at the September meeting.</p> <p>Backlog of inspections to be picked up as part of the Regulatory Compliance agenda item at the September meeting.</p> <p>The quarterly HLB performance reports will be shared with committee members – the Q1 2023/24 report was emailed on 13th September.</p>
22 June 2023	Developing the Homes O&S Committee's Work Programme 2023/24	City Housing management structure chart and responsibilities to be shared with Members.	Emailed to Members on 27 th June.

Birmingham City Council

Homes Overview and Scrutiny Committee

Date 22.02.2024



Subject: Exempt Accommodation Inquiry Recommendations Tracking Update

Report of: Guy Chaundy, Assistant Director Strategy & Enabling Service, City Housing

Report author: Guy Chaundy, Assistant Director Strategy & Enabling Service, City Housing
Collette Campbell, Acting Strategic Lead, Strategy & Enabling Service, City Housing
Josephine Payne, Supported Housing Project Manager

1 Purpose

- 1.1 To present an update on the Exempt Accommodation (EA) Scrutiny Review outstanding recommendations.

2 Recommendations

- 2.1 For the Committee to review the recommendations of R01- R04 and R06 updates and confirm agreement with the relevant status given for each.

3 Any Finance Implications

- 3.1 The budget allocation for 2022/2023 from the Corporate Invest 2 Deliver programme was £1.9m. The spend against this allocation was £1.2m with an underspend of £0.7m which was returned to the Invest 2 Deliver programme as a contribution to the General Fund savings. The £0.7m Invest 2 Deliver underspend was primarily due to Oracle delays with understanding actual spend and difficulties with recruitment for short term appointments.
- 3.2 For the financial years 2023/24 and 2024/25 the Council have been awarded total DLUHC grant funding of £3.19m. This was the Silver 'ask' of the Gold, Silver and Bronze funding proposal submitted. The allocation of this grant funding has been apportioned as £1.62m for 2023/24 and £1.57m for 2024/25.
- 3.3 The updated business case for the financial years 2023/24 and 2024/25 received approval at the S151 Spend and Workforce Board on 16 November 2023. The Supported Exempt Accommodation partnership are now able to continue the activities of the project and recruit to all vacant posts within the five directorates

of City Housing, Place, Prosperity and Sustainability, Digital and Customer Services, Council Management, City Operations, and Adult Social Care

- 3.4 All 8 Supported Housing Inspection Officer roles have been recruited to on a Fixed Term Contract basis, with onboarding taking place over the next few weeks to end Agency costs. An additional Social Worker is currently being recruited to assist with the assessment of support reviews. It is expected that inspection activity will be largely maintained in its current capacity over the term of the project, however a decision needs to be made in respect of resident engagement without the appropriate funding for the Resident Engagement role in year 2024/25.
- 3.5 This Supported Housing Improvement Programme (SHIP) grant funding ends on 31 March 2025. DLUHC have advised that there is a delay with the wider consultation of the regulations, which could possibly result in a delay with implementation of the Supported Housing (Regulatory Oversight) Act 2023. If this is the case the Council will need to consider how the activities of the SHIP are funded post March 2025. A proposal will be submitted to Cabinet for consideration.

4 Any Legal Implications

- 4.1 The non-commissioned Supported Exempt Accommodation sector is regulated through the Regulator for Social Housing and Charities Commission. Other regulatory bodies involved may include The Financial Conduct Authority; and The Office of the Regulator of Community Interest Companies if they have been established as CICs.
- 4.2 The provision is predominantly paid for through Housing Benefit claims in line with Housing Benefit Regulations. It is widely understood that the legal framework is insufficient to ensure appropriate quality and oversight of this type of provision.
- 4.3 The government undertook a national inquiry into Exempt Accommodation to determine future legislation requirements for the sector, and Birmingham City Council's Overview & Scrutiny report and Supported Housing Needs Assessment was included as evidence towards this in line with Scrutiny Recommendation 07.
- 4.4 The Supported Housing (Regulatory Oversight) Act 2023 became law on 29 August 2023. The Act looks to address the gap in regulation and includes: setting up a new national advisory group; national standards for accommodation and support; a licensing scheme for local authorities; an amendment to homelessness legislation preventing an intentionally homeless decision being made for someone leaving unsuitable supported exempt accommodation. The introduction of a new planning use-class for supported exempt accommodation has been deferred for 3 years.

- 4.5 The wider 12 week consultation on the proposed regulations of the Act were due to take place in January 2024. However DLUHC have advised of a delay with clearances outside of their control. DLUHC remain committed to launching the consultation early this year. It is anticipated that local authorities will be required to enforce the Supported Housing (Regulatory Oversight) Act in 2025/2026.

5 Any Equalities Implications

The Scrutiny recommendations are seeking positive improvements for citizens who access supported exempt provision and local communities and neighbourhoods. This includes the following vulnerable groups: Young people leaving care, young people at risk and teenage parents; People with experience of the criminal justice system; People experiencing mental ill health, people with drug and alcohol dependency and people who have physical/learning disabilities that are below the threshold of care; People at risk of domestic abuse; Homeless people with identified other support needs, rough sleepers, refuges and travellers and people with multiple/complex needs.

6 Appendices

- 6.1 Exempt Accommodation Tracking Report Appendix 1
6.2 SHIP activity outcome Appendix 2

7 Background Papers

- 7.1 Supported Housing Strategy
7.2 Supported Housing Needs Assessment

Appendix 1

Report of:	Cabinet Member for Housing and Homelessness
To:	Homes O&S Committee
Date:	22 February 2024

Progress Report on Implementation: Exempt Accommodation

Review Information

Date approved at City Council:	7 December 2021
Member who led the original review:	Councillor Jayne Francis
Lead Officer for the review:	Christian Scade, Head of Scrutiny and Committee Services
Date progress last tracked:	19 October 2023

1. In approving this Review the City Council asked me, as the appropriate Cabinet Member, to report on progress towards these recommendations to this Overview and Scrutiny Committee.
2. Details of progress with the remaining recommendations are shown in Appendix 2.
3. Members are therefore asked to consider progress against the recommendations and give their view as to how progress is categorized for each.

Appendices

1	Scrutiny Office guidance on the tracking process
2	Recommendations you are tracking today
3	Recommendations tracked previously and concluded

For more information about this report, please contact

Contact Officer:	Guy Chaundy
Title:	Assistant Director, Housing Strategy and Enabling
Telephone:	0121 303 3516
E-Mail:	Guy.Chaundy@birmingham.gov.uk

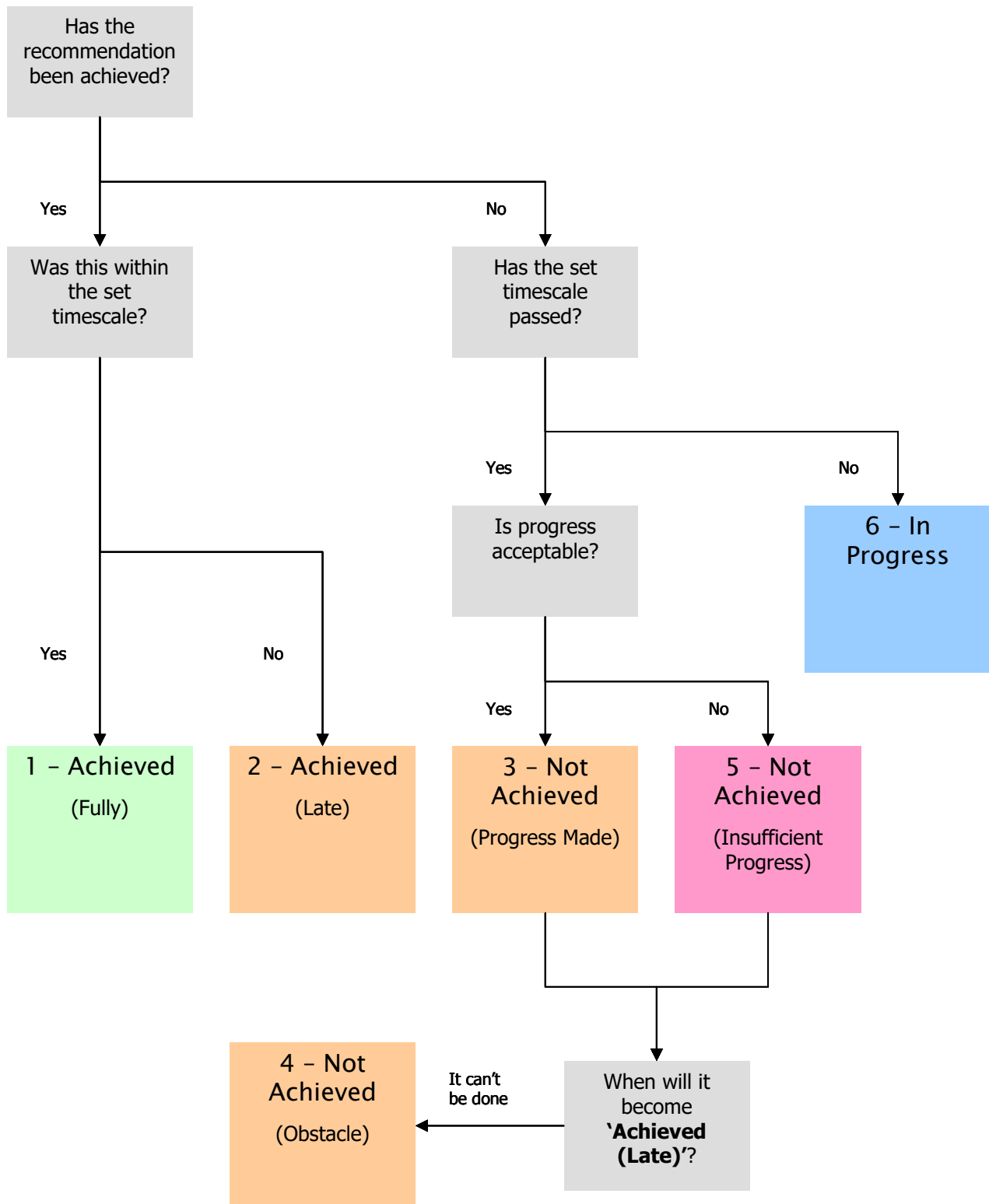
Appendix 1: The Tracking Process

In making its assessment, the Committee may wish to consider:

- What progress/ key actions have been made against each recommendation?
- Are these actions pertinent to the measures required in the recommendation?
- Have the actions been undertaken within the time scale allocated?
- Are there any matters in the recommendation where progress is outstanding?
- Is the Committee satisfied that sufficient progress has been made and that the recommendation has been achieved?

Category	Criteria
1: Achieved (Fully)	The evidence provided shows that the recommendation has been fully implemented within the timescale specified.
2: Achieved (Late)	The evidence provided shows that the recommendation has been fully implemented but not within the timescale specified.
3: Not Achieved (Progress Made)	The evidence provided shows that the recommendation has not been fully achieved, but there has been significant progress made towards full achievement. An anticipated date by which the recommendation is expected to become achieved must be advised.
4: Not Achieved (Obstacle)	The evidence provided shows that the recommendation has not been fully achieved, but all possible action has been taken. Outstanding actions are prevented by obstacles beyond the control of the Council (such as passage of enabling legislation).
5: Not Achieved (Insufficient Progress)	The evidence provided shows that the recommendation has not been fully achieved and there has been insufficient progress made towards full achievement. An anticipated date by which the recommendation is expected to become achieved must be advised.
6: In Progress	It is not appropriate to monitor achievement of the recommendation at this time because the timescale specified has not yet expired.

The Tracking Process



Appendix 2: Progress with Recommendations

No.	Recommendation	Responsibility	Original Date For Completion	Cabinet Member's Assessment
R01	<p>Building on the Success of the Pilot (1)</p> <p>a) The multi-disciplined, cross-departmental, team that is dedicated to Exempt Accommodation should be continued beyond the pilot. Mainstream funding should be identified and included in the 2022/23 budget, to resource the team, including officers from housing, adult social care, community safety, housing benefits, waste management, environmental health and planning.</p> <p>b) The multi-agency pilot team should also work closely with the Regulator of Social Housing.</p> <p>c) There should be clear leadership and accountability with a senior officer and Cabinet Member responsible for this area of work.</p> <p>d) Resources to continue work to oversee and inspect over 20,000 units should also be identified.</p>	<p>Cabinet Member for Housing and Homelessness</p> <p>Cabinet Member for Vulnerable Children & Families</p> <p>Cabinet Member for Finance & Resources</p> <p>Cabinet Member for Social Inclusion, Community Safety & Equalities</p>	February 2022	<p>R01a-c 2- Achieved (fully)</p> <p>R01d 4 - Not achieved (Obstacle)</p>

Evidence of Progress (and Anticipated Completion Date if 'Not Achieved')

R01d – Identification of resources to inspect 20,000 units.

- The budget allocation for 2022/2023 was £1.9m from the Corporate Invest 2 Deliver programme with spend of £1.2m and an underspend of £0.7m. This General Fund underspend has been returned given the S114 position.
- DLUHC grant funding of £3.19m awarded for 2023/2025 was the Silver of the Gold, Silver and Bronze funding proposal. The grant funding for years 2023/2025 will be apportioned as £1.62m for 2023/24 and £1.57m for 2024/25.
- Despite the reduced grant funding, it is anticipated that the current level of inspections will be maintained for the duration of the SHIP Project ending March 2025. Since 2020 there have been 2778 inspections undertaken which equates to just under 32% of a growing sector of currently 26,500 claimants and 8,800 properties.
- 8 year inspection cycle is based on current resource levels/sector size
- There have been delays with the recruitment of some of the roles within the partnership as a result of lengthy onboarding processes. This has resulted in a number of vacancies within the partnership.
- The Supported Housing (Regulatory Oversight) Act 2023 will introduce new Supported Housing licensing regulations in 2025/26

No.	Recommendation	Responsibility	Original Date For Completion	Cabinet Member's Assessment
R02	<p>Building on the Success of the Pilot (2)</p> <p>a) There should also be a single, clear route for citizens (residents of both exempt accommodation and the local areas) to raise concerns and have them resolved and work on remedies for change.</p> <p>b) The option of local coordination groups and a charter for local areas where there are high concentrations of exempt accommodation should be explored.</p> <p>c) There should be a clear route for local councillors to deal with casework relating to exempt accommodation.</p> <p>d) The pilot should also continue to work with the local residents' groups who contributed to the Scrutiny Report.</p>	Cabinet Member for Housing and Homelessness	February 2022	<p>R02a 2 - Achieved (Late)</p> <p>R02b 4 - Not achieved (Obstacle)</p> <p>R02c 2 - Achieved (Late)</p> <p>3 - Not achieved (Progress made)</p>

Evidence of Progress (and Anticipated Completion Date if 'Not Achieved')

R02b – Option of local coordination groups and a charter for local areas where EA concentration is high to be explored.

- Resident Participation officer – There is currently no funding for this role in 2024/2025.
- It is anticipated that the Supported Housing (Regulatory Oversight) Act 2023 will enable the Council to manage provision based on the Supported Housing Needs of the City

R02d - The pilot should also continue to work with the local residents' groups who contributed to the Scrutiny Report.

- The SEA City-wide Residents Group is Chaired by the Cabinet Member for Housing and Homelessness. The Group meet on a monthly basis and are provided with updates on the activities of the SHIP as well as having the opportunity to discuss and debate other LA approaches to Exempt Accommodation. This Group of residents are an invaluable avenue to consult on strategic approaches for the sector

No.	Recommendation	Responsibility	Original Date For Completion	Cabinet Member's Assessment
R03	<p>Ensuring Council-wide Practice is consistent with the aims of the Charter and Supported Housing Strategy</p> <p>a) Adopt a council wide approach to commissioning, placing conditions on use of exempt accommodation based on their adherence to the quality standard and Charter.</p> <p>b) A list of approved providers based upon the Standard and Charter should be drawn up and shared with other agencies.</p>	<p>Cabinet Member for Vulnerable Children & Families</p> <p>Cabinet Member for Housing and Homelessness</p>	June 2022	<p>6 - In progress</p> <p>2 - Achieved (late)</p>

Evidence of Progress (and Anticipated Completion Date if 'Not Achieved')

R03a Adopt a council wide approach to commissioning, placing conditions on use of exempt accommodation based on their adherence to the quality standard and charter.

- Commissioned provision is managed contractually and is not part of the Quality Standards Assessment. Alignment of the contractual requirement with that of the Quality Standards is being discussed.
- For non-commissioned provision, a Preferred Provider List (PPL) was launched in Sept 2023 and has been shared with partners. The Housing Solutions and Support Service are utilising the PPL for referrals into the sector. The Preferred Provider List (PPL) is the benchmark for quality provision within the city
- The Quality Standards had been aligned to incorporate the Charter of Rights <https://www.bvsc.org/quality-standards>
- To date accreditation has been awarded to 32 Providers who have now demonstrated they have achieved the standard – 2 Gold, 5 Silver, and 16 Bronze. There are also 9 Providers awaiting assessment.
- Birmingham Probation Service have adopted a protocol as of the 1 July 2023, Birmingham Probation Service will only approve transfers where: The case has a local connection to Birmingham and where the transferring area evidences this is into suitable supported accommodation, with a signed up provider of the City Councils 'Quality Standards register'
- 5 year delivery plan is in development (strongly dependent on national reforms).
- Right To Buy (Restrictive Covenant) Policy agreed by cabinet on 4th July 2023. This policy is in line with Priority 2 of the Council's Supported Housing Strategy of Rebalancing the Provision of Accommodation in the City and sets out the management of properties sold under Right to Buy scheme where the accommodation has previously been designated for use as a private dwellinghouse or a single private dwellinghouse (or wording of a similar effect) by way of a covenant/restriction applied in the transfer deed.

No.	Recommendation	Responsibility	Original Date For Completion	Cabinet Member's Assessment
R04	Supporting the Housing Benefit Process			R04a 3 - Not achieved (Progress made)
	a) As part of the process of reviewing housing benefit applications, Adult Social Care visits with other relevant staff should be undertaken where a provider has not signed up to the Quality Standard accreditation scheme, so that the evaluation of 'support' is informed by Adult Social Care expertise in care, support and safeguarding, whilst responsibility for the HB determination rests with the Housing Benefit Team.	Deputy Leader Cabinet Member for Vulnerable Children & Families		
	b) The Quality Standard should be used to help determine whether the appropriate level of support is being provided.	Cabinet Member for Health and Social Care	March 2022	R04b 2 - Achieved (Late)
c) Payment should be reviewed after two months or at least within six months (so as to ensure providers are not forewarned of when the review will take place) with Adult Social Care, Housing and Community Safety input where appropriate. Reviews should include a site visit, not just a desk exercise. A system of risk-based reviews should be developed targeting a proportion of each category of provider as well as those known to be at higher risk.	Cabinet Member for Housing and Homelessness		R04c 6 – In Progress	

Evidence of Progress (and Anticipated Completion Date if 'Not Achieved')

R04a - New provider visits – process agreed March 22

- Any new providers not signed up to the Quality Standards – visits continuing.
- 25 Provider applications – 15 Agreed, 10 refused, since April 2022
- This does not include applications rejected without a visit as providers are unable to evidence the required criteria for exempt status.

R04c – Payment to be reviewed at 2-6months, to include a site visit not just a desk exercise. System of risk based reviews.

- System of risk based reviews in place. Visits are continuing to focus on any 2–6 month reviews where Care Support and Supervision (CSS) evidence has been provided and is 'less than minimal'.
- In total, 18549 2–6-month desktop reviews have taken place since April 2022, 1240 claims cancelled due to CSS concerns, 8150 cancelled/vacated.
- The ASC team is under resourced – A 3rd social worker, is currently being recruited but the team will still be under resourced given the volumes in question.
- Due to reduced staffing within the partnership with effect from December 2023 (officers secured permanent contracts elsewhere in the Council) a backlog has accrued in this area of work. It is however expected that this backlog will be removed once new appointments commence over the next few weeks.

No.	Recommendation	Responsibility	Original Date For Completion	Cabinet Member's Assessment
R06	<p>Working with Regional Partners and other Local Authorities</p> <p>The Cabinet Member should work with the regulator and other local authorities to prevent/reduce "lifting and shifting" of vulnerable people from elsewhere in the country.</p> <p>This is a national issue, and the Leader should raise this with WM Leaders and Core City groups.</p>	<p>Leader</p> <p>Cabinet Member for Housing and Homelessness</p> <p>Cabinet Member for Vulnerable Children and Families</p>	March 2022	6 - In progress

Evidence of Progress (and Anticipated Completion Date if 'Not Achieved')

R06 - The Cabinet member should work with the regulator and other local authorities to prevent/reduce 'lifting and shifting' of vulnerable people from elsewhere in the country. This is a national issue, and the Leader should raise this with WM leaders and Core City Groups

- The Council are working with other local authorities who are part of the National Supported Housing Improvement Programme, as well as ongoing engagement with core cities
- Supported Housing (Regulatory Oversight) Act 2023 makes reference to the introduction of Data Sharing Agreements between Local Authorities. The regulations are subject to wider consultation. DLUHC to announce start of 12 week wider consultation period.
- Birmingham Probation Service protocol implemented in July 2023. Support will be limited to outside referrals that have a local connection to Birmingham and are placed in Supported Exempt Housing with a provider signed up the Quality Standards.
- Better regional working is also part of the interim measures in the Supported Housing Strategy.
- The Council is doing all in its current power, subject to national protocols being agreed.

Appendix ③: Concluded Recommendations

These recommendations have been tracked previously and concluded. They are presented here for information only.

Concluded

No.	Recommendation	Responsibility	Date Concluded by Overview and Scrutiny Committee	Tracking Assessment
R05	<p>Strengthening Planning Controls</p> <p>There is a gap between Councillors' and residents' expectations of planning enforcement and the service delivered by the Planning Department.</p> <p>We ask the Leader and the relevant O&S Committee to review existing practices, enforcement policies and procedures.</p>	Leader and relevant O&S Committee	March 2022	1 - Achieved (Fully)
R07	<p>Lobbying for Change</p> <p>The Council should work with government to address the issues set out in 2.5.2.</p> <p>It should also be made clear that the two year programme for legislative change is unacceptable and this should continue to be raised with the Department for Levelling Up, Housing and Communities (DLUHC) (formerly MHCLG).</p>	Cabinet Member for Housing and Homelessness	March 2022	1 - Achieved (Fully)
R08	<p>Progress towards achievement of these recommendations should be reported to the Coordinating Overview and Scrutiny Committee no later than March 2022. Subsequent progress reports will be scheduled by the Committee thereafter, until all recommendations are implemented.</p>	Cabinet Member for Housing and Homelessness	March 2022	1 - Achieved (Fully)

Appendix 2

SHIP Activity Overview

Latest position total since Oct 2020

Activity	Since Oct 2020
Housing Inspection Team Inspections Eviction Prevented Cat 1s & Cat 2s	2778 23 Cat 1 - 5469 - 98% removed. Cat 2 – 4897 - 98% removed.
Properties Decommissioned	72
Adult Social Care Support plan reviews Safeguarding reviews	1756 77
Community Safety Investigations Community Protection Warning Evictions Arrests	1590 28 488 48
Planning Inspections Enforcement	353 22
Revenue and Benefits HB overpayments recalled 2-6 months Support reviews Cancelled due lack of Care Support supervision. Cancelled vacated	£7.18m 28971 1660 13463

Birmingham City Council

Homes Overview and Scrutiny Committee

22 February 2024



Subject: Homes Overview and Scrutiny Committee's Work Programme

Report of: Christian Scade, Head of Scrutiny and Committee Services

Report author: Amelia Wiltshire, Overview and Scrutiny Manager
amelia.murray@birmingham.gov.uk
07825 979253

1 Purpose

- 1.1 This report sets out the proposed work programme for the Homes Overview and Scrutiny Committee for 2023-24. Following the findings and recommendations from the independent Governance Review of the Council, and specifically recommendation 5, the Committee has reframed its work programme to be aligned to the Council's improvement and recovery priorities. Appendix 1 outlines the topics identified, aims and objectives as well as the preferred method of scrutiny to achieve these objectives.
- 1.2 Appendix 1 also provides information on other topics, which had previously been identified by the Committee for future consideration.
- 1.3 On September 21, the Committee agreed its Terms of Reference for an inquiry on 'Improving Standards of Council Housing'. In light of the budget challenges and financial recovery as well as the regulatory compliance work being undertaken by City Housing, the inquiry has reviewed this Terms of Reference. A focus on improving standards around void properties was agreed on 23 November 2023. Appendix 2 sets out the revised Terms of Reference.

2 Recommendations

- 2.1 That the Committee:
 - Notes the information set out in Appendix 1 and identifies if any further topics need to be added aligned to the Council's improvement and recovery priorities.

- Agrees, subject to further input from the Chair and Deputy Chair, the issues that the Committee will consider during March – May 2024, the proposed aims and objectives and the preferred method of scrutiny.
- Notes, subject to further input from the Chair and Deputy Chair outside of the meeting, its proposed work programme will be submitted to Co-ordinating Overview and Scrutiny Committee to enable work to be planned and co-ordinated throughout the year.
- Note the revised Terms of Reference for the inquiry on improving standards on void properties.

3 Background

3.1 The [statutory guidance for local government overview and scrutiny](#) sets out the role it can play in holding an authority's decision makers to account. This makes it fundamentally important to the successful functioning of local democracy.

3.2 Effective Overview and Scrutiny should:

- Provide constructive 'critical friend' challenge.
- Amplify the voices and concerns of the public.
- Be led by independent people who take responsibility for their role.
- Drive improvements in public services.

3.3 The role and functions of Overview and Scrutiny Committees are outlined in [The City Council's Constitution | Birmingham City Council](#) They will:

- Make reports and/or recommendations to the full Council, the Executive and/or other organisations in connection with the discharge of the functions specified in their terms of reference.
- Consider any matter covered in their terms of reference that may affect or be likely to have an effect on the citizens of Birmingham; relevant to the Council's strategic objectives; relevant to major issues faced by officers in managing a function of the Council; and likely to make contribution to moving the Council forward and achieving key performance targets.

3.4 Effective scrutiny needs to add value. A well planned and timely work programme enables Overview and Scrutiny Committees to be involved at the right time and in the right way, and ensure their involvement is meaningful and can influence the outcome.

3.5 Members often have a number of topics suggested to them and are therefore required to **prioritise** matters for consideration. The Scrutiny Framework sets out the following factors to be considered:

- Public interest: concerns of local people should influence the issues chosen.

- Ability to change: priority should be given to issues that the Committee can realistically influence.
- Performance: priority should be given to areas in which the Council and Partners are not performing well.
- Extent: priority should be given to issues that are relevant to all or a large part of the city.
- Replication: work programme must take account of what else is happening to avoid duplication.

Looking Ahead

3.6 Since June 2023, Overview and Scrutiny Committees have identified a ‘menu’ of issues (including policy development, policy review, issues of accountability and statutory functions). Each Committee has then regularly reviewed their ‘menu’ and decided which issues needed to be examined further, and how that work would be undertaken.

Scrutiny Methods

3.7 There are a range of ways to undertake scrutiny. The approach for 2023-24 enables flexible scrutiny and outlines a shift from monthly formal meetings to a combination of approaches. The Committee will choose the most effective scrutiny method to achieve the desired aims and objectives for each topic.

3.8 Scrutiny activities should be thorough and undertaken in a timely manner.

3.9 Based on Statutory Guidance published in 2019, different scrutiny methods include (but are not limited to):

- A single item, or items, on a committee agenda – this method fits more closely with the “overview” aspect of the Scrutiny function and provides limited opportunity for effective scrutiny. It is most appropriate for specific issues where the committee wants to maintain a watching brief.
- A single item meeting, either as the committee or a more limited number of Members. It has the capacity to enhance the previous option by taking evidence from a number of witnesses.
- A task and finish day - provided that these are properly focused, they ensure Councillors can swiftly reach conclusions and make recommendations and are effective even for complex topics.
- A task and finish review – this is an enhancement of the previous option being held over four or six meetings spread over a limited number of months.

Homes Overview and Scrutiny Committee

3.10 The Committee’s Terms of Reference is to fulfil its functions as they relate to any policies, services and activities concerning:

- Council Housing management services, repairs and maintenance programmes.
- Best use of housing stock across all housing providers.
- Neighbourhood management initiatives and the housing growth agenda (Birmingham Social Housing Partnership).
- Private rented sector, licensing and regulation.
- Tenancy engagement in the management and development of social housing and Housing Liaison Boards.
- Exempt accommodation.
- Housing Options for vulnerable adults, children, young people and offenders.
- Temporary accommodation provision.
- Homelessness and rough sleeping.
- Supply of homes to meet housing need.

3.11 The Committee is chaired by Cllr Mohammed Idrees, and its membership comprises Cllrs Ziaul Islam, Saqib Khan, Lauren Rainbow, Rinkal Shergill, Ron Storer, Penny Wagg and Ken Wood.

4 The Governance Review – Reframing the Work Programme 2023-24

4.1 The Co-ordinating Overview and Scrutiny Committee on 15 December 2023 acknowledged the recommendations in the Governance Review of Birmingham City Council agreed by Cabinet on 12 December 2023. Recommendation 5 stated the need to reframe scrutiny work programmes on the Council’s improvement and recovery priorities, and that alignment of work programmes should focus on:

- a) Having an active part in the 2024/25 budget development process.
- b) The safe and effective delivery of key services supporting vulnerable people.
- c) Critical performance issues emerging “by exception”.
- d) Equality and equity issues arising from the development of the 24/25 Budget, the Emergency Budget (to be identified by exception), and other priority scrutiny activity relating to the Budget.
- e) Culture, behaviour change and organisational development.

4.2 On 15 February 2024, the Homes Overview and Scrutiny Committee will meet informally to consider the developing Improvement and Recovery Plan and the findings and recommendations of the Governance Review. The Committee will reconsider its work programme for March – May and will reframe it to ensure it aligns with the issues set out above.

4.3 Appendix 1 sets out the current agreed work programme.

- 4.4 The Committee may decide to add further items to the work programme during the remainder of the year. When considering this, the Committee is advised to consider where it can best add value through scrutiny aligning to the Council’s priorities and improvement journey, and how it can prioritise topics for consideration based on the Scrutiny Framework referred to in paragraph 3.5 above.
- 4.5 The Council’s latest [Forward Plan February 2024](#) may assist Members in identifying future topics. The following reports are of particular relevance to this Overview and Scrutiny Committee:

Reference	Title	Portfolio	Proposed Date of Decision
012489/2024	Response to Budget Scrutiny Task and Finish Group Report	N/A	27 Feb 24
012445/2024	Disposal of 8 no. sites to Registered Providers	Housing and Homelessness	29 Feb 24
012520/2024	Improvement and Recovery Plan	Deputy Leader	19 Mar 24
012205/2024	Homelessness Prevention Strategy 2024-2029	Housing and Homelessness	19 Mar 24

- 4.6 Overview and Scrutiny Chairs are advised to maintain regular engagement with Cabinet Members to enable flexibility to be built into the Overview and Scrutiny work programme, so as to respond to the Council’s policy priorities in a timely way.

5 Improving Standards of Re-let Properties Inquiry

- 5.1 On 21 September 2023, the Committee agreed a terms of reference for an inquiry to improve the standards of council housing. In light of the financial challenges facing the Council and City Housing’s programme to meet regulatory compliance, the inquiry Task and Finish Group have reconsidered the terms of reference to ensure the inquiry can continue to add value. This has been informed by further discussions with City Housing.
- 5.2 On 23 November, the Committee agreed the inquiry refocused on improving standards for void properties only. This follows reassurance to the inquiry Task and Finish Group on the wider City Housing programme to address the concerns raised by the Housing Ombudsman and Regulator for Social Housing.
- 5.3 Evidence gathering for this inquiry has commenced and will continue until April 2024 at the earliest. The inquiry will confirm a date to report to Council on its key findings and recommendations in the new municipal year.

6 Any Finance Implications

- 6.1 There are no financial implications arising from the recommendations set out in this report.

7 Any Legal Implications

7.1 There are no legal implications arising from the recommendations set out in this report.

8 Any Equalities Implications

8.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.2 The protected characteristics and groups outlined in the Equality Act are Age; Disability; Gender Reassignment; Marriage and Civil Partnership; Pregnancy and Maternity; Race; Religion and Belief; Sex, and Sexual Orientation.

8.3 The Committee should ensure that it addresses these duties by considering them during work programme development, the scoping of work, evidence gathering and making recommendations. This should include considering how policy issues impact on different groups within the community, particularly those that share a relevant protected characteristic; whether the impact on particular groups is fair and proportionate; whether there is equality of access to services and fair representation of all groups within Birmingham; and whether any positive opportunities to advance equality of opportunity and/or good relations between people are being realised.

8.4 The Committee should ensure that equalities comments, and any recommendations, are based on evidence. This should include demographic and service level data and evidence of residents/service-users views gathered through consultation.

9 Appendices

9.1 Appendix 1: Work Programme 2023-24 - February

9.2 Appendix 2: Terms of Reference – Improving Standards of Re-let Properties

10 Background Papers

10.1 [Birmingham City Council Constitution](#)

10.2 Birmingham City Council Overview and Scrutiny Framework April 2021

Homes Overview and Scrutiny Committee Work Programme 2023/24

Month	Item/Topic	Aims and Objectives	Scrutiny Method	Cabinet Member/ Lead Officer	Other Witnesses	Additional Information and Outcome*
July	Voids – Improving Standards Corporate Priority: 11	To be confirmed by Task and Finish Group	Task and Finish Group meetings	Director, Housing Management – Stephen Gabriel		<p>The Housing and Neighbourhoods O&S Committee in 2022-23 agreed to review Voids – Improving Standards. A Terms of Reference was approved in February 2023, and the Council’s City Housing service presented in March 2023. Committee members also took part in visits to City Housing void properties. The intention had been to continue into 2023-24.</p> <p>As there is now a dedicated Homes O&S Committee for 2023-24, the scope of these Terms of Reference will be reviewed at the first Task and Finish Group meeting.</p>
September	Social Housing Regulation Bill Corporate Priority: 11	<p>Provide information on what the Social Housing Regulation Bill means for the Council’s City Housing service.</p> <p>Understand how City Housing will achieve compliance with the Social Housing Regulation Bill, and preparation for inspection from the Regulator for Social Housing in April 2024</p>	<p>Committee meeting - single item: 21 September 2023, 2pm.</p> <p>Venue: Room 6, Council House</p>	Head of Service, Strategic Enabling – Naomi Morris		<p>This Bill intends to deliver the reforms outlined in the Social Housing White Paper and address the concerns following the Grenfell Tower fire in 2017. It will introduce a stronger and more proactive regulatory regime to improve standards and accountability for landlords for the services they provide.</p>

Month	Item/Topic	Aims and Objectives	Scrutiny Method	Cabinet Member/ Lead Officer	Other Witnesses	Additional Information and Outcome*
		Consider how Member insight can inform and drive improved services	Deadline for Papers: 12 September 2023			The agenda item will also outline progress toward inspections following the Regulatory Notice in May 2023. Outcome: Approved quarterly compliance meetings
September	Housing Ombudsman – Paragraph 49 Corporate Priority: 11	Outline the background to, and the key recommendations from, the Housing Ombudsman special report on Birmingham City Council Provide information on the progress made towards delivering on the recommendations from the Housing Ombudsman, Paragraph 49 report. Consider how Member insight can inform and drive improved services	Committee meeting - single item: 21 September 2023, 2pm. Venue: Room 6, Council House Deadline for Papers: 12 September 2023	Head of Service, Strategic Enabling – Naomi Morris		In January, the Housing Ombudsman published a special report on Birmingham City Council. The report made recommendations relating to repair handling; complaint handling; record keeping and compensation policy. Outcome: Approved quarterly compliance meetings
September	Scrutiny Contribution to Budget Savings and Recovery Plan	For the Committee to consider a report on current and future Budget Savings and Recovery Plans and implications for Homes Overview and Scrutiny Committee	Committee meeting - single item: 21 September 2023, 2pm. Venue: Room 6, Council House	Cllr Jayne Francis, Cabinet Member for Housing and Homelessness	Paul Langford, Strategic Director, City Housing	It was agreed at Co-ordinating Overview and Scrutiny Committee in July that all Scrutiny Committees will consider the implications of the Medium-Term Financial Plan at the September Committee meetings.

Month	Item/Topic	Aims and Objectives	Scrutiny Method	Cabinet Member/ Lead Officer	Other Witnesses	Additional Information and Outcome*
			Deadline for Papers: 12 September 2023			
October	Exempt Accommodation Corporate Priority: 9, 10 and 11	Provide update on progress of outstanding recommendations from Exempt Accommodation inquiry. Consider the impact of the recommendations from the Inquiry	Committee meeting - single item: 19 October 2023, 2pm. Venue: Room 6, Council House Deadline for Papers: 10 October 2023	Cabinet Member for Housing and Homelessness, Cllr Jayne Francis Assistant Director, Housing Strategy and Enabling – Guy Chaundy		Exempt Accommodation Inquiry 2021 Latest update to Co-ordinating O&S Committee (March 2023) Outcome: The Committee reviewed the update on progress and agreed the Cabinet Member assessments for each of the outstanding recommendations.
October	Scrutiny of Delivery of 2023/24 Budget Savings and Update on Council's Response to Section 114 Notice and Financial Recovery Plan	Continue to scrutinise the existing 2023/24 savings. Consider the implications of recent events on the Committee's work programme.	Committee meeting – standing item: 19 October 2023, 2pm Venue: Room 6, Council House Deadline for Papers: 10 October 2023	Interim Strategic Director, City Housing - Paul Langford	TBC	Co-ordinating O&S Committee on 15.09.23 agreed that all committees should have a standing item on the delivery of existing savings for 2023/24 particular to the remit of the Committee.
November	Scrutiny of Delivery of 2023/24 Budget Savings and	Continue to scrutinise the existing 2023/24 savings.	Committee meeting – standing item: 23 November 2023, 2pm	Strategic Director, City Housing - Paul Langford		

Month	Item/Topic	Aims and Objectives	Scrutiny Method	Cabinet Member/ Lead Officer	Other Witnesses	Additional Information and Outcome*
	Update on Council's Response to Section 114 Notice and Financial Recovery Plan	Consider the implications of recent events on the Committee's work programme.	Venue: Room 6, Council House Deadline for Papers: 9 November 2023			
November	Regulatory Compliance Corporate Priority: 11 and 12	Provide Committee members with skills and knowledge to prepare for, and engage with, the first Regulatory Compliance session in January.	Other – Training session	Head of Strategic Enabling – Naomi Morris		This is a training session to be delivered by Campbell Tickell as part of their existing work with Birmingham City Council. This session will not be livestreamed.
December	Improving Standards of Re-let properties Inquiry	Evidence gathering session – City Housing properties	Site Visit	Amelia Wiltshire, Overview and Scrutiny Manager		Terms of Reference for this Inquiry have been revised (see November Committee). The Inquiry directly responds to challenges outlined in the Regulatory Notice. Evidence gathering programme agreed by the Task and Finish Group.
January	Regulatory Compliance Corporate Priority: 11 and 12	Provide oversight, scrutiny and productive challenge to City Housing while moving towards compliance with the requirements under the Social Housing Regulation Bill and the recommendations from the Housing Ombudsman special report.	Committee meeting – single theme: 25 January 2024, 2pm Venue: Room 6, Council House	Cabinet Member for Housing and Homelessness, Cllr Jayne Francis Strategic Director, City Housing – Paul Langford		Following agreement in September 2023 to hold quarterly landlord compliance meetings, the cycle of meetings will commence in January 2023. This will enable Members of the Committee to receive bespoke training in advance of this first session.

Month	Item/Topic	Aims and Objectives	Scrutiny Method	Cabinet Member/ Lead Officer	Other Witnesses	Additional Information and Outcome*
			Deadline for Papers: 10 January 2024			Outcome: Agreed that the Committee would continue to take a proactive role in providing oversight, scrutiny and productive challenge to the directorate whilst moving towards a position of regulatory compliance.
January	Request for Call-In: Contract Award for the Provision of Repairs and Maintenance 2024-2026	To consider whether the decision should be called in and referred back to Cabinet.	Committee meeting – single item: 25 January 2024, 2pm Venue: Room 6, Council House	Cabinet Member for Housing and Homelessness – Cllr Jayne Francis Strategic Director, City Housing – Paul Langford	Director, Asset Management – Wayne Davies	Outcome: The decision was not called in.
February	Review work programme in response to Governance Stabilisation Plan	To review the Committee’s work programme to respond to Recommendation 5 of the Governance Review Stabilisation Action Plan	Informal Meeting: 15 February 2024 Venue: Ellen Pinsent Room, Council House	Paul Clarke, Director Programmes, Performance and Improvement		Governance Review Report available from: Document.ashx (cmis.uk.com)
February	Affordable Housing Item Deferred* Corporate Priority: 11 and 12	To provide the Committee with a more detailed understanding of the strategy for Affordable Housing. Consider future areas Overview and Scrutiny to explore.	Committee meeting – single item: 22 February 2024, 2pm Venue: Room 6, Council House	Assistant Director, Housing Development – Claire Flowers	Assistant Director, Housing Strategy & Enabling - Guy Chaundy	Affordable Housing is a workstream under the proposed Improvement Recovery Plan. *This item has been deferred – new date to be agreed at the informal session on 15 February 2024.

Month	Item/Topic	Aims and Objectives	Scrutiny Method	Cabinet Member/ Lead Officer	Other Witnesses	Additional Information and Outcome*
			Deadline for papers: 7 February 2024		Head of Strategic Enabling – Naomi Morris	
February	Exempt Accommodation Corporate Priority: 9, 10 and 11	Provide update on progress of outstanding recommendations from Exempt Accommodation inquiry. Consider the impact of the recommendations from the Inquiry	Committee meeting – single item: 22 February 2024, 2pm Venue: Room 6, Council House Deadline for papers: 7 February 2024	Cabinet Member for Housing and Homelessness, Cllr Jayne Francis Assistant Director, Housing Strategy and Enabling – Guy Chaundy		Exempt Accommodation Inquiry 2021 Previous tracking report October 2023
February	Improving Standards of Re-let properties Inquiry	Evidence gathering session	Informal meeting	Amelia Wiltshire, Overview and Scrutiny Manager		Terms of Reference for this Inquiry have been revised (see November Committee). The Inquiry directly responds to challenges outlined in the Regulatory Notice. Evidence gathering programme agreed by the Task and Finish Group.
March	Items to be agreed on February 22 Committee					This will be identified at the informal session on 15 February 2024.
March	Improving Standards of Re-let properties Inquiry	Evidence gathering session – Other Social Housing providers	Informal meeting	Amelia Wiltshire, Overview and Scrutiny Manager		Terms of Reference for this Inquiry have been revised (see November Committee). The Inquiry directly

Month	Item/Topic	Aims and Objectives	Scrutiny Method	Cabinet Member/ Lead Officer	Other Witnesses	Additional Information and Outcome*
						<p>responds to challenges outlined in the Regulatory Notice.</p> <p>Evidence gathering programme agreed by the Task and Finish Group.</p>
April	Regulatory Compliance Corporate Priority: 11 and 12	Provide oversight, scrutiny and productive challenge to City Housing while moving towards compliance with the requirements under the Social Housing Regulation Bill and the recommendations from the Housing Ombudsman special report.	Committee meeting – single theme: 18 April 2024, 2pm Venue: Room 6, Council House Deadline for Papers: 3 April 2024	Cabinet Member for Housing and Homelessness, Cllr Jayne Francis Interim Strategic Director, City Housing – Paul Langford		Following agreement in September 2023 to hold quarterly landlord compliance meetings, the cycle of meetings will commence in January 2023. This will be the second time that this item will take place.
April	Improving Standards of Re-let properties Inquiry	Evidence gathering session – Other Social Housing providers	Informal meeting	Amelia Wiltshire, Overview and Scrutiny Manager		Terms of Reference for this Inquiry have been revised (see November Committee). The Inquiry directly responds to challenges outlined in the Regulatory Notice. Evidence gathering programme agreed by the Task and Finish Group.

*Outcome: This will be populated once the item/topic has been completed. It will highlight the added value and impact.

Menu of Options for Future Consideration

The following items had been identified as potential topics for future consideration. This approach enables the Overview and Scrutiny Committee to remain flexible and respond in a timely manner to emerging issues.

This is a live work programme. New items may be added, or items removed during the course of the year. Proposed aims and objectives as well as scrutiny methodology may also be subject to change.

Item/ Topic	Proposed Aims and Objectives	Proposed Scrutiny Method	Additional Information
Budget Savings	To update and monitor 2023/24 Budget Savings; to provide information on the mobilisation / implementation of the 2024/25 Budget Savings; and update on any recommendations from the Budget Scrutiny T&F Group relevant to the Committee's remit.	To be confirmed	
Customer Services – Housing Repairs	To be confirmed following July's Co-ordinating O&S Committee. Currently: Monitor the progress and impact of the recommendations from the Customers Services O&S programme	To be confirmed	Co-ordinating O&S Committee convened Task and Finish groups to identify, and monitor progress of, recommendations to improve customer services in 4 areas including Housing Repairs. A final Task and Finish group took place on 14 June 2023, and a report presented to Co-ordinating O&S in July. It was agreed that Homes O&S Committee takes forward this work for Housing Repairs in the future.
Tenant Engagement	This will be confirmed following further discussions by the O&S Committee.	This will be confirmed following further discussions by the O&S Committee	This will be confirmed following further discussions by the O&S Committee.

Scrutiny Method Options:

Committee meeting - single item

Committee meeting - single theme

Task and Finish Group (outline number of meetings)

On location

Other - (describe)

Corporate Priorities, Performance and Outcomes

Corporate Priorities 2022 – 26:

- | | |
|--------------------------------------------------------------|-------------------------------------------------------------------|
| 1 Support inclusive economic growth | 11 Increase affordable, safe, green housing |
| 2 Tackle unemployment | 12 Tackle homelessness |
| 3 Attract inward investment and infrastructure | 13 Tackle health inequalities |
| 4 Maximise the benefits of the Commonwealth Games | 14 Encourage and enable physical activity and healthy living |
| 5 Tackle poverty and inequalities | 15 Champion mental health |
| 6 Empower citizens and enable citizen voice | 16 Improve outcomes for adults with disabilities and older people |
| 7 Promote and champion diversity, civic pride and culture | 17 Improve street cleanliness |
| 8 Support and enable all children and young people to thrive | 18 Improve air quality |
| 9 Make the city safer | 19 Continue on the Route to Zero |
| 10 Protect and safeguard vulnerable citizens | 20 Be a City of Nature |
| | 21 Delivering a Bold Best in Class Council |

Information on the Corporate Priorities, Performance and City Outcomes was reported to the Homes Overview and Scrutiny Committee OSC in June 2023:
[Decision Details: Homes Overview and Scrutiny Committee Work Programme 2023/24 \(15.00 - 15.45\) \(cmis.uk.com\)](#)



Work Outline / Terms of Reference

Improving Standards of Re-let Properties Inquiry

Reporting to Homes Overview and Scrutiny Committee

<p>Our key question:</p>	<p>How can the Council improve the quality of its housing for Council tenants?</p>
<p>1. How is O&S adding value through this work?</p>	<p>Context</p> <p><i>In January 2023, the Council declared a ‘housing emergency’ in Birmingham. Shortly afterwards, the Housing Ombudsman published a special report into Birmingham which made recommendations into four key themes: repairs; record keeping; complaints handling, and compensation. A Regulatory Notice was also issued against the Council in May 2023. All Members receive daily complaints from tenants highlighting significant concerns about the quality of their council housing. Local media such as the Birmingham Evening Mail are also regularly featuring stories which also draw attention to real life cases. During the January 2023 debate in Council, it was reported that 29% of the proportion of Council homes in Birmingham do not meet the Decent Homes standard (compared with 7.8% nationally). This year, the Social Housing Regulation Bill has been introduced, which places new responsibilities on landlords such as Birmingham City Council.</i></p> <p><i>To respond to this urgent challenge in service delivery and to provide the standards that social housing providers should meet, the Council’s City Housing service is undertaking a broad transformation programme. This wide ranging programme is being delivered in the specific context of the significant Council’s budget gap and financial recovery programme. It will remain a priority, and the O&S Committee will play an important role in providing oversight and driving improvements in the service.</i></p> <p>Council’s Overview and Scrutiny Framework, 2021</p> <p><i>This framework outlines suggested criteria to ensure inquiries add value. This inquiry meets the criteria listed below:</i></p> <p><i>A high degree of public interest, political importance or sensitivity.</i></p> <ul style="list-style-type: none"> • <i>Issue identified by members as a key issue for public.</i> • <i>Public interest issue covered in local media.</i> <p><i>Implications for the City Council’s wider governance role</i></p> <ul style="list-style-type: none"> • <i>New Government guidance or legislation.</i> <p><i>Service delivery and efficient management processes, where there is:</i></p> <ul style="list-style-type: none"> • <i>Concern about service performance.</i> • <i>A high level of service user dissatisfaction with the service.</i> • <i>A high priority afforded to the service by customers/users.</i> • <i>High level of budgetary commitment to the service/ policy area.</i> • <i>Issues raised by external audit reports.</i>



	<p>Improvement Plan and Governance Review</p> <p><i>It is important that all future work carried out by Overview and Scrutiny Committees contributes towards the Council's Improvement and Recovery Plan. This will incorporate the Centre for Governance and Scrutiny Governance (CfGS) Review, November 2023, which highlighted 13 recommendations for the Council to urgently undertake to improve the quality of its decision making.</i></p> <p><i>Recommendation 5 from this CfGS review is: 'Reframe the scrutiny work programme to focus on the Council's improvement and recovery priorities' and outlines 4 specific areas O&S activity should focus on. This inquiry links in with: 'Critical Performance Issues emerging by "exception"'. </i></p> <p>Focus</p> <p><i>Given the transformation programme in place and the new financial context the Council is operating on, the O&S Committee has considered with City Housing where its work could best add value for improving the conditions of housing stock. As a result, it has been agreed that the O&S Committee will focus how it can recommend service improvements in the Council's standards for re-letting void properties. This will contribute towards addressing some of the concerns highlighted by the Regulator and Ombudsman, but also importantly also inform the new Housing Repairs and Maintenance contract.</i></p> <p>Adding Value</p> <p><i>Specifically, this inquiry will provide an opportunity to inform the development of a new standards for the reletting of properties and in turn, the future Housing Repairs and Maintenance contract. While City Housing would still have completed this work as part of 'business as usual', the work undertaken as part of this inquiry will ensure this is better informed and effective.</i></p> <p><i>Note the intention of this Inquiry is not to duplicate any existing work, but to complement and enhance it. The inquiry presents an opportunity for Members to use their unique insight to consider these challenges in a different way, and as a result make recommendations which can make a tangible difference to the housing for tenants in this city.</i></p>
<p>2. What needs to be done?</p>	<p><i>The Inquiry will receive evidence from a range of stakeholders to consider the following key issues:</i></p> <ul style="list-style-type: none"> <i>• What do we know about the condition of Council properties becoming void? What are our current standards for re-letting? How are we currently performing against these standards? What are tenants telling us about our service and the standard of the property (when they are letting a previously void property)? How are we responding to any complaints and what are the outcomes?</i> <i>• What should our standards for re-let properties be? What are the standards for other Registered Providers and Local Authorities in the region? How do we currently compare to this? How could we meet these standards, in particular given the financial context of the Council?</i> <i>• What are the specific concerns raised by the Housing Ombudsman and Regulator for Social Housing? How are City Housing</i>



	<p><i>responding to these concerns? What progress have they made, and what still needs to be done?</i></p> <ul style="list-style-type: none"> <i>How does this feature in City Housing's transformation programme? What is the progress and impact of this programme to date? What are the challenges to overcome in the future? What other areas of the service does this link to? What is our proactive approach towards housing management and residents' looking after their properties?</i>
<p>3. What timescale do we propose to do this in?</p>	<p><i>As the original agreed scope of this inquiry has been reconsidered, the timescales have been reviewed and revised. The title has also changed to, more accurately, capture its focus.</i></p> <p><i>For clarity, the original Terms of Reference had been agreed by the Committee on 21 September 2023 with evidence gathering to commence in November 2023. On 23 November, the Committee verbally agreed to revise the Terms of Reference to better reflect where it could add value; its revised focus will be specifically on void properties. A revised Terms of Reference will be agreed at a later Homes Overview and Scrutiny Committee.</i></p> <p>Scoping: <i>Revised outline Terms of Reference and delivery plan: to be agreed at O&S Committee on 22 February 2024.</i></p> <p><i>Evidence gathering to commence in December 2023 and conclude in April 2024.</i></p> <p><i>The Homes O&S Committee intends to report and make recommendations to Council. A date will be confirmed.</i></p>
<p>4. What outcomes are we looking to achieve?</p>	<p><i>This inquiry will make recommendations which will contribute towards:</i></p> <ul style="list-style-type: none"> <i>Make Council homes safer for tenants and improve standards (Outcome 1)</i> <i>Improve tenant satisfaction with their Council Homes and the services they receive (Outcome 2)</i> <i>Inform the new Repairs and Maintenance contract for City Housing (Outcome 3)</i> <p>Birmingham City Council's Corporate Plan 2022-2026 <i>Priority 11: Increase affordable, safe, green housing.</i> <i>Priority 12: Tackle homelessness</i> <i>Priority 13: Tackle health inequalities</i></p>
<p>5. What is the best way to achieve these outcomes and what routes will we use?</p>	<p><i>A Task and Finish Group is the recommended approach by the Committee to gather and review evidence for this inquiry. This Task and Finish group will comprise Committee Members and will be cross party.</i></p> <p>Stakeholders <i>The following stakeholders will be requested to provide information to this inquiry:</i></p>



	<ul style="list-style-type: none"> • Birmingham City Council's City Housing Directorate • Council's Housing contractors • Local Government Association (LGA) • Social Housing Providers in Birmingham and West Midlands • Tenants <p><i>Other stakeholders may be identified by the Task and Finish Group during the inquiry.</i></p> <p><i>The inquiry also welcomes suggestions for additional stakeholders to seek evidence from all stakeholders listed above and Members of the Council. All suggestions should be highlighted to the lead officer listed below.</i></p> <p><i>Stakeholders will be invited to provide evidence in a variety of formats. This will be finalised as part of the scoping stage. In general terms:</i></p> <ul style="list-style-type: none"> • For organisations, this may be information in writing and/or a face-to-face presentation. Organisations will be advised of the relevant format for their evidence individually when invited to provide information to the inquiry. • For tenants, the inquiry group is currently determining the best approach. This will be informed by the current type and nature of the information collected by City Housing. <p><i>The inquiry group also intends to undertake site visits to empty (void) Council properties to support their inquiry.</i></p> <p>Members <i>All Members of the Council will also be invited to provide evidence. In addition to this, all members of the Council may request to attend evidence gathering sessions. If a Member is interested in this, they are invited to contact the lead officer for further information.</i></p>
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Member / Officer Leads

Lead Member:	<i>Chair: Cllr. Ken Wood</i>
Members of the Task and Finish Group:	<i>Councillors Saqib Khan; Mohammed Idrees; Lauren Rainbow; Penny Wagg</i>
Lead Officer and support:	<i>Lead Officer: Amelia Wiltshire</i> <i>Support Officer: Jayne Bowles</i> <i>City Housing are also providing expertise through their Asset Management, Housing Management and Strategic Enabling teams.</i>

