

Birmingham City Council

Co-ordinating Overview and Scrutiny Committee

17 May 2024



Subject: Task and Finish Group Terms of Reference: Current practices and future plans on use of information to inform work of Overview and Scrutiny Committees.

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

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1 Purpose

- 1.1 This report sets out the proposed terms of reference for a Task and Finish Group that will consider practices and future plans on use of information to inform work of Overview and Scrutiny Committees. Effective use of information will enable the Overview and Scrutiny Committees to respond to the challenges arising from the Governance Stabilisation Plan as well contribute effectively to the Council's Improvement and Recovery Plan (IRP).

2 Recommendation

That the Committee:

- 2.1 Agrees the terms of reference for the Task and Finish Group attached as Appendix 1: Current Practices and Future Plans on use of information to inform work of Overview and Scrutiny Committees.

3 Background

- 3.1 In December 2023, the Centre for Governance and Scrutiny produced an Independent Review of Governance. This highlighted significant weaknesses around governance within the Council. The new Improvement and Recovery Plan incorporates its findings into its workstreams.
- 3.2 Following this, the Centre for Governance and Scrutiny has provided support to the Council to co-produce a framework for Overview and Scrutiny. While this has not been finalised, there is recognition that there is a piece of work to be done to identify how members understand the Council's change and improvement plans

and work towards a sustainable approach to information sharing / management which gives members confidence that they can maintain a watching brief over emerging issues.

4 Scrutiny Task and Finish Group: Current Practices and Future Plans on use of information to inform work of Overview and Scrutiny Committees

4.1 The purpose of the Task and Finish Group will be to make recommendations as to how Overview and Scrutiny Committees better use information to identify critical and 'by exception' issues for consideration. This work will help inform the development of Overview and Scrutiny Committee work programmes in 2024-25.

4.2 This work will be undertaken in two parts:

4.2.1 Part 1: During May - June, the work will focus on setting the scene as regards the core information system. Specialist officers encompassing performance, delivery and risk management will support this to refine the scope of the Task and Finish Group.

4.2.2 Part 2: During June – September, working towards confirming a sustainable approach to information sharing/management which gives members confidence and certainty that they can maintain a “watching brief” over emerging issues.

5 Any Finance Implications

5.1 There are no direct financial implications arising from the recommendations set out in this report.

6 Any Legal Implications

6.1 When issuing the Directions, the Secretary of State was satisfied that the Authority was failing to comply with the requirements of Part I of the Local Government Act 1999 (“the 1999 Act”).

6.2 The Secretary of State, having considered the representations made by the Authority as required by section 15(9) of the 1999 Act considered it necessary and expedient, in accordance with his powers under section 15(5) and (6) of the 1999 Act, to direct the Authority to secure the Authority’s compliance with the requirements of Part I of the 1999 Act, in particular:

a. To address systemic weaknesses in the Authority’s governance function, to secure improvements in transparency and formal decision making.

b. To deliver financial sustainability, including by closing any short or long term budget gaps - which should include taking action to expediate the closure of the equal pay liability.

c. To ensure compliance with all relevant rules and guidelines relating to the financial management of the Authority.

d. To agree as necessary any changes needed to the Authority's operating model and redesign of council services to achieve value for money and financial sustainability.

e. To achieve improvements in relation to the proper functioning of the Authority's IT.

f. To address the serious failings and ensure conformity with the best value duty, thereby delivering improvements in services and outcomes for the people of Birmingham.

7 Any Equalities Implications

7.1 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.

7.2 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.

7.3 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.

7.4 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.

8 Appendices

8.1 Appendix 1: Terms of Reference – Current Practices and Future Plans on the use of information to inform.

9 Background Papers

- 9.1 Independent Governance Review of Birmingham City Council by Centre for Governance and Scrutiny, December 2023



Work Outline / Terms of Reference

Current Practices and Future Plans on use of information to inform work of Overview and Scrutiny Committees

Reporting to Co-ordinating Overview and Scrutiny Committee

<p>Our key question:</p>	<p>How can Overview and Scrutiny Committees better use information to identify critical and exceptional issues?</p>
<p>1. How is O&S adding value through this work?</p>	<p>Since October 2023, the Council has been under Government Intervention. As part of this, the Council, as required, has recently approved an Improvement and Recovery Plan (IRP). The key findings and recommendations from the Independent Governance Review of the Council and produced by Centre for Governance Scrutiny (CfGS), were incorporated into the IRP.</p> <p>Like all parts of the Council, Overview and Scrutiny Committees will play an important role in driving corporate improvements across the Council. In order to do this effectively though, O&S Committees will need to be focused on the right things and deliver them in the right way. This will ensure that O&S Committees will add value and not duplicate existing activity. This is essential given the scope of change required across the Council, and the pace in which it will need to be delivered.</p> <p>Initial discussions with the Centre for Governance and Scrutiny identified the importance of baselining members' understanding of the Council's change and improvement plans and work towards a sustainable approach to information sharing / management which gives members confidence that they can maintain a watching brief over emerging issues.</p>
<p>2. What needs to be done?</p>	<p>This work will be undertaken in 2 Parts.</p> <p>Part 1 will focus on setting the scene and consider the following:</p> <ul style="list-style-type: none"> • What does the 'ideal' model for Scrutiny using information look like? • What is the Council's core information system? • What activity is being undertaken to redevelop this? How will members use the information available to inform the issues that will be considered by Overview and Scrutiny Committees? • Where are the Council's strengths and weaknesses around information?



	<ul style="list-style-type: none"> • What support do Members need to access and effectively use information? <p>Part 2 will be informed by the work undertaken above, and the terms of reference may be updated.</p>
<p>3. What timescale do we propose to do this in?</p>	<p>This work will be completed within 5 months. Part 1 will take place during May - June; Part 2 will take place, July - September.</p>
<p>4. What outcomes are we looking to achieve?</p>	<p>Outcome 1: Baseline Members’s understanding of the Council’s change and improvement plans, with specific regard to information proposals.</p> <p>Outcome 2: Develop a sustainable approach to information sharing/management which gives members confidence and certainty that they can maintain a “watching brief” over emerging issues</p> <p>Outcome 3: Members are supported and equipped to access and use information more effectively.</p>
<p>5. What is the best way to achieve these outcomes and what routes will we use?</p>	<p>For Part 1, the Task and Finish Group will meet at least two times in May – June in an informal setting. It will receive evidence from:</p> <ul style="list-style-type: none"> • Birmingham City Council – Strategy, Equalities and Partnerships (SEP) directorate and specifically City Observatory; Corporate Portfolio Management Office; Corporate Performance and Public Participation. <p>At Coordinating OSC in May, the Committee will consider the terms of reference for the Task and Finish Group and receive an update on the preparatory work undertaken in May. This will inform and shape the further work in June – September.</p> <p>A final report including key findings and recommendations will be presented at the September Committee of the Corporate Finance Overview and Scrutiny Committee. It will then be taken forward by individual Overview and Scrutiny Committees under the leadership of Overview and Scrutiny Chairs.</p>

Member / Officer Leads

Lead Member:	Chair: Councillor Sir Albert Bore
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Members of the Task and Finish Group:	Cllr. Albert Bore, Cllr. Mick Brown (named substitute Cllr. Kerry Jenkins), Cllr. Morriam Jan, member tbc
Lead Officer and support:	Richard Brooks, Strategic Director (Strategic, Equalities and Partnerships) Overview and Scrutiny: TBC