

BIRMINGHAM CITY COUNCIL

COORDINATING O&S COMMITTEE – PUBLIC MEETING

1000 hours on Friday 15th December 2023, Committee Rooms 3 and 4,

Council House, Victoria Square, B1 1BB

Minutes

Present:

Councillor Sir Albert Bore (Chair)

Councillors: Mohammed Idrees, Shabrana Hussain, Lee Marsham, Ewan Mackey, Deirdre Alden, Morriam Jan, Alex Yip.

Also Present:

Robert Connolly, Assistant Director, Governance and Deputy Monitoring Officer

Victoria Beavon, Electoral Services Manager

Deborah Cadman, Chief Executive

Richard Brooks, Director of Strategy, Equality & Partnerships (online)

Christian Scade, Head of Scrutiny and Committee Services

Baseema Begum, Scrutiny Officer

1. NOTICE OF RECORDING/WEBCAST

The Chair advised that this meeting would be webcast for live and 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 were confidential or exempt items.

2. APOLOGIES

Apologies were received from Councillors Mick Brown, Katherine Iroh and Kerry Jenkins.

An apology was also submitted on behalf of Councillor Nicky Brennan, Cabinet Member for Social Justice, Community Safety and Equalities.

The Chair, Councillor Sir Albert Bore proposed an adjustment to the published agenda so that Items 8 and 9 would be discussed first to allow officers attending for Item 7 (Corporate Response to the Review by Overview and Scrutiny of the Homes for Ukraine Programme) to arrive.

3. DECLARATIONS OF INTERESTS

None.

4. ACTION NOTES – 13 October 2023

RESOLVED: That, subject to Cllr Morriam Jan being listed in attendance rather than Cllr Chaman Lal, the minutes of the Co-ordinating OSC meeting held on 13 October 2023 be approved as a correct record and signed by the Chair.

5. CO-ORDINATING OVERVIEW AND SCRUTINY COMMITTEE ACTION TRACKER

RESOLVED: That the Co-ordinating OSC action tracker be noted.

6. COMMISSIONER'S REVIEW AND COMMENTS ON THE AGENDA

RESOLVED: No comments were received.

7. CORPORATE RESPONSE TO THE REVIEW BY OVERVIEW AND SCRUTINY OF THE HOMES FOR UKRAINE PROGRAMME

The Chair outlined the process for discussion of the report.

Richard Brooks, Director of Strategy, Equality & Partnerships provided further commentary on the report circulated and made the following points: -

- Overall, most recommendations have been accepted and have been considered by Finance and Procurement services, respectively.
- The context and the changing position in which the Council finds itself is quite different to when the review was completed.
- A number of issues at the time of the Review concerning spending and procurement control have now been superseded by the Council working under a Section 114 notice and with a Spend Control Board in place.
- The emphasis over the next 2 years is to reduce overall expenditure and the Council will be working in a vastly different way especially financially.
- Although no decision has yet been taken on the implementation of a new enterprise resource planning system it must include stronger financial control functionality.
- Concerns were noted on the increase in the number of asylum seekers presenting as homeless prior to Christmas. There has been a 18% increase on last year's figures, and this is creating additional pressure on the Council's resources.

In the ensuing discussion with Members, the following issues were raised in relation to specific recommendations: -

Recommendation 2: Cllr Bore referenced the support currently provided by officers from the NDSU at a community level and highlighted that this resource would be affected by the proposed savings. This was noted by the Director of Strategy, Equality

& Partnerships who added that a Vision for Public Participation document had been published with implementation of the principles taking place across the organisation acknowledging the resource situation.

Recommendation 3: This recommendation was not accepted and the Director of Strategy, Equality & Partnerships explained that the emergency measures were not triggered. It was accepted however that the city had not got its community involvement right. The Chief Executive added that the recommendation should be that all community groups are involved from the start.

Recommendation 6: Concerns were raised about how well internal governance processes (as highlighted by the Governance Review) were demonstrating greater openness and transparency especially when asking support from residents, members and other stakeholders in Council services. How well 'Find my Tender' procurement website was illustrated as an example of this, and it was suggested that engagement with local businesses, Chamber of Commerce, Federation of Small Businesses, and others may be a way forward in getting further insight into how well it is used and what alternative(s) may work better.

The Director of Strategy, Equality & Partnerships acknowledged members concerns and suggested that it was included as part of the action plan in response to the Governance Review.

Recommendation 9: It was felt that the wording of this recommendation was not quite right and needed adjusting. The Council requires a database of providers that is cross-directorate and can be accessed quickly to avoid unnecessary delays. This would include providers that have not worked with the Council as well as those who have.

The Director of Strategy, Equality & Partnerships understood the focus on intent however the Council would need ensure that it demonstrated due diligence in respect of procurement legislation. Further discussion will take place with the Chief Executive and Procurement so that improvements are made to a framework of providers to allow the Council to engage services more quickly where required. The Committee accepted this as a way to move forward.

Recommendation 10: Procurement and risk were highlighted as two key issues in relation to single contract negotiation. Members supported an approach to ensure that in the very rare occasion that a service needs to be procured from a single provider that Cabinet are presented with a report that shows a robust process of checks and balances with mitigation options. This would help Cabinet in making its decision. The Chief Executive confirmed that the procurement and management of contracts will be subject to a comprehensive review.

Recommendation 11: The Head of Scrutiny and Committee Services clarified that the Section 151 officer has been tasked with reviewing the officer delegation process including the decision-making process and the criteria for publishing these decisions. There will be an emphasis on providing greater transparency. Members highlighted

that officer names should be added to reports where these decisions are taken (especially those relating to single award contractors for example) as this would help with accountability particularly where there may be a number of changes in staffing. The Chair stated that the recommendation should be accepted with the caveat that under the current Section 114 arrangements the Council is operating differently and asked the Director of Strategy, Equality & Partnerships to update the response to reflect this.

Recommendation 12: Members raised concerns that single contract negotiations should be initially awarded for 12 months to ensure flexibility. The Chief Executive explained that the comments made would be fed into the imminent review of procurement and contract management.

The Chair thanked the officers.

RESOLVED: -

- Report was noted.

8. THE IMPACT OF THE ELECTIONS ACT 2022

The Chair introduced the item and Robert Connolly in his capacity as the Council's Returning Officer explained that he would be covering changes made to the Elections Act 2022. Further to the report included in the agenda pack the following key points were highlighted: -

- Residents must provide photo ID when voting in person at all future elections. A photo ID authority certificate can be applied for online and is free. Applications can also be made in-person at the Council House. For sustainability purposes online applications are encouraged to avoid loss of the paper certificate.
- Since the introduction of the requirement to provide photo ID at polling stations in May 2023 there have been no elections in Birmingham. Therefore, to avoid confusing voters a campaign to increase public awareness will start in January 2024. This is in preparation for the scheduled elections on Thursday 2 May 2024 of the Combined Authority Mayor and Police and Crime Commissioner.
- The use of photo ID was trialled at the July 2023 Jewellery Quarter Neighbourhood Planning Referendum. Although this was at a much smaller scale than any election previously held there was some public awareness about the need to provide photo ID and useful lessons have been learnt as the city works towards full implementation. The Electoral Commission has also made some recommendations to local authorities on the awareness campaign.

- Initial conversations have been held with political parties about the process and the role of councillors and candidates in raising awareness with residents.
- Research has shown that between 2-4% of the electorate equating to approximately 16,000 people would potentially be able to apply for a photo authority certificate. To date 2,000 applications have been received and this indicates that awareness raising nationally has been quite successful.
- Elections staff have visited other parts of the country to learn how other councils have dealt with the implementation of photo ID and how this affected the number of people voting. Some councils trialled different methods to remind and encourage voters to be prepared before entering the polling station and this did affect the reliability of the figures provided on how successful awareness raising had been.

A discussion was held with Members and the following were among the points made:

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- Acceptable forms of ID include a passport or driving license for those who do not have a photo certificate. These documents do not need to be valid if the photo resembles the person voting.
- Dedicated resources are being provided by Government to help councils raise awareness and there is no cost to the Council. Further information on acceptable forms of ID will be issued to political parties and individual councillors to be shared with residents. These materials will be provided by the Electoral Commission.
- The local referendum held in July did not highlight any particular issues in relation to voter ID however it should be noted that this was a very small sample.
- Although there is speculation that a parliamentary election could be held in 2024 for the purposes of planning it would be helpful if the city was able to roll out the use of photo ID at local elections prior to enable lessons to be learnt.
- There is some concern about how the system would cope with the cumulative effect of numerous changes especially if a parliamentary election were to be called in May.
- The Elections office are carrying some vacancies however current recruitment is ongoing with some staff due to start in February.
- It was confirmed that additional posts are being funded by Government to support the extra work expected in 2024: -
 - Changes to parliamentary boundaries means that Birmingham has gained 2 wards from Solihull resulting in an increase in voter numbers.
 - A poll and district review to be carried out post-election.
 - A parliamentary election could be called within 28 working days and the impact of planning for this would require the recruitment of specific staff with specialist skills.

- Concerns about children missing learning due to schools closing for the day to allow elections to take place was raised. It was explained that the Elections Office will work with schools to ensure they remain open wherever possible. Sourcing viable alternatives that provide easy access is a key concern and the Elections office will work with local councillors to identify other sites that can be used. As part of a review of polling stations, it has been highlighted that in some wards there are no viable alternatives. In addition, due to the numerous changes taking place, any changes to polling station locations will be kept to a minimum to avoid confusion.
- The Returning Officer has personal liability and has to determine the amount of funding needed to run the election. There is ringfenced funding from Government for this and further funding is available to support a parliamentary election. The amount of funding will not be confirmed until January and this impacts on the ability to plan especially with recruiting the recommended staffing level staff to polling stations. This is something that the city has struggled to achieve.
- The ability to apply for postal votes online for the first time was a cause of some concern for the Returning Officer as there was no way of knowing what the demand and the impact of this would be. Currently there are approximately 75-80,000 postal voters in the city this is quite low in comparison to other cities such as Leeds. There is the potential that this number could double if a parliamentary election is called.
- The introduction of the new portal for applications is live but requires further work and there is some concern about whether it will be ready for May and be able to cope with the level of applications. Electors need to enter their national insurance number and date of birth when applying for a postal vote online. Paper applications are still accepted however these may take longer to process than previously.
- Up to 6 postal votes can be handed in at a polling station and the person dropping the votes in is required to fill in a form verifying that the voters are known to them. It is anticipated that this may cause some delays at polling stations. Campaigners are no longer able to handle postal votes as this would now be classified as a criminal offence. Further information and briefings will be provided on this to political parties.
- Polling station staff have received training to deal with no huddling at booths. Residents are advised that discussions can take place outside of the polling station.
- The Council does not have any powers outside of polling stations. The campaigning and in some cases intimidating behaviour experienced by voters outside polling stations has been noted and political parties have been approached to help deal with the issue.

The Chair thanked the officers.

RESOLVED: -

- Report was noted.

9. SCRUTINY WORK PROGRAMME

The Chair introduced the report circulated and made further comments in relation to the Governance Review (undertaken by Centre for Governance and Scrutiny).

Firstly, the Commissioners have stated that the Council needs to work much faster to make the progress required in improvements than the timeline set out in the Review.

Recommendation 5 of the Governance Review notes the role of Scrutiny in relation to focusing the work programme on improvement and recovery. Therefore, each of the committees at their January meeting will need to set aside time for a discussion on this and how future meetings can be used to support the Council's journey. Input will be required from the Programmes, Performance and Improvement (PPI) division as it has been tasked with producing a stabilisation report for Commissioners. There may be a requirement for committees to hold separate workshop sessions with appropriate officer support from directorates and the PPI division.

To ensure overview of the wider agenda work being carried out by committees in relation to the improvement and recovery journey a separate Task & Finish Group is to be set up with members from Co-Ordinating O&S Committee. This will be separate to the work that the Co-Ordinating O&S Committee will need to do in relation to its own work programme. A Terms of Reference will be produced. Membership to include relevant O&S Chairs and other members to be agreed as soon as possible.

A discussion was then held, and the following were among the points made: -

- The role of Task & Finish and undertaking scrutiny work outside of formal meetings to add value has been raised by the Lead Commissioner.
- Members were in support of the additional Task & Finish Group to be set up to oversee the work across committees on the improvement plan however there was some concern as to whether the number of committees were working efficiently and effectively to help deliver the changes now required.
- Ensure that the work carried out is focused on outcomes.
- Scrutiny is only as good as the information it receives and sometimes it struggles with obtaining the information from service areas that it requires to undertake its role effectively.

RESOLVED: -

- Members agreed that the Economy & Skills O&S Committee would initially take forward work related to the decisions being taken in the disposal of assets taken by the Cabinet Committee (Property).
- The Co-ordinating O&S Committee to set up a separate Task & Finish Group to ensure an overview of the work happening across committees.
- That the Work Programme for the Co-ordinating OSC be noted.

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

There were no requests for Call In for Co-ordinating OSC.

11. OTHER URGENT BUSINESS

The Chair re-iterated the role of scrutiny committees in supporting the Council's stabilisation and governance plan for the benefit of the Chief Executive who had joined the meeting later.

12. DATE AND TIME OF NEXT MEETING

It was noted that the next meeting of the Co-ordinating Overview and Scrutiny Committee is scheduled for 26 January 2024.

The meeting ended at 11:58 hours.