

Birmingham City Council

Education, Children and Young People Overview and Scrutiny Committee

10 April 2024



Subject: Education, Children and Young People Overview and Scrutiny Committee's Work Programme

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1 Purpose

- 1.1 This report sets out the proposed work programme for the Education, Children and Young People Overview and Scrutiny Committee (OSC) for 2023-24 based on informal work programme review meeting on 17 January and subsequent discussions at Co-ordinating OSC on 19 March.
- 1.2 Following the findings and recommendations from the independent Governance Review of Birmingham City Council and specifically recommendation 5, the Committee has reframed its work programme to be aligned to Council's improvement and recovery priorities.
- 1.3 Appendix 1 outlines the topics identified, aims and objectives and the preferred method of scrutiny to achieve these objectives. All Overview and Scrutiny Committees continue to review the work programme priorities in light of the Council improvement journey, the Governance Stabilisation Plan and development of the Improvement and Recovery Plan.

2 Recommendations

- 2.1 That the Committee:
 - 2.1.1 Notes the work programme as set out in Appendix 1.
 - 2.1.2 Agrees, subject to further input from the Chair and Deputy Chair, the issues that the Committee will consider during May 2024, the proposed aims and objectives, and the preferred method of scrutiny.
 - 2.1.3 Agrees, subject to further input from the Chair and Deputy Chair outside of the meeting, its proposed work programme will be submitted to Co-ordinating O&S Committee.

2.1.4 Agrees that any recommendations from the Savings Delivery Task and Finish Group are reported to Co-ordinating O&S Committee.

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. Additional criteria to be applied to work programme priorities by the Governance Stabilisation Plan are set out in paragraph 4:

- 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 regularly reviewed their ‘menu’ and decided which issues required further examination, and how that work would be undertaken.
- 3.7 Each Overview and Scrutiny Committee reviewed its work programme in light of the Governance Stabilisation Plan and the developing Improvement and Recovery Plan. It was agreed at Co-ordinating OSC on 19 March that each Committee will hold a Task and Finish Group meeting during April to consider the delivery of 2024/25 savings.

Scrutiny Methods

- 3.8 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.
- 3.9 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.

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- 3.10 The Committee’s Terms of Reference is to fulfil its functions as they relate to any policies, services and activities concerning:
- Education and children’s social care.
 - The safety and wellbeing of children, including safeguarding with statutory partners.

- The needs of all children and young people, families and carers (children's services).
- Oversight of the Children's Trust.
- Early years health and wellbeing.
- Looked after children, corporate parenting.
- Special Education Needs and Disability.
- School improvement, school places and travel to and from school.
- Youth engagement and youth services.
- Development of 14-19 career pathways, enterprise and entrepreneurship in Birmingham schools.

3.11 The Local Government Act 2000 and the Local Authorities (Committee System) (England) Regulations 2012 requires the Council to have a Church of England and a Roman Catholic Church representative coopted on its overview and scrutiny committee.

3.12 The Parent Governor Representatives (England) Regulations 2001 requires the appointment of at least two but not more than five parent governor representatives to each of their education overview and scrutiny committees and subcommittees.

3.13 These members are entitled to vote at a meeting of the committee or sub-committee on any question which relates to any education functions which are the responsibility of the authority concerned executive, and which falls to be decided at the meeting.¹

3.14 Therefore, the Overview and Scrutiny Committee dealing with education matters shall include in its membership the following voting representatives:

- a) Church of England diocese representative (one).
- b) Roman Catholic diocese representative (one).
- c) Parent Governor representatives (two).

3.15 The Committee is chaired by Cllr Kerry Jenkins, and its membership comprises Cllrs: Jilly Bermingham, Debbie Clancy, Adam Higgs, Des Hughes, Morriam Jan, Jane Jones, and Shehla Moledina, and statutory co-optees: Sarah Smith - Church of England diocese representative, Ted Hammond – Roman Catholic diocese representative, Osamugi Ogbe – parent governor representative and Rabia Shami – parent governor representative.

¹ <https://www.legislation.gov.uk/ukpga/2000/22/schedule/1/crossheading/overview-and-scrutiny-committees-education-functions/enacted>

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

- 4.1 The Co-ordinating OSC on 15 December 2023 acknowledged the recommendations in the Governance Review of Birmingham City Council agreed by Cabinet on 12 December 2023. The full report is available from [CMIS > Meetings](#). Recommendation 5 of the report sets out the need to reframe the scrutiny work programme to focus 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 17 January 2024, the Committee met informally to consider the developing Improvement and Recovery Plan and the findings and recommendations of the Governance Review. The committee reviewed its work programme for February – May and reframed it to ensure it aligns with the issues set out above.
- 4.3 Appendix 1 sets out the updated work programme and provides information on topics which have now been deferred by the Committee as a result of these discussions.
- 4.4 The Committee may decide to add further items to the work programme during 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 and Governance Review referred to in paragraphs 3.5 and 4.1 above.
- 4.5 The Council's latest [Forward Plan](#) may assist Members in identifying future topics. The following reports are of particular relevance to this Overview and Scrutiny Committee:

| ID Number | Title | Proposed Date of Decision |
|-----------|------------------|---------------------------|
| | None at present. | |

- 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 Any Finance Implications

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

6 Any Legal Implications

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

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: Education, Children and Young People Overview and Scrutiny Committee's Work Programme – April 2024.

9 Background Papers

- 9.1 [Birmingham City Council Constitution](#)

Birmingham City Council Overview and Scrutiny Framework April 2021

[Independent Governance Review of Birmingham City Council, Cabinet 12
December 2023](#)