

BIRMINGHAM CITY COUNCIL

CO-ORDINATING O&S COMMITTEE – PUBLIC MEETING

1000 hours on Friday 7th September 2018, Committee Rooms 3 & 4

Action Notes

Present:

Councillor John Cotton (Chair)

Councillors Mohammed Aikhlaq, Deirdre Alden, Tahir Ali, Debbie Clancy, Liz Clements, Maureen Cornish, Roger Harmer, Mariam Khan and Rob Pocock.

Also Present:

Cllr Brigid Jones, Deputy Leader

Jonathan Tew, Assistant Chief Executive

Gail Sadler, Scrutiny Officer, Scrutiny Office

Emma Williamson, Head of Scrutiny Services

1. NOTICE OF RECORDING/WEBCAST

The Chairman advised that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) 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 Cllr Bore .

3. DECLARATION OF INTERESTS

None.

4. ACTION NOTES/ISSUES ARISING

(See document No 1)

Councillor Debbie Clancy raised a query regarding reference to the City Board on page 3 of the Leader's Report and whether this was the same as the Governance Board. It was agreed that this point would be picked up under the Corporate Governance Plan item in the Deputy Leader's report.

The action notes from the meeting held on 27th July 2018 were agreed.

5. DEPUTY LEADER'S UPDATE

(See document No 2)

Councillor Brigid Jones (Deputy Leader of the Council) and Jonathan Tew (Assistant Chief Executive) attended to report on the following items:-

- Performance Framework
- Corporate Governance Plan
- Citizen Engagement
- Annual Audit Letter

Performance Framework

- The fundamental change this year is that the Council performance are directly related to outcomes the Council is trying to achieve in the Council's Corporate Plan and benchmarked against other local authorities.
- All indicators have been revamped to be easier to understand and to measure trends over time.
- There are also a suite of measures related to the Commonwealth Games.
- A copy of a diagram of how performance will be reported in the future was circulated.

RESOLVED:-

- Minutes of the monthly meetings with the Improvement Panel and also the Corporate Governance Improvement Plan will be circulated to all members.
- In response to feedback from members on several issues/suggestions regarding the performance measures it was agreed that there needs to be an ongoing conversation regarding the Pls. The corporate suite of performance indicators should be brought back to this committee in order for members to have an input in re-shaping measures as well as looking at measures which have been escalated to this committee from other O&S committees.
- Members requested member development training to analyse performance data.

Corporate Governance Improvement Plan (August update)

- Responding to points raised under Section 4 'Strategic planning, financial and performance management' around 4.8 and 4.11, Jonathan Tew acknowledged there were no specific targets in the reduction of certain type of processes i.e. grievances, employment tribunals and other issues. But over the four year period with the implementation of the new Workforce Strategy and Industrial Relations Framework improvements in those areas would be expected.
- Referring to 4.13 Effective Procurement and Commissioning – responding to comments about social value and 'in-house' delivery, the Deputy Leader confirmed 'in-house' was preferred but that does not mean everything can be

delivered 'in-house'. The Birmingham Business Charter for Social Responsibility is currently being reviewed to clarify what should be included in the Charter in the future.

- Under 6.2 – Children and Young People's Partnership, it was highlighted that there were no timescales for the required actions. In response, the Deputy Leader agreed to refer this back to the officers in Children's Services.

RESOLVED:-

- Referring to the discussion paper under 4.8, which had not been discussed with members, the Deputy Leader agreed to consult with the Cabinet Member for Finance & Resources to ascertain the timeframe for circulating the document to members.
- Under 4.9 – Effective Legal and Governance Services – It was agreed that a briefing note outlining the new arrangements for Legal Services should be circulated to members. Going forward there is a role for O&S to challenge how the new model is working.
- 6.4 – Health and Wellbeing Board – The commentary refers to a forward plan for the HWB. The Assistant Chief Executive agreed to speak to the Chair of the Board and Social Care and the Corporate Director for Adult Social Care and Health regarding the forward plan being shared with Health & Social Care O&S Committee.

Citizen Engagement

The Deputy Leader gave an overview of the contents of the 'Working Together in Birmingham's Neighbourhoods' consultation document and the following comments were made by members of the committee:-

- Guidance is needed on how decisions are taken at Ward Forums in single member Wards.
- Queries around governance as set out in the Constitution relating to Ward Forum Chairs etc. The Deputy Leader advised there was currently a review of the Constitution which would pick this up.
- Devolution comes at a cost and those costs have not been included in the document.
- There was criticism regarding officer non-attendance at Ward Forum meetings.

RESOLVED:-

- To consider think how the outcome of this consultation is taken forward in Scrutiny; possibly as a Joint Scrutiny with Homes & Neighbourhoods O&S Committee.

Audit Letter/Report

As the Resources O&S Committee had discussed the financial issues of this in a previous meeting, it was agreed that Co-ordinating O&S would concentrate on the governance issues arising from the letter.

The Deputy Leader and Assistant Chief Executive gave a brief introduction to the letter acknowledging the seriousness of the audit findings. The Deputy Leader was also candid in explaining that financial reporting arrangements, up until now, had not been as transparent and clear as they could have been and the way finances will be reported in future, particularly the overspends and use of in year reserves, is being reformed to make it more transparent.

Members raised various issues including:-

- Why the Audit Letter had not been circulated to all members as has been the practice in previous years, regardless of whether it raised Section 24 matters or not?

The Deputy Leader said this was an oversight. The document had been publically available to members on the Committee Management Information System (CMIS) for quite some time.

- What steps are in line to improve the timeliness and transparency of financial reports to all who need it but, in particular, to Resources O&S Committee? Also, regarding the Place Directorate what are the steps which can be taken to improve financial governance within that Directorate?

In response, the Deputy Leader said the way that information is shared going forward will be very different than it has been previous years in terms of financial reporting arrangements.

The Place Directorate is overspent largely due to the waste dispute. There is an on-going independent inquiry into this.

- When is the report of the independent investigation on the waste dispute going to be reported?

The Deputy Leader confirmed that the issue had been referred to the Standards Committee and the report will not be published until the Standards Committee has concluded their work. There is no timeline for the outcome of that work.

- How effective is EMT?

The Deputy Leader explained that the Executive Management Team is the weekly meeting of the Cabinet and Senior Officer Team of the Council. Until now, EMT has ensured it has corporate ownership of all Cabinet reports. Going forward this will be dealt with by the Corporate Clearance Board and EMT will deal with the big issues facing the Council at a much earlier stage than previously.

- The rules around public and private reports was queried and the right of Scrutiny to challenge whether a report is private.
- It was highlighted that the wording on the front of each agenda reads "... members of the press/public may record and take photographs except where there are confidential and exempt items". In the Local Government Act 1985 there is a distinction between "confidential" and "exempt" information.

“Confidential” information requires a meeting to be held in private whereas “exempt” information allows part of a meeting, where exempt information (as defined in the act) is discussed to be held in private i.e. just because the information is exempt the meeting does not have to be held in private.

- Responding to a comment regarding the Commonwealth Games, and the capacity in-house to support it, the Deputy Leader said the Council was responsible for delivering the infrastructure, street scene, city management and some of the issues around transport.
- Also in relation to the Commonwealth Games, what steps are going to be taken to mitigate the impact of budget risks? It was suggested that this committee should have oversight of these matters.
- What steps will be taken to address the recommendation in the Audit Letter around subsidiary bodies in particular around inadequacy of reporting mechanisms, representation on boards, and transparency around financial and service performance?

The Deputy Leader stated that Legal Services are currently undertaking a review of how appointments are made to those boards and bodies.

The City Council’s Group Governance Cabinet Committee is preparing a work programme to ensure each company we own is producing financial reports and business plans at appropriate times during the year.

RESOLVED:-

- That the Chair of Coordinating O&S Committee writes to the Chair of the Standards Committee to ascertain an estimated timeline for conclusion of their work.
- A note to be circulated to members on exempt and confidential items.
- This committee should take ownership of monitoring progress against the governance recommendations in the Audit Letter and, therefore, it should be a standing item on each agenda.

6. WORK PROGRAMME – SEPTEMBER 2018

(See document No 3)

In response to a query regarding the ‘Localism in Birmingham’ agenda item in October, it was agreed that the timing of the item on the work programme should be reviewed.

RESOLVED:-

- The work programme was noted.

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

None.

8. OTHER URGENT BUSINESS

None.

9. AUTHORITY TO CHAIRMAN AND OFFICERS

RESOLVED:-

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

The meeting ended at 1209 hours.