

Birmingham City Council

Education, Children and Young People Overview and Scrutiny Committee

15 May 2024



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

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1 Purpose

- 1.1 This report provides an overview of work undertaken by the Education, Children and Young People Overview and Scrutiny Committee (OSC) during 2023/24 and invites the Committee to review its current 'menu' of issues and suggest any topics that could be considered by the new committee in June or added to the 2024/25 work programme.
- 1.2 Members are reminded that any future work will need to consider how it contributes towards the delivery of the Improvement and Recovery Plan and Governance Stabilisation Plan.

2 Recommendations

- 2.1 That the Committee:
 1. Notes the report.
 2. Agrees, subject to further input from the Committee after the City Council's Annual General Meeting, the issues the Committee may consider at the June 2024 meeting and as part of its wider 2024/25 work programme, together with the proposed aims and objectives of the items, and the preferred method of scrutiny.

3 Background

- 3.1 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.

3.2 **Committee membership** is determined by the Local Government Act 2000 and the Local Authorities (Committee System) (England) Regulations 2012 that require the Council to have a Church of England and a Roman Catholic Church representative coopted on its overview and scrutiny committee.

3.3 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.

3.4 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

3.5 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).

3.6 The Committee is chaired by Cllr Kerry Jenkins, and its membership comprises Cllrs: Jilly Bermingham, Debbie Clancy, Adam Higgs, Morriam Jan, Jane Jones, Shehla Moledina, and Kath Scott, 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.

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

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

- 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.

3.8 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. 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.

3.9 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. Effective scrutiny needs to add value.

3.10 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.

3.11 Additional criteria were applied to work programme priorities in December following the adoption of the Governance Stabilisation Plan (referred to in paragraph 4.2) requiring committees to demonstrate where they could best add value aligning to the Council's priorities and improvement journey through the delivery of the Improvement and Recovery Plan.

- 3.12 During the course of the year the Committee identified a **‘menu’ of issues** (including policy development, policy review, issues of accountability and statutory functions). The Committee has regularly reviewed its ‘menu’ and decided which issues required further examination, and how that work would be undertaken.
- 3.13 There are a range of ways to undertake scrutiny. In line with statutory guidance from 2019, the approach for 2023/24 has enabled a more flexible scrutiny and outlines a shift from monthly formal meetings to a combination of approaches. The Committee has chosen the most effective scrutiny method to achieve the desired aims and objectives for each topic.

4 Outcomes from 2023-24

- 4.1 During June 2023 – February 2024, the Committee considered the following topics:
- 4.1.1 Children and Young People’s Travel Service (CYPTS) – the Committee received an update and assurance on the preparation for the CYPTS for the start of the 2023/24 academic year and a service user and their relative shared their experience of the independent travel training provided. It was agreed that an information workshop would be held for all councillors, and this has since taken place.
 - 4.1.2 Special Educational Needs and Disability (SEND) Tribunals – the Committee sought assurances on the process, and it was agreed that the Directorate would hold a workshop for all councillors on the SEND Tribunals process.
 - 4.1.3 SEND Commissioner – Mr John Coughlan CBE provided the Committee with an update on SEND improvement, setting out his recommendations in his [second report to the Secretary of State for Education](#). The committee discussed the progress made against the recommendations and the council’s action plan for improvement.
 - 4.1.4 Children and Families Improvement Plan – the Committee received quarterly updates in July 2023 and January 2024 and provided scrutiny, oversight and productive challenge on the plan. A refreshed improvement plan will be discussed at this committee meeting.
 - 4.1.5 Performance – the Committee was updated on performance reporting and management across the Directorate. Examination of the data provided informed the committee decision to ‘deep dive’ into early years education entitlement take up (January 2024) and school attendance data (hidden children – October 2023). In November 2023, the Committee held a data workshop to build Members’ knowledge of the key sources of data and how data was used across the portfolio and how it can be incorporated into future committee reports.
 - 4.1.6 Hidden children - the Committee undertook a deep dive session with key officers into the work being undertaken for hidden children (this included exclusions, suspensions, part time timetables, and elective home education). The committee agreed that development of the governance around school

exclusions and part time timetables would be brought to a future committee meeting for discussion and to feed in recommendations.

4.1.7 Financial Challenges and Budget Savings – in September 2023 the Committee received reports on the s114 notice, the Medium-Term Financial Plan and the context for services falling under the remit of this Committee including performance on current savings. In October 2023 the Committee was informed of the Q2 budget savings position 2023/24 and the Chair updated the Committee on the work of the Budget T&F Group.

4.1.8 School improvement support - The Committee also provided feedback on proposals to establish a new model for the relationship with schools for school improvement support in the City. New policies and strategies being developed will be brought to future committee meetings.

4.2 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. The full report is available from [CMIS > Meetings](#). 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.

4.3 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 aligned with Recommendation 5 as set out above.

4.4 Following the reframing of the work programme the Committee considered the following topics in February, April and May 2024:

4.4.1 The draft SEND Sufficiency Strategy 2024 - 2030 – the Committee fed into the consultation on the draft strategy, and the strategy was agreed at Cabinet on 23 April 2024.

4.4.2 Early Years Education Entitlement – the Committee examined how best the council can increase the take up of Early Years entitlement for children in the city and the benefits it provides children and examined the plans for delivering the new and expanding responsibilities for early years.

4.4.3 School Attainment – the Committee examined school attainment and what is being done to improve outcomes for vulnerable children.

4.4.4 Budget Savings Delivery – Following the agreement of the 2024-25 budget at City Council on 5 March the Overview and Scrutiny Committees continue to monitor the delivery of the savings identified in the budget. All the Overview and Scrutiny Committees held a Task and Finish Group meeting in April to consider the delivery plans for the relevant savings for 2023-24. The notes from these meeting will be discussed at the Co-ordinating O&S Committee meeting on 17 May 2024.

4.4.5 In May the Committee will consider the refreshed Children and Families Improvement Plan and receive an update on the short breaks review.

5 Inquiry – Child Criminal Exploitation

5.1 In 2022 the committee decided to undertake an Inquiry into Child Criminal Exploitation and established a Task and Finish Group. The key question asked was ‘How are the council and partners working together to reduce the risks of criminal exploitation for young people?’

5.2 Evidence gathering commenced for this Inquiry in November 2022 and concluded in November 2023. Evidence was received from the Birmingham Children’s Trust – Empower U Exploitation and Missing Hub, Young People’s Substance Misuse Service, West Midlands Police and Crime Commissioner, the Violence Reduction Partnership (VRP), West Midlands Police, Birmingham and Solihull Mental Health NHS Foundation Trust (BSMHFT), Birmingham Community Safety Partnership (BCSP), Children and Families Directorate – Youth Service, and Thriving Children and Families Service, and third sector organisations.

5.3 The Inquiry report together with the 15 recommendations was agreed at City Council on 16 April 2024. The recommendations related to the definition and scale of child criminal exploitation, early intervention and resilience, supporting young people to exit exploitation, enforcement, governance and strategy. Progress towards achievement of these recommendations will be discussed six months after publication at the October 2024 committee meeting.

6 Looking Ahead to 2024/25

6.1 All Overview and Scrutiny Committee’s will be expected to discuss the delivery of the budget savings relevant to their remit on a regular basis.

6.2 Any future work will also need to consider how it contributes towards the delivery of the Improvement and Recovery Plan and Governance Stabilisation Plan.

6.3 During 2023/24 several topics were identified for future examination. The current ‘menu’ of issues is set out in section 6.4 below. The Committee is invited to highlight any to bring forward to the 2024/25 Municipal Year (subject to approval of the new committee and committee chair) identifying how items will contribute towards the delivery of the Improvement and Recovery Plan and Governance Stabilisation Plan.

6.4 Menu of Issues 2023/24

Topic	Notes including any suggested dates, method of scrutiny
Birmingham Safeguarding Children Partnership's (BSCP) Annual Report.	Awaiting confirmation that this is available for June 2024 committee meeting.
Birmingham Children's Trust (Children's Services).	The Committee has previously received an annual update.
Strategic Youth Justice Plan.	Suggested committee date: July 2024 This will be an update on the performance and progress of the five-year plan published in 2023.
SEND.	Committee requested regular updates on SEND, including the next joint local area SEND inspection, and an update on the improvement plan to meet the statutory compliance of the Special Educational Needs and Disability Information, Advice and Support Service (SENDIASS).
School Attendance and Draft Attendance Strategy.	Draft to come to OSC to provide an opportunity to comment on proposals.
Visits to schools – City of Birmingham School (COBS) and Adderley Primary School.	To inform the work programme.
Developing the governance around school exclusions, Elective Home Education (EHE) and part time timetables.	Draft to come to OSC to provide an opportunity to comment on proposals.
CYPTS – Impact of policy changes and budget savings.	
Review of the careers 16 – 19, youth service and NEET – impact of changes and budget savings.	
UNICEF Child Friendly City.	Suggested update on work towards UNICEF Child Friendly recognition.
Child Poverty.	
Post 16.	This could be a joint piece of work with the Economy and Skills O&S Committee.

6.5 The Council's latest [Forward Plan](#) may assist Members in identifying further areas for the Committee to explore.

7 Any Finance Implications

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

8 Any Legal Implications

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

9 Any Equalities Implications

- 9.1 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.
- 9.2 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.
- 9.3 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.
- 9.4 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.

10 Appendices

- 10.1 There are no appendices.

11 Background Papers

- 11.1 [Birmingham City Council Constitution](#)
- 11.2 Birmingham City Council Overview and Scrutiny Framework April 2021

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