

# Birmingham City Council

## Co-ordinating Overview and Scrutiny Committee

14 July 2023



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**Subject:** Co-ordinating Overview and Scrutiny Committee Work Programme

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### 1 Purpose

- 1.1 This report sets out the proposed work programme for the Co-ordinating Overview and Scrutiny Committee for 2023-24, based on the Committee's meeting in June 2023. Appendix 1 outlines the topics identified, aims and objectives and the preferred method of scrutiny to achieve these objectives, while Appendix 2 sets out draft terms of reference for the Cost of Living Task and Finish Group.
- 1.2 The report also refers to other topics, which the Committee has identified, for future consideration, and this will be continuously updated during the year.
- 1.3 As agreed in June, the report includes (at Appendix 3) the proposed work programmes from each of the other Overview and Scrutiny Committees. This is to enable scrutiny work to be planned and co-ordinated throughout the year.

### 2 Recommendations

- 2.1 That the Committee:
  - Notes the information set out in Appendix 1 and identifies if any further topics need to be added to the menu of topics for the Committee to explore over the coming year.
  - Agrees, subject to further input from the Chair and Deputy Chair, the issues that the Committee will consider during September – November 2023, the proposed aims and objectives and the preferred method of scrutiny.
  - Notes, and agrees, the draft Terms of Reference / Work Outline for the Cost of Living Task and Finish Group set out in Appendix 2.

- Reviews the draft work programmes for the other 7 Overview and Scrutiny Committees, set out in Appendix 3.

### 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:

- 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 Overview and Scrutiny Committees will identify a 'menu' of issues (including policy development, policy review, issues of accountability and statutory functions) at the start of the year. Each Committee should then regularly review their 'menu' and decide which issues need to be examined further, and how that work would be undertaken. Scrutiny activities should be thorough and undertaken in a timely manner.

### ***Scrutiny Methods***

- 3.7 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.
- 3.8 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.

### ***Terms of Reference***

- 3.9 The Committee's terms of reference, set out below, were approved at the Annual City Council meeting on 23 May 2023.

*To plan and co-ordinate the work of all the Overview & Scrutiny Committees. To fulfil the functions of an Overview and Scrutiny Committee as they relate to any policies, services and activities concerning:*

- *Structure and governance of the Council*
- *Communications, internal and external stakeholder engagement*
- *Efficiency and improvement of Council services (with Deputy Leader)*
- *Public policy development at local to international levels*

- *WMCA*
- *Sports and events development (with Cabinet Members for Digital, Culture, Heritage & Tourism and Housing & Homelessness)*
- *Business Improvement Districts*
- *Business change programmes*
- *Efficiency and improvement of Council services (with Leader)*
- *Risk management*
- *Good governance on outside bodies, Council-owned companies and externalised services*
- *Customer services*
- *External scrutiny of the Council*
- *Whistleblowing and complaints*
- *Emergency planning*
- *Legal services*
- *Relationships with stakeholders*
- *Levelling-up, devolution and WMCA*
- *Early intervention and prevention*
- *Social cohesion and inclusion, equalities*
- *Third sector organisations and partner agencies contribution to social cohesion and equalities*
- *Refugees, migration and City of Sanctuary*
- *Open data*
- *Digital inclusion, data protection, cyber security*
- *Arts, museums and tourism*
- *Library of Birmingham and community library services*
- *Promotion of the city's heritage and investment in the city.*

*These functions include:*

- a) *giving such guidance to the Overview and Scrutiny Committees in any cases of uncertainty as to work which they should or should not be undertaking, as may be necessary to achieve such co-ordination, including the allocation of "call-in" to the appropriate Committee;*
- b) *determining, in any cases of uncertainty, the allocation of responsibility for specific tasks between the Overview and Scrutiny Committees;*
- c) *ensuring (by means, for example, of issuing appropriate guidance and/or instructions) that the Overview & Scrutiny Committees pay proper attention in*

*their work to the consideration of key cross cutting issues, in particular equalities, transparency and improvement;*

*d) overseeing the development and delivery of a balanced work programme of Scrutiny Committees using a range of scrutiny methodologies and reporting regularly to City Council;*

*e) considering Overview and Scrutiny development, working practices and constitutional arrangements.*

#### **4 Work Programme 2023-24**

- 4.1 Appendix 1 sets out the topics the Committee will consider over the next few months, and also outlines future items for consideration.
- 4.2 Following the Committee's discussion in June Appendix 2 sets out the draft Terms of Reference / Work Outline for the Cost of Living Task and Finish Group.
- 4.3 The Committee may decide to add further items to the work programme during the course of the year. When considering this, the Committee is advised to consider where it can best add value through scrutiny, and how it can prioritise topics for consideration based on the Scrutiny Framework referred to in 3.5.
- 4.4 The Council's latest Forward Plan ([click here to view](#)) may assist Members in identifying future topics. In addition, 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**

- Appendix 1: Co-ordinating Work Programme
- Appendix 2: (Draft) Terms of Reference, Cost of Living Task & Finish Group
- Appendix 3: Other Scrutiny Committee Work Programmes

## **9 Background Papers**

- 9.1 [Birmingham City Council Constitution](#)
- 9.2 Birmingham City Council Overview and Scrutiny Framework