

Birmingham City Council

Report to City Council

5 November 2024



Title:	SCRUTINY BUSINESS REPORT
Lead Member:	Councillor Sir Albert Bore
Relevant Overview and Scrutiny Committee:	Not Applicable
Has this report been shared with the relevant Overview and Scrutiny Committee Chair?	Not Applicable
Report Author:	Fiona Bottrill, Senior Overview and Scrutiny Manager Legal and Governance Fiona.bottrill@birmingham.gov.uk
Authorised by:	Marie Rosenthal, Interim City Solicitor and Monitoring Officer, Legal and Governance
Is this a Key Decision?	Not Applicable
Reason(s) why not included on the Forward Plan and confirm who has authorised it to be considered:	Not Applicable
Is this a Late Report?	No
Reason(s) why Late and confirm who has authorised it to be considered:	Not Applicable
Is this decision eligible for 'call in'?	Not Applicable
If 'call-in' has been dis-applied, please provide reason(s) and confirm who has authorised:	Not Applicable
Wards:	Not Applicable
Does this report contain exempt or confidential information?	No

Has this decision been included on the Notification of Intention to consider Matters in Private? Not Applicable

Reasons why not included on the Notification and confirm who has authorised it to be considered: Not Applicable

1 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to update City Council on the progress of Overview and Scrutiny in responding to the challenges the Council faces and the work of the 7 Overview and Scrutiny Committees, 2 Joint Health Overview and Scrutiny Committees.
- 1.2 Since City Council considered the Scrutiny Business Report in June 2024 the recommendations in the Governance Stabilisation Plan relating to Overview and Scrutiny have been implemented and key aspects of this work will continue through the Overview and Scrutiny Development Plan approved in September 2024 and Overview and Scrutiny Committees have undertaken the work set out in section 4.6 – 4.36 of the report below.

2 COMMISSIONERS' REVIEW

- 2.1 Commissioners support the proposals.

3 RECOMMENDATIONS

- 3.1 That City Council note the report.

4 KEY INFORMATION

Context

- 4.1 Overview and Scrutiny is a statutory function of the Council alongside the Executive and Regulatory arrangements. Over the last 18 months Overview and Scrutiny has adapted to become more flexible and responsive to issues as they emerge and focussing on the key priorities for the Council. This new way of working has become increasingly important since the Government intervention as a result of the Council's financial and service challenges. This report sets the key stages in the development of the Overview and Scrutiny function to ensure the Council has robust governance arrangements and delivers the Improvement Recovery Plan.
- 4.2 **Implementation of the Recommendations relating to Overview and Scrutiny in the Governance Stabilisation Plan:** The recommendations set out in the Governance Stabilisation Plan relating to Overview and Scrutiny have been implemented and continue to inform the further development of the function. This includes:
- The work programmes for all Overview and Scrutiny Committees identify how the items relate to the Improvement and Recovery Plan Priorities
 - The participation of the Chair of Corporate and Finance O&S Committee and the Independent Chair of Audit Committee in the Centre for Governance and Scrutiny in the Audit and Scrutiny Pilot Development Programme that will develop a publication to provide assistance to audit and scrutiny chairs.

- When Overview and Scrutiny Committees identify potential risks, these will be reported to the Council's risk management arrangements and a response provided to the Committee.
- Overview and Scrutiny Chairs attended a risk management workshop.
- Following the work of the Scrutiny Information Task and Finish Group an Information Hub is being developed to share risk, performance and delivery information with members of Overview and Scrutiny Committees to inform the Committee work programmes.
- Overview and Scrutiny Committees have received the information on the delivery and implications of 2024/25 savings and the Improvement and Recovery Plan Programmes relevant to their terms of reference.
- Corporate and Finance O&S Committee held a Task and Finish Group meeting to consider the budget pressures in 2024/25 and the implications for the 2025/26 Budget and Medium Term Financial Plan.
- The new report template used by all Committees will improve the quality of information available to members.

4.3 Overview and Scrutiny Development Plan: A draft Scrutiny Development Plan was considered at Corporate and Finance O&S Committee in July 2024 and following engagement with Cabinet Members, the Corporate Leadership Team and Commissioners the plan was approved by Corporate and Finance O&S Committee on 27 September [CMIS > Meetings](#) The plan sets out:

- The purpose of Overview and Scrutiny and roles and responsibilities
- Criteria to be considered when agreeing items in Overview and Scrutiny Committee work programmes
- Different ways Overview and Scrutiny Committees can deliver their work programmes
- Information and support for members undertaking Overview and Scrutiny
- How the work of Overview and Scrutiny Committees will be monitored and reported
- Objectives and activities that will be completed over the next 12 – 18 months

Demonstrating Outcomes: Homes O&S Committee Case Study

4.4 On 1 April 2023, the new Social Housing Regulation Act came into effect. New consumer standards from this Act for all social landlords, including Birmingham City Council, are designed to protect tenants and improve the service they receive. Under these new standards the Council will need to: ensure tenants are safe in their home; listen to tenants' complaints and respond promptly to put

things right; be accountable to tenants and treat them with fairness and respect; know more about the condition of every home and the needs of the people who live in them; and collect and use data effectively across a range of areas, including repairs. The Regulator for Social Housing (RSH) will hold landlords to account against these new standards.

4.5 With the introduction of these new consumer standards and further reinforced by the Improvement and Recovery Plan, it has provided the Homes Overview and Scrutiny Committee with the opportunity to focus on the Council's performance to:

- Check the Council is meeting the outcomes in standards
- Scrutinise data about tenant satisfaction, repairs and other relevant issues
- Be assured that the Council is protecting tenants and putting things right when there are problems

“For many councillors, complaints about our housing service often forms the biggest part of our case work. When talking to our residents at surgeries, on their doorsteps, or helping them with casework we see the Council Housing service from a unique perspective. Our ability to bring our residents lived experience to the scrutiny committee is incredibly valuable.”

Councillor Jamie Tennant, Chair of Homes Overview and Scrutiny Committee

4.6 What steps have the Homes Overview and Scrutiny Committee taken to prepare to deliver on this?

“The Overview and Scrutiny Committee is a key part of our City Housing Assurance Framework. It is only if all of these parts work together can we push forward and deliver better services for our tenants. Which is why we have been very keen to welcome the challenge from Committee members and give them the tools to do it.”

Paul Langford, Strategic Director, City Housing Directorate

4.7 The City Housing directorate have worked closely with the Scrutiny and Committee services team to deliver:

- Additional briefings on what the new consumer standards mean, as well as the areas for improvement highlighted by the Housing Ombudsman in its Special Report (January 2023) and the Regulatory Notice (May 2023).
- Introduction of new quarterly reports on regulatory compliance providing data on key issues such as repairs and complaints including lessons learnt and remedial actions.
- Specific ‘deep dive’ reports on issues such as Tenant Satisfaction.
- Visits to empty Council properties – this helps members to see in real terms what the issues are and how things are changing.

Impact so far

- Visibility and Transparency – performance information is now available to councillors and to the public in an accessible format on how the Council is performing around important issues such as Landlord Health and Safety, damp and mould and Decent Homes Standard. It describes the current position and the direction of travel, as well as outlines what the Council is doing about it. This is a significant step forward to help the committee to hold the Executive and senior officers to account.
- Positive challenge – the new performance information also equips the committee to drill down on key issues. In turn, this assists them to make informed recommendations which could deliver service improvements.
- Housing Repairs, Maintenance and Investment 2026 – the Committee undertook Pre Decision Scrutiny in September 2024. Information provided in previous quarterly compliance reports informed and underpinned the committee’s discussions, and particularly considered how it can deliver improved tenant satisfaction. As an example, City Housing has agreed to share the Key Performance Indicators before they are agreed for the Committee. This means we can be assured they will meet the needs of tenants.

“The work done so far has laid down some important foundations for the Committee to build on as we go through the journey with the Regulator. I’d like to explore how we bring in other voices, such as tenants, neighbours, frontline staff and local Elected Members to add life to the reports and data we see. We need to keep refreshing our work programme to make sure we are looking at the right things. As a Committee alongside the directorate, there’s many opportunities with this platform and processes to make a difference for our residents”

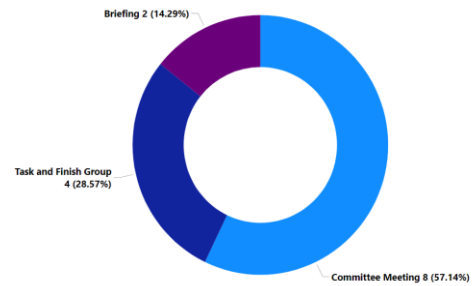
Councillor Jamie Tennant, Chair of Homes Overview and Scrutiny Committee

4.8 **Overview and Scrutiny Committee Work Programmes:** The Overview and Scrutiny Committees will have held 67 meetings between June – December 2024. The charts below show the number and types of meetings held by the different committees.

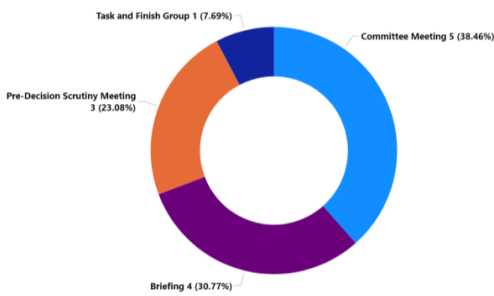
Charts: Showing Number and Type of Scrutiny Meetings by Overview and Scrutiny Committee

	Committee Meeting
	Task and Finish Group
	Pre-Decision Scrutiny
	Briefing
	Site Visit

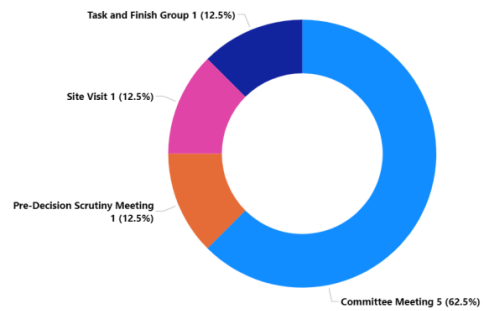
Corporate and Finance OSC



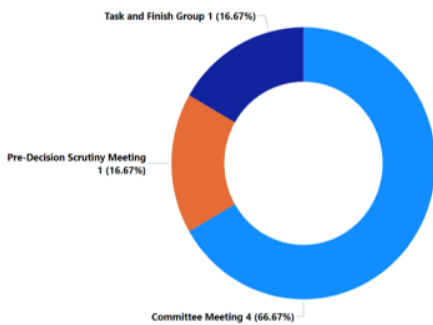
Economy, Skills and Culture OSC



Education, Children and Young People OSC



Health and Adult Social Care OSC



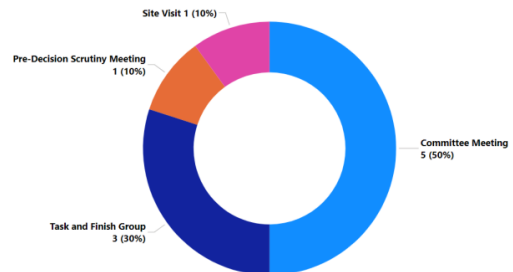
Birmingham and Sandwell Joint HOSC



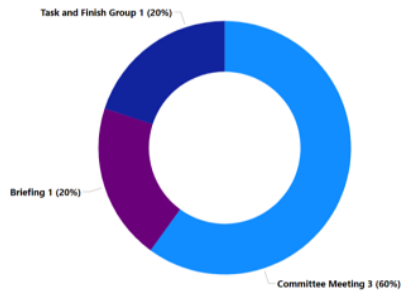
Birmingham and Solihull Joint HOSC



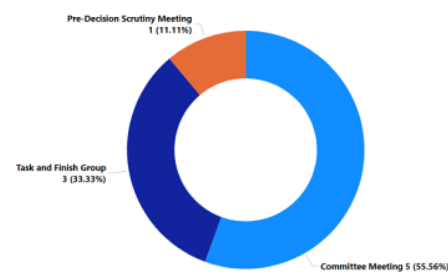
Homes OSC



Neighbourhoods OSC



Sustainability and Transport OSC



From: Scrutiny Dashboard developed with City Observatory (Information correct at 10 October 2024)

- 4.9 **Corporate & Finance O&S Committee:** The Information Task and Finish Group was established by Co-ordinating OSC in May 2024 and the work has continued under the Corporate and Finance OSC. Following the work to address issues identified in the Council's Governance Stabilisation Plan and subsequent work by the Centre for Governance and Scrutiny (CfGS) it was agreed that the Task and Finish Group would look at how to develop a sustainable approach to information sharing / management which gives members confidence that they can maintain a watching brief over emerging issues to inform the work of Overview and Scrutiny Committees. The report of the Task and Finish Group was agreed Corporate and Finance OSC on 27 September.
- 4.10 A Task and Finish Group meeting was held in July to consider the implications of the 2024/25 budget savings within the Committee's terms of reference. Recommendations from the Task and Finish Group meeting were agreed by the Corporate and Finance OSC on 27 September. Recommendations agreed will be considered by Cabinet in October.
- 4.11 The Committee has considered the Section 151 Officers reports to Cabinet in July and September. The July report included the progress in the delivery of savings and the early September report provided an opportunity for pre-decision scrutiny. The Committee agreed comments that were considered by Cabinet on 10 September.
- 4.12 A briefing for members of the Committee was held to update on the Job Evaluation and the Oracle Reimplementation programmes and consider how this will be included in the Committee's work programme. Members also received an update on the Shaping Birmingham Future Together consultation and how this informed the development of the revised Corporate Plan.
- 4.13 A Task and Finish Group meeting in September considered the 24/25 budget pressures in Adult Social Care, Children and Families and Housing (Temporary Accommodation) and implications for the 25/26 Budget and Medium-Term Financial Plan.

- 4.14 At the Committee meeting on 27 September reports on the further progress on the delivery of 24/25 savings and on the Improvement and Recovery Plan (IRP) Programmes within the Committee's terms of reference were considered.
- 4.15 At future meetings the Committee will consider:
- Work of the West Midlands Combined Authority (WMCA): The Committee will receive reports from the WMCA at the November across the region and at the March Committee meeting which will focus on work of the WMCA in Birmingham.
 - Finance Scrutiny: The Committee will continue to scrutinise the Council's financial position and consider the Medium-Term Financial Plan Refresh and Quarter 2 of the Financial Year, the Provisional Financial Outturn (2023/24) at the November Committee meeting. The Committee will also consider the 2025/26 Budget Proposals in January 2025.
 - Delivery of Savings: A further report on the delivery of the 24/25 savings within the Committee's terms of reference will be considered in December.
 - Delivery of IRP Programmes: A further report on the delivery of the IRP Programmes will also be considered in December.
 - Development of the 25/26 Budget and MTFP
- 4.16 **Economy, Skills & Culture O&S Committee:** Scrutiny of the Asset Disposal Programme has continued to be a major focus. The Committee undertook Pre-Decision scrutiny on the sales of Peddimore, Perry Barr residential and the council offices on Woodcock Street before they were considered by Cabinet Committee - Property. Further to this, the Committee has also received quarterly reports in July and October on the overall progress of the Asset Disposal programme. In August, the Committee received a briefing on the Corporate Asset Rationalisation programme. The Committee has also received an initial briefing followed by a workshop to inform the development of the Place Based Plan. The Committee has considered the impact of the 24/25 savings at a Task and Finish Group meeting in July and the recommendations from this work were agreed by Corporate and Finance O&S Committee in September and will be considered by Cabinet. The Committee meeting in October considered the delivery of 24/25 savings, an update on the Asset Sale IRP Programme and the received a report on the implementation of the recommendations of the Scrutiny Inquiry on employment and skills for young people.
- 4.17 At future meetings the Committee will:
- Undertake work on how the Council can attract a younger workforce.
 - Continue scrutiny of the delivery of savings and the IRP Programme / Asset Disposal.
 - Assess the current health of arts, heritage and cultural assets.

- 4.18 **Education, Children and Young People O&S Committee:** In June, Members visited the City of Birmingham School (COBS) and gained a greater understanding of their work to meet the needs of young people, and the outcomes are being used to inform the work of the Committee. At the July meeting, Members undertook pre-decision scrutiny and considered the draft Birmingham School Attendance Strategy 2024-2028 prior to discussion at Cabinet. In addition, at the July Task and Finish Group meeting, and in line with all O&S Committees, members considered the impact of the 2024/25 savings.
- 4.19 In October, members considered the update on the Birmingham Youth Justice Plan 2023-2028, Children and Young Peoples' Travel Service (CYPTS) and also the delivery of savings and delivery of the IRP Programme within the Committee's terms of reference.
- 4.20 The SEND Commissioner's report published in August 2024 commented on a notable shift of tone and focus of the role of the Committee in supporting officers and improvement.
- 4.21 At future meetings the Committee will consider:
- The SEND Commissioner will be providing an update on SEND Improvement, and Members will be discussing and making recommendations on the Improving Services for Children and Families Plan and discussing the progress report on the Implementation of the Child Criminal Exploitation (CCE) Inquiry Recommendations.
 - Members will be discussing and making recommendations in relation to children's safeguarding in the city and the Birmingham Safeguarding Children's Partnership will be presenting their 2022/23 and 2023/24 annual reports.
 - In addition, Members will continue to consider and make recommendations on the delivery of the 2024/25 savings within the Committee's terms of reference and the Improving Services for Children & Families Programme.
- 4.22 **Homes O&S Committee:** The Committee has considered the Council's progress towards achieving regulatory compliance through City Housing's quarterly report to the July and October Committee meetings. With the introduction of national performance measures around tenant satisfaction, the Committee considered on Tenant Satisfaction and how information from tenants is now been used to inform and improve service delivery. As part of this, the Committee was pleased to welcome a tenant to this discussion to provide their perspective. The Committee has completed pre-decision scrutiny on the proposed Repairs and Maintenance contract decision. The Committee has also considered information on the current progress of the Druids Heath regeneration scheme. The Committee has considered the delivery and impact of the 24/25 savings within its Terms of

Reference and an update on delivery of the Housing Improvement IRP Programme.

4.23 The Committee considered the progress in the outstanding recommendations from the Scrutiny Inquiry on Exempt Accommodation at the meeting in October.

4.24 At future meetings the Committee will consider:

- Disrepair and Stock condition and rent revenues at the meeting in December.
- In January the Committee will receive reports on Regulatory Compliance
- Delivery of 24/25 savings
- Delivery of Housing Improvement IRP Programme.

4.25 **Health and Adult Social Care O&S Committee (HASC):** The HASC O&S Committee held a Task and Finish Scrutiny meeting in July on the implications of the 2024/25 savings within the Committee's terms of reference as agreed in the Council's budget. The Committee also engaged with external organisations Healthwatch Birmingham and Forward Carers to inform this work. Recommendations from the July Task and Finish Group meeting were agreed by the Corporate and Finance OSC on 27 September and will be considered by Cabinet.

4.26 During 2023/24, one of the key issues for the Health and Adult Social Care OSC Committee has been its scrutiny of the Birmingham & Solihull NHS Trust decision regarding the temporary relocation of Warren Farm Urgent Care Treatment Centre to another location due to health and safety concerns. Scrutiny ensured that statutory process of engagement was adhered to by the Trust as part of the decision-making and informed the outcome of the temporary relocation to Erdington High Street.

4.27 Following work undertaken by the Committee during 2023/24 on the Adult Social Care Day Opportunities service, the Committee held a pre-decision meeting on the Days Opportunities review, 'Your Day, Your Say' in July. The recommendations agreed by the Committee, focusing on the impact of proposed changes on citizens and carers, were reported to Cabinet in October which included a response to the Committee's recommendations.

4.28 At the September Committee meeting, members approved the Memorandum of Understanding (MoU) between the council and the Integrated Care Board and NHS Trust for Birmingham & Solihull. This clarifies the role of Health Scrutiny, specifically in regard to consultations on substantial variations and developments of health services following the changes to the Health Scrutiny Guidance, in line with the Health and Social Care Act 2022. The MoU was also shared with both Joint Health & Social Care Scrutiny committees with Solihull and Sandwell. The MoU has also been shared as best practice with other networks in the West

Midlands region. The meeting also considered the reports from the Cabinet Member for Children and Families and the NHS on the implementation of recommendations of the scrutiny inquiry into children and young people mental health services.

- 4.29 The October Committee meeting considered the delivery of 2024/25 savings within the Committee's term of reference and also the Birmingham and Solihull ICB Quality Report.
- 4.30 **Joint Health Overview and Scrutiny Committees:** The Birmingham and Sandwell Joint Health Overview and Scrutiny Committee (JHOSC) met on 16 September 2024 at Sandwell MBC. The Committee considered the opening of the new Midland Metropolitan University Hospital (MMUH) in Sandwell. The committee have scrutinised this major hospital project, including visits to the new site last municipal year. The Committee was informed that Sandwell patients will move to the new hospital on 6 October, Maternity and Neonates will move on 6 November 2024 and City Hospital patients will move on 10 November 2024.
- 4.31 The Birmingham and Solihull Joint Health Overview & Scrutiny Committee met on 5 October 2024 at Solihull MBC and considered reports on the emergency temporary re-location of Warren Farm urgent Treatment Centre, an update on maternity services at University Hospitals Birmingham NHS Foundation Trust and the Birmingham and Solihull Integrated Care Board Delivery Plan and the Headline Finance Report Month 4.
- 4.32 Future Committee meetings will consider:
- Delivery of 24/25 savings
 - Implications of national and local policy in relation to health and social care to ensure that joint working arrangements between the Council and NHS will improve outcomes for patients and citizens
 - Report on the opening of the Midland Metropolitan Hospital
 - NHS response to managing winter pressures
 - Update on the Independent Reviews into University Hospitals Birmingham NHS Foundation Trust.
- 4.33 **Neighbourhoods O&S Committee:** In line with all OSCs, Members considered the impact of the delivery of the 2024/25 savings and the delivery of the Improvement and Recovery Plan (IRP) within the committee's terms of reference at the July T&F meeting. At the October Committee meeting members considered the delivery of savings and the IRP Programmes within the Committee's terms of reference and also a report on the proposed improvement of Street Management.
- 4.34 At future meetings the Committee will consider:

- The delivery of the 2024/25 savings and the IRP Programmes within the Committee's terms of reference.
- The Transformation of Neighbourhood Advice and Information Services and Community Libraries
- An update on the review of parks.
- Implementation of Waste Improvement Programme and Street Scene Transformation.
- The Committee is also developing a themed meeting later in the year to fulfil its responsibilities as the Crime and Disorder Committee, incorporating the Birmingham Community Safety Partnership annual report, neighbourhood policing and place-based approach to addressing anti-social behaviour.

4.35 **Sustainability and Transport O&S Committee:** The Committee has continued work on the Road Safety inquiry which will be reported to City Council in December 2024. The Committee has also received information on the current position for Highways Maintenance and Management, Illegal Footway Crossings (Dropped Kerbs) and undertaken pre-decision scrutiny of the proposed Road Harm Reduction Strategy.

4.36 At future meetings the Committee will consider:

- Route to Zero carbon
- Highways network and permit scheme
- Delivery of 2024/25 Savings and IRP Programmes
- Impact of Clean Air Zone
- Flood Risk Management
- Monitoring the recommendations of the Scrutiny Inquiry on Active Travel

4.37 **West Midlands Police and Crime Panel:** The Lead Member report to City Council will provide an update on the work of the Panel.

5 MEMBER ENGAGEMENT

Ward Councillor(s)

5.1 Not Applicable

Overview and Scrutiny

5.2 Not applicable

Other

5.3 Not Applicable

6 IMPACT AND IMPLICATIONS

Finance and Best Value

6.1 There are no financial implications resulting from the recommendations in this report. Overview and Scrutiny Committees will continue to scrutinise the delivery of savings as a key element of the Council's financial recovery.

Legal

6.2 There are no legal implications resulting from the recommendations in this report. The work of the O&S Committees meets the Council's statutory duties regarding local government and health scrutiny as set out in the Statutory Guidance: [Overview and scrutiny: statutory guidance for councils, combined authorities and combined county authorities - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/342222/Overview_and_scrutiny_statutory_guidance_for_councils_combined_authorities_and_combined_county_authorities.pdf) and Health Scrutiny Regulations: [Local authority health scrutiny - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/342222/Local_authority_health_scrutiny.pdf)

Equalities

6.3 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.

6.4 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.

6.5 Overview and Scrutiny 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; Whether any positive opportunities to advance equality of opportunity and/or good relations between people are being realised.

6.6 Overview and Scrutiny 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.

Procurement

6.7 There are not procurement implications arising from this report.

People Services

6.8 There are no staffing implications arising from the recommendations in this report.

Climate Change, Nature and Net Zero

6.9 Overview and Scrutiny Committees will consider climate change, nature and Net Zero issues relevant to the work programme items.

Corporate Parenting

6.10 Overview and Scrutiny Committees will consider corporate parenting responsibilities and opportunities relevant to the work programme.

Other

6.11 There are no other implications arising from the recommendations in this report.

7 APPENDICES

7.1 None

8 BACKGROUND PAPERS

8.1 None