

BIRMINGHAM CITY COUNCIL

CO-ORDINATING OVERVIEW AND SCRUTINY COMMITTEE

FRIDAY, 14 JUNE 2019 AT 10:00 HOURS
IN COMMITTEE ROOMS 3 & 4, COUNCIL HOUSE, VICTORIA
SQUARE, BIRMINGHAM, B1 1BB

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chairman to advise/meeting to note that this meeting will 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 are confidential or exempt items.

2 APOLOGIES

To receive any apologies.

3 APPOINTMENT OF CO-ORDINATING OVERVIEW AND SCRUTINY COMMITTEE CHAIR, DEPUTY CHAIR AND MEMBERS

(i) To note the resolution of the City Council appointing the Committee, Chair, Deputy Chair and Members to serve on the Committee for the period ending with the Annual Meeting of the Council in 2020

Labour Group: Councillors Tahir Ali, Sir Albert Bore, Liz Clements, Penny Holbrook, Mariam Khan, Rob Pocock, Carl Rice and Kath Scott.

Conservative Group: Councillors Deirdre Alden, Debbie Clancy and Charlotte Hodivala.

Liberal Democrat Group: Councillor Roger Harmer.

(ii) To elect a Deputy Chair for the purposes of substitution for the Chair, if absent, for the period ending with the Annual Meeting of the Council in 2020.

4 DECLARATIONS OF INTERESTS

Members are reminded that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

- 5 - 12**
- 5 **CO-ORDINATING OVERVIEW AND SCRUTINY COMMITTEE - TERMS OF REFERENCE 2019/20**
- For noting
- 13 - 22**
- 6 **ACTION NOTES AND ACTION TRACKER**
- To confirm the action notes of the meeting held on 12 April 2019 and note any outstanding actions
- 7 **CHAIR'S ACTIONS**
- For the Chair to update Committee on any actions taken between meetings
- 23 - 44**
- 8 **JNC RE-STRUCTURE UPDATE**
- Dawn Baxendale, Chief Executive, and Dawn Hewins, Director, HR, in attendance
- 9 **DEPUTY LEADER - UPDATE**
- Councillor Brigid Jones, Deputy Leader, to give Committee an update on portfolio priorities
- 45 - 64**
- 10 **CALL-IN**
- To review the call-in process and guidance
- 65 - 90**
- 11 **PRIORITIES FOR THE YEAR AND WORK PROGRAMME**
- For discussion
- 12 **CO-ORDINATING OVERVIEW AND SCRUTINY COMMITTEE - DATES OF MEETINGS 2019/20**
- (i) The Chair proposes that the Committee meets on the following Fridays at 1000 hours in the Council House:-
 2019: 12 July, 6 September, 4 October, 8 November, 6 December
 2020: 10 January, 7 February, 6 March, 3 April and 8 May.
- (ii) The Committee is also requested to approve Fridays at 1000 hours as a suitable day and time each week for any additional meetings required to consider 'requests for call in' which may be lodged in respect of the Executive decisions.
- 13 **REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR ACTION/PETITIONS RECEIVED (IF ANY)**
- To consider any request for call in/councillor call for action/petitions (if received).

14 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

15 **AUTHORITY TO CHAIRMAN AND OFFICERS**

Chairman to move:-

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

Item 5: O&S Terms of Reference

Extract from Constitution May 2019

5.5 Overview and Scrutiny Committees

All Councillors, except Cabinet Members (and the Lord Mayor) can be members of an Overview and Scrutiny Committee. Chairs of these committees are appointed by the Full Council and Deputy Chairs are elected by each committee at its first meeting, for the purpose of substitution for the Chair if absent.

General role

Overview and Scrutiny Committees will:

- (i) 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;
- (ii) Consider any matter covered in their terms of reference that may affect or be likely to have an effect on the citizens of Birmingham; and
 - is relevant to the Council's strategic objectives; and/or
 - is relevant to major issues faced by officers in managing a function of the Council; and
 - is likely to make a contribution to moving the Council forward and achieving key performance targets.
- (iii) Exercise the "request for call-in" and "call-in" any Executive decisions made but not yet implemented by the Executive.

Overview and Scrutiny Chairs should 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.

Specific functions:

- (i) Policy development and review

Overview and Scrutiny Committees may:

- assist the Council and / or the Executive in the development of its budget and policy by appropriate analysis of policy and budget issues;
- conduct appropriate research, community and other consultation in the analysis of policy and budget issues and possible options;

- consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- question Members of the Executive and/or Chief Officers about their views on issues and proposals affecting their areas of responsibility; and
- liaise with other external organisations operating in the city, whether national, regional or local to ensure that the interests of local people are enhanced by collaborative working.

(ii) Scrutiny

Overview and Scrutiny Committees may:

- review and scrutinise the Executive decisions made by and performance of the Executive and/or Chief Officers in relation to decisions taken by them or in relation to their areas of responsibility / department;
- review and scrutinise the performance of the council in relation to its policy objectives, performance targets and / or particular service areas – including the areas of responsibility of the Regulatory and Non-Executive Committees, but not the actual decisions of the Regulatory and Non-Executive Committees;
- make recommendations to the Executive, Chairmen of Committees, Chief Officers and/or Council arising from the outcome of the scrutiny process;
- review and scrutinise the performance of other relevant public bodies in Birmingham (including Health Authorities) and to invite reports from them by requesting them to attend and engage with the Overview and Scrutiny Committee about their activities and performance;
- question and gather evidence from any person (with their consent); and
- establish sub-committees to undertake aspects of that committee's remit, or Task and Finish Committees to carry out specific time limited enquiries as agreed with the eight Overview and Scrutiny Committee Chairs and subject to available resources.

Terms of Reference of Overview and Scrutiny Committees

There shall be eight Overview and Scrutiny Committees as set out in the terms of reference below.

Co-ordinating Overview and Scrutiny Committee

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 governance (including transparency, regional working and partnerships); citizens (including communications and public engagement); performance; customer services and emergency planning.

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) publishing each year an Annual Programme of major scrutiny inquiries as suggested by individual Overview and Scrutiny Committees following consideration of the Council Plan and priorities;
- (e) agreeing the establishment of any task & finish groups; and
- (f) considering overview and scrutiny development, working practices and constitutional arrangements.

Membership of the Co-ordinating Overview and Scrutiny Committee will consist of 12 members: the chair of the committee and the seven other Overview and Scrutiny Committee chairs along with 4 places for opposition group members to ensure proportionality.

Resources Overview and Scrutiny Committee

To fulfil the functions of an Overview and Scrutiny Committee as they relate to any policies, services and activities concerning finance (including strategic finance, budget setting and financial monitoring); revenues and benefits; human resources; contracting, commissioning and commercialism.

Health and Social Care Committee

To fulfil the functions of an Overview and Scrutiny Committee as they relate to any policies, services and activities concerning adult safeguarding, social care and public health; and to discharge the relevant overview and scrutiny role set out in the National Health Service Act 2006 as amended by the Health and Social Care Act 2012, including:

- The appointment of Joint Overview and Scrutiny Committees with neighbouring authorities; and
- The exercise of the power to make referrals of contested service reconfigurations to the Secretary of State as previously delegated to the Health and Social Care Overview and Scrutiny Committee by the Council.

Education and Children's Social Care Overview and Scrutiny Committee

To fulfil the functions of an Overview and Scrutiny Committee as they relate to any policies, services and activities concerning schools and education, the Children's Trust, vulnerable children, corporate parenting and other child social care and safeguarding functions of the council.

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); and
- (c) Parent Governor representatives (two).

Economy and Skills Overview and Scrutiny Committee

To fulfil the functions of an Overview and Scrutiny Committee as they relate to any policies, services and activities concerning strategic economy; skills and apprenticeships; land and property; inward investment; land use planning; business improvement districts and the Local Enterprise Partnership.

Sustainability and Transport Overview and Scrutiny Committee

To fulfil the functions of an Overview and Scrutiny Committee as they relate to any policies, services and activities relating to sustainability; air pollution; transport strategy and highways.

The Committee shall undertake the authority's statutory functions in relation to the scrutiny of flood risk management (Flood and Water Management Act 2010).

Housing and Neighbourhoods Overview and Scrutiny Committee

To fulfil the functions of an Overview and Scrutiny Committee as they relate to any policies, services and activities concerning housing; social cohesion; waste management; neighbourhood management; parks and allotments; localisation; bereavement services and community safety.

This Committee shall be the Crime and Disorder Committee (Police and Justice Act 2006).

Commonwealth Games, Culture and Physical Activity Overview and Scrutiny Committee

To fulfil the functions of an Overview and Scrutiny Committee as they relate to any policies, services and activities concerning arts and culture; libraries and museums; the Commonwealth Games and sport; events.

Conflicts of interest – Membership of Overview and Scrutiny Committees and District and Ward Forums

- If an Overview and Scrutiny Committee is scrutinising specific decisions in relation to the business of the Ward Forum of which an Overview and Scrutiny Committee Councillor is a Member, then that Councillor must withdraw from the meeting during the consideration of such matter.
- Where, however, the Overview and Scrutiny Committee is reviewing policy matters, generally, as opposed to a specific decision of the Ward Forum, the Member must declare his/her interest before the relevant agenda item is reached, but need not withdraw.

Overview and Scrutiny Work and Non-Executive Committees

- Overview and Scrutiny Committees are only permitted by law to scrutinise the Executive decisions of the council – Cabinet, Cabinet Committees, Cabinet Members, Ward Forums, and officers.
- In terms of the Regulatory Committees, these carry out quasi-judicial functions and, as such, appropriate appeal rights and procedures apply to the same, which do not involve the Overview and Scrutiny Committees arrangements.

“Request for Call-In” and “Call-In”

- When an Executive decision is taken by the Cabinet, Cabinet Member(s) or Chief Officer jointly with Cabinet Members or Cabinet Committees, the decision shall be published by electronic means, and copies of it shall be available at the main offices of the Council, normally within three days of being made. All Members and Chief Officers will be sent a notification of all such decisions within the same timescale, by the Committee Services Officer responsible for publishing the decision.

- The relevant notice will bear the date on which it is published and will specify that the Executive decision may be implemented, after the expiry of three working days after the publication of the decision, unless a “Request for call-in” is made of the Executive decision, by at least two Councillors (who are not members of the Cabinet). The “Request for Call In” should state the reason for call-in.
- Once a “Request for Call In” has been received, the Chair of Co-ordinating O&S Committee will agree which Overview and Scrutiny Committee should hear the call-in. That Committee must meet to consider the request. The meeting should take place not later than 15 clear working days after the original publication of the decision.
- It is for the Committee to decide whether to Call In a decision or not. The council does not expect an Overview and Scrutiny Committee to Call In an Executive decision unless one or more of the following criteria applies.
- Where the Committee does decide to call in a decision, the “re-consideration” which is then required must take place at a meeting of the full Cabinet – irrespective of who made the original decision on behalf of the Executive.

Call-In Criteria

	(a) Is the Executive decision within existing policy?
1	<i>the decision appears to be contrary to the Budget or one of the ‘policy framework’ plans or strategies;</i>
2	<i>the decision appears to be inconsistent with any other form of policy approved by the full Council, the Executive or the Regulatory Committees;</i>
3	<i>the decision appears to be inconsistent with recommendations previously made by an Overview and Scrutiny body (and accepted by the full Council or the Executive);</i>
	(b) Is the Executive Decision well-founded?
4	<i>the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision;</i>
5	<i>the Executive appears to have overlooked some relevant consideration in arriving at its decision;</i>
6	<i>the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do;</i>
7	<i>the decision appears to be particularly “novel” and therefore likely to set an important precedent;</i>

8	<i>there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council.</i>
	<i>(c) Has the Executive decision been properly taken?</i>
9	<i>the decision appears to give rise to significant legal, financial or propriety issues;</i>
10	<i>the notification of the decision does not appear to have been in accordance with council procedures;</i>
	<i>(d) Does the Executive decision particularly affect a ward?</i>
11	<i>the decision appears to give rise to significant issues in relation to a particular ward.</i>

BIRMINGHAM CITY COUNCIL

CO-ORDINATING O&S COMMITTEE – PUBLIC MEETING

1000 hours on Friday 12th April 2019, Committee Rooms 3 & 4

Action Notes

Present:

Councillor Josh Jones (Chair)

Councillors Mohammed Aikhlaq, Tahir Ali, Deirdre Alden, Sir Albert Bore, Debbie Clancy, Liz Clements, Roger Harmer and Rob Pocock

Also Present:

Councillor Ian Ward, Leader

Councillor Brett O'Reilly, Cabinet Member, Clean Streets, Waste & Recycling

Clive Heaphy, Chief Finance Officer

Kate Charlton, City Solicitor

Darren Share, Acting Director Waste Management

Emma Williamson, Head of Scrutiny Services

1. NOTICE OF RECORDING/WEBCAST

The Chair 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 Charlotte Hodivala.

3. DECLARATION OF INTERESTS

None

4. ACTION NOTES/ISSUES ARISING

(See document No 1)

The action notes from the meeting held on 15th March 2019 were agreed.

Cllr Jones noted that the Chief Executive had given her apologies due to illness and therefore the committee agreed to defer item 7: JNC update.

5. LEADER OF THE COUNCIL – PRIORITIES FOR IMPROVEMENT

(See document No 5)

Cllr Ian Ward introduced the item stating that the stocktake report, the report of the Birmingham Independent Improvement Panel (BIIP) and the auditor's letter clearly lay out the improvement needed. The City Council has started on that journey but it is recognised that we are in the foothills.

In particular, focus should be on improving service delivery in adult social care, improving industrial relations, and taking on board the recommendations of the auditor.

One of those recommendations related to the independent review of waste services to be commissioned, which will look at how the service is managed so it meets the needs and expectations of the public.

The City Council remains open to external challenge alongside internal scrutiny operations. In 12 months, the LGA will be invited to undertake a peer review to demonstrate how the City Council is continuing to improve.

In response to a question as to why these documents had come to scrutiny when they had been discussed at Full Council, the Chair responded that this was to give further exploration to Scrutiny's role in improvement and to allow members to ask more detailed questions than the discussion at Full Council allowed.

Members made the following points:

- The City Council needs to better recognise the need for transformation in its assessment of performance, to allow Scrutiny to support that. The Chair confirmed that he had had discussions with officers on how Scrutiny can support the performance framework and further workshops would be held.
- Citizens' views should form part of the assessment.
- The capacity of Scrutiny and of the wider organisation to support scrutiny was raised as this was mentioned in the report and has not yet been addressed.
- The report contained many phrases that members could agree with but wanted to see how these would be actioned, for example putting into effect the parity of esteem for Scrutiny and the Executive and strengthening scrutiny.

- Issues about political and managerial leadership are raised in the reports and some of these will need to be picked up when the JNC re-structure item returns to committee (for example capacity with regards to sustainability and the turnover of staff in some areas).
- The Chair confirmed that regular meetings would be held with Scrutiny Chairs and the Deputy Leader, to maintain links and identify issues that needed to be addressed.
- Cabinet Members should attend scrutiny meetings to answer political and strategic questions.
- Members not attending or participating in scrutiny is also an issue. Perhaps the size of scrutiny committees should be increased so they can challenge effectively.
- The gap left by District Committees is not being addressed in any substantial way.
- The plan should be set out in plain English.

The Leader responded that the City Council is engaging with an organisation called Beat Freaks, targeting consultation with young people. He agreed with the points regarding capacity, noting that the point in the BIIP report is about senior officers, but is also true about Scrutiny itself.

He is more than willing to discuss Scrutiny working with the Executive and that the real benefit of scrutiny is to add value and we are not making enough of that. The key reason for increasing the number of scrutiny committees last year was that there had been few reports to Full Council. This was still the case so perhaps there is a need to look at what Scrutiny was spending time on. He also noted that this work should not just focus internally on the City Council.

The Leader recognised that there is more work to be done on localisation.

6. REQUEST FOR CALL IN: WASTE MANAGEMENT – COMMISSION OF AN INDEPENDENT REVIEW OF WASTE SERVICES WITHIN BIRMINGHAM

(See documents No 2, 3, 4)

Cllr Majid Mahmood outlined a number of concerns he had with the proposed commissioning of an independent review into waste services, including:

- That the City Council has already spent a lot on consultants and this means the Council will be spending more.
- The Auditor's recommendation included that the review should consider outsourcing the services, something previously ruled out by Full Council and a Labour manifesto commitment. This could be viewed as political and that the auditor has overstepped their remit.
- The specification had not been approved by the trade unions on the 26th March as required by the agreement reached between the City Council and trade unions.

- The Memorandum of Understanding (MOU) entered into in good faith by both parties was being reviewed, so why was another review proposed.
- Investment in the service that was promised has not materialised, including that of the old and failing vehicles, which is the main reason the service is failing.
- The cabinet report refers to increasing recycling which is a component of the review, but there is no mention of Household Recycling Centre (HRC) capacity.
- The indicative timetable does not set out a timeframe to complete the review.

At this point, members of the committee asked for clarification on which criteria the request for call-in was based on. Clarification was specifically requested on:

- Which districts were affected (criteria 11).
- Whether there was a review of the MOU currently underway.
- The current provision for refreshing the fleet of waste vehicles.

The Cabinet Member for Clean Streets, Waste and Recycling responded that it was not the case that there is a review of the MOU on-going. As part of the settlement a Joint Service Improvement Board (JSIB) was set up that looks at issues relating to the MOU. The independent review will be discussed at this board.

The Leader reminded the committee that this review was being commissioned because, in settling the dispute, an agreement was reached that included an independent review of this service, which the trade unions welcomed as they wanted the management of the service to be reviewed and Cabinet has agreed this. It is also a recommendation of the auditor that Full Council approved last week.

Cllr Mahmood then talked through the criteria for call-in:

Criteria 1, 2 and 3 – as the Full Council motion agreed a preference for in-house provision.

Criteria 4, 5 and 6 – waste is a universal service and residents and councillors should have been consulted.

Criteria 8 – the specification had not been agreed with the trade unions ahead of Cabinet on the 26th March 2019.

Criteria 9 – information relating to the vehicles and the need to procure new vehicles was not addressed.

Criteria 11 – there are particular issues with regards to the vehicles at the Perry Barr waste depot.

Members then raised the following points:

- That the objections to the review were related to outsourcing but this decision was not a decision to outsource.
- How were the bidders selected?
- Will the final report be made public?
- The question relating to the vehicles had not yet been addressed.

- How does this review dovetail with the work to re-procure the Veolia contract?
- How can we involve citizens as stakeholders?
- Could more detail be provided on the terms of reference, clarifying exactly what would be covered?
- If the review made recommendations that required additional funding for the service, where would this come from?

The Leader and Cabinet Member responded:

- With regards to the vehicles, the intention is to have a staged replacement, with £11.8m for stage 1 including a fleet condition survey. Clive Heaphy, Chief Finance Officer, further clarified that the typical life cycle of fleet vehicles was 7 to 10 years, so a rolling programme of funding was needed that kept figures consistent year on year. Council agreed in February that the first tranche would be £11.8m. This will be reviewed.
- The report of the review would be published in full.
- Talks with the trade unions are going well and delaying this review would be unhelpful.
- Any decisions on future budgets would be determined by Full Council.

The Chair informed the committee that he had been speaking to officers about reinvigorating the Citizens Panel and that could incorporate work in this area.

The Cabinet Member agreed with the Chair's suggestion that he would share a more detailed note on the terms of reference, setting out what each provision would mean, including in relation to vehicles and depots, thus strengthening key areas. An informal meeting of this committee would then be held to discuss this. He also agreed that this process would be the catalyst to start wider engagement with citizens on this service and welcomed the suggestion that the Citizens Panel be reinvigorated.

Members of the committee further added that:

- This call-in had brought out information not otherwise readily available (including the working of JSIB, the capital programme in relation to vehicles and depots and the failure in recent years to invest in these) and so demonstrated the added value of scrutiny.
- Engagement with citizens should include those who had had repeated problems with the service.
- The Chair agreed with the Cabinet Member that he would have regular updates on the work of the JSIB.

RESOLVED:

- That the decision is not called-in (on a vote of 7 to 1, with 1 abstention).

- That the Cabinet Member would share a more detailed note on the terms of reference, setting out what each provision would mean, including in relation to vehicles and depots, thus strengthening key areas.
- That an informal meeting of this committee would then be held to discuss this.
- That the Chair would hold regular updates with the Cabinet Member on the work of the JSIB.

7. JNC RE-STRUCTURE UPDATE

(See document No 6)

This item was deferred due to the Chief Executive being unable to attend.

8. WORK PROGRAMME

(See document No 7)

The Chair proposed to hold an additional meeting in May to discuss Commonwealth Games issues and a date would be agreed outside the meeting.

With regards to the Inquiry into City Council, the Chair said he proposed to share the draft report with members to get their views, and then bring in work undertaken as part of the Review of Scrutiny. Cllr D Alden objected to this, saying that members had had a chance to input earlier in the session. She also noted that the recommendations would not now be ready in time for the review of the Constitution at the start of the new municipal year.

RESOLVED:

The work programme was noted.

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

None.

10. OTHER URGENT BUSINESS

None.

11. DATE OF NEXT MEETING

The set of dates for the 2019/20 municipal year would be circulated.

12. 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

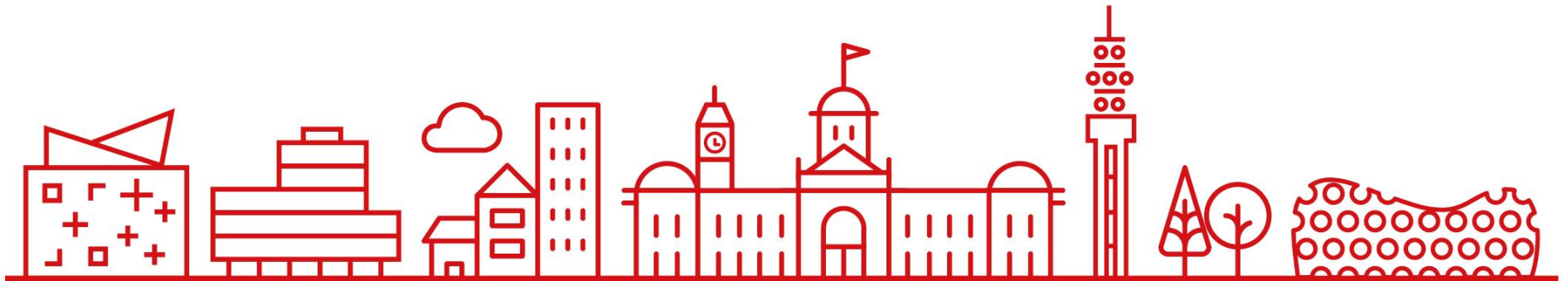
The meeting ended at 1215 hours.

CO-ORDINATING O&S COMMITTEE
ACTION TRACKER 2019/20

Date	Agenda Item	Action	Notes
09-Nov-18	Corporate Governance Plan	Update note on the work of the West Midlands Combined Authority (WMCA), with particular reference to diversity and the leadership Commission, to be provided.	To be scheduled as part of Leader's update (July)
07-Dec-18	Budget Consultation	Cllr Cotton to meet with Deputy Leader and officers to discuss earlier involvement of scrutiny in the budget process.	Cllr Rice meeting with Cllr Jones 10 th June
12-Apr-19	Request for Call-In	That a letter be sent to the Cabinet Member for Clean Streets, Waste and Recycling setting out agreed actions following the meeting	COMPLETED: Letter sent 16 th April
12-Apr-19	Request for Call-In	That a detailed appendix to the terms of reference is circulated and discussed at an informal meeting	PART COMPLETED: the invite to tender has been circulated to members (30 th May)

Reshaping the Council to be Fit for the 21st Century

Extended Leadership Team restructure transition (as at April 2019)



New Council Plan approved at Full Council 10 July 2018

Our Outcomes and Priorities:

- Birmingham – a city of growth where every child, citizen and place matters
 - Birmingham is an entrepreneurial city to learn work and invest in
 - Birmingham is an aspirational city to grow up in
 - Birmingham is a fulfilling city to age well in
 - Birmingham is a great city to live in
 - Birmingham residents gain the maximum benefit from hosting the Commonwealth Games

Birmingham City Council Plan: 2018-2022

Challenges and opportunities

BIRMINGHAM HAS
1,141,000
CITIZENS
46%
UNDER 30



Our population is expected to rise to 1.31million by 2039 (15% rise from now) and 24% predicted rise in adults aged 85+ by 2028.

90
A
DIFFERENT
LANGUAGES
ARE SPOKEN

Birmingham has a young and richly diverse population with 25% of the population under-18 and 42% from Black and Minority Ethnic communities.

OUTSIDE OF LONDON
OUR CITY IS THE
MOST
ETHNICALLY &



CULTURALLY
DIVERSE



1,789
CHILDREN
IN CARE
(UNDER 18)

1 in 3 children live in poverty and there is a gap in life expectancy between the wealthiest and poorest wards. English is not the first language for 42% of school children.

1,836
FAMILIES
SUPPORTED BY
FAMILY SERVICES*

(*THINK FAMILY)

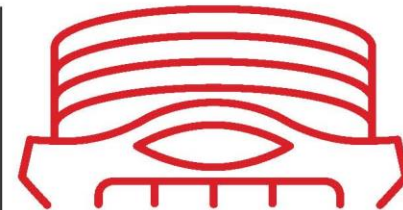


Unemployment is higher than the UK average – 6.4% in Birmingham compared to 2.6% in the UK. Unequal employment rates across Birmingham – e.g. Hodge Hill at 46% compared to 78% in Sutton Coldfield. Air pollution causes up to 900 premature deaths (deaths before the age of 75) per year.



61,818
COUNCIL HOUSES

89,000 new homes are needed by 2023: street homelessness is on the rise and 1 in 88 people (12,785) are homeless.



MOST RAPIDLY
IMPROVING CITY

to live and work in with exciting new developments in Birmingham city centre, delivering almost 13,000 new homes, over 40,000 jobs and adding £2billion to the local economy.

COMMONWEALTH
GAMES

will reposition Birmingham globally,

GENERATING
£526m

for the regional economy and creating 1,000 new homes.



Wide ranging lively cultural offer, including world class theatres, Town Hall and Symphony Hall and a rich tapestry of festivals.

CITIZENS'
TOP PRIORITIES

- #1** Clean Streets (57%)
- #2** Refuse Collection (55%)
- #3** Child Protection and Safeguarding (37%)
- #4** Road and Pavement Repairs (37%)
- #5** Care and Support for Older and Disabled People (36%)

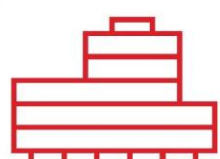
IN 2017, MORE THAN
12,000
NEW COMPANIES
OPENED THEIR DOORS
FOR NEW BUSINESS
IN BIRMINGHAM



HOME TO OVER
20
MUSEUMS

571
PARKS

More than any other European city.

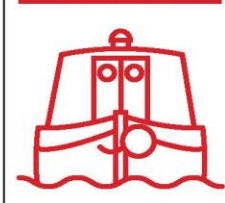


4 MILLION VISITORS TO
CITY'S 37
LIBRARIES
ANNUALLY



12,373
ADULTS (18+)
RECEIVING
LONG-TERM SUPPORT

35 MILES
OF WATERWAYS
MORE CANALS
THAN VENICE



HOME TO
5
UNIVERSITIES
with 87,400 students (aged 16-64).

Our Challenges and Opportunities:

- Council wide Improvement and Governance Plan – has been monitored by Birmingham Independent Improvement Panel
- Budget Challenges – launched budget earlier this year – in-year pressures and continuing austerity being monitored
- Clarity of understanding regarding impact additional cuts / reductions in service
- Delivering the Commonwealth Games 2022

We need to:

- Have greater integration between our services and functions
- Make much better use of customer insight and business intelligence to ensure we make informed decisions and deploy all our resources appropriately
- Be leaner and more agile, with fewer layers of management and increased spans of control
- Work more collaboratively as 'one council' Extended Leadership Team
- Further consolidation of support services to realise efficiencies

We must excel in:

- Delivering political priorities and outcomes
- Focusing on excellence in customer experiences
- Robust commissioning of outcomes and ensuring delivery of the 'right' service, irrespective of whether they are delivered internally or externally
- Enabling economic growth
- Prevention and early intervention
- Encouraging innovation and a commercial approach
- Evidence based decision making at all levels, supported by effective performance management

Considerations:

- Overall design criteria (i.e. what BCC must excel at)
- Structure and roles
- Management processes and information flows
- How best to motivate staff to do things differently (performance management)
- Whether we have the right skills and mindsets to be applied to each role

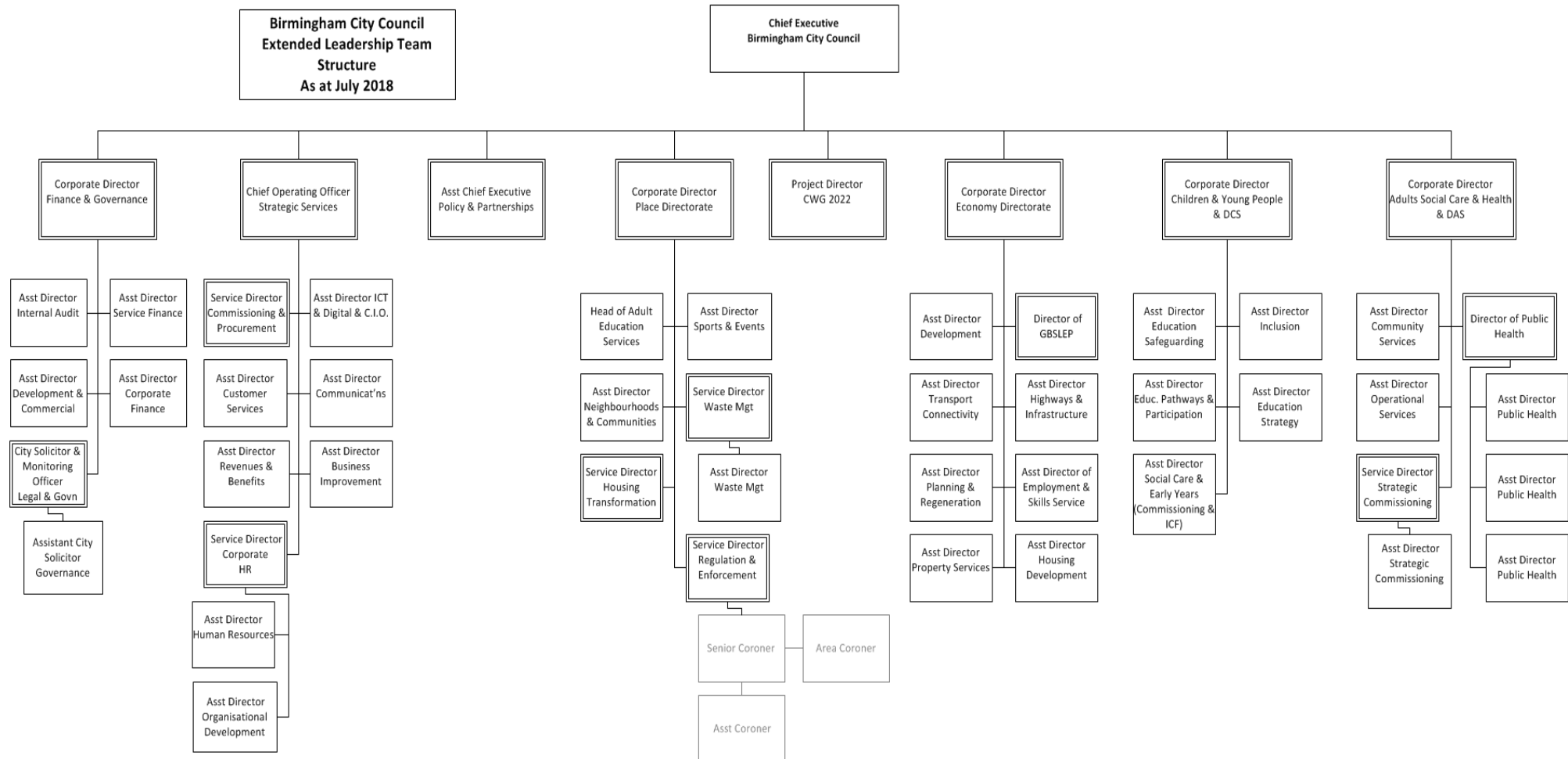
The following options were considered:

- Keep the current structure
- Organising around outcomes
- Organising around stages of customer journeys
- Organising around a combination of outcomes and customer journeys
- Executing exactly as proposed in the Future Operating Model 2017
- Redesigning a new organisational structure to deliver the new Council Plan, which is the preferred option being taken forward

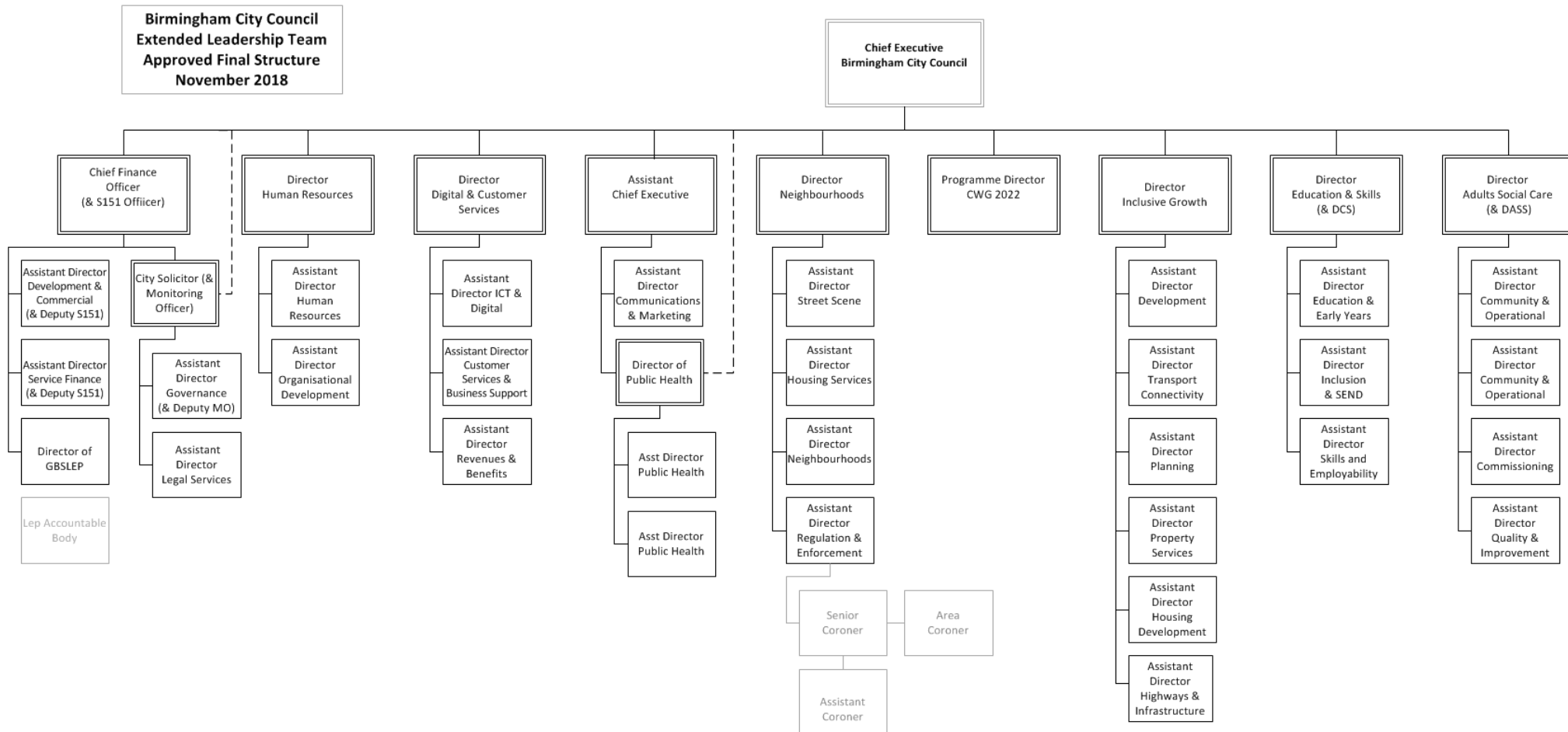
Translating the vision into reality - transitioning to the new structure

(i.e. from 51 posts to 41 posts)

Previous Structure:



New Structure:



Finance and Governance:

- Embedding a new organisation design following a previous finance restructure, and then following further conversations with Chief Finance Officer and Chief Executive re transition
- The Directorate will lead on the commercialism agenda. All commercial posts from across the organisation transferred into Development & Commercial division, including e.g. 100 Companies, Acivico and CityServe.
- Procurement and Contract Management activity transferred from Corporate Procurement Services into Development & Commercial division
- Service Finance – some transitions already occurred. Assistant Director role to be appointed to on permanent basis
- Audit, and Corporate Finance - further conversations occurring with consideration to the S24 notice recently issued
- Assistant Director Legal Services commenced February, Assistant Director Governance TBC

Human Resources:

- HR Director reporting line changed to Chief Executive with immediate effect from 18 July 2018, so that HR function is independent of influence of any directorate
- All Human Resources activity transferring to the Assistant Director Human Resources (HR) including employee relations, transactional, recruitment and restructuring
- All Organisational Development activity transferred to the Assistant Organisational Development including workforce strategy and employee reward & recognition.
- Health and Safety now reports directly to the HR Director
- Occupational Health & Well-being now reports directly to HR Director
- Strengthened approach re HR hierarchy and systems, reports directly to HR Director
- Assistant Director Organisational Development commenced in post January 2019
- Assistant Director Human Resources vacancy selection process in progress

Digital and Customer Services – new Directorate:

- New directorate created called Digital and Customer Services to lead the ICT&D, Revenues & Benefits, Customer Services and Business Support services.
- Communications, & PMO transferred to Partnerships, Insight and Prevention on 21st January 2019
- CPS - Commercialism and Procurement, Commissioning and Cityserve transferred to Development & Commercial in Finance and Governance
- New division created for Customer Services and Business Support (including PSS) – services transferred to Assistant Director April 2019
- Vacant Director Digital and Customer Services has been advertised and is at technical assessment stage

Partnerships, Insight and Prevention led by ACE

- Community Cohesion; Community Safety Partnership; Prevent; Counter Terrorism; Emergency Planning; Resilience – transferred from Place directorate 21st January
- Communications and Marketing team transferred from Strategic Services 21st January
- PMO including Insight and Intelligence; Business Analytics; Data; Research and Performance transferred from Strategic Services 21st January
- Director and Assistant Directors of Public Health, transferred in 21st January
- New Director Public Health commenced February 2019
- Vacant Assistant Director Public Health post is being advertised

Neighbourhoods - new Directorate name:

- New division Streetscene incorporating all waste management and disposal, grounds maintenance, street cleansing and parks and nature activity. AD Streetscene being recruited to
- A new division created named Neighbourhoods bringing neighbourhood and community activity together, services transferred 21st January
- BAES; Libraries; Youth Centres and Careers Services transferred to Education and Skills directorate 21st January
- Community Cohesion; Community Safety Partnership; Prevent; Counter Terrorism; Emergency Planning; Resilience transferred to PIP directorate 21st January
- School Crossing Patrol transferred to Inclusive Growth 21st January
- Asset Management being considered and to be determined

Commonwealth Games:

- Job title changed from Project Director CWG 2022 to Programme Director CWG 2022 with effect 21st January 2019
- Substantial area of work for BCC to be ready and host the CWG 2022 - there is much liaison and partnership work being undertaken
- Management posts below Programme Director being recruited to
- Review of the CWG team being undertaken
- Further engagement workshops planned for February

Inclusive Growth – new Directorate name

- Employment and Skills transferred to Education and Skills 21st January 2019
- LEP Accountable Body and Director GBSLEP transferred to the Finance and Governance directorate
- Two divisions are retained Highways and Connectivity and Transport Connectivity
- School Crossing Patrol transferred from the Place directorate to Highways and Infrastructure
- Asset Management from Place directorate under discussion and to be confirmed
- AD Property appointed in January 2019.
- Other AD vacancies being recruited to

Education and Skills – new Directorate name:

- New Director Education & Skills commenced in post January 2019
- Redesigned Assistant Director posts to:
 - Education and Early Years
 - Inclusion and SEND
 - Skills and Employability
- Director to determine services within each division. Vacancies to be advertised
- Birmingham Adult Education Services; Libraries; Youth Centres and Careers Services to transfer from Place, and also Employment & Skills transferred from Economy directorate to Assistant Director Skills and Employability 21st January 2019

Adult Social Care – new Directorate name:

- Public Health and support services transferred to PIP directorate 21st January
- Commissioning activity from across the whole council being transferred into this directorate to Assistant Director Commissioning post.
- A new division created to provide a renewed focus on Quality and Improvement following the recent CQC inspection – services to transfer into this division following Assistant Director Quality and Improvement appointment
- The two vacant Assistant Director Community and Operational Services posts are being recruited to



@BhamCityCouncil



@birminghamcitycouncil



@bhamcitycouncil





Call-In

Report to the Co-ordinating O&S Committee

1 Purpose

- 1.1 Following concerns and issues raised by call-ins held in the last municipal year, it is appropriate to remind members of the call-in process and the reasons behind it.
- 1.2 At the start of the municipal year, it is also an opportunity for members of this committee to review the call-in process and the guidance to ensure that it is still fit for purpose.

2 Background

- 2.1 Call-in is a statutory right for councillors sitting on scrutiny committees to delay the implementation of a decision which has been made (but has not yet been implemented) to allow a committee to consider the decision (Local Government Act 2000, Sections 9F(2)(a) and 9F(4)).
- 2.2 The Centre for Public Scrutiny *Practice Guide Key Decisions and Powers of Call-in* (see Appendix 1) sets out why call-in is important:

Call-in provides a mechanism for councillors to intervene when they feel that a decision being made by the executive needs to be revisited (or possibly changed). It provides a key check and balance in the leader/cabinet system of governance – a long-stop that, in theory, prevents the overweening exercise of power by Cabinet.

It should, however, be regarded as a measure that is only needed in exceptional circumstances, rather than day-to-day. It sits in the context of a range of other tools at scrutiny's disposal to influence decision-making.

- 2.3 Whilst legislation sets out that members of scrutiny must have the power of call-in, it is for local authorities to determine their own procedure. As the Centre for Public Scrutiny *Practice Guide Key Decisions and Powers of Call-in* (Appendix 1) indicates, most local authorities follow a similar procedure to Birmingham, i.e.:
 - Notification of the decision is sent to all members, and members have a period of time (3 days in Birmingham's case) to lodge a call-in request;
 - If a valid request for a call-in is received, a meeting of the relevant overview and scrutiny committee is convened. There is usually a time limit for this (15 days from the date of posting in Birmingham);



- The meeting takes place and the committee decides on what action to take. They may agree that the decision may be implemented, or they may recommend that it be changed, or that it be withdrawn entirely;
- The executive meets to re-consider the decision. If the executive decides to continue to implement, there is no further right of call-in.

3 Review of Birmingham Procedure

- 3.1 Appendix 2 sets out Birmingham's procedure as set out in the Constitution. It is proposed that the final criteria – originally inserted in 2012 to give District Committees a lever for call-in, with the wording amended when District Committees were disbanded – is removed as it is no longer relevant.
- 3.2 Appendix 3 sets out the more detailed procedure note on how to conduct a call-in. The following amendments are proposed:
- To add a section (Section 3) clarifying which decisions can be called-in;
 - To clarify who attends the call-in meeting (paragraph 6.3 and 6.4);
 - To clarify the procedure for Cabinet Members and officers during the committee's deliberation so that whether they are asked to leave or not is clearly at the Chair's discretion (paragraph 6.7);
 - To add a new section on roles in the call-in meeting (paragraph 6.9-6.12);
 - To add provision for what happens when an Executive decision is withdrawn following a call-in (paragraph 7.6).
- 3.3 In addition members are asked to confirm that the amount of information required from members requesting a call-in – as set out in paragraph 5.6 – should stand. There are often requests before a call-in meeting from officers and Cabinet Members for more information to enable them to better prepare for the call-in.

4 Recommendations

- 4.1 Members are asked
- To consider whether to recommend changes to the Constitution in relation to the call-in process as set out;
 - To agree the attached procedure note for call-in including amendments as marked;
 - To confirm if any changes are needed to paragraph 5.6 of the guidance.

Practice guide 4

Key decisions and powers of call-in



Issue 1

June 2014

Contact: Ed Hammond: (020) 7187 7369 / ed.hammond@cfps.org.uk

This is one of a series of practice guides produced by the Centre for Public Scrutiny to assist those working in the overview and scrutiny functions of local authorities.

What is this guide about?

This guide is about call-in, the right for councillors sitting on scrutiny committees to delay the implementation of a decision which has been made (but has not yet been implemented) to allow a committee to consider the decision.

It focuses on the legal powers relating to call-in, and looks at approaches that some councils have taken to its use. In February 2014, CfPS contributed to a piece of research carried out by the Northern Ireland Assembly on the use of call-in by councils in England and Wales – the research can be found at <http://ow.ly/wzQnL>.

Why is call-in important?

Call-in provides a mechanism for councillors to intervene when they feel that a decision being made by the executive needs to be revisited (or possibly changed). It provides a key check and balance in the leader/cabinet system of governance – a long-stop that, in theory, prevents the overweening exercise of power by Cabinet.

It should, however, be regarded as a measure that is only needed in exceptional circumstances, rather than day-to-day. It sits in the context of a range of other tools at scrutiny's disposal to influence decision-making.

What are the legal provisions which determine how and when call-in can be used in England?

England: what are “key decisions”, and how can they be called in?

The law relating to call-in in England can be found in the **Local Government Act 2000**. Sections 9F(2)(a) and 9F(4) of that Act between them establish that scrutiny has a power to review or scrutinise decisions made but not implemented by the executive, which includes a power to recommend that the decision be reconsidered by the person who made it. The power in the Act also includes the power for an overview and scrutiny committee to refer the issue to Full Council for them to consider it substantively. “Decision” here should be interpreted as meaning a “key decision”, for which a definition is provided below.

Statutory guidance was issued in October 2000 by the then-Department of the Environment, Transport and the Regions which set out more detail on what particular issues councils would need to consider in establishing their call-in arrangements. This guidance is still active, and as such councils are bound to follow it. It forms part of wider guidance about council constitutions and should be read together with the Government's example constitution, issued at the same time. These are no longer available on Government websites, but can be downloaded from:

- (MC) “**Modular constitutions for English local authorities**” (DETR, 2000), <http://ow.ly/wzVsM>,
- (NCC) “**New council constitutions: guidance to English authorities**” (DETR, 2000), <http://ow.ly/wzVGx>

Generally only “key decisions” made by the authority are subject to call-in, although councils may decide in their constitutions to expand the scope of their call-in powers to allow other decisions to be scrutinised. Key decisions will for the most part be decisions made by Cabinet members as individuals (where a power for individual Cabinet members to make decisions is delegated from the Cabinet) or by Cabinet as a whole. However, NCC states (para 3.75) “it may be appropriate for key decisions made by officers to be subject to individual call-in”.

The current definition for key decisions derives, in England, from the **Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012**. This definition has not changed substantively since it was first established shortly after the passage of the 2000 Act.

This set of regulations establishes that a key decision is:

“an executive decision, which is likely a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant [...] or b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions [...]”. Individual councils have adopted varying definitions for what a key decision is, but they all reflect these two broad requirements.”

Key decisions must be notified publicly. Until 2012, English councils were obliged to do this through a Forward Plan, which had to be published fourteen days before the end of every month, which set out planned key decisions for the subsequent four months. Since 2012, councils in England have been obliged only to give 28 days notice of planned key decisions (and there is also some provision for a shorter timescale in the case of urgency). In practice, however, most have chosen to retain a formal Forward Plan in some form.

Wales: Which decisions can be called in?

In Wales, the “key decision” wording and definition do not apply. This is because the judgment was made at the time of the introduction of executive arrangements in Welsh councils that all Cabinet meetings (and Cabinet decision-making) would occur in public, thereby negating the need for separate deposit and publication arrangements for certain decisions. The definition of “call-in” in Wales can be found at **s21(3)** of the Local Government Act – this definition is identical to that which applies in Wales, although it should be noted that the word “decision” has a broader meaning than in England by virtue of the above.

More detail about the scrutiny of decisions made but not implemented can be found in guidance issued by the Welsh Government (then the Welsh Assembly Government) in 2006, “**Guide for County and County Borough Councils on Executive and Alternative Arrangements in Wales**” (<http://ow.ly/wMJ2h>) which covers call-in from **section 6.2 to 6.29**. It suggests at 6.3 that council standing orders ought to establish when circumstances dictate that a decision can be called in, giving three (non-exclusive) examples – when there is:

-
- a belief, following advice from the monitoring officer, that the decision or action was contrary to the policy framework or budget, or fell outside the functions of the executive;
 - a belief that the executive had not followed agreed procedures on consultation (as set out in standing orders or protocols adopted by the council) before reaching its decision; or
 - a belief that the executive had not followed, or had failed to take account of, any legal obligations, including regulations or statutory guidance governing the council's actions, or other guidance adopted by the council.

Who can exercise call-in powers?

The English “New council constitutions” guidance, and the Welsh guidance, suggest that two councillors on a given overview and scrutiny committee might be required to submit a request for a call-in, or that multiple scrutiny chairs may need to be involved in certain circumstances. Different councils have different requirements, however. **Basildon** and **Derby** requires three members of the Council to request a call-in for it to be valid. In **Bracknell Forest**, the Chairman and two additional members of an overview and scrutiny committee, or any five other members of the Council, are required for a valid call-in. In **Wigan**, six committee members are required to agree for there to be a call-in. There is no trend relating to these requirements when compared across urban or rural, district, county or unitary, Conservative, Labour or Liberal Democrat authorities. However, in some authorities, the requirements on who can and cannot exercise a call-in acts as a “de facto” bar to call-in being exercised at all. For example, a council’s constitution may require that three councillors on a given committee must request a call-in where the maximum number of opposition councillors on any committee is two, or may require that the chair of a committee “sign off” a call-in request, when all of those chairs are members of the majority party. For more insight into the political management element of the scrutiny process, please see **Guide 11**

It should be pointed out that Government guidance in both England and Wales, which makes clear that call-in should be exercised only rarely and that councils should act to ensure that their local protocols and procedures meet this end. However, it should also be noted that the Welsh guidance suggests that committee chairs should not unreasonably veto call-in requests.

How does the process work?

The call-in process differs from authority to authority, but generally follows the form set out in the English modular constitution.

- Members and the public are notified of the planned decision 28 days before it is made;
 - The decision is submitted to the decision-maker; this submission, made by an officer, is sometimes placed on public deposit at this point;
 - The decision is made by the decision-maker, who in the case of an executive decision may be a Cabinet member or the whole Cabinet;
 - Notification is sent to the chair of the relevant overview and scrutiny committee (and sometimes to a wider group of members) that the decision has been made, usually within two days of the decision being made, advising of the timescale for the exercise of the call-in powers. There are usually five clear working days between the notification and the implementation of the decision. The implementation of the decision is essentially automatic, and no further notification needs to be given before it goes into effect;
 - If a valid request for a call-in is received, a meeting of the relevant overview and scrutiny committee is convened. There is usually a time limit for this – NCC suggests that the decision should be suspended for two weeks (CfPS surveys suggest that 45% of councils require a meeting to be convened within 10 days);
 - The meeting takes place. The committee takes evidence and decides on what action to take. They may agree that the decision may be implemented, or they may recommend that it be changed, or that it be withdrawn entirely;
 - The executive responds. An executive meeting will be convened to decide how to formally respond to scrutiny’s recommendations. If the executive decides to continue to implement, there is no further right of
-

delay. If it decides to withdraw the decision and place it back on the Forward Plan subject to resubmission at a later date, on this subsequent occasion councillors will still have the right to request a call-in.

Councillors have the right to request that an item is placed on an overview and scrutiny committee agenda. The call-in rights do not impinge upon that general right, but we should point out that placing items on the agenda will not serve to delay the implementation of a decision (NC, para 3.82).

In 2006, research carried out by CfPS found that a number of councils imposed restrictions on the number of call-ins that can be exercised in a given year. While we have not conducted a detailed, empirical analysis more recently, anecdotal evidence suggests that such restrictions are no longer nearly so widespread. The (mode) average number of call-ins per year has remained at one or two for many years (the mean and median averages are affected by several outliers at the top end of the scale, who have numbers of call-ins which go well into double figures, and by the large number of councils who have no call-ins at all).

What will happen at the meeting?

Different councils take different approaches to their management of call-in meetings. Many have protocols to define how call-ins will be carried out (**Cumbria's**, at <http://ow.ly/wzWUq>, is a typical example). Sometimes, call-ins are appended to the agendas of existing meetings, but it is more usual to convene a separate meeting for this purpose (and sometimes a separate "call-in committee" exists, like in **Brent** and **Dorset**). It is usual for the Cabinet member and the chief officer for the service involved to be invited to give evidence. However, it is at the discretion of the Chair how the meeting is run, and he/she may invite others to give evidence. This might include other council officers, members of the public directly affected by the decision or representatives of partner organisations.

There will also be variance in the information provided to members in advance of the meeting. Often, councils make the decision notice and the report underpinning the decision available, but some other authorities will also include relevant background papers. It is not common for wider evidence-gathering activities to be undertaken – there is usually no time to do so. While timing will be a significant constraint, ensuring that the panel have access to a carefully selected amount of relevant information, and early discussion between the chair and other members of the panel, will help to manage the session better.

At the end of the meeting, two approaches can be taken to reach a conclusion:

- The Chair and the committee can withdraw briefly to consider their recommendations in private. This would not be a breach of the 1972 Act. This can be a useful approach if the Chair feels that the committee might want to make recommendations other than that the decision should or should not be implemented;
- A vote can be taken immediately to decide whether the committee wish to recommend that the decision should be implemented or not.

How can call-in be carried out most effectively and how does it intersect with scrutiny's other powers?

The political dimension

Valid call ins – some councils have call-in arrangements which are designed in such a way that makes call-ins exceptionally unusual if not impossible. For example, call-in procedures requiring more than two councillors from a single committee to exercise the power can be a significant barrier in authorities with large majorities, where there may be very few opposition party members on a committee. Call-in

procedures requiring the approval of a committee chair can present particular challenges where all scrutiny committee chairs are from the majority party.

At meetings - where a vote is taken, the result can often split down party lines. There is also a perception that the focus at the meeting is on the vote itself, rather than the debate preceding the vote, which can be of a low quality as councillors only have access to limited information about the decision. Call-ins may be contentious. Managed well, that contention, and the vigour of debate, can make the process a productive one. Poorly managed call-ins, however, can damage the scrutiny function, and how it is perceived by others. Party politics can sometimes play a role here – although it should be noted that not all call-ins are party political in nature.

Aside from the power of delay, the power of a call-in is quite limited. Principally it acts as a means to draw attention to opposition to a decision, with the meeting providing a forum to allow that opposition to be voiced. Members, and others, need to manage their expectations accordingly.

How many is too many? – the number of call-ins varies hugely from council to council. A large number have none at all (and many have had none at all for several years); one council had 38 call-ins in 2012/13. There is no obvious correlation between councils with high (or low) numbers of call-ins and those with effective scrutiny functions; a larger number of call-ins has no direct effect on the proportion of those call-ins that lead to an amended decision.

Call-in's effectiveness, and scrutiny's wider powers

Since 2009, the proportion of decisions amended as a result of call-in has declined as a percentage of the total number of decisions called in. However, call-in should be seen in context – firstly, it is a means to provoke further debate on a topic of political contention, and acts as a democratic safeguard against the unconstrained exercise of executive power. Secondly, it is one of a number of tools available to scrutiny to influence decision-making. Members may, for example, carry out pre-decision scrutiny, which can lessen the need for call-in. Call-in can also be seen as part of a process whereby scrutiny can challenge the assumptions and evidence behind decisions.

Opinion about the general value of call-in is very mixed across councillors and officers around the country. Predominantly, councillors consider it to be ineffective, although in those authorities where it is used more, it is considered to be a useful tool.

Birmingham City Council Constitution (September 2018)

Pages 50-51

“Request for Call-In” and “Call-In”

- When an Executive decision is taken by the Cabinet, Cabinet Member(s) or Chief Officer jointly with Cabinet Members or Cabinet Committees, the decision shall be published by electronic means, and copies of it shall be available at the main offices of the Council, normally within three days of being made. All Members and Chief Officers will be sent a notification of all such decisions within the same timescale, by the Committee Services Officer responsible for publishing the decision.
- The relevant notice will bear the date on which it is published and will specify that the Executive decision may be implemented, after the expiry of three working days after the publication of the decision, unless a “Request for call-in” is made of the Executive decision, by at least two Councillors (who are not members of the Cabinet). The “Request for Call In” should state the reason for call-in.
- Once a “Request for Call In” has been received, the Chair of Co-ordinating O&S Committee will agree which Overview and Scrutiny Committee should hear the call-in. That Committee must meet to consider the request. The meeting should take place not later than 15 clear working days after the original publication of the decision.
- It is for the Committee to decide whether to Call In a decision or not. The council does not expect an Overview and Scrutiny Committee to Call In an Executive decision unless one or more of the following criteria applies.
- Where the Committee does decide to call in a decision, the “re-consideration” which is then required must take place at a meeting of the full Cabinet – irrespective of who made the original decision on behalf of the Executive.

Call-In Criteria

	<i>(a) Is the Executive decision within existing policy?</i>
1	<i>the decision appears to be contrary to the Budget or one of the ‘policy framework’ plans or strategies;</i>
2	<i>the decision appears to be inconsistent with any other form of policy approved by the full Council, the Executive or the Regulatory Committees;</i>
3	<i>the decision appears to be inconsistent with recommendations previously made by an Overview and Scrutiny body (and accepted by the full Council or the Executive);</i>
	<i>(b) Is the Executive Decision well-founded?</i>
4	<i>the Executive appears to have failed to consult relevant stakeholders or other</i>

	<i>interested persons before arriving at its decision;</i>
5	<i>the Executive appears to have overlooked some relevant consideration in arriving at its decision;</i>
6	<i>the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do;</i>
7	<i>the decision appears to be particularly “novel” and therefore likely to set an important precedent;</i>
8	<i>there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council.</i>
	(c) Has the Executive decision been properly taken?
9	<i>the decision appears to give rise to significant legal, financial or propriety issues;</i>
10	<i>the notification of the decision does not appear to have been in accordance with council procedures;</i>
	(d) Does the Executive decision particularly affect a ward?
11	the decision appears to give rise to significant issues in relation to a particular ward.



DRAFT Note 4: Requests for Call-In

1 Introduction

- 1.1 On 4 December 2001 the City Council brought in full executive arrangements. Executive decisions may now be taken by
 - The Full Cabinet;
 - Cabinet Committees;
 - Cabinet Members and Chief Officers jointly.
 ... each acting as prescribed by the City Council's constitution.
- 1.2 Overview and Scrutiny Committees have the power to refer those decisions back to the Cabinet for reconsideration. This process is known as 'call in'. The Executive will not be able to implement their decision until the relevant Overview and Scrutiny Committee has decided whether or not to exercise their power of call in.
- 1.3 It should be noted that the individual, 'case' decisions of Regulatory Committees are not subject to the call-in process.
- 1.4 There are three stages to the process, described in **Appendix 1**.
- 1.5 This note incorporates any amendments to the call-in process agreed as part of the Annual Review of City Council's Constitution at each Annual General Meeting.

2 How will I find out when the Executive has taken a decision?

- 2.1 All Executive decisions, no matter who takes them, will be published on the City Council's website (through CMIS). This can be accessed through:
 - Email notification from Committee Services sent to all Councillors;
 - Through the Council's web page (www.birmingham.gov.uk).

3 Which Decisions can be called-in?

- 3.1 The law relating to call-in in England can be found in the Local Government Act 2000. Sections 9F(2)(a) and 9F(4) of that Act between them establish that scrutiny has a power to review or scrutinise decisions made but not implemented by the executive, which includes a power to recommend that the decision be reconsidered by the person who made it.
- 3.2 "Decision" here should be interpreted as meaning a decision made by Cabinet or by a Cabinet Member and Chief Officer jointly.



DRAFT Note 4: Requests for Call-In

- 3.3 Following advice from the City Solicitor, decisions “to note” should not be subject to call-in (as there is no substantive decision for Cabinet to reconsider). However, the substance of what is being noted can be called to the next scrutiny meeting and the Cabinet Member will be expected to attend the next relevant scrutiny meeting to explain/give further details on the decision/policy.
- 3.4 Further clarification has been requested about Executive decisions that relate to proposals previously approved as part of the budget. These decisions enable the implementation of those proposals, containing detail not available at the time of the budget, and are therefore subject to call-in.
- 3.5 Where there is uncertainty or dispute about whether a decision can be the subject of call-in, the Monitoring Officer will determine whether the call-in can proceed, and will give reasons to the Scrutiny Chairs. His/her decision will be final.

4 Will I know in advance when a decision is due to be taken?

- 4.1 The Cabinet and Cabinet Committees publish their agenda and papers in advance of their meetings. These can be read on the City Council's website (through CMIS).
- 4.2 The most important matters – those which lead to “key decisions” – must be notified in advance, and you can find out about these by looking at the **Forward Plan**. This will list key decisions timetabled for the following four months. Specific dates as to when it is expected that the decisions may be taken will, if possible, be given. The Plan is available on the City Council's website (through CMIS).
- 4.3 However, the law does not say that all the other decisions – e.g. those taken jointly by Cabinet Members and Chief Officers – have to be flagged up in advance. Nor is there any specific day on which these Cabinet Members and Chief Officers have to take their decisions, so Members will not know about these decisions in advance. The best way to keep in touch is to check on the City Council's website (through CMIS) regularly. Members also receive an email containing a summary of **Cabinet and Cabinet Member and Chief Officer joint decisions** posted.

5 How do I lodge a request for call in?

- 5.1 If Members find that the Executive has taken a decision that concerns them, then their aim will be to ensure that a meeting of the relevant Overview and Scrutiny Committee is called, so that they can raise these concerns with other Members. A ‘request for call in’ is essentially the calling of a meeting of the appropriate Overview and Scrutiny Committee.
- 5.2 A ‘request for call in’ can be lodged by **at least two non-Executive Councillors**.
- 5.3 Members may do this (within the timescales specified in 5.4 below) in any one of three ways:



- By e-mail to LLESCommitteeServicesAll@birmingham.gov.uk, marked “for the attention of David Smith”. The email should identify the Members who are lodging the request, and the decision which is of concern to them;
- In writing, using the pro-forma in Appendix 2. This should be taken/sent to Committee Services, Room 315, Council House;
- By phone to David Smith, telephone 303-4465. In your phone call you will again have to identify the decision which you want discussed, and the Members who are lodging the request. It must be followed up as soon as possible with the written pro-forma.

5.4 It will be important to act quickly. If a request for call in is not lodged by 4 p.m. on the third of the **3 clear working days** following an Executive decision being posted, the opportunity for call in is lost. The decision can then be implemented. The CMIS system will tell you the deadline for lodging your request (see Table 1 below).

Table 1: Deadlines for making requests for Call-In

Decision posted on	Deadline for Request to Call In
Monday, Week 1	4 p.m. Thursday, Week 1
Tuesday, Week 1	4 p.m. Friday Week 1
Wednesday, Week 1	4 p.m. Monday, Week 2
Thursday, Week 1	4 p.m. Tuesday, Week 2
Friday, Week 1	4 p.m. Wednesday, Week 2

5.5 If a bank holiday occurs within the period, an additional working day must be added to the deadline.

5.6 The “Request for Call In” form should state which of the criteria set out in the Constitution applies. Members are not required to give any further information on the request for call-in ahead of the meeting, though to do so would enable both Cabinet Members and officers to prepare more effectively.

5.7 Where there is uncertainty or dispute about which is the relevant Overview and Scrutiny Committee for the purposes of the call in procedure, the Chair of the Co-ordinating O&S Committee will consult with the relevant Scrutiny Chairs, and agree which Overview & Scrutiny Committee will hear the request for call-in in conjunction with the Monitoring Officer. Their decision will be final.



DRAFT Note 4: Requests for Call-In

- 5.8 If more than one call-in request is received for the same decision, then the Chair will agree a way forward with the Members concerned, balancing the need for all views to be heard with the practicalities of managing the meeting.

6 What happens at the meeting of the O&S Committee?

The Committee Decision

- 6.1 First, it is important to understand that the power of “call in” lies with the O&S Committee, not with any individual Member. That is why a meeting has to be summoned and advance notice given for the same, unless there is already a meeting of the relevant O&S Committee scheduled to consider such matters.

Timing

- 6.2 The meeting must take place not later than **fifteen clear working days** after the original publication of the decision. If the meeting is not held within this time, then again the opportunity to “call in” is lost, and the Executive can implement the decision.

Attendance

- 6.3 The relevant Cabinet Member and Chief Officer will normally attend the meeting, with the Cabinet Member determining which other officers should attend. The Chair may also invite other members or officers to take part.

- 6.4 In exceptional circumstances, the Chair may also wish to gather evidence from other participants to give context to the decision. This could take the form of a briefing ahead of the meeting. *Care should be taken to ensure that the call-in is not a re-run of any consultation or dispute discussions.*

At the meeting

- All the reports and background papers on which the Executive's decision was based will be available, together with any other relevant material;¹
 - The Members requesting the call-in should explain the reasons that they feel the decision should be called in, as stated on the request for call in form (see **Appendix 2**);
 - The relevant Cabinet Member and senior officer will attend to explain the reasons for taking the particular decision;
 - The officers who prepared the reports will also attend to provide relevant information and professional advice.
- 6.5 If the members who requested the call-in are not members of the O&S Committee then they should be invited to present their case, but will not be able to vote on the call-in decision.

¹ The Constitution sets out O&S members entitlement to information is set out in Part B Section 3.9



6.6 The Overview and Scrutiny Committee will consider the criteria for call in which were set down by full Council. These can be found in **Appendix 3**.

6.7 When the O&S Committee is satisfied that it has fully explored the case for call in and the Cabinet Member's reasoning for the decision that was taken, then it is at the Chair's discretion as to whether Cabinet Member, their officers and any councillors who are not members of the committee are asked to leave the room whilst the Committee comes to its conclusion. However this discretion is exercised, committee members should be able to deliberate without further input from non-committee members.

6.8 The conclusion of the deliberation will be relayed to the Cabinet Member and officers immediately after the Committee finishes its meeting, either by returning to the meeting or by contact following the meeting.

Member and Officer Roles in the Meeting

6.9 Members and officers should approach call-in in a positive, constructive and non-partisan manner which provides a good environment for the constructive challenge of decision-makers and enhances the image and reputation of the City Council.

6.10 In particular, committee members should:

- Be fair and open, not take a party political stance and not make party political points;
- Be independent minded and to not pre-judge issues coming to scrutiny nor use the meeting to promote narrow or parochial interests;
- Challenge the evidence by asking probing questions where necessary in order to get the information needed without being confrontational and to actively seek ideas and opinions.

6.11 Members' comments at Committee only relate to the relevant merits of the call-in before them and reference to matters which are not relevant should be disregarded for the purposes of making the decision to call-in or not.

6.12 Both Councillors and Officers are guided by Codes of Conduct. Birmingham's Code of Conduct for Members (Part B Section 6) provides standards and guidance for Councillors. Employees are subject to the Employees' Code of Conduct (Part B Section 17).

The Decision

6.13 Following the discussion, the Chair must then re-state the call-in criteria put forward for the call-in and the committee must then vote on whether or not to call the decision in.

6.14 Usually the Overview and Scrutiny Committee will make one of two choices:

- That there are good reasons why the Executive should be asked to think again; in this case the decision is referred back to the Cabinet, and cannot be implemented until the Cabinet has considered the matter at one of its meetings;



DRAFT Note 4: Requests for Call-In

- That there is no good reason to call in the decision; in this case this is the end of the matter and the decision can be implemented.

6.15 There are a number of possible variations:

- The Cabinet Member may, in the course of the discussion, come to accept that the original decision was in some way flawed and may withdraw it;
- The O&S Committee and the Cabinet Member may come to agree that, through working together, the decision could be improved without it being called in;
- The O&S Committee may defer its decision whilst further information is sought (though a final decision on call-in must still be made within the call-in period);
- The decision is not called in, but that the O&S Committee resolves to write to the Cabinet Member setting out its expectations for the future, either for the way that the decision should be implemented, or for how similar decisions should be taken in future.

6.16 Overview and Scrutiny Committees may, before concluding any request for call-in, request from the Executive any additional and / or relevant information that is not covered in an executive report and / or recommend to the Executive that any future executive report(s) contain specified information to substantiate executive decisions and / or, generally, make any other comments, suggestions or recommendations to improve executive decision-making and / or processes.

7 What happens if the decision is referred back?

- 7.1 Any decision which is referred back will then be reconsidered at a Cabinet meeting.² This is the case even when the original decision was taken by an individual Cabinet Member or Cabinet Committee. A report will be prepared on behalf of the Committee **ahead of the Cabinet meeting**.
- 7.2 There is no timescale laid down for how quickly the Cabinet must meet to reconsider the decision, but in the meantime they cannot implement the decision.
- 7.3 When the Cabinet meets to think again about the decision, then the Chair(man) of the relevant Overview and Scrutiny Committee and / or another Member of the same Committee will attend to give their side of the argument. The Cabinet may decide to stick to the same decision, or change its mind in some way.
- 7.4 The decision at this stage is final. There are no second or subsequent rounds of "call in" of the same or substantially the same Executive decision.
- 7.5 City Council Resolution 16376 (14 May 2002) adds that:

² As agreed by City Council on 4 December 2001, Introduction of Full Executive Arrangements, Report of the Council Business Management Committee



“In the event that Cabinet decides to confirm the Executive decision that has been ‘called in’, the Overview and Scrutiny Committee may, in extreme cases (such as where it believes that the Cabinet’s decision is seriously flawed in some way), submit a report to the full Council on the matter. Whilst the Council is **not** able to re-open or vary the Cabinet’s decision, it may **express a view** as to the appropriateness of the decision.”

7.6 If the Executive withdraws a report following a call-in, then the call-in report will fall alongside the original decision that will now not be implemented. In that case the call-in report should be included as an appendix to any future decision on that matter, and the O&S chair invited to Cabinet in order that the contribution of the O&S committee is fully recognised.

8 Immediate Implementation – No Call In

- 8.1 The whole of the call in procedure (as described above) rests on the premise that Executive decisions will not be implemented until (at the earliest) the expiry of three clear working days running from when the detailed record of the decision is “posted” on the City Council’s website (through CMIS).
- 8.2 In practice however there will be a few occasions when the interests of the Council may be jeopardised unless a decision of the Executive can be implemented immediately – i.e. without waiting for the expiry of the normal 3 working days period. In these exceptional circumstances, the Chief Executive in consultation with the Leader (or, in his/her absence, the Deputy Leader) may designate a decision as so urgent that its implementation cannot wait for the normal period. In any case the exercise of such power shall be clearly noted on the record of the decision which is “posted” and the decision in question will **NOT** be capable of being called in. The Leader can of course be called to account for the exercise of this power by way of questions/motions at a subsequent meeting of the full Council.



DRAFT Note 4: Requests for Call-In

Appendix 1: Stages in the Call In Process

<p>Stage 1: Lodging a request for call in</p>	<p>After the Executive has announced a decision, Members have three clear working days (after the posting of the decision) to look at that decision.</p> <p>If two non-Executive members (see section 4) think that the decision is for some reason questionable, then they should lodge a request for call in. This means that a meeting of the appropriate Overview and Scrutiny Committee will be called.</p> <p>If a request for call in is lodged within the three days' time limit, then the implementation of the decision is put on hold.</p>
<p>Stage 2: The meeting of the O&S Committee</p>	<p>If a request for call in is properly lodged, then a meeting of the relevant Overview and Scrutiny Committee must be summoned. The meeting must take place within fifteen clear working days after the publication of the original decision (this should include five clear working days' notice of such a meeting being given whenever possible).</p> <p>Throughout this time, the Executive cannot implement its decision, unless the 'special urgency' procedure mentioned above applies to the Executive decision.</p> <p>At the meeting of the Overview and Scrutiny Committee, Members will discuss the decision with the relevant Cabinet Member. If the Committee agrees that the decision should be reconsidered by the Executive, then it will refer the decision back to the full Cabinet for further consideration.</p> <p>The Committee will have to give clear reasons for asking the Cabinet to think again, using the Council's agreed set of criteria for call in which will help in doing this (Appendix 3).</p> <p>If the Overview and Scrutiny Committee refers the decision back to the Cabinet, then the decision still cannot be implemented. However, if the Committee decides not to refer it back, the Executive can then get on and implement.</p>
<p>Stage 3: The Cabinet Meeting</p>	<p>All decisions which are called in will be reconsidered by the full Cabinet. The Chair(man) and/or another Member of the relevant O&S Committee will attend and explain why they have referred the decision back for reconsideration.</p> <p>The Cabinet will then discuss whether to change the original decision or not.</p> <p>Where the Cabinet is minded to reaffirm its original decision without significant change, the relevant Chair(man) (or their nominee) has the right to request the Leader to delay implementation until the next Cabinet meeting.</p> <p>Whatever is decided at this point is the end of the matter, and will be implemented. There can be no further Call In of any such Executive decision.</p> <p>City Council Resolution 16376 (14 May 2002) adds that:</p> <p>"In the event that Cabinet decides to confirm the Executive decision that has been 'called in', the Overview and Scrutiny Committee may, in extreme cases (such as where it believes that the Cabinet's decision is seriously flawed in some way), submit a report to the full Council on the matter. Whilst the Council is not able to re-open or vary the Cabinet's decision, it may express a view as to the appropriateness of the decision."</p>



Appendix 2: Request for Call In – Pro-forma

To:

Committee Services, Room 315, Council House.

E-Mail: LESCommitteeServicesAll@birmingham.gov.uk (marked "For the attention of Dave Smith")

Date:

Please arrange for a meeting of the

O&S Committee

to be called to discuss the following executive decision:

Title:

Taken By:

On:

Reason for request:

(a) Is the Executive decision within existing policy?

1. the decision appears to be contrary to the Budget or one of the 'policy framework' plans or strategies; ☐
2. the decision appears to be inconsistent with any other form of policy approved by the full Council, the Executive or the Regulatory Committees; ☐
3. the decision appears to be inconsistent with recommendations previously made by an Overview and Scrutiny body (and accepted by the full Council or the Executive); ☐

(b) Is the Executive decision well-founded?

4. the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision; ☐
5. the Executive appears to have overlooked some relevant consideration in arriving at its decision; ☐
6. the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do; ☐
7. the decision appears to be particularly "novel" and therefore likely to set an important precedent; ☐
8. there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council. ☐



DRAFT Note 4: Requests for Call-In

(c) Has the Executive decision been properly taken?

9. the decision appears to give rise to significant legal, financial or propriety issues; ☐

10. the notification of the decision does not appear to have been in accordance with council procedures; ☐

(d) Does the Executive decision particularly affect a Ward?

11. the decision appears to give rise to significant issues in relation to a particular Ward. ☐

Councillor

(Signed) (Print Name)

Councillor

(Signed) (Print Name)



Appendix 3: Criteria For ‘Call In’

These are the criteria against which the Council expects an O&S Committee to judge any “request for call in”. The Council does NOT expect an Overview and Scrutiny Committee to call in an Executive decision UNLESS one or more of the following circumstances applies –

	(a) Is the Executive decision within existing policy?
1	the decision appears to be contrary to the Budget or one of the ‘policy framework’ plans or strategies;
2	the decision appears to be inconsistent with any other form of policy approved by the full Council, the Executive or the Regulatory Committees;
3	the decision appears to be inconsistent with recommendations previously made by an Overview and Scrutiny body (and accepted by the full Council or the Executive);
	(b) Is the Executive Decision well-founded?
4	the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision;
5	the Executive appears to have overlooked some relevant consideration in arriving at its decision;
6	the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do;
7	the decision appears to be particularly “novel” and therefore likely to set an important precedent;
8	there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council.
	(c) Has the Executive decision been properly taken?
9	the decision appears to give rise to significant legal, financial or propriety issues;
10	the notification of the decision does not appear to have been in accordance with council procedures;
	(d) Does the Executive decision particularly affect a Ward?
11	the decision appears to give rise to significant issues in relation to a particular Ward.



Co-ordinating Overview and Scrutiny Committee

1 Purpose of the Report

- 1.1 To enable the Committee to set the overall direction of Scrutiny work for the year ahead and plan its work programme.

2 The Role of Scrutiny

- 2.1 The City Council's Overview and Scrutiny function:
- i. Provides "critical friend" challenge to executive policy-makers and decision-makers;
 - ii. Enables the voice and concerns of the public and its communities to be heard;
 - iii. Is carried out by 'independent minded members' who lead and own the scrutiny process;
 - iv. Drives improvement in public services.
- 2.2 The functions and remits of the scrutiny committees are set out in the Constitution and are included on your agenda under item 5.
- 2.3 The role of a scrutiny member is not formally defined; however the responsibility includes:
- To personally contribute time and effort to both the development and the carrying out of the scrutiny work programme by attending and contributing to committee meetings and inquiries or task & finish groups including hearing evidence, considering conclusions and making recommendations in a final report;
 - To be fair and open, not take a party political stance and not make party political points;
 - To be independent minded and to not pre-judge issues coming to scrutiny nor use the meeting to promote narrow or parochial interests;
 - To challenge the evidence by asking probing questions where necessary in order to get the information needed without being confrontational and to actively seek ideas and opinions;
 - To attend relevant training as appropriate.
- 2.4 It is for individual Scrutiny members to declare any interests or conflicts of interest as under the Constitution.



3 The Committee's Remit

3.1 The Co-ordinating Committee's work programme essentially consists of two elements. Firstly, making sure that the work of all O&S Committees is properly planned, co-ordinated, progressed and prepared for any developments in the role of scrutiny itself; and secondly, acting as an O&S Committee in its own right, focussing on matters largely within the portfolios of the Leader and the Deputy Leader.

3.2 In summary, these include:

Leader	Deputy Leader
Strategic policies	Business Change
Structure and Governance of the Council	Efficiency and improvement for the Council
Lord Mayor's office	Risk Management
Communications	Customer Services
Council Wide Efficiency and Improvement	External Scrutiny and Local Government Ombudsman
Policy and Partnerships	Open data and Information systems
West Midlands Combined Authority	Whistleblowing and Corporate Complaints Procedure
	Emergency Planning
	To take a lead on information law and data protection matters
	To challenge any lack of transparency in all work carried out by the Council

3.3 Transparency, equalities and improvement will be cross-cutting themes for all O&S Committees.

3.4 Amendments to the make-up of Cabinet portfolios and O&S Committees were confirmed at the City Council's AGM on 21st May. A full summary of O&S Committee remits mapped against Cabinet portfolios is attached in Appendix 1.

4 Work programming

4.1 Effective work programming is the bedrock of an effective Scrutiny function. Done well, it can help lay the foundation for targeted, incisive and timely work on issues of local importance where Scrutiny can add real value. Done badly, Scrutiny can end up wasting time and resources on issues where the impact of any work is likely to be minimal.



- 4.2 Each Scrutiny Committee work programme is determined by the members of that committee. The work programme is discussed at the start of each year; and is updated throughout the year. Whilst Scrutiny Committees are independent from the Executive, there are benefits in aligning priorities, particularly when resources are scarce.

Prioritisation

- 4.3 Members often have a number of topics suggested to them and are therefore required to prioritise matters for consideration. The following factors could 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.

5 Priorities for the Coming Year

- 5.1 In setting the direction and tone for all scrutiny committees, members may want to focus on some cross-cutting priorities for the year:
- Developing Scrutiny's participation in policy development – working with the Executive to ensure early involvement to support robust policy-making by exploring options early on and presenting alternatives;
 - Championing citizen issues, ensuring that Scrutiny responds to issues of public concern;
 - Contributing to the big strategic issues facing the council with a view to ensuring that long term issues are captured; e.g. prevention, challenging the pattern of inequalities across the city;
 - Supporting improvement in performance.
- 5.2 Key areas within the remit of the Co-ordinating O&S Committee are discussed below.

Priorities for Improvement

- 5.3 At its meeting on 12th April, the Co-ordinating O&S committee heard from the Leader of the Council following the publication of the Birmingham Independent Improvement Panel's (BIIP) final letter and the City Council's accompanying Stocktake report. The recently issued section 24 Audit letter to the City Council was also included in the discussion.



Co-ordinating Overview and Scrutiny Committee

5.4 Both reports highlighted that whilst meaningful progress had been made, there is still much work to do. The City Council's Priorities for Improvement 2019-20+ sets out the following priorities (see Appendix 2) and the main areas in relation to this committee's remit:

- Political leadership – including member development, the Constitution, the new Members Portal online case management system. Budget matters would sit with the Resources O&S Committee;
- Industrial relations – the Co-ordinating O&S Committee heard two call-ins relating to the waste industrial dispute and may wish to explore further the progress of the Industrial Relations Framework. However, workforce issues also sit with the Resources O&S committee;
- A modern and progressive organisational culture – this priority, including invest-to-save financial strategies and the Workforce Strategy, largely sits within the Resources O&S Committee remit;
- Managerial leadership – as above, though Co-ordinating members did request an update on the JNC re-structure, which has been re-scheduled for the June meeting;
- Strategic planning, financial and performance management – performance management has been a focus for the Co-ordinating Committee in 2018/19, and this continues with the Refreshed Council Plan (scheduled for July); budget matters raised would sit with the Resources O&S Committee and Commonwealth Games with the CWG, Culture and Physical Activity O&S Committee;
- Key corporate policies to enable effective corporate governance – this committee's focus would be on governance and the Policy Framework and the Localism agenda; other committees would take policies as appropriate:
 - Development of the Council's community hubs strategy with clarity around an integrated, local offer and commencement of implementation – Health & Social Care O&S Committee;
 - Delivery of Community Cohesion Strategy, including development of implementation plan – Housing and Neighbourhoods O&S Committee;
 - Implementation of the Equal Pay mitigation strategy to deal with current and prevent future claims – Resources O&S Committee;
 - Implementation of the new 0-25 Policy for Home to School Transport/Home to School Transport commissioning strategy (Travel Assist) – Education & Children's Social Care O&S Committee
- City partnerships – with the exception of the Birmingham and Solihull Sustainability and Transformation Programme (which sits with Health and Social Care), partnership working arrangements would fall within the remit of this Committee;
- Communications and transparency – this priority includes a focus on transparency and how the City Council communicates with citizens.



- 5.5 Whilst there are suggestions above for elements the Committee may wish to focus on, it is also worth considering how O&S as a whole supports this agenda.

Budget

- 5.6 One outstanding action from last year is for the Chair of this Committee to meet with the Deputy Leader to discuss O&S involvement in budget planning. Whilst oversight of the budget and financial strategy sits with the Resources O&S Committee, O&S involvement in the budget process would be led by this Committee as all committees would have a role to play.

Review of Scrutiny / Statutory Guidance for Scrutiny

- 5.7 The BIIP report and Stocktake Report also made reference to Overview & Scrutiny; the BIIP letter noting that "The Council has made progress over the last year in strengthening its scrutiny functions".
- 5.8 The City Council's Priorities for Improvement 2019-20+ states that there should be parity of esteem for O&S and Audit Committees enabling robust decision making processes with pre-decision scrutiny, aligned work programmes and constructive challenge. In particular:

We will enable O&S Committees to carry out their Scrutiny function effectively and with rigour, by:

- continuing to emphasise the parity of esteem between Scrutiny functions and the executive leadership, as part of the wider member development programme and shift to an organisational culture based on transparency and constructive challenge;*
- undertaking Phase 2 of Review of Scrutiny, with recommendations presented to the Council Management Team, Extended Leadership Team, and Full Council;*
- an agreed work programme for 2019-20, aligned with the Council Plan, 2019-20 Improvement Plan and committee timetables;*
- Scrutiny to work closely with the corporate Strategic Policy team to develop the Council forward plan, feeding into policy development and priority-based budgeting process at the earliest stages;*
- supplying performance management data to O&S committees for their service areas, with specific training for Members on how to interpret, analyse and challenge data.*

- 5.9 In May 2019, the Ministry of Housing, Communities and Local Government published *Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities*. The City Council must have regard to this guidance when exercising scrutiny functions. This does not mean that every section must be followed but there should be a good reason not to do so. The full guidance can be found at: <https://www.gov.uk/government/publications/overview-and-scrutiny-statutory-guidance-for-councils-and-combined-authorities>. A summary of the guidance, alongside an assessment of what Birmingham currently does in relation to the guidance, will be brought to a future meeting.



Inquiry into Full Council

- 5.10 In March 2019 the Committee produced a draft report following its inquiry into the Full Council meeting. This did not progress to Full Council for discussion as the Leader raised some concerns with the then Chair. The Chair has since taken up this work and a proposal for progressing this will be circulated.

Governance

- 5.11 Over the last year members had raised concerns about the transparency of the Cabinet process in relation to the number of private reports and late reports. The committee endorsed a change to the approach for private reports which was adopted in March 2019. However, members continued to raise concerns about the processes for Cabinet and delegated decision making, including how consultation was undertaken. How equality impact is assessed is another area that could be looked at in more detail.
- 5.12 Another area of governance that the committee has been looking at is Localisation. Following the scrutiny inquiry completed by the former Corporate Resources and Governance O&S Committee on *Partnership Working: BCC and parish/town councils* and the subsequent White Paper on **working with neighbourhoods**, members have asked for an update on the implementation of the action plan, including how the approach is being embedded across the organisation and how are other organisations being engaged. However, this matter also sits within the Housing and Neighbourhoods O&S Committee remit, and members have expressed an intention to focus on this work in the coming year.

Performance

- 5.13 Also supporting the improvement journey is a renewed approach to performance management, including a refreshed set of performance indicators that are published so that the council can be held to account for its performance. Scrutiny members over the past year had contributed to the development of the framework. The refreshed framework will be presented to Full Council in July and then brought to this committee for agreement on how to use in scrutiny work programmes and how to contribute to its further development.

Customer Services

- 5.14 Previous scrutiny committees have taken an in-depth look at citizens' experiences of contacting the City Council. Committee members have been keen to see maximum improvement in customer services and in end-to-end service delivery, i.e. not just the quality of the call but whether the request was completed to the citizen's satisfaction. The last scrutiny inquiry on this topic was concluded in February 2016 and since then a number of activities were delivered in 2017-18 which led to an improvement in the citizen experience, including the implementation of "One and Done" for Council Tax enquiries, increasing what is dealt with at the first point of contact and reducing avoidable contact, and continued focus on coaching and quality to maximise customer satisfaction,



supported by working with services to identify and implement improvements to end to end service delivery. The last update on customer services matters to Scrutiny was in March 2019.

- 5.15 However, a suggestion for this municipal year is to focus on the customer experience and tackling areas of persistent failure. Using data provided by the customer services team (including complaints, councillor queries, performance data etc), areas and examples of persistent failure can be identified, which could then be explored in detail, to get to the root cause of the problem. This could be investigated in the relevant Scrutiny Committee, which would also monitor any resulting action plan and monitor impact.**

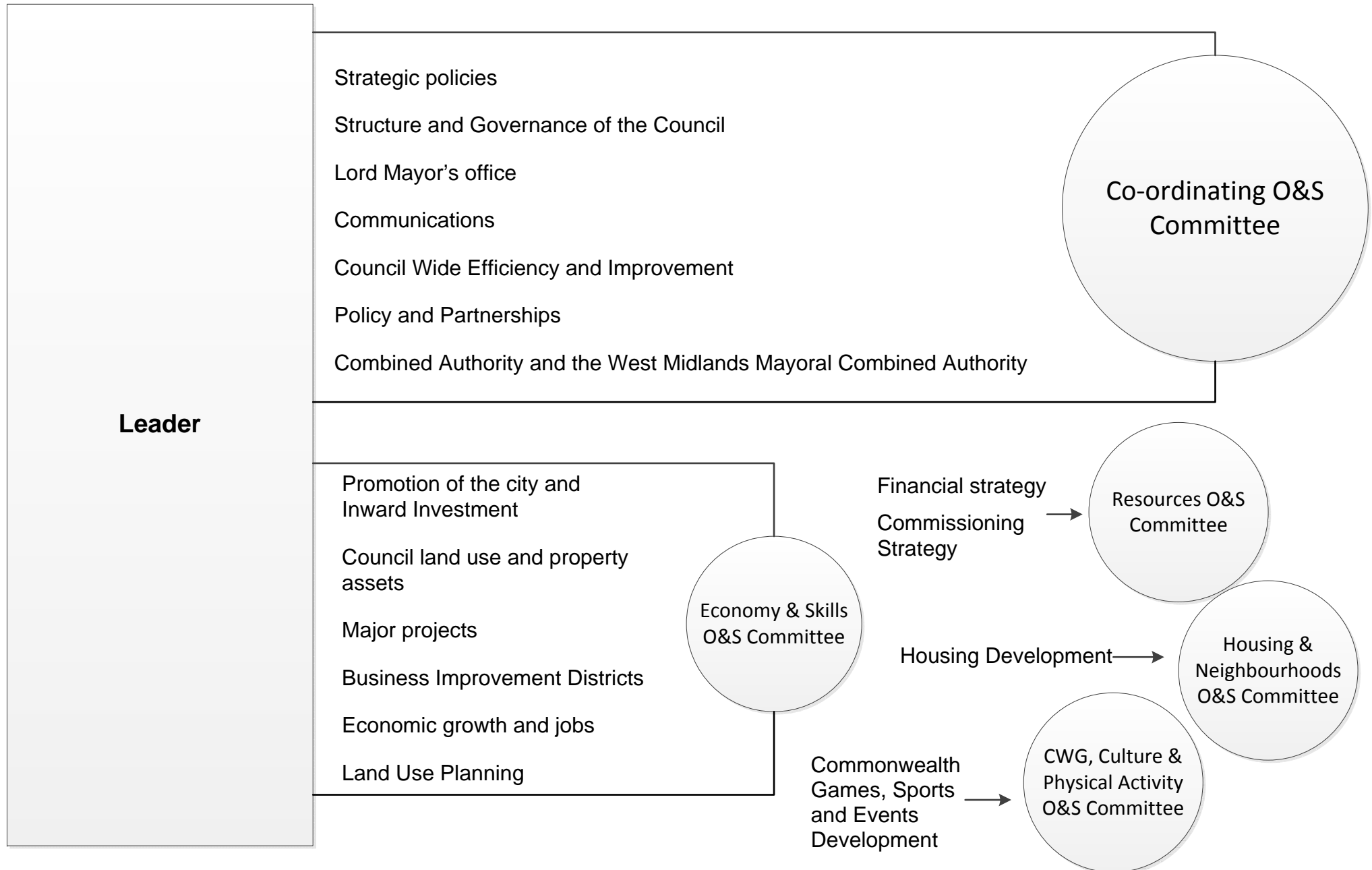
Citizen Engagement

- 5.16 The former Districts and Public Engagement O&S Committee completed an inquiry in 2014, and there are still outstanding actions that could be considered as part of the priorities for improvement above.

6 Recommendations

- 6.1 The Co-ordinating O&S Committee is recommended:
1. To agree three or four priorities for the committee over the next year, perhaps including:
 - Co-ordinating customer services work across all relevant O&S committees;
 - Priorities for Improvement arising from the City Council's final report to the Birmingham Independent Improvement Panel;
 - Performance framework – to determine how to use these in scrutiny work programmes and how to contribute to its further development;
 - Finalise the inquiry into the Full Council meeting.
 2. To put forward views on other areas of priority.

Emma Williamson
Head of Scrutiny Services
June 2019



Deputy Leader

Business Change

Efficiency and improvement for the Council – including governance and performance of third-parties

Risk Management

Customer Services

External Scrutiny and Local Government Ombudsman

Open data and Information systems

Whistleblowing and Corporate Complaints Procedure

Emergency Planning

Information law and data protection matters

Transparency

ICT

Legal

Co-ordinating O&S
Committee

Revenues and Benefits Service

Resources O&S
Committee

Impact and implications of Brexit

Economy &
Skills O&S
Committee

**Cabinet Member for
Finance and Resources**

Finances
Human Resources
Birmingham Business Charter for Social Responsibility
Commercialism
Procurement
Contract Management
Internal Trading Operations

Resources O&S Committee

**Cabinet Member for
Health and Social Care**

Adult Social Care and Health
Public Health
Healthy Communities
Domestic Violence

Health & Social Care O&S
Committee

**Cabinet Member for
Children's Wellbeing**

Lead Member for Children's Services (LMCS)
Safeguarding Children and Young People
Children's Services
Overseeing the Children's Trust
Overseeing Early Years
Corporate Parenting
Special Educational Needs and Disability (SEND) and Inclusion

Education & Children's Social
Care O&S Committee

Education of Children and Young People

**Cabinet Member for
Education, Skills and
Culture**

Arts and Culture and Tourism
The Library of Birmingham and Community Libraries
Museums
Youth Engagement and Youth Service

CWG, Culture and
Physical Activity O&S
Committee

Skills and Entrepreneurship in Schools /
Employment Opportunities

Economy &
Skills O&S
Committee

**Cabinet Member for
Transport and
Environment**

Transport Strategies

Highways

Advice to Planning Committee (Highways)

Air Quality*

Green City

Climate Change

* cross over with Health O&S Committee in
relation to the *Impact of Poor Air Quality on
Health* inquiry

Sustainability & Transport
O&S Committee

**Cabinet Member for
Street Scene**

Waste Strategy and Services

Pest Control

Cleaner Neighbourhoods

Recycling

Enforcement

Parks and Allotments

Housing and
Neighbourhoods O&S
Committee

**Cabinet Member for
Homes and
Neighbourhoods**

Council housing management services
Registered Social Landlords
Private Rented Sector
Housing Options
Tenant engagement in social housing
Neighbourhood Management
Bereavement Services and Register Office

Housing and
Neighbourhoods Committee

**Cabinet Member for
Social inclusion,
Community Safety and
Equalities**

Safer Communities
Social Cohesion and Inclusion
Domestic Violence

Tackling Inequality
Equalities within the Community
External Challenge
Third Sector Partnership and
Engagement

Transparency, equalities
and improvement will be
cross-cutting themes for
all O&S Committees

Birmingham City Council - Priorities for Improvement 2019-20+

The Council is now looking forward to the future, with political leadership and senior officers clear in their accountability and ownership of the Council's improvement agenda. There is no room for complacency and the Council is seeking to build on the substantial progress that has already been made to ensure that change is sustainable and runs through all levels of the organisation.

To maintain momentum, the Council will preserve a concerted approach to good governance, prudent financial discipline, transparency and putting citizens at the heart of decision making. We will continue to develop our use of intelligence, data analysis and insight to ensure that all our improvement programmes rest on a solid evidence base, allowing us to move confidently and decisively to improve service delivery outcomes.

The Council is acutely aware that some of the implementation plans, in support of savings, are not as advanced in their depth, rigour and with assurance regarding capacity to deliver as would be ideal at this time. However, the analysis of feasibility at this stage in the budget process represents a clear step forward for the Council. Continued challenge and support will therefore be required through the PMO and in terms of senior officer and political leadership. Similarly, it will be important for the Council to bridge beyond solely project managing delivery of savings, and increasingly adopt a one Council approach to the programme management of change and modernisation.

Below are the specific areas for improvement that the Council has identified for 2019/20. These priorities map across from the Kerslake themes, the areas of focus for the Birmingham Independent Improvement Panel and the activity undertaken in-year 2018-19 through the Council's Corporate Governance Improvement Plan. This approach will enable a consistency to the Council's improvement journey and deepening of the Council's competence and maturity in these areas over time.

This document is intentionally still in DRAFT to enable Elected Members, colleagues, partners and citizens to continue to shape and influence the improvement programme in 2019-20.

Improvement area	Priorities
Political leadership	Developing and maintaining a learning culture for Members, with a robust Member development programme and high levels of Member engagement.
	O&S Committees to evaluate the impact of Member Development Plans using agreed impact evaluation framework, with recommendations fed into development programme.
	Introduction of new Council Constitution.
	Adoption of a new Code of Conduct and Procedure for Members, as included in the new Constitution.
	Review of the new Members Portal online case management system.
	Continuing peer mentoring relationships for Cabinet members and Chair of Audit Committee, monitoring impact and feedback from participants.
	Implementing a medium-term and priority-based budget process for 2020-23, with Cabinet supported in this regard by a robust Joint Strategic Needs Assessment, refresh of the Council Plan and strategic performance framework.
	Parity of esteem for O&S and Audit Committees enabling robust decision making processes with pre-decision scrutiny, aligned work programmes and constructive challenge.
	Reviewing Member appointments to outside bodies, developing a skills programme for appointed Members and moving to a competency/skills-based appointment process by March 2020.
	Implementing the recommendations from the INLOGOV 'Outside the Box' project to ensure effective joint working between managerial and political leadership teams.
Industrial relations	A new, modernised Industrial Relations Framework: <ul style="list-style-type: none"> • focusing on constructive challenge and dialogue with trade unions; • incorporating a more efficient and reasonable process flow for required service redesign and transformation; • and, developed in concert with peer Core Cities to test the weight of engagement activity.
A modern and progressive organisational culture	Continued development of a one Council 'transformation' programme for 2020-23 reshaping the Council's service, corporate and citizen offer in line with invest-to-save financial strategies.
	Roll-out of the successful 'Owning and Driving Performance' culture-change programme with agreed evaluation framework to monitor impact and return on investment

Improvement area	Priorities
	Concerted delivery of the Workforce Strategy Implementation Plan 2018-22.
	Building on the Workforce Strategy to enable strategic workforce planning in line with an agreed Medium Term Financial Strategy.
	Improving staff engagement and ownership of the Council's improvement agenda through establishment of Forward Together staff group (up to 300 staff members).
	Developing capacity and capability in the strategic HR function.
	Strategic review of equality and diversity across all levels of the Council's functions.
Managerial leadership	Full, permanent staffing of the Council's management structure following the implementation of the new JNC structure.
	Senior officer development programme to include capacity and capability building, peer support/mentoring.
	Strong engagement from the Council into the governance of the Birmingham Children's Trust through the Birmingham Children's Trust Board.
	Continued implementation of service modernisation and transformation programmes based on a robust evidence base of intelligence and insight, including delivery of agreed directorate improvement plans.
Strategic planning, financial and performance management	Maturing the Council's approach to Information Management – rebalancing from a focus on data collection to deeper data analysis and wider strategic insight to drive service improvements.
	New performance management approach – ensuring that the 'golden thread' of performance management runs through all levels of the organisation.
	A mature, positive attitude to risk, with robust risk management approaches and shared ownership of 'critical' risks across the Council's Extended Leadership Team.
	Full suite of capital governance, budget monitoring and programme management arrangements for the Commonwealth Games, with regular monitoring of risk by the Council's Extended Leadership Team.
	Developing capacity and capability in the strategic finance function.
	Ensure financial 'grip' and ownership of budgets, with people taking responsibility for the financial implications of the budget within directorates, and appropriate monitoring, reporting and constructive challenge from audit (internal/external) and Overview and Scrutiny.

Improvement area	Priorities
	Adoption of a 'one team' comprehensive approach to business partnering with finance.
	Consultation on a 3-year Medium Term Financial Strategy and specific budget proposals for 2020-23.
Key corporate policies to enable effective corporate governance	Refresh of the Council's Policy Framework in line with the new Constitution.
	Review of Forward Plan processes to ensure an integrated pipeline for strategic policy development all the way up from directorates through to Cabinet and Full Council
	Development of the Council's community hubs strategy with clarity around an integrated, local offer and commencement of implementation
	Delivery of Community Cohesion Strategy, including development of implementation plan.
	Localism agenda progressed with further development of ward plans and roll-out of new community governance mechanisms.
	Implementation of the Equal Pay mitigation strategy to deal with current and prevent future claims.
	Implementation of the new 0-25 Policy for Home to School Transport/Home to School Transport commissioning strategy (Travel Assist).
City partnerships	Building on early improvements in partnership working arrangements i.e. City Board, Statutory Partnerships and developing specific delivery mechanisms to positively impact on the lives of people in Birmingham.
	Implementation of Birmingham and Solihull Sustainability and Transformation Programme by April 2021.
	Partnership-working approaches and competencies embedded at all levels of workforce.
	Development of a shared accountability framework linking Council Plan 2019-20 to partners' strategic priorities.
Communications and transparency	Shift in culture towards transparency, with a substantial decline in the number of private/late reports to be comparable with other Core Cities.
	Development of a strategic/shared narrative and approach to external communications.
	Resetting the relationship with citizens with clearer messages about the direct changes that they can make – individually, in families and in communities – to improve outcomes across the city.

Keeping Up Progress

Through the improvement work undertaken in 2018-19, the Council has started to develop a level of maturity in inviting challenge and benchmarking with peer authorities but, with the proposal that Birmingham Independent Improvement Panel stand itself down, alongside our 2019-20 programme it will be necessary to construct a new model to ensure continued internal capacity to challenge and ongoing third-party support and engagement. To that end, the Council is putting in place a new quality assurance framework to monitor pace and quality of improvement work, including personalised packages of support from key national bodies such as the LGA and CIPFA. This will take a 'value-added' approach rather than replicating day-to-day governance arrangements outlined by the new Constitution, to avoid duplication of work.

The key components of this framework are as follows: -

Feedback from strategic partners

In 2019-20 the Council will continue to actively monitor the quality and maturity of strategic partnership working and progress against shared accountability/performance frameworks, through:

- continual formal self-assessment of partnership working practices and competencies, including benchmarking against other Core Cities;
- proactive engagement with regulatory reviews of statutory partnership activity and any recommendations arising;
- regular engagement and self-reflection with key 'critical friends' including Chairs of the statutory safety and safeguarding partnership boards.

Feedback from citizens

At the heart of our Improvement Priorities for 2019-20, and indeed our entire improvement journey, is the desire to deliver the best possible services and outcomes for the citizens of Birmingham. Our most important measure of success is the impact that we have on the lives of the people that we serve.

Throughout 2019-20 we will continue to engage and consult with citizens, listening to their feedback on how they feel that we are performing. This will include formal feedback mechanisms such as the Citizens' Panel, the Residents' Survey and our consultation vehicle BeHeard, as well as informal engagement with citizens online and on social media.

Our new model for localism will provide a range of opportunities for residents to influence services, spending and decision making and take ownership of their local areas. The 21st century role of Councillors will be vital in engaging, facilitating and planning alongside residents.

Internal and External Audit

Risk management

- Revised risk management framework (to be approved by Audit Committee in January 2019) with process for the planned and systematic identification, evaluation and management of risks associated with the Council's activities.
- Audit Committee receiving regular audit reports and monitoring the overall effectiveness of risk management approach, inviting risk owners for a more in-depth review as required.
- Council Management Team receiving monthly update on risks and challenges, challenging the completeness and robustness of mitigating actions.
- Monthly progress report to Deputy Leader.

Internal audit

- Independent internal audit service in line with the Public Sector Internal Audit Standards (PSIAS), providing annual opinion on the effectiveness of risk management, control and governance processes across the whole of the Council and is prioritising the review of improvement agendas in terms of progress and effectiveness.
- New integrated risk assurance framework (based on the 3 lines of defence model) supported by robust risk methodology that is designed to focus target audit activity.
- Tracking high priority findings and issues, including those raised by external audit, until the risks are effectively managed.
- Constructive challenge around the improvement agenda and financial management.
- Regular internal audit activity reporting to Audit Committee.
- Council Management Team receiving monthly update on key issues providing a barometer to measure improvement and target management effort.

External Audit

- Annual independent examination of the Council's financial management and value for money arrangements.
- Key recommendations in the Audit Findings Report 2017/18 and Section 24 issues monitored in a transparent report of progress made to Audit Committee each meeting.

Audit Committee

- Independent assurance to the Council in relation to its internal controls, risk management and governance processes.
- Self-assessment of effectiveness of the Audit Committee, to take place in 2019.
- Focus on risk management in 2019-20, with risk owners providing detailed progress reports.

Business Partners

- Finance Business Partners have appointed as part of the Future Operating Model for Finance to underpin and drive strong financial governance across directorates.
- Support with the development of financial plans and the budget monitoring process.
- Regular financial reports presented to CMT, Star Chamber and Cabinet.
- Where the budget monitoring indicates that the actual position is diverging from the Plan, Business Units required to develop action plans and to then monitor progress against the revised plans.

Overview and Scrutiny Committees

We will enable O&S Committees to carry out their Scrutiny function effectively and with rigour, by:

- continuing to emphasise the parity of esteem between Scrutiny functions and the executive leadership, as part of the wider member development programme and shift to an organisational culture based on transparency and constructive challenge;
- undertaking Phase 2 of Review of Scrutiny, with recommendations presented to the Council Management Team, Extended Leadership Team, and Full Council;
- an agreed work programme for 2019-20, aligned with the Council Plan, 2019-20 Improvement Plan and committee timetables;
- Scrutiny to work closely with the corporate Strategic Policy team to develop the Council forward plan, feeding into policy development and priority-based budgeting process at the earliest stages;
- supplying performance management data to O&S committees for their service areas, with specific training for Members on how to interpret, analyse and challenge data.

Performance Management Framework

The new performance management framework will drive progress against the improvement priorities for 2019-20, through:

- third-party benchmarking performance against other local authorities in key outcome areas, with comparisons embedded into routine performance monitoring and reports;
- constructive critique and challenge from the corporate Performance & Insight team to service areas, with resulting improvements to quality and depth of data analysis and performance narratives;

- engaging with teams across the Council to educate colleagues on the importance and potential impact of performance management;
- supplying routine performance management data and analysis to the Council Management Team, enabling greater scrutiny, challenge and in-depth discussion across and between directorates;
- engaging with Members to educate them on the role and function of performance management, enabling Cabinet Members to effectively monitor and challenge performance.

CIPFA

CIPFA will be providing a personalised programme of support, focusing on:

- support around building strategic financial capability and capacity;
- benchmarking against other local authorities.

LGA

The Council is working with the LGA to design a tailored programme of Member development activities and peer support arrangements that will enable Members to develop the skills and competencies they need to successfully carry out their roles. This includes:

- ongoing programme of Member development through the LGA Highlighting Political Leadership Programme, including evaluation of learning aims and outcomes, aligned with the four year political cycle;
- a mentoring programme for all Cabinet Members and the Chair of the Audit Committee, including 1-1 mentoring sessions and whole group meetings examining the Birmingham context;
- LGA peer accreditation enabling Members to be matched with peer councils for each of the improvement themes;
- formal support offer to Council political groups through the four LGA political offices.

Development activities with the LGA will culminate in a formal peer challenge in 2020-21. We feel that this will be mid-way through our improvement journey, with enough time passed to usefully assess progress made and identify any further areas for improvement that have arisen.



Co-ordinating O&S Committee: Work Programme 2019/20

Chair Cllr Carl Rice

Deputy Chair

Committee Members: Cllrs: Deirdre Alden, Tahir Ali, Albert Bore, Debbie Clancy, Liz Clements, Roger Harmer, Charlotte Hodivala, Penny Holbrook, Mariam Khan, Rob Pocock and Kath Scott

Committee Support: Scrutiny Team: Emma Williamson (464 6870)
Committee Manager: Marie Reynolds (464 4104)

1 Terms of Reference

- 1.1 To plan and co-ordinate the work of all the O&S Committees. To fulfil the functions of an O&S Committee as they relate to any policies, services and activities concerning governance (including transparency, regional working and partnerships); citizens (including communications and public engagement); performance; customer services and emergency planning.

2 Meeting Schedule

Date	Item	Officer contact
14 June 2019 10.00 am Committee Room 3&4 Report Deadline: 5 Jun 19	Deputy Leader:	Rose Horsfall, Cabinet Support Officer
	JNC re-structure - deferred	Dawn Baxendale, Chief Executive; Dawn Hewins, Director HR
	Review of Call-In	Emma Williamson, Head of Scrutiny Services
12 July 2019 10.00 am Committee Room 3&4 Report Deadline: 3 Jul 19	Leader of the Council: Priorities <ul style="list-style-type: none"> Refreshed Council Plan Update on WMCA, with particular reference to diversity and the leadership Commission 	Rebecca Grant, Cabinet Support Officer
06 September 2019 10.00 am Committee Room 3&4 Report Deadline: 28 Aug 19		



Date	Item	Officer contact
04 October 2019 10.00 am Committee Room 3&4 Report Deadline: 25 Sep 19		
08 November 2019 10.00 am Committee Room 3&4 Report Deadline: 30 Oct 19		
06 December 2019 10.00am Committee Room 3&4 Report Deadline: 27 Nov 19		
10 January 2020 Committee Room 3&4 Report Deadline: 31 Dec 19		
07 February 2020 Committee Room 3&4 Report Deadline: 29 Jan 20		
06 March 2020 Committee Room 3&4 Report Deadline: 26 Feb 20		
03 April 2020 Committee Room 3&4 Report Deadline: 25 Mar 20		

3 Items to be scheduled

4 Other Meetings

Call in



Petitions

None scheduled

Councillor Call for Action requests

None scheduled

5 Forward Plan

5.1 Below is an extract of the Forward Plan, detailing those decisions relating to this Committee's remit.

Leader		
Ref No.	Title	Proposed Date of Decision
006653/2019	Refresh of Council Plan	25 Jun 19
004101/2017	Enterprise Zone Investment Plan 2019	30 Jul 19
005423/2018	BCC International Strategy	17 Sep 19

Deputy Leader		
Ref No.	Title	Proposed Date of Decision
000288/2015	ICT Investment and Strategy	25 Jun 19
006580/2019	Performance Monitoring End of Year Report April 2018 to March 2019	25 Jun 19
006060/2019	Dollman St – Post Room Options	30 Jul 19

6 Scrutiny Reports to City Council

O&S Committee	Report Title	Date for Council
Health and Social Care	Period Poverty	November 2019

