

Birmingham City Council

City Council

01 December 2020



Subject: Scrutiny Business Report
Report of: Chairs of the Overview & Scrutiny Committees
Report author: Emma Williamson, Head of Scrutiny Services

Does the report contain confidential or exempt information? Yes No

1 Executive Summary

1.1 This is the third Scrutiny Business Report presented to Full Council, and this report focuses on the main pieces of work being undertaken by Scrutiny this year. It also sets out progress with regards to developing a Scrutiny Framework.

2 Recommendations

2.1 That the report be noted.

3 Scrutiny Today

3.1 In the last Scrutiny Business Report, we noted the impact of the Covid-19 pandemic on scrutiny, including the requirement to put “business as usual” on hold and cancel a number of meetings. At that time, scrutiny had restarted its work and was working to ensure it could fulfil its important governance role as substantial decisions are being made, both as part of the Coronavirus response and in continuing council business.

3.2 All eight Overview & Scrutiny Committees have now returned to a full programme of regular meetings – unlike in many authorities where scrutiny had been put on hold or limited in number. Whilst retaining an eye on Covid-19 related matters, scrutiny is also doing what it does best – focusing on issues that are of concern to our citizens.

3.3 In the current municipal year (up to 30th November), 43 formal meetings have been held, with an additional 17 informal briefings and evidence gathering sessions (all held remotely via Microsoft Teams). Four inquiries are underway or have been completed, with another two at the planning stage. The following section of the report sets out the main pieces of work.

4 Scrutiny Inquiries and Major Pieces of Work

Responding to Our Customers – Co-ordinating O&S Committee

- 4.1 At the last Full Council meeting in November, the Co-ordinating O&S Committee presented its inquiry into how the City Council responds to its citizens when they contact the council to request a service or make a complaint. The recommendations were approved by the Council and the Executive will report back on their implementation in March 2021. In the meantime, the Committee continues its work in this area, focusing over the next months on a protocol for responding to members' enquiries.

Exempt Accommodation – Co-ordinating O&S Committee

- 4.2 The next major piece of work the Committee will undertake is in relation to exempt accommodation, exploring what powers the City Council has to regulate, control and enforce matters in respect of exempt accommodation in the city (i.e. where supported accommodation is provided and is exempt from HMO licensing). As noted in a recent Cabinet report, the growth in exempt accommodation in Birmingham has been increasing significantly since 2017. The range and quality of this accommodation varies and, at its worst, provides poor support to some of the most vulnerable people living in our city.¹
- 4.3 This inquiry is in the early planning stages, with meetings being held with officers to scope the terms of reference. As in any of our work, if any member wishes to contribute to this inquiry, please contact the Scrutiny Office.

BCC Owned Assets – Economy and Skills O&S Committee

- 4.4 The Committee has commenced an inquiry looking into what more the Council could do, through the use and management of its property estate, to ensure small and medium-sized businesses and community organisations and enterprises can play a full part in the city's economic development and regeneration.
- 4.5 This inquiry will encourage people and organisations to share their experiences of property dealings with the Council and seek information from Cabinet Members and senior officers. Through this we will examine how well the service meets the aims of the Property Strategy, how best the Council can balance financial propriety in obtaining best value from its assets with supporting communities, small and medium-sized enterprises and the voluntary sector to take part in economic development and regeneration and share in maximising the benefits.
- 4.6 Evidence gathering has commenced with three sessions in November and December. Further details can be found [here](#).
- 4.7 In addition, on 13th November the Committee held an extra meeting to formulate its response to the BCC consultation on the Birmingham Recovery Plan. Key areas the Committee have asked to be considered are: fully incorporating the Route to Zero

¹ [Bid to Ministry of Housing Communities and Local Government \(MHCLG\) Re. Supported Housing Oversight Pilots 2020/2021](#), Cabinet 13 October 2020

as a central principle; balancing the city-centre focus with attention to suburbs and local centres; the role of BCC in practical business support for independents and SMEs throughout the city; and inclusion of arts and culture sector in the summary of challenges the city is facing in the wake of COVID-19.

Infant Mortality – Health and Social Care O&S Committee

- 4.8 Infant mortality is defined as the number of infants who die between 28 days and less than one year after birth. Infant mortality is an indicator of the general health of an entire population. Nationally the rate of infant mortality has been declining steadily since the 2001/03 period. However, this has not been the trend in Birmingham where the infant mortality rate has not been consistently decreasing and where the rate has consistently been above that of England.
- 4.9 This scrutiny inquiry therefore focuses on options for improving the advice and support to families at the pre-conception stage, particularly amongst communities with the highest prevalence of infant mortality. The inquiry aims to add value by acting as a stimulus to possible interventions which could improve the infant mortality rate in Birmingham.
- 4.10 Evidence gathering will start in December. Further details can be found [here](#).

Reducing Fly-tipping – Housing and Neighbourhoods O&S Committee

- 4.11 As reported previously, the Housing and Neighbourhoods O&S Committee has been undertaking an in-depth inquiry into fly-tipping. Members recognised the persistent problem of fly-tipping in some parts of the city which is blighting streets and public areas and wanted to look at ways to support and challenge the current approach to tackling fly-tipping. Background research has been undertaken to understand the extent of the problem in Birmingham and to explore best practice elsewhere.
- 4.12 Three evidence gathering sessions have been held, including two very useful meetings with officers from Barking and Dagenham, and Nottingham councils, who told members about their innovative approaches to tackle fly-tipping.
- 4.13 The evidence gathering has now been completed and the Committee will be reporting to the Executive with recommendations to strengthen the Council's response to this problem.

Engagement of Agency Workers, Consultants and Interims – Resources O&S Committee

- 4.14 At the last Full Council meeting, members approved changes to the Constitution that included a clause giving the Cabinet Member for Finance and Resources "oversight of the use of consultants". The Cabinet Member is now undertaking an examination of existing policy and delegations, current engagement and deployment of contingent labour together with an assessment of spend, with a view to establishing a mechanism/policy for the engagement of agency workers, consultants and interims.

4.15 The Committee has agreed to assist the Executive in this work, and it is proposed that the Committee is engaged in reviewing the draft policy and contributing to its development. This work will take place in the early part of 2021.

Commonwealth Games Cultural Programme and Community Engagement – Commonwealth Games, Culture & Physical Activity O&S Committee

4.16 In October, members of the Committee received an update from Martin Green, Chief Creative Officer for the Birmingham 2022 Commonwealth Games Organising Committee, on the cultural programme to accompany the Games, which will run from March through to September 2022. This will encompass the opening and closing ceremonies, the wider cultural programme, the Queen's Baton Relay, live sites that will deliver free to enter spaces for fans where people can engage with the Games, medal ceremonies for the winners, welcome ceremonies for all of the territories and nations taking part, and the learning programme that seeks to reach at the very least one million young people in the West Midlands.

4.17 Craig Cooper, Commonwealth Games Programme Director, Birmingham City Council and Matt Eagles, Head of Communications, Birmingham 2022 Commonwealth Games attended the November meeting, and members reviewed the partnership working, including community organisations, and the funding opportunities (the cultural programme is the only unfunded part of the Games, and so fundraising for this is currently well underway). Members also learned about an element of community ward funding to be allocated from March 2021 with strong member involvement. Members were also briefed on recent campaigns such as the Dinner with Strangers, Women in Sport and Hometown Heroes, as well as the virtual mascot summit which included athletes and celebrities as well as local children.

4.18 Members will be exploring in more detail the role ward members can play in making the Games 'a Games for everyone' in more detail in coming months.

Climate Emergency – Sustainability and Transport O&S Committee

4.19 Following a report to Full Council in September on progress on the commitments made within the Climate Emergency Declaration agreed by Council in June 2019 the Committee has continued to track the Council's commitments to reducing carbon emissions and other priorities. The next stage is the formation of an action plan to be reported on in January to Full Council. The Committee is anticipating that a draft will be available to consider at their December meeting.

4.20 The Committee is also looking at the various strands of activity that is needed to deliver the carbon-zero target, including the Emergency Birmingham Transport Plan and the launch in September of a pilot E-Scooters scheme in the city. In January, the Committee will hold a discussion on 'Clean Air'. This will include receiving feedback on the Air Quality Plan consultation and consideration of priorities for the clean air strategy such as tackling air pollution outside of the city centre. Members are also following up on previous work and received the first tracking on the implementation of recommendations made within the Plastic Free Birmingham

Inquiry presented to Full Council in February 2019 and noted the disappointing progress made against the recommendations.

SEND – Education and Children's Social Care O&S Committee

- 4.21 Following on from September's City Council debate on the Home to School Transport Inquiry, the Committee received an update on intervention measures that had been put into place as a direct result of the issues highlighted. An independent inquiry has taken place following the motion to Full Council, and the results were discussed at a public meeting on 24th November. Stakeholders will hear Ernst & Young LLP's findings and ask questions of the Inquiry team. Following that, the Inquiry's report and the Council's response will be reviewed by the Education and Children's Social Care Overview & Scrutiny Committee.
- 4.22 An update on progress made on the Written Statement of Action Plan for Special Educational Needs and Disabilities (SEND) in just over two years was provided and made clear that this is very much a partnership approach, with the Council and Birmingham and Solihull CCG being jointly responsible for the programme. Examples of progress were provided, and this included improvements made to the Local Offer and the Committee will continue to monitor progress.
- 4.23 Absence and exclusions will be a future focus for the Committee, and this is to include children with SEND and the interplay between the different teams.

5 A Framework for Scrutiny

- 5.1 Alongside the Committee work, work on the future of scrutiny in Birmingham continues. As noted in our last report, Scrutiny Chairs had agreed to take forward the development and implementation of a Scrutiny Strategic Framework, to set out the role and purpose of Scrutiny, to build understanding across the wider organisation of how scrutiny can benefit the Council and to set out consistent standards by which this could be achieved. This framework will be a co-production between the Executive and Scrutiny and will have cross-party involvement; such an approach would signal the extent to which a strong cultural commitment to scrutiny is owned by the council's leadership.
- 5.2 Sessions have now been held with backbench members as well as with Cabinet and Co-ordinating O&S members. A working group has been convened to take forward the draft framework, and further progress will be reported in our February 2021 Scrutiny Business Report.