

BIRMINGHAM CITY COUNCIL

CO-ORDINATING OVERVIEW AND SCRUTINY COMMITTEE

FRIDAY, 26 JANUARY 2024 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 Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) 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 DECLARATIONS OF INTERESTS

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

5 - 12

4 **MINUTES**

To confirm the public minutes from the Co-ordinating Overview and Scrutiny Committee meeting held on 15 December 2023.

13 - 16

5 **CO-ORDINATING OVERVIEW AND SCRUTINY COMMITTEE - ACTION TRACKER**

To review and note the actions from previous Co-ordinating Overview and Scrutiny Committee meetings.

6 **COMMISSIONER'S REVIEW AND COMMENTS ON THE AGENDA**

To note that the reports on this agenda have been reviewed but no comments have been received from the Commissioner on this agenda.

17 - 34

7 **TERMS OF REFERENCE FOR SCRUTINY TASK AND FINISH GROUP: GOVERNANCE STABILISATION**

To consider the attached terms of reference and to agree any updates / amendments.

8 **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).

9 **OTHER URGENT BUSINESS**

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

10 **DATE AND TIME OF NEXT MEETING**

To note that the next meeting will take place on 23 February 2024 at 1000 hours.

11 **AUTHORITY TO CHAIR AND OFFICERS**

Chair to move:-

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

BIRMINGHAM CITY COUNCIL

COORDINATING O&S COMMITTEE – PUBLIC MEETING

1000 hours on Friday 15th December 2023, Committee Rooms 3 and 4,

Council House, Victoria Square, B1 1BB

Minutes

Present:

Councillor Sir Albert Bore (Chair)

Councillors: Mohammed Idrees, Shabrana Hussain, Lee Marsham, Ewan Mackey, Deirdre Alden, Morriam Jan, Alex Yip.

Also Present:

Robert Connolly, Assistant Director, Governance and Deputy Monitoring Officer

Victoria Beavon, Electoral Services Manager

Deborah Cadman, Chief Executive

Richard Brooks, Director of Strategy, Equality & Partnerships (online)

Christian Scade, Head of Scrutiny and Committee Services

Baseema Begum, Scrutiny Officer

1. NOTICE OF RECORDING/WEBCAST

The Chair advised that this meeting would be webcast for live and subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) 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 Councillors Mick Brown, Katherine Iroh and Kerry Jenkins.

An apology was also submitted on behalf of Councillor Nicky Brennan, Cabinet Member for Social Justice, Community Safety and Equalities.

The Chair, Councillor Sir Albert Bore proposed an adjustment to the published agenda so that Items 8 and 9 would be discussed first to allow officers attending for Item 7 (Corporate Response to the Review by Overview and Scrutiny of the Homes for Ukraine Programme) to arrive.

3. DECLARATIONS OF INTERESTS

None.

4. ACTION NOTES – 13 October 2023

RESOLVED: That, subject to Cllr Morriam Jan being listed in attendance rather than Cllr Chaman Lal, the minutes of the Co-ordinating OSC meeting held on 13 October 2023 be approved as a correct record and signed by the Chair.

5. CO-ORDINATING OVERVIEW AND SCRUTINY COMMITTEE ACTION TRACKER

RESOLVED: That the Co-ordinating OSC action tracker be noted.

6. COMMISSIONER'S REVIEW AND COMMENTS ON THE AGENDA

RESOLVED: No comments were received.

7. CORPORATE RESPONSE TO THE REVIEW BY OVERVIEW AND SCRUTINY OF THE HOMES FOR UKRAINE PROGRAMME

The Chair outlined the process for discussion of the report.

Richard Brooks, Director of Strategy, Equality & Partnerships provided further commentary on the report circulated and made the following points: -

- Overall, most recommendations have been accepted and have been considered by Finance and Procurement services, respectively.
- The context and the changing position in which the Council finds itself is quite different to when the review was completed.
- A number of issues at the time of the Review concerning spending and procurement control have now been superseded by the Council working under a Section 114 notice and with a Spend Control Board in place.
- The emphasis over the next 2 years is to reduce overall expenditure and the Council will be working in a vastly different way especially financially.
- Although no decision has yet been taken on the implementation of a new enterprise resource planning system it must include stronger financial control functionality.
- Concerns were noted on the increase in the number of asylum seekers presenting as homeless prior to Christmas. There has been a 18% increase on last year's figures, and this is creating additional pressure on the Council's resources.

In the ensuing discussion with Members, the following issues were raised in relation to specific recommendations: -

Recommendation 2: Cllr Bore referenced the support currently provided by officers from the NDSU at a community level and highlighted that this resource would be affected by the proposed savings. This was noted by the Director of Strategy, Equality

& Partnerships who added that a Vision for Public Participation document had been published with implementation of the principles taking place across the organisation acknowledging the resource situation.

Recommendation 3: This recommendation was not accepted and the Director of Strategy, Equality & Partnerships explained that the emergency measures were not triggered. It was accepted however that the city had not got its community involvement right. The Chief Executive added that the recommendation should be that all community groups are involved from the start.

Recommendation 6: Concerns were raised about how well internal governance processes (as highlighted by the Governance Review) were demonstrating greater openness and transparency especially when asking support from residents, members and other stakeholders in Council services. How well 'Find my Tender' procurement website was illustrated as an example of this, and it was suggested that engagement with local businesses, Chamber of Commerce, Federation of Small Businesses, and others may be a way forward in getting further insight into how well it is used and what alternative(s) may work better.

The Director of Strategy, Equality & Partnerships acknowledged members concerns and suggested that it was included as part of the action plan in response to the Governance Review.

Recommendation 9: It was felt that the wording of this recommendation was not quite right and needed adjusting. The Council requires a database of providers that is cross-directorate and can be accessed quickly to avoid unnecessary delays. This would include providers that have not worked with the Council as well as those who have.

The Director of Strategy, Equality & Partnerships understood the focus on intent however the Council would need ensure that it demonstrated due diligence in respect of procurement legislation. Further discussion will take place with the Chief Executive and Procurement so that improvements are made to a framework of providers to allow the Council to engage services more quickly where required. The Committee accepted this as a way to move forward.

Recommendation 10: Procurement and risk were highlighted as two key issues in relation to single contract negotiation. Members supported an approach to ensure that in the very rare occasion that a service needs to be procured from a single provider that Cabinet are presented with a report that shows a robust process of checks and balances with mitigation options. This would help Cabinet in making its decision. The Chief Executive confirmed that the procurement and management of contracts will be subject to a comprehensive review.

Recommendation 11: The Head of Scrutiny and Committee Services clarified that the Section 151 officer has been tasked with reviewing the officer delegation process including the decision-making process and the criteria for publishing these decisions. There will be an emphasis on providing greater transparency. Members highlighted

that officer names should be added to reports where these decisions are taken (especially those relating to single award contractors for example) as this would help with accountability particularly where there may be a number of changes in staffing. The Chair stated that the recommendation should be accepted with the caveat that under the current Section 114 arrangements the Council is operating differently and asked the Director of Strategy, Equality & Partnerships to update the response to reflect this.

Recommendation 12: Members raised concerns that single contract negotiations should be initially awarded for 12 months to ensure flexibility. The Chief Executive explained that the comments made would be fed into the imminent review of procurement and contract management.

The Chair thanked the officers.

RESOLVED: -

- Report was noted.

8. THE IMPACT OF THE ELECTIONS ACT 2022

The Chair introduced the item and Robert Connolly in his capacity as the Council's Returning Officer explained that he would be covering changes made to the Elections Act 2022. Further to the report included in the agenda pack the following key points were highlighted: -

- Residents must provide photo ID when voting in person at all future elections. A photo ID authority certificate can be applied for online and is free. Applications can also be made in-person at the Council House. For sustainability purposes online applications are encouraged to avoid loss of the paper certificate.
- Since the introduction of the requirement to provide photo ID at polling stations in May 2023 there have been no elections in Birmingham. Therefore, to avoid confusing voters a campaign to increase public awareness will start in January 2024. This is in preparation for the scheduled elections on Thursday 2 May 2024 of the Combined Authority Mayor and Police and Crime Commissioner.
- The use of photo ID was trialled at the July 2023 Jewellery Quarter Neighbourhood Planning Referendum. Although this was at a much smaller scale than any election previously held there was some public awareness about the need to provide photo ID and useful lessons have been learnt as the city works towards full implementation. The Electoral Commission has also made some recommendations to local authorities on the awareness campaign.

- Initial conversations have been held with political parties about the process and the role of councillors and candidates in raising awareness with residents.
- Research has shown that between 2-4% of the electorate equating to approximately 16,000 people would potentially be able to apply for a photo authority certificate. To date 2,000 applications have been received and this indicates that awareness raising nationally has been quite successful.
- Elections staff have visited other parts of the country to learn how other councils have dealt with the implementation of photo ID and how this affected the number of people voting. Some councils trialled different methods to remind and encourage voters to be prepared before entering the polling station and this did affect the reliability of the figures provided on how successful awareness raising had been.

A discussion was held with Members and the following were among the points made:

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- Acceptable forms of ID include a passport or driving license for those who do not have a photo certificate. These documents do not need to be valid if the photo resembles the person voting.
- Dedicated resources are being provided by Government to help councils raise awareness and there is no cost to the Council. Further information on acceptable forms of ID will be issued to political parties and individual councillors to be shared with residents. These materials will be provided by the Electoral Commission.
- The local referendum held in July did not highlight any particular issues in relation to voter ID however it should be noted that this was a very small sample.
- Although there is speculation that a parliamentary election could be held in 2024 for the purposes of planning it would be helpful if the city was able to roll out the use of photo ID at local elections prior to enable lessons to be learnt.
- There is some concern about how the system would cope with the cumulative effect of numerous changes especially if a parliamentary election were to be called in May.
- The Elections office are carrying some vacancies however current recruitment is ongoing with some staff due to start in February.
- It was confirmed that additional posts are being funded by Government to support the extra work expected in 2024: -
 - Changes to parliamentary boundaries means that Birmingham has gained 2 wards from Solihull resulting in an increase in voter numbers.
 - A poll and district review to be carried out post-election.
 - A parliamentary election could be called within 28 working days and the impact of planning for this would require the recruitment of specific staff with specialist skills.

- Concerns about children missing learning due to schools closing for the day to allow elections to take place was raised. It was explained that the Elections Office will work with schools to ensure they remain open wherever possible. Sourcing viable alternatives that provide easy access is a key concern and the Elections office will work with local councillors to identify other sites that can be used. As part of a review of polling stations, it has been highlighted that in some wards there are no viable alternatives. In addition, due to the numerous changes taking place, any changes to polling station locations will be kept to a minimum to avoid confusion.
- The Returning Officer has personal liability and has to determine the amount of funding needed to run the election. There is ringfenced funding from Government for this and further funding is available to support a parliamentary election. The amount of funding will not be confirmed until January and this impacts on the ability to plan especially with recruiting the recommended staffing level staff to polling stations. This is something that the city has struggled to achieve.
- The ability to apply for postal votes online for the first time was a cause of some concern for the Returning Officer as there was no way of knowing what the demand and the impact of this would be. Currently there are approximately 75-80,000 postal voters in the city this is quite low in comparison to other cities such as Leeds. There is the potential that this number could double if a parliamentary election is called.
- The introduction of the new portal for applications is live but requires further work and there is some concern about whether it will be ready for May and be able to cope with the level of applications. Electors need to enter their national insurance number and date of birth when applying for a postal vote online. Paper applications are still accepted however these may take longer to process than previously.
- Up to 6 postal votes can be handed in at a polling station and the person dropping the votes in is required to fill in a form verifying that the voters are known to them. It is anticipated that this may cause some delays at polling stations. Campaigners are no longer able to handle postal votes as this would now be classified as a criminal offence. Further information and briefings will be provided on this to political parties.
- Polling station staff have received training to deal with no huddling at booths. Residents are advised that discussions can take place outside of the polling station.
- The Council does not have any powers outside of polling stations. The campaigning and in some cases intimidating behaviour experienced by voters outside polling stations has been noted and political parties have been approached to help deal with the issue.

The Chair thanked the officers.

RESOLVED: -

- Report was noted.

9. SCRUTINY WORK PROGRAMME

The Chair introduced the report circulated and made further comments in relation to the Governance Review (undertaken by Centre for Governance and Scrutiny).

Firstly, the Commissioners have stated that the Council needs to work much faster to make the progress required in improvements than the timeline set out in the Review.

Recommendation 5 of the Governance Review notes the role of Scrutiny in relation to focusing the work programme on improvement and recovery. Therefore, each of the committees at their January meeting will need to set aside time for a discussion on this and how future meetings can be used to support the Council's journey. Input will be required from the Programmes, Performance and Improvement (PPI) division as it has been tasked with producing a stabilisation report for Commissioners. There may be a requirement for committees to hold separate workshop sessions with appropriate officer support from directorates and the PPI division.

To ensure overview of the wider agenda work being carried out by committees in relation to the improvement and recovery journey a separate Task & Finish Group is to be set up with members from Co-Ordinating O&S Committee. This will be separate to the work that the Co-Ordinating O&S Committee will need to do in relation to its own work programme. A Terms of Reference will be produced. Membership to include relevant O&S Chairs and other members to be agreed as soon as possible.

A discussion was then held, and the following were among the points made: -

- The role of Task & Finish and undertaking scrutiny work outside of formal meetings to add value has been raised by the Lead Commissioner.
- Members were in support of the additional Task & Finish Group to be set up to oversee the work across committees on the improvement plan however there was some concern as to whether the number of committees were working efficiently and effectively to help deliver the changes now required.
- Ensure that the work carried out is focused on outcomes.
- Scrutiny is only as good as the information it receives and sometimes it struggles with obtaining the information from service areas that it requires to undertake its role effectively.

RESOLVED: -

- Members agreed that the Economy & Skills O&S Committee would initially take forward work related to the decisions being taken in the disposal of assets taken by the Cabinet Committee (Property).
- The Co-Ordinating O&S Committee to set up a separate Task & Finish Group to ensure an overview of the work happening across committees.
- That the Work Programme for the Co-ordinating OSC be noted.

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

There were no requests for Call In for Co-ordinating OSC.

11. OTHER URGENT BUSINESS

The Chair re-iterated the role of scrutiny committees in supporting the Council's stabilisation and governance plan for the benefit of the Chief Executive who had joined the meeting later.

12. DATE AND TIME OF NEXT MEETING

It was noted that the next meeting of the Co-ordinating Overview and Scrutiny Committee is scheduled for 26 January 2024.

The meeting ended at 11:58 hours.

CO-ORDINATING OSC

ACTION TRACKER 2023/24 – JANUARY 2024

	Date	Agenda Item	Action	Notes
1.	27 January 2023	Cabinet Member Social Justice, Community Safety & Equalities	The Cabinet Member agreed to meet with the Board of Deputies and the Jewish Leadership Council and will confirm if the letter was sent to the MPs when the definition was adopted and restate the message	<p>IN PROGRESS Cllr Brennan has met with Leader and is now in the process of arranging visits with a number of faith leaders, including Board of Deputies and the Jewish Leaders and will circulate the letter. It is not possible to confirm that a letter was issued to MPs, but Cllr Brennan will circulate a letter following her visit.</p> <p>UPDATE (30 Nov 2023) As a result of the current conflict in the Middle East the actions (see above) have not taken place as previously advised. The Cabinet Member and Officers are in regular discussions with the Jewish Community and the CST and will reconsider actions as a result of the conflict and increases in Antisemitism that have been seen.</p>
2.	16 June 2023	Developing the Co-ordinating OSC Scrutiny Work Programme 2023/24	A short briefing note on OFLOG, and its functions and powers, to be produced once more is known about it.	<p>IN PROGRESS The Head of Scrutiny and Committee Services to liaise with the AD Programmes, Performance and Improvement on this.</p>
3.	14 July 2023	Co-ordinating OSC Work Programme 2023/24	That the issue of Equal Pay / Budget Recovery be included on the agenda for each OSC, perhaps as a standing item.	<p>IN PROGRESS / ONGOING At the October Co-ordinating OSC a Budget Scrutiny Task and Finish Group was established to lead work in this area. This</p>

				<p>will be chaired by the Chair of Finance and Resources and will address three key questions: How will the Council close the in-year budget during 2023/24? How can scrutiny contribute to the development of the Budget proposals for 2024/25? What comments / recommendations do scrutiny wish to make to Cabinet with the 2024/5 budget proposals are considered?</p> <p>The Task and Finish Group's final report will be considered by Finance and Resources OSC on 24 January ahead of recommendations be considered by Cabinet and Full Council in February.</p>
4.	15 Sept 2023	Financial Challenges – Scrutiny Contribution	That the presence of a scrutiny member as an observer on the Spend Control Boards be considered.	<p>APPROVED / ONGOING</p> <p>The Chair of Co-ordinating OSC and the Chair of Finance and Resources have been invited to attend meetings as observers.</p>
5.	15 Sept 2023	Financial Challenges – Scrutiny Contribution	Interim Director of Finance (Section 151 Officer) to ensure that information on statutory recommendations is forwarded to members.	<p>IN PROGRESS / ONGOING</p>
7.	15 Sept 2023	Financial Challenges – Scrutiny Contribution	Discussion be held with the Chair of the Audit Committee and OSC Chairs on how to modify work programmes and if such modifications are necessary to ensure that value was added in the context of financial challenges.	<p>IN PROGRESS / ONGOING</p> <p>This will be picked up as part of work to respond to the CfGS Governance Review, especially recommendation 6 (<i>Strengthen working relationships between the Chairs of Scrutiny Committees and the Chair of the Audit Committee to lead and direct the function</i>) and recommendation 7 (<i>Put in place new arrangements for the support of</i></p>

				<i>the internal audit function, the audit committee, and the links between audit and scrutiny).</i>
9.	13 Oct 2023	Scrutiny of Delivery of 2023/24 Budget Savings and update on Council's response to Section 114 Notice and Financial Recovery Plan.	That a cross-party/cross OSC Task and Finish Group led by Finance and Resources OSC be set up to discuss budgetary issues. This would be Chaired by the Chair of Finances and Resources OSC but involving the other Chairs of OSCs.	IN PROGRESS This has now been set up and met for the first time on 20 November. A final report will be considered by Finance and Resources OSC on 24 January ahead of recommendations be considered by Cabinet and Full Council in February.
10.	13 Oct 2023	Scrutiny Work Programme	The Chair highlighted that there would be a need for each of the scrutiny work programmes to refocus on the Council's recovery, budget and improvement priorities to ensure the best use of Scrutiny resource and the time of officers across the council working with scrutiny.	IN PROGRES / ONGOING From January each of the 8 OSCs will hold informal sessions to review their work programmes to align with the emerging Improvement and Recovery Plan workstreams and criteria in Rec 5 of the Governance Stabilisation Action Plan.

Birmingham City Council

Co-ordinating Overview and Scrutiny Committee

26 January 2024



Subject: Terms of Reference for Scrutiny Task and Finish Group: Governance Stabilisation

Report of: Christian Scade, Head of Scrutiny and Committee Services

Report author: Fiona Bottrill, Senior Overview and Scrutiny Manager
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07395 884487

1 Purpose

- 1.1 Following agreement at the last meeting, this report sets out proposed terms of reference for the Governance Stabilisation Task and Finish Group.

2 Recommendations

- 2.1 That the Committee notes, and agrees, the Terms of Reference / Work Outline for the Governance Stabilisation Scrutiny Task and Finish Group set out in Appendix 1.

3 Background

- 3.1 The Centre for Governance and Scrutiny (CfGS) undertook an independent review of governance at Birmingham City Council from July to November 2023, which was presented to Cabinet in December 2023.
- 3.2 The purpose of the review was to assess key governance issues identified in various external reviews and judgements, the Council's response to them and to recommend actions to further improve governance at the Council.
- 3.3 The CfGS report identified a number of governance and cultural issues within the Council which need to be addressed. The Governance Stabilisation Plan (reported to Cabinet and set out at Appendix 2) contains recommendations and immediate actions to support the short-term stabilisation of governance at the Council over the next six months.
- 3.4 Actions for longer-term improvement will be incorporated into the Council's overall Improvement and Recovery Plan (IRP).

3.5 As set out in Appendix 1, the Task and Finish Group will be part of the assurance and monitoring arrangements and ensure that non-executive members are informed of the process as recommendations are implemented and advising of actions that need to be incorporated in the IRP.

4 Any Finance Implications

4.1 There are no immediate financial implications arising from the recommendations set out in this report.

5 Any Legal Implications

5.1 There are no immediate legal implications arising from the recommendations set out in this report.

6 Any Equalities Implications

6.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

6.2 The protected characteristics and groups outlined in the Equality Act are Age; Disability; Gender Reassignment; Marriage and Civil Partnership; Pregnancy and Maternity; Race; Religion and Belief; Sex, and Sexual Orientation.

6.3 The Committee should ensure that it addresses these duties by considering them during work programme development, the scoping of work, evidence gathering and making recommendations. This should include considering how policy issues impact on different groups within the community, particularly those that share a relevant protected characteristic; whether the impact on particular groups is fair and proportionate; whether there is equality of access to services and fair representation of all groups within Birmingham; and whether any positive opportunities to advance equality of opportunity and/or good relations between people are being realised.

6.4 The Committee should ensure that equalities comments, and any recommendations, are based on evidence. This should include demographic and service level data and evidence of residents/service-users views gathered through consultation.

7 Appendices

Appendix 1: (Draft) Terms of Reference, Governance Stabilisation
Scrutiny Task and Finish Group

Appendix 2: Governance Stabilisation Plan

8 Background Papers

8.1 [Birmingham City Council Constitution](#)

8.2 Birmingham City Council Overview and Scrutiny Framework

9.3 [Governance Review of Birmingham City Council by Centre for Governance and Scrutiny \(Cabinet Report, 12 December 2023\)](#)



Appendix 1: Terms of Reference / Work Outline

Scrutiny Task and Finish Group: Governance Stabilisation

Co-ordinating Overview and Scrutiny Committee Task and Finish Group

Our key question:	How well is the Council implementing the Governance Review Stabilisation Plan?
1. How is O&S adding value through this work?	<p>The Centre for Governance and Scrutiny (CfGS) undertook an independent review of governance at Birmingham City Council from July to November 2023. The purpose of the review was to assess key governance issues identified in various external reviews and judgements, the Council's response to them and to recommend actions to further improve governance at the Council.</p> <p>The CfGS report identified a number of governance and cultural issues within the Council which need to be addressed. The Governance Stabilisation Plan contains recommendations and immediate actions to support the short-term stabilisation of governance at the Council over the next six months. Actions for longer-term improvement will be incorporated into the overall Improvement and Recovery Plan.</p> <p>The Task and Finish Group will be part of the assurance and monitoring arrangements and ensure that non-executive members are informed of the process as recommendations are implemented and advising of actions that need to be incorporated in the IRP.</p>
2. What needs to be done?	The work of the Task and Finish Group will align with the wider monitoring arrangements across the Council including the Stabilisation Plan Board, reporting to Corporate Leadership Team and the Commissioners Improvement and Recovery Board.



	<p>Key questions the Task and Finish Group will consider include:</p> <ul style="list-style-type: none"> • (Key questions to be agreed at initial meeting) <p>In order to align with the wider assurance and monitoring arrangements the Task and Finish Group will meet 4 times:</p> <p>End of January (26 January): To agree terms of reference and key questions</p> <p>Late February / Early March (Date TBC after CLT on 27 February)</p> <p>Early May (Date TBC after CLT on 30 April)</p> <p>June (Date TBC)</p>
3. What timescale do we propose to do this in?	It was agreed at Cabinet that the Governance Stabilisation Plan will be implemented by the end of June 24. The Task and Finish Group will seek assurance that key milestones are met during this process to ensure completion with 6 months.
4. What outcomes are we looking to achieve?	Ensure member engagement in the oversight of the Governance Stabilisation Action Plan.
5. What is the best way to achieve these outcomes and what routes will we use?	Co-ordinating OSC has established the Task and Finish Group including the Chairs of all Overview and Scrutiny Committees and opposition members (see below).

Member / Officer Leads

Lead Member:	Chair of Task and Finish Group: Cllr. Albert Bore
Members of the Task and Finish Group	Cllr. Sir A. Bore (Lab), Cllr. A. Ahmed (Lab), Cllr. M. Brown (Lab), Cllr. J Deakin (Lab), Cllr. S. Hussain (Lab), Cllr. M. Idrees (Lab), Cllr. K Jenkins (Lab), Cllr. L. Marsham, Cllr D. Alden (Con), Conservative (TBC) and Cllr Morriam Jan – or deputy (Lib Dem).
Lead Officer:	Christian Scade, Head of Scrutiny and Committee Services

Governance Stabilisation Plan

Birmingham City Council
and Centre for
Governance and
Scrutiny

November 2023



Governance Stabilisation Plan

This Stabilisation Plan sets out recommendations and immediate actions which will be taken to support the short-term stabilisation of governance at the Council. These address governance and cultural issues identified by the Centre for Governance and Scrutiny’s (CfGS) review of governance in the Council and have been jointly developed by the CfGS and the Council. These actions will be implemented immediately while actions for longer-term improvement are developed further and incorporated into and monitored through the overall Improvement and Recovery plan. A scrutiny task and finish working group will commence in January 2024 to monitor the implementation of the Stabilisation Plan and assess how the Council uses the CfGS’ report to develop the Improvement and Recovery Plan.

The implementation of this Stabilisation Plan will be supported by officers from across the Council. This is the only way to deliver a “whole council” mindset on improvement. Much of the work set out in this plan will engage with the Council’s Governance and Assurance Programme, which has already been partially deployed.

CfGS Recommendation	BCC Response – current, planned, or proposed activity	Key Deliverables within 6 months (June 2024)	Accountable Officer
<p>1. Refocus corporate attention and priorities on ensuring safe, legally compliant, and fairly delivered services to local people</p>	<p>Review of the Corporate Plan in context of the financial position and improvement and recovery plan (IRP) priorities.</p> <p>Review/refresh key performance reporting to better reflect compliance and vital service delivery, in tandem with broader governance work streams.</p> <p>Practical steps taken to introduce the wider organisation (members and officers) to prioritisation and effective performance management.</p> <p>Scoping further activity for the Improvement and Recovery Plan.</p>	<p>A draft new corporate plan with clear links to the IRP.</p> <p>Performance information (and other management information) used by CLT and Cabinet to set strategic direction and respond to issues.</p> <p>Agreed further activity as part of the Improvement and Recovery Plan</p>	<p>Director of Strategy, Equality and Partnerships</p> <p>Assistant Director, Programmes, Performance, and Improvement</p>

CfGS Recommendation	BCC Response – current, planned, or proposed activity	Key Deliverables within 6 months (June 2024)	Accountable Officer
<p>2. Begin work to reframe values and expected behaviours</p>	<p>Give consideration to adapting the “best in class” framework so it forms the basis of a service reviews undertaken as part of the Improvement and Recovery Plan, ensuring a focus on culture and values and the essentials of good service delivery.</p> <p>Improvement & Recovery Plan to include workstream on cultural change activity which is informed by CfGS blueprint for change.</p> <p>Appraisal arrangements will be aligned with the Council’s corporate priorities and embedded at all levels of the organisation.</p> <p>New values and behaviours framework developed aligned to organisational redesign activity.</p>	<p>'Culture and values' embedded into approach agreed for service reviews.</p> <p>New appraisal, values & behaviours framework rolled out across the organisation.</p> <p>Improvement & Recovery Plan will be in place, with focus on culture & behaviours.</p>	<p>Director of Strategy, Equality and Partnerships</p> <p>Assistant Director, Programmes, Performance, and Improvement</p> <p>Director of People Services</p>

CfGS Recommendation	BCC Response – current, planned, or proposed activity	Key Deliverables within 6 months (June 2024)	Accountable Officer
<p>3. Develop and publicise a set of baseline behavioural standards for members and officers</p>	<p>Development of a new Member-Officer Protocol (further to constitution review)</p> <p>Develop / define model behaviours that that will help support the delivery of the new Officer/ Member protocol.</p> <p>Standards Committee to consider a review of member attitudes relating to member/member and member/officer interactions.</p> <p>New guidance to members on the Code of Conduct</p> <p>Ensure the regular Group Leaders' meetings with the Chief Executive, Section 151 Officer and Monitoring Officer focus on Forward Plan matters, critical business issues and wider stabilisation and improvement matters.</p> <p>Scope and develop a programme of action on member-officer relationships as part of the Improvement and Recovery Plan development.</p>	<p>New Protocol is understood and is guiding Members and Officers resulting in greater confidence in one another.</p> <p>Member Attitudes/ Interactions Review has commenced.</p> <p>Members have signed up to the Code of Conduct.</p> <p>Improvement & Recovery Plan has a workstream focussed on member-officer roles and relationships</p>	<p>Interim Monitoring Officer</p>
<p>4. Review the Constitution</p>	<p>Undertake an immediate legal compliance check to identify sections of the constitution and elements that require urgent amendment and updating.</p> <p>Include review of the constitution as a workstream of the Improvement and Recovery Plan development. This should be informed by the “blueprint for change” set out in the CfGS report. There should be a particular focus on the following areas:</p>	<p>Up to date constitution has been established.</p> <p>The compliance check has been concluded on the high priority areas identified in the CfGS review, monitored through the Improvement and Recovery Plan (IRP)</p> <p>Audit Committee is working to new terms of reference and is being supported to continually strengthen its' function and impact.</p>	<p>Interim Monitoring Officer</p> <p>Section 151 Officer</p>

CfGS Recommendation	BCC Response – current, planned, or proposed activity	Key Deliverables within 6 months (June 2024)	Accountable Officer
	<ul style="list-style-type: none"> • Member-officer relationships (with a particular focus on mutual roles and responsibilities, including delegation) • Role and functions of Council, Cabinet, scrutiny, and audit in respect of development and agreement of major decisions and strategies. • Conduct, values, and behaviours • New financial governance arrangements <p>Develop new Terms of Reference for the Audit Committee and better alignment of the Audit Committee role to CIPFA best practice standards and consider alignment of standards/principles with other committees.</p> <p>Establish a Corporate Governance (Officer) Group to support the Audit Committee and other governance related work.</p>	<p>Agreed further activity as part of the Improvement and Recovery Plan</p>	
<p>5. Reframe the scrutiny work programme to focus on the Council's improvement and recovery priorities.</p>	<p>Scrutiny will play an active part in the 24/25 Budget development process. A Budget Scrutiny Task and Finish Group has been recently established to support this.</p> <p>Align the Overview & Scrutiny work programme to the Improvement and Recovery Plan (once developed). This should focus on:</p> <ul style="list-style-type: none"> • The safe and effective delivery of key services supporting vulnerable people. • Critical performance issues emerging “by exception”. • Equality and equity issues arising from the development of the 24/25 Budget, the Emergency Budget (to be identified by 	<p>Alignment of the Overview & Scrutiny work programme with the Improvement and Recovery Plan</p> <p>Scrutiny's role in the 2024/25 Budget development process has subjected financial plans to rigorous challenge.</p> <p>Scrutiny has played a consistent and productive role in the Council's overall immediate improvement and recovery activity. It, and the wider Council, needs to have been able to demonstrate what that value has been added.</p>	<p>Interim Monitoring Officer</p> <p>Statutory Scrutiny Officer</p>

CfGS Recommendation	BCC Response – current, planned, or proposed activity	Key Deliverables within 6 months (June 2024)	Accountable Officer
	<p>exception), and other priority scrutiny activity relating to the Budget.</p> <ul style="list-style-type: none"> • Culture, behaviour change and organisational development. 		
<p>6. Strengthen working relationships between the Chairs of Scrutiny Committees and the Chair of the Audit Committee to lead and direct the function</p>	<p>Scrutiny Chairs should meet on a monthly basis.</p> <p>Scrutiny Chairs and Audit Committee Chairs should meet on a quarterly basis to:</p> <ol style="list-style-type: none"> Consider critical performance and risk issues and how they ought to be escalated to committee. Agree forthcoming agendas. Consider cross-cutting issues and determine where and how they should be dealt with. Review and reflect on recent scrutiny exercises. 	<p>A new forward programme of work for the year drafted for Audit Committee</p> <p>Scrutiny and Audit have demonstrated to internal and external stakeholders they are actively contributing to the recovery and improvement priorities and activity.</p>	<p>Interim Monitoring Officer</p> <p>Statutory Scrutiny Officer</p> <p>Assistant Director, Programmes, Performance, and Improvement</p>
<p>7. Put in place new arrangements for the support of the internal audit function, the audit committee, and the links between audit and scrutiny</p>	<p>Audit Committee improvements should be informed by CIPFA best practice standards.</p> <p>Use of new terms of reference to drive action on new ways of working for the Audit Committee. This will include:</p> <ul style="list-style-type: none"> • Audit Committee to be assured on the Council's principal strategic risks on finance and governance and to review and refine plans for mitigation with a focus on the external auditor's statutory recommendations. • Development of new risk-based systems to identify further emerging pressures. 	<p>Audit Committee have a clear understanding of key strategic risks on finance and governance.</p> <p>Reporting arrangements and a risk-led work programme have been developed for audit and scrutiny functions.</p> <p>Agreement of a new methodology for internal audit by the Audit Committee.</p> <p>Agreed further activity as part of the Improvement and Recovery Plan</p>	<p>Interim Monitoring Officer</p> <p>Director of Finance</p>

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	<ul style="list-style-type: none"> • Development of a new methodology for internal audits, which should be agreed by the Audit Committee before implementation. • Develop a more risk-led work programme for the audit and scrutiny functions on financial matters. <p>Develop new and improved reporting arrangements to/from Audit Committee to other governance committees and groups.</p> <p>Support to officers working within internal audit and wider assurance framework through the Professional Leadership Development Scheme.</p> <p>Agreed further activity as part of the Improvement and Recovery Plan</p>		
<p>8. Design, and begin to put in place, new risk & information management arrangements – with an initial focus on member accountability</p>	<p>Consider how the performance management framework can be strengthened to incorporate indicators of risk.</p> <p>A new risk management framework to be developed with emphasis on Assistant Directors being personally responsible for owned risks and KPI's.</p> <ul style="list-style-type: none"> • Undertake an exercise to baseline the understanding of risk in the authority, who owns it, how it is being mitigated and arrangements for oversight and escalation. • Enhance officers' capability on risk through development training enhance members understanding about their collective role in risk management. 	<p>There is increased clarity on risk owners.</p> <p>The council is better able to recognise its risks as they emerge and escalate to elected members more effectively and mitigate accordingly.</p> <p>Agreed further activity as part of the Improvement and Recovery Plan</p>	<p>Director of Finance</p>

CfGS Recommendation	BCC Response – current, planned, or proposed activity	Key Deliverables within 6 months (June 2024)	Accountable Officer
	<p>Develop new Audit Committee Terms of Reference to strengthen approach to risk management.</p> <p>A new Corporate Governance (Officer) Group to be formed, with a focus on governance, risk, and performance management.</p> <p>Review and revise arrangements for member support, and information sharing with Overview and Scrutiny and Audit.</p> <p>Set substantive discussion of risk as a standing item on monthly Cabinet agendas (escalated from, and informed by, discussions at Scrutiny and Audit Committee).</p> <p>Scope and develop further programme of action as part of the Improvement and Recovery Plan.</p>		
<p>9. Put in place robust arrangements for members’ oversight of the development of the 2024/25 budget and MTFS</p>	<p>Early engagement by scrutiny members is being built into the budget development processes. A Budget Scrutiny Task and Finish Group has been established to address this. Scrutiny involvement will include:</p> <ul style="list-style-type: none"> • Identification and scrutiny of the most critical areas where savings/cuts are planned with a particular focus on the equality and equity impacts. • Time and space for scrutiny to investigate and challenge the budget development including the budget plans themselves. • Members and Commissioner sessions are being scheduled to support this. 	<p>Members have had opportunities to review and challenge the development of the 2024/25 budget through the Budget Scrutiny Task and Finish Group and additional sessions.</p> <p>A process for ongoing, in-year budget scrutiny has been developed.</p> <p>Multi-directorate teams have reviewed and challenged the budget.</p> <p>Members’ input means that some of the most significant negative impacts on local people from service/budget cuts have had the opportunity to be tested/mitigated.</p>	<p>Interim Monitoring Officer</p> <p>Statutory Scrutiny Officer</p> <p>Director of Finance</p>

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	<ul style="list-style-type: none"> Separate process for ongoing, in-year budget scrutiny to be informed by the stabilisation plan's proposed action on audit and scrutiny. <p>Review and challenge of the budget from multi-dimension teams will be held across Finance, HR, Procurement, Legal, DTS, Equalities.</p> <p>The new Terms of Reference for the Audit Committee provides greater clarity of the Committee's role in financial management oversight.</p>	<p>There will be formal feedback from scrutiny to Council, to support its formal work on signing off the Budget in New Year 2024.</p>	
<p>10. Integrate action on external auditors' recommendations into wider practice.</p>	<p>All external audit recommendations fall within the scope of commissioner led intervention, and will be addressed where required by the Improvement and Recovery Plan</p> <p>A new corporate timetable has been issued to develop a budget, which includes all services and involves engagement from Members. This will result in a more sustainable financial plan.</p>	<p>A more sustainable financial plan has been developed through following the new corporate budget timetable.</p> <p>External audit recommendations are being monitored and integrated into wider improvement plan and practice.</p> <p>Agreed further activity as part of the Improvement and Recovery Plan</p>	<p>Director of Finance</p>
<p>11. Continue to rebuild relationships with external partners.</p>	<p>A programme of work is being implemented to understand partner's needs, roles, capacity, and capability.</p> <p>Partnership engagement infrastructure is being developed to strengthen the council's approach, and tools will be made available to help contribute to the Council's effectiveness as mature and effective partner.</p> <p>Start to think about how active partnerships can contribute to service redesign, which we consider</p>	<p>There is a better understanding of the Council's partners, which acts as a basis for meaningful discussion of the role of partners in respect of the Council's future operating model.</p> <p>Tools and guidance are available to support partnership work across the Council.</p> <p>Members are more strongly involved in partnerships.</p>	<p>Director of Strategy, Equality and Partnerships</p>

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	<p>will be an important theme of the Improvement and Recovery Plan.</p> <p>Approach to Member involvement needs to be developed in order for them to play strong role in this work.</p>	<p>Agreed further activity as part of the Improvement and Recovery Plan</p>	
<p>12. Put in place proportionate arrangements to manage governance and decision-making in the context of the role of Commissioners</p>	<p>Proportionate and directed oversight by Commissioners will be integrated into plans for the constitutional review, and other short-term changes to the governance framework.</p> <p>Activity is already underway to:</p> <ul style="list-style-type: none"> • Establish process for Commissioners to clear and comment on all council/ cabinet reports. • Agree where and how Commissioners will be sighted on important / contended matters. • Agree on how delegation will operate under Commissioners' oversight. • Create formalised arrangements for Cabinet/ CLT/ Commissioner/ scrutiny relationships, to ensure that there is public visibility and accountability. 	<p>Proportionate arrangements are in place to integrate Commissioners' roles, and expectations, as a semi-permanent part of the governance framework. These arrangements are consistent and well-understood.</p>	<p>Director of Strategy, Equality and Partnerships</p>
<p>13. Modernise systems and practices in Scrutiny and Committee Services</p>	<p>The Statutory Scrutiny Officer (SSO) will be empowered with scrutiny chairs and CLT, to take forward action to ensure that improvement work is taken forward.</p> <p>Ongoing mentoring support to officers supporting the Audit Committee to be used as a model for wider mentoring and coaching for Scrutiny and Committee Services staff.</p> <p>Scoping further activity for the Improvement and Recovery Plan.</p>	<p>Improvement work has been undertaken in Scrutiny and Committee Services, reflecting the recommendations from ongoing externally commissioned support work.</p> <p>The SSO and Scrutiny and Committee Services has a higher profile in the organisation.</p> <p>Agreed further activity as part of the Improvement and Recovery Plan.</p>	<p>Interim Monitoring Officer</p> <p>Statutory Scrutiny Officer</p>

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	Delivery is contingent on conclusion of ongoing externally commissioned improvement activity across Scrutiny and Committee Services.		

