



Overview and Scrutiny Annual Report 2016/17





Preface

By Cllr John Cotton, Chair, Health, Wellbeing and the Environment O&S Committee

Good scrutiny is essential to ensuring that our city is governed well. This council's scrutiny committees provide a vital forum, not only for holding our own Executive to account for their decisions, but for engaging the talents of all Councillors in shaping policy, tackling challenging issues and also building partnerships across Birmingham's public, private and voluntary sectors. Scrutiny is the place where all parties can come together, debate the issues, ask the challenging questions and provide a voice for the diverse communities and interests that have made their home in today's Birmingham.

This annual report sets out the varied and extensive work that the council's five scrutiny committees have undertaken over the last year. I think it is important to remember that whilst we have been required to reduce the number of scrutiny committees and the resources available to support members undertaking scrutiny work, the extent and scope of the subjects we are expected to cover has not. Therefore, members and officers have had to work extremely hard over the last year to ensure that we continue to deliver effective, focused and relevant scrutiny that adds value to the council's decisions and properly reflects the concerns of citizens.

To help us do this more effectively, this year we've been working with the Centre for Public Scrutiny, who supported us in a thorough review of the existing overview and scrutiny arrangements. This work, which drew on the expertise and experience of members and officers from across the council, has helped to strengthen scrutiny and give the whole council an assurance that overview and scrutiny is in a position to provide constructive challenge, positive criticism and to help the process of driving improvements across the council. A discussion paper was shared with the political groups following this work and we intend to set up a member working group to take forward the proposals and suggestions in this paper over the course of the 2017-18 municipal year.

As part of this work, we have also made recommendations to make some minor changes to the remits of the committees, to ensure that there is a more equitable distribution of workload, that the statutory responsibilities of some committees are given appropriate focus and that they are properly aligned with the council's strategic priorities.

However, what gives scrutiny its ultimate power is the fact that it is member-led. That is why all five Scrutiny Chairs are keen to engage all Councillors in the process of shaping the scrutiny agenda and ensuring that we focus our resources on the areas where we can add the most value and make the most difference to the lives of our citizens. This report and the accompanying debate at the City Council meeting – is an opportunity to start that debate, but we will be continuing it over the coming weeks, including holding an all-member workshop where all Councillors can share their views and ideas on the priorities for scrutiny in the year ahead.

On behalf of the five Chairs and all members of the Overview and Scrutiny Committees, I commend this report to you and look forward to working with you to further strengthen the vital work of scrutiny.



1 Introduction

1.1 Scrutiny in Birmingham

- 1.1.1 Overview and Scrutiny (O&S) is an essential part of our local democracy, playing a vital role in the governance of Birmingham, influencing improvements in services and shaping plans to enhance conditions for our citizens.
- 1.1.2 The Constitution sets out the ways in which good O&S adds value to the council:
- Provides “critical friend” challenge to executive policy-makers and decision-makers;
 - Enables the voice and concerns of the public and its communities to be heard;
 - Drives improvement in public services.
- 1.1.3 There were five O&S Committees in 2016/17 and two Joint Health Scrutiny Committees:
- Corporate Resources and Governance – Councillor Mohammed Aikhlaq (Chair);
 - Economy, Skills and Transport – Councillor Zafar Iqbal (Chair);
 - Health, Wellbeing and the Environment – Councillor John Cotton (Chair);
 - Housing and Homes – Councillor Victoria Quinn (Chair);
 - Schools, Children and Families – Councillor Susan Barnett (Chair);
 - Birmingham and Sandwell Joint Health Committee and Birmingham and Solihull Joint Scrutiny Committee.
- 1.1.4 The O&S Committees have contributed to policy development and review; reviewed and scrutinised Executive decisions; and made recommendations to the Executive and in some cases, partners. A summary is set out in section 2.
- 1.1.5 Two of the Committees had additional statutory responsibilities. The Health, Wellbeing and the Environment O&S Committee was responsible for discharging the council's statutory responsibility to review and scrutinise matters relating to the planning, provision and operation of health services as provided for by the Health and Social Care Act 2012 (the 2012 Act). The Housing and Homes O&S Committee had two additional statutory responsibilities: firstly in relation to crime and disorder, and secondly for the scrutiny of flood risk management.

Improving Scrutiny

- 1.1.6 O&S in Birmingham has a long history as a well-respected and high profile scrutiny function. Work over the years has won a number of awards and has seen significant contributions to the governance and efficiency of the council.



- 1.1.7 In 2015, the number of O&S Committees was reduced to five, partly in response to the Kerlake Report and recommendations, and partly in response to the increasing difficulty in sustaining adequate officer support to the then nine O&S Committees and the two joint health committees. Nonetheless, as last year's Scrutiny Annual Report noted, the work programmes continue to encompass the full range of council policy and service areas. The number of scrutiny committees may have reduced, but the breadth and depth of work they are expected to cover has not.
- 1.1.8 In November 2016, the Centre for Public Scrutiny (CfPS) was asked to run a series of workshops with members and officers to assist the council in reviewing the council's scrutiny arrangements. The aim was to ensure that the City Council can be assured that O&S will be able to provide constructive and supportive challenge, and drive improvement in future.
- 1.1.9 The resulting report recognised that "scrutiny had some shortcomings and occasionally found it difficult to effect change, but that overall it could demonstrate a decent impact. For officers, there was general agreement that scrutiny helps to influence and shape policy, but that sometimes it comes to issues too late, and/or in an unfocused way." The key proposals were around the organisation continuing to develop an agreed sense of scrutiny's overall role, in particular in supporting policy development; to improve information sharing with scrutiny members and to refine a menu of different ways of working for scrutiny.
- 1.1.10 A member steering group convened to oversee the work, and Scrutiny Chairs, met to discuss ways to take this work forward. The proposals from those discussions were set out in a discussion document for the groups, and included:
- A refreshed approach to work programming, addressing how O&S prioritises work in line with member and council objectives, through the use of a workshop to harness the input of all members, regardless of committee membership, in the development of work programmes;
 - A reconsideration of the balance between public scrutiny and early policy involvement, to ensure that there is sufficient capacity for inquiry working and policy development work;
 - The need to set up a cross-party member working group to refresh some of our practices and procedures.
- 1.1.11 In addition, the Schools, Children and Families O&S Committee worked with the LGA and Centre for Public Scrutiny as part of its inquiry into corporate parenting, to explore the role and function of the corporate parent for Councillors and scrutiny, review current structures and processes, and to scope the inquiry.

1.2 Who Sits on the Scrutiny Committees?

- 1.2.1 Scrutiny is carried out by independent minded members who lead and own the scrutiny process.
- 1.2.2 Each committee has a Chair and a Deputy Chair and in total 56 Birmingham Councillors (or 46%) sat on a scrutiny committee in 2016/17 (several sat on more than one committee). The Schools,



Children and Families O&S Committee also had four co-opted members (two church and two parent governor representatives).

- 1.2.3 For members who do not sit on a scrutiny committee, there are many ways to be involved including contributing evidence to inquiries, to participating in debates at City Council. This report, and the discussion that will follow at City Council, is one way in which members of the City Council can support that member-led process.

2 What We Did

2.1 Scrutiny in Numbers – Key Observations

2.1.1 The infographic overleaf gives some indication of the quantity of work undertaken by scrutiny last year. Notably, the number of meetings increased from 91 to 116 in 2016/17 (the biggest increase being in the number of informal meetings and visits); whilst the number of inquiries completed fell for the fourth year in a row. This perhaps reflects a move to more committee and overview work, as members try to both cover the breadth of relevant and significant topics and respond more quickly to emerging issues.

2.1.2 Also, this year saw a significant increase in the number of requests for call-in (ten, up from four last year) and in the number of decisions referred back to Cabinet (five, up from zero last year).

2.2 Adding Value

2.2.1 The following pages set out a summary of the significant pieces of work undertaken by scrutiny over the last 12 months, identifying where scrutiny has added value linked to the council's priorities.



CHILDREN

A great place to grow up

Make the best of our diversity and create a safe and secure city for our children and young people to learn and grow.



HOUSING

A great place to live in

Provide housing in a range of types and tenures, to meet the housing needs of all of the current and future citizens of Birmingham.



JOBS & SKILLS

A great place to succeed in

Build upon our assets, talents and capacity for enterprise and innovation to shape the market and harness opportunity.



HEALTH

A great place to grow old in

Help people become healthier, and more independent with measurable improvement in physical activity and mental wellbeing.



Scrutiny Annual Report 2016/17

5

Overview and Scrutiny Committees:

Corporate Resources and Governance

Economy, Skills and Transport

Health, Wellbeing and the Environment

Housing and Homes

Schools, Children and Families



116 meetings

56



Public Committee Meetings

▪ With 75% member attendance

10



Visits

50



Sub groups, member briefings and workshops

▪ With 46% member attendance

6



Inquiries / task and finish groups

▪ With 4 reports to City Council

59



Recommendations from earlier inquiries were tracked

10



Call-Ins

▪ 5 sent back to Cabinet
▪ 3 related to concerns about consultation

191



Items on committee meetings agendas

79



External witness and organisations have contributed


43



Cabinet Member attendances

CHILDREN


Birmingham – a great place to grow up

	Scrutiny themes	Scrutiny – Added Value/Impact
	<p>Corporate Parenting</p>	<p>Conducted an in-depth inquiry into the important role Councillors play with regards to their corporate parenting role. Recommendations were made on how Councillors can be supported in their role to enable them to be better advocates for children in care; for instance, targeted support and training will be given to members following the completion of a 'menu of involvement'.</p>
	<p>Safeguarding</p>	<p>Identified where progress was still needed with regards to safeguarding through scrutiny of the Birmingham Safeguarding Children's Board Annual (BSCB) report with the Chief Executive of the BSCB.</p> <p>Engaged with the Children's Commissioner for Birmingham (now the Chair of the Birmingham's Children Trust), to fully understand the issues and provide a challenge to the earlier proposals for the Trust.</p> <p>Followed up on earlier inquiries into children missing from home and care and child sexual exploitation by evaluating progress made in implementing the recommendations. As part of this, the committee examined Ofsted's comments regarding problems identified with the missing from education service.</p> <p>Contributed to the Ofsted Inspection (O&S members were interviewed by Ofsted and provided a summary report on their work as part of the Council's inspection).</p> <p>Supported officers by examining how the council is using the Prevent Duty in schools and helping families earlier.</p>

	<i>Education & School Improvement</i>	<p>Continued focus on school improvement through engagement with the West Midlands Regional Schools Commissioner and the Birmingham Education Partnership and through analysis of the school attainment statistics for Birmingham children who attend schools in Birmingham.</p> <p>Continued monitoring of school places sufficiency in Birmingham. The committee receive an annual briefing that provides the current position regarding school places in Birmingham. This includes the ongoing work with school place planning, school admissions and partners to deliver places through Basic Need funding.</p> <p>Scrutinised Cabinet Member’s decision to expand a primary school by enlargement and this was referred the Schools Adjudicator for re-consideration; concerns were raised due to lack of clarity about the decision and issues with the consultation.</p> <p>Active involvement in the LGA Peer Review for the Education and Schools Strategy and Improvement Plan, which included some members being interviewed.</p>
	<i>Early Years</i>	<p>A working group was set up to support and assist the work to encourage 2 year olds to take up. Members contributed to the Special Educational Needs report submitted to the Inclusion Commission, in response to the Child Poverty Commission, which made a number of recommendations on improving child poverty.</p> <p>Members were involved in pre-consultation on proposals for early years and scrutinised the ‘Contract Award For Early Years Health And Wellbeing Service’ decision and raised concerns regarding the lack of transparency, clarity and information contained within the Cabinet report.</p>

HOUSING


Birmingham – a great place to live in

	Scrutiny themes	Scrutiny – Added Value/Impact
	Reducing Homelessness	<p>Addressed continuing and increasing public concerns around the visible rise in people sleeping on the streets of our city, the Committee’s inquiry for 2016-17 asked the key question: “What are the numbers of rough sleepers in Birmingham, what is being done to reduce this and what further steps can be taken?”. Recommendations sought to strengthen partnership working and improve the way that information is shared. As a result the council committed to a “no second night out” approach to rough sleeping.</p> <p>Ten Councillors (including members of scrutiny) joined another 40+ individuals, including council officers and representatives from Midland Heart, St Basil’s, Crisis, The Salvation Army, Trident Reach, Shelter, CGL and South Birmingham Young Homeless Project, to take part in the annual rough sleeper count in November. This is the first time that councillors had been involved in the count and the Homeless Link Verifier (DCLG) praised this commitment, which is not common across the country.</p> <p>Robustly challenged budgetary decisions on the Gateway process.</p>
	Development of the Housing Strategy	<p>Worked collaboratively with the Cabinet Member and officers to shape the development of a city Housing Strategy. As well as a discussion at committee, workshops were held with partners and stakeholders, which members of the Committee participated in, to start to shape the emerging Strategy.</p>

	New Housing Allocations Scheme	Informed the implementation of the city's new Housing Allocations Scheme through committee briefings and regular updates on progress, in particular around the re-registration process. Committee members visited the Housing Options Centre in Newtown in November to meet with staff and had the opportunity to sit in on interviews with applicants.
	The city's repairs contract	Provided challenge on the operation of the new repairs contract, which came into effect in April 2016. Members raised concerns about the lack of detail with regard to challenges, problems and progress and whether the City Council is getting value for money. They reported a mismatch between reported satisfaction and member casework and identified points for further scrutiny in the coming year.
	Private Rented Sector (PRS)	Facilitated improved focus on private rented sector via securing valuable involvement from the West Midlands representative of the National Landlord Federation to obtain the landlord perspective, and identify join-up and implications for broader housing environment in a fast changing context. Discussion focused on selective licensing and identification of those areas which should be included. Members were invited to identify areas within their wards with a high concentration of problematic PRS. To give all members the opportunity to do this, the Chair suggested that officers might want to consider taking a stall at one of the City Council marketplace events, which they did.
	Domestic Abuse Prevention Strategy / Working with Communities to Prevent Relationship Violence	Followed up on progress with the implementation of recommendations of the Working with Communities to Prevent Relationship Violence scrutiny report; as part of that, members were able to influence the draft Domestic Abuse Prevention Strategy.
	Neighbourhoods	With a view to maximising clean neighbourhoods, a Task and Finish Group examined the Waste Strategy for the City and highlighted a number of emerging issues which would need to be addressed when framing the new waste contract

JOBS AND SKILLS


Birmingham – a great place to succeed in

	Scrutiny themes	Scrutiny – Added Value/Impact
	Inclusive and Sustainable Growth	<p>Considered the broader role of the city within regional partnerships; discussing the refreshed Strategic Economic Plan (which sets out the vision for growth for the period 2016-2030 in particular how the Greater Birmingham and Solihull Local Enterprise Partnership will work with the West Midlands Combined Authority and the Midlands Engine to create jobs and grow the economy) with the Director of the Greater Birmingham and Solihull Local Enterprise Partnership.</p>
	Developing a modern sustainable transport system that promotes and prioritises sustainable journeys	<p>Followed up on an earlier major inquiry into increasing cycling and walking in the city with continued challenge on the Birmingham Cycle Revolution (BCR) initiative. The BCR programme is aimed at increasing the amount of journeys by bike in Birmingham with investment in improving cycle infrastructure and implementation of canal and green routes of travel.</p> <p>Informed developing plans for minimising disruption to the travelling public and businesses as part of the essential maintenance and proactive work on the A38 Expressway, which was closed over the summer holiday period. The impact on the M6 junction 6 was also considered with Highways England representatives.</p> <p>Reviewed lessons learned from the first phase of the Midland Metro Extension to Birmingham City Centre (New St) which became operational in December 2015 following some delays. The Committee also looked at future plans for the extensions to Five Ways and beyond.</p>

	<p>Maximising employment through improved access to jobs and raising skills levels</p>	<p>Detailed consideration of the activity focused on improving access to jobs and raising skills levels of local people linked to HS2. In February 2017 the ‘Maximising Jobs and Skills Opportunities’ report of the Committee was presented to City Council. The report focused on how the new High Speed College for Rail will benefit residents in particular those furthest from the job market in gaining skills to access employment opportunities as HS2 and other economic opportunities arrive in the city.</p> <p>Continued focus on areas with deprivation levels amongst the highest in the country: contributed to the on-going development of the East Birmingham & North Solihull Regeneration Strategy to improve high levels of unemployment and low skills of its residents.</p> <p>Kept the performance of the Birmingham Youth Promise under review through the consideration of quarterly Key Performance Indicator reports. The Youth Promise seeks to help young people aged 14-24 access employment, education, training, apprenticeship or experience of work within four months of leaving a job, employment or training.</p>
	<p>Improving our local highways and streetscene</p>	<p>Addressed concerns raised in City Council in relation to damage caused by vehicles parking on grass verges. Following a short report to the Cabinet Member for Transport & Roads and District Chair in October 2016, funds were allocated to each of the 10 districts to trial a scheme that best suits their local need.</p>

HEALTH

Birmingham – a great place to grow old in

	Scrutiny themes	Scrutiny – Added Value/Impact
	<i>Creating a healthier environment for Birmingham</i>	Conducted an inquiry to examine whether there is an evidential link between poor air quality and poor health. Identifying the main sources of this in Birmingham, and what can be done to improve air quality with a view to improving health outcomes in Birmingham. The recommendations from this inquiry were used to inform the City Council’s response to the Government’s New Air Quality Plan consultation.
	<i>Improving the quality of care/ performance</i>	<p>Identified specific under-performing measures as areas for further ongoing examination through scrutiny of the Local Performance Account, which provides a summary of progress against a set of measures for adults who receive social care support.</p> <p>Followed up on progress against the recommendations and action plan of the West Midlands Association of Directors of Adult Social Services (ADASS) Peer Challenge inspection; this continues to be rigorously evaluated.</p>
	<i>Improving mental wellbeing</i>	<p>Comprehensive examination of the evidence of progress provided in tracking the implementation of recommendations of the report on Mental Health – Working in Partnership with Criminal Justice Agencies.</p> <p>Evaluated and monitored the mobilisation and implementation of the service model and delivery of the contract with Forward Thinking Birmingham who provide mental health care for 0-25 year olds.</p>

	<p><i>Joining up services</i></p>	<p>Joining up health and social care services</p> <p>A report to City Council on the Birmingham and Solihull Sustainability and Transformation Plan (STP) gave all members the opportunity to debate issues around a lack of openness, transparency and public engagement in the STP process which had a major impact in that it resulted in the Birmingham decision to be the first in the country to publish their STP in full.</p> <p>16% of the Birmingham population in the west of the city come within the geographical footprint of the Black Country Sustainability and Transformation Plan. The Joint Birmingham and Sandwell Scrutiny Committee has been and will continue to address this anomaly by jointly scrutinising the proposals with a view to looking at the overall picture and highlighting inconsistencies or cross-boundary issues that need to be addressed in the interests of service users in both areas.</p> <p>Joining up NHS Services</p> <p>The Birmingham and Solihull Joint Scrutiny Committee scrutinised the merger of the University Hospitals Birmingham and Heart of England Foundation Trusts into a single trust. This is another cross-boundary issue that will have an impact on services for populations across both local authority areas and the committee will want to ensure that the interests of particular service users are not disadvantaged.</p> <p>The Birmingham and Sandwell Joint Scrutiny Committee were actively engaged in influencing the outcome of the re-design of the Sandwell and West Birmingham End of Life Care Services including the re-provision of improved day hospice services.</p>

	<p><i>Joined up commissioning of services</i></p>	<p>The Sandwell and West Birmingham Clinical Commissioning Group sought guidance from the Birmingham and Sandwell Joint Scrutiny Committee around the consultation for commissioning New Models of Care.</p> <p>Monitored and evaluated City Council contracts with Umbrella who provide sexual health services and advice for Birmingham and Solihull; and Reach Out Recovery who provide drug and alcohol advice in Birmingham. Where further examination of a service is identified, this has been conducted through visits allowing committee members to see services at first hand and to speak with staff and service users directly.</p>
	<p><i>Reducing health inequalities</i></p>	<p>Followed through on progress with the implementation of recommendations from inquiries into important areas of health inequality including Tackling Childhood Obesity in Birmingham, Living Life to the full with Dementia, and Homeless Health.</p>

ORGANISATIONAL HEALTH

As well as the four priorities above, the Vision and Priorities document agreed by Cabinet also set out a set of indicators developed to take into account organisational health. These fall into three key areas:

WORKFORCE	Analysed and interrogated data relating to workforce and HR issues within the organisation including figures on areas such as sickness rates, use of consultants and workforce demographics. Identified areas for further focus including gender and ethnicity profile for senior grades, number of senior officers for each directorate, absence figures for Directorates.
CITIZEN	<p>Continued to scrutinise the development of customer services in the City Centre by visiting the council’s Contact centre where members had an opportunity to observe first-hand the work of the teams at the fore of dealing with queries from citizens.</p> <p>Undertook robust monitoring and evaluation of progress against recommendations in the “Contacting the Council – Improving Satisfaction” scrutiny inquiry, and continued analysis of the council’s customer satisfaction data.</p> <p>Continued focus on citizen engagement with a review of progress on recommendations following the report to City Council in 2013.</p> <p>Commenced an inquiry into relationships with our parish and town councils; to explore 1) What have we learned from the experiences of setting up Birmingham’s parish councils that will assist both the City Council and communities in the development of any future parish councils or other localised or devolved governance models? 2) How the relationship between City Council and the parish/town councils is working currently.</p>

GOVERNANCE

Informed the development of the Council of the Future programme, by working with officers to identify any possible gaps, inconsistencies and further development opportunities for improvement, by conducting a member-led “health-check” on the progress of the programme, and ensuring a robust process for challenge at a strategic level to the Executive and officers. Key themes identified were: the need to explicitly include cohesion and equality matters; that the local view should be prominent within the programme; cross-party member engagement and participation; and assurance of the robustness of the budget delivery processes.

Provided robust challenge to Cabinet members with a series of public sessions to hold them to account for decisions and policy. Overall Cabinet members attended scrutiny meetings 43 times.

Continued focus on the evolving devolution programme in Birmingham by holding to account the newly appointed Assistant Leaders.

Shaped the emerging Member Development Programme through constructive input to further improve the programme.

Provided guidance and feedback on the content of the council's new draft procurement policy

Undertook robust challenge to the council's budget proposals via a session in each of the committees where the portfolio budgets were analysed. Members sought reassurances that the voice of the citizen would be taken on board when implementing any savings plans.

Held ten request for call-in meetings; five decisions were sent back to the Cabinet for re-consideration. Three of these focused on concerns with regards to consultation with both members and citizens.

Scrutiny Priorities 2017/18

Corporate Resources and Governance

Consultation and citizen engagement in Executive decisions
 -
 Working with Parish councils
 -
 Partnership working
 -
 Commercialism and income generation
 -
 Workforce and Human resources
 -
 Finance Sub-Committee: budget oversight

Health, Wellbeing and the Environment

Birmingham and Solihull Sustainability and Transformation Plan
 -
 Delayed transfers of care
 -
 Adult social care performance monitoring
 -
 Budget savings impact on services

NHS consultations

Public Health / Commissioning

Economy Skills and Transport

Draft Parking Policy
 -
 Preparation for the Commonwealth Games
 -
 Highways Maintenance and Management PFI Contract
 -
 Impact of Skills Programmes and Future Skills Agenda
 -
 Relationship with West Midlands Combined Authority and the Mayor

Housing and Homes

Responding to housing need and demand, to include:
 Homelessness
 Alternative housing models
 Land use: prioritise surplus / use of poor quality land
 -
 Neighbourhood management, to include:
 Tenant engagement / participation
 Safety standards in our housing

Schools, Children and Families

Children's Trust
 -
 School improvement
 -
 Children Missing From School – including permanent exclusions
 -
 Safeguarding: CSE and missing from home and care
 -
 Young people and Housing
 -
 Care leavers
 -
 Early Years