

Minutes of Budget and Corporate Scrutiny Management Board

**Thursday, 22 September 2022 at 6.00 pm
In Committee Room 2 at Sandwell Council House, Oldbury**

Present: Councillor Moore (Chair);
Councillors Anandou, E M Giles, Fenton and Simms.

In attendance: Councillors Bhullar, Hinchliff and Taylor;
Surjit Tour (Monitoring Officer and Director of Legal Services), Suky Suthi-Nagra (Democratic Services Manager), Kate Ashley (Strategic Lead - Service Improvement), Jack Whitehouse (Equality Advisor) and Anthony Lloyd (Democratic Services Officer).

36/22 Apology for Absence

An apology for absence was received from Councillor Shackleton.

37/22 Declarations of Interest

There were no declarations of interest.

38/22 Minutes

Resolved that the minutes of the meeting held on 28 July 2022 are approved as a correct record.



39/22 Additional Items of Business

There were no additional items of business to consider.

40/22 Scrutiny Review

The Democratic Services Manager presented proposals arising from the review of the overview and scrutiny function.

The review arose following a LGA peer assessment in 2018/2019. One of the recommendations of the review was that a comprehensive governance review should be undertaken of the Constitution, the scrutiny function and its effectiveness, the member code of conduct etc. The recent Grant Thorn Best Value review had also recommended a review of overview and scrutiny.

The scrutiny review had considered statutory guidance by the Ministry of Housing, Communities and Local Government and the Centre for Public Scrutiny (CfPS) which detailed approaches on what effective scrutiny looks like and how to conduct it.

Following a series of engagement sessions with elected members, officers analysed the feedback and six key strands emerged as follows:-

- Culture;
- Relationships;
- Work programme;
- Structure;
- Support;
- Agile working.

Culture was the single most important factor that would determine whether we could deliver excellent overview and scrutiny and therefore more work was needed to encourage a healthy culture that empowered members.

In order to encourage a healthy culture, a framework had been developed which included drafting job roles for scrutiny chairs, members and co-opted members to ensure there was clear role and focus, sets out expectations of members of the Board,

including performance management issues, attendance at meetings, reading of papers in advance, etc.

An improvement plan had also been developed to strengthen overview and scrutiny in Sandwell and sought to introduce a new approach to setting the work programme, strengthening training and development, clarifying roles and responsibilities of key persons, developing protocols to encourage engagement and involving stakeholders to help facilitate informed debate and discussion and promote the overview and scrutiny function by improving its presence on social media and the website.

The improvement plan was part of a two year programme of improvements to raise the profile of scrutiny so that it was valued and added value.

In order to reinforce the importance of the Budget and Corporate Scrutiny Management Board, to enable a more rich discussion and debate and mirror membership numbers across all scrutiny boards, it was proposed to appoint a vice chair on the Budget and Corporate Scrutiny Management Board and to also include within its membership, the four vice scrutiny chairs who currently attended meetings but could not vote on matters.

Members discussed the importance of good scrutiny as well as the good progress and work already undertaken to date. Positive feedback was also received in relation to recent training events.

In response to questions from members, the following responses were provided: -

- current support provided to scrutiny boards by Democratic Service Officers would be circulated to scrutiny chairs for clarity;
- scrutiny board meetings would be livestreamed in the Council Chamber, when available; meetings taking place in Committee Room 1 could also be recorded and uploaded once finished but not livestreamed. This would enable openness and transparency of scrutiny meetings;
- a further report was required on the timescales for potentially fitting the Committee Rooms with livestreaming equipment;
- as part of the recommendations to amend the membership of the Board, political proportionality would need to be considered;

- working with the Communications Team, consideration should be given to the use of the Sandwell Herald to promote overview and scrutiny work across the Borough.

Resolved:-

- (1) that the work undertaken to date on the scrutiny review be noted;

- (2) that the Council be recommended to approve the following improvements, that have been identified as part of the scrutiny review 2022:-

- (a) the appointment of all scrutiny vice chairs to the Budget and Corporate Scrutiny Management Board, to make a total of 10 members on the Board;
- (b) subject to (a) above the appointment of a vice chair to the Budget and Corporate Scrutiny Management Board from amongst the new Board membership;
- (c) the role descriptions for Chairs, Vice Chairs, Overview and Scrutiny Elected Members and Co-opted members as set out in [Appendix 1](#);
- (d) the following protocols, as set out in [Appendix 2](#), in order to support and promote healthy working relations:-
 - Scrutiny Chairs, Vice Chairs and Scrutiny Elected Members with the Executive; and
 - Scrutiny Chairs, Vice Chairs and Scrutiny Members with Officers
- (e) to authorise the Director – Law and Governance and Monitoring Officer to make all necessary consequential changes to the Constitution to give effect to the approved changes.

- (3) that approval be given to the Scrutiny Improvement Plan, as set out in [Appendix 3](#) and authorises the Director of Law and Governance and Monitoring Officer and the Statutory Scrutiny Officer to develop communication and engagement protocols/plans as set out in the Plan and provide regular updates to the Board;
- (4) that the Scrutiny Handbook be noted and the Director of Law and Governance and Monitoring Officer and the Statutory Scrutiny Officer be authorised to develop further guidance tools and training for both members and officers in order to promote the scrutiny function;
- (5) that the Director of Law and Governance and Monitoring Officer and the Statutory Scrutiny Officer, in consultation with the Chair of the Budget and Corporate Scrutiny Management Board, be authorised to continue to review the overview and scrutiny arrangements in Sandwell
- (6) that scrutiny board meetings to take place in the Council Chamber, where possible, to enable livestreaming to take place;
- (7) that a further report be submitted to members on the timescales for potentially fitting the Committee Rooms with livestreaming equipment;
- (8) that working with the Communications Team, consideration should be given to the use of the Sandwell Herald to promote overview and scrutiny work across the Borough.

41/22

Improvement Plan Progress

The Strategic Lead for Service Improvement provided the Board with details on progress made against the Improvement Plan.

The Improvement Plan was a single improvement plan that incorporated all recommendations from the Grant Thornton Governance Review, the LGA Corporate Peer Challenge and the CIPFA Financial Management Review, as well as the Statutory Directions from the Secretary of State for Levelling Up, Housing and Communities. The plan detailed how the Council would achieve the improvements laid out. Progress would be reported to the Secretary of State every six months. The current progress of each theme was presented to the Board: -

Theme 1 – Organisational Culture

The Board noted updates in relation to Theme 1 of the plan. In particular, information was received in relation to the Organisational Culture Change Programme, Officer and Member relationships, Officer Learning and Development and Member Learning and Development. All workstreams were currently on track.

Theme 2 – Corporate Oversight

Good progress had been made across all workstreams however, there was some slippage. The Performance Management Framework was currently a red risk due to the corporate resources required for performance management; this was related to vacant posts rather than financial difficulties. The current work around Oracle Fusion had been amber rated due to the extension of the evaluation period for support provider procurement. A contract had been awarded since the July report.

Theme 3 – Strategic Direction

Although progress was being made across all workstreams, many areas had issues and slippage. The Equality Policy had seen slippage due to further consideration of best practice. The Policy was now being prepared for approval in October. The Pilot of the town co-ordinator role was on hold and being reconsidered. The Corporate Asset Management Strategy had several delays in some components, notably slippage as a result of the implementation of asset database. Work continued around the Draft Commercial Strategy, but some slippage had occurred when compared to original timescales. A refresh of the corporate parenting strategy was due in September.

Theme 4 – Decision Making

Progress continued to be made across all workstreams although some areas were experiencing issues.

Further amendments to the Financial regulations would be presented to Council in October. After recommendations from the Audit and Risk Assurance Committee, all SEND Transport contracts had now been offered and accepted in line with commencement from the new academic year. Issues were present due to the returning of contracts from providers.

Concern was raised that the new model for SEND Transport had not been reported to Scrutiny or the Audit and Risk Assurance Committee. This provided little opportunity for members to comment especially since issues were now being raised by operators. The low risk score was also questioned as the desired impact had not been achieved.

Theme 5 – Procurement and Commercial

Delivery timescales had seen some slippage, but progress was still being made.

Legal representatives on both sides had caused a slight slippage to the Lion Farm Options Agreement due to longer than expected negotiations in relation to the Expert Determination Process.

Theme 6 – Partnerships and Relationships

Changes had been made to the original SCT Governance Arrangements. A review of Key Performance Indicators was currently taking place and due to conclude in Autumn. This was a slight deviation from the original timescales. Desktop assessments had been completed and communications with organisations had commenced relating to the Corporate Review of Grant Funding.

Having considered the progress, the following questions and recommendations were raised by members: -

Employee Engagement Survey

- Could the total number of respondents be provided to provide context to the percentage of respondents stating that they did not expect action to be taken as a result of partaking in a survey.

- How did we ensure that “hard to reach” staff were engaged with?
- Was there any incentive for completing the survey?
- How did we grant anonymity?

The Strategic Lead for Service Improvement confirmed that no incentives had been provided to encourage surveys to be completed, however, anonymity and safety were guaranteed.

Members questioned why more reference had not been made to partnership working within the West Midlands Combined Authority despite it being a key area of improvement recommended by the Governance Review. It was confirmed that this would be reviewed and strengthened in the improvement plan.

As a result of a detailed analysis concerning culture, the following points and recommendations were raised: -

- Too much focus had been made on officer/member relationships; more focus needs to be put towards the improved decision making and ability to speak up and escalate when necessary.
- How are improvements to the culture of the Council being assessed?
- Could external consultants be used to ensure fresh eyes?
- Could the culture of the Council be added to the risk register as culture can have massive impacts on the financial and reputational image of the authority?
- In the event of culture being added to the risk register, could a constant rating of red be attributed to ensure that it is always discussed?
- What are we doing to improve the morale of unhappy staff?
- How did we consult with staff and the public – is it effective?

The Board requested that future reports should detail how decisions were arrived at rather than just an update on the actions taken. Members commented on the absence of the “customer journey” in the Improvement Plan despite it being a focus of the Commissioners.

The following areas were deemed as key areas for future reports to Scrutiny:-

- Combined Authority

- Council Culture and how we engage with hard to reach staff
- Procurement processes followed to achieve goals
- Customer Journey and public engagement

The Strategic Lead for Service Improvement noted the recommendations and agreed to provide further information in due course. It was agreed that future reports to Scrutiny on the Improvement Plan would be single agenda items with all Directors invited to attend.

Resolved:-

- (1) that the progress of the Improvement Plan up to 4 August 2022 be noted;
- (2) that the recommendations/comments of the Budget and Corporate Scrutiny Management Board be reported to Cabinet at their meeting on 28 September for their consideration;
- (3) that the future updates on the Improvement Plan be single agenda items to the Board with a focus on how decisions were arrived at rather than just an update on the actions taken;
- (4) that further reports be considered on:
 - Combined Authority
 - Council Culture and how we engage with hard to reach staff
 - Procurement processes followed to achieve goals
 - Customer Journey and public engagement

42/22

Equality, Diversity and Inclusion Policy 2022 - Update

The Director of Law and Governance and Monitoring Officer presented the Equality, Diversity and Inclusion Policy 2022.

The council must comply with its legal duties and obligations arising under the Equality Act 2010. Obligations require the council to set out its objectives in discharging its public-sector equality duties. External reviews, benchmarking exercises and consultation with trade unions had taken place to construct the policy.

The new policy would utilise the Local Government Equality Framework to develop the Council's Equality, Diversity and Inclusion Strategy. The Framework provided a useful tool to develop a comprehensive policy with clear aims and objectives. Ideally, the policy would take 3-5 years to be embedded.

It was recognised that the policy had been tried and tested by many other local authorities. A new Equality, Diversity and Inclusion team had been created to undertake the initiative. Recent events such as Black History Month and Pride celebrations were both positive outcomes of the new strategy. A detailed policy should be in place next year; additional resources would also be sought.

After questions from the Board, it was confirmed that although the "Halo" policy would not be included in the strategy specifically, it would be considered by the Equalities Commission to seek approval to apply the Halo Policy to the Council. Members noted the update and expressed support at the implementation of the policy.

Resolved:-

- (1) that the draft Equality, Diversity and Inclusion Policy 2022 be noted;
- (2) that the proposal to utilise the Local Government Association Equality Framework to develop the council's Equality, Diversity and Inclusion Strategy be noted.

Meeting ended at 8.04pm.

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