

Meeting of the Overview and Scrutiny Committee

**Thursday, 20th June, 2024 at 6.00pm
in Committee Room 2, The Council House,
Priory Road, Dudley, DY1 1HF**

Agenda – Public Session (Meeting open to the public and press)

1. Apologies for absence
2. To report the appointment of any substitute members serving for this meeting of the Committee
3. To receive any declarations of interest under the Members' Code of Conduct
4. To confirm and sign the minutes of the meeting held on 27th March, 2024 as a correct record (Pages 4 - 24)
5. Public Forum
6. Overview and Scrutiny Arrangements 2024/25 (Pages 25 - 52)
7. Corporate Performance Report - Key Performance Indicators (Pages 53 - 55)
8. To consider any questions from Members to the Chair where two clear days notice has been given to the Monitoring Officer (Council Procedure Rule 11.8)

Distribution:

Councillor S Keasey (Chair)

Councillor R Priest (Vice-Chair)

Councillors K Archer, C Bayton, A Davies, P Dobb, J Foster, J Hill, E Lawrence, W Little and P Sahota

Councillor B Collins (substitute for Councillor A Davies)



Chief Executive

Dated: 12th June, 2024

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**Minutes of the Overview and Scrutiny Committee
Wednesday, 27th March, 2024 at 6.00pm
In Committee Room 2, The Council House, Priory Road, Dudley**

Present:

Councillor I Kettle (Chair)
Councillor M Hanif (Vice-Chair)
Councillors S Ali, H Bills, R Collins, T Creed, A Davies, J Foster, K Razzaq,
D Stanley and E Taylor

Councillor C Bayton (Chair of Overview and Scrutiny Committee – West Midlands Combined Authority) and Councillor J McNicholas (Chair of Transport Delivery Overview and Scrutiny Committee - West Midlands Combined Authority)

Officers (Dudley MBC):

B Heran (Deputy Chief Executive), D Brennan (Equality, Diversity and Inclusion Manager), N Owen (Senior Manager Human Resources Delivery and Intelligence), L Wilkins (Programme Partner – People and Inclusion) and S Griffiths (Democratic Services Manager/Scrutiny Officer)
M AbuAffan (Director of Public Health and Wellbeing) – attended via MS Teams

Officers (West Midlands Combined Authority)

J Hughes (Member Relationship Manager) and W Dunlop (Governance Officer)

36 Apologies for Absence

Apologies for absence were received on behalf of Councillors J Clinton, P Dobb and E Lawrence.

37 Appointment of Substitute Members

Councillors K Razzaq, R Collins and T Creed had been appointed as substitute Members for Councillors J Clinton, P Dobb and E Lawrence respectively for this meeting of the Committee only.

38 **Declaration of Interests**

There were no declarations of interest in accordance with the Members' Code of Conduct.

39 **Minutes**

Resolved

That the minutes of the meeting held on 25th January, 2024 be confirmed as a correct record and signed.

40 **Public Forum**

No issues were raised under this agenda item.

41 **Change in Order of Business**

Pursuant to Council Procedure Rule 13(c) it was

Resolved

That Agenda Item No. 9 (Improvement and Sustainability Programme 'Fit for the Future' Scope and Governance) be considered as the next item of business.

42 **Improvement and Sustainability Programme ('Fit for the Future')
Scope and Governance**

The Committee considered a report of the Deputy Chief Executive on the scope, timelines and key financial and other success measures and milestones of the improvement and sustainability programme, to be branded 'Fit for the Future', together with the governance arrangements, to ensure that the programme delivered the necessary benefits for the Council and its residents, to time, cost, and quality. The report was considered by the Cabinet on 20th March, 2024.

In presenting a summary of the report submitted, the Deputy Chief Executive confirmed that regular updates would be presented to the Committee on the overarching Fit for the Future programme looking at the overall financial sustainability and the changes required to maximise the use of digital. The need to reduce siloed working by working towards single team working, where possible and maximising the use of building estates that were retained and the disposal of offices that were no longer required for redevelopment was also referred to.

Reference was made to the governance of the new programme, with the first meeting of the internal 'Fit for the Future' Programme Board held and chaired by the Leader of the Council and attended by the Leader of the Opposition Group. The Board received monthly Programme performance reports with the Leader of the Council and Leader of the Opposition Group monitoring and challenging officers to ensure that key outcomes in terms of financial sustainability and actions arising from external reports were being delivered.

Councillor S Ali sought assurances on the level of confidence in delivering the project governance considering the £37.4m reduction target in the Council's operating costs over 3 years, which was £20m more than the £17.4m previously reported. The Deputy Chief Executive advised that the £37.4m target was a stretch target, with the £17.4m already confirmed in the Medium-Term Financial Strategy. The remaining £20m included a review of all functions delivered by the Council to identify efficiencies and new ways of working as single teams and maximising the use of digital to help deliver economies of scale. The additional £20m had been presented to the Programme Board and Independent Assurance Board with a view to savings being delivered and to help replenish the Council's reserves. The Committee was assured of the officer governance processes implemented to ensure targets were being delivered before submission to the Board, and that the £20m allowed some flexibility to meet any increase in demand of services and achieve the savings target. The challenges associated with the programme were acknowledged, however, the team was committed to considering new ways of working to help deliver a sustainable Council and services.

Councillor S Ali raised a further question regarding the consequences to the Council should the reduction in funding not be achieved. The Deputy Chief Executive confirmed that one of the reasons for setting the stretch target of £37.4 million, was acknowledging delays in some programmes and any changes to demand levels of services, particularly for vulnerable residents. Monthly forecasting meetings would be scheduled to regularly monitor progress and identify any issues which could be investigated and resolved, as appropriate. Although acknowledging the challenging target for the Council, the team was confident in the delivery as careful measures had been considered in setting those targets, with some savings still to be quantified. Reference was made to paragraph 7 of the report submitted, outlining the measures for reducing operating costs through the 2024/25 change portfolio including an additional pipeline of projects and savings/incomes initiatives. Financial information would be updated monthly from the new financial year to identify progress made in achieving the additional £20m savings and further measures to support the delivery.

In responding to a question from Councillor S Ali, the Deputy Chief Executive confirmed that the minimum savings/income target for the Council to achieve by 2026/27 was £17.4m as approved in the Medium-Term Financial Strategy.

Councillor D Stanley raised concerns of the costs associated with contractors working for the Local Authority and the automatic renewal of contracts without undertaking an efficient and competitive procurement exercise to ensure best value for the Local Authority. The need for a comprehensive process in assessing contracts that were due to expire was referred to.

The Deputy Chief Executive acknowledged the comments made and referred to the spending controls approved by the Cabinet and implemented in October, 2023. Exemptions in relation to recruitment, agency, interim appointments and contracts over a threshold were reviewed by the Spending Control Group consisting of the Chief Executive, Deputy Chief Executive and Director of Finance and Legal. It was confirmed that every interim appointment, linked to a specific piece of work, had been reviewed with some appointments terminated, and extensions applied to some contracts for a limited period of time. It was noted that interim appointments did not have the same employment rights as permanent employees. Members were advised that the Head of Procurement had been requested to review all contracts and ensure managers were trained to help better manage contracts and ensure best value arising from those contracts.

Since the introduction of the spending controls, £4 million savings had been achieved, and it was confirmed that any new external recruitment for both permanent and fixed term positions had been tested against the exception criteria by the Spending Controls Group. A report had been approved by the Cabinet in March, 2024 setting out a revised process, reflecting lessons learned and other considerations to ensure good and effective governance.

Resolved

- (1) That the information contained in the report submitted, and as reported at the meeting, on the Improvement and Sustainability Programme ('Fit for Future') Scope and Governance, be noted.
- (2) That the achievements of Phase 1 of the programme, as now completed, be noted.
- (3) That the detailed scopes of Phase 2, 'Fit for Purpose' at the first Programme Gateway, as outlined in Appendix 1 of the report submitted, be noted.
- (4) That the governance of the 'Fit for the Future' Programme, as outlined in Appendix 2 of the report submitted, be noted.

43 **West Midlands Combined Authority – Dudley MBC Activity**

The Committee considered a report of the West Midlands Combined Authority (WMCA) on the work carried out within the Dudley Metropolitan Borough Council Area.

In presenting the report, J Hughes (Member Relationship Manager) advised that the report would be the first update in a series with a view to improving engagement with Constituent Authorities. The strong partnership work between the WMCA and Dudley was mentioned which was demonstrated by £514 million worth of investment, which equated to £1,608 per head within Dudley.

A detailed overview was presented in relation to allocated funding associated with HS2 and Network North; developing the Local Transport Plan called "Reimagining Transport in the West Midlands" and protection for existing bus network services until December, 2024, with approximately £40m of the transformational bus services Improvement programme funding repurposed to support the network to maintain the bus network across the region.

Members were also informed of the additional pothole funding for 2023/24 of £481,772 awarded to Dudley; the commissioning of an independent assessment for future bus policy delivery options; the recently launched Employment and Skills Strategy for 2024-2027 including building strong and inclusive communities and meeting future skills needs at level 3 and above through upskilling and reskilling. These priorities would also be supported across several funds including UK Shared Prosperity Fund, Commonwealth Games Legacy Enhancement Fund and Multiply.

Reference was made to the Trailblazer Deeper Devolution Deal with the single settlement funding aligned to a spending period. This gave WMCA more flexibility over funding decisions and the Constituent Authorities more influence over how funding devolved was prioritised across the region.

The ongoing collaborative work with Dudley Officers on a District Heating Plan and the region's first net zero neighbourhood as part of a regional cohort with other constituent local authorities was referred to. WMCA continued to work closely with Dudley MBC in progressing and delivering housing, property and regeneration work.

Councillor D Stanley commented on the work that he had been involved in relating to the bus services supplied within the local area, and raised concerns about the 12% of bus services lost between 2020 and October 2023 with operators experiencing reduced patronage, reduced revenue and significant increases in costs and the impact this was having on the budget that had been allocated. He emphasised that people must be encouraged to use public transport and the need to maintain a good first quality bus service within the borough.

Councillor A Davies welcomed the Metro development, which he hoped would alleviate pressures of heavily congested roads. It was important to note, when considering regional reports, that Dudley was different to Birmingham in terms of topography and geography. It was suggested that data on car ownership would assist to identify where funding should be targeted to help improve the favoured means of transport by residents.

Councillor A Davies referred to the additional pothole funding for 2023/24 of £481,772 to Dudley in addition to highways maintenance and sought clarification on LNIP funding and whether this funding was in addition to funding that had already been confirmed. He also emphasised the importance of not disadvantaging the residents of Dudley Borough that were reliant on cars for employment, shopping and leisure activities.

The Member Relationship Manager confirmed that it was recognised that the WMCA was made-up of seven constituent councils, and what worked for one area might not work for others. This had been referenced in the Local Transport Plan with the collaboration work on developing Local Area Strategies setting out and assessing the impact of local proposals across the West Midlands. Members would have the opportunity to contribute and feedback on their experiences. The Member Relationship Manager agreed to provide further details in relation to the funding awarded for potholes, highways maintenance and LNIP funding, and car ownership data, if available.

In responding to a question from Councillor A Davies regarding the Local Transport Plan consultation, the Member Relationship Manager confirmed that work was ongoing and offered to present the engagement plan once confirmed.

Councillor S Ali welcomed the report and comments regarding greater consultation involvement with the constituent authorities, however recommended that due to the length of the report that future reports be condensed, as appropriate. Although welcoming additional funding, he considered that £481,772 to repair potholes was not sufficient and sought clarification as to how the funding was allocated. Reference was made to the Wednesbury-Brierley Hill Metro Extension, particularly regarding the updated Business Case which was required as part of the additional funding from Government, to enable the extension from Dudley to Brierley Hill which had not yet been approved. It was acknowledged that significant amounts of money were required to support the project and that the Local Authority was requested to identify an additional £15m to close the gap. Given the current financial situation at Dudley, Councillor S Ali queried whether the WMCA had any additional funding to cover the budget deficit.

Councillor S Ali referred to the Commonwealth Games Legacy Enhancement Fund programme which would deliver 5 projects within Dudley; however, the report did not provide details on the type of projects or locations. Although welcoming the Jobs and Skills hubs which would be developed within deprived communities across the Borough, Councillor S Ali queried why St. Thomas's Ward had not been included. He also sought clarification as to whether there were any plans to increase funding to improve the ESOL and Functional Skills programmes take-up.

The Member Relationship Manager undertook to clarify how pothole funding had been allocated and referred to the detailed presentation provided by the Executive Director from Transport for West Midlands at the Corporate and Economic Strategy Select Committee in January, 2024 on progress with the delivery of the Wednesbury to Brierley Hill Metro Extension. The Member Relationship Manager confirmed that he would also contact the officers responsible for the projects supported by the Commonwealth Games Legacy Enhancement Fund programme for further details.

Councillor C Bayton confirmed that the Overview and Scrutiny Committee (West Midlands Combined Authority), had received a report on the Commonwealth Games Legacy funding. A significant number of projects had submitted bids, however, no announcement had been made on which projects were successful.

The Member Relationship Manager also confirmed that he would consider the comments made regarding the Jobs and Skills hub in St. Thomas's ward and what support could be made available and also obtain further information in relation to funding for the ESOL and Functional Skills programmes.

Councillor J Foster raised a question in relation to the Network Performance and Reliability and the reasons why the region had lost 12% of bus services between 2020 and October, 2023; whether this also included bus journeys and whether there were any differences between the operation of the services and journeys. The Member Relationship Manager confirmed that he would discuss the details with the relevant officer. However, whilst there had been a loss in service as a region compared to other places in the country, the bus service was managed well and that there was a significant piece of work being undertaken on how bus services would be delivered in the future. It was noted that the WMCA intervened and ensured viability of routes where a provider sought to cancel a route, in accordance with a specific set of criteria.

Councillor J Foster referred to media and press releases that indicated that a scheme would be introduced under which passengers whose final bus of the day was cancelled or left earlier than usual could claim compensation for their alternative journey, such as a taxi fare, to their home, and sought clarification on any progress made. The Member Relationship Manager undertook to provide further information confirming how residents could access the service.

Councillor J Foster referred to Housing, Property and Regeneration and the importance of identifying adequate development land for affordable housing, however noted that some land, particularly in the Black Country, could be very expensive to remediate for developers and therefore presented challenges to persuade developers to build affordable housing due to the money required in remediating the land. It was understood that there was funding available to support this area and it was requested to what extent was that being taken up in Dudley. The Member Relationship Manager confirmed that a part of the WMCA's role was to encourage brownfield development, and where developers had a funding gap, further support would be considered to help bring forward brownfield development.

Councillor C Bayton then provided an overview of the scrutiny review undertaken by the WMCA Overview and Scrutiny Committee to examine and assess how the combined authority exercised its powers and funding in respect of brownfield land, redevelopment and to assess the region's communities and how they had benefited. During the exercise, a company that had completed several schemes in Dudley, provided information about some of the difficulties they had encountered in securing funding, together with the National Brownfield Institute from Wolverhampton University for detailed background. Some emerging key themes related to the potential benefits of an enhanced brownfield land register covering all sites in the region, the integration of biodiversity in new developments and the importance of that on all brownfield sites, noting that certain brownfield sites were more ecologically beneficial than some greenfield sites. The WMCA Overview and Scrutiny Committee would consider formulating a robust set of recommendations that would benefit local authorities and developers in accessing funding to redevelop brownfield sites at pace.

Councillor J Foster expressed her appreciation for the update provided and undertook to contact the Membership Relationship Manager direct regarding specific sites where concerns had been raised by residents in relation to developments within her ward area.

Councillor H Bills and the Chair (Councillor I Kettle) referred to the challenges faced by developers in building on brownfield land.

Councillor H Bills further commented on the importance of public transport and the need to ensure that when designing bus routes, that they served the community, particularly to allow residents to have easier access to local hospitals. It was also suggested that an extension to the Metro service from Edgbaston Village to Halesowen would be extremely beneficial. The Member Relationship Manager confirmed that he would forward comments made regarding public transport to the appropriate providers for consideration.

In responding to a question from Councillor H Bills regarding the possibility of building a velodrome in the West Midlands, the Member Relationship Manager confirmed that a feasibility assessment had been undertaken and further details had been referred to in a report which he agreed to circulate to Members for information.

The Chair (Councillor I Kettle) referred to the Adult Education Budget funding for Dudley for 2023/24 at December, 2023 being £2.71m which was 7% of WMCA funding during this period which he considered should be more in the region of 11% as this area affected the earning power of the individual throughout their working life and should reflect the needs of Dudley residents. The Member Relationship Manager agreed to provide a response on the allocation process of the budget across the region.

In responding to a question raised by the Chair (Councillor I Kettle), the Member Relationship Manager confirmed that Dudley residents accessed £614,400 of the free courses for jobs funding in 2022/23 and to date in 2023/24 had accessed £885,000, however there remained further funding available for residents. As part of the eligibility criteria, the annual wage limit had recently been agreed at £30,000 by the WMCA as this was the average salary in the West Midlands to provide a far-reaching package. The Member Relationship Manager undertook to provide further information on the budget available and the amount awarded to date.

In referring to comments made by Councillor H Bills regarding an extension to the Metro service from Edgbaston Village to Halesowen, Councillor D Stanley advised on the possibility of introducing a route with a dedicated bus line connecting the area along the Hagley Road, Birmingham into Halesowen.

Arising from previous comments made in relation to a velodrome in West Midlands, the Member Relationship Manager confirmed that an £80,000 budget had been generated by the WMCA for a Cycling Facilities Business Case for a velodrome, and that on 20th March, 2024, it had been announced that this would now progress to a feasibility study which would look at potential locations, designs and funding opportunities for a multi-purpose indoor and outdoor facility. This would also include facilities for BMX, mountain biking and track cycling.

In responding to a question by Councillor M Hanif, the Member Relationship Manager confirmed that the Housing, Property and Regeneration Team worked closely with officers regarding specific pipelines, with a pipeline tracker having been developed and circulated to the Committee prior to the meeting. The Tracker detailed what projects had been identified, their risk rating, and the support needed, where possible, to move projects forward.

Resolved

- (1) That the information contained in the report submitted, and as reported at the meeting, on the work that the West Midlands Combined Authority is carrying out in the Dudley MBC Local Authority Area, be noted.
- (2) That the Member Relationship Manager be requested to provide further details, additional information and responses to the specific issues raised by the Committee, as detailed above.

44 **West Midlands Combined Authority – Overview and Scrutiny Annual Report**

The Committee considered a report of the West Midlands Combined Authority (WMCA) on the work of the West Midlands Combined Authority Scrutiny function in the 2022/23 Municipal Year. The Annual Report 2022/23 was attached as Appendix 1 to the report submitted.

Councillor C Bayton (Chair of the Overview and Scrutiny Committee – West Midlands Combined Authority) gave an overview of the Annual Report which outlined its focus, key work activities and the outcomes achieved, with particular focus on the draft ‘Trailblazer’ Deeper Devolution Deal proposals. The importance and value of undertaking pre-decision scrutiny to make a difference was emphasised. Members were encouraged to read the West Midlands State of the Region report, which was a high-level annual review of the WMCA area, which was available online.

Reference was made to the deep-dive reviews undertaken in relation to brownfield land and skills and job opportunities, and the establishment of a Working Group to consider the recently published Government Scrutiny Protocols, in particular the 18 key principles contained with the Protocol for good scrutiny, benchmarking the WMCA’s performance against those principles and potential improvements. The importance of improving working relationships to benefit each local authority in understanding how the WMCA can support them and how authorities can be more proactive in putting ideas and schemes forward was noted.

The challenges associated with quorate meetings was referred to which had been raised the Government. Following a review of transport scrutiny during 2022/23, the WMCA agreed to establish the Transport Delivery Overview and Scrutiny Committee to improve overview and accountability, with the same reporting processes as the Overview and Scrutiny Committee reporting to the WMCA Board.

Councillor J McNicholas (Chair of Transport Delivery Overview and Scrutiny Committee - West Midlands Combined Authority) referred to the recent establishment of the Committee attended by a group of representatives from each district, including Councillor D Stanley who represented Dudley.

Councillor J McNicholas endorsed Councillor Bayton's comments regarding the difficulties associated with quorate meetings. Each Leader would be written to concerning attendance at meetings. With regard to improving bus services, consideration would be given to a number of options including the existing quality partnership system and franchising. It was not considered feasible to pursue complete ownership, however, operators were keen to investigate franchising. Councillor J McNicholas suggested there was an opportunity for Dudley's Overview and Scrutiny Committee to participate and contribute to the debate. The Transport Delivery Overview and Scrutiny Committee had been requested to consider franchising ahead of the review by the WMCA in July, 2024 and welcomed any comments by Dudley Members.

Reference was made to the deep-dive reviews undertaken in relation to improving communications and ensuring the role of the WMCA was understood on a local level by the different districts, through the well-established officer networks to create the necessary systems to ensure that the work of the Combined Authority was being delivered.

Councillor D Stanley expressed his appreciation to Councillor McNicholas and the positive contributions he had made in his role as Chair of the Transport Delivery Overview and Scrutiny Committee.

Councillor A Davies welcomed the report and the work undertaken throughout the year. He referred to the franchising of bus services and queried the preferred proposal for Dudley. Councillor McNicholas considered that franchising should be undertaken to support delivery of services, and he was of the view that the current service delivery was unacceptable, which was collectively agreed by several districts. Models operated in other Authorities, including Manchester, should be reviewed when considering future delivery, and pre-decision scrutiny was essential to ensure the best possible option for every district.

The Member Relationship Manager confirmed that an assessment was being undertaken on options for the bus network, including the possibility of franchising, which would be presented to the WMCA Board in July, 2024. Should the Board consider that franchising was the preferred option, a full audit would be undertaken, the outcomes of which would then be considered by the Board to consider moving forward with consultation. It was noted that the decision as to whether the WMCA moved to a franchise network would be a Mayoral decision. All Councillors across the region would be informed of progress made at each stage and any opportunities for Members to contribute to help inform future decisions.

Councillor McNicholas emphasised the importance of involvement of Dudley Overview and Scrutiny Committee, and strongly recommend that the Committee consider and debate the report, once published in July, 2024, and make any observations as appropriate.

Councillor S Ali expressed his thanks to those presenting the report and welcomed the report submitted. Reference was made to the challenges highlighted in the quoracy of meetings, and Councillor S Ali suggested whether a recommendation of the Dudley Overview and Scrutiny Committee for this area to be reviewed and looked at would add any weight to the issue. In responding, Councillor C Bayton confirmed that quoracy was a Government decision, as outlined in the WMCA Constitution, however, there may be opportunity going forward to negotiate a change. It was noted that the challenge was being experienced by other Combined Authorities across the Country.

The Member Relationship Manager confirmed that any changes to quoracy would require a change in legislation, and that views continued to be forwarded to the Government. It was noted that the WMCA Overview and Scrutiny Committee had undertaken a piece of work in relation to member engagement. Encouragement was needed to ensure Member attendance and ensure that meetings were engaging and meaningful to enable Members to fulfil their roles and hold WMCA to account.

Councillor C Bayton advised Members that the Democratic Services Team at WMCA had written to each Leader for nominated Members, therefore any issues in a particular authority needed to be highlighted at an early stage.

Resolved

That the information contained in the report submitted, and as reported at the meeting, on the work of the West Midlands Combined Authority Scrutiny function in the 2022/23 Municipal Year, be noted.

45 **Employee Health and Wellbeing**

The Committee considered a report of the Chief Executive on the findings of a review of the Council's employee wellbeing offer and the proposed action plan to address the issues identified.

In presenting a summary of the report through presentation slides, the Equality, Diversity and Inclusion Manager confirmed that Members were requested to note the importance of the Council having a defined employee health and well-being strategy and action plan, the success of which would be measured against Key Performance Indicators and metrics. It was expected that due to the financial challenges facing the Council, this would inevitably have an impact on employees. The need to focus on resilience and mitigation of risk and prevention was highlighted and Members were encouraged to promote and support the importance of developing an evidence-based understanding of absence within the organisation.

Following observations from employees, Dudley Council's current well-being offer was considered to be disaggregated, with the current provision reflecting the environment prior to the Covid-19 pandemic and not to the standard required for a large organisation. As identified nationally, further support was needed for issues such as mental health, with the existing mental health offer requiring improvements to effectively respond to the increased demand in this area. The provision of health and well-being support required clear ownership and leadership, therefore it had been agreed that the People and Inclusion Senior Leadership Team take responsibility for this area to ensure clear signposting was in place for employees, with an offer that accommodated all levels of the organisation.

Although acknowledging there was some pockets of good practice, these were not joined up therefore stronger governance and evaluation of the well-being offer was needed. Reference was made to the extensive information available on the Council's Intranet page that was accessed by employees, however, this was not organised in an accessible format, with information that was outdated with no ownership or responsibility for updating the information. A consistent approach was required to provide a more streamlined process.

An employee assistance programme had recently been introduced (Vivup) which would significantly improve the offer of support for employee mental health. Focus was being given to improving and ensuring consistent communication with employees. Feedback from an employee survey highlighted that employees were reluctant to use the mental health first aiders and there had been an acknowledgement that the current scheme had not been applied appropriately.

The Equality, Diversity and Inclusion Manager reported that promoting well-being allowed for increased outputs and attendance and ensured sustainability of the workforce and Council, with the need for a cultural and organisational change that must include engaged and healthy employees regardless of their protected characteristic and provision. It was important to note the employer's legal duty of care and reduction of risk to the Council with regard to employees and how stress could be prevented by creating positive working environments where individuals and organisations could thrive and increase performance.

The Programme Partner (People and Inclusion) provided an overview of the key findings of the review and advised that consideration had been given to well-being trends both nationally and locally through statistical data from the Office of National Statistics, the Chartered Institute of Personnel and Development (CIPD) and local data relating to Dudley. The latest Annual Health and Wellbeing Report produced by the CIPD identified that nationally mental health was the predominate cause of sickness absence, with Dudley reflecting that national trend.

Following benchmarking exercises with other Councils and public sector bodies, it had been identified that the best employee well-being provisions were wide-ranging, could be individually tailored to each person's needs, in line with a full employee life cycle and encompassed mental, physical, emotional and economic health requirements. It was noted that good well-being provisions were influenced by effective workplace relationships, resources and decisions and enhanced by a positive culture that helped prioritise well-being, provided clear tasks, motivation and benefits, through the development of an overall Council wide strategy. A mapping exercise was also undertaken to identify current offers and one to one interviews arranged with key stakeholders, providers covering health and safety and public health, together with a range of data and evidence including the employee assistance programme, staff counselling data, employee surveys, directorate surveys, exit monitoring and workforce analytics.

Reference was also made to the use of a NHS diagnostic toolkit to measure the current status against best practice elements with a number of key themes identified including management and leadership, relationships, individual responsibilities and physical environment support and strategy. An example of a survey that had been undertaken was presented at the meeting.

The Senior Manager Human Resources Delivery and Intelligence provided an overview of Dudley specific absence management data, and in doing so confirmed that all service areas held responsibility for absence management with managers responsible for ensuring that employees had access to services, as appropriate, to support them. Quarterly and monthly statistics on service areas and directorates was produced, together with monthly data reports issued to Heads of Service to allow monitoring within their teams. Monthly meetings were arranged by the People and Inclusion division to review absences to identify whether advice or support was needed in those areas. It was also confirmed that policies, processes and procedures were adopted as a result of absence triggers to help manage individuals who were absent from work.

An overview of Directorate data and evidence was presented. It was noted that the number of days lost resulted in financial implications as in some service areas, absences were covered by agency staff. Short term absence was reported against full time equivalent days lost and benchmarked both nationally and regionally. Long term absences were categorised by directorate and predominately included employees with underlying medical health conditions. It was evident that absence in Directorates such as Adult Social Care, Children's and Environment were slightly higher due to frontline services and contact with service users. It was reported that there had been an increase in work related stress and although there were mechanisms in place to support employees during absences, further consideration would be given to this area.

Other areas of focus included creating a safe and positive working environment; ensuring that working practises and conditions identified as contributing to poor mental health were proactively managed; support and strategy and coordinating the provision to ensure clear signposting to support when needed, with a strong focus on prevention and relationships and individual responsibilities. It was essential that the strategy was supported by all levels of leadership, who played a crucial role in creating and maintaining a culture where positive mental health thrived for employees. It was essential that individuals were aware of their contribution towards a safe working environment.

The Equality, Diversity and Inclusion Manager informed Members of the Action Plan and next steps including a review of pages on the intranet site, communicating with the workforce on the plans for the new wellbeing provision and creating clear signposting on existing provision. It was noted that a well-being needs assessment survey would be undertaken anonymously across the organisation with some engagement with front line services, and include data sets linked to EDI, to gain an understanding of any disproportionate experiences at the Council based on protected characteristics. The data would help inform and create a health and well-being strategy and action plan. A Well-being Governance Board would also be established in line with the diagnostic tool kit and the Corporate Equalities Group was chaired by the Chief Executive. Re-engagement would be undertaken with key stakeholders to help drive forward the actions.

Councillor E Taylor referred to comments made regarding the workforce diminishing and roles not being replaced and the introduction of shared desk space, and queried whether this impacted stress levels on employees that remained. The Equality, Diversity and Inclusion Manager acknowledged that due to financial pressures, some employees had already indicated that they felt stressed and overworked, therefore it was anticipated that in the interim, long term sickness absence might increase. Employee well-being was recognised as more paramount than ever in the current climate.

In responding to a supplementary question from Councillor E Taylor, the Equality, Diversity and Inclusion Manager confirmed that the datasets did not measure whether staff not being replaced resulted in mental health related absences which would be considered during restructure reviews. It was generally reported that employees working for local authorities felt overworked and under resourced, therefore the proposed Action Plan would measure in six-month intervals when some changes had been implemented to identify whether there was a direct correlation.

Councillor J Foster sought clarification on the rationale behind transferring this function from Public Health to People and Inclusion and whether this resulted in any financial implications. Councillor Foster understood the benefit of this function being within public health to have access to all the opportunities that existed to support employees, such as specialist mental health and other services that might be needed over and above what an employee support programme could provide, both internally and throughout the Dudley Borough. However, the transfer to People and Inclusion provided a link into what was happening across the whole organisation and identified the cultural issues that impacted on well-being. It was therefore requested how the organisation would capture the best practices in each of the directorates.

The Equality, Diversity and Inclusion Manager undertook to provide further information on the rationale for the transfer of functions, however, it was acknowledged that employee well-being was usually managed within human resources at other local authorities. It was confirmed that the associated budget had transferred to the People and Inclusion Team in December, 2023 together with the management of the internal Staff Counselling Service.

The Director of Public Health and Wellbeing referred to the close working relationship and collaboration between Public Health and People and Inclusion, and that there were a number of employee services that continued to be led by Public Health including staff flu vaccinations and workplace health assessments.

Members were also advised that administration of the Occupational Health Contracts had also been transferred to People and Inclusion, which would be aligned with the health and well-being agenda and strategy to help the process to be more streamlined for employees and managers.

Councillor S Ali welcomed the comprehensive report submitted and suggested that the contributing factors in terms of mental health, anxiety, depression were internal changes within the organisation; increased workloads with reduced resources; culture; effects of the Covid-19 pandemic with employees working from home in isolation and challenges associated with the cost-of-living crisis. In view of this Councillor Ali fully supported a comprehensive well-being offer for staff as employees were an important resource in delivering efficient and effective services. It was suggested that further analysis be undertaken via surveys to learn from staff the causes of the triggers in terms of mental health and well-being issues. Regarding short and long-term absences, Councillor Ali sought clarification as to the reasons why the Housing Directorate had high sickness absence compared to other directorates.

The Senior Manager Human Resources Delivery and Intelligence confirmed that the Vivup referral service collected data including reasons for referrals, which would be fed into the strategy. Regarding sickness absences in Housing, further work would be undertaken to establish the root-cause, however it was apparent that there were ongoing issues with the management structure and some significant changes had taken place.

Councillor S Ali suggested that consideration be given to guidance on workplace health and mental well-being support that was available when developing any new strategies.

Following a question from the Vice-Chair (Councillor M Hanif) in relation to monitoring employees that were working from home, the Senior Manager Human Resources Delivery and Intelligence referred to the benefits associated with working from home including creating flexibility for individuals. The importance of managers establishing a good relationship with their employee and understanding their objectives and roles clearly and ensuring that work was being delivered was emphasised. The challenges were acknowledged; however, it was essential that managers were provided with the right training to support employees effectively.

Councillor A Davies welcomed the scrutiny of this area as it related to every directorate and activity of the Council and emphasised the importance of focusing on prevention. He suggested that workloads and capacity within teams should be central and realistic when restructuring the Council. The need to bring people back into the office and give them their own environment to help team building and social interaction was referred to.

In responding to a question on the employee survey feedback, the Equality, Diversity and Inclusion Manager confirmed that this had been categorised into what the leadership wanted to see more of and what employees wanted. The results focused on areas including appreciation and recognition; psychological safety and nurturing, and it was evident that there were similarities between the aspirations of leaders and employees generally.

Councillor H Bills suggested providing facilities to employees to help alleviate frustration or anxiety such as well-being rooms and the ability to express their problems. It was essential that the organisation understood that people were absent due to a variety of reasons. Councillor Bills considered that communicating person to person would be beneficial instead of via computers. Managers' understanding and sharing of information was paramount in supporting employees.

The Chair (Councillor I Kettle) referred to the findings and duplication in the support currently offered within different teams across the organisation and queried whether the referral for support should be centralised. The Senior Manager Human Resources Delivery and Intelligence confirmed that the referral process and well-being services would be centralised through the People and Inclusion division.

The Equality, Diversity and Inclusion Manager confirmed that information highlighting the support provided in individual areas would be collated into one centralised area as part of the key stakeholders work. This enabled a clear strategy and pathway to promote the activities and support available.

The Chair (Councillor I Kettle) encouraged officers to ensure that any digital format being considered was not overly complicated and made easy to use. The Senior Manager Human Resources Delivery and Intelligence referred to the existing surveys that were circulated to employees with responses being returned, which allowed officers to identify any trends which would be considered through the well-being agenda.

Councillor J Foster commented that valuable data could be obtained from people leaving the organisation, including their experiences and health whilst working for Dudley. The Senior Manager Human Resources Delivery and Intelligence confirmed that exit interview data was collected which was reported back to the Corporate Management Team. Further development work in this area would be undertaken.

Councillor D Stanley endorsed the importance of gathering data to understand the reasons for people leaving the authority and raised concerns about the level of sickness absence. Employees should be appreciated for the work undertaken, which he considered was frequently not being recognised. He also raised concern that there was insufficient accountability for some employees who worked from home.

At the conclusion of the discussion, the Vice-Chair (Councillor M Hanif) requested that a progress report be submitted in six months' time.

Resolved

- (1) That the information contained in the report, and as reported at the meeting, on the findings of a review of the Council's employee wellbeing offer and the proposed action plan to address the issues identified, be noted.
- (2) That the Committee note that employee wellbeing within the Council currently reflects the national trends of an overall increase in sickness and absence due to mental health related sickness.

- (3) That the work undertaken to review the Council's employee wellbeing offer and the findings be noted.
 - (4) That the need to strengthen the Council's wellbeing offer to employees to address the issues highlighted in the report be noted.
 - (5) That the Action Plan, attached as Appendix 1 to the report submitted, be endorsed.
 - (6) That a further progress report be presented to the Committee in six months' time.
-

46 **Progress Tracker and Future Business**

The progress tracker and programme of future business for the Overview and Scrutiny Committee was received and noted.

47 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 8.30pm

CHAIR

Meeting of the Overview and Scrutiny Committee – 20th June, 2024

Report of the Lead for Law and Governance (Monitoring Officer)

Overview and Scrutiny Arrangements 2024/25

Purpose

1. To consider the Council's Overview and Scrutiny arrangements for 2024/25.

Recommendations

2. That, in accordance with the decisions made at the Annual Meeting of the Council on 16th May, 2024, the Lead for Law and Governance (Monitoring Officer) implement the necessary updates to the Council's Constitution to incorporate the revised Overview and Scrutiny arrangements for 2024/25 (see Appendix 1).
3. That the Committee consider and make any comments on the Overview and Scrutiny/Select Committee Work Programme for the 2024/25 municipal year (see Appendix 2).
4. That the Lead for Law and Governance (Monitoring Officer), following consultation with the Chair and Vice-Chair of this Committee and the Chairs and Vice-Chairs of Select Committees, as appropriate, be authorised to develop and make any necessary amendments to the Work Programme during the municipal year.

Background

Overview and Scrutiny - National and Legal Context

5. Overview and Scrutiny Committees were introduced under the provisions of the [Local Government Act 2000](#) as part of executive governance arrangements to ensure that Members of a local authority, who are not part of the Cabinet, can hold the Cabinet to account for the decisions and actions that affect their communities.

6. Overview and Scrutiny Committees have statutory powers to scrutinise decisions the Cabinet is planning to take; those it plans to implement, and those that have already been taken or implemented. The Department for Levelling Up, Communities and Housing has published [Statutory Guidance](#) to ensure that Councils, Combined Authorities and Combined County Authorities are aware of the purpose of overview and scrutiny and how to conduct it effectively.
7. The Statutory Guidance sets out policies and practices that Councils should adopt, or consider adopting, when deciding how to carry out overview and scrutiny functions.

Effective overview and scrutiny should:

- provide constructive ‘critical friend’ challenge.
 - amplify the voices and concerns of the public.
 - be led by people who are independent (ie: not part of the Council’s Cabinet) and who take responsibility for their role.
 - drive improvement in public services and strategic decision-making.
8. The Statutory Guidance encourages Councils to establish a strong organisational culture by:
 - (a) Recognising scrutiny’s legal and democratic legitimacy.
 - (b) Identifying a clear role and focus.
 - (c) Ensuring early and regular engagement between the Cabinet (Executive) and scrutiny.
 - (d) Managing disagreement.
 - (e) Providing the necessary support.
 - (f) Ensuring impartial advice from officers.
 - (g) Communicating scrutiny’s role and purpose to the wider authority.
 - (h) Maintaining the interest of full Council in the work of the scrutiny committee.
 - (i) Communicating scrutiny’s role to the public.
 - (j) Ensuring scrutiny members are supported in having an independent mindset.
 9. Current legislation recognises that Councils are locally accountable and are best placed to determine which overview and scrutiny arrangements best suit their own individual needs. The Council has a great degree of flexibility to decide on the arrangements that are adopted locally. The Statutory Guidance is reflected in the Council’s

Overview and Scrutiny Arrangements, which form part of the Council's Constitution.

Dudley MBC – Overview and Scrutiny Arrangements

10. The Council has operated Overview and Scrutiny arrangements since the legislation was introduced in 2000. The recent Local Government Association (LGA) Corporate Peer Challenge report stated that Dudley Council should keep its scrutiny arrangements under close review and reassure itself that they are fit for purpose. The Council should also ensure that the structure is sustainable and aligned with available resources.
11. The Council's Overview and Scrutiny arrangements need to be clearly focussed and closely aligned to the significant organisational challenges faced by the Council. This includes the refreshed Council Plan for 2024/25, the Council's 'Fit for the Future' Improvement Programme and the financial challenges arising from the Medium-Term Financial Strategy.
12. At the Annual Meeting of the Council on 16th May, 2024, approval was given to the establishment of the following Committees for the 2024/25 municipal year:

Overview and Scrutiny Committee

Select Committees:

- Adult Social Care Select Committee
 - Children's Services Select Committee
 - Environment and Regeneration Select Committee
 - Fit for the Future/Council Sustainability Select Committee
 - Health Select Committee
 - Housing and Safer Communities Select Committee
13. At the Annual Meeting of the Council on 16th May, 2024 it was also resolved that a report be submitted to this meeting of the Overview and Scrutiny Committee on the Council's revised overview and scrutiny arrangements, including the terms of reference of the Scrutiny/Select Committees.
 14. To reflect the above structure, Appendix 1 sets out proposed revisions to Article 6 of the Constitution and the associated Scrutiny Procedure Rules which will need to be incorporated within Part 4 of the Council's Constitution. The Scrutiny Procedure Rules include the terms of

reference of the Overview and Scrutiny Committee and the Select Committees.

15. The Overview and Scrutiny Committee will oversee and co-ordinate all the Council's scrutiny activities. This Committee will take a lead role in scrutinising the Council's overall financial position and budget; monitoring corporate performance and coordinating the Work Programme.
16. Select Committees will undertake specific scrutiny reviews and inquiries, where possible on a 'task and finish' basis, and contribute to policy development by making reports and recommendations to the Council, the Cabinet (or relevant decision makers) in relation to items that are included within the Work Programme.

Overview and Scrutiny/Select Committee Work Programme 2024/25

17. It is generally accepted that effective work programming is at the heart of successful scrutiny. The Work Programme needs to be clear, focussed, realistic and achievable, whilst remaining flexible to reflect any changes in circumstances during the municipal year.
18. Initial consideration has been given to the Scrutiny/Select Committee Work Programme for 2024/25 as set out in Appendix 2. The programme was discussed informally with the Chairs and Vice-Chairs on 10th June, 2024.

Member Development and Support

19. As part of the Fit for the Future Programme, work is underway to enhance the Member Development programme and support for Members on effective scrutiny. An initial 'Scrutiny Essentials' Development Session was held with the Local Government Association on 23rd May, 2024.
20. Member Development will include improved guidance to effectively probe into key issues; how Members receive assurance and ensure that scrutiny provides a robust input into key decisions, peer support and greater training and support for Scrutiny Chairs/Vice-Chairs and Members. Members will have specialist Officer support from Directorates at all Committee meetings. Use of external expertise may also be considered in appropriate circumstances, for example presentations on good practice from other comparable organisations and subject matter experts.

Finance

21. At the Annual Meeting of the Council on 16th May, 2024, it was resolved that the Director of Finance and Legal, in consultation with the Cabinet Member for Finance, Legal and Human Resources, be authorised to amend the budget to reflect the Democratic Services resources and Special Responsibility Allowances arising from the revised structure of Committees. Costs associated with the operation of the Overview and Scrutiny arrangements detailed in this report will be reflected in the Council's budget for 2024/25 and future years.

Law

22. Scrutiny and Select Committees are established under the provisions of the Local Government Act 1972 and the requirements of the Council's Constitution, which was adopted under the Local Government Act 2000, subsequent legislation and associated Regulations and Guidance. The Council's scrutiny arrangements are set out in Article 6 of the Constitution (Overview and Scrutiny) and the associated Procedure Rules are contained within Part 4 of the Constitution.

Risk Management

23. The primary risks to successfully undertaking the Scrutiny/Select Committee Work Programme relate to organisational capacity, resourcing and budgetary issues. This emphasises the need to ensure that the Work Programme is realistic, focused, aligned to the Council Plan objectives and key organisational priorities.

Equality Impact

24. Provision exists within the Council's governance arrangements for overview and scrutiny to be undertaken of the Council's policies on equality, diversity and inclusion.

Human Resources/Organisational Development

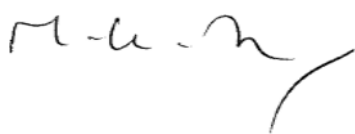
25. The Overview and Scrutiny Committee and Select Committees are primarily administered by the Democratic Services Team with support from Directorates and other Officers as required. Support for the Council's Overview and Scrutiny/Select Committee functions must be set in the context of the resources available, current spending restrictions and the organisational capacity to support scrutiny and other areas of work.

Commercial/Procurement

26. The Constitution includes governance documents that set a framework in which the Council's commercial/procurement activity is properly undertaken. This includes the Council's Standing Orders relating to Contracts.

Council Plan

27. Overview and Scrutiny is a key element of the Council's governance arrangements to underpin the Council Plan objectives and the delivery of key Council priorities.



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Background Documents

Report and Minutes of the Annual Council meeting – [16th May, 2024](#)

[Overview and Scrutiny: Statutory Guidance for Councils, Combined Authorities and Combined County Authorities](#) - Department for Levelling Up, Housing and Communities – April, 2023

Local Government Association (LGA) Corporate Peer Challenge – Report to the Cabinet – [13th December, 2023](#)

[The Council's Constitution](#) - Full copy on the Council's Website

ARTICLE 6 – OVERVIEW AND SCRUTINY

6.01 Appointment and Terms of Reference

The Council will appoint Committees as set out in the Scrutiny Procedure Rules contained in Part 4 of the Constitution.

6.02 General Role

The general role of overview and scrutiny is:

- (i) To undertake scrutiny and contribute to policy development relating to matters falling within the portfolio responsibilities of Cabinet Members and, in particular, to scrutinise the Council's Fit for the Future Programme which includes delivering financial sustainability.
- (ii) To undertake scrutiny investigations/inquiries.
- (iii) To consider any decisions that are 'called-in' in accordance with the Scrutiny Procedure Rules.
- (iv) To consider corporate performance reports, including relevant data sets and to prioritise areas of underperformance for inclusion in the Scrutiny Work Programme.
- (v) To submit reports and recommendations to the relevant decision-taker(s).
- (vi) To identify the key items that Select Committees should consider as part of the Work Programme.
- (vi) To submit an annual report to the Full Council.

6.03 Proceedings of Committees

Committees will conduct their business in line with the Scrutiny Procedure Rules.

6.04 Conflict of Interest

Members may participate in the scrutiny of decisions or other items of business provided that they have not been directly involved in making the specific decision(s) under scrutiny. This shall not apply to decisions that

have been taken by the full Council. Members shall not participate in any business if they are precluded from doing so by having an interest under the Members' Code of Conduct.

6.05 Access to Information

Committees will comply with the Access to Information Procedure Rules in Part 4 of the Constitution.

Scrutiny Procedure Rules

1. Appointment and Terms of Reference

The Council will appoint an Overview and Scrutiny Committee and the following Select Committees with the terms of reference set out in Table 1 attached to these Rules:

- Adult Social Care Select Committee
- Children's Services Select Committee
- Environment and Regeneration Select Committee
- Fit for the Future / Council Sustainability Select Committee
- Health Select Committee
- Housing and Safer Communities Select Committee

2. Membership

All Councillors (except Cabinet Members) may be members of the Overview and Scrutiny Committee and/or Select Committees. The Council may also appoint non-elected co-opted Members (to be appointed taking account of any statutory requirements and on the basis of their skills and experience).

The Overview and Scrutiny Committee and Select Committees have the discretion to invite specialist/key contacts to advise the Committee, attend or speak at meetings depending on the specific topics under discussion.

3. Education representatives

The membership of the Children's Services Select Committee will include the following voting co-opted representatives:

- 1 Church of England diocese representative
- 1 Roman Catholic diocese representative
- 3 parent governor representatives.

These representatives are entitled to speak on all agenda items. They are, however, only entitled to vote or exercise the right of call-in on items concerning education functions of the Council.

4. Meetings

Ordinary meetings of the Overview and Scrutiny Committee and Select Committees will be held on the dates and times in the calendar approved by the Council. The dates and times of Ordinary meetings will not be changed unless the Monitoring Officer, following consultation with the Chair and Vice-Chair of the relevant Committee, is satisfied that exceptional circumstances apply (for example due to inclement weather, significant national events or lack of business).

Additional meetings may be called by the Chair of the relevant Committee, the Monitoring Officer or the 'required number' of Councillors appointed to the Committee. The 'required number' of Councillors shall be equal to the total number of opposition group Councillors appointed to the Committee concerned.

Members appointed to Scrutiny/Select Committees are required to attend meetings physically in accordance with legal requirements. Other participants may be invited to join meetings remotely. Proceedings of Scrutiny and Select Committee meetings shall be recorded. Recordings of meetings will be retained by the Council until the minutes have been confirmed as a correct record.

5. Quorum

The quorum for the Overview and Scrutiny Committee and Select Committees is one quarter of the total number of Councillors appointed to the Committee or three Councillors, whichever is the larger.

6. Chairs and Vice-Chairs

Chairs and Vice-Chairs of Committees will be appointed by the Full Council.

7. Attendance of Members and Officers

All decision takers must be accountable and be prepared to attend the Overview and Scrutiny Committee or Select Committees to explain and justify their decisions.

Cabinet Members shall have a standing invitation to attend the relevant Committee(s). Relevant Officers will attend meetings to give advice depending on the items under consideration.

The Overview and Scrutiny Committee and Select Committees may require the relevant Cabinet Member(s), the Chief Executive, the Deputy Chief Executive and/or any Director to attend. The Chief Executive, Deputy Chief Executive or Director may invite other Officers to attend.

Where a Cabinet Member or Officer is specifically required to attend the Overview and Scrutiny Committee or a Select Committee, they will be given at least five clear working days' notice of the meeting.

In unavoidable circumstances, where a Cabinet Member or Officer is unable to attend on the required date, a Committee shall either arrange an alternative date for their attendance or require another Cabinet Member or Officer respectively to attend on their behalf. Officers will not attend to give evidence in place of Cabinet Members and vice versa.

8. Attendance by Others

Local residents, partner organisations, stakeholders and Members and Officers in other parts of the public sector may be invited to attend meetings to discuss issues of local concern and/or answer questions. All attendees and participants should be treated with respect and courtesy.

9. Public Forum

The agenda for the Overview and Scrutiny Committee and all Select Committees will include a standard item entitled 'Public Forum'. This allows members of the public to ask questions on any matter falling within the terms of reference of the relevant Committee. The way in which the Public Forum session is conducted is at the discretion of the Chair of the meeting. Public speakers may be invited to make a contribution during the Public Forum, however, they should return to the public gallery whilst the Committee deliberate on any particular matter.

10. **Policy Review and Development**

The Overview and Scrutiny Committee will oversee and co-ordinate a Work Programme, including agenda items to be considered by the Overview and Scrutiny Committee and Select Committees during the municipal year.

Any Member of a Committee is entitled to give notice that he/she wishes an item relevant to the functions of that Committee to be considered during the municipal year.

Any amendments to programmed business will be made by the Monitoring Officer following consultation with the Chair and Vice-Chair of the Overview and Scrutiny Committee and/or a Select Committee.

Committees may make recommendations to the relevant decision taker(s). The Monitoring Officer shall make any necessary arrangements for any recommendations to be reported to the relevant decision taker(s).

11. **Scrutiny of Revenue Budget and Medium-Term Financial Strategy**

These rules are intended to complement the Budget and Policy Framework Procedure Rules.

The Overview and Scrutiny Committee will take a lead role in scrutinising the Council's overall financial position and budget process. The Overview and Scrutiny Committee may hold informal Working Group sessions, however, any formal recommendations concerning any specific aspects of budget proposals should be made at a properly constituted meeting of the Committee.

The Overview and Scrutiny Committee will consider the draft revenue budget proposals and Medium-Term Financial Strategy.

12. **Scrutiny Inquiries and Reviews**

Committees may hold detailed inquiries and reviews in respect of any items of business that are allocated or referred to them. This may involve site visits and any other means that the Committee considers are reasonably necessary to inform their discussions.

The way in which scrutiny inquiries/reviews are conducted shall be at the discretion of each Committee depending on the item under consideration.

A Committee may invite people to provide information or give submissions. Written information or submissions can be invited in advance and where possible, these should be circulated with the agenda for the meeting.

Following a scrutiny inquiry or review, a report and recommendations will be submitted to the relevant decision taker(s).

13. **Call-In**

Call-in applies to executive decisions made by the Cabinet, a Cabinet Member or a key decision made by an Officer under delegated powers. Table 2 attached to these Rules summarises the Call-in procedure.

Notice of executive decisions will normally be published within 2 working days of the decisions being made. The Chairs of the Overview and Scrutiny Committee and Select Committees will be notified of decisions within the same timescale.

Decisions will come into force, and may be implemented, on the expiry of 5 working days after the publication of the decision, unless the Overview and Scrutiny Committee, or a Select Committee, objects and calls it in.

During that period, a decision will be called in for scrutiny if a written request is made to the Monitoring Officer by the Chair of the Overview and Scrutiny Committee, the Chair of a Select Committee or the required number of voting Members of the Overview and Scrutiny Committee or a Select Committee. The required number shall be equal to the total number of opposition group Councillors appointed to the Committee concerned.

The decision-taker will be notified of the call-in. Within 5 working days of receiving notice of the call-in, a meeting of the relevant Committee will be arranged following consultation with the Chair and Vice-Chair.

Members of the relevant Committee will be invited to submit written questions in advance of the meeting. This will not prevent Members

from asking questions at the meeting itself. Written questions should be submitted to the Monitoring Officer at least seven working days before the meeting.

Where possible the written responses to those questions should be provided at least two working days before the meeting but in any event the written responses should be circulated at the meeting.

The procedure at a Committee meeting dealing with a 'call-in' is as follows:

- The Chair will deal with preliminary items, set the context and outline the procedure for the meeting. The Chair or Member responsible for arranging the call-in should then outline the reasons for the call in.
- The relevant Cabinet Member and/or the relevant Officer, shall be invited to make representations concerning the decision.
- The Committee will deal with any written questions that have been submitted in advance.
- Members of the Committee will have the opportunity to ask questions.
- Contributions will be invited from any other persons present along with any further questions from the Committee.
- Following all questions and contributions, the relevant Cabinet Member and/or the relevant Officer will be invited to make a final statement.
- The Committee will review all the facts, opinions and comments and consider making any recommendations or observations to the relevant decision-taker and/or the Council.

If the relevant Committee considers the decision, and is concerned about it, the decision may be referred back to the relevant decision-taker or referred to full Council. The decision-taker will be advised of the Committee's concerns.

If the matter is referred back to the decision-taker, arrangements will be made within 5 working days for the original decision to be reconsidered. The decision-taker will then make a final decision.

If the relevant Committee does not refer the matter back to the decision-taker, or to full Council, the decision shall take immediate effect.

If a decision is referred to full Council and the Council raises no objections, the decision will take immediate effect.

If the Council objects to the decision, it will be referred back to the decision-taker along with the Council's views. Arrangements shall be made within 5 working days for the original decision to be reconsidered. The decision-taker will then make a final decision.

14. **Call-In and Urgency**

The call-in procedure will not apply if any delays in making a decision would seriously prejudice the Council's or the public interest. The notice and record of the decision will state the reason why the decision is urgent and not subject to call-in.

Before an urgent decision is taken, the Mayor must agree that the decision can be treated as a matter of urgency and is reasonable in all the circumstances.

In the absence of the Mayor, the Deputy Mayor's consent shall be required. In the absence of both, the Chief Executive or his/her nominee's consent shall be required. Decisions taken as a matter of urgency will be published on the Council's Website.

15. **Minority Reports**

If the relevant Committee is unable to reach a consensus view on the recommendations to the relevant decision taker, then a minority report may also be submitted for consideration alongside the recommendations agreed by the majority of the Committee.

16. **Scrutiny/Select Committee reports and recommendations that are considered by the Cabinet and/or Council**

The agenda for Cabinet meetings shall include an item entitled 'Issues arising from Overview and Scrutiny and Select Committees'. Reports and recommendations from the Overview and Scrutiny Committee or Select Committees shall be included at this point in the agenda (unless they have been considered by the Cabinet under another agenda item).

If a Committee's recommendations have implications for the Council's budget and policy framework, the Monitoring Officer will refer the matter to the next available meetings of the Cabinet and the Council.

Members have access to the Cabinet's Forward Plan of Key Decisions. This is available on the Council's website. This includes information about consultation undertaken on key decisions. Individual Councillors may respond to consultations in their own right.

17. Rights of Members to documents

Members of the Overview and Scrutiny Committee and Select Committees have the right to documents as set out in the Access to Information Procedure Rules in Part 4 of this Constitution.

Nothing in these Rules prevents more detailed liaison between the Cabinet and the Overview and Scrutiny Committee or Select Committees depending on the matters under consideration.

18. Councillor Call for Action

Any resident of the Borough can ask a Councillor to refer a matter to the Overview and Scrutiny Committee or a Select Committee. The procedure for dealing with this is set out in Table 3 attached to these Rules. This procedure should only be used where there is an ongoing dispute about a community issue, which cannot be dealt with through any of the Council's established procedures. The Call for Action procedure will only be used when all other avenues for resolution have been considered and exhausted.

19. Party whip

Members of the Overview and Scrutiny Committee or Select Committees must declare the existence of any party whipping arrangements before the Committee considers individual items of business. Any such declarations shall be recorded in the minutes of the meeting.

20. **Matters within the remit of more than one Committee**

The Overview and Scrutiny Committee will oversee and monitor the activities of Select Committees to avoid duplication and ensure liaison on cross-cutting issues as necessary.

TABLE 1:

TERMS OF REFERENCE

OVERVIEW AND SCRUTINY COMMITTEE

Membership

11 Councillors

Terms of Reference

- (a) To oversee and monitor the Council's overview and scrutiny functions under the Local Government Act 2000, any subsequent legislation, regulations or statutory guidance.
- (b) To oversee and co-ordinate the Scrutiny Work Programme and activities of Select Committees to avoid duplication and ensure liaison on cross-cutting issues.
- (c) To scrutinise the Council's overall financial position and budget process and to consider the draft revenue budget proposals and Medium-Term Financial Strategy.
- (d) To oversee effective scrutiny of the review of the Council's target operating model and the process of organisational redesign.
- (e) To receive corporate performance monitoring reports and to prioritise areas of underperformance for inclusion in the Work Programme for more detailed consideration by Select Committees.
- (f) To ensure that cross cutting themes are properly considered in the scrutiny process, including Equality, Diversity and Inclusion, climate change and financial sustainability.
- (g) To undertake scrutiny investigations/inquiries as required.
- (h) To consider and determine any items that are called in for scrutiny in accordance with the Scrutiny Procedure Rules.
- (i) To submit reports and recommendations to the Cabinet and/or the relevant decision taker(s).

ADULT SOCIAL CARE SELECT COMMITTEE

Membership

11 Councillors

Terms of Reference

In accordance with the agreed Work Programme and any statutory requirements:

- (a) To undertake reviews and inquiries on a 'task and finish' basis and contribute to policy development relating to matters falling within the portfolio responsibilities of the relevant Cabinet Members.
- (b) To consider and determine any items that are called in for scrutiny in accordance with the Scrutiny Procedure Rules.

To submit reports and recommendations to the relevant decision taker(s).

CHILDREN'S SERVICES SELECT COMMITTEE

Membership

11 Councillors, 5 voting Church and Parent Governor Co-opted representatives.

Terms of Reference

In accordance with the agreed Work Programme and any statutory requirements:

- (a) To undertake reviews and inquiries on a 'task and finish' basis and contribute to policy development relating to matters falling within the portfolio responsibilities of the relevant Cabinet Members.
- (b) To consider and determine any items that are called in for scrutiny in accordance with the Scrutiny Procedure Rules.
- (c) To submit reports and recommendations to the relevant decision taker(s).

ENVIRONMENT AND REGENERATION SELECT COMMITTEE

Membership

11 Councillors

Terms of Reference

In accordance with the agreed Work Programme and any statutory requirements:

- (a) To undertake reviews and inquiries on a 'task and finish' basis and contribute to policy development relating to matters falling within the portfolio responsibilities of the relevant Cabinet Members.
- (b) To consider and determine any items that are called in for scrutiny in accordance with the Scrutiny Procedure Rules.
- (c) To submit reports and recommendations to the relevant decision taker(s).

FIT FOR THE FUTURE / COUNCIL SUSTAINABILITY SELECT COMMITTEE

Membership

11 Councillors

Terms of Reference

In accordance with the agreed Work Programme and any statutory requirements:

- (a) To undertake reviews and inquiries on a 'task and finish' basis and contribute to policy development relating to matters falling within the portfolio responsibilities of the relevant Cabinet Members.
- (b) To consider and determine any items that are called in for scrutiny in accordance with the Scrutiny Procedure Rules.
- (c) To submit reports and recommendations to the relevant decision taker(s).

HEALTH SELECT COMMITTEE

Membership

11 Councillors, 1 non-voting Co-opted Member

Terms of Reference

To fulfil scrutiny functions as they relate to the improvement of local health and associated services in accordance with relevant legislation, regulations and associated guidance.

To make reports and recommendations to local National Health Service (NHS) bodies and to the Council on any matter reviewed or scrutinised.

To proactively receive information within given timescales, with some exceptions, as per Government Guidance, requested from local NHS bodies.

To be consulted by and respond to (as appropriate) NHS bodies in connection with the rationale behind any proposal and options for change to local health services made by the NHS.

To ensure the involvement of local stakeholders in the work of the Committee.

To act in accordance with Government Guidance relating to Health and Scrutiny functions.

Where practical, necessary or appropriate, to establish joint scrutiny arrangements with other local authorities.

In accordance with the Work Programme and any statutory requirements:

- (a) To undertake reviews and inquiries on a 'task and finish' basis and contribute to policy development relating to matters falling within the portfolio responsibilities of the relevant Cabinet Members.
- (b) To consider and determine any items that are called in for scrutiny in accordance with the Scrutiny Procedure Rules.
- (c) To submit reports and recommendations to the relevant decision taker(s).

HOUSING AND SAFER COMMUNITIES SELECT COMMITTEE

Membership

11 Councillors

Terms of Reference

In accordance with the agreed Work Programme and any statutory requirements:

- (a) To undertake reviews and inquiries on a 'task and finish' basis and contribute to policy development relating to matters falling within the portfolio responsibilities of the relevant Cabinet Members.
- (b) To consider and determine any items that are called in for scrutiny in accordance with the Scrutiny Procedure Rules.
- (c) To undertake scrutiny functions associated with the strategic Crime and Disorder Reduction Partnership (Safe and Sound).
- (d) To submit reports and recommendations to the relevant decision taker(s).

TABLE 2:

PROCEDURE FOR DEALING WITH A CALL IN

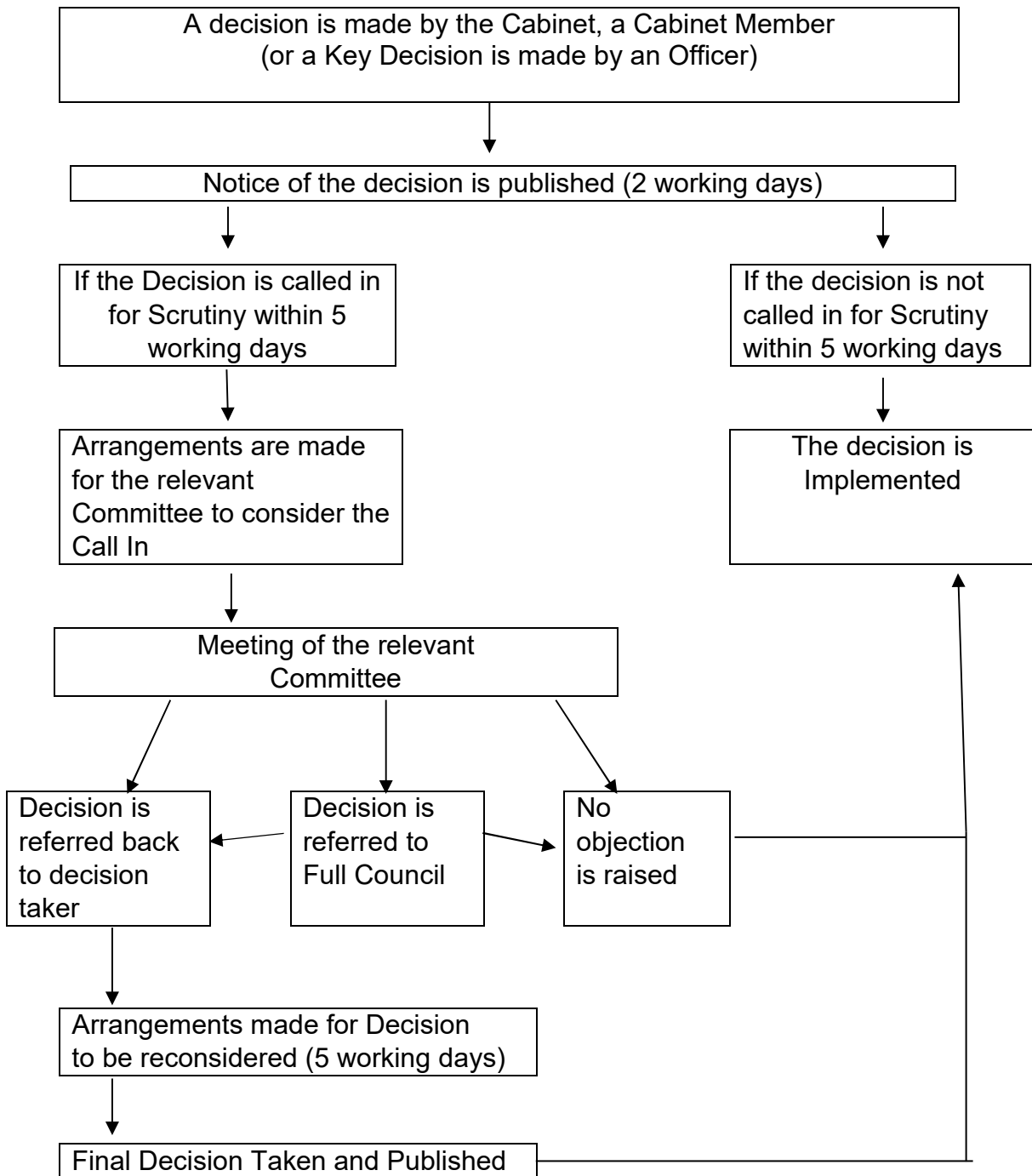
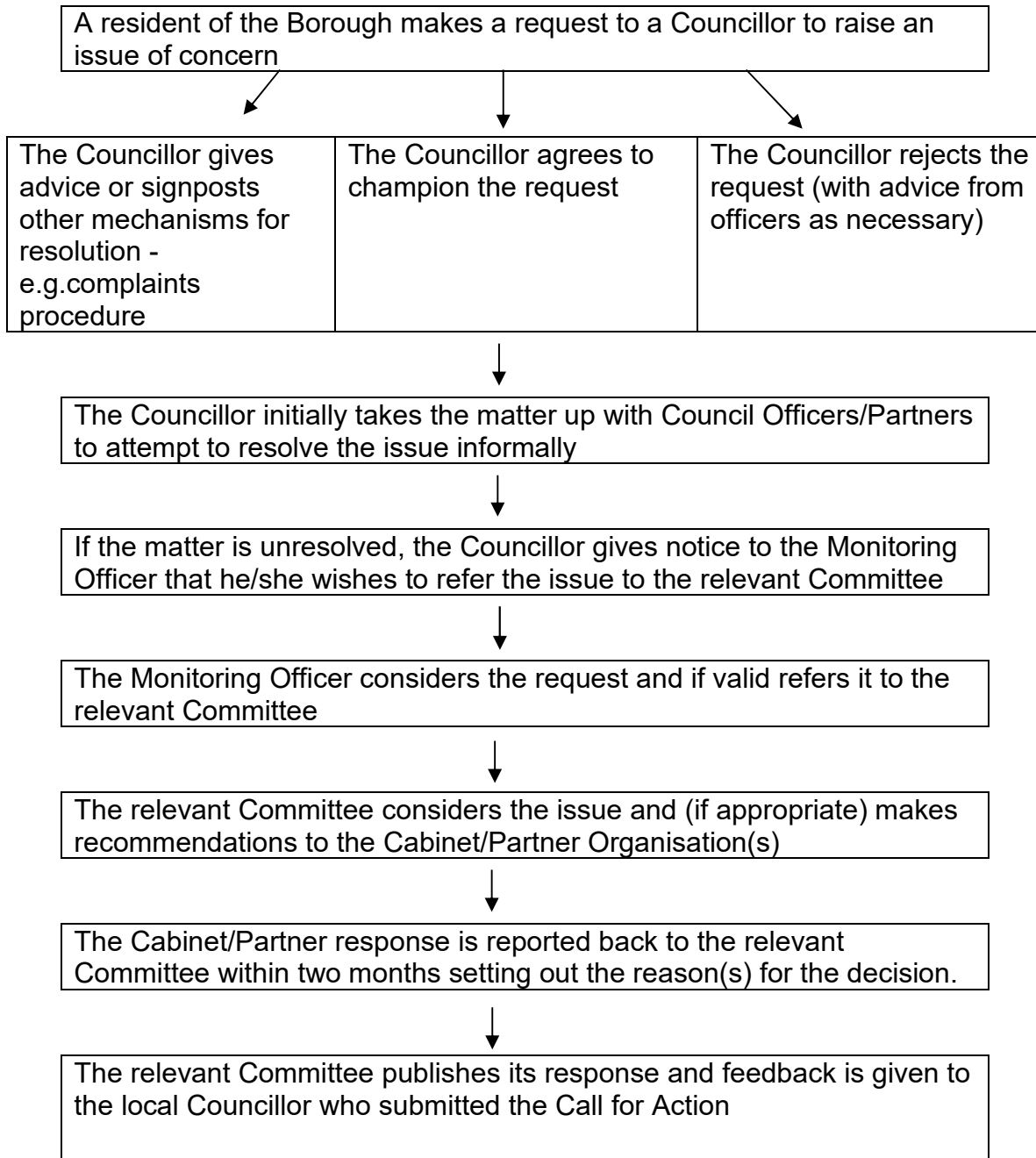


TABLE 3:

PROCEDURE FOR DEALING WITH A COUNCILLOR CALL FOR ACTION



Overview and Scrutiny/Select Committees Work Programme 2024/25

Guidance Notes

- Agendas need to be managed so they can be considered within the time allocated (max of 2.5 hours).
- Where possible the aim is to move to task/finish approach – Members have a clear purpose/role and there is clarity on what will happen because of their work.
- Reports to Scrutiny **should not be** “for information”, for general discussion/comments session where the conclusion is “the report is noted”.
- Each item should confirm the purpose (**why is it going to Scrutiny**), the desired outcome and how it contributes to our overall improvement journey.
- Members should be clear from the covering report – “what are we being asked to do?” *The covering report must make direct reference to the purpose of the Scrutiny/Select Committee considering the paper.* Members have confirmed they prefer ‘pre-decision’ scrutiny, they are clear from the report what they are being asked to do and where their comments/recommendations are going.

Overall aim is to see a sharper focus on outcomes that add value to effective decision making/governance.

Overview and Scrutiny Committee	
20 th June 2024	Overview and Scrutiny Arrangements 2024/25
	Corporate Performance Report (Key Performance Indicators)
11 th September 2024	Progress towards Financial Sustainability
	Council Tax Reduction Scheme
	Chartered Institute of Public Finance and Accountancy (CIPFA) Action Plan
	Local Government Association - Peer Review progress update
6 th November 2024	Employee health and wellbeing strategy
	Corporate Performance Report (Key Performance Indicators)
	Feedback from Task & Finish Groups in relation to budget savings
8 th January 2025	Medium Term Financial Strategy
26 th February 2025	Progress towards Financial Sustainability
	Corporate Performance Report (Key Performance Indicators)

Adult Social Care Select Committee	
17 th July 2024	Care Quality Commission (CQC) - Readiness/Inspection outcomes
	Local Government Association - Use of Resources Analysis
18 th September 2024	Better Care Fund
	Continuing Healthcare
20 th November 2024	Telecare – Analogue to Digital
	Workforce/Recruitment
15 th January 2025	Medium-Term Financial Strategy
5 th March, 2025	Annual Safeguarding/Deprivation of Liberty Standards (DOLS) report
	Market Sustainability Update

Children's Services Select Committee	
18 th July 2024	Educational outcomes and school quality
	Vulnerable learners, including attendance
19 th September 2024	Ofsted/Care Quality Commission improvement plans
	Family hub effectiveness
21 st November 2024	Placement sufficiency, both social care and Special Educational Needs and Disability (SEND)
	Safeguarding annual report
16 th January 2025	Medium-Term Financial Strategy
6 th March 2025	Independent Reviewing Officer annual report
	Complaints annual report and themes arising

Environment and Regeneration Select Committee	
24 th July 2024	Service changes whilst in spending controls
	A strategic review of parking, including on-street and off-street charging options (Task & Finish)
23 rd September 2024	Review of the ongoing viability of halls and associated catering facilities, including options to operate on a concession basis (Task & Finish)
	Review of leisure centres (Task & Finish)
25 th November 2024	A review of waste and recycling, taking account of recent government guidelines on food waste (Task & Finish)
	Neighbourhood Model (a year on)
	Climate Change Action Plan Update
20 th January 2025	Medium-Term Financial Strategy

13 th March 2025	Regeneration strategy and programme
	United Kingdom Shared Prosperity Fund (UKSPF)/ Crowdfunding platform for UKSPF/Community Infrastructure Levy

Fit for the Future / Council Sustainability Select Committee	
25 th July 2024	Programme overview and key themes/Functional Reviews
	Spending Controls update
26 th September 2024	Programme update
	Deep dive on governance workstream including member development
27 th November 2024	Programme Update
	Deep dive on Organisational Redesign
	Council Plan progress update
22 nd January 2025	Medium-Term Financial Strategy (with particular focus on progress with savings plans)
17 th March 2025	Programme update

Health Select Committee	
31 st July 2024	Usage of Public Health Grants
	Health in policies (wider determinants of health; housing, planning and the wider environment)
3 rd October 2024	Mental health needs assessment
	0-19 contract
5 th December 2024	Progress of Health and wellbeing and inequality strategy (Health and Wellbeing Board strategy)
23 rd January 2025	Medium-Term Financial Strategy
20 th March 2025	Financial wellbeing strategy

Housing and Safer Communities Select Committee	
1 st August 2024	Readiness for the mandatory Housing inspection
10 th October 2024	New regulatory standards with an overarching focus on the customer voice around the themes of: - Safety and Quality
	Tenancy
9 th December 2024	New regulatory standards with an overarching focus on the customer voice around the themes of: -
	Neighbourhood and Community Tenant Satisfaction Measures

27 th January 2025	Medium-Term Financial Strategy (including rent review and service charges)
24 th March 2025	New regulatory standards with an overarching focus on the customer voice around the themes of: - Rent Transparency, Influence and Accountability Competence and Conduct

Overview and Scrutiny Committee – 20th June 2024

Report of the Council Plan Working Group

Corporate Performance Monthly Reporting

Purpose of report

1. To present the Council Plan 2024-25 Key Performance Indicators (KPI's) and corporate performance dashboard for April 2024.

Recommendations

2. It is recommended that Overview and Scrutiny Committee:
 - Support and endorse the new reporting dashboard that will be generated monthly to report and monitor performance aligned to the new one-year Council Plan for 2024-25.

Background

3. The previous 2022-25 Council Plan was suspended following the 15th February Cabinet and 26th February 2024 Council meetings.

The new Council Plan, approved at Council on 15th April, 2024 has 5 key priority areas:

- Financial sustainability, efficiency and providing best value.
- Governance and control
- Leadership and culture
- Delivering for our customers, residents, and communities
- Supporting businesses and the local economy

4. **Performance Monitoring Dashboard**

For 2024-25, performance will be measured against the 5 key priorities through financial reporting, project updates, operational KPIs and officer objectives.

13 operational KPIs will be reported monthly via a "Power BI live" dashboard. The definition sheets for each indicator and the April report have been circulated to Members separately.

The data will be presented a month in arrears at week 5 after the end of the previous month for Corporate Management Team and subsequently to Cabinet Policy Group.

5. **Publication of reports**

The performance outturns will be published in PDF form on a bi-monthly basis on the Council's website, following review at Corporate Policy group.

6. **April 2024 Performance Summary**

In April, 12 of the 13 KPIs have data. We have no data for "Percentage of S42 individuals with outcomes expressed, fully and partially achieving their outcomes" as Adults report on this two months in arrears.

The outturns for the 12 KPIs show:

- 4 are "On or Exceeding Target"
- 2 "Met Target tolerance"
- 3 "Below Target"
- 3 measures have no targets.

Details on the performance is on the power BI dashboard.

Finance

7. An active review of these KPIs should identify budget risks and opportunities.

Law

8. There are no legal implications of this report.

Risk Management

9. As part of the new risk management framework approved at Audit and Standards Committee, risk reporting is not within performance. Each directorate will need to develop a risk register for monitoring purposes.

Equality Impact

10. There are no equality implications arising from this report.

Human Resources/Organisational Development

11. There are no implications arising from this report.

Commercial/Procurement

12. There is no direct commercial impact from this report.

Council Plan

13. The Council Plan 2024-25 will ensure a focus on those priorities and projects that will support the overall sustainability of the Council and the services we deliver to our residents. This report includes KPIs to enable Corporate Management Team and Cabinet to monitor the Council Plan.

Luisa Fulci

Luisa Fulci
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Information Circulated to Members by E-mail:

- **Council Plan KPI Definitions Sheets**
- **April Performance report**