

# Bristol City Council

## Minutes of the Overview and Scrutiny Management Board



1 June 2020 at 3.00 pm

### **Members Present:-**

**Councillors:** Geoff Gollop (Chair), Celia Phipps (Vice-Chair), Anthony Negus, Stephen Clarke, Claire Hiscott, Paula O'Rourke, Brenda Massey, Jo Sergeant, Mark Brain and Jeff Lovell

### **Welcome, Introductions and Safety Information**

The Chair welcomed the attendees. The meeting was conducted by Zoom video conference.

### **Apologies for Absence**

There were no apologies for absence.

### **Declarations of Interest**

No declarations were made.

### **Minutes of the previous meeting**

The minutes of the previous meeting were not circulated but will be added to the agenda of the next meeting.

**RESOLVED:** That the minutes of the OSMB meeting held 24<sup>th</sup> April be added to the agenda for the next meeting.

### **Chair's Business**



There was no Chair's business.

## Public Forum

The following Public Forum business was received

### Suzanne Audrey, Question 1:

**Question:** It is my understanding that the Audit Committee is responsible for oversight of the Council's accounts, financial performance and governance arrangements. I was, therefore, very concerned to learn that the Audit Committee on March 16 discussed the governance of council-owned Bristol Energy but members had not been told that a new managing director of the firm had been appointed that same day.

Why was this important fact about governance of Bristol Energy not provided for the Audit Committee?

**Written Answer:** The Council's Audit Committee is responsible for oversight of the Council's accounts, financial performance and governance arrangements and as agreed with the Audit Committee the Committee would monitor the governance, risk management and financial controls of the Council's subsidiary companies by means of reports from the Group Audit & Risk Committee, the Annual Governance Statement and reports produced by the Council's Internal and External Auditors. It is understood that they can at any point request additional information should matters arise requiring further detail.

At the Audit Committee meeting on 16 March 2020 following exclusion of the press and public the Committee was provided with a verbal update by the External Auditors Grant Thornton on Bristol City Council's Statement of Accounts in relation to Bristol Energy and a wider discussion ensued.

It is not the duty of the Council's Audit Committee to carry out functions that properly belong to others, such as the company's management or to undermine the responsibility of the Board, Auditors and Company own Audit & Risk Committee.

The respective Company Board is responsible to direct the strategic & operational delivery of the company, which includes selecting, appointing, supporting and reviewing the performance of the Managing Director (subject to any reserved matters within the articles of association). In relation to the new appointment being made on the 16 March 2020, the appropriate decision making process was followed and underway on the day in question and the relevant information will be incorporated in the scheduled and or requested reports to the Council's own Audit Committee.

**Supplementary:** The questioner clarified that they were not suggesting that it was the Audit Committee function to appoint or manage roles, but it was still unclear why they were not informed that this process was in place on the date in question.



**Response:** The Director for Finance responded that there was a clear process for shareholder decisions that did not involve the Audit Committee, so reporting to the Audit Committee would not have been standard practice.

**Suzanne Audrey, Question 2:**

**Question:** With reference to Q1, the failure to give the Audit Committee this important piece of advice seems to undermine the role of the Committee.

What measures are in place to ensure that the Audit Committee are provided with the information they need to do their job properly?

**Answer:** The Council's Audit Committee is not being given advice in relation to strategic & operational company matters, but will be provided with an assurance report from the Group Audit & Risk Committee, Annual Governance Statement which explains the processes and procedures in place to enable the subsidiary companies to carry out their functions effectively, reports produced by the Council's internal and external auditors and any other subsequent reports requested. These reports are intended to provide oversight of the companies and enable the Council's Audit Committee to consider key matters of their own initiative which may lead to the request for more detailed work, if there are areas of concern.

The Council ensures that there is adequate cooperation within the group (and individual companies within the group) and with external auditors to enable the Council's Audit Committee to discharge its responsibilities effectively.

**Supplementary Question:** The questioner asked about the timing of reports, and whether Scrutiny received these in the most timely way.

**Response:** The Director of Finance stated that timing was based on when decisions needed to be made. A Member of OSMB who is also the Chair of the Audit Committee added that the role of the Audit Committee was not to review the day to day working and he would not have expected to have been informed at this point.

**Cllr Clive Stevens, Question 3:**

**Question:** The Performance Outturn Report shows that the affordable housing target has been missed. That's a real tragedy for the hundreds of people who will be affected. My point on this is that we need a higher target, it was 400/year (p49) BCP425, "Increase the number of affordable homes delivered in Bristol" I calculate we need more like 1,000 a year in Bristol to satisfy needs by 2035. My question to OSMB members is a more general one: do you feel you scrutinise adequately the choice of Key Performance Indicators and targets that are used to measure and judge success? (My supplementary Q will be on affordable housing targets).

**Answer:** Members receive the performance reports to assist in developing the work programme for scrutiny, the indicators are those identified as priorities by officers and cabinet. We can only scrutinise what we are allowed to see.

**Supplementary Question:** Has OSMB been consulted to consider new targets on affordable housing?



**Response:** The Cabinet Member for Housing stated that concern was known over the impact of Covid on availability, particularly private builds with elements of affordable housing. BCC were reviewing the options to help to meet the relevant targets.

**Cllr Clive Stevens, Question 4:**

**Question:** The Corporate Risk Report to OSMB is dated 21/1/20. But Cabinet's (for tomorrow) is bang up to date. As I feel that Scrutiny is still hindered by this administration and I want to know why. My question is why wasn't the latest risk report supplied to OSMB?

**Answer:** The Q4 report was not ready for OSMB on 1 June as it was planned to be brought to Cabinet on the 2 June. It was agreed therefore that Q3 would be published for information and Q4 would be ready for a full item on the next OSMB agenda.

**Supplementary Question:** Cllr Stevens was surprised that the decision to only bring the Q3 Corporate Risk Report to OSMB was made.

**Response:** The Chair clarified that he had made this decision as Chair that it was preferable to wait until the full report was prepared, particularly in light of current officer pressures. The Q3 Report was 'for information' at this meeting and when the Board next meets the Q4 will be available and will be discussed by Members.

**Statement 1, David Redgewell:** See published document for statement.

**Response and discussion:** Mr Redgewell was thanked for his statement, demonstrating what may be the 'new normal', post Covid.

**Statement 2, Cllr Clive Stevens:**

**Response and discussion:** Cllr Stevens was thanked for his statement

**Statement 3, Cllr Weston:** See published document for redacted statement. Part of this statement was discussed in the exempt session.

**Response and discussion:** This statement was also sent to Cabinet, and was submitted here for noting.

## **Annual Business Report**

The Annual Business Report was circulated. OSMB members agreed the recommendations as set out below (although Councillor Negus was not in support and asked that this be recorded).

**RESOLVED: That;**

**The Membership of the Board for 2020/2021 be noted; and**

**The dates and times of meetings for 2020/2021 be approved; and**

**The Scrutiny Terms of Reference be noted; and**

**The Mayoral Question Time arrangements preceding meetings of the Overview and Scrutiny Management Board (OSMB) be noted; and**



**The Call In Sub-Committee be established.**

## **Current Scrutiny Arrangements**

The OSMB lead Members have been meeting regularly and agreed to pause a full Scrutiny Commission work programme, to be revisited in Autumn, while proposing the creation of Working Groups to consider pertinent issues. Scrutiny Chairs provided a summary of the working positions, as set out below;

- A Budget Working Group has been agreed, to be chaired by Cllr Clarke. Two finance reports were scheduled to be received at the Cabinet meeting the following day. These were in regard to the Council's current financial position and projected impact of Covid19. The available figures were based on modelling and a number of assumptions made. BCC and other core cities have presumed there will be two quarters of low/minimal income, followed by two of gradual recovery.
- With regards to the People Scrutiny Working Group; Members were advised that the Lead Members had identified safeguarding as a particular concern, and children's charities had also raised flags on this. There was concern that the risk of Child Sexual Abuse and FGM could increase. A brief document on the working group would be circulated shortly, and would set out how practitioners were able to support children and families, how lockdown had affected their ability to protect children, and how harm within the home had changed. Further details would be developed in conjunction with the Lead Members. OSMB Members **agreed** to this working group.
- For a Health Scrutiny Working Group, Members were advised it was difficult to prioritise topics due to the number of relevant issues relating to the pandemic. Three areas of focus identified included 1) testing and tracing, 2) delays to treatments, and 3) the changes to the GP service and environment. There were also a number of areas to link with the Joint Health Over and Scrutiny Committee (JHOSC), including:
  - how GPs, pharmacists and dentists had been affected
  - financial services for care providers
  - how the NHS 111 service had coped

The Deputy Mayor with responsibility for Communities, Equalities and Public Health stated that a rapid review had just been conducted on how Covid was disproportionately affecting the BAME communities, and requested that this was also looked at in the Health working group. This was agreed.

- Within the Communities Scrutiny Commission (CSC) the process for establishing topics was ongoing. Two initial ideas were around 1) how the local volunteer networks had organised, and if there was learning for community activity going forward, and 2) the effectiveness of the waste strategy and management. The Chair of the CSC emphasised his preference for a return to formal Scrutiny Commission meetings as soon as possible.

**RESOLVED; that the updates on the Scrutiny Task Groups be noted and that work continue as set out.**

## **Exclusion of Press and Public**



The Public and press were excluded from the meeting for the following item of business under s.100A(4) of the Local Government Act 1972, on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of schedule 12A of the Act.

Any Members or Officers with questions or comments regarding items 11-15 can direct these to the Chair to be addressed in a future meeting.

**RESOLVED: That a statement on behalf of the Overview and Scrutiny Management Board be referred to the Cabinet meeting on 2<sup>nd</sup> June**

### **Bristol Energy Company - Exempt Item**

This item was exempt.

### **Covid-19 Response (Information Item)**

This item was received for information only. Members were provided with the opportunity to contact the Chair and Head of Democratic Engagement if there were any points they'd like further information on after the meeting.

### **Mayor's Forward Plan - Standing Item**

This item was received for information only.

### **Performance Report: Quarter 4 (Information Item)**

This item was received for information only. Any questions regarding this item to be brought to the next OSMB meeting.

### **Corporate Risk Report: Quarter 3 (Information Item)**

This item was received for information only. Any questions regarding this item to be brought to the next OSMB meeting.

### **WECA Forward Plan - Standing Item (For Information)**

This item was received for information only.



Meeting ended at 17.40

