

Birmingham City Council

City Council – Annual Meeting

25 May 2021



Subject: Annual Review of the Constitution
Report of: Suzanne Dodd, City Solicitor
Report author: Emma Williamson, Head of Scrutiny Services

Does the report contain confidential or exempt information? ☐ Yes ☒ No

1 Executive Summary

- 1.1 This report sets out proposed amendments to the Constitution resulting from the Annual Review and asks Council to approve the changes.

2 Motion

- 2.1 That Council agrees the proposed amendments set out in Appendix 1, and in the tracked change version of the Constitution (Appendix 2), and that the City Solicitor be authorised to implement the changes with effect from 25th May 2021.
- 2.2 That Council authorises the City Solicitor to make in-year changes to the Constitution to reflect variations in the senior officer structure, in line with decisions made by the Council Business Management (Chief Officer and Deputy Chief Officer Appointments, Dismissals and Service Conditions Sub-) Committee – JNC Core Panel.

3 Background

- 3.1 The Constitution underwent a major review and the revised version was agreed by Full Council in September 2019. Temporary amendments were agreed by Full Council on 28th April; these will expire no later than 25 May 2021. Further amendments were agreed in November 2020.

4 Proposed Changes

- 4.1 The proposed changes are set out in Appendix 1 and in tracked change versions of the Constitution in Appendix 2. Minor amendments to wording for clarity, consistency and accuracy reasons are set out in the tracked change document only.
- 4.2 The most significant change relates to the Members Code of Conduct. Standards Committee met on 5th May and agreed to put forward an amended Members Code

of Conduct for members to consider at Full Council. This is set out in Part C4 and is based on the [model code of conduct published by the LGA](#).

- 4.3 Members of Standards Committee debated whether to include paragraph C4.7 10.3 on page 29 (highlighted in green) in the Birmingham code, and agreed that should be determined by Full Council. If Full Council wish to remove this provision, then an amendment to the recommendation in 2.1 would be required.
- 4.4 In addition, Council are asked to authorise the City Solicitor to make in-year changes to the senior officer structures in Parts B1.7, Part B2 and Part E to reflect changes agreed by JNC Panel, for a period of 12 months. These changes would be reported back to the next CBM Committee meeting and any changes circulated to all members.
- 4.5 This would be in addition to the existing authority for the City Solicitor to make minor in-year changes (see Part A page 10)

5 Appendices

- 5.1 Appendix 1: 2021 Constitution Change Log
- 5.2 Appendix 2: The Constitution Parts A-E with tracked change amendments