

Members are reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting

BIRMINGHAM CITY COUNCIL

CITY COUNCIL

TUESDAY, 01 NOVEMBER 2016 AT 14:00 HOURS
IN COUNCIL CHAMBER, COUNCIL HOUSE, VICTORIA SQUARE,
BIRMINGHAM, B1 1BB

A G E N D A

1 NOTICE OF RECORDING

Lord Mayor to advise that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site (www.birminghamnewsroom.com) and that members of the press/public may record and take photographs.

The whole of the meeting will be filmed except where there are confidential or exempt items.

2 MINUTES

3 - 38

To confirm and authorise the signing of the Minutes of the Meeting of the Council held on 13 September 2016.

3 LORD MAYOR'S ANNOUNCEMENTS

To receive the Lord Mayor's announcements and such communications as the Lord Mayor may wish to place before the Council.

4 PETITIONS

(15 minutes allocated)

To receive and deal with petitions in accordance with Standing Order 8.

As agreed by Council Business Management Committee a schedule of outstanding petitions is available electronically with the published papers for the meeting and can be viewed or downloaded.

5 EXEMPTION FROM STANDING ORDERS

Councillor Sharon Thompson to move an exemption from Standing Orders.

6 PROPOSED CHANGES TO THE CONSTITUTION

(5 minutes allocated)

To consider a report of the Council Business Management Committee.

Councillor John Clancy to move the following Motion:

"That approval be given to the necessary changes to the City Council's Constitution as indicated by the tracked changes in the appendices to the report and that the City Solicitor be Authorised to implement the changes with immediate effect."

7 QUESTION TIME

(90 minutes allocated)

To deal with oral questions in accordance with Standing Order 9(B)

- A. Questions from Members of the Public to any Cabinet Member or District Committee Chairman (20 minutes)
- B. Questions from any Councillor to a Committee Chairman or Lead Member of a Joint Board (20 minutes)
- C. Questions from Councillors other than Cabinet Members to a Cabinet Member (25 minutes)
- D. Questions from Councillors other than Cabinet Members to the Leader or Deputy Leader (25 minutes)

8 APPOINTMENTS BY THE COUNCIL

(5 Minutes allocated)

To make appointments to, or removal from, committees, outside bodies or other offices which fall to be determined by the Council.

9 FUTURE COUNCIL WORKFORCE CONTRACT

(35 Minutes allocated)

To consider a report of the Council Business Management Committee.

Councillor John Clancy to move a Motion.

10 MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS

(90 Minutes allocated)

To consider the attached Motions of Which notice has been given in accordance with Standing Order 4(A).



**MEETING OF BIRMINGHAM
CITY COUNCIL
13 SEPTEMBER 2016**

**MINUTES OF THE MEETING OF BIRMINGHAM CITY COUNCIL HELD
ON TUESDAY 13 SEPTEMBER 2016 AT 1400 HOURS IN THE COUNCIL
CHAMBER, COUNCIL HOUSE, BIRMINGHAM**

PRESENT:- Lord Mayor (Councillor Carl Rice) in the Chair.

Councillors

Uzma Ahmed	Des Flood	Majid Mahmood
Mohammed Aikhlag	Jayne Francis	Karen McCarthy
Deirdre Alden	Matthew Gregson	James McKay
John Alden	Carole Griffiths	Gareth Moore
Robert Alden	Peter Griffiths	Brett O'Reilly
Nawaz Ali	Paulette Hamilton	John O'Shea
Tahir Ali	Roger Harmer	Eva Phillips
Gurdial Singh Atwal	Kath Hartley	Robert Pocock
David Barrie	Barry Henley	Victoria Quinn
Bob Beauchamp	Penny Holbrook	Hendrina Quinnen
Matt Bennett	Des Hughes	Chauhdry Rashid
Kate Booth	Jon Hunt	Habib Rehman
Sir Albert Bore	Mahmood Hussain	Fergus Robinson
Barry Bowles	Shabrana Hussain	Gary Sambrook
Randal Brew	Timothy Huxtable	Rob Sealey
Marje Bridle	Mohammed Idrees	Shafique Shah
Mick Brown	Ziaul Islam	Mike Sharpe
Sam Burden	Kerry Jenkins	Sybil Spence
Andy Cartwright	Meirion Jenkins	Claire Spencer
Tristan Chatfield	Julie Johnson	Stewart Stacey
Zaker Choudhry	Brigid Jones	Ron Storer
Debbie Clancy	Carol Jones	Martin Straker Welds
John Clancy	Nagina Kauser	Sharon Thompson
Lynda Clinton	Tony Kennedy	Paul Tilsley
Lyn Collin	Ansar Ali Khan	Karen Trench
John Cotton	Changeese Khan	Lisa Trickett
Ian Cruise	Mariam Khan	Anne Underwood
Phil Davis	Chaman Lal	Margaret Waddington
Diane Donaldson	Mike Leddy	Ian Ward
Peter Douglas Osborn	Bruce Lines	Mike Ward
Barbara Dring	John Lines	Fiona Williams

Neil Eustace
Mohammed Fazal
Mick Finnegan

Keith Linnecor
Mary Locke
Ewan Mackey

Alex Yip
Waseem Zaffar

NOTICE OF RECORDING

18722 The Lord Mayor advised that the meeting would be webcast for live and subsequent broadcasting via the Council's internet site and that members of the Press/Public may record and take photographs.

The whole of the meeting would be filmed except where they were confidential or exempt items.

The Lord Mayor asked Members to note that, there would be break of 30 Minutes at approximately 1600 hours.

MINUTES

Referring to the preamble of Minute No. 18703 on page 2122 of the previous Minutes Councillor John Lines indicated that the name 'Richard' should be 'Freda'.

It was moved by the Lord Mayor, seconded and –

18723 **RESOLVED:-**

That, subject to the above amendment, the Minutes of the Meeting of the City Council held on 12 July 2016, having been printed and a copy sent to each Member of the Council, be taken as read and confirmed and signed.

LORD MAYOR'S ANNOUNCEMENTS

18724 The Lord Mayor advised that he had no announcements but indicated that the Deputy Lord Mayor wished to say a few words.

The Deputy Lord Mayor advised the Members that it was the Lord Mayor's 60th Birthday and called upon all those in the Chamber to wish him happy birthday.

PETITIONS

Petition Relating to City Council Functions Presented before the Meeting

The following petition was presented before the meeting:-

(See document No 1)

In accordance with the proposals by the Member presenting the petition, it was moved by the Lord Mayor, seconded and -

18725 **RESOLVED:-**

That the petition be received and referred to the relevant Chief Officer.

Petitions Relating to City Council Functions Presented at the Meeting

The following petitions were presented:-

(See document No 2)

In accordance with the proposals by the Members presenting the petitions, it was moved by the Lord Mayor, seconded and -

18726 **RESOLVED:-**

That the petitions be received and referred to the relevant Chief Officers.

Petitions Update

The following Petitions Update was submitted:-

(See document No 3)

It was moved by the Lord Mayor, seconded and -

18727 **RESOLVED:-**

That the Petitions Update be noted and those petitions for which a satisfactory response has been received, be discharged.

QUESTION TIME

18728 The Council proceeded to consider Oral Questions in accordance with Standing Order 9 (B).

Details of the questions asked are available for public inspection via the webcast.

APPOINTMENTS BY THE COUNCIL

The following report of the Council Business Management Committee was submitted:-

(See document No 4)

18729 **RESOLVED:-**

That the following persons be appointed to serve on the bodies set out below until the Annual Meeting of the Council in 2017:-

<u>Body</u>	<u>Representative</u>
Council Business Management Committee	Councillor Gareth Moore (Con) to replace Councillor Anne Underwood (Con).
Corporate Resources And Governance Overview and Scrutiny Committee	Councillor David Barrie (Con) to replace Councillor Anne Underwood (Con)

EXEMPTION FROM STANDING ORDERS

It was moved by Councillor Sharon Thompson:-

“That, pursuant to a CBM discussion, Standing Orders be waived as follows:

- Allocate 5 Minutes for item 8 (Proposed Changes to the Constitution)”

It was-

18730 **RESOLVED:-**

That, pursuant to a CBM discussion, Standing Orders be waived as follows:

- Allocate 5 Minutes for item 8 (Proposed Changes to the Constitution)

PROPOSED CHANGES TO THE CONSTITUTION

The following report of the Council Business Management Committee was submitted:-

(See document No 5)

Councillor John moved the motion which was seconded.

EXTENSION OF TIME LIMIT

It was moved by Councillor Gareth Moore and seconded –

“That the time limit for the item ‘Proposed Changes to the Constitution’ be extended by 10 minutes.”

The Motion was put to the vote and, by a show of hands, was declared to be carried.

It was accordingly –

18631 **RESOLVED:-**

That the time limit for the item ‘Proposed Changes to the Constitution’ be extended by 10 minutes.

A debate ensued.

Councillor John Clancy replied to the

The Motion having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

It was therefore -

18732 **RESOLVED:-**

That approval be given to the necessary changes to the City Council’s Constitution as indicated by the tracked changes in the appendix to the report and that the City Solicitor be authorised to implement the changes with immediate effect.

ADJOURNMENT

It was moved by the Lord Mayor, seconded and

18733 **RESOLVED:-**

That the Council be adjourned until 1645 hours on this day.

The Council then adjourned at 1615 hours.

At 1647 hours the Council resumed at the point where the meeting had been adjourned.

MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS

The Council proceeded to consider the Motions of which notice had been given in accordance with Standing Order 4(A).

Councillors Brett O’Reilly and Brigid Jones have given notice of the following Motion:-

(See document No 6)

Councillor Brett O'Reilly moved the Motion which was seconded by Councillor Brigid Jones.

In accordance with Council Standing Orders, Councillors Jon Hunt and Karen Trench gave notice of the following amendment to the Motion:-

(See document No 7)

Councillor Jon Hunt, in moving the amendment, indicated that he was prepared to delete the 4th and 5th paragraphs. The amendment as amended was seconded by Councillor Karen Trench.

In accordance with Council Standing Orders, Councillors Robert Alden and Debbie Clancy gave notice of the following amendment to the Motion:-

(See document No 8)

Councillor Robert Alden moved the amendment which was seconded by Councillor Debbie Clancy.

A debate ensued.

Councillor Brett O'Reilly replied to the debate during which he indicated that he was happy for the word 'swingeing' in the 2nd paragraph to be deleted.

The first amendment as amended having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

The second amendment having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

The Motion as amended by the amendment and with the deletion of the word 'Swingeing' as referred to above, having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

It was therefore -

18734

RESOLVED:-

This Council notes with some concern the current inconsistencies in the standard of independent careers advice and guidance for the young people of this city. In 2013, Ofsted reported that nationally only one in five schools were effective in ensuring that all pupils received an acceptable level of careers advice, and there is little evidence to suggest that this picture has improved in any significant way. Despite a statutory duty being placed on schools to deliver independent careers advice, much more needs to be done to ensure that every child and young person in this city receives high quality, independent careers advice, that will equip them for life and employment in modern Britain.

This Council welcomes progress being made with regards to careers advice in Birmingham, retaining an independent careers advice service despite cuts

to funding, and most recently with the development of the online application, COG, which provides a platform to put young people, employers and training providers in touch with each other, and has the potential to be single point of access for careers in Birmingham.

This Council believes, like Ofsted, that every young person has the right to high quality, independent careers advice and guidance, and calls on the government to match the aspirations of Birmingham, with a commitment to providing sufficient funding for careers advice and guidance through the next round of devolution to the West Midlands Combined Authority.

There is an acknowledgement of the harm that can be caused to a young person's future prospects through poor careers advice, and there is a clear commitment from this City Council to work with stakeholders and partners to ensure that every young person is given the tools to realise their aspirations.

Accordingly, this Council calls on the government to support this agenda with any future devolvement of funding.

This Council further recognises that good career choices involve learning to make choices, take opportunities and take responsibility for personal decisions.

It therefore supports wider and improved opportunities for direct experience of workplaces and careers.

It supports close working with the business sector through existing and future partnerships to create these opportunities for young people and to encourage exposure to a range of careers and educational routes.

B. Councillors Robert Alden and Randal Brew have given notice of the following Motion:-

(See document No 9)

Councillor Robert Alden moved the Motion which was seconded by Councillor Randal Brew.

In accordance with Council Standing Orders, Councillors Ian Ward and Mike Sharpe gave notice of the following amendment to the Motion:-

(See document No 10)

Councillor Ian Ward moved the amendment which was seconded by Councillor Mike Sharpe.

A debate ensued.

Councillor Robert Alden replied to the debate.

The first amendment having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

Here upon a poll being demanded the voting, with names listed in seat number order, was as follows:-

(See document No 11)

NB The documents have been amended to show that the Deputy Lord Mayor for the meeting (Councillor Shah) as being a Labour Member and not a Liberal Democrat Member

Councillor Roger Harmer indicated that he wished to be included as having voted for the amendment.

Therefore, the total results referred to in the interleave should read:-

Yes – 70 (For the Amendment);

No – 24 (Against the Amendment);

Abstain – 4 (Abstentions).

The Motion as amended having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

It was therefore -

18735

RESOLVED:-

This Council supports the designation of conservation areas where there are 'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'. In line with Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The Council recognises that it has a duty to review conservation areas 'from time to time'. In line with Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Council further recognises that Article 4 directions are a key tool, used across the country, to preserve and enhance the character and appearance of conservation areas. Article 4 directions are reviewed as part of any review of conservation areas in order to ensure that heritage assets are conserved in a manner appropriate to their significance.

This Council feels we should be protecting our heritage and culture, for future generations, using it as a selling point for the growth and regeneration of the City.

The meeting ended at 1824 hours.

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR JON HUNT

A1 Outcomes and Objectives recent trip to China

Question:

Could the Leader report on the outcomes and objectives of his recent trip to China?

Answer:

I went on a week-long trade mission to China and Hong Kong as part of ongoing work to attract big-money investors to build houses and create jobs across the city. I also visited Singapore and from there went over to Malaysia.

There will be many outcomes, some immediate, some longer term, to come out of the visit, but one immediate result is that I signed a Joint Statement of Investment Commitment with Chinese property development company Country Garden worth up to £2 billion to the Birmingham economy.

The deal will initially see the Guangdong-based company explore large scale investment opportunities in the Birmingham city region with investment options related to the HS2 project. But most importantly the two parties will work jointly to find areas of collaboration with regard to delivering significant new housing stock.

Country Garden have a proven track record of building homes at pace and scale. They have played a major role over the last 20 years, as housebuilders have met the massive demands of China's rapidly expanding economy.

Bringing this level of investment and experience to Birmingham would be a massive economic boost to the region's businesses, skills base and families. This is about bringing new, big capital spend to the city, quickly. It's about building houses, jobs and futures for young people and families across the region.

Country Garden understand the demands in Birmingham and are clearly excited at the prospect of investing in our young, growing city.

I'm sure you will agree that this is in keeping with the recently-signed shared vision of cross-party ambitions to give the people of Birmingham neighbourhoods and a city to be proud of.

The landscape has inevitably changed post-Brexit and Birmingham is already looking to the global market for investment. The trip was brought forward in light of the vote to leave the European Union and work to bring in significant investment will continue.

In addition to signing the agreement with Country Garden, I spent the last few days of my trade and investment mission to present the massive opportunities for capital investment in the city and the region in a series of meetings with the region's leading investors, aided by the Department for International Trade and the various diplomatic services in the locations visited. The imminent arrival of HS2 added to projects like Smithfield, the Curzon Investment Plan and Arden Cross make our city an increasingly attractive place for major Chinese and East Asia investors to do business.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM
COUNCILLOR ROBERT ALDEN**

A2 Cabinet Offices

Question:

How much did the Council spend on the removal company and the recent move of the Council Cabinet Offices?

Answer:

Local company Harrow Green were used, at a total cost of £584.29 ex VAT.

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR GARY SAMBROOK

A3 Moving

Question:

How much did the Council spend on works to the new Cabinet offices to make them ready for the move?

Answer:

Nothing. Cabinet Members and staff moved straight into existing offices, using furniture that was already there, and no decorating has taken place.

The works to the ceiling of M71 were already planned and scheduled in before the moves were planned - so these were not as a consequence of the Cabinet Office moves.

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR PAUL TILSLEY

A4 Benefits for £10 million spend

Question:

Could the Leader set out what economic benefits will flow from the planned £10 million spending on Centenary Square?

Answer:

Since the Highbury Initiative in the 1980s, the City Council has recognised the value of improving the quality of the public realm in order to uplift perceptions of visitors to the city and to provide an attractive setting for business investment, retail, leisure and cultural events. The continued successes of Brindleyplace and Bullring; the major pedestrianisation programmes of the 1990s through to Eastside City Park more recently, have demonstrated the links between investment in high-quality public realm and economic growth, that have also been recognised internationally.

The growing importance of the quality and safety of the pedestrian environment to connectivity and impressions of place quality, which in turn support labour market retention and investor confidence is well documented. Research conducted by many organisations including by CABE, ECOTEC, Gensler and Professor Michael Parkinson CBE have identified that improvements to the quality of connections and places plays a vital role in maintaining a competitive edge fundamental to the ability of urban areas to compete successfully with other major cities, often on an international level for inward investment and in the visitor economy.

The principle of improving Centenary Square was established in the Big City Plan in 2011 as an integral part of the City Council's wider strategy for the City Centre to improve the quality of connections for pedestrians, cyclists and access to public transport. Now over 25 years old, the materials of the square are beginning to fail and are no longer available for replacements, however it is the opportunity to extend the square across to the Arena Central development, and the need to integrate the Metro extension that has brought the project forward.

The redevelopment of Centenary Square is being funded through the Enterprise Zone Investment Plan which is a strategic initiative of The Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP). The GBSLEP have identified the growing importance of the quality and safety of the pedestrian environment to connectivity and impressions of place quality, which in turn support labour market retention and investor confidence.

The overall Enterprise Zone programme is set to create an additional 40,000 new jobs, deliver of 1.3 million square metres of new floor space with uplift in GVA of £2.8bn per annum. Key to unlocking the growth is the Enterprise Zone Investment Plan, which the redevelopment of Centenary Square is a strategic part. The Square has strategic importance as the main connection and setting of key regeneration/Enterprise Zone sites of Paradise and Arena Central.

The Centenary Square project provides a key focal point to complement almost £1 billion of private sector investment in the Paradise and Arena Central developments. The decision of HSBC UK to locate its headquarters and over 1,000 jobs in Birmingham at Arena Central was greatly helped by them seeing their building integrated within the enlarged and transformed Centenary Square as the company values only the highest-quality environments for their employees and many business visitors. In creating investor and occupier confidence, this project will help to attract further inward investment opportunities and jobs to the city.

Existing visitor attractors such as the Library of Birmingham, ICC/Symphony Hall and Birmingham REP will also benefit from the improvements; in addition, the remodelled square will provide more useable and resilient space for the many key outdoor events throughout the year.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM
COUNCILLOR ROGER HARMER**

A5 Reduce Number of Play Areas - Consultation and Outcome

Question:

In June the Leader said a consultation would be undertaken with local members "over the summer" about the decision in the Council budget and business plan to reduce the number of play areas. Could the Leader say how that consultation has gone, indicating its outcome?

Answer:

From July this year, the Cabinet Member for Clean Streets, Recycling and Environment is responsible for Parks and the Play Areas within them.

The Cabinet Member is currently reviewing those sites that are coming or have come to the end of their economic life and will lead discussions on options with local members over the coming months to try and identify a pragmatic solution.

Therefore at this point the consultation is still to take place.

**WRITTEN QUESTION TO THE ASSISTANT LEADER
(COUNCILLOR MARJE BRIDLE), FROM COUNCILLOR DEIRDRE
ALDEN**

B1 Workload

Question:

What meetings and all other work has the Assistant Leader done in connection with their role since they were appointed?

Answer:

All four Assistant Leaders are working together collaboratively, so I shall answer on behalf of us all collectively.

Since our appointment on 19 July 2016, we have consulted with a wide variety of individuals and organisations about how we can work more effectively at ward and neighbourhood level to achieve the measures of success we have identified. This has included meetings with the Leader and Cabinet Members, senior officers of the Council, the leaders of the two opposition groups (we are scheduled to meet with the Conservative Group on Monday 12 September), Locality, the District Chairs, the Community Governance team, the waste enforcement team, Digital Birmingham, Unite the union and Action Research. We have also visited many frontline services and talked with staff there, and attended events such as a meeting of all the BIDs, the LGA conference AGM, a meeting of Northfield Community Partnership and the Disability Resource Centre.

In addition, we have been gathering evidence from wards in a series of sessions we arranged with ward councillors, as we did with you and your fellow Edgbaston ward councillors on Tuesday 6th September, to hear first-hand about what's working, what isn't and what needs to be put in place.

We will shortly be publishing our emergent work programme, and will of course be certain to share it with members.

**WRITTEN QUESTION TO THE ASSISTANT LEADER
(COUNCILLOR TONY KENNEDY), FROM COUNCILLOR DEIRDRE
ALDEN**

B2 Workload

Question:

What meetings and all other work has the Assistant Leader done in connection with their role since they were appointed?

Answer:

I refer you to the answer given to question B1.

**WRITTEN QUESTION TO THE ASSISTANT LEADER
(COUNCILLOR ANSAR ALI KHAN), FROM COUNCILLOR
DEIRDRE ALDEN**

B3 Workload

Question:

What meetings and all other work has the Assistant Leader done in connection with their role since they were appointed?

Answer:

I refer you to the answer given to question B1.

**WRITTEN QUESTION TO THE ASSISTANT LEADER
(COUNCILLOR NARINDER KAUR KOONER), FROM
COUNCILLOR DEIRDRE ALDEN**

B4 Workload

Question:

What meetings and all other work has the Assistant Leader done in connection with their role since they were appointed?

Answer:

I refer you to the answer given to question B1.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR
CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR
PETER DOUGLAS OSBORN**

C1 Child Grooming

Question:

In the light of successful prosecutions in neighbouring authorities for Child Grooming, what are the outcomes of cases both latterly and historically which can be attributed to the report for Social Services by Dr. Jill Jesson entitled "Young Women In Care"?

Answer:

We have asked West Midlands Police for a briefing on this matter and I will share that with Councillor Douglas Osborn.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR
CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR
MATT BENNETT**

C2 Home to Schools Transport

Question:

"In a briefing to elected members regarding changes to Home to School Transport arrangements, circulated on 5th July 2016 it states that:

"Independent financial modelling has identified that alongside the promotion and development of new independent travel options, the transformation of the service will only be possible by full adherence to policy and then policy change.

The approach to change outlined in this paper has been agreed with Councillor Jones, Cabinet Member for Children, Families and Schools; Peter Hay Strategic, Director for People and Colin Diamond, Executive Director for Education"

Can the Cabinet Member confirm that the above statement, which suggests her approval of this financial modelling, is accurate?

Answer:

Individual financial modelling did indicate that adherence to the policy, changes to the policy and development of independent travel training would be required to develop the service and achieve savings.

Given recent experiences over the summer, the service will be subject to a transformation programme which will necessitate a re-consideration of savings and timescales over the next year.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR
CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR
DEBBIE CLANCY**

C3 Financial Modelling

Question:

"Financial modelling to inform the new approach to Home to School Transport was carried out for the Council by Impower. How much did this piece of work cost and who approved it?"

Answer:

The cost incurred on iMPower to support the Home to School financial modelling was £27k, and expenditure was approved by the Future Council Programme Manager.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR
CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR
GARY SAMBROOK**

C4 Education Health and Care Plans

Question:

"What percentage of Education Health & Care Plans were finalised to type - ie without naming a placement, each month since September 2016?"

Answer:

In order to achieve the 20 week statutory deadline, some EHC plans are finalised by type of provision required (i.e. a special school that can cater for Autistic Spectrum Condition, for example), rather than naming a school place. Whilst finalising a plan to type is allowable under the SEN Code of Practice (see section 9.69), it is recognised that best practice would identify a named school.

Between September 2015 and August 2016 1012 EHC plans have been completed, and 239 of those finalised by type, which is an average of 24% a month. When a plan is finalised by type, work continues to find a placement as quickly as possible.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR RON STORER

C5 Code of Practice

Question:

"The DFE's SEND Code of Practise, published in September 2014 and updated in January 2015 stars that:

"Local authorities must publish a transport policy statement each year setting out the travel arrangements they will make to support young people aged 16-19 and learners with learning difficulties and/or disabilities (LDD) aged up to 25, to access further education. This should include any arrangements for free or subsidised transport"

Why, two years after this Code of Practice was issued, do we not have any such policy statement applying to young people aged 19-25?

Answer:

Service users who access Post 16 education provision are assessed for transport assistance in-line with the Council's Post 16 Transport Policy, which is published.

For those 'adults' who are neither children nor of sixth form age (therefore 19 or over), section 508F Education Act 1996 deals with the matter of provision of transport. Under that section, the Council is not obliged to make any arrangements for the provision of transport for adult learners except where it considers necessary. However, if the Council does make such provision, it must be free of charge.

Publication of the Council's position within a policy statement for learners who are over 19 is imminent. Officers recognise there has been an unacceptable delay in its publication.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR BOB BEAUCHAMP

C6 School Leavers

Question:

"How many people have left school this July?"

Answer:

In 2015/16 academic year, there were approx. 12,600 Year 11s in the cohort who have completed their statutory education and will be moving into Post 16 education or training.

From September 2015, all young people aged 16-18 are required to continue to participate in education, training or employment with training such as an Apprenticeship. It is the school's responsibility to support young people in Year 11 (aged 16) to plan progression by providing independent, impartial careers advice and guidance.

The role of Local Authorities is to track the 'offers' those young people have received to continue into academic Year 12 across a range of Post 16 providers including School Sixth Forms, Further Education, Sixth Form Colleges and Independent Training Providers. This process, called the September Guarantee, is currently in progress and we can report that to date 92.5% (11,725 young people) have received an offer for Post 16 education or training for this September. The Post 16 Tracking Service and Birmingham Careers Service are continuing to support the 800 young people who currently don't have an offer for a variety of reasons.

Post 16 providers will continue to enrol learners during September and we expect this figure to increase. Actual enrolment data for September 2016 will be received by the City Council's Education Service during October and will be reported in due course.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR
CHILDREN, FAMILIES AND SCHOOLS FROM COUNCILLOR
GARETH MOORE**

C7 Universities

Question:

"How many how Birmingham school leavers will be starting University?"

Answer:

The Education Service collects destination data, including Higher Education (HE) destinations for young people in academic years 13 and 14 who have completed their Key Stage Five programme, from all Birmingham schools with sixth forms, sixth form colleges and Further Education Colleges. This is collected in November of each year and therefore we will be able to report on HE destinations early in the new year.

WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, RECYCLING AND ENVIRONMENT FROM COUNCILLOR ZAKER CHOUDHRY

D1 Flytipping

Question:

Could the Cabinet Member update the Council on progress in tackling the problem of flytipping in the city by giving the numbers of incidents and of reports of flytipping by month for the last two years?

Answer:

Answer:

The table below shows the service enquiries recorded in the Council's waste management and regulatory teams' databases that reference involvement of or that were categorised at the initial reporting stage as relating to waste/rubbish, and the incidents reportable under DEFRA's Waste Data Flow 'fly-tipping' arrangements. [Data for July and August 2016 are not reported as they have yet to be collated].

The total number of service enquiries/reports does not equate to the number of reportable incidents, which is due to a number of reasons which includes, but that is not limited to: duplicate enquiries/incidents being reported more than once, by different reporters or on multiple dates or to different council teams; enquiries for which linked records are created in the electronic database for the purpose of assisting with job management; and enquiries where waste/rubbish may not subsequently be identified as the route cause or primary element of a multi-issue referral.

Month	Number of enquiries into the Council referencing waste/rubbish and recorded on waste management or regulatory teams database	Number of Incidents of fly-tipping. [Reportable under DEFRA's Waste Data Flow arrangements]
06/2014	3554	1456
07/2014	3671	1281
08/2014	2713	1561
09/2014	2650	1190
10/2014	1997	1065
11/2014	1836	865
12/2014	1880	1064
01/2015	2371	1159
02/2015	2277	1016
03/2015	4335	1002
04/2015	3729	1075
05/2015	3454	1059

06/2015	5439	1192
07/2015	6582	1202
08/2015	4011	916
09/2015	3941	834
10/2015	4061	919
11/2015	3981	973
12/2015	4377	867
01/2016	3944	1086
02/2016	3644	1028
03/2016	3623	1197
04/2016	4402	1152
05/2016	4174	1151
06/2016	4347	1209
07/2016	4561	
08/2016	4421	

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN
STREETS, RECYCLING AND ENVIRONMENT FROM COUNCILLOR
SUE ANDERSON**

D2 Future Waste Strategy

Question:

The future waste strategy for the City Council is currently under development. Could the Cabinet Member set out the total cost of the exercise, including the cost of consultants, officer time and public consultation, setting out the source of the budgets for this exercise?

Answer:

The development of the new Waste Strategy and the procurement of the new Waste Disposal Contract from January 2019 represent a significant future investment by the Council – estimated at £500m+ over the next 20 years.

The Cabinet (at the meeting in November 2015) approved an investment of £1.2m funded from reserves to ensure the successful completion of this project and programme.

This investment should be considered in the context of the total investment and has been phased over 3 years - £0.220m in 2015/16, £0.490m in 2016/17 and £0.490m in 2017/18. This will fund all the external specialist technical advice (£0.250m), legal advice (£0.240m), financial advice (£0.340m) and project management support (£0.370m).

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN
STREETS, RECYCLING AND ENVIRONMENT FROM COUNCILLOR
KAREN TRENCH**

D3 Noise reported to Environmental Health

Question

Could the Cabinet Member report on how many complaints about noise (eg fireworks, noisy vehicles, outdoor music) have been reported to environmental health about the Tower Hill/Walsall Road neighbourhood of Perry Barr Ward in the months of July and August 2016?

Answer:

Thank you for your question. This responsibility sits with the Chair of LPPC and has been redirected accordingly to Cllr Dring to answer (please see answer F2).

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ROADS FROM COUNCILLOR RAY HASSALL

E1 Traffic - Tailbacks

Question

Traffic using the Scott Arms junction at Great Barr has faced significant tailbacks while Highways England undertakes work on the Aston Expressway. Could the Cabinet Member say what has been done to improve flow of traffic through this junction while traffic diversions are in place?

Answer:

The City Council has worked closely with colleagues at Highways England (HE) and other affected Local Authorities to identify and mitigate, as best as possible, the significant impact of the essential works being undertaken at M6 Junction 6.

The A34 corridor specifically has been reviewed to maximise the efficiency for all the traffic signalised junctions and the HE have funded engineers to be stationed on the ground to manually control the Scott Arms junction at peak periods.

The City Council has also supported the HE on a Communication strategy for these works. Information on the works has been disseminated to the public and key stakeholders through the following means:

- Local radio advertisements,
- Use of Birmingham Post & Mail's digital tool called Pinpoint which also allows for text messages to be sent to the public located in Erdington and Sutton Coldfield areas
- Letters issued via HE to stakeholders including local MPs together with a local media release
- HE's contractor Kier contacting impacted schools by email letter and by telephone.
- Alerts sent via Birmingham Connected stakeholder database and supported through BCC's social media channels

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ROADS FROM COUNCILLOR JON HUNT

E2 Aston Expressway - Diversion Routes

Question:

Work on the Aston Expressway has led to significant diversions of traffic across the city and continues to require diversions. Could the Cabinet Member set out what has been done to relieve pressure on the diversion routes, such as the A34 Walsall Road, indicating whether he thinks it is acceptable for the slip road access to the Expressway at Aston to be closed for 26 weeks, apparently for use as a works depot?

Answer:

The City Council has worked closely with colleagues at Highways England (HE) and other affected Local Authorities to identify and mitigate, as best as possible, the significant impact of the essential works being undertaken at M6 Junction 6.

The A34 corridor specifically has been reviewed to maximise the efficiency for all the traffic signalised junctions and the HE have funded engineers to be stationed on the ground to manually control the Scott Arms junction at peak periods.

The closure of the Park Circus northbound on-slip was also implemented to ease congestion on the A38M and so reduce the impact of traffic congestion at the key Dartmouth Circus junction. Had the Park Circus on-slip been maintained open merging traffic flows joining the A38M would have caused significant further congestion, resulting in even greater queue lengths along the A38 and Middleway routes.

Whilst the Park Circus slip road was closed for traffic management purposes it was utilised as storage for machinery and materials to reduce the work areas required on the A38M and to help expedite the works at Junction 6 by reducing the distance to transport matter before and after each shift.

Additional measures such as 'keep clear' road markings have been provided at Dartmouth Circus and Curzon Circus junctions in attempt to maintain the free flow of traffic around the roundabouts, along with suspension of all non-essential roadworks on key routes in the local area to keep local routes free flowing as best as possible.

However, the good news is that the contractors are due to finish on site this weekend and the slip road can then be reopened.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ROADS, FROM COUNCILLOR DAVID BARRIE

E3 Car Parks

Question:

"How much additional income has been gained from Sutton Coldfield central car parks (Anchorage Road, South Parade, Mill St, Reddicroft, Station Street and Victoria Road) by the most recent increase in parking charges?

Answer:

The comparison of year 15/16 income to period 5, with the year 16/17 income to period 5 for each car park is as follows;

	Cash Income 2015/16	Cash Income 2016/17	2015/16 To 2016/17 Variation @ P5	% Change
Description	15/16 to P5	16/17 to P5		
Anchorage Road	12,749.36	15,842.79	3,093.43	24%
South Parade	32,129.62	33,886.64	1,757.02	5%
Mill Street	13,071.65	14,728.47	1,656.82	13%
Reddicroft - Upper	25,902.50	26,528.70	626.20	2%
Reddicroft - Lower	19,862.81	23,766.83	3,904.02	20%
Station Street	36,932.54	37,601.11	668.57	2%
Victoria Road	59,140.11	60,502.95	1,362.84	2%
Totals	199,788.59	212,857.49	13,068.90	7%

**WRITTEN QUESTION TO THE CHAIR OF LICENSING AND PUBLIC
PROTECTION COMMITTEE FROM COUNCILLOR RAY HASSALL**

F1 Complaints - Badshah Palace

Question

Could the Chair indicate how many complaints have been received about activities at the Badshah Palace, Walsall Road, during the months of July and August 2016?

Answer:

I am unable to provide the information requested because to do so would be a breach of the Data Protection Act.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN
STREETS, RECYCLING AND ENVIRONMENT FROM
COUNCILLOR KAREN TRENCH**

F2 Noise reported to Environmental Health

Question

Could the Cabinet Member report on how many complaints about noise (eg fireworks, noisy vehicles, outdoor music) have been reported to environmental health about the Tower Hill/Walsall Road neighbourhood of Perry Barr Ward in the months of July and August 2016?

Answer:

The Cabinet Member for Clean Streets, Recycling and the Environment has forwarded your question to me for reply, as it is within the remit of the Public Protection and Licensing Committee.

Environmental Health has received 5 complaints about noise in and around Tower Hill neighbourhood, as follows:

- 1 complaint about neighbour noise
- 2 new complaints about a commercial property
- The same complaint twice from a resident disturbed by a shop.

REPORT OF THE COUNCIL BUSINESS MANAGEMENT COMMITTEE

PROPOSED CHANGES TO THE CITY COUNCIL'S CONSTITUTION

It is recommended that City Council approve the changes to the Constitution as indicated by the tracked changes in the appendices to the report now submitted.

MOTION

That approval be given to the necessary changes to the City Council's Constitution as indicated by the tracked changes in the appendices to the report and that the City Solicitor be authorised to implement the changes with immediate effect.

BIRMINGHAM CITY COUNCIL**PUBLIC REPORT**

Report to:	COUNCIL BUSINESS MANAGEMENT COMMITTEE
Report of:	City Solicitor
Date of Decision:	18 OCTOBER 2016
SUBJECT:	PROPOSED CHANGES TO THE CONSTITUTION
Wards affected:	ALL

1. Purpose of report:
1.1 To advise Committee of proposed changes to the City Council's Constitution

2. Decision(s) recommended:
2.1 That the Committee notes the proposed changes to the City Council's Constitution set out in paragraph 3 and in the appendices to this report
2.2 That the Committee notes and approves inclusion of this report and appendices in the agenda for the full Council meeting on 1 November 2016

Contact Officer:	Kate Charlton
Telephone No: E-mail address:	0121 303 2151 Kate Charlton

Signature: Chief Officer(s): Dated: 10 October 2016
List of Appendices accompanying this Report (if any): 1. B1 – Council Standing Orders 2. Article 11 - External Appointments, Joint Committees and Strategic Partnership Arrangements

3	Proposed Changes to the Constitution:
3.1	It is proposed to allow oral and written questions to Chairs of Ward Forums and Appendix 1 hereto shows proposed track changes to the Constitution
3.2	In addition reference to West Midlands Joint Committee (Sub Committee and Planning and Transportation) has been deleted from Article 11 (see appendix 2 track changes) as it has been abolished

List of Background Documents used to compile this Report:
None.



VOLUME B
SUPPORTING DOCUMENTS TO THE CONSTITUTION

Website
Updated ~~September~~October 2016

B1 – Council Standing Orders

STANDING ORDERS DEALING WITH THE PROCEDURE AT MEETINGS OF THE FULL COUNCIL

1 Order of Business

- (1) The order of business and the indicative timescales at every ordinary meeting of the Council shall usually be –

Standard Item	Time Limits	Indicative Timetable
Minutes, Lord Mayor's Announcements	5 minutes for Lord Mayor's Announcements - and <u>no presentations.</u>	2.00 – 2.05 p.m.
Lord Mayor's Annual report (AGM only)	15 minutes	
Petitions A schedule of outstanding petitions will be available electronically	10 minutes	2.05 – 2.15 p.m.
Question time	90 minutes	2.15 – 3.45 p.m.
Questions from members of the public to any Cabinet Member, Assistant Leader or District Committee Chairman <u>or Ward Forum Chairman</u>	20 minutes 1 minute for each question 2 minutes for each answer	
Questions from any Councillor to a Committee Chairman or Lead Member of a Joint Board <u>or Ward Forum Chairman</u> . Each Councillor may ask only one question. No supplementary questions.	20 minutes 1 minute for each question 2 minutes for each answer	
Questions from Councillors other than Cabinet Members <u>and Assistant Leaders</u> to a Cabinet Member or Assistant Leader. Each Councillor may ask one question and one supplementary question.	25 minutes 1 minute for each question 3 minutes for each answer	
Questions from Councillors other than Cabinet Members <u>and Assistant Leaders</u> to the Leader or Deputy Leader. Each Councillor may ask one question and one supplementary question.	25 minutes 1 minute for each question 3 minutes for each answer	
Appointments	10 minutes	3.45 - 3.55 p.m.
Policy Plans or Reports from CBM	30 minutes	3.55 – 4.15 p.m.
Adjournment Break	30 minutes	4.15 – 4.45 p.m.
Overview & Scrutiny reports	60 minutes	4.45 – 5.45 p.m.
Motions submitted by individual Councillors rotated equally between the political groups as determined by <u>Page 44 of 86</u>	90 minutes If the time for the item has <u>not</u> expired, any motions or	5.45 – 7.15 p.m.

	amendments not moved and seconded formally (without comment) should be put to the vote without discussion.	
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- (2) The time allowed for speeches shall be up to 7 minutes for the mover of a Motion or Amendment to the Motion, with up to 4 minutes each for other Members wishing to participate in the debate and a right of reply for the mover of the Motion only of up to 5 minutes.
- (3) The order of business may be varied by a resolution passed on a Motion which, after being moved and seconded, shall be put to the vote without discussion.
- (4) Question time will be excluded from the agenda at the Annual Meeting and the Annual Budget Meeting of the Council.

2 Record of Attendance and Quorum

The Chief Executive shall record the attendance of Councillors.

A Quorum is 30 Councillors.

3 Urgent Business

- (1) Urgent business may be moved or raised at the meeting with the prior agreement of the Lord Mayor.

4 Motions and Reports to the City Council for Debate

(A) Motions submitted by individual Councillors

- (1) A motion to be submitted to the Council (other than at the Annual General Meeting) for debate under Part (A) of this Standing Order must be relevant to any of the Council's Policy Framework Plans and/or the Budget Framework, be in writing signed by two members and must be delivered to the Chief Executive at any time between the end of the previous ordinary Council meeting and seven clear working days before the Council meeting at which it is to be debated. No Motions under Standing Order 4A are permitted for the meeting of the City Council reserved for the Annual Budget debate.
- (2) The Chief Executive shall maintain a record of all such motions and the order in which they have been received and this record shall be open to inspection by any member of the Council. The Chief Executive shall also provide the Lord Mayor with copies of all such motions and shall have the power, after receiving appropriate advice from the Monitoring Officer, to seek appropriate amendments from the proposer of the Motion, so as to ensure compliance with any legal and/or constitutional aspects and in the event that the proposer is unable to agree, the proposed Motion will not appear on the summons for the Council meeting.

- (3) If, at any time during the debate on any Motion before the Council, it appears to the Lord Mayor that the motion (in its original, modified or amended form) would, if carried -
- (a) have the effect of materially increasing the expenditure, or materially decreasing the revenue, of the Council;
 - (b) involve capital expenditure not provided for in the Council's approved capital budget; or

the Lord Mayor will direct that the motion shall stand adjourned without further debate in order that the Executive may consider any financial, policy or other implications of the motion and request the Executive to submit its recommendations to a future meeting of the Council.

(B) Motions submitted via the Council Business Management Committee

- (1) Prior to each ordinary meeting of the Council, the Council Business Management Committee shall consider and determine what motions it is necessary or appropriate to submit to that meeting.
- (2) The Chief Executive shall set out in the Summons, for each meeting, the motions which the Committee has determined should be submitted.

(C) Annual Report of the Leader

- (1) The Leader of the Council will, on an annual basis
- (2) submit a "Leader's Policy Statement."
- (3) No amendment to the Motion "to receive the Report" will be allowed.

5 Conduct of Debate

- (1) A motion or amendment shall not be discussed unless it has been proposed and seconded.
- (2) Every motion and amendment, except when printed in the Summons or when copies have been supplied to each member at the commencement of the meeting (in which case the motion or amendment shall be taken as read), shall be read by the mover before being spoken upon and no other member shall speak on it until it has been seconded.
- (3) Every amendment shall, unless the Lord Mayor otherwise indicates, be reduced to writing, signed by the mover and delivered to the Chief Executive before it is moved.
- (4) Any member who seconds a motion or amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until a later stage of the debate on that motion or amendment.

- (5) A member who has spoken on any motion shall not speak again whilst it is the subject of debate, except:-
- (a) to speak once on an amendment moved by another member;
 - (b) on a point of order as defined by Standing Order 5(6);
 - (c) by way of personal explanation as defined by Standing Order 5(6);
- (6) A member may rise on a point of order or in personal explanation and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged breach of a standing order or statutory provision and the member shall specify the standing order or statutory provision and the way in which he/she considers it has been broken. A personal explanation shall be confined to some material part of a former speech by him/her in the Council Chamber or in relation to a matter outside of the Council Chamber, which may appear to have been misunderstood in the present debate. The ruling of the Lord Mayor on a point of order or on the admissibility of an explanation shall not be open to discussion and shall be final. No points of information are permissible under Standing Orders.
- (7) When a motion is under debate no other motion shall be moved except the following -
- (a) to amend the motion,
 - (b) to proceed to the next business;
 - (c) to adjourn;
 - (d) that the question be now put;
 - (e) that a member (named) under Standing Order 15 be not further heard or do leave the meeting;
 - (f) to suspend Standing Orders;
 - (g) to exclude the public under S.100(A) of the Local Government Act 1972;
 - (h) to re-admit the public;
 - (i) that the consent of the Council be given where the consent of the Council is required by these Standing Orders (e.g. to extend time limits, to withdraw motions, etc.)
- (8) The Lord Mayor may permit two or more amendments to be discussed (but not voted on) together if circumstances suggest that this course would facilitate the proper conduct of the business of the Council.
- (9) An amendment shall be relevant to the motion and shall be –

- (a) to leave out specified words; or
- (b) to insert or add specified words; or
- (c) to refer a subject of debate to the Executive or to a committee for consideration or re-consideration.

but any omission, insertion or addition of words shall not result in substance in a direct negation of the motion before the Council.

- (10) Once voting on any motion or amendment has commenced, there shall be no further debate on the matter under consideration and no further amendments may be moved to the original motion. If an amendment is carried, the motion, as amended, shall take the place of the original motion.
- (11) Not every debating possibility has been covered by these Standing Orders and, in the event of anything not being covered in Standing Orders, the Lord Mayor's ruling on the matter shall be final and binding on the Council.

6 Suspension of Standing Orders

Standing Orders may be suspended by resolution of the Council, provided that a motion to suspend Standing Order 13 (Length of Council Meetings) may only be moved by the Leader or Deputy Leader (or their nominee) of one of the Party Groups and seconded by the Leader or Deputy Leader (or their nominee) of another Party Group.

7 Voting

- (1) Motions shall be determined (as the Lord Mayor may direct) by a show of hands.
- (2) If, after a vote has been taken by a show of hands, a "named vote" is requested by at least 10 members rising in their place, the following procedure shall apply -
 - (a) the division bell will be rung for one minute;
 - (b) the doors of the Council Chamber will then be closed;
 - (c) the names of those voting for or against or abstaining will then be ascertained by the use of the vote recorder and included in the Minutes.

8 Petitions

- (1) Every petition to the Council meeting shall either be in writing presented by a Councillor or an e-petition from the Council's website.
- (2) A Councillor presenting a petition or the Lord Mayor (on behalf of Councillors who have submitted their petitions to the Chief Executive in advance of the meeting) may move without comment that the petition(s) be received and referred to the relevant Chief Officer(s) to examine and respond appropriately.

- (3) At each meeting of the City Council, the Chief Executive shall ensure that an "Update Report" is electronically available for Members providing relevant details on the progress, or otherwise, of any petitions received by the City Council since the last Annual General Meeting. Where a petition has been discharged, the Update Report does not need to mention the same.

9 Questions

(A) *Written Questions*

Any Councillor may ask one written question (with no sub-questions) of any Cabinet Member, Assistant Leader, Committee Chairman ~~or~~ Lead Councillor for a West Midlands Joint Authority or Ward Forum Chairman by submitting the question in writing to the Chief Executive by no later than 1200 hours on the Tuesday prior to the day of the Council meeting. A copy of each such question and the written answer shall be supplied to every Councillor at the start of the Council meeting and shall also be annexed to the Minutes of the meeting.

(B) *Oral Questions*

(1) *Questions from Members of the Public*

A member of the public may ask one oral question of any Cabinet Member, Assistant Leader ~~or~~ District Committee Chairman or Ward Forum Chairman by submitting the question in writing to the Chief Executive no later than 12 noon on the Friday before the Council meeting. No question will exceed 1 minute and no answer will exceed 2 minutes.

- The question must refer to an issue which affects Birmingham or falls within the Council's responsibilities.
- The question must not be substantially the same as a question which has been put at a meeting of the Council in the past 6 months.
- The question must not be defamatory, frivolous, vexatious or offensive.
- The question must not require the disclosure of confidential or exempt information.
- The question must not refer to individual planning or licensing matters, or any matter of a personal nature.

(2) *Questions from Councillors*

Councillors may ask questions as set out in the order of business.

10 Conduct at Meetings of the Council

- (1) Councillors are expected to treat each other with respect and abide by the Code of Conduct.
- (2) The Lord Mayor may, as she/he sees fit, direct a Councillor to discontinue his/her speech.
- (3) If there is more general disorder, the Lord Mayor may direct a Councillor causing such disorder to retire from the meeting.

11 Disturbance by Members of the Public

If a member or members of the public present at a meeting of the Council interrupt(s) the proceedings, the Lord Mayor may warn them that on any further interruption they will be required to retire from the Chamber. If the member(s) of the public, after such warning, again interrupt(s) the proceedings the Lord Mayor may instruct them to retire from the Council Chamber and if they fail to comply the Lord Mayor may order their removal from the Chamber.

12 Common Seal

A decision of the Executive or a resolution of the Council or a committee acting within the powers and duties delegated to it shall be sufficient authority for sealing any deed, instrument, document or writing necessary to give effect thereto.

The Seal shall be attested by one of the following persons who shall subscribe his/her name thereto after sealing, that is to say, the Lord Mayor, the Deputy Lord Mayor, the Chief Executive or any senior lawyer in the employment of the City Council from time to time authorised for this purpose by or on behalf of the Council.

13 Length of Council Meetings

If a meeting of the Council has not come to an end by 7:15p.m, the following procedure shall apply

- (i) at the conclusion of the speech then being delivered, the Lord Mayor shall allow the mover of the motion then under debate to exercise his/her right of reply and shall then put the motion to the vote;
- (ii) in respect of any remaining items of business, the Lord Mayor shall allow motions to be moved and seconded formally (without comment) and shall forthwith put the motions to the vote without discussion; and
- (iii) the Lord Mayor shall then close the meeting.

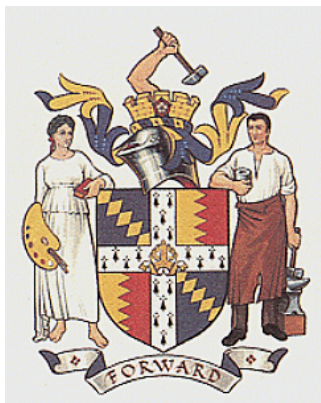
14 Conflict resolution between Full Council and the Executive

- (1) The Leader must have at least 5 working days to object to a full Council decision which is contrary to the Executive's proposals for either the budget or a plan or strategy before that decision takes effect;

- (2) if the Leader registers an objection, the full Council must meet to reconsider the issue in light of the objection;
- (3) ultimately, full Council can insist on its decision.

15 Appointment of Committees

On the recommendation of Council Business Management Committee, the Council shall appoint Committees necessary for the discharge of the Council's functions, along with the membership and Chairman of each, for a period ending no later than the next annual meeting of the Council.



VOLUME A **THE CONSTITUTION**

Website
Updated ~~September~~October 2016

Article 11 – External Appointments, Joint Committees and Strategic Partnership Arrangements

This Article sets out details with regard to external appointments and partnership working arrangements.

11.1 Joint arrangements

- (a) The Cabinet may establish joint arrangements with one or more local authorities and/or their Executives to exercise Executive functions in any of the participating authorities. The Council will deal, as necessary, with the establishment of joint arrangements to exercise non-Executive functions.
- (b) Where Cabinet appoints three or more members to a joint committee, the proportionality rules will apply.

11.2 Appointments to outside bodies

Appointments that are reserved to the Full City Council to determine are set out below and the proportionality rules shall apply. All other appointments of members and officers to outside bodies shall be within the remit of Cabinet to determine and the proportionality rules will not automatically apply.

11.3 Appointments reserved to the Full Council

	No. Apptd
Local Government Association (General Assembly)	4
West Midlands Fire & Rescue Authority	10
West Midlands Transport Authority	10
West Midlands Police and Crime Panel	3
National Association of Councillors	1
Standing Advisory Council on Religious Education	8
Employee Consultative Forum (Teachers)	7
City Housing Liaison Board	3

11.4 Joint Committees

The City Council has established the following Joint Arrangements for the current Municipal Year as follows:-

- (i) West Midlands Joint Committee

~~(ii) West Midlands Joint Committee (Sub-Committee Planning and Transportation)~~

~~(iii)~~ (ii) West Midlands Combined Authority

CITY COUNCIL

1st November 2016

REPORT OF COUNCIL BUSINESS MANAGEMENT COMMITTEE

FUTURE COUNCIL WORKFORCE CONTRACT

1. Introduction

The purpose of this report is to delegate authority to the Chief Executive to implement a revised set of terms and conditions for the Council's employees (excluding teachers) to be known as the Birmingham Workforce Contract.

2. Background

2.1 The Council is facing unprecedented levels of challenge both financially and organisationally and is consequently redefining its ambitions, priorities and operating model. It has also meant that we have had to contemplate some hitherto unpalatable approaches to securing savings. This report makes recommendations to adopt a set of proposals which will reduce the cost of employment and make a significant contribution to achieving required savings.

2.2 The proposals contained in this report are part of a wider plan not only to secure additional savings through the more effective use of workforce planning but also to ensure that we remain an employer of choice with a robust and attractive employee offer.

2.3 Following extensive consultation and engagement with our employees and consultation and negotiation with our trade unions we have reached a collective agreement on a final set of proposals. This means that our employees will be issued with a new contract of employment that will enable the implementation of the changes to terms and conditions.

3. Motion

That the City Council approves the proposed changes to terms and conditions as outlined in appendix D of this report and delegates responsibility for the implementation to the Chief Executive.

Report to:	COUNCIL BUSINESS MANAGEMENT COMMITTEE
Report of:	Chief Executive
Date of Decision:	18th October 2016
SUBJECT:	FUTURE COUNCIL WORKFORCE SAVINGS
Wards affected:	ALL

1. Purpose of report:

- 1.1 The constitution requires the Chief Executive to bring a decision report to CBM where there are proposed changes to the Birmingham Contract. This report outlines a set of recommendations to reduce the cost of employment and contribute to the required financial savings for 2017-2020. The recommendations include fundamental changes to terms and conditions that will require a contractual change process.

2. Decision(s) recommended:

That CBM delegates authority to the Chief Executive to:

- 2.1 Finalise negotiations with the trade unions with a view to securing a collective agreement on a set of changed terms and conditions as outlined in Appendix D of this report. If agreement is reached then it is recommended to proceed with implementing the revised contract and policy amendments as outlined in Appendix D of this report
- 2.2 If a collective agreement cannot be secured it is proposed to proceed to implement the proposals outlined in Appendix E of this report. Implementation will need to be by means of a process of voluntary offer and then if necessary dismissal and reengagement
- 2.3 In either instance on completion of the consultation and review of JNC pay and grading, bring a further report to CBM making recommendations

3. Report

- 3.1 The Council issued a Section 188 notice in December 2015 which included a range of propositions that has become known as the Future Council Workforce Strategy. This report outlines the outcome of the consultation regarding the introduction of a package of changes to terms and conditions that would reduce the costs of employment. In line with legal requirements because the proposals impact on the pay package of employees it has been necessary to include all non- teaching staff in Birmingham City schools and employees of ACIVICO. This means that the proposals affect circa 24.5K employees.

- 3.2 An initial package of measures was identified as securing significant savings and was the subject of collective consultation with trade unions and affected employees. Extensive employee consultation and engagement has been undertaken including:
- Face to face service engagement events with 2,000 employees in frontline services
 - Posters, leaflets, employee & manager bulletins
 - Head Teacher briefing events for the 200 schools affected
 - Team consultation for all employees
 - Individual consultation for circa 500 employees who were the most significantly affected by the proposals
 - Employees who were on maternity leave or sickness absence (as recorded on People Solutions) were offered the opportunity of a consultation meeting with their manager.
 - Each employee received a confidential survey to record their views anonymously

Additionally management has undertaken detailed and extensive consultation with the relevant trade union representatives exploring the efficacy of each proposal, alternative options for securing the savings and understanding the potential impact. This included the completion of an Equality Impact Assessment; of which executive summaries can be found in Appendices Ai and Aii of this report. A summary of the findings from the outcome of the employee consultation can be found in Appendix B of this report.

- 3.3 During the course of the initial consultation significant challenges were identified with pursuing a number of the original proposals. Consequently in response, a revised set of proposals were developed and shared for the purposes of consultation. Appendix C outlines the initial proposals and the revised package of measures.

- 3.4 There has been intensive consultation and latterly negotiations with the trade unions regarding the need to reduce the costs of employment and the efficacy and fairness of each of the individual proposals and their collective impact. The trade unions have maintained their position that they believe that the Council should take all reasonable steps to avoid taking any measures that could lead to the diminution of employees' terms and conditions. However in the context that management have identified that there is a critical need to achieve savings from this budget the trade unions have sought to negotiate a package of measures that they feel "will do the least harm" and is the fairest approach to distributing the impact on the workforce. A provisional agreement has been reached with the trade unions on a set of proposals that will achieve the planned financial savings by 20-21. The details of these proposals can be found in Appendix D of this report. The trade unions are constitutionally required to consult with their membership prior to committing to a final agreement; consequently the trade unions will be able to confirm their position until the 24th October. If a collective agreement with the trade unions is secured it is recommended that a new contract is issued on the agreed terms with employees given 3 months' notice. Additionally policy amendments will be made to the non-contractual elements as identified in Appendix D.

- 3.5 There remains a compelling case to pursue a reduction in the cost of employment. The financial challenges facing the organisation are of such a scale that it is not at this point possible to securely identify alternatives to achieve such a significant sum. Therefore if a collective agreement is not achieved it is recommended that the Council still proceed with issuing a new contract with a revised set of terms and conditions and policy changes as outlined in Appendix E of this report. Implementation will require a process of voluntary offer followed by if required a process of dismissal and reengagement.

Financial Observations

The Council continues to operate in challenging financial circumstances due to reducing resources available to fund service provision and investment in assets. In order to ensure that the Council remains financially sustainable and to enable delivery of statutory services to a sufficient standard, the Business Plan & Budget 2016+ set out the requirement for further cumulative savings of around £163m over the next three financial years from 2017/18 onwards.

Spend on direct employee costs accounts for a significant proportion of the Council's allocated budgets. In the context where the Council has a challenging target to deliver savings, a reduction in the costs of employment was identified as part of the solution. As part of the Business Plan 2016+, original proposals relating to workforce reductions were put forward as a means of offsetting the extent of service reductions and associated redundancies, with a target of £18m being deliverable from terms and conditions changes.

The recommended proposals are estimated to deliver a cumulative total of £18m of savings over the period 2016/17 to 2020/2021, with forecasted savings estimated as follows:

	Cumulative Potential Savings				
	2016/17 £m	2017/18 £m	2018/19 £m	2019/20 £m	2020/21 £m
Total Future Council Workforce savings- Terms and Conditions changes	0.8	2.5	11.2	14.8	18.2

The phasing of these savings is later than was set out in the Business Plan & Budget 2016+, principally due to the time it will take to implement the changes summarised in this report relating to performance related increments. The impact of these changes will be reflected in the Council's updated Long-Term Financial Plan.

Legal Observations

There has been extensive consultation with employees and trade unions concerning the change to terms and conditions of employment in accordance with legislative requirements. This process of consultation has now concluded and revised contract changes and policy amendments have been shared.

Changes in terms and condition which are negotiated by a trade union can be effective to amend individual contracts of employment where the collective agreement reflecting the amendment has been incorporated (either expressly or impliedly) into the contract of employment. In circumstances where no collective agreement can be reached and employees refuse to agree to a change, the City Council will have to terminate the existing contract and offer continued employment on the amended contract as revised by the consultation. This process is known as dismissal and re-engagement.

Both of these options will require employees to be given notice of changes to the contract of employment before implementation but is likely to be achieved in line with the City Council's savings timeframe.

If an employee does not accept the amended contract they can resign and lodge a Tribunal claim for constructive unfair dismissal, wrongful dismissal or breach of contract. The City Council will defend any potential claims that may arise.

Contact Officer:	Claire Ward Assistant Director workforce Strategy
Telephone No Email address	07500882942 claire.ward@birmingham.gov.uk

<p>Signature:</p> <p>Chief Officer(s):</p> <p>Dated:</p>
<p>List of Appendices:</p> <p>Appendix A (i) Equality Impact Assessment – Executive Summary (Schools and Non Schools)</p> <p>Appendix A (ii) Equality Impact Assessment - Executive Summary (ACIVICO)</p> <p>Appendix B – Consultation Analysis</p> <p>Appendix C – Initial and Revised Proposals</p> <p>Appendix D – Current Proposals</p> <p>Appendix E – Failure to Reach Collective Consultation – Next Steps</p>
<p>List of Background Documents used to compile this Report:</p> <p>Weekly Consultation Reports</p> <p>Communication Log</p> <p>Section 188 notice December 2015</p> <p>Equality Analysis and Pay Modelling</p>

**REPORT TO COUNCIL BUSINESS MANAGEMENT COMMITTEE
TUESDAY 18 OCTOBER 2016**

**FUTURE COUNCIL WORKFORCE SAVINGS – EQUALITY IMPACT ASSESSMENT –
EXECUTIVE SUMMARY**

Summary of Findings

The proposals which are subject to collective agreement have been analysed, reviewing Birmingham City Council employees (schools and non-schools) data detailed in Appendix A(i). ACIVICO data is presented separately in Appendix A(ii).

This data was based on information extracted from the HR/ Payroll system for the period 1st April 2015- 31st March 2016. We have sought to take all reasonable steps to ensure the data is as valid as practicable. As with any data, there can be issues with its integrity and accuracy. This is something we will continue to review beyond this piece of analysis.

Whilst the Council collects data on both sexual orientation and religion and belief at present we do not have sufficient records to be able to run meaningful reports on these characteristics. We will however continue to take steps to improve our records and encourage greater self reporting.

Where any instances of concern have been identified in the EIA an action plan will be developed and progressed monitored over the next 12months.

Proposals included in the collective agreement are:-

- Employees will only be eligible to claim subsistence allowance when they are away from home for business after 24 hours.
- Staff will no longer be reimbursed for retirement gifts
- On performance-related pay:
 - for 2016/17 those eligible will be given a one-off payment for that year;
 - no performance-related pay will be applied from 1 April 2017 to 30 June 2017 for Corporate and ACIVICO employees and from 1 April 2017 to 31 August 2017 for schools employees;
 - and there will be a joint management and trade union annual review of the ability of the council to give performance-related payments for the periods 2017-18, 2018-19 and 2019-20.

Proposal: Stop paying food and drink allowances for those away on council business

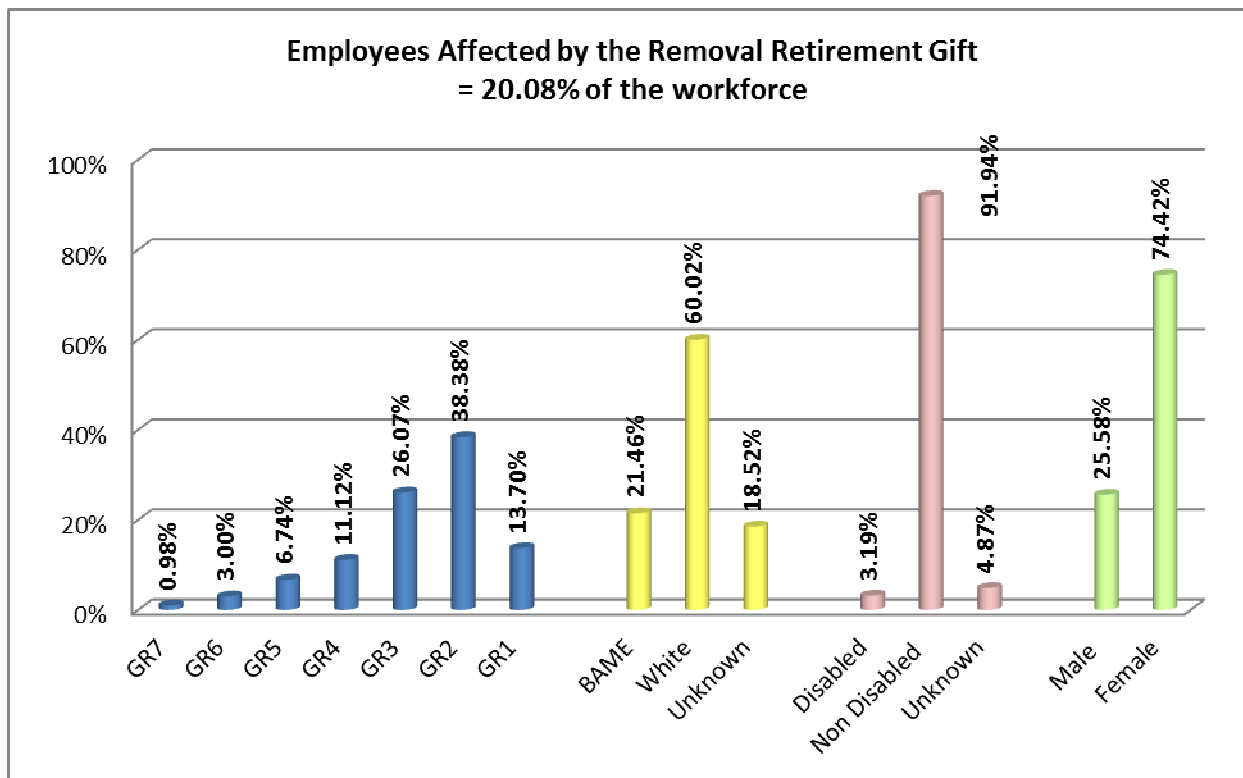
	Gender		Ethnicity			Disability			Age Range				
Grade	Female	Male	BAME	White	Unknown	Disabled	Not Disabled	Unknown	16-24	25-34	35-44	45-54	>=55
GR7	0.01%	0.02%	0.02%	0.01%	0.00%	0.00%	0.03%	0.00%	0.00%	0.00%	0.00%	0.03%	0.00%
GR6	0.06%	0.04%	0.02%	0.04%	0.05%	0.00%	0.10%	0.01%	0.00%	0.01%	0.02%	0.03%	0.04%
GR5	0.11%	0.07%	0.04%	0.07%	0.08%	0.01%	0.18%	0.00%	0.00%	0.02%	0.04%	0.08%	0.05%
GR4	0.10%	0.03%	0.06%	0.05%	0.02%	0.00%	0.14%	0.00%	0.00%	0.02%	0.03%	0.05%	0.03%
GR3	0.02%	0.02%	0.02%	0.02%	0.01%	0.00%	0.03%	0.01%	0.00%	0.02%	0.00%	0.02%	0.00%
GR2	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
GR1	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Sub Total													
Total	0.31%	0.19%	0.15%	0.19%	0.16%	0.01%	0.48%	0.02%	0.00%	0.07%	0.09%	0.21%	0.12%
Total	0.50%												

- 0.50% of workforce are expected to be affected by the subsistence proposal – this equates to x130 employees
- No employees affected within grades GR1 and GR2:
- **Gender** - Most employees split by gender are in GR5 (0.11% female, 0.07% male)
- **Ethnicity** - The largest BAME group are in GR4 (0.06%); The largest white group are in GR5 (0.07%)
- **Disability** - Only 0.01% of employees who claimed subsistence are disabled.
- **Age** - The largest group in terms of age range who claimed are in the 45-54 group (0.21%)

- **Current Status – This proposal has been amended as part of the collective agreement to ‘employees will only be eligible to claim subsistence allowance when they are away from home for business after 24 hours’.**

Proposal: Removal of Retirement Gift

This chart shows the % of employees aged 55 years plus and have achieved 25 years' service with Birmingham City Council (both Schools and Non Schools employees) which represents 20.08 % of BCC workforce



Current Status – this proposal has been included as part of the collective agreement.

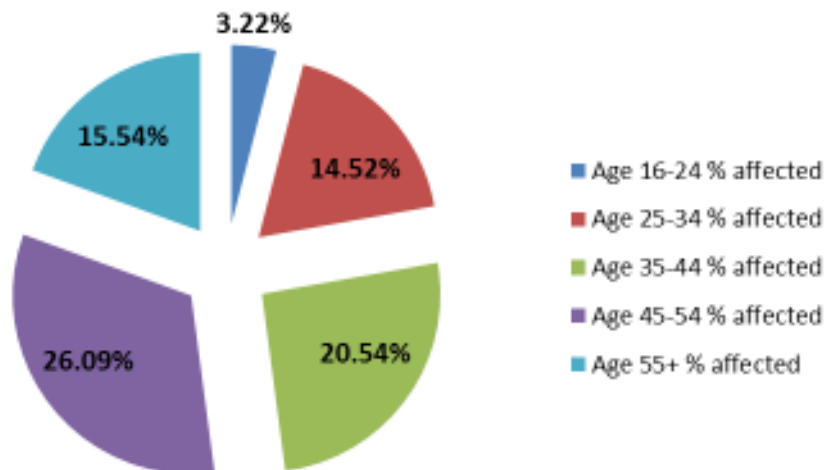
Proposal: On performance-related pay:

- for 2016/17 those eligible will be given a one-off payment for that year;
- no performance-related pay will be applied from 1 April 2017 to 30 June 2017 for Corporate and ACIVICO employees and from 1 April 2017 to 31 August 2017 for schools employees;
- and there will be a joint management and trade union annual review of the ability of the council to give performance-related payments for the periods 2017-18, 2018-19 and 2019-20.

Based on the original proposal, looking at Schools and Non-Schools employees, the impact based on the equality characteristics of age, gender, ethnicity and disability are as follows:-

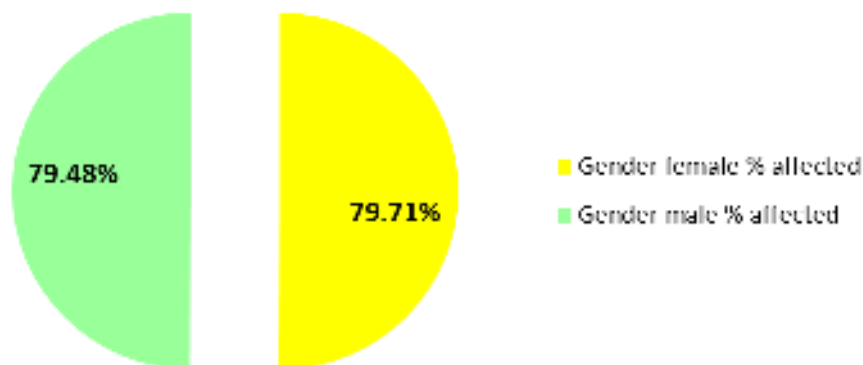
Please note the following charts relate to BCC employees (both Schools and Non-Schools) who are not at the top of their grade.

Age



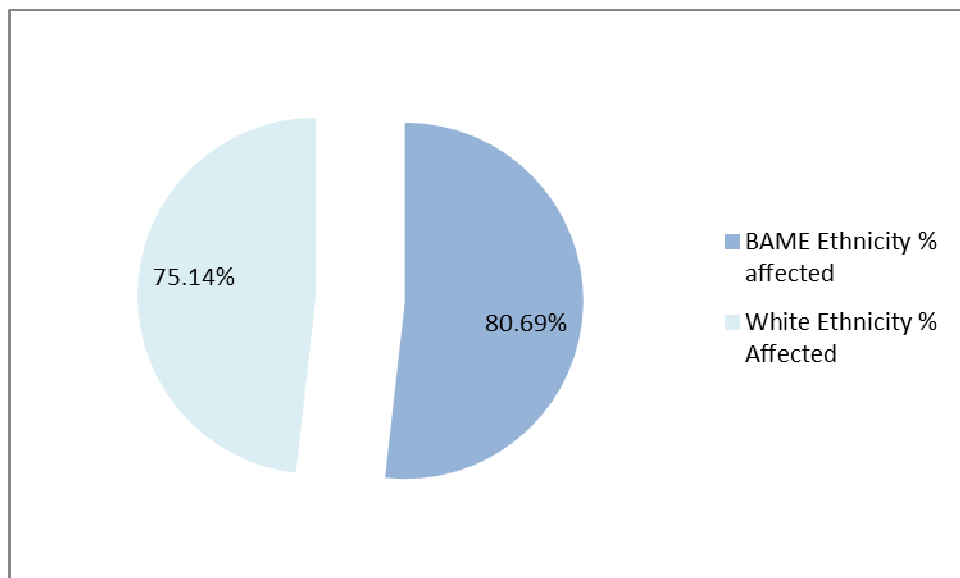
Employees in the lower age bands are more likely than employees in the higher age bands to not have reached the top of their grade and so would be eligible for an increment. Only 3.22% employees aged 16-24 are already at the top of their grade compared to 26.09% of employees aged 45-54 and 15.54% employees aged 55+. There will be a specific action plan put in place to address how to improve career progression and succession planning for our younger demographic.

Gender



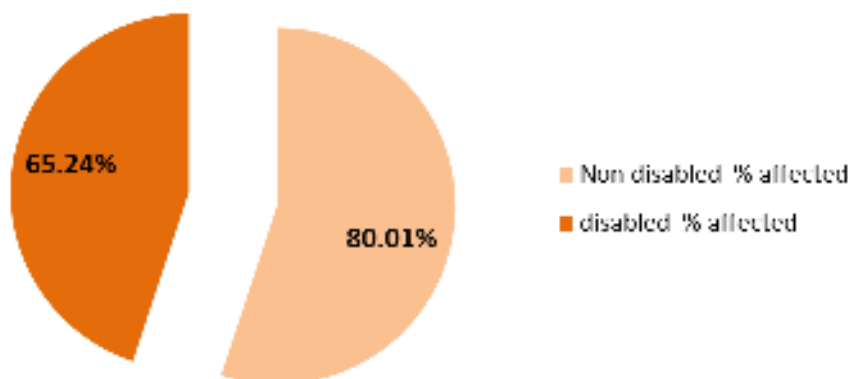
Females = 79.19% of employees are affected by this proposal as they are not at the top of their grade and may be eligible for an increment; Males = 79.48% of employees are affected by this proposal, as they are not at the top of their grade and may be eligible for an increment.

Ethnicity



BAME - 80.69% of employees are affected by this proposal as they are not at the top of their grade and may be eligible for an increment; White - 75.14% of employees are affected by this proposal as they are not at the top of their grade and may be eligible for an increment. There will be a specific action plan put in place to address how to improve career progression and succession planning for our workforce in relation to ethnicity.

Disability



There are 80.01% of non-disabled employees who may be affected by this proposal because they are not at the top of their grade and may be eligible for an increment compared to 65.24% of disabled employees who are not at the top of their grade and may be eligible for an increment.

APPENDIX A (ii) – ACIVICO Employees

This data was based on information extracted from the BCC HR/ Payroll system for the period 1st April 2015- 31st March 2016. We have sought to take all reasonable steps to ensure the data is as valid as practicable. As with any data, there can be issues with its integrity and accuracy. This is something we will continue to review beyond this piece of analysis.

Proposal:

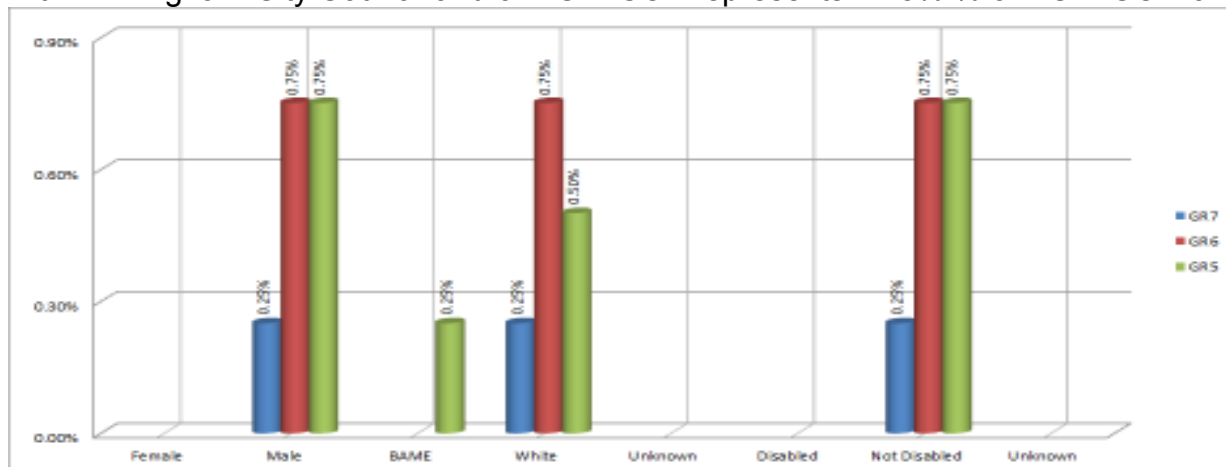
Stop paying food and drink allowances for those away on council business

Region (in English)				Region		Country		Country		Age Groups				
Year	Adults	Children	Infants	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female
	Adults	Children	Infants											
	Adults	Children	Infants											
2020	10000	5000	2000	10000	5000	2000	10000	5000	2000	10000	5000	2000	10000	5000
Total				Total		Total		Total		Total				

- 0.25% of workforce are expected to be affected by the subsistence proposal – this equates to x1 employees
- No employees affected within grades GR1 – GR5 or GR7. Only affected employee is GR6.
- Shown in data across protected characteristics –
 - **Gender** – Only a female employee affected by this proposal
 - **Disability** - Only one non-disabled employee is affected by this proposal
 - **Ethnicity** - One white employee is affected by this proposal
 - **Age** – The affected employee falls within the 45-54 age range
- **Current Status** – This proposal has been amended as part of the collective agreement to ‘employees will only be eligible to claim subsistence allowance when they are away from home for business after 24 hours’.

Proposal: Removal of Retirement Gift

This chart shows the % of employees aged 55 years plus and have achieved 25 year's service with Birmingham City Council and/or ACIVICO - represents 1.75% % of ACIVICO workforce:



Only 7 employees affected - No one at grades GR1 – GR4 affected - All are male - All are not disabled

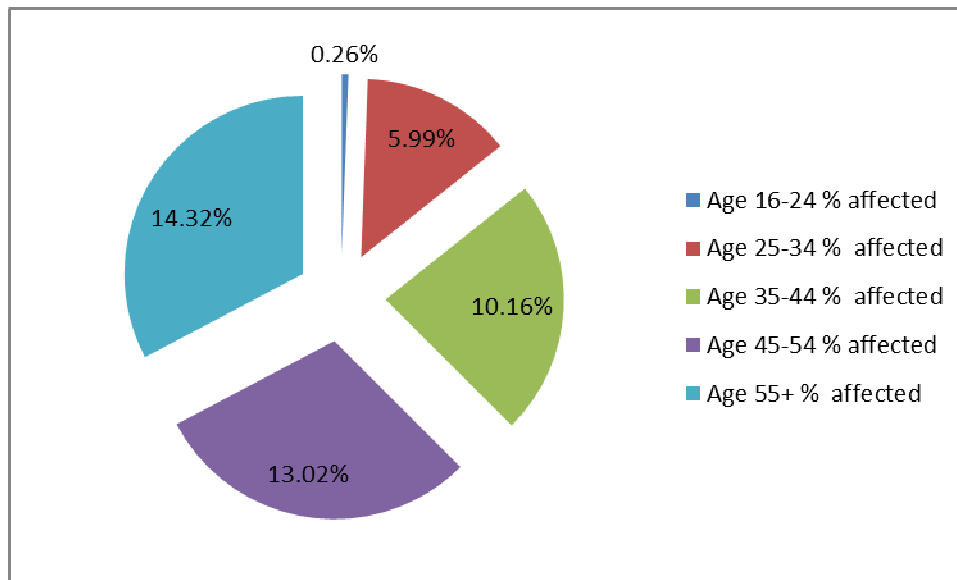
Proposal: On performance-related pay:

- for 2016/17 those eligible will be given a one-off payment for that year;
- no performance-related pay will be applied from 1 April 2017 to 30 June 2017 for Corporate and ACIVICO employees and from 1 April 2017 to 31 August 2017 for schools employees;
- and there will be a joint management and trade union annual review of the ability of the council and/or ACIVICO to give performance-related payments for the periods 2017-18, 2018-19 and 2019-20.

Based on the original proposal, looking at ACIVICO employees, the impact based on the equality characteristics of age, gender, ethnicity and disability are as follows:-

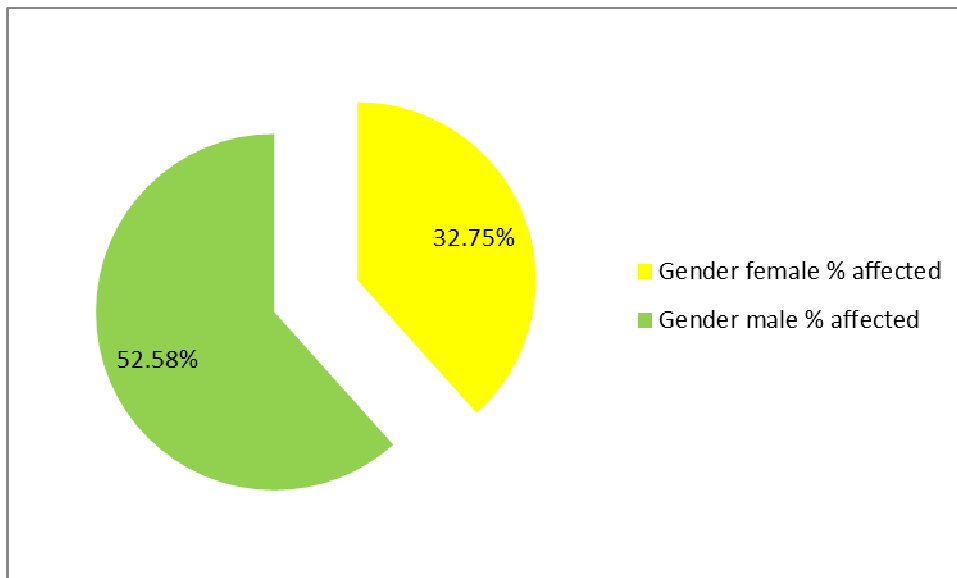
Please note the following charts his chart relates to ACIVICO employees only, who are not at the top of their grade.

Age



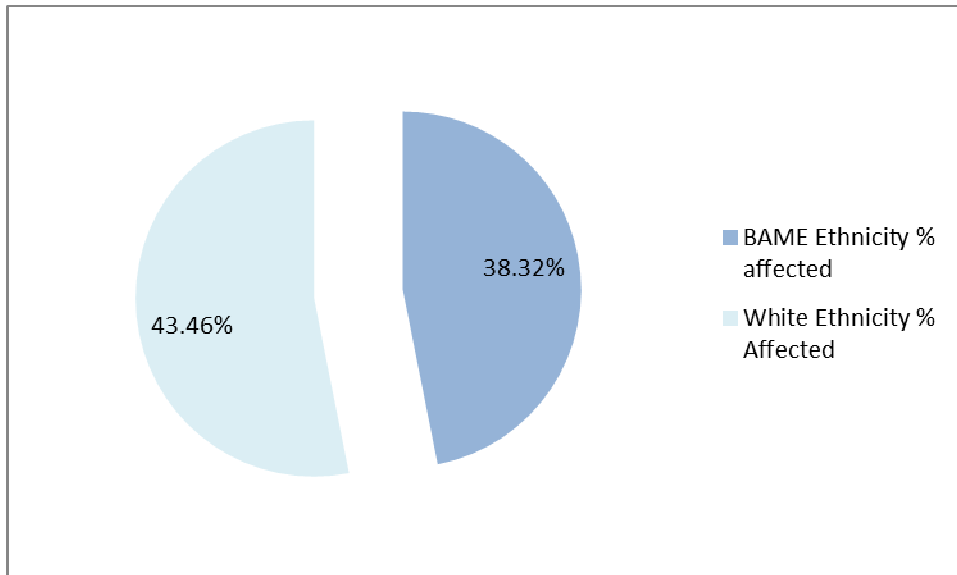
ACIVICO employees in the lower age bands are more likely than employees in the higher age bands to not have reached the top of their grade and so would be eligible for an increment. Only 0.26% ACIVICO employees aged 16-24 are already at the top of their grade compared to 13.02% of employees aged 45-54 and 14.32% employees aged 55+. There will be a specific action plan put in place to address how to improve career progression and succession planning for their younger demographic.

Gender



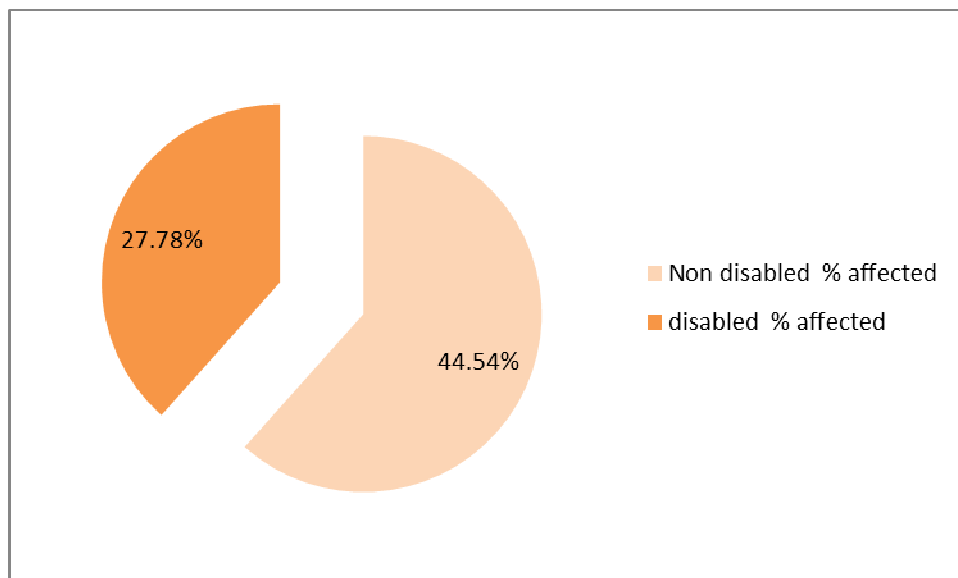
Females - 32.75% of ACIVICO employees are affected by this proposal as they are not at the top of their grade and may be eligible for an increment; Males - 52.58% of ACIVICO employees are affected by this proposal, as they are not at the top of their grade and may be eligible for an increment. An action plan in order to further explore this differential will be undertaken.

Ethnicity



BAME – 38.32% of ACIVICO employees are affected by this proposal as they are not at the top of their grade and may be eligible for an increment; White - 43.46% of ACIVICO employees are affected by this proposal as they are not at the top of their grade and may be eligible for an increment. There will be a specific action plan put in place to address how to improve career progression and succession planning for our workforce in relation to ethnicity.

Disability



There are 44.54% of non-disabled ACIVICO employees who may be affected by this proposal because they are not at the top of their grade and may be eligible for an increment compared to 27.78% of disabled ACIVICO employees who are not at the top of their grade and may be eligible for an increment.

**REPORT TO COUNCIL BUSINESS MANAGEMENT COMMITTEE – TUESDAY 18 OCTOBER
2016**

**FUTURE COUNCIL WORKFORCE SAVINGS – EXECUTIVE SUMMARY/CONSULTATION
ANALYSIS REPORT BY BMG (Please see attached)**

REPORT TO COUNCIL BUSINESS MANAGEMENT COMMITTEE – TUESDAY 18 OCTOBER 2016

FUTURE COUNCIL WORKFORCE SAVINGS – INITIAL AND REVISED PROPOSALS (December 15 – August 16)

Removed Proposals

To not pay staff for the first three days of sickness absence

To reduce the length of time staff are paid for sickness absence from six months at full pay and six months at half pay to three months full pay and three months at half pay

Revising the hours for night pay from 8.00pm to 6.00am to 10pm – 6am

Amended Proposals

The proposal to increase full-time contracted working hours from 36.5 to 37 hours has been amended to:

- Keep contractual hours at 36.5 hours for full time employees, but calculate pay as a proportion of 37 hours.

The proposal for individuals paying for their own Disclosure and Barring Service (DBS) update of £13 per year has been amended to:

- Cease the existing City Council policy of three year renewal of DBS and an alternative mechanism introduced whereby employees will be required to declare whether they have any criminal convictions.

New Proposals

The removal of retirement gifts and testimonials, saving £100k

Unchanged Proposals

Freeze on payment of performance-related increments for three years (saving £12.5m)

Stop paying food and drink allowances for those away on council/School business

Introducing a standard standby payment of £27.62 per session for employees who are required to be part of an emergency response team

Reviewing pay and reward for JNC officers (those above a Grade 7)

Review of Employee Benefits Package

REPORT TO COUNCIL BUSINESS MANAGEMENT COMMITTEE – TUESDAY 18 OCTOBER 2016

FUTURE COUNCIL WORKFORCE SAVINGS – PROVISIONAL COLLECTIVE AGREEMENT

- Employees would only be eligible to claim subsistence allowance when they are away from home for business after 24 hours.
- On the payment of performance-related pay:
 - For 2016/17, those eligible would be given a one-off lump-sum payment in lieu of an increment for that year.
 - Performance-related pay would be suspended from 1 April 2017 to 30 June 2017 for council (non-schools) and ACIVICO employees and from 1 April 2017 to 31 August 2017 for schools employees until the agreement, if implemented, is applied to employee contracts.
 - There would be a joint management and trade union annual review of the ability of the council to give performance-related payments for the periods 2017-18, 2018-19 and 2019-20 if the agreement is implemented.
- JNC pay and grading will be subject to more detailed consultation in order to achieve the required saving
- Testimonial and long-service certificates of acknowledgement would be issued.
- Disclosure and Barring Service (DBS) three-year renewals would end and an alternative introduced
- Staff would no longer be reimbursed for retirement gifts
- A revised single flexi scheme would be introduced as a first step towards promoting more agile working
- A salary sacrifice scheme enabling employees to buy annual leave and other benefits to be introduced
- An overall revised employment offer to be introduced
- The Council has committed to reviewing as to whether it is practicable to address the issue of impacted grades and will work with the trade unions to explore options over the next 6 months

REPORT TO COUNCIL BUSINESS MANAGEMENT COMMITTEE – TUESDAY 18 OCTOBER 2016

FUTURE COUNCIL WORKFORCE SAVINGS – FAILURE TO REACH COLLECTIVE AGREEMENT– NEXT STEPS

If collective agreement is not secured it is proposed that the Council implements the recommendations outlined below by means of an exercise of voluntary offer followed by dismissal and reengagement if appropriate.

- Employees would only be eligible to claim subsistence allowance when they are away from home for business after 24 hours.
- On the payment of performance-related pay:
 - For 2016/17, those eligible would be given a one-off lump-sum payment in lieu of an increment for that year.
- Performance-related pay would be frozen from 1 April 2017 to 30 June 2017 for council (non-schools) and ACIVICO employees and from 1 April 2017 to 31 August 2017 for schools employees
- Performance related pay will be frozen for all employees for the following periods:
 - 1/07/17-31/03/18,
 - 1/04/18- 31/03/19
 - 1/4/19-31/03/20
- JNC pay and grading will be subject to more detailed consultation in order to achieve the required saving
- Testimonial and long-service certificates of acknowledgement would be issued.
- Disclosure and Barring Service (DBS) three-year renewals would end and an alternative introduced
- Staff would no longer be reimbursed for retirement gifts
- A revised single flexi scheme would be introduced as a first step towards promoting more agile working
- A salary sacrifice scheme enabling employees to buy annual leave and other benefits to be introduced
- An overall revised employment offer to be introduced



Research Report

Executive Summary

(Appendix B)

Consultation Survey 2016

Prepared for: Birmingham City Council

Prepared by: BMG Research

1 Executive Summary

1.1 Introduction

Birmingham City Council has an aim to secure £34 million of savings over the next 4 years through reductions in workforce spend. A package of proposed measures that will help to achieve this, was produced by the Council, known to employees as the Future Council Workforce Contract.

The proposals being considered include:

- Moving to a 37 hour week;
- Freeze on performance related increments for 3 years;
- Stop paying food and drink allowances for those away on business;
- Introduction of a standard standby of £27.62 per session;
- Removal of retirement gifts;
- Removal of testimonials and long service awards;
- Review Pay for JNC Officers.

1.2 Methodology

The consultation was split into three different elements;

- Main online/ postal survey to all staff at the Council;
- Team meetings run by managers/head teachers with all staff (where possible) and captured through a feedback form;
- One to one consultation meetings run by managers/head teachers with staff that will be affected most by the proposals and captured through a feedback form.

The table overleaf displays the response rates and standard error achieved by each Area / Directorate in the employee survey.

Table 1: Response rate and sampling error by Directorate

Area	Directorate	Sent	Received	Response rate	Sampling error (+/-)
Governors		204	38	19%	14.34
Schools		9674	2656	27%	1.62
Corporate	Economy	1976	952	48%	2.29
	Finance & Legal	544	345	63%	3.19
	People	8291	2324	28%	1.72
	Place	3713	1342	36%	2.14
Acivico	Building Consultancy	42	19	45%	16.64
	Business Development & PR	255	76	30%	9.42
	Commercial	29	8	28%	29.48
	Finance	10	2	20%	61.98
	Programmes & Project Deli	54	13	24%	23.68
Grand Total		24,792	7,775	31%	0.92

1.3 Profile of responses

The largest proportion of the responses to the employee survey were from Corporate staff (64% of the total sample), with Schools making up 34%. Acivico staff and Governors represent a smaller proportion of the total sample with 1.5% and 0.5% respectively.

The employee survey gathered further demographic information, from which it can be seen that:

- Women accounted for a greater proportion than men in terms of responses (74% compared to 26%);
- Just over half of the sample is those working full time (52%);

- Approximately a third of the employee survey returns were from staff on grade GR3 (31%) and a quarter on GR2 (25%).
- One in five (22%) returns were from employees who had been in service for less than five years, whilst a further 22% had been in employment at the organisation for up to 10 years. Two thirds (66%) have been working for Birmingham City Council for over 10 years.
- The majority of returns from Corporate staff were from those in the People Directorate (47%), whilst two thirds of the returns from staff from Acivico were from the Business Development and PR Directorate (64%) In terms of the responses from Schools staff, the vast majority (89%) were from staff in Community School, as was the case in the 2013 consultation.

1.4 Summary of findings

1.4.1 Awareness of the financial challenges facing Birmingham City Council

Corporate staff at the City Council were asked if they are aware of the significant financial challenges being faced by the City Council and the need to make changes to employee terms and conditions in order to make savings. The vast majority of Corporate staff are aware (97%), whilst only 3% are not. This rises to 99% amongst staff in the Finance and Legal Directorate. Awareness falls amongst staff in the Operational job family (93%), who are aged 16 – 24 (89%) and who have been at the council for less than a year (91%).

1.4.2 Overall ratings of proposed changes

Over three fifths of Birmingham City Council staff feel that the proposed changes, on the whole, are unreasonable to them personally (61%). This compares to just two fifths that feel they are reasonable (39%). Governors are the most likely to feel they are reasonable (71%), with Acivico and Schools staff least likely (33% and 34% respectively).

At the total Council level, male staff are less likely to feel the proposed changes are reasonable to them on a personal level (39% cf. 44% of women).

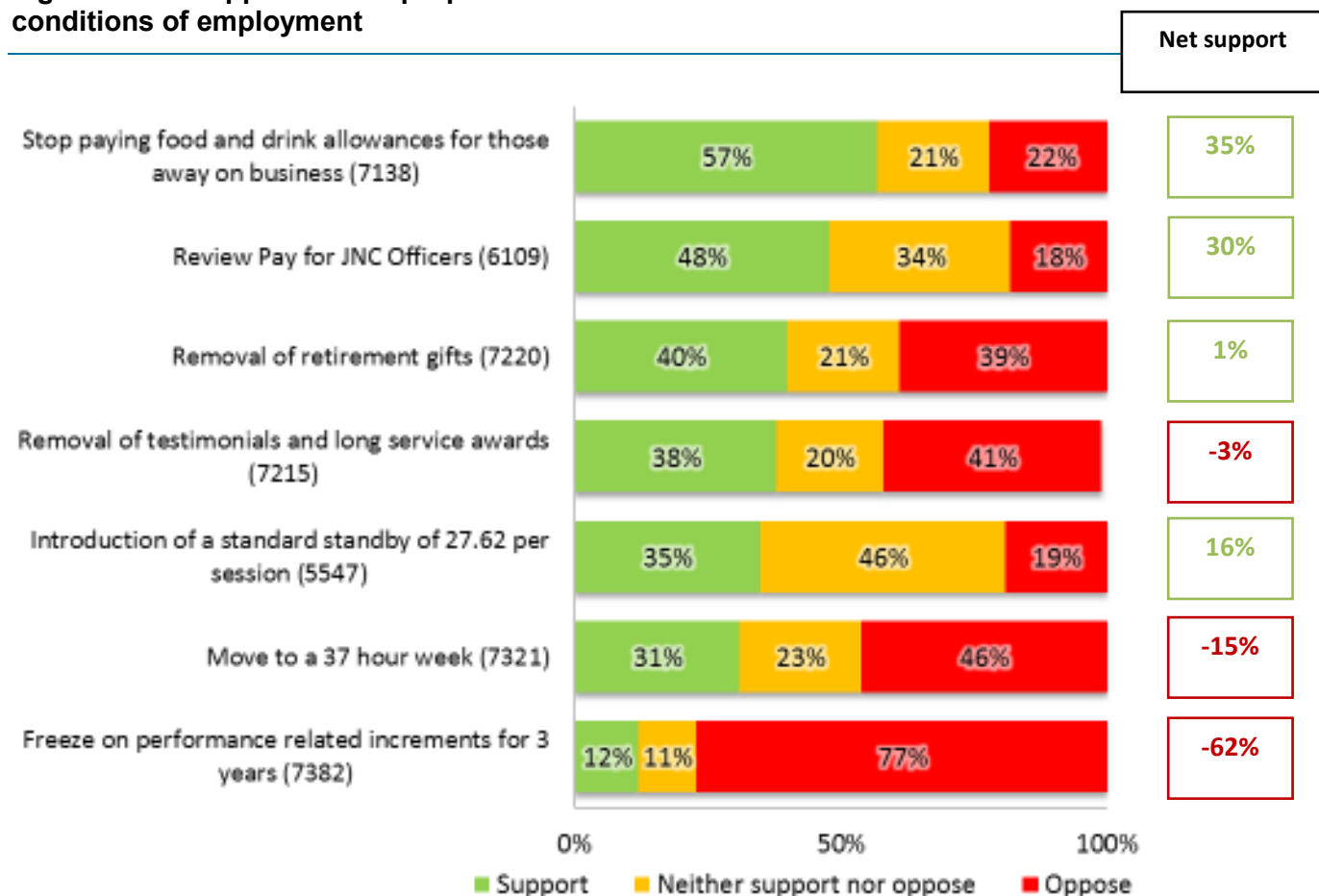
Staff were also asked if they felt the proposed changes were reasonable for the City Council as a whole, with approaching half of all staff reporting they did feel they were reasonable (47%). As before, it is Acivico (31%) and Schools (40%) staff that are less likely to feel the proposed changes are reasonable for the City Council as a whole. Again, Governors are much more likely to feel the proposed changes are reasonable (76%).

1.4.3 Support for proposals

Employee Survey respondents were asked to indicate their level of support for the proposals included within the review around their terms and conditions of employment. Support for individual proposals was varied, with the greatest level of support for the proposal to stop paying food and drink allowances for those away on business (57%). On the other hand, only 12% reported that they were in support of the proposal to freeze performance related increments for three years. Support is also low in relation to moving to a 37 hour week, with 46% opposing this.

Staff were least likely to feel opposed to reviewing pay for JNC Officers (18%) and the introduction of a standby of £27.62 per session (19%). However this may be attributed to the fact that many staff chose the neither support nor oppose option (34% and 46% respectively). This suggests there may be a lack of knowledge around these areas or that it does not affect them greatly. On the whole, as already seen in this report, Corporate staff and Governors are more supportive of the proposed changes, whereas Acivico and Schools staff are less so. In addition, younger members of staff (aged 16 – 24) are less supportive in general.

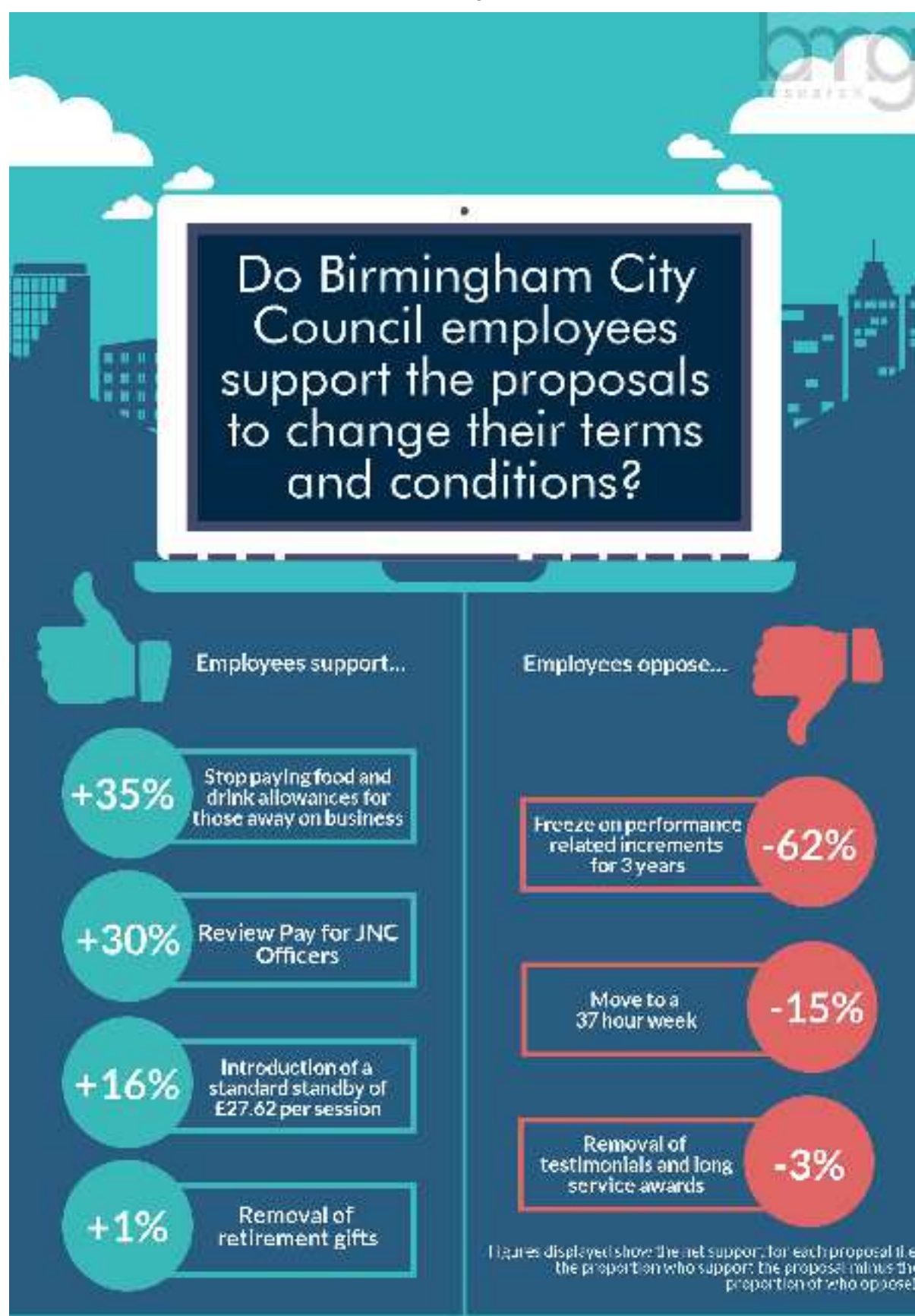
Figure 1: Net support for the proposals included within the review around terms and conditions of employment



Base size in brackets

The infographic overleaf shows the net support for each of the seven proposals included as part of the review of the terms and conditions of employment at Birmingham City Council.

Figure 2: Infographic showing the net support scores for the proposals included in the review of terms and conditions of employment



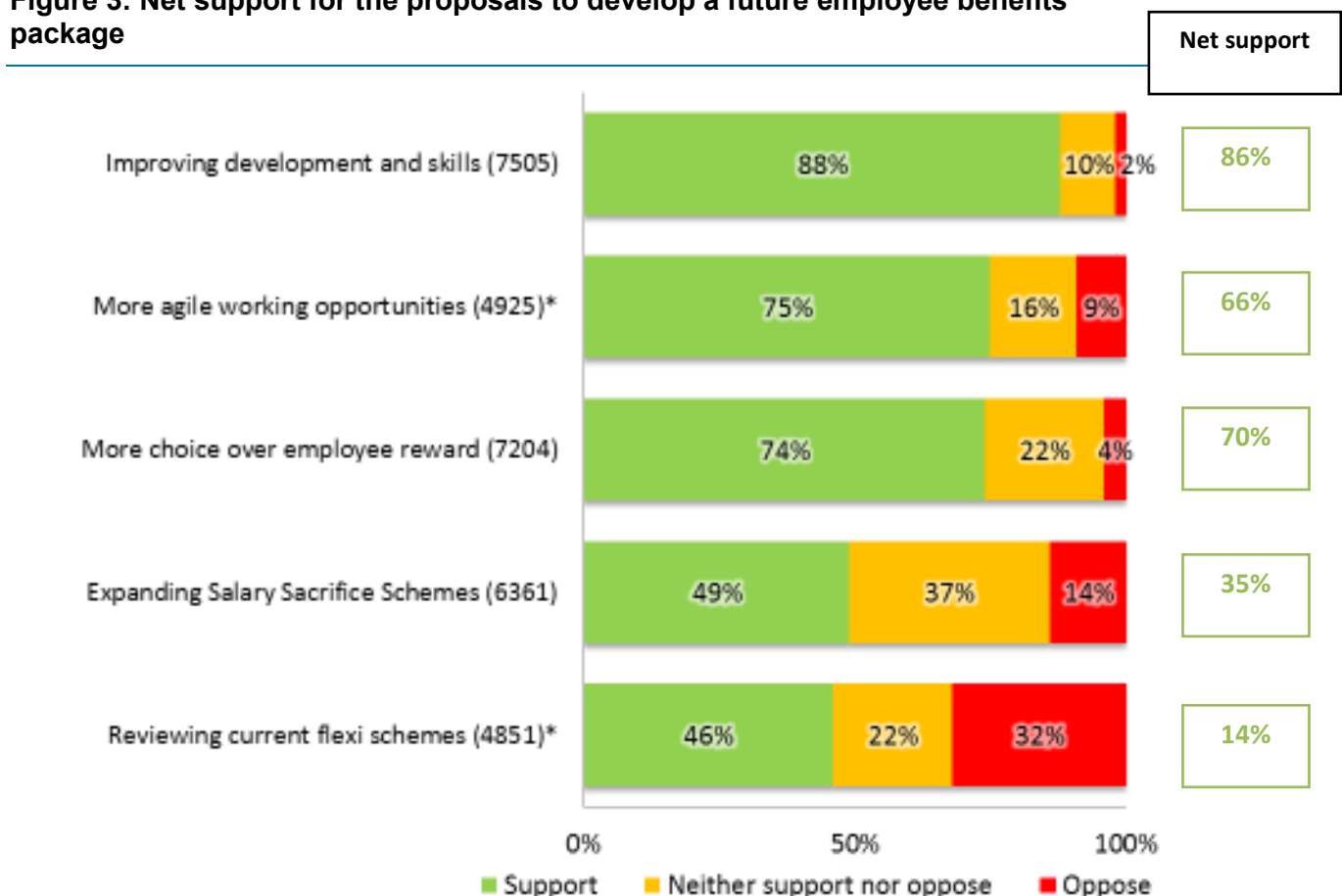
1.4.4 Support for future employee benefits package

Employee Survey respondents were also asked to indicate their level of support for the proposals to develop a future employee benefits package.

Support is greatest amongst all staff when considering improvements to development and skills (88%). In fact, over half of the workforce strongly support this proposal (54%). Additionally, only 2% oppose this.

The majority of staff are also in support of more agile working opportunities (75%) and more choice over employee reward (74%). Fewer staff are supportive of proposals to expand salary sacrifice schemes and review current flexi schemes (49% and 46% respectively). A large proportion (37%) of staff neither support nor oppose the proposal to expand salary sacrifice schemes, which could suggest a lack of awareness of what this entails.

Figure 3: Net support for the proposals to develop a future employee benefits package



Base size in brackets * Only asked of Corporate and Acivico employees

1.5 Conclusions

Despite awareness of the financial challenges faced by the council being high (amongst Corporate staff), a greater proportion of staff feel that the proposals for changes are unreasonable rather than reasonable for them on a personal level.

Support (as measured through the employee survey) is generally low across all aspects of the proposals with regards the removal or limitation of reward; with only one in ten in support of the proposal to freeze performance related increments for three years. Three quarters are opposed to this proposal. Support is also low in relation to the proposal to move to a 37 hour a week with approaching half opposed to this.

Support was higher with regards to the proposal to stop paying food and drink allowances with around three in five supporting this, and half in support of a review of pay for JNC Officers.

Corporate staff and Governors were in general more supportive of the proposals than Acivico and Schools staff.

Support for the proposals to develop a future employee benefits package was met with more enthusiasm, with as high as nine in ten in support of the proposal to improve development and skills opportunities.

MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS

To consider the following Motions of which notice has been given in accordance with Standing Order 4(A)

A. Councillors Jon Hunt and Sue Anderson have given notice of the following Notice of Motion:-

“Council welcomes the opportunity to host the Commonwealth Games in Birmingham, providing that bidding does not distract the Council from the urgency of immediate issues, including very severe financial pressures.

Council affirms that our city is a city of athletics and other sports and that recognition of our contribution to national and international sport is long overdue.

Council believes a successful bid will need to demonstrate widespread popular support and therefore proposes that a bidding committee use crowd-funding to finance the full costs of making a bid, ensuring there is minimal risk to public funds. Crowd-funding will allow creative, modern ways of fund-raising, such as selling options on tickets in the event of a successful bid.

Recognising the current pressures on city Council expenditure, Council calls for a fully-developed business plan to set out:

- proposals for investment for facilities in the city and wider region, arising from a successful bid;
- clear proposals for funding such investment;
- and clear proposals for gaining a share in any economic benefit.

Furthermore, Council would support a bid that is aligned with the opening of High Speed Rail connections to the city.”

B. Councillors Robert Alden and Garry Sambrook have given notice of the following Notice of Motion:-

“This Council notes the Government Consultation on Clean Air Zones and welcomes the confirmation on page 4 of the Consultation booklet that the Government “is **not** requiring any of these five cities to implement a charging Clean Air Zone that includes private cars, motorcycles or mopeds”.

This Council also notes that at 341 thousand tonnes of NOx a year, the energy industry is the largest contributor to national NOx emissions (Source:- www.gov.uk, 2015).

This Council instructs the Chief Executive to send a letter, in response to the consultation, from the three Political Group Leaders and the City Council as a

whole, supporting the exemption of Private Cars, Motorcycles and mopeds from the Clean Air Zones and objecting to any introduction of a congestion charge in Birmingham, in particular, the letter should highlight Birmingham lacks the transport infrastructure of a comprehensive underground system, so it would be wrong to consider Birmingham in the same way London has been, when considering congestion charges.”