



Annual Council Meeting 17 May 2023

Report from the Corporate Director of Governance

Annual Review of the Constitution

Wards Affected:	N/A
Key or Non-Key Decision:	Council
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	One Appendix 1 Changes to the Constitution
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Debra Norman, Corporate Director, Governance Email: Debra.norman@brent.gov.uk Tel: 0208 937 1578

1.0 Summary

1.1 This report proposes a number of minor changes to the Constitution to update provisions and provide clarification.

2.0 Recommendations

2.1 To agree the amendments to the Constitution set out in this report and the Appendix.

2.2 To note that, to the extent that the changes set out in this report relate to executive functions of the Council, they have been approved by the Leader.

2.3 To authorise the Corporate Director, Governance to amend the Constitution accordingly, including making any necessary incidental or consequential changes.

3.0 Background

3.1 A general review of the Constitution is undertaken annually to check whether there are any minor general updating, clarification or consistency changes that need to be made in addition to more substantive changes taken to Full Council for approval as they arise during the municipal year. The changes described below and contained in the Appendix are proposed following this year's review.

3.2 **Part 1 - Introduction**

Changes will be made to update the current allocation of roles and portfolios in the Cabinet.

3.3 **Part 2 – Procedural Rules**

Each year when the municipal calendar is adopted at the Annual Meeting, a delegation is included to permit the Head of Executive and Member Services to make necessary alterations during the year in consultation with the Group Leaders and the chair or any meeting affected. It is proposed that this simply be included directly in the Constitution for the future.

3.4 **Part 3 – Responsibility for functions**

A minor clarification is made to the allocation of functions in respect of plans and strategies in the Policy Framework.

3.5 **Part 4 – Terms of Reference for Council Committees and Sub-Committees**

Changes are proposed to the terms of reference of the Audit and Standards Advisory committee to better reflect the CIPFA 2022 Position Statement. These do not change the role of the committee but make more explicit certain responsibilities.

3.6 **Part 5 – Codes and Protocols**

Changes are proposed to bring the Local Code of Corporate Governance up to date.

4.0 **Legal implications**

4.1 These are contained in the body of the report

5.0 **Financial Implications**

5.1 No specific financial implications arise from this report.

6.0 **Diversity Implications**

6.1 Under Section 149 of the Equality Act 2010, the Council has a duty when exercising their functions to have 'due regard' to the need:

- a) to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act;
- b) advance equality of opportunity; and
- c) foster good relations between those who share a "protected characteristic" and those who do not.

This is the Public Sector Equality Duty (PSED). The 'protected characteristics' are: age, disability, gender reassignment, pregnancy and maternity, marriage and

civil partnership, race, religion or belief, sex, and sexual orientation

Report sign off:

Debra Norman

Corporate Director of Governance