

To: Annual Council
Date: 20 May 2026
Report of: Director of Law, Governance and Strategy (Monitoring Officer)
Title of Report: Updates to Constitution – May 2026

Summary and Recommendations	
Decision being taken:	To seek approval for amendments to be made to the Constitution, including updated delegations to approve Ward Member Budget spend applications
Key decision:	No
Cabinet Member:	N/A
Corporate Priority:	A Well-Run Council.
Policy Framework:	None.

Recommendation(s): That Council resolves to:
<ol style="list-style-type: none"> 1. Approve the changes to the Constitution, as listed in Appendix 1; and 2. Delegate authority to the Director of Law, Governance and Strategy (Monitoring Officer) to make any other consequential amendments to the Constitution to reflect the changes in appendix 1 to the extent that they have not been identified in the above, provided such changes are purely required as a direct consequence.

Information Exempt from Publication	
N/A	N/A

Appendix No.	Appendix Title	Exempt from Publication
Appendix 1	List of proposed amendments to the Constitution	No

Introduction and background

1. The Constitution forms a key part of the Council's governance framework, setting rules, principles and procedures to enable the Council to take decisions and do its work effectively.
2. The Constitution is reviewed annually to ensure that it continues to properly reflect the law and meet the needs of the Council. This report sets out the changes required since the previous update in January 2026 and to note the other amendments which have been made under the Monitoring Officer's delegated authority.
3. The list of proposed amendments resulting from the latest review are attached at Appendix 1 and summarised below.

Updates to the way in which Ward Member Budget applications are determined

4. Following a review by the Scrutiny Committee and approval by Cabinet in April 2026, Part 4 (Who carries out executive responsibilities) has been updated with new delegations to officers to determine Ward Member Budget applications and councillor Community Infrastructure Applications, including the relevant consultees in line with the updated procedures.
5. Updates for this have been made to Parts 4.4 (delegation to Officers) and 4.7 (Ward member decisions) of the Constitution.

Updates to the Whistleblowing Policy

6. The Whistleblowing Policy at Part 25 has been updated to reflect the correct routes for whistleblowing complaints following changes to the Council's Corporate Leadership Team.
7. There has also been a general review of the policy to ensure it is up to date and fit for purpose.

Other Changes

8. An update at Part 7, Role of decision taking committees, to the responsibilities of the Audit and Governance Committee to include the approval of the Annual Internal Audit Plan. This is to align with the Accounts and Audit Regulations 2015 and best practice guidance from the Chartered Institute of Public Finance and Accountancy (CIPFA) under the Global Internal Audit Standards (GIAS).
9. Updates to the table at Part 5.16 (Other Council Responsibilities) and Part 9.3 (Role of Head of Paid Service) to delegate authority to the Chief Executive (Head of Paid Service) to approve amendments to any HR policies following any legislative changes without the requirement to be approved by Full Council. New HR policies will continue to be subject to approval by the full Council.
10. The reference to the application of the Common Seal of the Council at Part 21.3 has been updated to include either a physical or digital seal.

Other Changes made under the Monitoring Officer's Delegated Authority

11. The Monitoring Officer has delegated authority to make amendments to the Constitution to change the Constitution if it is to put right clerical mistakes or to make it follow the law. The Monitoring Officer can also change Part 4 (who carries out executive responsibilities) and Part 6 (roles of Cabinet members) to reflect the wishes of the Leader. The Monitoring Officer may also change Part 3 Annex 1 to reflect amendments agreed by Cabinet. The following amendments have been made:-
12. The removal of the duty to help in European parliamentary elections, as per the European Parliamentary Elections Act 1978, Paragraph 4(3) and 4(4) of Schedule 1. This was originally part of Part 5 of the Constitution, Who Carries out Council responsibilities.
13. The general dispensations for all elected and co-opted members of the Council have been updated to remain in force for a period of a further four years from 1 October 2026 to 30 September 2030, as per Part 22, Members' Code of Conduct. This is following approval at Standards Committee in March 2026.
14. Part 26 (Councillors' Allowances) has been updated following the updates to the Councillors Allowances to be in line with the Pay Policy Statement approved by the Full Council in March 2026.

Alternative Options Considered

15. Full Council could decide not to implement the proposed amendments set out in Appendix 1; however, this would be considered to be inappropriate as the proposals reflect changes agreed by the Cabinet which has recommended an update to the Constitution.

Implications of Local Government Reorganisation

16. There are no implications from the proposed Local Government Reorganisation arising from this report.

Financial implications

17. There are no financial implications arising from the recommendations contained in this report.

Legal issues

18. A local authority is under a duty to prepare and keep up to date its Constitution under section 9P of the Local Government Act 2000 as amended. The Constitution must contain:
 - the Council's standing orders/procedure rules;
 - the Council's members' code of conduct;
 - such information as the Secretary of State may direct; and
 - such other information (if any) as the authority considers appropriate.

19. A Constitution Direction was issued by the Secretary of State in December 2000 that required around 80 matters to be included within constitutions, covering members' allowances schemes, details of procedures for meetings, details of joint arrangements with other local authorities and a description of the rights of inhabitants of the area, amongst other things.
20. All other legal issues arising from the recommendations are contained in body of this report.

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Background Papers:	
1	Section 9P Local Government Act 2000
2	Report to Council Constitutional Amendments July 25 - FINAL.pdf
3	Report to Council OxCityCouncil Cabinet report