

## REPORT OF THE GOVERNANCE COMMITTEE

---

The Governance Committee met on 3 September 2010 and 20 September 2010.

Attendances: Councillor Jones (Chairman) (1)  
Councillors Reid (2), Daniel (2), Elkin (1) Tidy (1) and Tutt (1)

### **1. Scrutiny of Adult Education Matters**

1.1 The County Council is required under national legislation to make provision for church and parent governor representatives on committees which consider educational matters. These representatives are entitled to vote on any decisions relating to an educational matter.

1.2 The vast majority of educational matters fall under the remit of Children's Services Scrutiny Committee. However, adult education currently falls within the remit of Community Services Scrutiny Committee.

1.3 Because of this, Community Services Scrutiny Committee is required to include four educational representatives – two church representatives and two parent governor representatives. In the past, these representatives have tended to be largely, or entirely, the same people as those who have sat on Children's Services Scrutiny Committee.

1.4 The educational representatives are only required to attend Community Services Scrutiny Committee if adult education matters are being discussed, but they regularly receive Committee papers and associated correspondence.

1.5 In order to reduce duplication and administration it is proposed that the remit for scrutiny of adult education is transferred to Children's Services Scrutiny Committee. As the required educational co-optees already sit on this Committee the move would rationalise the co-opted Member arrangements amongst scrutiny committees and remove the need for co-opted educational representatives on Community Services Scrutiny Committee.

1.6 The County Council's involvement in adult education has also changed in recent years. The Council no longer has an in-house adult education team, although it does support the Adult Learning and Skills Partnership Board, which is chaired by the Assistant Director of Economy and Community Services. In terms of direct service provision, the only remaining provision is the family learning service, focusing on basic skills, which is located within the Children's Services Department.

1.7 Therefore, in addition to the practical administrative reasons given above, the move is also consistent with appropriate oversight of the family learning service and brings scrutiny of all educational matters under the remit of a single scrutiny committee.

## GOVERNANCE

---

1.8 The Committee **recommends** the County Council to

- amend the Council's constitution to reflect adult education within the terms of reference of Children's Services Scrutiny Committee so that all educational matters fall within the remit of a single scrutiny committee.

## 2. Amendments to Contract Standing Orders

2.1 The amendments proposed are relatively minor, and pick up on issues that have arisen since the last update. The proposed changes are included in the background papers and include:

2.2 CSO 2.3.8- To allow a small number of placements of children, who are vulnerable or have complex needs in independent residential homes, without following the requirements of contract standing orders, except those as to award of the contract e.g. signing the contract. The Chief Officer will still be under an obligation to secure best value for these high cost placements. However appropriate places can be hard to find. It is often necessary to make a placement in an emergency situation within short timescales, when it would not be feasible to operate a tendering process.

2.3 CSO 9.8.1- Currently the County Council provides details of its contracts with a value of more than £50,000 on line. The coalition Government are calling on local authorities to publish details of all spending over £500 in full and online by the start of 2011, and this may include a requirement for details of contracts over this amount. When fuller details are known the Director of Corporate Resources will be able to direct what information will be required to be published in the electronic register of contracts.

2.4 CSO 13.4- This new contract standing order provides for the use of electronic signatures, provided there are sufficient security arrangements.

2.5 CSO 13.5- Procurement in accordance with EU procurement regulations is becoming increasingly complex. With the introduction of the new remedies regime as from 20th December 2009, tenderers who are not happy that the County Council have followed the requirements under the regulations are given strengthened rights to challenge the award of contracts by the County Council. The intention is to introduce a check by Legal Services of the processes followed, prior to the County Council awarding a contract or concluding a framework agreement, to try and ensure so far as practicable compliance with the regulations.

2.6 The Committee **recommends** the County Council to -

☆ Approve the amendments to Contract Standing Orders  
PETER JONES  
Chairman

20 September 2010