

REPORT OF THE GOVERNANCE COMMITTEE

The Governance Committee met on 12 November 2013. Attendances:

Councillor Glazier (Chair)
Councillors Elkin, Howson, Tutt and Webb

Councillor Earl was also in attendance

1. Amendments to the Constitution and Scheme of Delegation to Officers

1.1 At its meeting on 23 July 2013 the Committee agreed proposals for the restructuring of the Corporate Management Team and the movement of services between departments. Consequently it is necessary to make some amendments to the Constitution and to amend the scheme of delegation to officers to reflect the new officer, service structure and job titles. The amendments do not delegate any additional powers, but reposition existing delegations and reflect new job titles. The proposed amendments have been agreed by the Governance Committee and are set out in Appendix 1 to this report which has circulated separately to Members.

1.2 The functions exercisable by the County Council are classified as council or executive functions by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. The Leader of the Council has agreed to the proposed amendments to the scheme of delegations to officers in respect of those delegations which are executive functions.

Review of Proper Officer Appointments

1.3 Following recent changes in the senior management structure an amended list of Proper Officer designation is attached as Appendix 2 which has also circulated separately to Members. These bring up to date the changes in officer job titles.

Review and Amendment of the Constitution

1.4 Throughout the Constitution reference is made to particular officers. As roles have changed it is necessary to update these references to reflect the new structure and roles.

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

- Y (1) agree the Scheme of Delegations to Officers as set out in Appendix 1;
- (2) agree the List of Proper Officer appointments and the authority for the Proper Officer to delegate their duties as set out in Appendix 2; and
- (3) delegate power to the Chief Executive to review the Constitution in the light of the agreed revised officer structure, and to make such amendments as the Chief Executive considers necessary to reflect the new arrangements.

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2. Procurement Standing Orders

2.1 The consolidation exercise that moved individual teams within Departments to a centrally operating Procurement Section as part of Business Services has now been completed. This followed the launch of the East Sussex and Surrey Procurement Partnership that sees the management of procurement overseen by a joint Head of Procurement.

2.2 The proposed amendments to Contract Standing Orders, to be renamed as Procurement Standing Orders, are to reflect changes in how procurement is delivered by the County Council, and for the purpose of updating them. The proposed Procurement Standing Orders are attached, and are shown highlighted in yellow, with relevant guidance included, and referred to, alongside these.

Proposed Changes

2.3 The main proposed changes are:

- a) Changing the East Sussex contract thresholds for tendering. These were last reviewed over 10 years ago, and brings them into a closer alignment with Surrey,
- b) Re-writing the Procurement Standing Orders to set these along side guidance to users within the Council to understand and apply effectively,
- c) Amending the suite of supporting documents to reflect the above changes

2.4 Supporting Information in respect of these proposed changes is included in Appendix 3 and the Procurement Standing Orders at Appendix 4, both of which have been circulated separately to Members.

2.5 Consultation has taken place with key stakeholders during the development of these changes. This includes Legal, Finance, Audit and Property departments as well as wider Procurement audience.

2.6 An associated change is required to Council Procedure Order 59.4 in respect of the signing and sealing of documents. The changes to this are shown below as tracked changes:

2.7 59.4 *Where it is not necessary in the opinion of the Assistant Chief Executive or their delegates to affix the common seal, the Assistant Chief Executive and another officer authorised in writing by him or two such officers authorised in writing by the Assistant Chief Executive shall sign on behalf of the Council any document necessary to give effect to a decision of the Council or of a Committee, or an individual member, or officer acting under delegated powers. Any contract under the value of £100,000 which is not under seal or executed as a deed, may be signed by a Chief Officer, or an officer authorised in writing by them.*

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

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- Y (1) approve the amended Procurement Standing Orders (formerly Contract Standing Orders) as set out in Appendix 4; and
- (2) approve the proposed amendment to Council Procedure Order 59.4 as set out in paragraph 2.7 above.

12 November 2013

Keith Glazier
(Chair)

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