

Report to: Governance Committee

Date of meeting: 15 July 2025

By: Deputy Chief Executive

Title: Amendment to the Constitution – Scheme of Delegation to Officers

Purpose: To consider proposed amendments to the Scheme of Delegation to Officers within the Council's Constitution to reflect recent updates to the Procurement and Contract Standing Orders.

RECOMMENDATION

The Governance Committee is recommended to recommend the County Council to agree to amend the Constitution as set out in Appendix 1 of this report.

1. Background Information

1.1. In February 2025, the Government introduced new legislation governing the procurement and management of contracts by public sector bodies and it was necessary for the Council's Procurement and Contract Standing Orders (PCSOs) (i.e. the rules governing these matters) to be updated to reflect the new legislative requirements. Amendments to the PCSOs were proposed to Governance Committee in March 2025 and the Governance Committee resolved to recommend to County Council to agree the proposed amendments to the Constitution.

1.2. Following the amendments to PCSOs approved by County Council on 20 March 2025, a review of the East Sussex County Council's Scheme of Delegation to Officers was undertaken to identify any delegations which require updating to ensure that they are in line with the new PCSOs.

2. Proposed amendment to the Scheme of Delegation

2.1. Table 6 Scheme of Delegation to Officers, Section 2, subsection D sets out the general delegations to the Chief Executive and all Directors (excluding the Director of Public Health and the Head of Children's Safeguards and Quality Assurance) and includes a delegation in relation to making discretionary grant payments to organisations in line with thresholds set out in the PCSOs.

2.2. The thresholds within the PCSOs were increased to reflect legislative updates and the requirement to quote contract values that are inclusive of VAT to ensure compliance with procurement legislation. For procurement where there is no competitive process, the threshold was increased from £24,999 to £29,999.

2.3. In light of the updated PCSOs, it is proposed that the delegation is updated to reflect the new threshold levels as set out in the Procurement Type Summary Tables listed at 1.10 in the PCSOs. It is therefore proposed that the general delegation is updated as detailed at Appendix 1 with changes indicated in blue.

3. Conclusion and Reason for Recommendation

3.1. The threshold for procurement where there is no competitive process was recently increased from £24,999 to £29,999 within the PCSOs to reflect legislative updates.

3.2. Since the general delegation in relation to discretionary grants contains grant thresholds in line with the previous PCSOs, it is considered that the proposed amendments to the delegation are necessary to ensure that the Scheme of Delegation within the Council's Constitution reflects the changes to the PCSOs which were recently updated to reflect changes in legislation.

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BACKGROUND DOCUMENTS:
None