

General Purposes Committee

Meeting of the General Purposes Committee held on Wednesday, 3 April 2024 at 6.30 pm
in Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillor Sean Fitzsimons (Chair);
Councillor Appu Srinivasan (Vice-Chair);
Councillor Lara Fish, Patricia Hay-Justice and Stella Nabukeera,
Joseph Lee and Alasdair Stewart

Apologies: Councillors Fatima Zaman and Samir Dwesar

PART A

40/24 **Apologies for Absence**

Apologies for lateness was received from Councillor Joseph Lee and for absence from Councillors Samir Dwesar and Fatimah Zaman. Councillor Alasdair Stewart attended on behalf of Councillor Samir Dwesar.

41/24 **Disclosure of Interests**

During the discussion on item 5.1 – Proposed Changes to the Constitution relating to the Health and Wellbeing Board – Councillor Joseph Lee declared that he was a current member of the Health and Wellbeing Board.

42/24 **Minutes of the Previous Meeting**

RESOLVED:

That the minutes of the meeting held on 19 February 2024 be agreed as an accurate record of the proceedings subject to what the Committee resolved relating to the Members' Allowances Uplift 2023-24 and Scheme of Members' Allowances 2024-25 being amended as follows:

- The phrase "and recommend to full Council for adoption" be added to Recommendation 2.3.

43/24

Urgent Business (if any)

There were no urgent items.

44/24

Proposed Changes to the Constitution Relating to the Health and Wellbeing Board

Members received a presentation from the Public Health Consultant Jack Bedeman who stated that the proposed changes were developed following consultation with the Health and Wellbeing Board as part of an LGA supported review of the Board. He highlighted the following:

- That the main substantive changes were to the terms of reference around membership and the decision-making ability of the Board.
- The removal of section 2.3 from the terms of reference, which dealt with invitations to attend the Board because section 3.5 already gave the Chair the ability to invite people to the Board and it was felt that section 2.3 was potentially constricting whereas greater flexibility would be of practical benefit.
- The introduction of the Health and Wellbeing Board Executive Group to provide support for the Board with work programmes and strategies. It was important to state that the informal group had no decision-making powers but was an important part of the wider collaborative working between partners and members.
- That the proposals had been considered by the Executive Mayor, the Cabinet Member for Health and Adult Social Care, the Chair of the Health and Wellbeing Board and the Constitution Working Group.
- The suggestion by the Constitution Working Group that the terms of reference expressly state that any scrutiny member of the Council should not be permitted to be a member of the Board, in recognition of the important separate roles of Scrutiny and the Health and Wellbeing Board. Councillor Joseph Lee joined the Committee during the consideration of this item. The Deputy Monitoring Officer, Looqman Desai and Jack Bedeman answered questions from Members as follows:
 - There was difficulty with future proofing the language of the Constitution given Croydon's unique political make-up meaning that it was almost inevitable that the Constitution would need to be reviewed and amended after local and mayoral elections every 4 years.
 - It was confirmed that the Board would select the community and the voluntary sector representative on the Board. The need for the Board to actively encourage better community engagement was recognised and the provision made for greater flexibility in selecting a suitable representative would be an advantage. It was advised that Scrutiny

could also in the future review how the Board was meeting the challenge of ensuring that the community and voluntary sector representative represents the diverse views in the community.

- The Board could also through its ability to invite specific groups to meetings and workshops, especially as part of its Joint Strategic Needs Assessment deliberations, increase the representation of other groups and capture the needs of other groups within Croydon.
- Whilst its membership was a matter for the Board, Members felt that a future review and presentation at the Committee should address the concerns of the Committee that its membership should be reflective of the various communities in the borough. The Chair advised that the Board should liaise with the NHS during the Strategic Needs assessment and commissioning thereafter as there was a need to make sure that the Board members and councillors had a better understanding of the Board, of the Joint Strategic Needs Assessment and the Health and Wellbeing Strategy.

For the reasons set out in the report, the General Purposes Committee **RESOLVED** to recommend the adoption of the proposed changes to Full Council.

45/24

Proposed Changes to the Constitution Relating to the Corporate Parenting Panel

Members received a presentation from the Corporate Panel Transformation Lead, Jane Scott, which highlighted the following:

- The proposals were based on the recommendations of a visit from a national advisor from Department of Education (DFE), who visited Croydon, and his recommendations, underpinned by the Children Social Work Act 2017, was given to strengthen Croydon's approach to corporate parenting.
- The proposals included a broader inclusion of members to affect change and increase participation of external Partners and incorporation of young people and children such as a young person co-chair and young ambassadors who particularly support subgroups and help drive and inform strategic developments.
- The name change to Corporate Parenting Board was to reflect what was considered good practice with most local authorities. Members asked questions of officers and the following answers were given:
- A Corporate Parenting Board was not constituted as a committee of Full Council and was advisory in nature, so it was not a conflict of interest for Members to serve on both the Board and Scrutiny.

- Members of Scrutiny would be invited to attend Board meetings in an observer capacity.
- The selection process for the Care Experienced Young Person Co-Chair would be properly advertised and subject to HR processes and procedures.

For the reasons set out in the report, the General Purposes Committee **RESOLVED** to recommend the adoption of the proposed changes to Full Council.

46/24

Proposed Changes to the Constitution Relating to Tenders and Contract Regulations

Members received a presentation on the report from the Head of Procurement, Scott Funnell with the following highlights:

- Currently, the Council relied on a quarterly procurement report to secure delegations.
- The Council's procurement processes were from £10,000 but most Councils' formal processes commenced from £100,000 with the procurement threshold at £180,000. This was now part of the proposed changes.
- The duplication embedded within the regulations in the internal officer approval regime had been removed although whilst retaining the rigorous approval process.
- Further changes detailed in the appendix to the report were proof of the ambition to improve procurement process over the next three years.
- Further changes to the regulations would be required in October 2024, when the new national procurement legislation - the Procurement Act would come into force.
- The Chair informed the Committee that the proposed changes were considered at two meetings of the Constitution Working Group. Members asked for clarity regarding the following:
 - Impact of the changes on real living wage: It was advised that it was not the intention to use the changes to award contracts outside Croydon. It was explained that a key part of the procurement strategy in Appendix C detailed the ambition and intention to work with small and midsize enterprises and micro businesses in the local area.

- If the Council were to award the contract outside London, there were already pre-existing provisions in the Council's approval processes to waive the requirement to pay the London living wage. The proposed changes would remove the requirement for a waiver anytime a contract was awarded outside London.
- Monitoring and Review: Members asked about a regular schedule for monitoring and review of procurement contracts in addition to risk management and contingency plans for any high-risk contracts identified. Officers confirmed that a series of alerts were embedded within the system and internal governance changes were being considered as part of a longer-term strategy for a better procurement approach.

The Chair thanked Scott and his team and said that the proposed changes presented an opportunity for the Council to become more efficient in terms of the management of tenders and contracts.

For the reasons set out in the report and its appendices, the General Purposes Committee **RESOLVED to:**

1. Consider the revised Tenders and Contracts Regulations (TCRs) at Appendix A and the tracked changes at Appendix B;
2. To recommend to Full Council the adoption of the revised TCRs at Appendix A and that the Monitoring Officer be authorised to update the Constitution and make any consequential changes.
3. Note that changes to thresholds and delegations and replacing the London Living Wage with the Real Living Wage were an executive function of the Council; and 4. Note that a further revision to the TCRs will be brought to the Constitution Working Group and the General Purposes Committee once the impact of the Procurement Act 2023 was established.

The meeting ended at 7.35 pm