

# EAST AYRSHIRE COUNCIL

EDUCATION COMMITTEE: 4 FEBRUARY 2004

## COMMISSIONING, CONTRACTING AND CONTRACT MONITORING FRAMEWORK

### Report by the Director of Educational & Social Services

#### **1. PURPOSE OF REPORT**

- 1.1 To seek the approval of elected members for the implementation of a Commissioning Framework for Educational Services.

#### **2. BACKGROUND**

- 2.1 At its inception in 1996, East Ayrshire Council inherited a set of procedures and practices relating to commissioning and contracting activity within Education from the former Strathclyde Regional Council. Subsequently the Council has developed partnership working arrangements with and commissioned services from a wide range of Independent Sector providers.
- 2.2 In the light of those developments and changing demands resulting from legislative change and national policy initiatives, it has been necessary to review and reformulate existing commissioning, contracting and contract monitoring procedures into a coherent framework.
- 2.3 The resulting Commissioning, Contracting and Contract Monitoring Framework sets out procedural guidance in relation to all commissioning, contracting and contract monitoring activity within Educational Services.
- 2.4 A copy of the full framework document is lodged in the Members Information Point.
- 2.5 The framework was approved by Social Work Committee on 6 November 2003.

#### **3. COMMISSIONING**

- 3.1 The framework is essentially a working tool and guide for staff engaged in commissioning services from the Independent Sector.
- 3.2 The framework accords with the Corporate Procurement Protocol, which reaffirms the responsibility of Departments for procurement but within the context of a corporate framework which utilises the resources of the Procurement Section within Homes and Technical Services.

#### **4. CONTRACTING**

- 4.1** The framework affirms the intention to develop a set of 'model contracts' which can be used as a core document, customised as appropriate to the specifics of the service being commissioned.

#### **5. CONTRACT MONITORING**

- 5.1** The framework sets out arrangements for monitoring the performance of contracted providers.

#### **6. LEGAL IMPLICATIONS**

- 6.1** The framework has been drafted to take account of all relevant legislation.
- 6.2** The framework reflects the requirements of the Race Relations (Amendment) Act 2002.

#### **7. POLICY IMPLICATIONS**

- 7.1** Nil.

#### **8. FINANCIAL IMPLICATIONS**

- 8.1** Nil.

#### **9. RECOMMENDATIONS**

- 9.1** Committee is asked to:
- (i) endorse the implementation of the framework; and
  - (ii) otherwise, note the content of the report.

John Mulgrew  
Director of Educational and Social Services

14 January 2004  
KG/JW

#### **LIST OF BACKGROUND PAPERS**

**Nil**

For further information please contact John Alexander, Principal Officer (Quality and Planning) on 01563 576978.

**IMPLEMENTATION OFFICER: KAY GILMOUR**