**Report of Head of Law and Governance**

**To**

**GOVERNANCE AND STANDARDS COMMITTEE**

**On**

**14 July, 2021**

# **REVISED CONTRACT PROCEDURE RULES**

##### **SUMMARY**

1.1 This report contains as Appendix 1, the proposed revised Contract Procedure Rules (Rules) for scrutiny by the Governance and Standards Committee prior to formal adoption.

#### **2 RECOMMENDATION**

i) That any suggested amendments to the proposed revised Contract Procedure Rules at Appendix 1 be forwarded to the Head of Law and Governance for consideration prior to formal approval.

#### **3 BACKGROUND**

3.1 The Rules have been reviewed and revised primarily to ensure that they fully support delivery of the aims and objectives of the Council’s new Procurement Strategy, particularly in relation to maximising social value outcomes but also to reflect the findings from the external review of the Council’s procurement arrangements.

3.2 The contents of the current procurement guidance document have also been merged into the revised Rules to streamline the documentation and make it easier for officers to reference.

3.3 The existing procurement process flowchart will also be revised once the revised Rules have been agreed.

3.4 The revised Rules have been referred to the Governance and Standards Committee for scrutiny as part of a comprehensive consultation process with key stakeholders. This is in accordance with its Terms of Reference which require it to maintain an overview of the Council’s Contract and Procurement Rules.

#### **4 OPTIONS AVAILABLE**

#### 4.1 The option available is to consider the proposed Rules as detailed in Appendix 1 and forward any suggested amendments to the Head of Law and GovernanceHead.

**5** **RISK ASSESSMENT OF RECOMMENDATIONS AND OPTIONS**

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| **Risk** | **Risk Assessment** | **Risk Level** | **Risk Management** |
| Legal | There are potential legal risks to the Council if it does not have effective procurement arrangements  | Medium | Implementation of the proposed revised Rules will ensure that they support delivery of the Council’s Procurement Strategy |
| Financial | There are potential financial risks to the Council if it does not have effective procurement management arrangements  | Medium | Implementation of the proposed revised Rules will ensure that they support delivery of the Council’s Procurement Strategy |
| Reputation | There are potential reputational risks to the Council if it does not have effective procurement arrangements | Medium | Implementation of the proposed revised Rules will ensure that they support delivery of the Council’s Procurement Strategy |

#### **6 ALIGNMENT TO COUNCIL PRIORITIES**

6.1 The need to maintain effective procurement arrangements is fundamental to the Council as it endeavours to achieve its priorities.

#### **7 IMPLICATIONS**

(a) Relevant Legislation

 The proposed Rules incorporate the requirements of the Public Contracts Regulations.

(b) Human Rights

 The Human Rights Act 1998 is not engaged as no particular individual is directly affected by the decision

(c) Equality and Diversity

 An initial impact assessment has been completed and it concludes that the proposed actions are fair and equitable in their content and are not discriminative on the grounds of equality and human rights

(d) Climate change and environmental sustainability

 The proposed actions in the report do not have any environmental implications and have no effect on the climate

(e) Crime and Disorder

 There are no implications for crime and disorder

(f) Budget/Resource

 There are no implications

**8** **COMMENTS OF STATUTORY OFFICERS**

Monitoring Officer – No specific comments.

Section 151 Officer – No specific comments

**9 CONSULTATION**

9.1 The proposed Rules are currently being consulted upon with key stakeholders prior to final approval

**10 BACKGROUND PAPERS**

None

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| Report Author | - | Adrian Pullen |
| Designation | - | Corporate Assurance Manager  |
| Telephone | - | 01623 463017 |
| E-mail | - | apullen@Mansfield.gov.uk |