

STANDARDS COMMITTEE

Date of Meeting	Monday 4 th March 2024
Report Subject	Review of Protocol for Meeting Contractors
Report Author	Gareth Owens

EXECUTIVE SUMMARY

The Protocol for Members in their Dealings with Contractors/Developers and Other Third Parties provides advice to Members on how to avoid inadvertently compromising required levels of impartiality and transparency required of them and the Council when awarding contracts or considering planning applications.

The protocol is due for review as part of the Committee's rolling programme of reviewing the Constitution. This periodic refresh of the protocol is an opportunity to check that the document remains up to date and pertinent.

The protocol was last reviewed in 2021 when the provisions relating to dealings with developers were moved to the Planning Code of Practice.

RECOMMENDATIONS

1	That the Committee, having reviewed the Protocol for Members in their Dealings with Contractors and Other Third Parties, agrees that it remains up to date and pertinent but that it does not require amendment.
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REPORT DETAILS

1.00	EXPLAINING THE REVIEW OF PROTOCOL
1.01	The Council spends about £198m every year on contracts. It also buys and sells land/buildings. Contracts should be awarded fairly, impartially and in a transparent manner. The Protocol for Members in their Dealings with Contractors and Other Third Parties (“the Protocol”) gives advice to members on how to ensure they do not inadvertently compromise the fairness or transparency of such matters.
1.02	The Protocol explains the considerations that apply to the award of contracts. It gives guidance on whether Members should meet with people seeking contracts with the Council and safeguards that should be applied if they do so. This guidance remains both necessary and pertinent. The protocol was last reviewed in 2021.
1.03	The Committee needs to review the protocol as part of its rolling review of the constitution to ensure that it remains up to date and pertinent. It was last reviewed in 2021 when the parts relating to dealings with developers were moved to the Planning Code of Practice. The document was also updated at that time. Clearly, given the level of procurement activity by the council, the document remains pertinent. The committee needs to ensure that it is also up to date, which appears to be the case.

2.00	RESOURCE IMPLICATIONS
2.01	None associated with this report.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None required.

4.00	RISK MANAGEMENT
4.01	The Protocol is designed to avoid or minimise the risk of Council processes being compromised by inadvertent behaviour.

5.00	APPENDICES
5.01	Appendix One – Protocol for Members in their Dealings with Contractors and Other Third Parties.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None. Contact Officer: Gareth Owens, Chief Officer Governance Telephone: 01352 702344 E-mail: gareth.legal@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	None