

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **CONSTITUTION COMMITTEE**

DATE: **WEDNESDAY, 17 JULY 2013**

REPORT BY: **HEAD OF ICT AND CUSTOMER SERVICES**

SUBJECT: **CONTRACT PROCEDURE RULES**

1.00 PURPOSE OF REPORT

1.01 For Constitution Committee to consider the revised Contract Procedure Rules (CPRs) prior to consideration and approval by County Council.

2.00 BACKGROUND

2.01 The Council's CPRs set the framework under which all procurement activity is undertaken. In the event of statutory or other legal requirements exceeding the requirements contained within these CPRs, then statute shall take precedence over any provision in these CPRs.

2.02 Procurement is the process by which the Council manages the acquisition of all its goods, services and works of any kind. It includes the identification of need, consideration of options, the actual procurement process and the subsequent management and review of the contracts.

3.00 CONSIDERATIONS

3.01 The current version of the CPRs have not been reviewed and updated for several years, the following have been taken into account in this updated set:

- National CPR principles, which were developed in conjunction with the WLGA, as part of the Compact for Change between the Welsh Government and Welsh local government.
- Recommendations arising from FCC Internal Audit reports with respect to Procurement, Use of Consultants and Approved List Management.
- Emerging case law in Procurement.

- Implementation of the Council's new E-procurement solution.
 - Welsh Government Procurement Policy Statement
- 3.02 These revised CPRs have been developed by a Joint Working Group of Officers from Procurement, Internal Audit and Legal & Democratic Services from Flintshire, Denbighshire and Conwy Councils working in collaboration.
- 3.03 Following consideration by this committee the CPRs will be presented to the County Council for adoption on 23rd July, 2013.
- 3.04 Once adopted, a series of workshops will be held in each Directorate in order to update officers on the new CPRs and to ensure officers become fully aware of their responsibilities and obligations, when undertaking procurement activities on behalf of the Council.
- 3.05 The revised CPRs will be considered by Audit Committee on the morning before this committee meets. A verbal update will be provided at the meeting.

4.00 RECOMMENDATIONS

- 4.01 That Constitution Committee endorse the revised CPRs for adoption by County Council.
- 4.02 That the Council's Constitution be updated with the revised CPRs once approved by County Council.

5.00 FINANCIAL IMPLICATIONS

- 5.01 These revised CPRs will ensure a consistent and compliant approach is adopted for all procurement activity across the council.

6.00 ANTI POVERTY IMPACT

- 6.01 None directly as a result of this report.

7.00 ENVIRONMENTAL IMPACT

- 7.01 None directly as a result of this report.

8.00 EQUALITIES IMPACT

- 8.01 None directly as a result of this report.

9.00 PERSONNEL IMPLICATIONS

- 9.01 None directly as a result of this report.

10.00 CONSULTATION REQUIRED

10.01 None

11.00 CONSULTATION UNDERTAKEN

11.01 Consultation has taken place with Legal and Internal Audit colleagues, Corporate Management Team and Directorate Senior Management.

12.00 APPENDICES

- Appendix 1 - Summary of key amendments / changes between the new CPR's and the current CPR's
- Appendix 2 - Copy of the proposed new Contract Procedure Rules

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

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