

# Procurement Arrangements Audit & Governance Committee September 2024

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# The Strategic Procurement Team (SPT)

- Corporate team, centre of expertise, 24 FTEs, 12 procurement + 12 contract management
- Service is currently positioned in Commissioning (moving to Finance)
- Organised by Category:
  - Wellbeing / People
  - Operations / Place
  - Resources
- Role includes:
  - 2nd line defence (1st line being management) especially leading procurements over £30k
  - Governance / quality standards via Part G of Financial Regulations
  - identify opportunities for organisation-wide contracts and frameworks

# Governance arrangements - Normal

- Financial Regulations (Part G), Public Contracts Regulations 2015 (PCR15)
- Adverts above £30k controlled by SPT – advert on Supplying the Southwest
- Email quotes below £30k – led by service
- Contract Register above £5k – automated alerts trigger reviews
- Procurement Decision Records (PDRs) – numbered decision records:
  - Define
  - Procure
  - Award
  - Extend

# Governance arrangements – flexibilities afforded

- Financial Regulations (Part G), Public Contracts Regulations 2015 (PCR15)
- Works >£30k & <PCR15 threshold - keep it local based on local market capacity and capability
- PDRs record where we rely on Part G, Regulation 5.a.:
  - Accelerated procurement where the Council would suffer significant negative impact if the full operational or strategic procurement approach is applied.
  - Unable to invite or obtain 3 bids or competition absent for technical reasons
  - Payments in advance for goods, services or works
  - Propose not to use an available Corporate Contract

# Procurement Regulations 2024 (PR2024) & the Procurement Act 2023 – from 28 October 2024

## General:

- Consolidation of the current procurement regimes (PCR15, CCR16) under one act.
- Procurements and contracts running under the PCR15 remain under PCR15.

## Plan / Define:

- Publication of an annual 18-month forward-looking **Pipeline Notice**
  - Benefits suppliers who are sighted on business growth opportunity; benefits council with resource gaps
- **Preliminary Market Engagement Notice** (encouraged)
  - Benefits client teams by learning from the market and embracing innovation
- Conflicts of Interest assessment duty
- **Key Performance Indicators** – For contracts >£5m – at least 3 KPIs must be set

# Procurement Regulations 2024 (PR2024) & the Procurement Act 2023 – from 28 October 2024

## Procure:

- 3 procedures – Open, Competitive Flexible and Direct Award (where justified)
  - Flexibility benefits council but risk of non-compliance
- **Conditions of Participation** (was Standard Supplier Questionnaire)
- **Central Digital Platform** – includes central debarment list.
  - Benefits suppliers (simple), benefits council (fewer barriers to bidding)
- **MAT** (Most Advantageous Tender) (was MEAT, drops *economically*)
- **Tender Notice** (was Contract Notice); Transparency Notice for direct award; **Procurement Termination Notice** for no contract award
- **Contract Award Notice** triggers standstill (8 working days)
- **Contract Details Notice** (follows award >£5m)
- Increased transparency via new notices – resource impact in procurement

# Procurement Regulations 2024 (PR2024) & the Procurement Act 2023

## Manage

- **Contract Performance Notice** – Publish annual KPI data for every contract over £5m and report any breaches and poor performance (not light touch)
- **Contract Change Notice** – To be published before a contract >£5m is modified (not light touch).
- **Payments Compliance Notice** – Publish 30-day payment performance stats every six months.
- Publish quarterly information about contractual payments > £30,000.
- **Contract Termination Notice** – To be published when a contract ends (not light touch).

# Procurement Regulations 2024 (PR2024) & the Procurement Act 2023

## Communications / resources

- [Knowledge Drops](#) (see Sections 1 to 6 for Contracting Authorities). High level overview videos for those with regular procurement interactions
- CIPFA led virtual 1.5-hour briefing session on the new Act for senior managers on Tuesday 24 September



# Questions?