



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

# Governance and Audit Committee

20 April 2022

**Report of:** Councillor Adam Stokes

Deputy Leader of the Council



## Contract Procedure Rules

This report provides details of the proposed updated Contract Procedure Rules and includes a mapping document to show the changes from the current version to the proposed version.

### Report Author

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Corporate Priority:	Decision type:	Wards:
<b>High Performing Council</b>	<b>Budget and Policy Framework</b>	<b>All Wards</b>

<b>Reviewed by:</b>	Alison Hall-Wright (Assistant Director of Finance & ICT)	8 March 2022
<b>Approved by:</b>	Alan Robinson (Deputy Chief Executive)	31 March 2022
<b>Signed off by:</b>	Councillor Adam Stokes, Deputy Leader of the Council	7 April 2022

### Recommendation (s) to the decision maker (s)

- Governance and Audit Committee is asked to recommend to Constitution Committee the updated Contract Procedure Rules.**

# 1 The Background to the Report

- 1.1 The Council's Contract Procedure Rules were approved by Council in January 2020. The Council's Contract Procedure Rules (CPR) form part of the Constitution and govern the way in which the Council procures goods, services and works. The current CPR can be found here:  
<http://moderngov.southkesteven.gov.uk/documents/s24695/Contract%20Procedure%20Rules%20Report.pdf>.
- 1.2 The Rules were reviewed in 2020 but procurement best practice has developed significantly since that time along with updated legislation (particular since the United Kingdom left the European). In addition, the Council has incorporated a dedicated procurement resource in its staffing structure thereby recognising the importance of procurement. This resource is further bolstered by the continued operational support and strategic advice and support from Welland Procurement and the CPR have been reviewed within guidance from Welland Procurement.
- 1.3 The amended CPR (shown at Appendix 1) are now consistent with the other six (Authority) Welland partners so collaboration and shared working on procurement activities will be maximised (such as all the partners adopting the same procurement thresholds). The adoption of the proposed Rules ensure the Council has Rules that reflect the current procurement legislation, provide clarity to procurement officers and ensure there is consistency across service areas. The Rules also set out clarity of the appropriate authority aligned to the value of the contract. In summary the authority levels (the amount is the total contract value and not annual amount) are:

- Up to £50k – Heads of Service or equivalent level (manager)
- £50k up to £100k – Assistant Director, or in the absence of an AD, then Director
- £100k up to £200k – Director (or any Corporate Management Team officer) in consultation with the relevant Cabinet Member
- £200k and above – Key Decision taken by Cabinet

This hierarchical decision-making proposal provides greater clarity and transparency and will ensure those strategic procurement decisions are taken by members whilst allowing operational levels to be considered by the relevant senior officer.

A mapping document is shown at Appendix 2 which aims to provide a summary of the changes between the current set of CPR and the proposed CPR.

Following consideration of the updated CPR they will then be presented to Constitution Committee before seeking Council approval for their inclusion into the Council's Constitution.

## 2 Consultation and Feedback Received, Including Overview and Scrutiny

- 2.1 The draft Contract Procedure Rules will be considered by Governance and Audit Committee, Constitution Committee and then presented to Council.

## 3 Available Options Considered

- 3.1 The Council could choose not to approve the revised Contract Procedure Rules but there would be the risk that the current Contract Procedure Rules become out of date.

## **4 Preferred Option**

4.1 The preferred option is to seek approval of the revised Contract Procedure Rules.

## **5 Reasons for the Recommendation (s)**

5.1 The reason for seeking approval of the revised Contract Procedure Rules are set out in the report.

## **6 Next Steps – Communication and Implementation of the Decision**

6.1 The draft Contract Procedure Rules will be presented to the Constitution Committee and then Full Council.

## **7 Financial Implications**

7.1 The financial implications and specifically the procurement financial thresholds are referenced throughout the draft Contract Procedure Rules.

**Financial Implications reviewed by: Richard Wyles, Chief Finance Officer**

## **8 Legal and Governance Implications**

8.1 The Governance and Audit Committee is required to consider any proposed revisions to the Council's Financial Procedure Rules and Contract Procedure Rules. This report facilitates this requirement in respect of Contract Procedure Rules.

8.2 The newly adopted Responsibility for Functions (Part 3) section of the Council's Constitution signposts delegated authority relating to contracts and procurement to the Contract Procedure Rules included in the Constitution. There are no other consequential Constitution amendments that would therefore be required upon adoption of the proposed changes set out in this report.

**Legal Implications reviewed by: Graham Watts, Assistant Director Governance and Deputy Monitoring Officer**

## **9 Equality and Safeguarding Implications**

9.1 None.

## **10 Risk and Mitigation**

10.1 N/a

## **11 Community Safety Implications**

11.1 None.

## **12 How will the recommendations support South Kesteven District Council's declaration of a climate emergency?**

12.1 N/a

## **13 Other Implications (where significant)**

13.1 None.

## **14 Background Papers**

14.1 None.

## **15 Appendices**

15.1 Appendix 1 – Draft Contract Procedure Rules

15.2 Appendix 2 – Mapping document