

County Council

23 March 2011



Contract Procedure Rules Annual Review

Don McLure, Corporate Director of Resources

Councillor Alan Napier, Deputy Leader

Purpose of the Report

1. The purpose of this report is to advise members of proposed changes to Contract Procedure Rules following the annual review.

Background

2. Contract Procedure Rules (issued in accordance with section 135 of the 1972 Local Government Act) are intended to promote good procurement practice and public accountability, and to deter corruption. Compliance with the rules is the best defence against potential allegations that a contract has been let, or a purchase made, incorrectly or fraudulently.
3. Contract Procedure Rules are the link between the Corporate Strategy for Commissioning and Procurement and the Procurement Code of Practice. They are instrumental in ensuring a standardised approach to Commissioning and Procurement across the Council.
4. Contract Procedure Rules are also a key element of the Council's corporate governance arrangements and it is important that these are reviewed and updated annually as part of the review of the Constitution.
5. The proposed changes have been presented to Constitution Working Group and Audit Committee, where they were approved for presentation to full Council.
6. A copy of the report made to the Constitution Working Group outlining the proposed changes to the Contract Procedure Rules is attached at Appendix 2.

Recommendations and reasons

7. Members are asked to consider the proposed changes to Contract Procedure Rules, as set out in Appendix 3, and approve these for inclusion as part of the revision to the Constitution.

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Appendix 1: Implications

Finance – The Contract Procedure Rules complement the Financial Procedure Rules and help to ensure that third-party spend is procured appropriately.

Staffing - None

Risk – Updating the Contract Procedure Rules mitigates risk by ensuring that the latest procurement legislation and guidance is being followed.

Equality and Diversity – Corporate Procurement are engaging with the Equality & Diversity team to ensure our procurement procedures are in line with the requirements of the Equality Act 2010 which come into force in April 2011. However none of the proposed changes in this year's Contract Procedure Rules have any direct equalities implications.

Accommodation - None

Crime and Disorder - None

Human Rights - None

Consultation – Consultation has been conducted via the Strategic Procurement Network as described in the report.

Procurement – The Contract Procedure Rules support an effective procurement process across the Council.

Disability Discrimination Act - None

Legal Implications – Legal and Democratic Services have been fully consulted, and have approved the proposed changes to the Contract Procedure Rules.