

25. Procurement Act 2023 & Contract Procedure Rules

Carolyn Wheeler, City Solicitor presented a report which sought comments from the Committee on the new Procurement Act 2023 and the subsequent revision of the Council's Contract Procedure Rules.

The new Act was due to come into force on 24th February 2025 and would only apply to new procurements commencing from that date. This meant that contracts let prior to that would continue under the previous legislation

An aspect of the new legislation was to simplify the procurement process and increase transparency, however this had also made it more labour intensive. The requirement for public authorities to publish various notices had been introduced which would apply from before the contract had been identified and continue throughout the contract period until expiry. This increased transparency also meant there was opportunity for the Council to be challenged at every step.

With the introduction of the Act, the Council had taken the opportunity to update the Contract Procedure Rules. These were also considered by the Committee along with the Procurement Flow Chart.

Officer training on the new Act would be rolled out in due course for contract managers. The recent online Member training had been recorded, and the link could be made available to Councillors wishing to familiarise themselves with the changes. It was noted those in attendance at the training were grateful to Officers for their time and expertise.

The Committee discussed the report and procedure rules in detail and was provided with the following responses by Officers to questions:

- Notices would be published on specialist platforms online rather than in physical form. Local companies, relevant to a particular contract, would be informed of the notices and where they could be found, but no further assistance would be provided to them.
- The staff training would emphasise the need for procurement and the procedure rules to always be a topic of discussion on departmental teams' agendas.
- There would need to be consideration given to the Council's key performance indicators during procurement and looking towards the end of the process to ensure performance indicators had been taken into account.
- A monitoring matrix was being developed which would help identify social value within the procurement process, and the opportunity for community legacy needed to be considered at all stages to help boost reducing

inequality. The Council was not mandated to consider social value, but did strive to attain 5-10% impact from each contract.

- Considering the recent change of government and any guidance that might still be forthcoming, Officers assured the Committee they were as prepared as they could be for the introduction of the new Act.

RESOLVED that:

1. The Policy Scrutiny Committee note the new Procurement Act and revision to the contract procedure rules
2. Any comments be referred to Executive.