

B. PROPOSED CHANGES TO THE CONTRACT PROCEDURE RULES

Introduction

1. This report concerns a review of the operation of the Contract Procedure Rules and recommended revisions to those rules.

Background

2. Article 15 of the County Council's Constitution gives the Chief Executive a duty to monitor and review the operation of the Constitution to ensure the aims and principles of the Constitution are given full effect.
3. Rule 8 (Annual Reporting) of the Constitution's Contract Procedure Rules stipulates that the Director of Corporate Resources, in consultation with the County Solicitor, shall at least once in each financial year submit a report to the Corporate Governance Committee in relation to the operation of these Rules. This includes amongst other things any departures from or proposed revisions to the Rules and/or changes required to accommodate the requirements of UK and EU procurement law as may be necessary from time to time.
4. The Constitution requires that changes to these Rules must be approved by the Council after consideration of recommendations of the Corporate Governance Committee.

Proposed Revisions to the Rules

5. Since the comprehensive review of the Rules last year, only minor changes to the Rules are proposed to clarify their meaning and to strengthen contract management activities.
6. The proposed revisions are to:
 - a) replace the designation of 'County Solicitor' with 'Director of Law and Governance' to reflect the change in role and responsibility;
 - b) include a reference to the requirements of the Counter Terrorism and Security Act 2015;
 - c) include a new rule on contract management requirements;
 - d) bring individual special educational needs placements within the scope of the rules in order to ensure that an appropriate decision-making process is followed for this contractual arrangement;

- e) replace the phrase 'Appropriate Chief Officer' with the phrase 'appropriate Chief Officer' as this is not a defined term included in the glossary.
7. Should the County Council approve the draft revised Contract Procedure Rules, they will be published on the Council's intranet and internet sites (the revisions are highlighted in the Appendix) and communicated to all relevant managers and staff within the Council, including via newsletters and presentations.
8. The Corporate Governance Committee considered this matter at its meeting on 23rd September 2016 and its recommendations are contained in the motion which appears below.

(Motion to be moved:-

That the proposed amendments to the Contract Procedure Rules, set out in Appendix A to the report of the Corporate Governance Committee, be approved.)

Background Papers

Joint report of the Director of Corporate Resources and County Solicitor to the meeting of the Corporate Governance Committee on 23rd September 2016 on Proposed Changes to the Contract Procedure Rules <http://ow.ly/SgSO30692mt>

Appendices

Appendix A Contract Procedure Rules