

## REPORT OF THE CORPORATE GOVERNANCE COMMITTEE

### A. 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 Director of Law and Governance, 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**

4. Changes to the Rules are proposed for the following reasons:
  - a. to clarify their meaning further;
  - b. to update with current systems and legislation post Brexit.
5. In the Queens Speech the government announced its intention to bring forward new legislation for the UK regarding procurement. The Council's Commissioning Support Unit has commented on the relevant Green Paper – Transforming Procurement. A further report will be brought to the Corporate Governance Committee and Council with proposals to bring the Contract Procedure Rules in line with future legislation at the appropriate time.
6. The proposed revisions to the Rules are set out in Appendix A attached to this report. The revisions to the Rules are supported by the Director of Law and Governance and the Director of Corporate Resources. The Corporate Governance Committee considered this matter at its meeting on 4<sup>th</sup> June 2021 and its recommendation is set out in the motion which appears below.

7. Should the County Council approve the draft revised Contract Procedure Rules, they will come into force on 30<sup>th</sup> July 2021 and will be published on the Council's internet and intranet sites, and communicated to all relevant managers and staff within the Council, including via newsletters and presentations.

### **Equality and Human Rights Implications**

8. The Rules ensure that all potential suppliers and suppliers receive equal treatment when bidding for contracts.

**(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.)**

**4 June 2021**

**Mr T. Barkley  
Chairman**

### **Background Papers**

Joint report of the Director of Corporate Resources and Director of Law and Governance to the meeting of the Corporate Governance Committee on 4<sup>th</sup> June 2021 - Proposed Changes to the Contract Procedure Rules.

### **Appendix**

Appendix A - Proposed amendments to the Contract Procedure Rules