

PAPER NO. 3

REPORT TO THE EXECUTIVE MEETING OF 8 JULY 2013

Meeting: Executive

Date: July 8th 2013

Subject: Harborough District Council Commissioning and Procurement Strategy

Report of: Jonathan Ward-Langman

Portfolio Holder: To Be Confirmed

Status: Discussion, approval and referral to Council of the Harborough District Council Commissioning and Procurement Strategy.

Relevant Ward(s): All

1. Purpose of the Report

1.1 To present the draft Harborough District Council Commissioning and Procurement Strategy as amended by the Scrutiny Task and Finish Group for discussion and approval.

2. Recommendations:

2.1 **That the draft Harborough District Council Commissioning and Procurement Strategy (attached) is approved with amendments as appropriate and referred to Council.**

3. Summary of Reasons for the Recommendations

3.1 Adoption of a Commissioning and Procurement Strategy will enable the Council to achieve its vision and deliver its strategic goals.

3.2 Implementation of the Commissioning and Procurement Strategy will also ensure that the Council's procurement is compliant with statute, EU procurement regulations and the Council constitution.

3.3 A Scrutiny Task and Finish Group has considered the Strategy; it was discussed further at a joint meeting with the Resource and Performance Scrutiny Panel. The Group recommended that the Strategy be implemented with some amendments; these have been incorporated into the final version which is attached as Appendix A.

3.4 The Scrutiny Task and Finish Group also recommended that 'all relevant rules and regulations be appended to the Procurement Statement of Required Practice (SORP)' and that 'any changes to the Constitution which result from the implementation of the above Strategy be forwarded to the Constitutional Review Committee for ratification'.

3.5 The draft Procurement SORP and recommendations of the report to the Constitutional Review Committee are attached as appendices for information, but will be discussed and ratified separately as they require changes to the Council Constitution (standing orders).

4. Impact on Communities

4.1 Adoption of the Commissioning and Procurement Strategy will enable the Council to meet its statutory obligations, and to engage with and serve the community more effectively. The Strategy incorporates the Council's policy response to the Community Right to Challenge introduced as part of the Localism Act 2011.

5. Key Facts

5.1 As detailed in the appended papers.

6. Legal Issues

6.1 Implementation of the strategy will enable the Council to meet its statutory and regulatory obligations. Legal challenges may arise if procurement practice is not compliant.

7. Resource Issues

7.1 The adoption of the Commissioning Strategy is essential, to enable the Council as part of the Operating Model to review service delivery options and future partnership arrangements.

7.2 The Strategy formalises the change in internal support arrangements and sets out a framework for further improvements in training and awareness.

7.3 Implementation of the strategy will support the Council in the management of its resources and in achieving value for money.

7.4 Additional expenditure could be incurred if the Community Right to Challenge is not managed effectively. Additional implications are dependent on expressions of interest received.

8. Equality Impact Assessment Implications/Outcomes

8.1 None directly; however adoption of the Commissioning and Procurement Strategy will improve decision-making and thus ensure that equality impacts are assessed more efficiently.

9. Impact on the Organisation

9.1 Extensive, as detailed in the appended papers.

10. Community Safety Implications

10.1 None directly; however adoption of the Commissioning and Procurement Strategy will improve decision-making and thus ensure that Community Safety implications are considered more systematically.

11. Carbon Management Implications

11.1 None directly; however adoption of the Commissioning and Procurement Strategy will improve decision-making and thus ensure that Carbon Management implications are considered more systematically.

12. Risk Management Implications

12.1 None directly; however adoption of the Commissioning and Procurement Strategy will improve decision-making and thus ensure that Risk is managed more systematically.

13. Consultation

13.1 In addition to the consideration by Scrutiny Panels as described above, Corporate Management and Senior Management teams have been consulted about the Commissioning and Procurement Strategy.

14. Options Considered

14.1 The Council is not obliged to adopt a Commissioning and Procurement Strategy; however if it does not do so, the absence of a clear framework for decision-making is likely to be detrimental to its efficiency and effectiveness and the risk of legal challenge and consequent financial loss if procurement practice is not compliant.

15. Background Papers

15.1 None

Previous report(s):

Information Issued Under Sensitive Issue Procedure: N

Ward Members Notified: N/A

Appendices: *list any appendices here including title and filename in brackets (e.g. Performance Data 2010 (perfdata.doc)).*

- A. Harbrough District Council Corporate Commissioning and Procurement Strategy 2013 - 2016** (*Appendix A HDC Commissioning Strategy 070613.doc*)
- B. Harbrough District Council Statement Of Required Practice For Procurement ('The SORP')** (*Appendix B HDC Procurement SORP 100613.doc*)
- C. Recommendations to Harbrough District Council Constitution Review Committee; Commissioning and Procurement** (*Appendix C HDC Procurement SORP Amended Standing Order Rules 100613.doc*)
- D. Meeting Notes Of The Scrutiny Task Group Discussing: Council Operating Model And Commissioning And Procurement Strategy** (*Notes of Meeting 230413.doc*)