

19 November 2024

Part 1 - Public

Matters for Cabinet - Non-key Decision



www.tmbc.gov.uk

|                     |  |
|---------------------|--|
| Cabinet Member      | Martin Coffin, Cabinet Member for Transformation and Infrastructure    |
| Responsible Officer | Robert Styles, Director of Street Scene Leisure and Technical Services |
| Report Author       | Robert Styles, Director of Street Scene Leisure and Technical Services |

**Procurement Strategy**

**1 Summary and Purpose of Report**

- 1.1 This report brings forward an updated draft Procurement Strategy for comment and recommendation to Cabinet

**2 Corporate Strategy Priority Area**

- 2.1 Efficient services for all our residents, maintaining an effective council.
- 2.2 A revised Procurement Strategy will help deliver Best Value to the organisation and ensure compliance with legislative requirements.

**3 Recommendations**

- 3.1 To consider and make comments to Cabinet on the draft Procurement Strategy attached at **Annex 1**.

**4 Introduction and Background**

- 4.1 Members of this Committee will be aware that the Council's approach to procurement was identified by Grant Thornton as requiring improvement in its last external audit report and was subsequently identified as a red strategic risk on the corporate risk register. At the time of the external audit the Council had no dedicated procurement resource to assist Officers and its Procurement Strategy and associated documentation needed to be reviewed and updated.
- 4.2 As a result of the external audit the first significant step forward was joining the Mid Kent Procurement Partnership for a 2 year initial period to provide the Council with the support, guidance and experience it needed. The Partnership

commenced in May 2024 and to date has worked exceptionally well and good progress has already been made.

- 4.3 In addition to starting to work with Officers on the procurement of a number of contracts across the organisation including waste and recycling, litter enforcement, construction contracts and pest control a key priority for the new Partnership, and a recommendation of the external audit, was to assist the Council with the production of a new Procurement Strategy.
- 4.4 The Mid Kent Partnership Procurement Manager will be in attendance at the meeting to update on progress to date and answer any questions Members have on the draft Strategy.

## **5 Proposal**

- 5.1 A draft Procurement Strategy is attached for Member consideration and recommendation to Cabinet at **[Annex 1]**. The draft Strategy is based on the style and format used by the other two authorities within the Partnership (TWBC and MBC) but adapted to fit the needs of this organisation. The draft 2 year Strategy has been considered by the Council's Procurement Officer Project Group, attended by Officers from all departments across the Council. It is the intention that the draft Strategy will ensure a more compliant and efficient approach to procurement, enable opportunities to extract added value and develop a more sustainable approach to procurement in the future. The Strategy will also take into account major new procurement legislation being introduced by government in February 2025.
- 5.2 The Strategy will cover a 2 year period from 2024-2026 to tie in with the other 2 partnership authorities and the length of the existing partnership agreement. The Strategy focusses on 6 key themes, namely compliance, sustainability, localism, commercialisation, stability and expansion.
- 5.3 Once the draft Strategy has been considered by this Committee and approved by Cabinet, the next stage will be to develop an implementation plan to action the priorities set out in the Strategy. This will involve working alongside the Partnership to ensure all the documentation associated with the procurement process meets the requirements of this authority and develop a Procurement section on the staff intranet to guide Officers. A programme of staff training has already been delivered by the Partnership Manager across the organisation and this will be continued as progress is made.

## **6 Other Options**

- 6.1 It is essential that the Council has an updated Procurement Strategy that is fit for purpose.

## **7 Financial and Value for Money Considerations**

- 7.1 The Director of Street Scene Leisure and Technical Services confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.
- 7.2 The new Strategy will ensure that best value from our contracts is achieved enabling services to continue to be delivered in increasingly challenging economic markets.

## **8 Risk Assessment**

- 8.1 Without an up to date Procurement Strategy the Council will not keep up to date with Government legislation and best practice, will not be compliant and will not be able to promote fair and equal competition within the market. The new Procurement Strategy will help mitigate the level of risk relating to procurement on the Corporate Risk Register bringing it down from red to amber.

## **9 Legal Implications**

- 9.1 The draft Procurement Strategy takes into full account the forthcoming new legislative changes of the Governments Procurement Act. The 3 key areas that will be focussed upon in the Strategy in this regard are engagement, updates and communication. The draft Strategy recognises the need to update the Council's Constitution and meet the obligations of Local Government Transparency Code and its Public Sector Equality Duty.

## **10 Consultation and Communications**

- 10.1 The draft Strategy has been developed in consultation with the Mid Kent Procurement Partnership.

## **11 Implementation**

- 11.1 Subject to approval by Cabinet the new Strategy will be implemented with immediate effect.

## **12 Cross Cutting Issues**

- 12.1 Climate Change and Biodiversity
- 12.1.1 Adaptation and resilience have been considered.
- 12.1.2 Climate change advice has been sought in the preparation of the options and recommendations in this report.
- 12.2 The Strategy has a section on sustainability looking to reduce carbon emitted through our contracts to assist the Council in its objective of being carbon neutral.

### 13 Equalities and Diversity

13.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

- Procurement
- Business Continuity / Resilience

|                   |                                     |
|-------------------|-------------------------------------|
| Background Papers | None                                |
| Annexes           | Annex1 - Draft Procurement Strategy |