

Is the final decision on the recommendations in this report to be made at this meeting?

No**Procurement Strategy 2020-2023**

Final Decision-Maker	Cabinet
Portfolio Holder(s)	Cllr Tom Dawlings
Lead Director	Lee Colyer
Head of Service	Jane Fineman
Lead Officer/Report Author	Dan Hutchins
Key Decision?	Yes
Classification	Non-Exempt
Wards affected	Not Applicable

This report makes the following recommendations to the final decision-maker:

1. That the Committee approve the Procurement Strategy 2020-2023 in Appendix A, for publication and implementation.
2. That the Committee recommends the Procurement Strategy for approval by Cabinet on the 12th March 2020.

This report relates to the following corporate priorities:

- A Prosperous Borough
- A Green Borough
- A Confident Borough

Timetable

Meeting	Date
Management Board	29 January 2020
Finance & Governance CAB	18 February 2020
Cabinet DART	27 February 2020
Cabinet	12 March 2020

Procurement Strategy 2020-2023

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

TWBC is required to produce a number of strategic documents which are available for public scrutiny. One such document is a procurement strategy which outlines our approach and vision for procurement within the Council, and the potential challenges and opportunities available to us.

The most recent procurement strategy available to the public is dated 2011-2014, and needs to be updated urgently.

This report is seeking approval for the publication and implementation of the new Procurement Strategy for the period 2020-2023.

2. INTRODUCTION AND BACKGROUND

The Procurement Strategy

2.1 At present, the Council advertises its strategy documents on the following link:

<http://www.tunbridgewells.gov.uk/council/strategies,-plans-and-policies/plans-and-strategies>

2.2 The most recent procurement strategy available to the public is dated 2011-2014, and needs to be updated urgently

2.3 Mid Kent Audit Services undertook an audit of procurement in August 2018 (Appendix B), and whilst we were pleased to achieve a Sound rating overall, one of the actions to come out of the audit was to ensure that we have a published up to date procurement strategy by March 2020. In the last 3 years (2017-2020) we have been working to a strategy which was developed and agreed by Management board (meeting in March 2017), but was not published due to the fast paced developments that were expected to occur around Brexit.

2.4 The unpublished strategy has now run its course and was successful in re-shaping how we work as an authority in regards to procurement in order to deliver both value and compliance. We must now determine how we develop our service over the next 3 years.

3. AVAILABLE OPTIONS

3.1 Do Nothing – The procurement strategy could remain unpublished and unimplemented

3.2 The Procurement Strategy 2020-2023 can be approved, published and implemented as per Appendix A.

- 3.3 An external consultant could be commissioned to consult and produce a strategy document on behalf of the Council.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 Our recommendation would be to adopt Option 3.2 above. This would ensure that the Council is compliant in its obligation to publish its strategic documents, and also satisfies the action point from the audit undertaken by Mid Kent Audit Services (Appendix B). The strategy document has been produced by myself, in consultation with the Head of Finance, Procurement & Parking and the wider procurement team and is therefore based on our extensive working knowledge of the Council and what is realistic and achievable in the 3 year period to 2023.
- 4.2 Option 3.1 would potentially leave us at risk of question by the public or auditors as we have an obligation to produce and publish a procurement strategy for the Council. It is therefore not a viable option.
- 4.3 Option 3.3 would satisfy the obligations of the Council and address the audit action. However, it would come at a cost as we would be looking at hiring consultants to undertake the work on our behalf. It is therefore not considered a favourable option due to the additional budget pressure this would create.
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5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 Management Board agreed the proposed wording of the document at the meeting on 29 January 2020 and gave permission for the document to be taken to Finance & Governance CAB.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 If the document is approved by the Finance and Governance CAB, it will be included in the agenda for Cabinet on the 12 March 2020 for final approval and adoption.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off (name of officer and date)
Legal including Human Rights Act	<p>The Council has a legal obligation to follow the Public Contracts Regulations (2015) and the Public Services (Social Value) Act 2012. The strategy document is written in line with the Council's legislative obligations, and with the local procurement procedures the Council is able to set for itself.</p> <p>Where the Procurement Strategy requires revision in compliance with legislation introduced following the transition period arising from the UK withdrawal from the EU, an update will be provided to ensure that the Strategy complies with up to date legislation.</p>	<p>[Full Name] [Job Title] [Date signed]</p>
Finance and other resources	There are no financial implications. This strategy will satisfy an audit requirement for a revised Procurement Strategy document to be implemented by the end of March 2020, and will set the framework and priorities for the team for the next three years.	<p>Jane Fineman Head of Finance, Procurement & Parking 07/02/2020</p>
Staffing establishment	There are no specific implications.	<p>Dan Hutchins Procurement Manager 07/02/2020</p>
Risk management	There are no specific implications.	<p>Denise Haylett Head of Facilities & Community Hubs 07/02/2020</p>
Data Protection	There is a low possibility of personal data being processed or put at risk by actions arising from this strategy. Company data does not fall within the remit of the Data Protection Act or other data protection laws within the UK. Should personal data be used and processed as a result of any actions arising from the strategy, the relevant Manager or Head of Service will need to consider the risks to that data, and seek advice from the DPO at that time	<p>Jane Clarke Head of Policy & Governance 06/02/2020</p>
Environment and Sustainability	The procurement strategy highlights the importance of our local environment and the impact climate change has on our natural habitats, ecosystems and biodiversity.	<p>Karin Grey Sustainability Manager 06/02/2020</p>

	<p>It is therefore recognised that to support the Council in meeting its ambition to be carbon neutral by 2030, the procurement strategy needs to priorities reductions in carbon emissions.</p> <p>To achieve this goal, it is recommended that opportunities for carbon reduction are included as mandatory in: -</p> <ul style="list-style-type: none"> • Social Value • Supplier engagement • Contracts Management • Collaborative Procurement & • Cross Functional Working • Revenue Creation & • Collaborative Growth • Opportunities 	
Community Safety	There are no specific implications.	Denise Haylett Head of Facilities & Community Hubs 07/02/2020
Health and Safety	There are no specific implications.	Mike Catling Corporate Health & Safety Advisor 06/02/2020
Health and Wellbeing	No health and wellbeing implications	Rebecca Bowers Health Improvement Team Leader 06/02/2020
Equalities	The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no apparent equality impact on end users.	Dan Hutchins Procurement Manager 07/02/2020

8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

Appendix A Procurement Strategy 2020-2023

Appendix B Procurement Audit Report – August 2018

9. BACKGROUND PAPERS

Management Board – Wednesday 29 March 2017

Management Board – Wednesday 29 January 2020