

Status of Report: Public

Meeting: Corporate Governance Committee

Date: 20 November 2024

Subject: Contract Procedure Rules

Report by: The Chief Fire & Rescue Officer

Author: Area Manager Karl Bowden

For: Information

Purpose

1. The purpose of this report is to provide an update on the actions taken and the progress made in preparing the Fire and Rescue Service for the implementation of the Procurement Act 2023.

Recommendation

2. It is recommended to
 - a) Note the progress made in preparing for the implementation of the Procurement Act 2023;
 - b) Support the delivery of mandatory training to ensure all staff understand their responsibilities under the new Act;
 - c) Endorse the continued review and alignment of procurement policies with the Act's requirements.

Executive Summary

3. The Service is making steady progress in preparing for the introduction of the Procurement Act 2023. By focusing on awareness, policy alignment, and monitoring, the Service is ensuring that it is well-positioned to meet the new requirements. Further updates will be provided as the Service moves towards full implementation.

Background

4. The Procurement Act 2023 introduces new regulations aimed at increasing transparency, efficiency, and accountability within public sector procurement processes. The Act sets out a series of requirements that all public sector organisations must adhere to, including measures to enhance value for money, encourage greater competition, and improve procurement transparency.

5. As part of the commitment to upholding best practices and maintaining compliance, it is essential that all relevant staff are fully aware of the new legal requirements and the updated internal policies and procedures.

Strategic Approach to Implementation

6. The Service's approach focuses on three key areas to ensure successful implementation:
 - **Awareness and Training:** To prepare staff for these changes, a comprehensive training presentation is being developed. This presentation will outline the key requirements of the Procurement Act 2023 and set clear expectations for all staff involved in procurement activities. The training will cover new policy requirements, updated procurement processes, risk management, and ethical considerations. This training will be mandatory for all procurement personnel and managers.
 - **Policy and Procedure Review:** A full review of the Service's procurement policies and procedures is currently underway to align them with the requirements of the new Act. This includes updates to supplier selection criteria, enhanced procedures for contract management, and improvements to the transparency and reporting mechanisms. These updates will be communicated to all relevant staff following approval.
 - **Monitoring and Compliance:** A monitoring framework is being established to assess compliance with the new regulations and to identify any gaps in current processes. This will include periodic audits of procurement activities and a reporting mechanism to highlight any areas that require additional attention or improvement.

Progress Update

7. To date the training presentation is in development and is expected to be delivered to all relevant staff during January 2025.

Next Steps

8. Over the coming months, the Service will continue to refine its policies and training materials, ensuring that all staff members understand their roles and responsibilities. Once the training has been delivered, a follow-up assessment will be undertaken to evaluate the understanding and effectiveness of the training.

Report Implications/Impact

9. Legal (including crime and disorder)

The Procurement Act 2023 introduces new legal requirements and obligations on the Service to maintain transparency, fairness, and accountability in all procurement activities. Compliance with the Act reduces the risk of legal challenges and reinforces the Service's commitment to ethical procurement. Additionally, adherence to these regulations aligns with crime and disorder objectives, minimising the likelihood of fraudulent activities or unethical practices within procurement processes.

10. Financial (including value for money, benefits and efficiencies)

The introduction of the Procurement Act 2023 aims to enhance the efficiency and value for money in all procurement processes. By refining the policies and implementing the new guidelines, the Service expects to achieve cost savings and increased efficiency through competitive procurement and better contract management. The mandatory training will equip staff with the knowledge to identify and capitalise on value-for-money opportunities while adhering to the principles of the new legislation. This proactive approach ensures that resources are allocated effectively and responsibly.

11. Risk (including corporate and operational, health and safety and any impact on the continuity of service delivery)

Implementing the Procurement Act 2023 involves a significant review of the Service's current processes to identify and mitigate potential risks. The compliance monitoring framework will be essential in highlighting and addressing areas of vulnerability. Additionally, the training programme will provide staff with clear guidance on managing procurement risks, reducing the likelihood of non-compliance or disruptions to service delivery. From an operational perspective, alignment with the new Act mitigates the risk of financial penalties and reputational damage due to non-compliance, while also prioritising health and safety considerations in procurement decisions.

12. Staff, Service Users and Stakeholders (including the Equality Impact Assessment)

The training sessions aim to provide all staff with the necessary knowledge and skills to comply with the Procurement Act 2023. An Equality Impact Assessment will be undertaken to ensure that the changes to procurement policies are inclusive and fair, with no adverse impact on any protected groups.

13. Environmental

The new procurement policies are aligned with the Service's commitment to sustainability and environmental responsibility. The Procurement Act 2023 encourages public sector organisations to prioritise environmentally responsible suppliers and sustainable products. In response, these principles are being incorporated into updated procurement criteria and opportunities are

being explored to reduce the Service's environmental footprint through more sustainable purchasing choices.

14. Impact upon "Our Plan" Objectives

The introduction of the Procurement Act 2023 supports key objectives in Our Plan:

- Value for Money Quality Services: Enhanced procurement processes will deliver cost-effective and transparent management of resources, ensuring efficient use of funds.
- Well-Managed and Transparent Budget: Improved procurement oversight aligns with maintaining a transparent and well-controlled budget.
- Robust and Effective Procurement: Updated policies and staff training strengthen the procurement framework, ensuring compliance and effectiveness.
- Fit-for-Purpose Assets: A focus on value for money and quality ensures the acquisition of reliable estates, vehicles, and equipment.
- Provide Assurance: Well-Informed Communities and Staff: Training and proactive communication keep staff and communities informed about procurement changes.

Background Papers

None.

Appendices

None.

Officers to Contact

Judi Beresford, ACFO – judi.beresford@leics-fire.gov.uk

Karl Bowden, Area Manager - karl.bowden@leics-fire.gov.uk