

PFCC Decision Report

Report reference number: 115-23

Classification: Not protectively marked

Title of report: Update to the 7 Force Contract Standing Orders

Area of county / stakeholders affected: Countywide

Report by: Dave Levy, 7 Force Director of Commercial Services

Chief Officer: ACO Claire Medhurst, Director of Support Services

Date of report: 4 August 2023

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1. Executive Summary

- 1.1 The purpose of this report is to set out the outcome of the annual review of the 7 Force Contract Standing Orders and to seek approval for their adoption.

2. Recommendations

- 2.1 That the Commissioner approves and adopts the updated 7 Force Contract Standing Orders attached to this report.

3. Background to the Proposal

- 3.1 The Contract Standing Orders (schedule 5 of the original Section 22A Agreement for the Provision of a 7 Force Single Procurement Function) are reviewed on an annual basis through consultation with key stakeholders and scrutinised through the Commercial Executive Board (CEB) and Strategic Procurement Governance Board (SPGB).

4. Proposal and Associated Benefits

- 4.1 Proposed changes to the 7 Force Contract Standing Orders (CSOs)

The full changes are shown in the 'tracked changes' version of the CSOs appended to this report. Aside from cosmetic changes, the main amendments are:

- a. The threshold for obtaining quotes have been raised from the current level of £5,000 - £50,000 to £6,000 - £60,000, to be reviewed every 3 years by the CEB.
- b. There has been alignment of Norfolk and Suffolk with the other five forces with regard to quote thresholds.
- c. A change to the award of contract delegation at quote level i.e., below £60,000 to the relevant delegated authority within forces and policing bodies, rather than 7 Force Commercial Services.
- d. There is now a requirement that decision reports relating to contracts will be produced and taken through the local decision-making process, by the customer lead for the contract.
- e. There is alignment of the financial tolerance levels associated with contract variations to the existing scheme of delegation for contract awards i.e. variations up to £250k or 10%, whichever is lower, can be authorised by the relevant delegated authority within 7 Force Commercial Services, subject to confirmation of funding.
- f. Section 8 - Form of Contract - has been simplified to reflect that all procurements over £60,000 are managed by 7 Force Commercial Services and will have the appropriate standard terms which protect the policing bodies. Key elements including warranties, parent guarantees etc.
- g. The CSOs were previously silent on concession contracts – this is now included.
- h. A new clause to ensure that all contracts are published in accordance with legal obligations has been included.

5. Options Analysis

- 5.1 Do nothing – This has been discounted as the CSOs are reviewed on an annual basis to reflect best practice and legislative changes, and to ensure that procurement activity is carried out in the most effective and efficient manner.

6. Consultation and Engagement

- 6.1 The proposed changes have been the subject of consultation with the Chief Finance Officers (for the forces and P(F)CCs), the Commercial Executive Board and Strategic Procurement Governance Board.

7. Strategic Links

- 7.1 The Contract Standing Orders ensure that the PFCC and Essex Police are transparent and compliant with legislation when awarding contracts and ensure value for money for the public.

8. Police operational implications

8.1 There are no direct operational policing implications arising from this report.

9. Financial implications

9.1 There are no direct financial impacts arising from the approval of the recommendations in this report.

10. Legal implications

10.1 The 7 Force Contract Standing Orders ensure compliance with the statutory obligations under the Public Contracts Regulations 2015 (as amended). They also form part of the PFCC's Financial and Procurement Regulations (a schedule to the Constitution).

11. Staffing implications

11.1 There are no direct staffing implications arising from this report.

12. Equality, Diversity and Inclusion implications

12.1 There are no changes within the CSOs which are expected to disadvantage any individual with a protected characteristic.

13. Risks and Mitigations

13.1 The Contract Standing Orders are in place to reduce the risk of money not being spent in a fair and transparent manner.

14. Governance Boards

14.1 These proposals have been considered at the Regional Finance Steering Group and the Commercial Executive Board

15. Links to Future Plans

Future plans will be subject to these CSOs

16. Background Papers and Appendices

Appendix 1 - Contract Standing Orders (tracked changes)

Appendix 2 - Contract Standing Orders (clean copy)

Report Approval

The report will be signed off by the PFCC's Chief Executive and Chief Finance Officer prior to review and sign off by the PFCC / DPFCC.

Chief Executive / M.O.

Sign: 

Print: P. Brent-Isherwood

Date: 1 September 2023

Chief Financial Officer

Sign: 

Print: Janet Perry

Date: 5 September 2023

Publication

Is the report for publication?

YES	<input checked="" type="checkbox"/>
NO	<input type="checkbox"/>

If 'NO', please give reasons for non-publication (Where relevant, cite the security classification of the document(s). State 'None' if applicable)

None

If the report is not for publication, the Chief Executive will decide if and how the public can be informed of the decision.

Redaction

If the report is for publication, is redaction required:

1. Of Decision Sheet?	YES	<input type="checkbox"/>	2. Of Appendix?	YES	<input type="checkbox"/>
	NO	<input checked="" type="checkbox"/>		NO	<input checked="" type="checkbox"/>

If 'YES', please provide details of required redaction:

N/A

Date redaction carried out:

Chief Finance Officer / Chief Executive Sign Off – for Redactions only

If redaction is required, the Treasurer or Chief Executive is to sign off that redaction has been completed.

Sign:

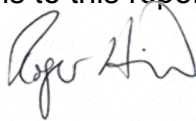
Print:

Chief Executive / Chief Finance Officer

Decision and Final Sign Off

I agree the recommendations to this report:

Sign:



Print: Roger Hirst

PFCC

Date signed: 11/09/2023

I do not agree the recommendations to this report because:

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.....
.....

Sign:

Print:

PFCC/Deputy PFCC

Date signed: