Procurement Matters Update 2021/22 Cabinet Member for Finance and Commissioning Date: 7 June 2022 Agenda Item: 4 district Coun

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Key Decision? NO

Local Ward Full Council Members

1. Executive Summary

1.1 The Procurement Team was established in Oct/Nov 2020 and the Procurement Strategy was approved in December 2020.

Cabinet

1.2 This is the second Procurement Matters report to Cabinet covering 2021/22 and provides an update on progress made against the Action Plan in **APPENDIX A** and Key Performance Indicators, as well as reflecting on the wider work undertaken to date by the Procurement Team.

2. Recommendations

2.1 To note the contents of this report and the planned actions in the Action Plan at **APPENDIX A**.

3. Background

- 3.1. In December 2020 the Procurement Strategy was approved by Cabinet and the Procurement Team has been working to deliver the action plan and support the aspirations in the document.
- 3.2. The Procurement Strategy was developed following an assessment against the Local Government Association's toolkit with an initial focus on 'getting the basics right' and recognising the need to be realistic with aims and timescales with a relatively small team in place.
- 3.3. The Local Government Association invited all councils to carry out a self-assessment against the National Procurement Strategy Maturity Assessment. We have completed this assessment and submitted the results. Following a period of evaluation we will receive a report that will enable us to benchmark ourselves against other similar organisations.
- 3.4. The Maturity Assessment includes 11 main sections which are then broken up into sub-sections. A summary assessment was carried out in 2020 against the main sections only as part of the Procurement Strategy development work.
- 3.5. In this subsequent self-assessment, the Council has either maintained or improved our scores in the past 12 months. More details are provided at **APPENDIX B**.
- 3.6. The Procurement Strategy has overall aims of improving the way in which we carry out procurement activities, moving from a reactive to a proactive model based on forward planning, as well as seeking to develop the added value we can obtain via social value and environmental sustainability.
- 3.7. The Procurement Team has continued to work across the whole organisation to:
 - understand the current procurement and contracting environment both internally and externally
 - build relationships with colleagues to make the team known and accessible
 - improve record keeping including contracts register and forward procurement plan
 - provide guidance and support in relation to procurement and contracting activity

The Progress on the Action Plan during 2021/22

- 3.8. The Procurement Strategy has an initial focus on 'getting the basics right' and recognises the need to be realistic with aims and timescales with a relatively small team in place.
- 3.9. Therefore the Action Plan will be delivered over a number of years and realistic timescales have been assigned by the Procurement Manager to each action.
- 3.10. The Action Plan update at **APPENDIX A** shows progress to date with those actions scheduled for 2021/22 summarised below:

What we plan to achieve	Status	Procurement Strategy Outcomes
A flexible and responsive procurement team		
Undertake engagement with customers	Onssins	Regular feedback sought and received from stakeholders
through a feedback survey	Ongoing	during projects and via management/LT
A fully populated electronic contract register		
Update with information received	Completed	All contracts that we are aware of are now published on the
	Completed	contracts register if required
A fully populated forward looking work plan		
Update with information received and		Future Procurement Plan has been approved by cabinet
procurement initiation form content	Completed	
Regular engagement with officers and	(Bfwd from	Meetings with Finance Team and budget holders
managers	2020/21)	continuing. Ad-hoc meetings with stakeholders
Regular procurement updates to		Regular attendance at LT booked in the diary
officers		Regular attenuance at LT booked in the diary
Improve visibility of procurement opportunit	ies	Future Procurement Plan approved by Cabinet. Committee
Future Procurement plan to be published on the website in the form of	Completed	report will show on LDC website
anticipated procurement opportunities	Completed	report will show on LDC website
	ly adont Nation	l al Themes, Outcomes and Measures (TOMs) Framework for
Social Value measurement)	., adopt Hatioi	
Develop a social value policy and guide		A Member Task Group may be utilised to establish priorities
for officers	Pending	for the Council in this area of developing policy
Consider the inclusion of social value		, ,
criteria in each relevant procurement	Completed	Social Value has a 10% evaluation weighting on each
·		procurement that requires a Procurement Initiation Plan
Environmental Sustainability		
Develop criteria for environmental		A Member Task Group may be utilised to establish priorities
sustainability for inclusion in	Pending	for the Council in this area of developing policy
procurement		
Improve engagement with local suppliers		I
Widen advertising of relevant contract		New CPRs include advertisement pathways and suggested
opportunities to include social media	Completed	routes
Identify local suppliers and encourage them to register an a tendering system.	(Bfwd from	Think Local approach is in development. Procurement team
them to register on e-tendering system	2020/21)	always advise stakeholders to gain quotes from local
		companies
All procurements with a value of over £10,00	0 are agreed w	· · · · · · · · · · · · · · · · · · ·
Regular monitoring process		New CPRs include requirement for this liaison directly
J	Completed	including Procurement Initiation Plan
Ensure that the procurement elements of the	Contract Proce	edure Rules (CPRs) remain fit for purpose
To review the procurement elements of		New CPRs approved by Council and are now in use
the CPRs	Completed	
Procurement Information Transparency Code	e 2015 requiren	
Regular monitoring process	Ongoing	Working through Transparency requirements and
		identifying any missing publications
Ensure opportunities for collaboration are ex	plored	
Approach local authorities when a new		Procurement Manager is a member of the west midlands
procurement is initiated to understand		heads of procurement network
scope for collaboration	Ongoing	Ad-hoc emails sent when appropriate
		Joint procurements with Tamworth for Occupational Health
		Services etc.

- 3.11. To measure the success of the Procurement Strategy a 'balanced scorecard' of Key Performance Indicators (KPIs) was developed based on strategic, financial, operational and compliance/risk themes.
- 3.12. The Procurement Strategy will be delivered over several years and therefore improvements in some KPIs will take time to manifest.
- 3.13. The baseline for each KPI identified in the Procurement Strategy together with the 2021/22 performance, where it has been possible to collect data, is shown in detail below:

Key Performance Indicator	Baseline	2020/21	2021/22	Trend	Procurement Strategy Outcomes
Strategic					Outcomes
% of spend in Lichfield District	12%	9.05%	11.36%	Positive	The level of Council spend in Lichfield District.
Number of tenders with social value criteria	NEW	2	8	Positive	To assess the application of social value principles in procurement activity.
Financial					
Financial savings in total (cashable)	NEW	(£40,000)	(£99,351)	Positive	The level of contract cashable savings.
Gross annual financial savings achieved (cashable)	NEW	(£10,000)	(£25,900)	Positive	The level of annual cashable savings.
Net annual financial cost/(savings) achieved (cashable)	£120,832	£110,832	£88,158	Positive	The net level of annual cashable savings after taking into account the direct cost of the Procurement Team.
Any other annual financial savings (non-cashable)	NEW	(£2,740)	(£97,606)	Positive	The level of other annual efficiency non cashable savings.
Operational	L	l	l		
% of suppliers paid within 30 days – target 90%	86.15%	86.06%	84.48%	Negative	How promptly suppliers are paid in line with social value objectives.
% of procurement opportunities published	NEW	0%	7%	Positive	The level of procurement opportunity provided to suppliers through open procurements.
Compliance / Risk					
Number of waivers to Contract Procedure Rules (CPRs)	10	21	41	Negative	The number of times the application of Contract Procedure Rules are 'waived'. The detailed reasons are reported annually to Audit & Member Standards Committee.
Number of legal challenges	0	0	0	Positive	The number of times the Council is legally challenged in Procurement activity.

- 3.14. In addition, the Forward Procurement Plan has been developed and therefore we expect to see the number of procurement activities for like-for-like requirements increase. This, together with regularising current arrangements to inform the plan, will hopefully increase the amount of 'cashable' savings.
- 3.15. The Action Plan update at **APPENDIX A** also shows that in addition to the ongoing and pending actions in 2021/22, there are a **6 actions** scheduled for 2022/23.

What is on the Horizon for Procurement?

- 3.16. **Draft Procurement Bill**—In response to the green paper that was published on the Government's proposed changes to public procurement as a result of Brexit and joining the World Trade Organisation Government Procurement Agreement (WTO GPA) directly. Headlines of the green paper included are; a reduction in the number of Above Threshold procedures to 3 (Open, Flexible, Emergency), stronger support for social value, localism and environmental impact being included in evaluation criteria, longer terms for framework agreements, and a rationalisation of the legislation into one document (currently general, utilities, defence and concessions). This bill will now make its way through the Houses of Parliament when Parliamentary time allows and eventually will be published as an Act.
- 3.17. Procurement Policy Note (PPN) 01/22 Contracts with suppliers from Russia and Belarus the first PPN of 2022 in response to the Russian invasion of Ukraine. The aim of the PPN is to inform contracting authorities on how they can cut ties with companies backed by the states of Russia and Belarus. As far as we are aware, we do not have any contracts with companies from Russia or Belarus.
 - In relation to new procurements the PPN suggests "Decline to consider (or otherwise exclude from participating in the procurement) bids from suppliers who are constituted or organised under the law of Russia or Belarus, or whose 'Persons of Significant Control' information states Russia or Belarus as the place of residency"
- 3.18. **Social Value, Think Local & Environmental Sustainability** we are planning to work with Members to explore the variety of formats social value, think local, and environmental sustainability can take, drafting Social Value, Think Local and Environmental Sustainability policies and an action plan to implement them. We have already started to make contact with local colleges in order to capitalise on those commitments already received from contractors in the intervening period as well as continuing to ask bidders for commitments in appropriate procurement projects.
- 3.19. Local & Regional Spend in order to provide more in depth data on this, in addition to the KPI for % of spend in Lichfield District above, we will monitor the number of local and regional suppliers that are invited to participate in procurement activities and the number of those that are then successful at contract award. This information will reflect procurement related activity in particular and the impact of the Think Local policy referred to above.

Alternative Options	The Council could decide that a new Procurement Strategy is needed and develop one that is different in the outcomes it would like to achieve.							
Consultation	The Leadership Team have provided inp	out into this rep	oort.					
Financial Implications	The Medium Term Financial Strategy included a Revised budget for savings in 2021/22 from procurement of (£49,860) . The budgetary treatment of annual savings identified in the Key Performance Indicators is shown below:							
I I		Procurement	Service Areas	Total				
	Approved Budget	£49,860		£49,860				
I I								
I I	Procurement Savings	(£24,500)	(£1,400)	(£25,900)				
I I	Finance & Procurement other savings/income	(£24,750)		_				
	Budget not achieved	£10,610						
Approved by Section 151 Officer	Yes							
Legal Implications	Potential forthcoming changes to proc	urement legisla	ation as detaile	ed above. The				

Procurement Manager will keep monitoring this area for any developments.

Approved by Monitoring Officer	Yes
Contribution to the Delivery of the Strategic Plan	 The work of the Procurement Team contributes towards the strategic aim of "a council that is fit for the future" ensuring compliance to internal and external regulations as well as seeking value for money outcomes. Effective procurement can contribute to the achievement of Strategic Plan outcomes primarily in relation to developing prosperity and being a good Council.
Equality, Diversity and Human Rights Implications	No specific implications.
Crima Q Cafati	
Crime & Safety Issues	No specific implications.
· ·	 No specific implications. Social Value and Environmental Sustainability form part of the Procurement Strategy. Environmental impact can be considered as part of procurement exercises, where applicable and proportionate, and included in evaluation criteria; improvement in environmental measures possible through application of Procurement Strategy (for example reduction in CO2 emissions, increased use of sustainable materials, reduction in waste).

	Risk Description & Risk Owner	Original Score (RYG)	How We Manage It	Current Score (RYG)
А	The Council's procurement ambitions have not been articulated and agreed Head of Finance and Procurement / Procurement Manager	Likelihood : Red Impact : Yellow Severity : Yellow	The Procurement Strategy will articulate where the Council wants to be and how it plans to get there	Likelihood : Green Impact : Green Severity : Green
В	Local suppliers are not provided with the opportunity to bid for Council procurements Head of Finance and Procurement / Procurement Manager	Likelihood : Red Impact : Yellow Severity : Yellow	Procurement opportunities will be part of a forward looking plan and will also be communicated more widely to provide greater opportunities	Likelihood : Yellow Impact : Yellow Severity : Yellow
С	Procurement performance is not monitored and transparent Head of Finance and Procurement / Procurement Manager	Likelihood : Yellow Impact : Yellow Severity : Yellow	There will be a suite of Key Performance Indicators that will be regularly monitored	Likelihood : Green Impact : Green Severity : Green

D	Non-compliance with legal, regulatory and constitutional requirements Head of Finance and Procurement / Procurement Manager	Likelihood : Yellow Impact : Yellow Severity : Yellow	The new Procurement Team will be able to ensure compliance and this will also will be monitored by Internal Audit	Likelihood : Green Impact : Yellow Severity : Yellow
E	Procurement savings/value for money are unrealised Head of Finance and Procurement / Procurement Manager	Likelihood : Red Impact : Yellow Severity : Yellow	The new Procurement Team will be able to establish greater rigour in the Procurement process	Likelihood : Green Impact : Yellow Severity : Yellow
F	Procurements are reactive rather than planned and therefore do not achieve value for money Head of Finance and Procurement / Procurement Manager	Likelihood : Red Impact : Yellow Severity : Yellow	The Procurement Team will engage with service areas to minimise reactive procurement	Likelihood : Yellow Impact : Yellow Severity : Yellow

Background documents

Cabinet Report December 2020 (Procurement Strategy)
Cabinet Report September 2021 (Procurement Matters Update)

Cabinet Report May 2022 (Future Procurement Plan)

Relevant web links

Action Plan Update

	What we plan to achieve	What we plan to do	Target Year	2021/22 Status	2022/23 Status to date	Comments
		Support CIPS training and appropriate legal courses	2020/21	On-Going	On-Going	Procurement Specialist CIPS Level 5 to develop knowledge and skills, potential to move on to Level 6
	Enhance procurement knowledge in the council	Identify gaps in knowledge and develop additional training courses	2022/23	Pending	Pending	Will link in with new CPRs ¹ and ways of working to upskill colleagues across the council
	A flexible and responsive procurement team	Undertake engagement with customers through a feedback survey	2021/22	Pending	On-Going	Regular feedback sought and received from stakeholders during projects and via management/LT
rocesses	A fully populated electronic contract register	Update with information received	2021/22	Completed	Completed	All contracts that we are aware of are now published on the contracts register if required
Systems and Processes	To move towards LDC Requests for Quotations (RFQs) and Invitations to Tender (ITTs) to be run via e-tendering system	Training programme for staff	2022/23	Started	Started	Procurement Team has completed ProActis 2 day training on use and admin of the system New CPRs direct use of the system dependent upon different pathways - training programme to reflect this
		Update with information received and procurement initiation form content	2021/22	On-going	Completed	Forward plan approved by cabinet
nd Data	A fully populated forward looking work plan	Regular engagement with officers and managers	2021/22	Completed	Completed	Meetings with Finance Team and budget holders continuingAdhoc meetings with stakeholders
Visibility and Data		Regular procurement updates to officers	2021/22	Completed	Completed	Regular attendance at Leadership Team and engagement in Manager's Forum when needed
S	Improve visibility of procurement opportunities	Future work plan to be published on the website in the form of anticipated procurement opportunities	2021/22	On-Going	Completed	Forward plan approved by Cabinet. Committee report will show on website

¹ Contract Procedure Rules – Part of the Council's Constitution

APPENDIX A

	What we plan to achieve	What we plan to do	Target Year	2021/22 Status	2022/23 Status to date	Comments
		All current procurement opportunities to be published	2021/22	On-Going	On-Going	New CPRs include updated guidance on when to advertise opportunities
	Publish and monitor expenditure with suppliers, SMEs and VCSEs in Lichfield District	Monitoring spend through the new finance system	2022/23	Started	On-Going	Basic information already published; more detailed information pending implementation of new finance system
	Recognise and embed social value (potentially adopt National	Develop a social value policy and guide for officers	2021/22	On-Going	On-Going	Waiting for Member Task Groups to be started for work to commence in detail; some background work has been undertaken
	Themes, Outcomes and Measures (TOMs) Framework for Social Value measurement)	Consider the inclusion of social value criteria in each relevant procurement	2021/22	On-Going	Completed	Social Value has a 10% evaluation weighting on each procurement that requires a Procurement Initiation Plan
	Environmental Sustainability	Develop criteria for environmental sustainability for inclusion in procurement	2021/22	Pending	Pending	Waiting for Member Task Groups to be started for work to commence in detail in conjunction with Social Value Policy; some background work has been undertaken
Suppliers and Social Value	Improve engagement with local suppliers	Develop selling to the council guidance and publish on LDC website	2022/23	Pending	Pending	New CPRs being in place to ensure information provided is up- to-date
and Soc		Attendance at any relevant Meet the Buyer events	2020/21	Pending	Pending	Will form part of the social value policy The new Procurement Manager will work towards this
Suppliers		Widen advertising of relevant contract opportunities to include social media	2021/22	On-Going	Completed	New CPRs include advertisement pathways and suggested routes
		Identify local suppliers and encourage them to register on e-tendering system	2021/22	Completed	Completed	Think Local approach is in development Procurement team always advise stakeholders to gain quotes from local companies
		Identify demand for 'how to tender' workshop in advance of any significant procurements and or general workshop	2022/23	Pending	Pending	Will follow from above engagement project
	All procurements with a value of over £10,000 are	Regular monitoring process	2021/22	Completed	Completed	New CPRs include requirement for this liaison directly including Procurement Initiation Plan

APPENDIX A

	What we plan to achieve	What we plan to do	Target Year	2021/22 Status	2022/23 Status to date	Comments
	agreed with Procurement Team					
	Ensure that the procurement elements of the CPRs remain fit for purpose	To review the procurement elements of the CPRs	2021/22	Completed	Completed	New CPRs are now in use
	Procurement Information Transparency Code 2015 requirements are met	Regular monitoring process	2021/22	On-Going	On-Going	Working through Transparency requirements and identifying any missing publications
		Completion of all relevant surveys from buying organisations	2020/21	On-Going	On-Going	Completed as and when received
Collaboration	Ensure opportunities for collaboration are explored	Host or attend knowledge transfer meetings with neighbouring authorities to share forward looking work plans	2022/23	Pending	On-Going	Ad-hoc chats taking place as needed
S		Approach local authorities when a new procurement is initiated to understand scope for collaboration	2021/22	On-Going	On-Going	Procurement Manager is a member of the west midlands heads of procurement network Ad-hoc emails sent when appropriate Joint procurements with Tamworth for Occupational Health Services etc.
act ment	Improve post contract	Development of a contract management guide for officers	Later Years	Pending	Pending	Ad-hoc support being given when needed
Contract Management	award and commercial outcomes	Support key officers in commercial negotiations and continuous improvement activities	2020/21	Started	On-Going	Ad-hoc when requested Income achieved through procurement of contactless car park payments

Completed in 2020/21

	What we plan to achieve	What we plan to do	Target Year	2021/22 Status	2022/23 Status to date	Comments
nent	A fully staffed & trained procurement team	Recruit to permanent roles	2020/21	Completed	Completed	Procurement Manager & Procurement Specialist joined Oct/Nov; immediate engagement with the Procurement Team from across the organisation
Procurement	High performing procurement function	Develop a series of KPIs	2020/21	Completed	Completed	KPIs included in Procurement Strategy and being monitored
Professionalise	Con emb	Continue to support the embedding of self-service	2020/21	Completed	Completed	New CPRs state that Procurement Team will upload all contracts to the register
Prof		Procurement Team to use the system on behalf of officers as required	2020/21	Completed	Completed	Procurement Team using e-tendering system as needed to run RFQ/ITT/Further Competitions
Compliance	All relevant contracts are advertised on Contracts Finder (CF)	Regular monitoring process	2020/21	Completed	Completed	When appropriate CF is used to advertise opportunities CPRs state this must occur
Сотр		Representation at heads of procurement networks	2020/21	Completed	Completed	Member of West Midlands Social Value Taskforce; liaising with West Midlands Heads of Procurement Group

Local Government Association National Procurement Strategy Maturity Assessment

1 - Minimum 4 - Leader
2 - Developing 5 - Innovator
3 - Mature

Main Section	Sub-Section	Sep-20	Sep-21
	Proc. and commercial champions		3
Engaging Councillors	Reporting	1	3
	Councillor development		1
	Influence and impact		3
	Mission and strategy		3
Engaging senior managers	Processes	2	1
	Senior managers development		2
	Culture		2
Working with partners	Governance and processes	2	2
-	Staff development for partnership working		1
	Data collection and analysis		2
Engaging strategic suppliers	Existing strategic supplier engagement	1	1
	Early engagement with future suppliers	•	1
	Forward planning		2
	Options appraisal (Make or Buy)		1
	Market/supplier research/analysis		1
Creating commercial opportunities	Tendering	1	1
	Performance reporting		1
	Post contract review		1
	Information storage/accessibility		2
	Change control		1
	Supplier financial distress		1
Contract and relationship	Savings and benefits delivery	1	1
management	Recognition/cultural acceptance		1
management	C&RM skills and knowledge		1
	Fraud and financial loss		
	Supply chain and contractor failure		2
	Modern slavery (Legislation)		2
Managing strategic risk	GDPR (Legislation)	2	2
			2
	External events (e.g. Brexit)		
	Policy and scope (social value) Social value internal management		2
	Social value TOMs (themes, outcomes and measures)		2
	Commissioning for social value		2
	Procurement (social value)		2
	Social value market engagement	1	1
Obtaining social value	Social value contract management		2
	Cross sector collaboration		2
	Reporting social value		2
	Social value governance		2
	Policy and scope (SMEs)		1
	SME relationships		2
	Commissioning with SMEs		1
	Market engagement with SMEs		2
Local SME and micro-business	Procurement with SMEs	2	2
engagement	Contract management with SMEs		1
	Governance of SME engagement		2
	Policy and scope (VCSEs)		1
	VCSE relationships		2
	VCSE engagement measurement		2
	Commissioning with VCSEs		2
Engaging VCSEs	VCSE market engagement	2	2
	Procurement with VCSEs		2
	Contract management with VCSEs		1
	Governance of VCSE engagement		2
	Developing talent		3
	Exploring digital technology		2
Enablers	Enabling innovation		2
	Embedding change		2
	Linbeduing change		2