

For Publication

Bedfordshire Fire and Rescue Authority  
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**REPORT AUTHOR: HEAD OF GOVERNANCE AND ASSET MANAGEMENT**

**SUBJECT: V11 01/01 PROCUREMENT POLICY AND CONTRACT PROCEDURES**

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For further information on this report contact: Elli Nikolaou  
Procurement Manager  
Tel No: 01234 845023

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Background Papers:

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Implications (tick ✓):

LEGAL		FINANCIAL	
HUMAN RESOURCES		EQUALITY IMPACT	
ENVIRONMENTAL		POLICY	
CORPORATE RISK	Known	OTHER (please specify)	
	New		

*Any implications affecting this report are noted at the end of the report.*

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## **PURPOSE:**

To inform the Members of the FRA of the changes to the Procurement Policy and Contract Procedures, (currently in draft and out on consultation)

## **RECOMMENDATION:**

That Members approve the changes to the new policy.

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### 1. **Background**

- 1.1 The 2019/23 CRMP highlighted the requirement for BFRS to update our internal Procurement Strategy documents with a focus on:
  - Leadership & Collaboration;
  - Commercial Practice;
  - Social Value.
- 1.2 The policy is to ensure BFRS procurement approach supports the delivery of our CRMP and is aligned to and influences the National Fire Procurement Strategy.
- 1.3 BFRS must also take a more commercial approach to procurement practice and income generation, that is legally compliant and effectively managing our supplier relationships to deliver better value for money products and services and reduce corporate risk.
- 1.4 Because of the above at 1.1 and 1.2 the Procurement Policy and Contract Procedures have been completely re-written to reflect the actions required. The Policy is very complex and intended to be used as a reference document to guide Service areas through the procurement process in line with current legislation.

## 2. **Summary of Key Themes for the new Procurement Policy**

- 2.1 Below is a short summary of the key themes of the new Procurement Policy – this is a totally new document (with the exception of section 24 – Requisitions and Purchase Orders).
- 2.2 The Policy now places greater emphasis on the legislative and strategic framework which is underpinning the Authority's procurement activity;
- 2.3 The Policy provides clarification on which types of public contracts are not subject to procurement legislation and therefore service areas do not have to consult with Procurement;
- 2.4 The Policy highlights the main piece of law with which the Authority must comply which is the Public Contracts Regulations 2015. The new Policy makes it clear that the Authority has a specific set of regulations which it needs to follow for contracts with a total aggregated value of £25k and above, not EU financial thresholds and above;
- 2.5 The Policy introduces the notion of category management, introduced in line with the NFCC categories of spend and the National Procurement Strategy 2018 for Fire and Rescue Services;
- 2.6 The Policy highlights the Authority's 'Duty to Collaborate';
- 2.7 The Policy sets out the specific provisions introduced around Social Value with specific social value targets identified against which the Procurement Manager will be reporting to the HGAM;
- 2.8 The Policy sets greater emphasis on Health & Safety and Equality & Diversity considerations;
- 2.9 The Policy introduces the Conflict of Interest Protocol (audit requirement);
- 2.10 New bandings introduced, injecting greater flexibility without compromising compliance with legislation;

- Band 1 - up to £2,000 (service area)
- Band 2 - £2001 - £24,999 (service area with assistance from Procurement – this is dependent upon further developing skills within service areas)
- Band 3 - £25,000 – 59,999 (Procurement Team)
- Band 4 - £60,000 up to EU financial thresholds (Procurement Team)
- Band 5 – EU financial thresholds and above ('OJEU' procurements) (Procurement Team)

2.11 The Policy provides greater transparency on the procedures and associated timelines which the Procurement Team has to meet, thus enabling service areas to better understand what is required of the Authority;

2.12 The Policy introduces contract management provisions;

2.13 The Policy sets out the Authority's reporting requirements clearly defined (Regulation 84 reports for EU financial thresholds and above contracts, Transparency Data for £5k and above contracts, NFCC Savings Register, Home Office Spend Data Analysis);

2.14 The Policy clarifies additional Procurement Exemption (Waivers) conditions providing greater flexibility, especially to areas such as Property, ICT and Protection & Prevention (see below new conditions)

***Part of a wider programme***

2.15 Involving an organisation which has won a contract for an earlier phase or section of work via a competitive process and where the work forms part of a serial programme and has previously been identified as such.

***Additional Requirement***

2.16 Involving an organisation already engaged by the Authority for a similar and related procurement and where there is significant benefit to extending the contract to cover this.

***Delay***

2.17 If a contract award is subject to delay.

**SOC CHRISTOPHER BALL  
HEAD OF GOVERNANCE AND ASSET MANAGEMENT**