



City and County of Swansea

Notice of Meeting

You are invited to attend a Meeting of the

Scrutiny Inquiry Panel - Procurement

At: Multi-Location Meeting - Gloucester Room, Guildhall / MS Teams

On: Tuesday, 24 October 2023

Time: 10.00 am

Convenor: Councillor Chris Holley OBE

Membership:

Councillors: L R Jones, J W Jones, B J Rowlands and T M White

Agenda

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- 1 **Apologies for Absence**
- 2 **Disclosures of Personal and Prejudicial Interest**
www.swansea.gov.uk/disclosuresofinterests
- 3 **Prohibition of Whipped Votes and Declaration of Party Whips**
- 4 **Minutes of Previous Meeting** 1 - 2
- 5 **Public Questions**
Questions can be submitted in writing to scrutiny@swansea.gov.uk up until noon on the working day prior to the meeting. Written questions take precedence. Public may attend and ask questions in person if time allows. Questions must relate to items on the open part of the agenda and will be dealt with in a 10-minute period.
- 6 **Impact / Follow up Report - Scrutiny Inquiry into Procurement** 3 - 137
Cllr David Hopkins (Cabinet Member for Corporate Services and Performance) and Chris Williams (Head of Commercial Services)

A handwritten signature in black ink that reads 'Huw Evans'.

Huw Evans
Head of Democratic Services
Date 14 October 2023
Contact: Scrutiny Officer

Agenda Item 4



City and County of Swansea

Minutes of the **Scrutiny Inquiry Panel - Procurement**

Remotely via Teams

Monday, 21 February 2022 at 10.00 am

Present: Councillor C A Holley (Chair) Presided

Councillor(s)

P Downing
L R Jones

Councillor(s)

T M White
J W Jones

Councillor(s)

P K Jones
I E Mann

Other Attendees

D H Hopkins

Cabinet Member for Delivery and Operations

Officer(s)

Chris Williams

Head of Commercial Services

Apologies for Absence

Councillor(s): B J Rowlands and M Sherwood

1 Disclosures of Personal and Prejudicial Interest

None

2 Prohibition of Whipped Votes and Declaration of Party Whips

None

3 Minutes of Previous Meeting

The minutes of the meeting on the 24 November 2021 were agreed.

4 Public Questions

No public questions were received.

5 Scrutiny Inquiry into Procurement Final Report

The Panel discussed their final scrutiny report into procurement, agreeing its submission to the Scrutiny Programme Committee on the 15 March 2022 and then the next available Cabinet meeting.

The Chair thanked all those people who contributed to this piece of work including the contractors and SCVS who gave their experiences and views of procurement in Swansea. He was also keen to thank Business Wales along with officers and

cabinet members from across council departments who gave the detailed evidence on how procurement operates in Swansea.

The report will be scheduled for agreement by the Scrutiny Programme Committee on the 15 March 2022. It will then go to Cabinet for consideration and those recommendations agreed will be implemented. The Panel will convene again 6-9 months after the Cabinet decision to see the impact of its recommendations.

The meeting ended at 10.55 am

Chair

Agenda Item 6



Report of the Cabinet Member for Corporate Service & Performance

Procurement Scrutiny Inquiry Panel – 24 October 2024

Impact Report: Scrutiny Inquiry into Procurement

Purpose:	To help the Scrutiny Panel to assess the impact of the scrutiny inquiry report into Procurement.
Content:	<p>This report deals with three questions related to the impact of the inquiry:</p> <ol style="list-style-type: none">1. What has changed since the report was presented to Cabinet?2. Have the agreed recommendations been implemented?3. What has been the impact of the scrutiny inquiry?
Councillors are being asked to:	<ul style="list-style-type: none">• Consider the contents of the report• Reach conclusions about the impact of the inquiry
Lead Councillor:	Cllr David Hopkins Cabinet Member for Corporate Service & Performance
Lead Officer:	Chris Williams
Report Author:	Chris Williams (Head of Commercial Services) Chris.williams@swansea.gov.uk

1. Introduction

- 1.1 The Procurement Scrutiny Inquiry Panel undertook an in-depth inquiry during 2021/22 and presented its final report with conclusions and recommendation to Cabinet on 16 June 2022. The inquiry looked at *How can Swansea Council ensure it procures locally, ethically and greenly while being cost effective and transparent in its practices?* This final report can be viewed using this [link](#).
- 1.2 Cabinet made a decision on the scrutiny recommendations at its meeting on 20 October 2022. The Cabinet Member response and action plan were agreed by Cabinet can be viewed using this [link](#).
- 1.3 The final stage of the scrutiny inquiry process is the follow up. It is at this point that usually the original Panel reconvenes in order to assess the impact of the work. A Scrutiny Performance Panel for Procurement has

therefore been reconvened by the Scrutiny Programme Committee and it has been tasked with following up on the impact of this inquiry.

1.4 The purpose of this report is to assist the Panel as it seeks to answer the following three questions, each of which will be dealt with as follows:

- What has changed since the report was presented to Cabinet?
- Have the agreed recommendations been implemented?
- What has been the impact of the scrutiny inquiry?

2. What has changed since the report was presented to Cabinet?

2.1 Since the inquiry concluded the following changes have taken place:

2.2 Cabinet discussed and further reviewed and adopted / supported all of the Panel's recommendations (as per 1.2 above) thus illustrating the importance of this work and endorsing its direction.

2.3 Cabinet reconfirmed staffing budget for the Commercial Services area:-

due to a review of budgets a significant number of vacant roles were held open for twelve months, thus there has been a delay in recruiting for those roles, with this gap compounded by a staff member's maternity leave. However, staff recruitment has progressed and it is hoped to be fully concluded by December 2023. The staff referred to will have a primary focus of supporting the development of the suite of matters raised by the Panel and integrating them into the work of the Council as 'business as usual activities'.

2.4 Further multiple actions arising from the Panel's Inquiry have been undertaken and are detailed in the table in Appendix A (referred to in section 3 below).

3. Have the agreed recommendations been implemented?

3.1 In responding to the inquiry an action plan was drawn up showing what steps would be taken to implement all of the scrutiny recommendations agreed by Cabinet (see report [here](#)).

3.2 The table at **Appendix A** shows an updated action plan showing progress against each recommendation and specifically:

- the Cabinet decision in respect of each recommendation
- the action taken since the Cabinet response on 20 October together with any relevant explanatory statements
- the responsible officer(s)
- timescales involved

4. What has been the impact of the scrutiny inquiry?

- 4.1 As a result of the Inquiry the profile of the matters raised by the Panel has increased significantly - across the entire Council – from those working on climate change matters through to Audit, for example, as well as at senior management level, so the Panel’s focus and interest has highlighted the importance of the matters reviewed, particularly this work area’s ability to be a driver of and an agent of important change.
- 4.2 Wider trends have been magnified by the Panel’s focus and there has been a high degree of alignment between the Panel’s focus and Cabinet’s response and thus a general commitment to the direction of travel articulated, showing the strategic alignment of the work and its importance to the future of the Council’s operation and impact on its wider environment.
- 4.3 Appendix A (below) provides a detail on the impact of the Scrutiny Inquiry and progress made to date.

5. Legal Implications

- 5.1 There are no legal implications arising from this report – any future decisions taken will be the subject to the relevant component of the Council Constitution, particularly the Cabinet decision-making process and the Council’s contract procedure rules.

6. Financial Implications

- 6.1 There are no financial implications arising from this report and as noted in 5.1 any future decisions made will be reviewed in line with the Council Constitution and in this case the financial procedure and contract procedure rules.

7. Integrated Assessment Implications

- 7.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
 - Deliver better outcomes for those people who experience socio-economic disadvantage
 - Consider opportunities for people to use the Welsh language
 - Treat the Welsh language no less favourably than English.
 - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

- 7.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 7.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 7.2 An IIA screening report has been completed with the agreed outcome that a full IIA report was not required. The IIA report is provided as an Annex (IIA).

There are no negative impacts rather the proposed strategic direction is a positive endorsement of the Well-Being of Future Generations Act, and future decisions will be subject to appropriate Cabinet decisions and the Council's Constitutional decision-making framework.

Background papers:

Procurement Scrutiny Inquiry Report
Cabinet Report – Response to Procurement Scrutiny Inquiry (20 October 2022)

Appendices:

Appendix A – Update Action Plan on Implementation of Agreed Scrutiny Recommendations

Scrutiny Inquiry on Procurement – Cabinet Action Plan Follow Up/Impact

	Recommendation	Action already being undertaken	New Action Proposed	Timescale	Responsible Officer
1	<p>The Council’s approach to social value, localism, biodiversity and the natural environment be further integrated and expanded in line with their key principles and current Council pilot programme reviewing this matter.</p>	<p>A Social Value recording tool has been developed and is being utilised (secondary phase of the live testing) – please see examples in Annex 1.</p> <p>Current focus / late stage trial is for contracts with a value of £1 million plus and once the methodology is reviewed and finalised it is intended to apply it to all contracts valued at £140,000 plus, subject to Cabinet review.</p> <p>This recording tool / process is designed to integrate the Council’s approach to such matters into relevant procurement activity.</p>	<p>The Welsh Government is assessing an all-Wales approach to this matter, through its new <i>Social Partnership and Public Procurement Bill</i> and various other Well-Being focused working groups across Wales, and the Council is awaiting for formal / statutory guidance on the recording of such Well-Being outcomes - the latest status is published here - https://www.legislation.gov.uk/asc/2023/1/section/43/enacted</p> <p>A draft policy is in development which will dovetail with other specific policies, e.g. such as those for climate change activity – please see Annex 2. This policy will be finalised once the Welsh Government’s statutory guidance is understood - so that it may be properly integrated into the processes of the Council and ensure our systems and processes are aligned with new requirements.</p>	April 24	Chris Williams
<p>COMPLETE, IN PROGRESS OR NOT COMPLETED</p> <p>Progress: In progress</p>					

	Recommendation	Action already being undertaken	New Action Proposed	Timescale	Responsible Officer
2	Cabinet investigate how the impact of a contract's carbon footprint can be measured with the view to using this measure as part of the Council's procurement practice	The Council has created a Climate Change and Nature Recovery Group and is an active participant in Welsh Local Government Association fora which are reviewing this matter across Wales, and which also involve the Welsh Government as key stakeholder and too the Office of the Future Generations Commissioner.	<p>Interaction with the groups noted has yielded analytical tools developed by the Welsh Government (for tracking) and Welsh Local Government Association - included in Annex 3, and which is now being provided for Services review as part of the approach outlined in recommendation 1 (R1).</p> <p>Furthermore an additional tool has been provided by the Welsh Government – please see Welsh Procurement Policy Note WPPN 01/23: Procurement - sustainable risk assessments GOV.WALES - known as sustainability risk assessment, and that is also integrated into the approach outlined in R1.</p> <p>Further work is ongoing at the WLGA / Welsh Government level to create a definitive model for application throughout Wales - a model that can be used across all public bodies and enable the standardised comparison of the resulting data and approaches.</p>	Spring 24	Chris Williams
<p>COMPLETE, IN PROGRESS OR NOT COMPLETED</p> <p>Progress: In progress</p>					

Recommendation	Action already being undertaken	New Action Proposed	Timescale	Responsible Officer	
3	Cabinet increase the use of nature-based solutions in the Council's procurement practice, when it is assessed as the most sustainable solution.	This work is integrated into Recommendation 1 (above) as the net carbon zero agenda is an integral part of the above recommendation.	As for R1	Chris Williams	
<p>COMPLETE, IN PROGRESS OR NOT COMPLETED Progress: In progress / links to recommendation 1.</p>					
4	Cabinet develops a mechanism for measuring the impact of spending on policy commitments in relation to, for example, social benefit, local procurement, natural environment (including investigating as to whether this analysis should form part of the internal audit and/or performance monitoring process)	<p>This recommendation has been integrated into the corporate plan of the Council, to allow ongoing monitoring of this important area.</p> <p>Phase 1 of the project has been to consider a spend analytics tool related to our financial reporting system, and initial interaction has proved with regard to the further mapping of local spend.</p> <p>As noted above the WLGA and Welsh Government are also reviewing these matters.</p>	<p>The Council has moved from one financial system to a new system known as Oracle Fusion. Once development time for new activity is available (indicative plan is Q3) then it is intended to develop an automated reporting system to -</p> <ol style="list-style-type: none"> 1) phase 1 - detailed report on supplier spend (this will provide a number of reporting metrics including spend in Swansea, the city region, Wales and so forth) 2) phase 2 – expand / integrate other areas as appropriate, but taking into account all-Wales developments in this area. 	Jan 24	Chris Williams / the Service Centre (Oracle purchasing team)
<p>COMPLETE, IN PROGRESS OR NOT COMPLETED Progress: In progress</p>					

Recommendation		Action already being undertaken	New Action Proposed	Timescale	Responsible Officer
5	The Schools' Guide for Procurement is finalised to assist schools in understanding procurement rules and regulations and the best practice that they should follow when undertaking procurement.	Following extensive consultation the Guide has been developed and published and is now implemented.	The Guide is provided in Annex 5 – and multiple meetings have been held through schools fora to seek input on and assist in the implementation of this guide. Ongoing attendance and schools training will provided through the following fora: Schools Finance and Premises Groups as well as an inter-link with the Secondary Schools and Primary Schools liaison groups - facilitated by the Education department.	Sep 23	Chris Williams / Kelly Small
COMPLETE, IN PROGRESS OR NOT COMPLETED					
Progress: Complete					
6	Resources to support procurement activities be reviewed upon enactment of the new UK reform of the UK Public Contract Regulations and the Green Paper to ensure support is fit for purpose in addressing any new or expanded requirements	The UK and Welsh Governments have organised multiple information sharing events to chart the progress of the legislation, however, the legislation has not yet been finalised (particularly its statutory guidance), so it is not possible to comment on the impact at this time.	Review upon publication of the final legislation and the accompanying statutory guidance. It is likely that there will be significant impact arising from the legislation, e.g. enhanced reporting and statutory requirements relating to the well-being of future generations agenda, so this will be further reviewed.	May 24	Chris Williams
COMPLETE, IN PROGRESS OR NOT COMPLETED					
Progress: In progress / dependent on publication of statutory guidance and outputs required					

	Recommendation	Action already being undertaken	New Action Proposed	Timescale	Responsible Officer
7	Ensure that the Council develops and maintains direct links with local businesses including developing appropriate communication channels to alert them of upcoming procurement opportunities	<p>A new website link has been created to assist Swansea based companies – part of a wider SME engagement programme of activity undertaken by colleagues in the Economic Development and External Funding Team.</p> <p>Also the core role of Sell2Wales has also been reviewed by both the UK and Welsh Governments (as part of the legislation review noted above) and its central role is to be maintained and strengthened (detailed proposals are awaited).</p>	<ul style="list-style-type: none"> • https://swansea.gov.uk/tenderingopportunities <p>on-going work to promote this link via Economic Development, e.g. via the Council's social media platforms to make local businesses aware of such opportunities (see Annex SME for an example of this work).</p> <p>We will also work with the Welsh Government and its agent partner Business Wales to maximise links with local businesses, e.g. through the provision of tendering workshops.</p>	Sep 23	Alyson Davies, Economic Development and External Funding Team
<p>COMPLETE, IN PROGRESS OR NOT COMPLETED</p> <p>Progress: Review complete / integrated into ongoing activity</p>					

Recommendation		Action already being undertaken	New Action Proposed	Timescale	Responsible Officer
8	Cabinet maximises opportunities to involve service users and citizens in the procurement process which will lead to more collaborative, co-produced services.	This work is fully integrated into the standard processes of the Council and backed by statutory obligations.	<ul style="list-style-type: none"> In addition the Council has commissioned independent experts to review this matter further with new policy and processes to be finalised - a draft policy is currently being consulted on - Coproductioin policy - have your say - Swansea 	Apr 24	Rhian Miller
COMPLETE, IN PROGRESS OR NOT COMPLETED					
Progress: Complete / development work ongoing					
9	Cabinet continues the work to address any areas of non-compliance in Council procurement activity	Commercial Services to further review all such activity; CMT has been briefed and this matter raised as part of the annual 'senior management assurance statement' and programme	Further audit work initiated to further explore this important area, to provide further info and assurance of the activity in this area, which will be reported to the Corporate Management Team and regularly monitored with audit recommendations reviewed at Audit Committee.	Jan 24	Chris Williams with input from Internal Audit
COMPLETE, IN PROGRESS OR NOT COMPLETED					
Progress: In progress					

	Recommendation	Action already being undertaken	New Action Proposed	Timescale	Responsible Officer
10	The number of 'open days' are expanded to encourage local firms to tender for Council works and ensure that supplier feedback is obtained in order to understand the issues experienced by businesses, particularly SMEs, when bidding for Council contracts. The Panel felt that this could include for example roadshows and contract and/or subject specific events	A significant degree of activity has historically been undertaken by the Council, and coming out of the pandemic further review of this important interaction with external partners was requested.	<p>Please find attached in Annex 6 an overview of recent and planned activity relating to this important topic during this calendar year.</p> <p>Opportunities for engagement with the supplier base will be consistently sought not least because this typically increases the number of tenderers for Council opportunities and also provides new opportunities for local businesses.</p> <p>This matter will be progressed in tandem with the actions outlined in recommendation 7.</p>	Jan 24	Chris Williams
<p>COMPLETE, IN PROGRESS OR NOT COMPLETED</p> <p>Progress: initial review complete</p>					

	Recommendation	Action already being undertaken	New Action Proposed	Timescale	Responsible Officer
11	Cabinet works with the Welsh Local Government Association to press the Welsh Government to develop ways for the impact of key national commitments to be measured across Wales and the sharing of procurement good practice across Wales	The Council is engaged in multiple relevant working groups, particularly working via the WLGA.	This work to be integrated into recommendation 4 (above) - the Council is an active participant in all-Wales fora and for example the head of commercial services is chair of the North, Mid and West Wales (inc Bridgend) WLGA commercial delivery group. The Welsh Government, WLGA and the Office of the Future Generations Commissioner are all aligned in working to meet the outcome desired from this recommendation.	Jan 24+	Chris Williams
<p>COMPLETE, IN PROGRESS OR NOT COMPLETED</p> <p>Progress: participation is ongoing therefore the core action is complete although it is likely to take some time to deliver a functioning system at the all-Wales level given the wide variety of public bodies involved.</p>					
12	Cabinet increases the level of training for new starters by making procurement training a mandatory module for those involved in any procurement activity.	Dialogue has been entered into with the HR Department and the development of a procurement training module has been agreed. This proposed content of this module has been delivered via a number of training sessions to test its content.	The switch to a new IT system has meant that the development of the module is still underway. HR colleagues are involved, and it is hoped that the module will be live to by January once the relevant 'web authoring' component is complete'. Annex 7 contains the information proposed as content for the module and which is used in current training.	Jan 24	Chris Williams
<p>COMPLETE, IN PROGRESS OR NOT COMPLETED</p> <p>Progress: In progress</p>					

	Recommendation	Action already being undertaken	New Action Proposed	Timescale	Responsible Officer
13	A working group is created for education procurement which includes representatives from schools and the Council's procurement team to help improve consistency in adherence to policy, ways of working and identifying gaps and finding common solutions.	Please see the actions noted above with regard to the schools guide	The structure of the interaction with Schools has now been developed along with the Schools Guide noted in recommendation 5. Commercial Services is working with established groupings and with the Education Directorate and will evolve this approach as required. One initial aspect of this work that will be further reviewed is the training course provided to new Head Teachers, to see if that may be enhanced with further procurement knowledge and practice-related content and/or integration with the online procurement module noted in recommendation 12.	Apr 24	Chris Williams
<p>COMPLETE, IN PROGRESS OR NOT COMPLETED</p> <p>Progress: completed, but will be subject to further review and development</p>					

	Recommendation	Action already being undertaken	New Action Proposed	Timescale	Responsible Officer
14	Cabinet focus on reviewing documentation and contract design to further encourage SMEs locally to tender for Council works	This work is integrated into the daily activities of the Council.	This work is also now integrated into Recommendation 1 (above) - the development of local suppliers is a core part of that recommendation, and putting in place one clear system to manage such work is considered vital to success.	As for R1	Chris Williams
<p>COMPLETE, IN PROGRESS OR NOT COMPLETED</p> <p>Progress: in progress</p>					

SOCIAL VALUE RECORDING TOOL

The purpose of this document is for Swansea Council to record if a Sustainability Risk Assessment has been completed and that Well Being of Future Generations Act considerations have been made for this procurement exercise in line with the Council's commitments and Welsh Government requirements.

The Well Being of Future Generations Act (WBFGA) themes/goals and outcomes are included on pages 2 and 3 for reference.

The Social Value Recording tool is included on pages 4 and 5. Please complete at planning stage and update information to reflect any amendments made up until final tender stage. Additional resources that may be useful for this exercise are also included on page 6.

WELL BEING OF FUTURE GENERATIONS ACT (WBFGA) – GOALS

Themes (Goals)*	Outcomes
<p style="text-align: center;">A prosperous Wales</p> <p>An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.</p>	More people in employment
	Improved skills for people
	Improved skills for a low carbon transition
	More opportunities for SMEs
	Resource efficiency and the circular economy are promoted
	Retaining jobs and skills during the COVID-19 crisis
	Innovation to support a more prosperous Wales
<p style="text-align: center;">A globally responsible Wales</p> <p>A nation which, when doing anything to improve the economic, social, environmental, and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being</p>	Carbon Emissions are reduced
	Ethical procurement is promoted globally
	COVID-19 environmental response
	Innovation to support a globally responsible Wales
<p style="text-align: center;">A resilient Wales</p> <p>A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic, and ecological resilience and the capacity to adapt to change</p>	Green spaces and biodiversity are protected and enhanced
	Safeguarding the environment
	Sustainable procurement is promoted
	Innovation to support a more resilient Wales
	Creating a healthier community
<p style="text-align: center;">A healthier Wales</p> <p>A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood</p>	Air Pollution is reduced
	Improving staff wellbeing
	Supporting workers, SMEs and VCSEs to face the COVID-19 crisis
	Innovation to support a healthier Wales
<p style="text-align: center;">A more equal Wales</p> <p>A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio-economic circumstances)</p>	More opportunities for disadvantaged people
	Reducing inequalities
	More support for target curriculum activities
	Improved employability of young people
	Ethical procurement is promoted in Wales
Innovation for a more equal Wales	

<p>A Wales of cohesive communities Attractive, safe, viable and well-connected.</p>	More opportunities for VCSEs (Voluntary, Community and Social Enterprises)
	Social Value embedded in the supply chain
	A workforce and culture that reflect the diversity of the local community
	Crime is reduced
	Vulnerable people helped to live independently
	More working with the Community
	Supporting workers, SMEs and VCSEs to face the COVID-19 crisis
	Supporting communities to deal with the COVID-19 crisis
	Innovation to support more cohesive communities in Wales
	The Welsh culture is promoted
A Wales of vibrant shared culture and thriving Welsh Language	Native wildlife, nature and heritage sites are protected
	Innovation to support a more vibrant culture

* Structure based on WFGA goals: <https://futuregenerations.wales/about-us/future-generations-act/>

Social Value Recording / WBFGA additional detail

Please provide what Social Value and WBFGA considerations have been made for this project.

Please refer to the Well Being of Future Generations Act Goals table (pages 2 and 3) for guidance and speak to the Procurement Officer involved in this exercise for support.

Goal / Procurement Stage	Guidance and links below	Response
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 20</p> <p style="text-align: center;">Planning Stage</p>	<p>Have the following been completed?</p> <ul style="list-style-type: none"> • Integrated Impact Assessment (IIA) • Environmental Impact Assessment (EIA) • Preliminary Ecological Appraisal (PEA) • Sustainability Risk Assessment (SRA) <p>If so, please attach.</p> <p>Have any other considerations been made in the Planning / Design stages?</p>	<p>The need to procure a Framework Agreement for Playground equipment and safety is a result of further investment secured via Swansea Council's Economic Recovery Fund. The purpose is to enhance the Play Sufficiency of existing playgrounds owned or managed by Swansea Council. A Integrated Impact Assessment (IIA) screening was undertaken as part of the bid for investment</p>
<p style="text-align: center;">Specification and Conditions of Contract</p>	<p>What considerations or changes have been made to the technical specifications or service requirements, e.g. the use of sustainable materials in line with the Net Carbon Zero agenda?</p>	<p>As part of the procurement exercise, a quality question was introduced as Q.1 Environmental Impact. The purpose of this question was to provide bidders / supply chains with an overview of Swansea Council's commitment for net zero and charter. Bidders were asked to provide an overview of their measures implemented or planned towards net zero.</p> <p>It is acknowledged that Welsh Government are will be introducing WLGA Local Authority Sustainable Procurement Workshop to aid the procurement by introducing a toolkit and measures. It is to be noted that these measures are not statutory; however, the aim is to promote the journey for net zero.</p>



<p style="text-align: center;">Procurement Process</p>	<p>Have the WBFGA goals or other Social Value been built into the Procurement Process? e.g. Welsh language considerations, lotting contracts to enable SMEs / Local Suppliers to participate, co-production, citizen or community engagement.</p> <p>If not, please explain why.</p>	<p>The notice was advertised via Sell2Wales, with the majority if not all of a SME status.</p> <p>The IIA has identified the associated benefits of the programme with considerations to the Equality Act 2010, together with Swansea Council’s commitment to the United Nations Convention on the Rights of the Child (UNCRC) Article 31. Article 31 of the(UNCRC) creates a specific right for all children to have rest and leisure, to engage in play and recreational activities appropriate to their age and to participate freely in cultural life and the arts.</p> <p>https://www.childcomwales.org.uk/wp-content/uploads/2018/04/Play-FINAL.pdf</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 21</p> <p style="text-align: center;">Quality Questions</p>	<p>Have any questions been included with WBGFA goals including Community Benefits, Fair Work / Real Living Wage or Environmental considerations?</p> <p>If not, please explain why.</p>	<p>Due to the contract period for each calloff considered as a sixteen week period, whereby, only four weeks would be considered at any given location, it was difficult to structure appropriate initiatives.</p> <p>Whilst a quality question was not included. It is envisaged at calloff award, contractors will be invited to share or offer the scheme support by fulfilling that objectives for considered under Corporate Social Responsibility.</p> <p>Previously, contactors have offered talks to schools or community groups, volunteering, support for opening events.</p> <p>It would certainly be an opportunity if a Swansea Council goal could be incorporated, especially by the nature of works or services. As we are investing in playgrounds, we could consider partnership for tree planting or volunteering as part of Coproduction initiatives.</p>

<p style="text-align: center;">% Weighting for Social Value</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 22</p>	<p>Please provide details of any specific scoring % weighting which can be linked to WBGFA, Community Benefits or Environmental considerations?</p> <p>If no weighting has been allocated to social value, please explain why.</p>	<p>As included within the IIA the investment towards playgrounds will aim to benefit the communities of Swansea. Covid has proven the benefits of our outdoors for play, exercise, general wellbeing, whilst improving loneliness and isolation.</p> <p>Due to the contract period for each call off considered as a sixteen-week period, whereby, only four weeks would be considered at any given location, it was difficult to structure appropriate initiatives.</p> <p>Whilst a quality question was not included. It is envisaged at call off award, contractors will be invited to share or offer the scheme support by fulfilling that objectives for considered under Corporate Social Responsibility.</p> <p>Previously, contactors have offered talks to schools or community groups, volunteering, support for opening events.</p> <p>It would certainly be an opportunity if a Swansea Council goal could be incorporated, especially by the nature of works or services. As we are investing in playgrounds, we could consider partnership for tree planting or volunteering as part of Coproduction initiatives.</p>
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Additional Notes relating to this Procurement exercise, in terms of Social Value:

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Additional Resources

A Prosperous Wales - simple changes guide	https://www.futuregenerations.wales/aotp/prosperity
A Resilient Wales - simple changes guide	https://www.futuregenerations.wales/simple-changes/aotp/resilience
A Healthier Wales- simple changes guide	https://www.futuregenerations.wales/simple-changes/aotp/health
A More Equal Wales- simple changes guide	https://www.futuregenerations.wales/simple-changes/aotp/equality
A Wales of Cohesive Communities - simple changes guide	https://www.futuregenerations.wales/simple-changes/aotp/community
A Wales of Vibrant Culture and thriving Welsh Language - simple changes guide	https://www.futuregenerations.wales/simple-changes/aotp/culture
A Prosperous Wales - simple changes guide	https://www.futuregenerations.wales/aotp/prosperity
Page 23 Welsh Government Public Sector sustainability risk assessment for goods	 public-sector-sustainability-risk-assessment
National TOMs Wales	https://www.nationalsocialvaluetaskforce.org/national-toms-wales
Local Government Association (LGA) resource / toolkit <i>(Please note - this is published for an England policy context but contains comprehensive and useful information on this subject).</i>	https://www.local.gov.uk/sites/default/files/documents/Sustainable%20Procurement%20Toolkit_1.pdf
Welsh Government WPPN 01/20 - Social Value Clauses / Community benefits through Public Procurement	https://gov.wales/procurement-guidance-on-social-value-clauses-community-benefits.html
Promoting Social Value models in Social Care (draft version)	 Promoting SV Models - A Guide v4

SOCIAL VALUE RECORDING TOOL

The purpose of this document is for Swansea Council to record if a Sustainability Risk Assessment has been completed and that Well Being of Future Generations Act considerations have been made for this procurement exercise in line with the Council's commitments and Welsh Government requirements.

The Well Being of Future Generations Act (WBFGA) themes/goals and outcomes are included on pages 2 and 3 for reference.

The Social Value Recording tool is included on pages 4 and 5. Please complete at planning stage and update information to reflect any amendments made up until final tender stage. Additional resources that may be useful for this exercise are also included on page 6.

WELL BEING OF FUTURE GENERATIONS ACT (WBFGA) – GOALS

Themes (Goals)*	Outcomes
<p style="text-align: center;">A prosperous Wales</p> <p>An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.</p>	More people in employment
	Improved skills for people
	Improved skills for a low carbon transition
	More opportunities for SMEs
	Resource efficiency and the circular economy are promoted
	Retaining jobs and skills during the COVID-19 crisis
	Innovation to support a more prosperous Wales
<p style="text-align: center;">A globally responsible Wales</p> <p>A nation which, when doing anything to improve the economic, social, environmental, and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being</p>	Carbon Emissions are reduced
	Ethical procurement is promoted globally
	COVID-19 environmental response
	Innovation to support a globally responsible Wales
<p style="text-align: center;">A resilient Wales</p> <p>A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic, and ecological resilience and the capacity to adapt to change</p>	Green spaces and biodiversity are protected and enhanced
	Safeguarding the environment
	Sustainable procurement is promoted
	Innovation to support a more resilient Wales
	Creating a healthier community
<p style="text-align: center;">A healthier Wales</p> <p>A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood</p>	Air Pollution is reduced
	Improving staff wellbeing
	Supporting workers, SMEs and VCSEs to face the COVID-19 crisis
	Innovation to support a healthier Wales
<p style="text-align: center;">A more equal Wales</p> <p>A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio-economic circumstances)</p>	More opportunities for disadvantaged people
	Reducing inequalities
	More support for target curriculum activities
	Improved employability of young people
	Ethical procurement is promoted in Wales
Innovation for a more equal Wales	

<p>A Wales of cohesive communities Attractive, safe, viable and well-connected.</p>	More opportunities for VCSEs (Voluntary, Community and Social Enterprises)
	Social Value embedded in the supply chain
	A workforce and culture that reflect the diversity of the local community
	Crime is reduced
	Vulnerable people helped to live independently
	More working with the Community
	Supporting workers, SMEs and VCSEs to face the COVID-19 crisis
	Supporting communities to deal with the COVID-19 crisis
	Innovation to support more cohesive communities in Wales
	The Welsh culture is promoted
<p>A Wales of vibrant shared culture and thriving Welsh Language</p>	Native wildlife, nature and heritage sites are protected
	Innovation to support a more vibrant culture

* Structure based on WFGA goals: <https://futuregenerations.wales/about-us/future-generations-act/>

Social Value Recording / WBFGA additional detail

Please provide what Social Value and WBFGA considerations have been made for this project.

Please refer to the Well Being of Future Generations Act Goals table (pages 2 and 3) for guidance and speak to the Procurement Officer involved in this exercise for support.

Goal / Procurement Stage	Guidance and links below	Response
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 27</p> <p style="text-align: center;">Planning Stage</p>	<p>Have the following been completed?</p> <ul style="list-style-type: none"> • Integrated Impact Assessment (IIA) • Environmental Impact Assessment (EIA) • Preliminary Ecological Appraisal (PEA) • Sustainability Risk Assessment (SRA) <p>If so, please attach.</p> <p>Have any other considerations been made in the Planning / Design stages?</p>	<p>None are required for the scope of work.</p> <p>Ecological enhancement is part the specification with approval of tenants.</p> <p>Consideration during design & construction has/will be made on the impact of the scheme on both our tenants and the community, both of which will benefit from the project</p>
<p style="text-align: center;">Specification and Conditions of Contract</p>	<p>What considerations or changes have been made to the technical specifications or service requirements, e.g. the use of sustainable materials in line with the Net Carbon Zero agenda?</p>	<p>A fabric first approach has been considered at design stage to improve thermal values in line with government requirements.</p> <p>Solar panels and BESS are included in this scheme to assist with tackling Swansea Council's fuel poverty objective</p>
<p style="text-align: center;">Procurement Process</p>	<p>Have the WBFGA goals or other Social Value been built into the Procurement Process? e.g. Welsh language considerations, lotting contracts to enable SMEs / Local Suppliers to participate, co-production, citizen or community engagement.</p> <p>If not, please explain why.</p>	<p>Bidders will be required to meet Swansea Council's social value requirements set out in the tender pack. A social value question will be included in the method statement questionnaire issued with the tender pack.</p>


<p>Quality Questions</p>	<p>Have any questions been included with WBGFA goals including Community Benefits, Fair Work / Real Living Wage or Environmental considerations?</p> <p>If not, please explain why.</p>	<p>No questions included. No suitably qualified personnel to score bidder responses.</p>
<p>% Weighting for Social Value</p>	<p>Please provide details of any specific scoring % weighting which can be linked to WBGFA, Community Benefits or Environmental considerations?</p> <p>If no weighting has been allocated to social value, please explain why.</p>	<p>A 70/30 cost/quality ratio scoring will be used as part of the tender process. Community Benefits requirements will be included as part of the tender package, also a community benefits question will be included as part of the quality questions issued to bidders.</p>

Additional Notes relating to this Procurement exercise, in terms of Social Value:

Page 28

- Reduced Energy bills will help to reduce fuel poverty.
- Renewable technologies such as Solar Panels and BESS will drive towards the Net Zero Carbon Agenda.
- Improved aesthetics help to rejuvenate the area.
- Low maintenance materials create a most sustainable housing stock.
- Improved quality of life through warmer homes & better ventilation.

Additional Resources

A Prosperous Wales - simple changes guide	https://www.futuregenerations.wales/aotp/prosperity
A Resilient Wales - simple changes guide	https://www.futuregenerations.wales/simple-changes/aotp/resilience
A Healthier Wales- simple changes guide	https://www.futuregenerations.wales/simple-changes/aotp/health
A More Equal Wales- simple changes guide	https://www.futuregenerations.wales/simple-changes/aotp/equality
A Wales of Cohesive Communities - simple changes guide	https://www.futuregenerations.wales/simple-changes/aotp/community
A Wales of Vibrant Culture and thriving Welsh Language - simple changes guide	https://www.futuregenerations.wales/simple-changes/aotp/culture
A Prosperous Wales - simple changes guide	https://www.futuregenerations.wales/aotp/prosperity
Welsh Government Public Sector sustainability risk assessment for goods and services	Welsh Procurement Policy Note WPPN 01/23: Procurement - sustainable risk assessments GOV.WALES
National TOMs Wales	https://www.nationalsocialvaluetaskforce.org/national-toms-wales
Local Government Association (LGA) resource / toolkit <i>(Please note - this is published for an England policy context but contains comprehensive and useful information on this subject).</i>	https://www.local.gov.uk/sites/default/files/documents/Sustainable%20Procurement%20Toolkit_1.pdf
Welsh Government WPPN 01/20 - Social Value Clauses / Community benefits through Public Procurement	https://gov.wales/procurement-guidance-on-social-value-clauses-community-benefits-html
Promoting Social Value models in Social Care (draft version)	 Promoting SV Models - A Guide v4

DRAFT - Social Responsibility and Sustainability in Procurement

1. A Socially Responsible and Sustainable Procurement Policy

- 1.1.** The Council has a responsibility to manage public money with integrity, to ensure that value for money is achieved and to manage it to meet wider Council objectives. The Council has adopted the Welsh Government's definition of procurement, "the process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society and the economy, whilst minimising damage to the environment"¹.
- 1.2.** Swansea Council recognises that its procurement activity can have significant social, economic, environmental and cultural impact and this policy aims to provide a structured framework for embedding socially responsible objectives as part of our everyday procurement processes.
- 1.3.** The development of the policy has coincided with the end of the Covid19 pandemic and it is clear that the policy and our procurement activity should stimulate and help deliver a green recovery, supporting both environmental and economic goals and the Council's Achieving Better Together transformation framework and its associated Recovery Plan.

2. Policy Aim

- 2.1.** This Policy aims to embed a sustainable and socially responsible procurement approach across all the areas of spend, making the best use of the Council's expenditure to support frontline services, whilst achieving the best balance between finance and maximising social, economic, environmental and cultural value, in a responsible and sustainable manner and in accordance with the law, particularly the United Kingdom Public Contract Regulations. The Council is committed to the responsible management of its procurement process in order to deliver value for money, whilst actively pursuing environmental and socially responsible products, services and works.

3. Policy Objectives

- 3.1.** Our objectives under this policy are to:
 - Minimise our environmental impact through selection and usage of goods, works and services through a circular procurement approach (where appropriate).

¹ Procuring the Future 2006 – Sustainable Procurement Task Force definition and Welsh Government's Wales Public Procurement Policy Statement 2015.

- Ensure that procurement activities are undertaken in such a way that all suppliers, including small and medium enterprises are encouraged to bid for council contracts in line with the Opening Doors Charter of the Welsh Government.
- Create an environment that provides opportunities to maximise the benefits arising from the inclusion and application of social criteria within procurement activities.
- Ensure value for money assessments are based, where appropriate, on whole life costing and social impact, not just initial purchase price.
- Record the social value considerations undertaken in our procurement activity.

4. Swansea Policy Drivers

- 4.1. This Policy has taken into account and is structured around the following key local Swansea Policy drivers and initiatives.
- 4.2. The **Council Corporate Plan** demonstrates how the Council will contribute to the social well-being, economic, cultural and environmental of residents and sets the overarching strategic framework for this policy.

The Council's Well-being objectives are:

- Safeguarding people from harm
- Improving Education & Skills
- Transforming our Economy & Infrastructure
- Tackling Poverty
- Maintaining and enhancing Swansea's Natural Resources and Biodiversity
- Transformation & Future Council development

4.3. Swansea Public Service Board Local Well-being Plan: 'Working Together to Build a Better Future'

Swansea Public Services Board (PSB) is made up of four statutory members of the Board; Abertawe Bro Morgannwg University Health Board, Natural Resources Wales, the Fire and Rescue Service and the Council. The Board also involves other organisations that have an interest in the wellbeing of the area for example the police and the universities.

Swansea's PSB published 'Working together to Build a Better Future' their first Local Well-being Plan. The Plan identifies four objectives for collective action underpinned by a cross cutting action:

- **Early years:** to ensure that children have the best start in life to be the best they can be.
- **Live well, Age well:** to make Swansea a great place to live and age well.
- **Working with Nature:** to improve health, enhance biodiversity and reduce our carbon footprint.

- **Stronger Communities:** to build stronger communities with a sense of pride and belonging.
- **Cross Cutting Action:** to work towards integrated public services in Swansea by sharing resources, assets and expertise.

4.4. Procurement Strategy 2022- 2026 - The Council's Procurement Strategy set an increased focus on maximising social, economic, environmental and cultural wellbeing through its procurement activity.

4.5. Swansea Bay City Deal Procurement Principles - The 15-year Swansea Bay City Region City Deal is a once in a lifetime portfolio of projects and programmes with an approach to procurement that must be sustainable to build a better future for future generations. These principles have been developed for use on projects as part of the Swansea Bay City Deal. The principles encourage a fresh look at the way works, goods and services are specified and procured, so that the maximum economic, social, and environmental benefit to the region can be achieved from the process.

4.6. United Nations Convention on the Rights of the Child (UNCRC) - The council is committed to making sure that our policies and functions have a positive effect on the children and young people in Swansea. We have embedded the United Nations Convention on the Rights of the Child (UNCRC) into the way we set our policies.

The Council's Children and Young People's Right's Scheme can be found here: <https://www.swansea.gov.uk/childrensrightsscheme>

4.7. Community Benefits Policy - The policy aims to address barriers to entering the labour market and create opportunities for all Swansea's citizens, thereby helping to lift individuals and households out of poverty. It meets the aspirations of the Wellbeing of Future Generations Act, impacting on four of the Council's five key priorities and delivering on the commitment in Swansea Council's procurement strategy.

The approach is delivering an impact on deprivation by addressing the need for more training, job placement and employment progression routes for the economically inactive and unemployed, leading to higher skilled, higher paid and sustainable jobs; encouraging more supply chain opportunities to be made available for SME's and local businesses; working with the wider community and schools.

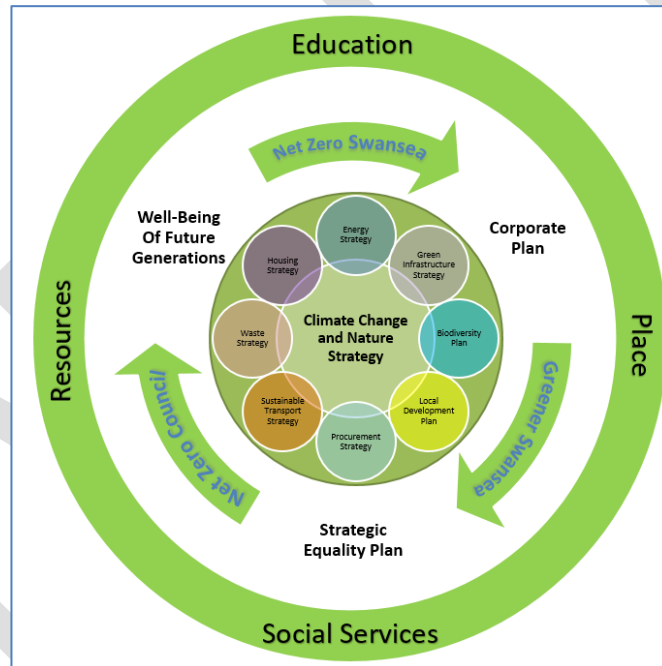
The Council's Community Benefits Policy can be found here: <https://www.swansea.gov.uk/beyondbricksandmortar>

4.8. Climate Change Charter: Net Zero 2030

Swansea Council's commitment to addressing climate change is broken down into clearly defined work streams alongside its commitment to nature recovery. The council will lead by example and be the focal point for response to climate and nature action across the whole city and county.

The council business will strive for net zero carbon by 2030, establishing monitoring processes for emissions and developing a robust action plan in order to achieve the target. Along with other key contributors, the Council will report on annual emissions in accordance to Welsh Government guidelines. All reporting will need to be within the public domain by March 2023.

Procurement plays a key part in the governance and delivery of such challenging targets as displayed in the infographic below. This Policy will be pivotal to the Programme Board decision making process.



Working with partners, the council will call on the whole City and County of Swansea, its major employers, its citizens, community groups, suppliers and businesses to contribute to achieving net zero carbon by 2050. There will be a need for collective leadership and a shared ambition, one example being socially responsible procurement.

4.9. Swansea Local Biodiversity Action Plan

In 2005 the Swansea Biodiversity Partnership produced a document called "Promoting Swansea's Natural Environment: A Local Biodiversity Strategy and Action Plan".

The document provided a strategic framework and series of detailed species and habitat action plans looking at how individuals and organisations could work to try and halt biodiversity loss in Swansea.

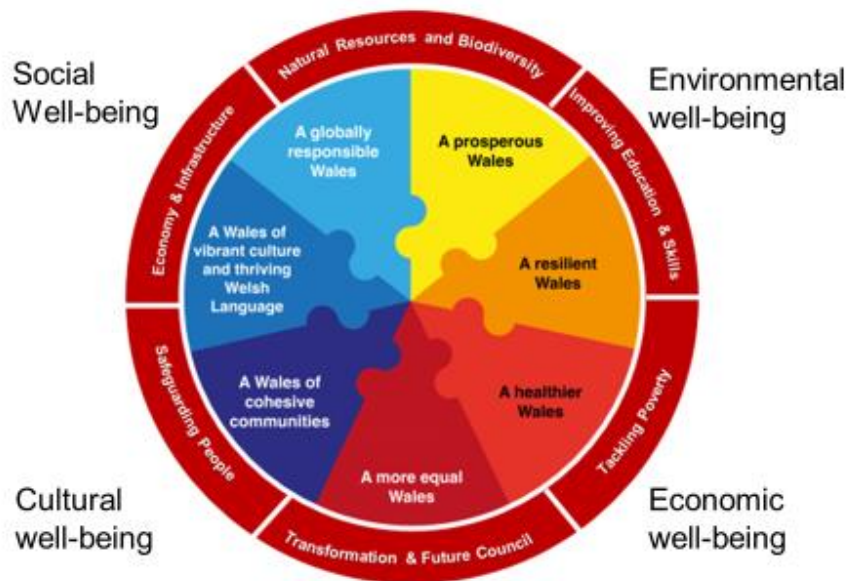
The action plan is currently undergoing a review by the Swansea Biodiversity Partnership; updating actions and incorporate new species and habitats declared of principal importance in Wales by the Welsh Government since 2005.

5. Welsh National Policy Drivers

- 5.1. This Policy defines sustainable development as 'development that meets the needs of the present without compromising the ability of future generations to meet their own needs'², and, is structured around the following key Welsh Government Policy drivers and initiatives.
- 5.2. **The Well-being of Future Generations (Wales) Act** came into force on 1 April 2016, it focuses on improving the social, economic, environmental and cultural well-being of Wales. The aim of the Act is to help create a Wales that we all want to live in, now and in the future. Importantly, the Act recognises the important role of procurement.
- 5.3. The Act puts in place seven Well-being goals:
- **A prosperous Wales**
 - **A resilient Wales**
 - **A healthier Wales**
 - **A more equal Wales**
 - **A Wales of cohesive communities**
 - **A Wales of vibrant culture and thriving Welsh language**
 - **A globally responsible Wales.**

² Brundtland Commission definition of sustainable development

5.4. The well-being objectives of the Council also maximises its contribution to each of the well-being goals as contained within the Act as demonstrated in the figure below.



5.5. **Wales Procurement Policy Statement (WPPS) and Wales Procurement Policy Note (WPPN) 01/20** establishes a number of key principles by which the Welsh Government expects public procurement to operate across Wales and their reporting methods. This includes a number of principles that directly support the delivery of the Well-being of Future Generations (Wales) Act 2015 namely:

- Social, Economic and Environmental Impact.
- Community Benefits.
- Open and accessible competition.
- Simplified standard processes across the public sector.
- Policy Development and Implementation.

The Wales Procurement Policy Statement (WPPS) can be found here: <https://gov.wales/wales-procurement-policy-statement>

5.6. **The Social Services and Well-being (Wales) Act 2014** introduces a duty on local authorities and local health boards to promote the development (in their area) of not for profit organisations to provide care and support for carers, and preventative services. These models include services across the range that make up the third sector - social enterprises, co-operative organisations, co-operative arrangements, and user-led services.

5.7. **Prosperity for all: A Low Carbon Wales.** Cutting our emissions and transition to a low carbon economy in a way which maximises wider benefits for Wales, ensuring a fairer, healthier and more equal society. The plan makes clear what it expects of leadership in the public sector: Delivering our decarbonisation targets

and our carbon neutral ambition will require significant leadership from the public sector in areas such buildings, transport and procurement.

5.8. Further specific Welsh Government initiatives as a driver for this Policy:

- **Community Benefits** – drives the creation of employment and training opportunities including apprenticeships, support for small and medium sized enterprises and delivery of community, educational and environmental initiatives.
- **Code of Practice Ethical Employment in Supply Chains** – focuses on ensuring a high standard of ethical employment practices by our suppliers. Welsh Government have introduced a Code of Practice for Ethical employment in supply chains. The Code requires the Council to meet the 12 commitments set out in the Code and seeks to address the following employment issues:
 - Modern slavery and human rights abuses.
 - Blacklisting.
 - False self-employment.
 - Unfair use of umbrella schemes and zero hours contracts.

The Council has produced an Action Plan which identifies which commitments it currently meets and what steps it can take to action the remaining commitments.

6. Socially Responsible Outcomes

The Council acknowledges that its procurement decisions carry economic, social and environmental implications and takes this as an opportunity to procure in a socially responsibly and in a sustainable manner. This policy reflects the commitments set out in the Council's [Sustainable Development Policy](#), and aims to integrate environmental and socio-economic outcomes through procurement activity.

6.1. Environmental Outcomes

Protecting, promoting and enhancing the environment for future generations is one of Swansea's core values and our Sustainable Development Policy, Section 6 Bio-Diversity Action Plan, Local NRAP, and Corporate Plan include commitments to procure goods and services from sustainable sources to decarbonise Swansea and deliver positive actions to adapt to and mitigate for climate change and to contribute to nature recovery and ecosystem resilience.

We are therefore committed to:

Ensuring procurement activity maintains and enhances biodiversity and ecosystem resilience in line with the council's section 6 plan, for example, undertaking an assessment of the biodiversity impact, maintain air, water and soil quality, reduce pollution, more sustainable catering/food, new schemes do not result in loss of biodiversity, identifying opportunities for biodiversity gain, such as using native species for planting, installing bat and bird boxes, and using peat free compost.

Identifying significant environmental risks and opportunities associated with procurement projects, and ensuring they are addressed (risks avoided or managed, and opportunities taken) in defining the scope of the procurement and preparing the specification.

Requesting information from potential suppliers on how they will help the Council progress its environmental objectives as part of the delivery of a contract and take their response into account in awarding the contract.

Ensuring procurement activity is compatible with and where possible contributes to the implementation of the Council's climate change policy and Net Zero 2030 carbon management plan.

Encouraging Contract Managers to follow sustainable procurement policies and processes which will exploit the opportunity to minimise: energy consumption, carbon footprint, waste, pollution, production of greenhouse gas emissions and detrimental environmental impacts while encouraging supply chains to do likewise.

Incorporate into the pre-sourcing phase of procurements where appropriate and for all over £1 million in value a Sustainability Risk Assessments (SRA), with a greater emphasis on the need for sustainable alternatives to be specified within a broader definition of product requirements.

Eliminate unnecessary waste by adopting the "reduce, re-use, recycle" philosophy and supporting circular economy and sharing economy through 'Think before you purchase – do you really need it, could something else be used, or could we hire or borrow it?'

Procure fair trade products where possible (fair trade supports farmers and workers in developing countries through better prices, decent working conditions and a fair deal).

Other standards such as FSC timber, Fair trade, Rainforest Alliance or similar where applicable for the procurement process or materials / products to demonstrate social, environmental and economic sustainability.

6.2. Social Value Outcomes

Contributing to a vibrant and healthy community and thriving culture for the residents of Swansea; the way in which procurement opportunities are procured can have an effect on the community of Swansea. In delivering this Policy our aim is to realise meaningful social value from the contracts we procure.

We are therefore committed to:

- Ensuring that our default position is that all contracts demonstrate the consideration of Social Value and impact, and apply - when appropriate – apply an overall weighting for social value within the award criteria, when relevant and proportionate.
- Involving local people and organisations through coproduction in considering how we meet the needs of local communities through the procurement cycle.
- Creating or promoting local employment, training and inclusive economic sustainability by tackling unemployment in general and targeted to disadvantaged groups such as disabled persons, long-term unemployed, ex-offenders, geographical areas and key sectors, and ensuring suppliers participate in educational talks or careers events with the Universities, Colleges or schools within the local area.
- Building the capacity and sustainability of the voluntary and community sector by accessing and actively supporting local voluntary, community groups and cooperatives.
- Promoting equity and fairness by targeting effort towards those in the greatest need or facing the greatest disadvantage. Tackling deprivation across the city.
- Supporting fair and ethical trading in the supply chain, expecting our suppliers, service providers and contractors to observe and demonstrate a similar commitment of ensuring and, where necessary, improving ethical practices locally and globally.
- Assess suppliers' awareness and policies in relation to equalities as part of procurement processes.
- Encourage suppliers to consider how they can look after the health and well-being of their workforce.
- Encourage suppliers to support regeneration projects or initiatives in the communities in which they operate.
- Encourage our suppliers to sign up to the Welsh Government's Code of Practice on Ethical Employment in Supply Chains.

6.3. Economic Outcomes

Supporting the local economy and community through creative and innovative procurement solutions. Economic considerations must be balanced with the need

for environmental and social outcomes and this must all be done within the bounds of procurement legislation. In delivering this Policy our aim is to realise meaningful economic outcomes from the contracts we procure.

We are therefore committed to:

- Encouraging local businesses to take advantage of Council contract opportunities and raising awareness of where to find the opportunities and reviewing and implementing Welsh Government Procurement Policy Notes (WPPN) in this area.
- Ensuring value for money and applying a Whole Life Costs approach to include social criteria to give a clear understanding of the full impact of procurement decisions. This included taking into account all aspects of costs including running and disposal costs, as well as the initial purchase price and environmental impacts.
- Strengthening local supply chains and promote the use of local goods and services within the parameters of procurement legislation.
- Promoting the local economy, so that micro, small and medium sized enterprises and the voluntary and community sector in Swansea can thrive.
- A proportionate and appropriate process for selecting and evaluating tenders is in place to encourage the participation of micro, small and medium sized enterprises and the voluntary and community sector to enable an inclusive and diverse
- Ensuring fair payment terms flow throughout the supply chain.
- Ensuring suppliers take steps to make supply chain opportunities accessible to local suppliers.
- A commitment to sustainability, fairness and the development of our local economy will be built into our procurement decisions. We will develop a mixed economy of delivery, with the Council commissioning services from those who are best placed to deliver them effectively, whether that is the private sector or community and voluntary sectors.

7. The role of Commercial Services

7.1. The primary role of the corporate procurement function is to:

- Support departments to make the best use of their scarce financial resources, ensuring both commercial and social criteria are considered in all procurement activity.
- Develop and maintain a suite of supporting procurement resources and documents.
- Support the development of guidance, protocols and training to support and embed the practices of socially responsible procurement across the organisation.
- Ensure cooperation between procurement and council officers in other service areas to ensure consistent application of practices.

- Where appropriate, assist with designing specifications and procurement documents in a manner which allows greater access to opportunities for micro, small and medium sized enterprises and the voluntary and community sector.
- Promote the use of digital solutions throughout the organisation to reduce the use of paper in procurement projects.
- Strive to deliver the goals of the Well-being of Future Generations Act through a holistic approach to its category management methodology and processes, including where relevant specific provisions within the procurement documents.
- Continue to build in measurement of broader social outcomes alongside more traditional measures of cost and quality.
- Establish and embed a corporate approach to contract management and contract monitoring to ensure that sustainability-related promises made by suppliers are delivered upon through the lifetime of a contract.

8. Monitoring and Reporting

- 8.1.** The Head of Commercial Services will ensure that the monitoring and reporting of the adherence to this policy and the outcomes derived from it take place.
- 8.2.** Responsible Officers are required to ensure annual reporting of social value benefits achieved in their contracts during the previous 12 months, in accordance with CPR 14.
- 8.3.** Contract Managers and Responsible Officers are required to report on the social value delivered at the end of each contract following contract completion.
- 8.4.** The review, renewal and delivery of this strategy will be managed through the Commercial Services' Plan in line with the actions above (8.1 – 8.3).

9. Review

- 9.1.** This Policy will be reviewed every three years.
- 9.2.** Swansea Council endeavours to continually improve its procurement performance such that all relevant policies, guidance and training are continually reviewed and updated.

Gweithdy GwerthwchiGymru 3 Mawrth 2022 10.00am - 13.00pm

Y gweithdy hwn yw'r cyntaf mewn cyfres o weithdai a drefnwyd gan Gyngor Abertawe sy'n ceisio cefnogi mentrau bach a chanolig a microfusnesau gyda'r prosesau tendro sy'n rhan o gaffael y sector cyhoeddus. Mae pyrth ar-lein bellach yn gyffredin ymysg caffael y sector cyhoeddus ac mae Cyngor Abertawe'n ymwybodol y gall y broses gyfan fod ychydig yn llethol a dryslyd i rai perchnogion busnes.

Mae Cyngor Abertawe wedi ymuno â GwerthwchiGymru a Busnes Cymru i gynnal gweithdy GwerthwchiGymru ar-lein ar gyfer busnesau sydd am dyfu eu busnes a chael yr hyn sydd ei angen arnynt i gystadlu am gontractau'r sector cyhoeddus.

Bydd y gweithdy'n cynnwys y canlynol

- Cofrestru ar gyfer GwerthwchiGymru.
- Defnyddio'r porth
- Dewis codau Geirfa Gaffael Gyffredin (CPV) cywir
- Mynegiant o ddiddordeb
- E-dendro Cymru Bravo Solution

Pwy sy'n gallu cofrestru ar gyfer y gweithdy hwn?

- Unrhyw fusnesau bach a chanolig neu ficrofusnes nad ydynt eto wedi cofrestru ar gyfer GwerthwchiGymru.
- Unrhyw fusnesau bach a chanolig neu ficrofusnes a chanddynt gyfrif GwerthwchiGymru anweithredol.
- Unrhyw fusnesau bach a chanolig neu ficrofusnes a chanddynt gyfrif GwerthwchiGymru ond sy'n cael trafferth wrth ddefnyddio'r porth.
- Unrhyw fusnesau bach a chanolig neu ficrofusnes sydd am ddod yn gyfarwydd ag E-dendro Cymru
-

E-bostiwrch alyson.davies@swansea.gov.uk i gofrestru eich diddordeb

Ariennir y prosiect hwn gan Lywodraeth y DU drwy Gronfa Adfywio Cymunedol y DU.



Sell2Wales Workshop March 3rd 2022 10am- 13.00pm

This workshop is the first in a series of workshops organised by Swansea Council which aims to support small to medium size enterprises (SMEs) and microbusinesses with the tendering processes involved in public sector procurement. Online portals are now commonplace amongst all public sector procurement and Swansea Council are aware that for some business owners, the whole process can be a little overwhelming and confusing.

Swansea Council have teamed up with Sell2Wales and Business Wales to host an online Sell2Wales workshop aimed at businesses wishing to grow their business and become equipped with the tools needed to compete for public sector contracts.

This workshop will cover

- Sign up to Sell2Wales.
- Navigate the portal
- Correct selection of CPV codes
- Expression of interest
- Etender Wales Bravo Solutions.

Who can sign up to this workshop?

- Any SME or microbusiness that have not yet signed up to Sell2Wales.
- Any SME or microbusiness with an inactive Sell2Wales account.
- Any SME or microbusiness that have a Sell2Wales account but have difficulty navigating the portal.
- Any SME or microbusiness who want to get to grips with EtenderWales

Please email Alyson.Davies@swansea.gov.uk to register your business.

This project is funded by the UK Government through the UK Community Renewal Fund.





Cyngor **Abertawe**
Swansea Council



Procurement Guide for Schools

September 2022

Purpose of the Guide

This guide is intended to help Schools by:

- informing Schools about the rules and procedures in place for procuring goods, works and services, and
- raising awareness of the need to comply with this practice
- identify channels of support

The guide is intended for use by both School Governors and Staff, with the aim of providing basic guidance on best practice and to ensure compliance with procurement rules.

The guide is split into the following five sections –

1. Introduction to Procurement
2. Procurement Process
3. Waivers
4. Frequently Asked Questions

Section 1: Introduction to Procurement

Background

This guide sets out the procurement responsibilities of school-based staff that are responsible for buying goods, services or works in schools. This guide is intended to support the following core documents:

- The Scheme for the Financing of Schools
- The council's Contract Procedure Rules (CPRs)
- The council's Financial Procedure Rules (FPRs)
- Accounting Instructions for Schools (AIs)
- HMRC statutory requirements
- Hospitality Protocols

Queries in relation to procurement compliance often arise during the course of school visits by Internal Audit and this procurement guide covers the key procurement issues identified by Audit officers.

1.1 What is Procurement?

Procurement is the process whereby goods, works and services are acquired. The procurement process spans a life cycle from identification of need, through to selection of suppliers, purchasing, contract management and disposal.

A school will procure various goods and supplies including stationery, supply staff and various work projects, e.g. painting and decorating, plumbing, electrical works etc.

1.2 Why is procurement important?

There are a number of rules and regulations that govern the way in which public money is spent designed to ensure that both best value is obtained from public funds and to ensure that, for example, no favouritism is applied in our decision-making.

The total 'cumulative' contract value will determine the route you must take to select a supplier. For instance if you are procuring standard goods and services with an aggregated contract term value in excess of approximately £200,000 (inclusive of VAT) you will need to undertake what is known as a regulated procurement process – so a procurement process in line with the statutory UK Public Contract Regulations. The latest version of the public contract rules is here, but please note that these statutory rules are currently under revision, so will likely change during 2023 (exact date tbc) –

<https://www.legislation.gov.uk/ukxi/2015/102/contents/made>

The various rules and regulations governing procurement activities are in place to protect school staff when carrying out of procurement activities. Poor procurement decisions and a failure to comply with rules and regulations could result in legal challenges from suppliers, contracts being cancelled, and financial penalties.

Should you have any questions with regard to using this Guide please contact the Council's corporate Procurement Service – procurement@swansea.gov.uk

1.3 Value for money

As you'll be aware value for money is not always about obtaining simply the lowest price - it is about getting the right balance between quality and cost. You will need to think about how you will measure these when you specify and evaluate your proposed purchase and suppliers submissions. Key factors to be considered in purchasing decisions, other than price, can include the following (there may be many more):

- Supplier ability to deliver your request on time
- Quality of items
- Delivery times/reliability
- Warranty information and other terms and conditions

Please also check if there is already a contract in place as Schools *may* have the option to buy through a pre-existing corporate contracts or framework agreements, and further information on this point is within section 2.3 below.

1.4 Contract Value Bands

The value of a contract describes the total estimated value of the contract over the full contract period (excluding VAT) including any possible extensions of the contract. A school must not split purchases or disaggregate spend in order to avoid the contract value bands set out in the table below.

If the goods or services are a regular requirement, consideration must be given to setting up a formal contract or framework agreement (see Section 2 for further details).

If the total contract spend with a single supplier is likely to exceed £10,000, then the procedures outlined in this guide will apply. School staff should, in the first instance, use historic spend data to determine whether a competitive procurement processes is required. The SIMS system will be able to provide this data.

The contract value bands are:

Band	Value
A	Below £10,000
B	£10,001 - £140,000
C	£140,001-£1,000,000
D	Over £1,000,000

Further information on how to proceed is contained below in Section 2.

1.5 Contract Terms and Conditions

Under UK public procurement legislation Schools are considered as 'discrete operational units' and this means that for contractual purposes, each individual School is treated as a separate entity.

A contract with a total value of more than the amounts listed below may be subject to UK Public Contracts Regulations 2015 and for example the school is required to advertise the contract opportunity on the UK's Find a Tender Service. **The thresholds are reviewed every two years, so please check if in doubt.** The current statutory procurement thresholds are detailed within the following UK policy bulletin, with an extract in the table below –

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1041964/Procurement_Policy_Note_10_21_-_New_Thresholds_Values_and_Inclusion_of_VAT_in_Contract_Estimates.pdf

Extract / Thresholds / Type of Contract	Threshold
Service & Supply (includes supply, lease, rental or hire purchase of goods, provision of relief staff)	£213,477 (inclusive of the applicable rate of VAT)

Procurement activity below these threshold values does not need to comply with statutory procedures but must comply **with this Schools Guide for Procurement** which embeds the principles of *open competition, transparency, equity (equality), and proportionality*. It is therefore important that when entering into contracts that the appropriate procurement process is followed, to avoid claims of unfairness from unsuccessful suppliers.

For further information and advice please contact the Council's corporate Procurement Service using – procurement@swansea.gov.uk

With regard to Works (building / road repairs / ground works etc) contracts the School should utilise the NEC 3 Short Form following consultation with Facilities Management or the Category Manager for Construction. The NEC 3 short form is the terms and conditions used on works contracts. A Landlords Building Consent form **must be completed** by the school prior to any building or construction works commencing.

If you are considering embarking on a construction or external works project, including all-weather pitches, we have developed a guidance note to assist you with the landlord consent application process, and this can be found here:

<https://www.swansea.gov.uk/schoollandlordconsent> Schools are advised to engage with the authority via the landlord consent process at an early stage to gain initial advice that may avoid abortive costs and work.

Please note if you enter into a contract on a supplier's terms and conditions there could be unexpected consequences. For instance, unfair termination provisions, yearly cost increases and possible additional unforeseen charges.

If you are uncertain please seek advice from the Council's Legal Department via your designated contact.

All services and goods contracts shall be entered into using the school's standard terms and conditions for the supply of goods and services, which are available / embedded below. If you are seeking consultants or a construction contract then different terms will apply and so please contact procurement@swansea.gov.uk



Conditions of Contract
Supply Schools.doc



ConditionsofContract-
Services School.doc



NEC Short Contract
2022.docx

Should there be a need to hold personal data then please note that there may be a GDPR (data regulations) implication and that the following contract annex should also be used:



Schedule # - Data
Protection Schedule.d

Finally, please note that:

- ALL - Contracts up to £140,000 shall be signed by the Chair of Governors and Head Teacher.
- ALL - Contacts £140,001 and above, shall be made under the Common Seal of the Council (via the Council's Legal department).

1.6 Contracts Register

Each School should maintain a register of all contracts entered into by the school valued above £10,000.

Information to be contained within the register shall include:

- a. Supplier name
- b. Value of contract
- c. Duration of contract (including start and end dates)
- d. Details on any extension periods

The Governing Body should be aware of the Contracts Register and any changes made.

1.7 The Public Purse

Transparency over spending is required from the public purse.

The Freedom of Information Act is all about the right of access to information held by public authorities (including schools). Schools should be aware that how they spend their money can go into the public domain through FOI requests.

Also, 'Moderate' or lower school audit outcomes will be reported to the Council's Audit Committee and this is a public meeting with for example press representatives in attendance.

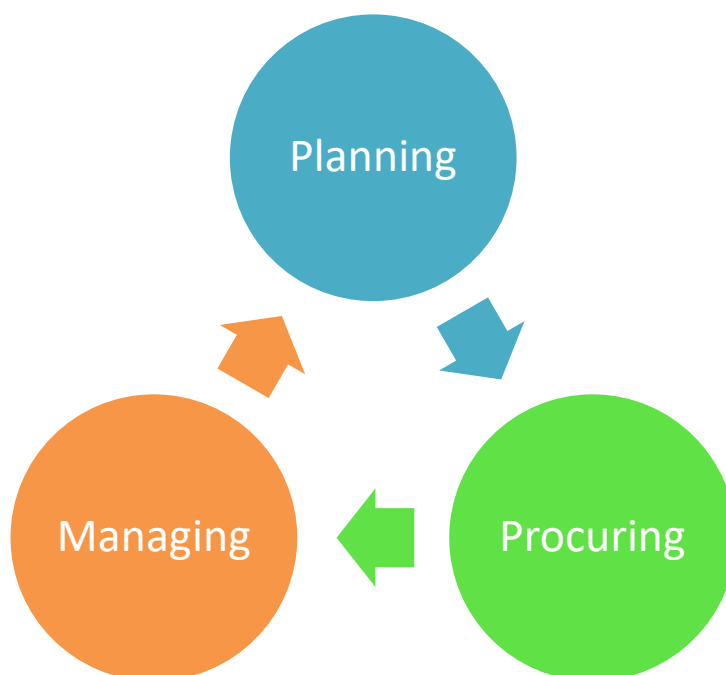
1.8 Gifts and Hospitality

You should not accept any gifts or hospitality from anyone bidding for a contract or from any current supplier. If you do, this may be considered a disciplinary offence.

A template Hospitality Policy is available for schools to adopt.

Section 2: Procurement Process

2.1 Basic Procurement Cycle



Planning, procuring and managing are the key stages of a good procurement cycle. Within each of these stages there are a number of steps that you can take, and these will be explained in more detail in the following sections.

2.2 Planning – e.g. contract design and specification

Make sure you plan before you procure; this stage is where the school identifies the need for a service or product.

- **Demand management.** Before you commence a procurement exercise, make sure there is a clear need for your purchase, that you know precisely what you need to buy (ask those who will be using it) and that it will meet your school's needs.
- **Understating the requirement.** Think about whether you could loan equipment or share resources with other schools (which would mean not having to make a purchase at all).
- **Understand where you can procure from.** Maybe you could collaborate with other schools to increase your buying power or speak to the Procurement Team to establish if there are existing frameworks that could be utilised, working with one of the Council's Services, e.g. IT.

2.3 Procuring

The procuring stage is where you will acquire the product or service.

Step 1 - Establish the contract value. The first step is to estimate the total contract value (the life of the contract, excluding VAT) of what you are procuring as this will determine which value band it falls into (see further info below) and also the route to market.

Step 2 - Establish route to market

There are various routes to market and the following will explore these further. Possible routes include:

1. Via an existing corporate contract / working with one of the Council's Services, e.g Corporate Building
2. Making use of a framework agreement
3. Make your own contract/framework through a quotation/tender exercise

1. Use of existing corporate contracts

One of the first routes to take would be to see if there is already an existing corporate contract in place that could meet your need.

Corporate Building Services may provide schools with compliant support on construction requirements; Parks and Highways may give support for works on school grounds. Using corporate services ensures all checks are in place and any post-completion issues can be rectified.

It is strongly recommended that wherever possible, you should make use of existing corporate contracts working with the Council's Services. Some of the advantages of using such contracts are:

- Agreed pricing
 - Possibly no need to obtain further quotations
 - Acceptable terms and conditions of contract
 - Quality and safety checks will be built-in where needed (Health & Safety, DBS checks etc.)
 - Safeguarding policies
 - Appropriate insurance cover will be in place
 - Supplier performance can be monitored and rectified by the contract manager
 - Equality and sustainability issues will have been considered
- Details of relevant corporate contracts are available here:
[Swansea Staffnet - Procurement - Education contracts register](#)

2. Use of a framework agreement

Frameworks are essentially contracts that other organisations, such as the council, other local authorities, the Welsh Government or public buying organisations (ESPO) have already procured.

To buy from a framework there are normally two methods of appointing a supplier:

1. Buy directly off the framework (direct award). Using this method means there is no need for any further competition.
2. Carry out a 'mini-competition'. Under this method you will need to invite all suppliers to provide a response to your requirement. This is usually a quicker and simpler process than setting up a new contract yourself.

If schools would like further advice regarding purchasing via a framework they can contact the Procurement Team.

3. Creating your own contracts

If an existing corporate contract does not meet your need then you will need to make your own contractual arrangements. In order to comply with this Schools Guide you will need to ensure that the required number of competitive written quotations/tenders are sought from appropriately qualified suppliers.

The competition requirements are as follows for each of the contract bands:

Good , Works & Services		
Band	Value	Competition Requirements
A	Below £10,000	Not subject to procurement rules, but consideration of value for money (for high value purchases, catalogue information/screenshots etc. should be kept for Audit as evidence of the value for money being considered)
B	£10,001 - £140,000	At least four written quotations shall be sought from appropriate suppliers using electronic means (e.g. via email). School staff shall decide the method by which proposed suppliers shall be identified. The same specification must be provided to all four suppliers for their quotation. PLEASE SEE APPENDIX 4 (REQUEST FOR QUOTES GUIDE) – WHICH PROVIDES FURTHER DETAIL
C	£140,001- £1 million	Full tendering procedures apply. Open procurement exercise conducted via www.sell2wales.gov.uk . Contact the Procurement Team for advice for contracts in these bands. procurement@swansea.gov.uk
D	Over £1 million	

Also, where corporate contracts are not used then relevant checks of the suppliers will need to be undertaken. The following checks will need to be undertaken, in relevance to what you are procuring:

- Track record – can the supplier prove that they can deliver?
- Relevant experience – has the supplier completed similar projects for other schools in the past?
- Capacity – does the supplier have the resources to complete the work?
- Financial stability (if appropriate) – does the supplier have an established pattern of turnover in recent years?
- DBS Policy – does the supplier have a DBS policy (if relevant to the procurement)?
- Safeguarding
- Health & Safety – does the supplier have a written health & safety policy (if relevant to the procurement)?
- Accreditations (if relevant)
- Appropriate insurance cover in place – a supplier must have a minimum of £5 million public liability and £5 million employer's liability insurance cover. If the contract requires professional indemnity cover then the minimum requirement is £2 million. Please take into consideration the financial risk when setting your limits, as anything over and above what the supplier has in place can fall back on the school/authority in the event of a claim.

Evidence of seeking the required number of quotations/tenders, using the same specification, must be retained. As long as it can be shown that the relevant number of appropriate suppliers were invited to provide quotations, it does not then matter if some of the suppliers do not respond to that request. Remember that the contract must be offered on the School's terms and conditions (see section 1.5 above), with any deviation from these to be discussed with the Council's Legal department.

If you are undertaking the Band C or D procurement exercise, you will need to issue an Invitation to Tender as part of the process. An Invitation to Tender (ITT) is a pack of documents sent out to potential suppliers inviting them to submit a bid. Packs are available from Procurement (**these would then need to be amended to suit each School's need**).

Step 3 – Develop a specification

FOR FURTHER DETAIL PLEASE SEE ATTACHED APPENDIX 4 – REQUEST FOR QUOTES GUIDE

When drafting quotations and tenders you must complete a detailed, carefully thought out specification giving precise details about the goods, services or works you require.

The specification should be included as part of the tender/quotation documents sent to suppliers.

When writing a specification:

- State clearly the product/service that you require, quantity, quality, delivery requirements, and any relevant information about end use.
- Avoid using specific brand names (or, if this is unavoidable, include “or equivalent” to ensure competition is fair) and jargon/abbreviations.
- If the supplier has to meet any legal criteria (e.g. health and safety), outline why and how.
- Outline clearly the standards of performance expected.
- Do not over specify – focus just on what you need, rather than what you want.
- Write Key Performance Indicators (if applicable) and evaluation criteria at the same time, which will make sure they all complement one another.

Why is it important?

- Ensures that your school receives the right standard and scope of product/service
- An accurate specification will reduce the risk of additional costs post award
- The clearer the specification the easier it is for suppliers to price the requirement and you to evaluate.

Step 4 – Develop evaluation criteria and weightings

What are they?

Evaluation criteria and weightings are used to objectively evaluate suppliers' tender/quotation submissions. This ensures a decision to award a contract is fair. Tenders/quotations can be evaluated on either:

- Price/cost; or
- Quality; or
- Price/cost and quality.

The supplier who gets the highest score will be awarded the contract. With this in mind, it is important to ensure that your evaluation criteria and weightings accurately address what you need the supplier to deliver.

Evaluation criteria and weightings:

- must be used in tenders
- are recommended for high value purchases
- must be determined at the specification stage of the process, and published with the tender documents issued to suppliers
- let suppliers know how you will make your decision to award a contract

Step 5 – Run Competition

Issue your requirements to suppliers and ensure that a deadline is included for submission.

Step 6 - Evaluating Quotations/Tenders

One of the key things to remember when evaluating quotations and tenders is that you need to be fair, treating all suppliers equally.

Evaluate:

- how well the supplier has quoted to meet your specification
- all quotations returned on time - reject any that are late
- the whole-life cost of the purchase or contract (e.g. delivery charges, maintenance costs, running costs)
- whether there will be price increases over the duration of the contract
- whether you are just looking for the cheapest quote, or the one that offers best value for money, once factors like quality and service are added in

Keep a copy of all the records leading to a decision as per Audit requirements.

Step 7 – Drafting a contract award report

For contracts over £10,000 a contract award report will need to be drafted using template in (this is contained in Appendix 4 / please see Step 7) / to be approved by the Head Teacher.

Please keep a copy of the contract award report and its approvals as per Audit requirements.

Step 8 - Notifying suppliers following a quotation/tender exercise

You must respect the confidentiality of bidders at all times. The notification letter to the successful bidder is an invitation to finalise contractual arrangements and it makes plain that no commitments are made and no work is to commence until the contract is signed by both parties.

Once the contract has been agreed you must inform suppliers who submitted unsuccessful quotes. Standard practice is to formally inform unsuccessful suppliers by letter. If the supplier asks for specific details of the successful bid, restrict information to a summary of the evaluation criteria used and the aspects of the quote that were considered the most economically advantageous, for example delivery arrangements offered, quality and competitive price (do not give the actual price). If an enquirer specifically asks for the successful price to be disclosed it would be acceptable to refuse as this is considered commercially confidential information (however, under the Freedom of Information Act this is now not as straightforward and you may need to seek advice from the Council before providing a response).

Once you have notified all suppliers of your decision you can award the contract to the successful supplier (Appendix 1 and 2 below are example notification letters which can be sent to suppliers following a quotation/tender exercise).

2.4 Managing contracts

This stage is about managing the performance of your chosen supplier and ensuring that the agreed levels of service and quality are being met.

Monitor performance. Actively monitor the supplier's performance and record any issues or evidence of poor performance. Ensure records are kept on incidences of both poor and good performance so these can be put to the supplier.

Prepare for contract end/renewal. As the contract approaches its expiry date ensure there is sufficient time to consider all the possible options for the contract. Ensure that any outstanding issues are resolved before the contract end date.

Section 3: Waivers

There may be occasions where there will be a need to deviate from standard procurement rules, e.g for emergency purchases, to protect life and limb, or due to technical considerations – and these circumstances are outlined within this section.

All waiver applications over £10,000 must be sent by formal report to the relevant School's Chair of Governors - after being approved by the School's Head Teacher and having obtained advice from the Council's Procurement Service - for approval in advance of entering into the contract, and School staff must retain documentary evidence for audit purposes. Exceptionally, in the case of emergencies, such waivers may be approved retrospectively.

One of the first routes to take would be to see if there is already an existing corporate contract in place that could meet your need. Further information is below but should you need advice on this matter please contact – procurement@swansea.gov.uk

The Council's corporate contract rules note the possible rationale for use of a waiver **(however please note that there is additional UK legislation that may apply to large value procurements, e.g those above the approx. £200,000 threshold noted above in Section 1.5):**

- i) where an offer has been made to the market by the Council using the Procurement Process, but where no quotations or tenders have been submitted, or where those that have been submitted are disqualified through the evaluation procedure. In this circumstance an exception can only be granted where the original terms of the proposed contract are not substantially altered;
- ii. the goods, services or works can only be provided by a particular contractor for reasons that are technical, or connected with the protection of exclusive rights;
- iii. extreme urgency brought about by events unforeseeable by the Council;
- iv. where the products involved are manufactured purely for the purpose of research, experimentation, study or development;
- v. for supplies quoted and purchased on a commodity market;
- vi. where a design competition is run where the rules of that competition require the contract to be awarded to one or more of the successful candidates, provided that all successful candidates are invited to negotiate;
- vii. in relation to time limited grant funding from an external body, where the time limitations will not allow a competitive procurement process to be completed and where the grant conditions allow this;
- viii. for the purchase of supplies on particularly advantageous terms from a supplier that is definitely winding up its business activities, or from the receivers or liquidators of a bankruptcy, an arrangement with creditors or similar procedure;

ix. where delay attributable to the quotation or tendering process would, in the estimation of the Responsible Officer concerned, create or increase danger to life or limb;

x. where relevant UK not otherwise referred to in these CPR permits.

School staff should complete the waiver application in Appendix 3 – and send this to procurement@swansea.gov.uk for advice, prior to submitting it to the Head Teacher and Governing Body for their final approval.

Section 4: Frequently Asked Questions

Q1. How do I find contracted suppliers?

Please see - [Swansea Staffnet - Procurement - Education contracts register](#)

Q2. Who do I contact for general procurement guidance and advice?

procurement@swansea.gov.uk

Q3. A supplier has asked me to sign an agreement/contract, what should I do?

If you have not gone through one of the procurement processes noted above then do not sign, refer the matter to Legal. It is a common tactic for sales people to ask you to sign something quickly, typically at a week or month end. Ask them to put the offer in writing and tell them that you have to talk with Legal before anything can be signed.

Q4. I can't find what I want from a Council's existing / contracted supplier, what can I do?

Please refer to the section above on creating your own contract

Q5. I have a problem with a Council contracted supplier?

Please inform the Contract Manager for a particular contract immediately if you are having problems with any of the suppliers currently on contract, particularly contracts where services/goods have Health & Safety implications.

Q6. What if I only receive one quotation back from a supplier instead of four?

Sometimes suppliers do not return quotations, as long as you can evidence you have attempted to source quotations from four suppliers then this is sufficient.

Q7. What is TUPE?

The Transfer of Undertakings (Protection of Employment) Regulations 2006 or, before 6 April 2006, the Transfer of Undertakings (Protection of Employment) Regulations 1981. TUPE gives effect to the Acquired Rights Directive (2001/23/EC, formerly 77/187/EC). If there is a relevant transfer of an undertaking or part of an undertaking, under TUPE the transferee will transfer the transferor's employees assigned to the undertaking (or part of the undertaking) transferred. For schools, this could cover contracts with third parties to take over services such as cleaning and catering.

Q8. What is a tender?

A tender is a sealed bid or offer document submitted in response to a request for tenders and containing detailed information on requirements and terms associated with a potential contract.

Q9. What is a request for quotation?

A **request for quotation (RFQ)** is a standard business process whose purpose is to invite suppliers into a bidding process to bid on specific goods, services or works when the value falls between £10,001 to £140,000.

Appendix 1 – Example notification letter to a successful supplier

Letter to be placed on school letter headed paper

[Bidder's name and address]

ACCEPTANCE OF QUOTATION FOR [CONTRACT NAME]

Contract Reference: [Contract reference]

Contract Period: [Start/end dates]

Dear Mr/Mrs/Miss/Ms [Name],

I am pleased to inform you that your quotation dated [date] in respect of the above mentioned contract has been accepted on the basis of the Conditions of Contract annexed to this letter.

No undertaking is given or implied as to the extent or use, if any, of this contract. An official order will be placed in due course.

Yours sincerely,

[Name]

[Position].

ACKNOWLEDGEMENT

Acceptance of Quotation for [Contract Name]

Contract Reference: [Contract reference]

Contract Period: [Start/end dates]

I/We hereby acknowledge receipt of the acceptance of my/our quotation and I/we undertake to perform the contract strictly in conformity with the Conditions of Contract annexed to this letter.

Name: _____

Position: _____

Signature: _____

Date: _____

N.B: One copy to be retained for your records one copy to be signed and returned to the school as soon as possible.

Appendix 2 – Example notification letter to a unsuccessful supplier

Letter to be placed on school letter headed paper

[Bidder's name and address]

**Re: Request for Quotation for [Contract Name]
Contract Reference: [Contract reference]**

Dear Mr/Mrs/Miss/Ms [Name],

Thank you for submitting a quotation in respect of the above. On this occasion I must inform you that your quotation has not been successful.

I would like to take this opportunity to thank you for the time and resources your company has invested in responding to this request for quotation and I look forward to you participating in future competitions.

Yours sincerely,

[Name]

[Position].

(please note - Appendix 3 is a separate attachment)

Supplier Engagement Activity Calendar 2023

	Jan-23	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1st			Gwynt Glas Supplier Event - Floating Wind Energy - (Alyson)		Update web page for supplier weekly (Alyson)					Framework Agreement for the Provision of Tenancy based Care and Support (Supported Living) for People with Mental Health Needs (date tbc Claire)		
2nd										TBC Sell2Wales workshop held in conjunction with Business Wales (Alyson)		
3rd			Sell2Wales notification updating to local Suppliers (Alyson)									

9th		Homes As Power Stations - Supply Chain Event (Alyson)						1-1 Communication Support for People who are Deaf or have Dual Sensory Impairment (CC)			
10th							Outreach and Market Engagment for Window Cleaning contract for Sam Wilkes (Alyson)				
11th					Met with Supplier Development manager for Kier. Also met with Empower Care to offer tender support (Alyson)						
12th								Framework for General Building Works (Maz)			

13th		Knightsbr own MTB Event (Alyson)										
14th						Met with EV Power to offer support with tenders and funding (Alyson)						
15th												
16th		Tender support for LSV (Alyson)										
17th		Tender Support for IOWE (Alyson)										
18th												
19th												
20th												
21st			Introduce ROUTE technology to Council. (Alyson)			Domiciliary care services for Extra Care Settings in Swansea (Claire)						

			Swansea Flying Start Childcare Expansion (Claire)									
29th												
30th												
31st									Carbon Event (James)			

Service Area	Contract	Supplier Event o	Date	Links
Social Services (Adults)	Framework Agreement for Specialist Domiciliary Care Services for Adults	PIN	06/01/23	https://www.sell2wales.gov.wales/search/show/search_view.aspx?ID=MAR286102
Social Services (Adults)	Framework Agreement for Supported Living Services for Adults with Mental Health Needs	PIN	06/01/23	
Social Services (Partnership & Commissioning)	Swansea Flying Start Childcare Expansion	Supplier Event	29/03/23	https://www.sell2wales.gov.wales/search/show/Search_View.aspx?ID=APR435291
Social Services (Adults)	PIN - Framework for Youth Homeless Temporary Supported Accommodation	PIN	15/06/23	https://businesswales.gov.wales/
Corporate Building Services / Education	Initial Market Testing – Oystermouth Primary School - Update, regenerate or rebuild a multi-use building	PIN	19/07/23	https://www.sell2wales.gov.wales/Search/show/Search_View.aspx?ID=JUL443645
Social Services (Adults)	Domiciliary care services for Extra Care Settings in Swansea	Supplier Event	21/07/23	https://www.sell2wales.gov.wales/search/show/search_view.aspx?ID=JUN441171
Social Services (Adults)	1 -1 Communication Support for People who are Deaf or have Dual Sensory Impairment	Supplier Event	04/09/23	
Social Services (Adults)	Framework Agreement for the Provision of Tenancy based Care and Support (Supported Living) for People with Mental Health Needs	Supplier Event	Indicative timescales 01/10/2023 - 30/11/2023	
Social Services (Adults)	Adult Homeless Temporary Supported Accommodation	PIN	Indicative timescales 01/11/2023 - 01/01/2024	

Social Services (Child & Family)	Specialist Assessments and Therapy	PIN / Supplier Ev	TBC	
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Service Area	Contract	Supplier Event or PIN	Date
Construction	Contract for the regeneration of Castle Square	PIN	28/04/23
Construction	Contract for City Centre Community Hub	PIN	10/05/22
Construction	27 Mechanical & Electrical contract renewals	PIN	27/10/22
Construction	Framework for Roofing which included a Market Engagement Questionnaire (MEQ)	PIN	
Construction	Framework For Environmental Works	PIN	
Construction	Framework for Flooring	Supplier Day	Initial discussion meeting 5/09/23 - date TBA
	Framework for General Building Works – Public Buildings	Supplier Day	Initial discussion meeting 12/09/23 - date TBA

Service Area	Contract	Supplier Event or PIN	Date	Links
Facilities Management	Caerphilly (All Wales) Food Tender – Local Supplier details requested from Catering Managers (Swansea Region– Local Bakery provided) Online Local Supplier workshops run pre tender to encourage Local firms to bid. Also the expectation is that the successful suppliers will be required to work with local providers where appropriate subject to them meeting the necessary quality standards.	PIN	29/06/23	https://www.sell2wales.gov.wales/search/show/searchview.aspx?ID=JUN442600
Facilities Management	Net Carbon Zero Session - Towards Net Zero: Carbon Reduction & Energy Savings Training Course for SME's	Supplier Event	31/08/23	https://www.eventbrite.co.uk/e/towards-net-zero-carbon-reduction-energy-savings-training-course-for-sme-
Team Event - JB/ SW & AD	BNI Business Networking Session - Focus: vision for Swansea and the impact on local businesses and then will be marketing current projects and opportunities and the ' how ' to get involved	Supplier Event	28/09/23	
Facilities Management	Contract for Window Cleaning at Independent Living Schemes, Swansea - Supplier support offered to Window Cleaners via Business Wales (Elgin Richards) and also supplier questionnaire issued.	PIN		

Transport & Fleet	Vehicle Repairs Framework Agreement (with NPT), Supplier support to be offered via Business Wales. Supplier questionnaire to be issued. Potentially a “Meet the Buyer” event could be run however project is still in early stages	Planned PIN	TBA	
Transport & Fleet	Taxi DPS – Remains open to new suppliers – Transport Manager is in regular communication via phone/email with new /start up Taxi providers	PIN	ONGOING	

Service Area	Contract	Supplier Event or PIN	Date	Links
Facilities Management	Caerphilly (All Wales) Food Tender – Local Supplier details requested from Catering Managers (Swansea Region– Local Bakery provided) Online Local Supplier workshops run pre tender to encourage Local firms to bid. Also the expectation is that the successful suppliers will be required to work with local providers where appropriate subject to them meeting the necessary quality standards.	PIN	29/06/23	https://www.sell2wales.gov.wales/search/show/searchview.aspx?ID=JUN442600
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Procurement Training

Contract Procedure Rules – CPR's & The Tender Process

Sam Wilkes

Commercial Services



Cyngor **Abertawe**
Swansea Council

Agenda – What this training covers

- Procurement
- Rules and Regulations
- Procurement Process
- Contract modifications/variatioins
- Waivers
- CPR Exemptions

Procurement - Introduction

Procurement is about acquiring **goods, services and works**

*It is the process of going out to tender to test the market and ultimately achieve **best value**, which includes 'whole life costing'*

*Procurement spans a **life cycle** from identification of need, through to selection of suppliers, purchasing, contract management and disposal*

What is the Corporate Procurement function?

- The Corporate procurement function is responsible for and operates within appropriate governance, accountability, audit, scrutiny and risk management arrangements
- Provides subject-matter-expert advice and guidance through the process of acquiring goods, services or works

Why is Procurement important in the Council?

- We are accountable for spending public money
- Four principles
 - Open Competition
 - Transparency
 - Equal Treatment
 - Proportionality
- Legislation: **Public Contract Regulations 2015**
 - Goods, Services and Works
- PCR Thresholds effective from January 2022



Why are these important?

Contract Type	Threshold Inc. VAT
Goods & Services	£213,477
Works	£5,336,937
Light Touch Regime	£663,540

Contract Procedure Rules

Contract Value Bands – CPR 4 (which determine our sign-off process for the spend)

Good, Works & Services	
Band	Value
A	£10,000 and below
B	£10,001 - £140,000
C	£140,001-£1 million
D	Over £1 million

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- **The value of a contract means the total estimated value of the contract over the full contract period (net VAT) including possible extensions.**
- **Officers must not split purchases or disaggregate spend in order to avoid the contract value bands set out in the table below.**

CPR11 – Competition Requirements

Procedure below £10K (CPR 11.1)

- Will be classified as procurement expenditure and are subject to **value for money considerations**.
- Officers may be challenged by Internal Audit Officers to demonstrate best value has been obtained for contracts below £10,000 in line with CPR 23 (Record Keeping)
- Officers are recommended to ensure that:
 - (i) the purchase is not covered by an existing framework agreement or Corporate contract;
 - (ii) the purchase is a one-off requirement and not a reoccurring one; and
 - (iii) the total spend is up to £10,000 (excl. VAT)
- Price checks should be documented and retained on file for audit purposes.

Procedures £10,001 to £25,000

(CPR 11.2/11.3)

- Identify need & obtain budget holder approval
- Complete Procurement Notification Form (PNF) – see also slide 17
- Use an appropriate existing contract/framework if possible
- If not
 - Source suppliers from market research or sell2wales and justify selection
 - Seek at **least 4 written quotes**
 - Evidence to be kept on file (see CPR on Record Keeping)
 - Evaluate quotes & award to highest scoring bid using standard award letter

Procedures £25,001 – £140,000

- Identify need & obtain budget holder approval
- Use an appropriate existing contract/framework if possible
- If not
 - **Openly advertise** requirement on Sell2Wales
 - Quotations to be kept on file (see record keeping)
 - Evaluate quotes & award to highest scoring bid using standard award letter

Works Only £10,001 – £140,000

CPR 11.4

Works only (£10,001 - £140,000): At least four Quotations shall be sought from appropriate Suppliers using Sell2Wales or constructionline.co.uk in accordance with the following procedure:

- (a) a minimum of two Suppliers shall be chosen at random using the 'generate a list' function;
- (b) a maximum of two Suppliers shall be chosen by Officers;
- (c) at least one of the four Suppliers shall be from the Local Area and Officers shall consider increasing this number in accordance with CPR 14;
- (d) Officers shall contact all Suppliers (including those chosen at random and those chosen by Officers) within 14 days prior to the commencement of the Procurement Process to determine their interest in submitting a Quotation. Officers shall substitute all Suppliers not interested in submitting a Quotation with alternative Suppliers, and shall choose those alternative in compliance with this CPR 11.4.

Works Only £140,000 - £500,000

CPR 11.7

11.7 *Works only – £140,001 - £500,000*: Requirements shall be openly advertised on the Sell2Wales Website. Tenders shall be invited. Alternatively, at least six Tenders shall be sought from Suppliers registered on constructionline.co.uk in accordance with the following procedures:

- (a) a minimum of four Suppliers shall be chosen at random using the 'generate a list' function;
- (b) a maximum of two Suppliers shall be chosen by Officers;
- (c) at least two of the six Suppliers shall be from the Local Area (where the subject of the Contract allows);
- (d) Officers shall contact all Suppliers (including those chosen at random and those chosen by Officers) within 14 days prior to the commencement of the Procurement Process to determine their interest in submitting Tenders. Officers shall substitute all Suppliers not interested in submitting a Tenders with alternative Suppliers, and shall choose those alternative Suppliers in accordance with this CPR 11.8.

Procedures £140,001 up to PCR Threshold

- Use an appropriate existing contract/framework if possible
- Requirement shall be openly advertised on Sell2Wales
- Full tendering procedure – eTenderWales
- Issue ITT - Advertise for a minimum of 28 days
- Seek advice from the relevant Category Manager

Procedures above PCR Threshold

- Notice to be openly advertised on Sell2Wales and TED/FTS
- Issue ITT
- Public Contract Regulations tendering timescales apply - seek advice from the relevant Category Manager (minimum 30 days (open procedure))
- 10-day standstill period
- Contract award notice to be published 30 days following contract award.

Procurement Phases

Procurement & Supply Cycle



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[cips.org](https://www.cips.org) | More procurement & supply resources for you & your team's development



A Source of Knowledge



Cycle: Contract Management



Cycle: Category Management



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Swansea Council

Procurement Phases

Phase 1: Service Need Identified

Phase 2: Pre-Procurement

Phase 3: Procurement

Phase 4: Evaluation

Phase 5: Award

Phase 1: Service Need Identified

- **What initial questions do you think you must consider at this phase?**
- *This phase is before the Procurement Notification Form is submitted*

Phase 1: Service Need Identified

- Always ask the question “**Do we really need it?**”
- Is it a need or a want? What is needed? Not what is wanted?
- Ensure you consult all stakeholders before you proceed
- Is it possible to deliver it?
- Can we stop doing it?
- Are there alternatives?
- What is it to be used for?
- Do you have to purchase it? Can you borrow, use someone else’s, hire or leasing?
- What happens when you don’t need it any more? Scrap, re-sell, refurbish etc.
- Innovation / technology

Phase 1: Service Need Identified

- Where is the budget coming from?
- Is it grant funded? Any conditions to follow?
- Check Contract Register to avoid duplication
- Can Co-production and/or Social Value be incorporated?
- Safeguarding / DBS issues?
- Contract duration and value?
- GDPR – Data Protection Impact Assessment completed?
- Integrated Impact Assessments (IIA) completed?

Phase 2: Pre-Procurement

- Complete a **Procurement Notification Form (CPR5)** and obtain a Contract Reference Number
- Procurement Strategy is then agreed, and Procurement Documents drafted



CPR 5: Procurement Notification Form

- Before commencing a Procurement process within Band B, C or D, Officers must complete Procurement Notification Form and submit to Procurement – Every PNF is reviewed by Head of Commercial Services.
- Officers should only commence the procurement process once notification to proceed has been given by Procurement and a contract reference number allocated.
- Completed PNFs are to be sent to Procurement@swansea.gov.uk

Procurement Tender Timeplan

- It's not all about tendering the contract
- You need to do some ground work before Procurement begin their full support.
- To help you, complete a 'Procurement Tender Timeplan' which includes a list of activities and actions you (the Client) and/or Procurement will undertake.

Procurement Tender Timeplan - Commercial Services

Procurement Lead :
Contract Title :
Contract Ref :
Project Start Date 01 July 2018
Client Lead

Display Week 1

Phase	Activity	Action	Officers Involved	Start	End	Days	% DONE	Work Days
1	Phase 1: Service Need Identified	Is there authority/budget to Procure from the Responsible Officer?	Client	Sat 0/1/1900	Sat 0/1/1900	1	0%	-
		Is there authority/budget to Procure from the Responsible Officer?	Client	Sat 0/1/1900	Sat 0/1/1900	1	0%	-
		Is there authority/budget to Procure from the Responsible Officer?	Client	Sat 0/1/1900	Sat 0/1/1900	1	0%	-
		Is there authority/budget to Procure from the Responsible Officer?	Client	Sat 0/1/1900	Sat 0/1/1900	1	0%	-

Phase 2: Pre-Procurement

- Agree procurement strategy with Procurement.
- Are you going to consult the market, hold a stakeholder event, a 'meet the buyer' event, or co-produce?
- Any TUPE implications?
- Draft Tender Documents

Standard Tender Documents

- Invitation to Tender (ITT)
- Selection Questionnaire
- Schedule 1 – Safeguarding
- Schedule 2 - Specification
- Schedule 3 - Financial Provisions
- Schedule 4 – Monitoring
- Schedule 5 – GDPR
- Method Statement Questions
- Pricing Schedule
- Terms and Conditions



A Specification is:

A specification details the requirements of the goods, service or works. It must clearly and accurately define what is expected from a supplier regarding the function, outputs and performance requirements.

This is where it all starts, get it wrong and this is where the problems begin

What is its purpose?

- Documents the requirements of the Council.
- Details what is expected of the successful supplier
- Guides the supplier when preparing their bid
- Helps supplier to price for delivery
- Used as a guide when evaluating the submissions
- When awarded, helps with monitoring and management of the contract
- Can it be co-produced?

Example: Structure of a Specification

Introduction

Scope

**Background to the
requirement**

**Detailed and technical
requirements**

Timescales

Standards

**Outcomes, KPI's and
Service Levels**

**Implementation
Plan**

Reference to other documents

Specification –Getting it wrong

A poor specification can result in;

- No response from the market.
- Poor value for money.
- Buying the wrong thing or paying too much for the right one.
- Having to re-do the procurement
- Inability to realise benefits.
- Poor supplier performance
- Difficulties in contract management
- Increased clarification questions.
- Contract failure

Method Statement Questions

- Method Statement Questions are based on the Specification
- Providers answer the questions which are then scored using scoring methodology
 - Weight each question
- Method Statement questions ask how the supplier is going to do something – forward looking.
- Some examples include;
 - project plans and methodologies,
 - staffing arrangements, training and development,
 - how they will meet specific contractual requirements or outcomes
 - speed of delivery, maintenance and support offered.
 - wider social, economic and environmental benefits offered to the community.
 - staff development, training and retention plans

Award Criteria: CPR13

- Tenders/Quotations can be evaluated on either:
 - 100% Price/cost; or
 - 100% Quality; or
 - Mixture of Price/cost and Quality (**MEAT**)
- Price and quality are split into two sections to be evaluated separately.
 - Each will be given a maximum percentage score (combined totalling 100%) they are weighted according to the relative importance placed upon either Price or Quality.
 - If **quality** is likely to be the most important factor a 70% Quality 30% Price ratio may be appropriate,
 - If **price** is more important 70% Price 30% Quality may be more appropriate.
 - There is no fixed balance between the two, it varies between each procurement exercise.

Evaluation criteria must relate to the specific requirement

Social Value

- Prior to commencing a procurement process, the Authorised Officer or the Responsible Officer must give consideration to how the Contract could provide **social, economic and environmental benefits** to the Local Area and the measures that may be taken to secure these benefits, **in line with the Well-Being of Future Generations Act.**
- *When provisioning services, all contracts over £1 million in value may wish to complete a Social Value Recording template, this will allow us to document how Social Value has been incorporated into the commission.*

Phase 3: Publish Tender

- Tender published on eTenderWales /Sell2Wales
- Advertised for minimum 28 days below threshold and 30 days above threshold
- You will need to answer any Clarification questions that come from interested bidders

Publish



Phase 4: Evaluation

- Move to this stage once Tender period closes



Phase 4: Evaluation

- **3 Stages –**
 - **Selection Questionnaire** (Pass / Fail Questions)
 - **Quality** (Method Statement Responses)
 - **Price** (Total Cost)
- Evaluation panel (2 people minimum)
- Standard template Matrix will add up the scores given by panel and the price to produce a winning tenderer

Tenderer 1:			Tenderer 2:		Tenderer 3:	
Score/Price	Comments	Weighted Score	Score/Price	Comments	Weighted Score	Score/Price
		0.0%			0.0%	
		0.0%			0.0%	
		0.0%			0.0%	
		0.0%			0.0%	
		0.0%			0.0%	
		0.0%			0.0%	

Method Statement Scores	
5	
4	
3	
2	
1	
0	

Stage 1 - Selection Questionnaire

Will be evaluated to select potential suppliers to invite to tender. Based on:

- Mandatory Grounds for Exclusion (Reg 57)
- Technical Capability and Capacity
- Financial Information
- Health & Safety
- Insurances
- DBS Certification
- Welsh Language requirements

NB: Evaluation includes:

- *Pass / Fail criteria*
- *Financial risk based assessment*

Stage 2 - Evaluating Quality

- Award criteria relating to quality depend upon the nature of the Procurement.
- Scoring methodology (standard document available)
- Evaluate Method Statement responses

Evaluating the responses to the tender against the pre-established award criteria;

To ensure fair competition and achieve best value for money

To decide which supplier is to deliver the requirement

Rating	Criteria	Score
Very Good	<ul style="list-style-type: none">• Demonstrates a very good understanding of requirements and a very good level of capability/commitment• Complete confidence in abilities• Very good prospects for contractual or partnership success	5
Good	<ul style="list-style-type: none">• Demonstrates a good understanding of requirements and a good level of capability/commitment• High level of confidence• Good prospects for contractual or partnership success	
	<ul style="list-style-type: none">• Demonstrates a good understanding of requirements and a good level of capability/commitment	

Stage 3 - Evaluating Price

- The evaluation of price will be based on the supplier's response to the requirements of a Pricing Schedule/Schedule of rates designed for the specific contract using appropriate measures and units.
- Price should be based on the total cost of the goods or service over the duration of the entire contract, not just purchase price.
- Consider **Total Cost of Ownership**.

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What is the real cost of procuring the requirement? Rather than what is the lowest price I can get it for. Consider –

- Running costs
- Delivery costs
- Maintenance costs
- Training costs
- Licence cost
- Energy consumption
- Disposal costs
- Any others?**

Phase 5: Award

- Obtain approval and notify bidders of the outcome of the procurement



Award Procedure: CPRs

- **Band A (Under £10,000)**
 - Officer to demonstrate Best Value has been obtained,
- **Band B (Under £140,000)** approval required from:
 - Responsible Officer (Department HoS)
 - Category Manager
- **Band C (£140,001 – £1 million)** approval required from:
 - Responsible Officer (Department HoS)
 - Head of Commercial Services
 - Deputy Chief Legal Officer
 - Chief Finance Office (S.151 Officer)
- **Band D (Over £1 million)**
 - As above with additional approval from relevant Cabinet Member
 - If required, Cabinet approval.

Phase 5: Award

- Draft notification letters (CPR19):
 - Relative advantages
 - Feedback maybe asked from unsuccessful bidder
- Standstill Period – 10 days
- Contract Award Notice – Sell2Wales
- Contracts Register – above £10k

Contract Management

- Once awarded -
 - Contract Management
 - Understanding the contract
 - Using the contract
 - Monitoring Outcomes
 - Monitoring Performance

Contract Modifications / Variations

Regulation 72

Reg allows for changes to be made to an existing contract without having to complete a new procurement exercise, only where one of the following six situations applies:

- 1. Change is included for within original Tender/Contract Documents**
- 2. Change of Provider cannot be made for economic or technical reasons and could cause significant duplication of cost (50% of total contract value cap)**
- 3. Change is due to unforeseen circumstances (50% cap)**
- 4. Replacement of supplier due to corporate restructuring, including takeover, merger, acquisition or insolvency**
- 5. Modifications that are not substantial or a “material change”**
- 6. Low value modifications – less than 10% of the current threshold for supplies and services and 15% for works**

Contract Modifications / Variations

- Online Staffnet Application Form
<https://staffnet.swansea.gov.uk/contractvariation>
- Variation application must include:-
 - Contract Title and Reference Number
 - Current Start / End Date
 - Original Contract Awarded Value
 - Current contract value including any variations made previously
 - New proposed value (inclusive of values above)
 - Proposed new end date (if extension required)
 - Justification for modification/variation in accordance with Reg 72

CPR8 / Waivers

What is a Waiver?

A application to award a contract outside of Contract Procedure Rules

The waiver application form can be found on Staffnet <https://staffnet.swansea.gov.uk/cpr8>

Waivers bring risk to the Council – why was only one supplier considered / were they the best option?

A Waiver application must specify:

- The description of goods, services or works you are seeking to waiver
- The selection methods used to identify the proposed Supplier
- The reasons for the proposed waiver/s and why it is considered lawful and appropriate to award the Contract through a waiver.

Examples may include:-

- Only one provider can be appointed for reasons that are technical, or connected with the protection of exclusive rights, e.g a patent;
- extreme urgency brought about by events unforeseeable by the council (e.g. roof blows off)
- time limited grant funding, where the time limitations will not allow a competitive procurement process and where the grant conditions allow (under threshold)
- where delay of appointment would increase danger to life or limb.

- EXCEPT IN CASES OF A GENUINE EMERGENCY, PROCUREMENT APPROVAL MUST BE IN PLACE BEFORE PROCEEDING WITH A WAIVER.
NEW £30K TRANSPARENCY THRESHOLD DUE LATE 2023 INCREASES LIKELY CHALLENGE

CPR Exclusions

CPR 1.10 : Exclusions

- Social Care have 3 specific exclusions allowed under CPR,
 - (i) at the discretion of the Director of Social Services only (with the Director to maintain the appropriate records for audit purposes)
 - where the decision to award a social care Contract has been made on the Council's behalf (e.g. **a court directed order**);
 - the award of an **emergency social care Contract and/or individual placement** if it is considered to be in the interest of the Council or necessary to meet its obligations under relevant legislation and demonstrates Value for Money.
 - **residential and nursing care contracts** which the Council has a duty to provide if it is considered to be in the interest of the Council or necessary to meet its obligations under relevant legislation and demonstrates Value for Money.

Thank you

Any questions?



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Swansea Council

Procurement Process for Schools

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Sam Wilkes
Commercial Services



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Swansea Council

Pre-procurement stage – Procurement Guide for Schools

- Intended to inform Schools about the rules and procedures in place for procuring goods, works and services, and
- raising awareness of the need to comply with this practice
- identify channels of support – such as SLA contacts in CBS/IT etc
- The guide is split into the following five sections –
 1. Introduction to Procurement
 2. Procurement Process
 3. Waivers
 4. Frequently Asked Questions

Contract Terms & Conditions

- Under UK public procurement legislation Schools are considered as 'discrete operational units' and this means that for contractual purposes, each individual School is treated as a separate entity.
- A contract with a total value of more than the amounts listed below may be subject to UK Public Contracts Regulations 2015 and for example the school would be required to advertise the contract opportunity on the UK's Find a Tender Service. **The thresholds are reviewed every two years, so please check with Procurement if in doubt.**

Extract / Thresholds / Type of Contract	Threshold
Service & Supply (includes supply, lease, rental or hire purchase of goods, provision of relief staff)	£213,477 (inclusive of the applicable rate of VAT)
Works (including subsidised works contracts)	£5,336,937 (VAT as above)

Contract Terms & Conditions

- With regard to Works (building / road repairs / ground works etc) contracts the School should utilise the NEC 3 Short Form Engineering Contract following consultation with Facilities Management or the Category Manager for Construction (Maz Ward). The NEC 3 short form forms the terms and conditions used on works contracts. A Landlords Building Consent form **must be completed** by the school prior to any building or construction works commencing.
- If you are considering embarking on a construction or external works project, including all-weather pitches, there guidance notes to assist you with the landlord consent application process, and this can be found here: <https://www.swansea.gov.uk/schoollandlordconsent>
- Schools are advised to engage with the authority via the landlord consent process at an early stage to gain initial advice that may avoid abortive costs and work.

Contract Terms & Conditions

- All services and goods contracts shall be entered into using the school's standard terms and conditions for the supply of goods and services, which are available / embedded below. If you are seeking consultants or a construction contract then different terms will apply and so please contact the Procurement Team.
- All of the relevant contracts are embedded in the Procurement Guide for Schools along with other important tender documents, such as GDPR documents that should be utilised.

Important Note

- ALL - Contracts between £10,000 to £140,000 shall be signed by the Chair of Governors and Head Teacher.
- ALL - Contacts £140,001 and above, shall be made under the Common Seal of the Council (via the Council's Legal department)

Transparency

- Procurement activity below the threshold values on the previous slide does not need to comply with statutory procedures but must comply **with the Schools Guide for Procurement** which embeds the principles of *open competition, transparency, equity (equality), and proportionality*. It is therefore important that when entering into contracts that the appropriate procurement process is followed, to avoid claims of unfairness from unsuccessful suppliers.
- Transparency of spending is required from the public purse.
- The Freedom of Information Act is all about the right of access to information held by public authorities (including schools). Schools should be aware that how they spend their money can go into the public domain through FOI requests.

Potential Risk

- Not following the correct Procurement processes may bring risk to the school and the authority
- There may be a risk of duplication of spend as the guide details how to check if there is already a contract in place as Schools *may* have the option to buy through a pre-existing corporate contracts or framework agreements
- Challenges from unsuccessful suppliers, or suppliers who think that contracts or work may have been unfairly awarded
- ***Please note if you enter into a contract on a supplier's terms and conditions there could be unexpected consequences. For instance, unfair termination provisions, yearly cost increases and possible additional unforeseen charges.***
- Not covered by insurances Public/Employers Liability

Contact Corporate Procurement

You can contact our procurement team for help and advice on all aspects of procurement.

If have a general query, then you can email procurement@swansea.gov.uk. For queries relating to a category or role please contact the Procurement Officer directly using the details below. We can also provide advice to staff who are organising their own contracts.

Name	Position	Email	Tel
Chris Williams	Head of Commercial Services	Chris.williams4@swansea.gov.uk	01792 637267
Claire Chambers	Category Manager	Claire.chambers@swansea.gov.uk	07966 231322
Maz Ward	Category Manager	Maz.ward@swansea.gov.uk	07976 898875
Paul Lenihan	Category Manager	Paul.lenihan@swansea.gov.uk	07880 182757
James Beynon	Category Manager	James.beynon@swansea.gov.uk	07966 231329
Sam Wilkes	Senior Commercial Officer	Sam.wilkes@swansea.gov.uk	07718 612872
Rhian Rowlands	Procurement Officer	Rhian.rowlands@swansea.gov.uk	07976 898397
Lisa Evans	Procurement Officer	Lisa.evans5@swansea.gov.uk	07966 230649
Natalie Phillips	Procurement Officer	Natalie.phillips@swansea.gov.uk	
Fran James	Commercial & Procurement Officer	Fran.james@swansea.gov.uk	

Thank you

Any questions?



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Swansea Council

Integrated Impact Assessment Screening Form

Please ensure that you refer to the Screening Form Guidance while completing this form.

Which service area and directorate are you from?

Service Area:

Directorate:

Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- X Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services
- Other

(b) Please name and fully describe initiative here:

Update to Scrutiny Inquiry into Procurement

Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further Investigation	No Impact
	+	-	+	-	+	-		
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Human Rights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Integrated Impact Assessment Screening Form

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?
Please provide details below – either of your activities or your reasons for not undertaking involvement**

Such activity may take place as specific actions developed, but at this stage the paper is seeking to consider further options rather than reach final decisions.

Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

- a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?
Yes No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?
Yes No
- c) Does the initiative apply each of the five ways of working?
Yes No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?
Yes No

Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)

High risk

Medium risk

Low risk

Q6 Will this initiative have an impact (however minor) on any other Council service?

Yes No If yes, please provide details below

Q7 Will this initiative result in any changes needed to the external or internal website?

Yes No If yes, please provide details below

No not directly

Integrated Impact Assessment Screening Form

Q8 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

None at this stage, future impacts arising from this work will be subject to separate Cabinet decisions.

Outcome of Screening

Q9 Please describe the outcome of your screening using the headings below:

- Summary of impacts identified and mitigation needed (Q2)
- Summary of involvement (Q3)
- WFG considerations (Q4)
- Any risks identified (Q5)
- Cumulative impact (Q7)

At this stage there are no negative impacts rather the proposed strategic direction is a positive endorsement of the Well-Being of Future Generations Act, and future decisions will be subject to appropriate Cabinet decisions and the Constitutional decision-making framework.

(NB: This summary paragraph should be used in the 'Integrated Assessment Implications' section of corporate report)

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

Screening completed by:
Name: Chris Williams
Job title: Head of Commercial Services
Date: 26/9/23

Approval by Head of Service:
Name: Chris Williams
Position: Head of Commercial Services
Date: 26/9/23

Please return the completed form to accesstoservices@swansea.gov.uk