

Cabinet

10 September 2024

Additional Procurement Forward Plan Report – over £500k (2024-2025) and Modern Slavery Transparency Statement 2023-2024

For Decision

Portfolio Holder:

Cllr S Clifford, Finance & Capital Strategy

Local Councillor(s):

All

Executive Director:

A Dunn, Executive Director, Corporate Development

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Report Status: Public (the exemption paragraph is N/A)

Brief Summary:

Additional Procurement Forward Plan

The Council defines a key decision as those with a financial consequence of £500k or more.

Commercial & Procurement have collaborated with colleagues across Directorates to review the contracts database and commissioning plans in order to establish a procurement plan for 2024-2025. A procurement forward plan report for 2024-2025 was approved by Cabinet on 12th March 2024. As stated in the said report, as service and transformation plans are developed it may be necessary to bring further approval requests to Cabinet.

Additional procurement activity, within the 2024-2025 procurement programme, which are known/likely to secure contracts exceeding the £500k threshold are set

out in Appendix 1 for Cabinet's consideration. The information shown includes the maximum terms of the proposed contracts and estimated total value over the contract term; as known at the time of writing this report.

Modern Slavery Transparency Statement

The Transparency in Supply Chains Provision (TISC) section 54 of the Modern Slavery Act (MSA) requires commercial entities with an annual turnover of £36m or more to publish annually a Modern Slavery Transparency Statement and for this to be added to the government-run online Modern Slavery Statement Registry.

This report is annual update of the statement in relation to financial year 2023-2024.

Recommendation:

Cabinet is asked to consider the contents of this report in respect of the Additional Procurement Forward Plan for 2024-2025 and the Modern Slavery Transparency Statement for 2023-2024, and that Cabinet agree:

1. to begin each procurement processes listed in Appendix 1 to this report, and,
2. that in each instance the further step of making any contract award should be delegated to the relevant Cabinet portfolio holder, after consultation with the relevant Executive Director.
3. to publish the proposed Modern Slavery Transparency Statement for 2023-2024.

Reason for Recommendation:

Additional Procurement Forward Plan

The Cabinet is required to approve all key decision with financial consequences of £500k or more. It is also good governance to provide Cabinet with a summary of all proposed procurements prior to them formally commencing. Planning procurements ensures:

1. effective stakeholder management
2. efficient commissioning and sourcing
3. compliance with regulations and contract procedure rules
4. there is consideration on how contract price is to be managed in contract and what contract price model will be used

5. that best value for money is clearly defined including how contract management will ensure that the Council attains best value during the life of a contract
6. there is consideration how the procurement will exploit opportunities to support the wider objectives of the Council Plan

Modern Slavery Transparency Statement

It is a requirement for the Council to publish a Modern Slavery Transparency Statement on an annual basis.

Main Report

1. Additional Procurement Forward Plan

- 1.1 This report provides for Cabinet consideration, in Appendix 1, additional procurement activity within the 2024-2025 procurement programme, which are known/likely to secure contracts exceeding the £500k threshold.
- 1.2 It refers to procurement activity that is in addition to those already agreement by Cabinet on 12th March 2024.
- 1.3 Whilst this report is in respect of 2024-2025 procurement activity, the approach of Commercial & Procurement is to review potential future activity by forwarding looking, over a minimum 18-month period, of contracts that may have break points or due to expire, and any potential known new needs. This is part of monthly strategic planning discussions between Commercial & Procurement and colleagues across the Directorates.

2. Modern Slavery Transparency Statement

- 2.1 The Modern Slavery Act was introduced in 2015 to provide victims of modern slavery with greater protections and police with greater powers.
- 2.2 Section 54, The Transparency in Supply Chains Provision (TISC) Section 54 of the Act requires commercial entities with an annual turnover of £36m or more to publish annually a Modern Slavery Transparency Statement and for this to be added to the government-run online Modern Slavery Statement Registry.
- 2.3 Appendix 2 provides the proposed Statement for financial year 2023-2024 for Cabinet's consideration, as produced by a cross-directorate Modern Slavery Group, as a revision to the previous published Statement.

3. Urgent Decisions

- 3.1 There may be occasions where the Council must take urgent action in response to a situation where there is not sufficient time to seek formal approval at a Cabinet meeting (which must be called on at notice) of a key decision, prior to spending over £500k.
- 3.2 Such occasions are usually rare, but as seen in the pandemic, the Council at times needs to respond at scale and pace to critical situations, national priorities, and funding initiatives.
- 3.3 Where there is an urgency, the Scheme of Delegation within the Council's Constitution allows for such decisions to be made which can be executive or non-executive in nature, depending on the delegation given.
- 3.4 Part 3 of the Scheme of Delegation specifies the Chief Officers responsibilities. Paragraph 32 explains the circumstances in which the delegation can be used:

“In any cases which s/he considers to be urgent, to discharge any function and deliver any service within the Chief Officers responsibility, other than those functions which can only be discharged by the Council or a specific Committee. This delegation is subject to the following conditions:

- a) prior consultation with the Monitoring Officer and the Section 151 Officer;*
- b) consultation with the appropriate Executive Member or the Chairman of the appropriate Committee; and,*
- c) to the extent it will incur expenditure from working balances and/or reserves, the prior approval of the s151 Officer “*

- 3.5 Where urgency means that it is not possible to convene a Cabinet meeting on notice then to ensure transparency a decision notice is prepared giving details of the decision made and the reasons for it and the notice is published on the Council's website. Call-in does not apply to an urgent decision but the relevant Portfolio Holder and the relevant Chief Officer can be called to account for their decision at a meeting of the relevant scrutiny committee.

4. Financial Implications

Additional Procurement Forward Plan

- 4.1 Service budgets do incorporate funding required for the procurements set out in this report.
- 4.2 The following to be considered by the appropriate project team as part of the business case and rationale for each procurement:
 1. how best value from the procurement / contract will be achieved
 2. how the contract and supplier(s) will be effectively managed to deliver saving target that are incorporated into the MTP
 3. whether full funding is available in the budget provision, after savings have been accounted for
 4. the intended best approach to assess the contract performance and supplier relationship to manage expectations in respect of annual price increase amid a higher level of inflation that has not been experienced for many years

Modern Slavery Transparency Statement

- 4.3 No additional financial implications. This is a report in respect of a Statement which reflects on the Council's current position and outputs for financial year 2023-2024 regarding modern slavery.

5. Natural Environment, Climate & Ecology Implications

Additional Procurement Forward Plan

- 5.1 To be considered by the appropriate project team as part of the business case and rationale for each procurement.

Modern Slavery Transparency Statement

- 5.2 Not applicable. This is a report in respect of a Statement which reflects on the Council's current position and outputs for financial year 2023-2024 regarding modern slavery.

6. Well-being and Health Implications

Additional Procurement Forward Plan

- 6.1 To be considered by the appropriate project team as part of the business case and rationale for each procurement.

Modern Slavery Transparency Statement

- 6.2 Publishing annually a Modern Slavery Transparency Statement supports well-being and health implications within the Council's supply chains and wider communities, by ensuring transparency of the Council's policy and approach to responding to and mitigating the risk of Modern Slavery.

7. Other Implications

- 7.1 None

8. Risk Assessment

- 8.1 **HAVING CONSIDERED:** the risks associated with the decisions in respect of both Additional Procurement Forward Plan and the proposed Modern Slavery Transparency Statement; the level of risk has been identified as:

Current Risk: LOW
Residual Risk: LOW

- 8.2 Level of risk per procurement to be considered by the appropriate project team as part of the rationale for each procurement however indicative assessments are shown on Appendix 1.
- 8.3 Notwithstanding the level risk of the decision against an individual procurement, inflation remains a risk to the Council's budgets. All decisions and recommendations must therefore be mindful of the actual and potential impact of inflation, especially when committing future funding.

9. Equalities Impact Assessment

Additional Procurement Forward Plan

9.1 To be considered by the appropriate project team as part of the business case and rationale for each procurement.

9.2 Modern Slavery Transparency Statement

9.3 Publishing an annual Modern Slavery Transparency Statement is a positive policy in that it is setting out the Council's commitment to opposing Modern Slavery and acting ethically with integrity and transparency. The annual review of Equalities Impact Assessment concludes that it is anticipated that the Statement for 2023-2024 will have a positive impact.

10. Appendices

10.1 **Appendix 1** – Additional procurement forward plan where the contract value is expected to exceed £500k.

10.2 **Appendix 2** – Modern Slavery Transparency Statement 2023-2024.

11. Background Papers

11.1 [Cabinet 12 03 24 - Procurement Forward Plan 2024-25.pdf \(dorsetcouncil.gov.uk\)](#)

12. Report Sign Off

11.1 This report has been through the internal report clearance process and has been signed off by the Director for Legal and Democratic (Monitoring Officer), the Executive Director for Corporate Development (Section 151 Officer) and the appropriate Portfolio Holder(s)