

ANNEX I to Appendix IV- General Purposes Committee 8 March 2018: Proposed changes to Contract Standing Orders.

Clause	Current wording	Proposed wording	Rationale
3.3	New clause	3.3.11 – All contract conditions must contain reference to Data Protection and the emerging GDPR.	The new regulations place further emphasis on the control of personal information and it is vital that our terms and conditions include a mechanism for officers to ensure our contractors meet the required levels.
3.3	New clause	3.3.12 – All contracts with a bronze, silver or gold Safeguarding assurance must have adequate provision to ensure that appropriate safeguarding measures are in place throughout the contract.	A new method of capturing safeguarding information has been included in the tender documents and allows us to meet our statutory needs on safeguarding children and vulnerable adults. This clause allows a mechanism for officers to ensure our contractors meet the required levels.
3.6	All contracts of a value of £25,000 or more or which involve a substantial risk to the Council must be subject to a written risk assessment, which should be kept on the contract file.	All contracts of a value of £25,000 or more or which involve a substantial risk to the Council must be subject to a written risk assessment, which should be kept on the contract file and updated when required or annually whichever occurs first.	Adds in a requirement for contract lead officers to review risk throughout the length of the contract, not just at the start.
5.5	It is a disciplinary offence to fail to comply with these Contract Standing Orders and the Council's	It is a disciplinary offence to fail to comply with these Contract Standing Orders and the	Corporate Services Director post no longer

	Purchasing Guide. All employees have a duty to report breaches of Contract Standing Orders to the Corporate Services Director.	Council's Purchasing Guide. All employees have a duty to report breaches of Contract Standing Orders to the Chief Financial Officer.	exists.
7.4	Current financial values relating to EU tender thresholds	Table has been updated with the new figures.	Requirement by law.
7.4	£75,000-£164,176 a) At least three written tenders in advance.	a) At least three electronic tenders in advance.	This was correcting an error from the last refresh as all tenders are now submitted electronically and not written.
7.6	Financial appraisals shall be carried out by Financial Services on all Contractors submitting a bid of £75,000 and above, this will be undertaken at the PQQ or suitability assessment stage. For contracts above £30,000 but not exceeding £74,999, prior to award of contract the proposed successful contractor shall be subject to financial appraisal by Financial Services.	Financial appraisals shall be carried out by Financial Services on all Tenderers submitting a bid of £30,000 and above. Contracts with a whole life value > £100,000 shall have a financial appraisal undertaken by financial services on or near the anniversary date of the contract award date.	This is a change to add in an extra level of scrutiny in light of recent events with private companies and public sector contracts.
8.3	All contracts valued at £75,000 or above must be reported to the Cabinet for approval and shall be executed as a deed, there is a 5 calendar day call in period post Cabinet, Once the Minutes have been published, usually the following Monday) All other contracts may be signed by officers with appropriate delegated authority. £74,999 shall be the threshold for the purposes of Regulation 8 of the Local Authority (Executive Arrangements) (Modification of Enactments and Further Provisions) (England) Order 2001.	All contracts valued at £100,000 or above must be reported to the Cabinet for approval and shall be executed as a deed, there is a 5 calendar day call in period post Cabinet, Once the Minutes have been published, usually the following Monday) All other contracts may be signed by officers with appropriate delegated authority. £99,999 shall be the threshold for the purposes of Regulation 8 of the Local Authority (Executive Arrangements) (Modification of Enactments and Further Provisions) (England) Order 2001.	It is proposed to increase the value of contracts that require Cabinet approval from £75,000 to £100,000 to bring it in line with the key decision value for all other decisions.
13.1.4	at the discretion of the relevant Head of Service who may for contracts exceeding £25,000 but not exceeding £74,999 proceed in a manner most expedient to the efficient management of the service / Council with reasons recorded in writing.	at the discretion of the relevant Head of Service who may for contracts exceeding £25,000 but not exceeding £99,999 proceed in a manner most expedient to the efficient management of the service / Council with reasons recorded in	As per clause 8.3 the amount a Head of Service can sign a waiver off for needs to increase up to £99,999.

		writing.	
13.3.2 and 13.3.3 and 14.2.2	Old values of £74,999 and £75,000	Amended to change values to £99,999 and £100,000 as per above	As per change to 8.3.