

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	COUNCIL	19 OCTOBER 2020	13
<b>CONSTITUTION AMENDMENTS</b>			

### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

### SUMMARY

The Audit and Standards considered a report, at its meeting held on 24 September 2020, to change to the Contract Procedure Rules to require officers to comply with applicable parts of the Guide, or explain their reasons for not doing so.

The recommendation of the Audit and Standards Committee is now before Council for adoption.

### RECOMMENDATION

1. To replace rule 1.3 of the Council's Contract Procedure Rules with the following: *"Buyers should normally follow the guidance in the "Guide to Buying for the Council", which is available on the council's intranet. They should record and be able to explain the reason for any decision to not follow the Guide"*.

### SUMMARY OF PREVIOUS DECISIONS

Audit and Standards Committee – 24 September 2020

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services ( <b>Value for Money</b> )	√
Delivering the services that customers expect of an excellent council ( <b>Clean and Green</b> )	
Working with all partners ( <b>Vibrant Economy</b> )	
To make sure Fylde continues to be one of the most desirable places to live ( <b>A Great Place to Live</b> )	
Promoting Fylde as a great destination to visit ( <b>A Great Place to Visit</b> )	

### REPORT

1. The Audit and Standards Committee discussed and debated an amendment to the constitution for approval with a view to the same being recommended to the Council for adoption.
2. The amendment relates to The "Guide to Buying for the Council" which is a practical guide for officers involved in procurement and commissioning of works, goods and services for the Council. It does not form part of the Contract Procedure Rules, and therefore of the council's constitution, but is intended to explain and amplify those Rules.

3. Rule 1.3 of the Contract Procedure Rules, which forms part 4b of the constitution, presently provides that “Buyers should also refer to the “Guide to Buying for the Council”, which is available on the council’s intranet”. Members are asked to recommend changing rule 1.3, so it reads: “Buyers should normally follow the guidance in the “Guide to Buying for the Council”, which is available on the council’s intranet. They should record and be able to explain the reason for any decision to not follow the Guide”.
4. Making the suggested change would elevate the status of the Guide to “comply or explain”, rather than being simply a reference document. This would be in line with good practice, as recommended by the council’s internal auditors.
5. The Audit & Standards Committee, at its meeting held on 24 September 2020 resolved to recommend the change to the Council.
6. Relevant officers will be considering a broader review of contract procedure rules in the Autumn, which may result in a further report to the committee.

IMPLICATIONS	
Finance	None arising from this report
Legal	None arising from this report
Community Safety	None arising from this report
Human Rights and Equalities	None arising from this report
Sustainability and Environmental Impact	None arising from this report
Health & Safety and Risk Management	None arising from this report

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Constitution		<a href="#">Constitution</a>
Guide to Buying for the Council	Latest version August 2020	Town Hall, Lytham St Annes
Audit & Standards Committee	24 Sept 2020	<a href="#">Audit and Standards Committee Documents</a>