

CALDERDALE MBC

WARDS AFFECTED: ALL

CALDERDALE SCHOOLS FORUM

27 April 2009

CONTRACT PROCEDURE RULES FOR SCHOOLS

REPORT OF THE CHIEF LAW AND ADMINISTRATION OFFICER

1. ISSUE

- 1.1 Standards Committee of 23 March 2009 resolved to obtain the Calderdale Schools Forums' views on the proposed amendments to update the Council's Contract Procedure Rules for Schools.

2. NEED FOR A DECISION

- 2.1 The Forum's views on the increase to the limits within the Contract Procedure Rules for Schools, to bring them in line with the Council's main Contract Procedure Rules for Schools, are requested. The comments and recommendations of the Forum will be reported back to the Standards Committee on 29 June 2009 so that it can make a more informed decision on the issue.

3. RECOMMENDATION

- 3.1 The views of the Forum on the amendments detailed in the attached document (b) are sought.
- 3.2 The Forum can recommend to the Standards Committee either:
 - It agrees to the proposed increases in the limits,
 - that the limits remain as they are currently, or
 - new limits are made, and if so, the reasons in support of this recommendation.

4. BACKGROUND

- 4.1 The Council's Contract Procedure Rules provide clear rules and procedures for the procurement of goods, services and works for the Council. There are separate Contract Procedure Rules for Schools due to the specific governance arrangements in place. Schools have a governing body which performs many of the governance functions.
- 4.2 The Council's main Contract Procedure Rules have recently been reviewed, including increasing the financial limits to allow for inflation and bring them up to the limits set by other local authorities of similar size to Calderdale. The purpose of this report is to update the Schools' Contract Procedure Rules in order to bring the financial limits in line with the Council's main Contract Procedure Rules.
- 4.3 It is envisaged that a more thorough review of the schools' Contracts Procedure Rules will be undertaken in due course. However, all schools must meet the new Government Financial Management Standard for schools by March 2010 and schools are currently working towards meeting this standard. It is important that up-to-date Contract Procedure Rules for Schools are in place in order to allow them to meet that Standard. This update is therefore an interim measure pending resources being allocated to the Corporate Procurement Department for the task of a thorough review.

5. OPTIONS CONSIDERED

- 5.1 There are no other options available.

6. CONSULTATION

- 6.1 A report is being submitted to the Children and Young Persons Scrutiny Panel for consideration of the same issue. The views of the Forum and recommendations of the Scrutiny Panel will be reported back to the Standards Committee for a decision.

7. FINANCIAL IMPLICATIONS

- 7.1 The limits of the Contract Procedure Rules for Schools with regard to procurement activity will be increased.

8. CORPORATE IMPLICATIONS

- 8.1 The amendments to the Contract Procedure Rules for Schools are recommended in order to bring them up-to-date, allowing for inflation and to align them to the Council's main Contract Procedure Rules and the Contract Procedure Rules of other similar authorities. Schools which have their own Contract Procedure Rules remain unaffected and do not have to adopt the Council's Rules. School governing bodies retain the authority and means to

adopt their own more stringent Rules if they feel that the limits are too high for their school.

9. CONCLUSION

- 9.1 Schools need up-to-date Contract Procedure Rules to work to. The current ones have not been brought up-to-date which means they have significantly different limits to the Council's main Rules. This situation needs to be rectified, particularly as the new Financial Management Standard in Schools requires schools to have agreed Contract Procedure Rules in Place.

Bernadette Livesey
Chief Law and Administration Officer

01.04.09

FOR FURTHER INFORMATION ON THIS REPORT CONTACT:

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DOCUMENTS ATTACHED TO THIS REPORT

- (a) Original Contract Procedure Rules for Schools
- (b) Amendments to Contract Procedure Rules for Schools
- (c) Updated Contract Procedure Rules for Schools
- (d) Initial Report to Standards Committee

DOCUMENTS USED IN THE PREPARATION OF THE REPORT:

Council's Contract Procedure Rules
Contract Procedure Rules for Schools

DOCUMENTS ARE AVAILABLE FOR INSPECTION AT:

Law and Administration Services, Westgate House