

Meeting Minutes

Meeting Title	Procurement Panel
Date	Monday 21st July, 2008
Start time	10.00 am
Venue	Committee Room 1, Rotherham Town Hall
Chair	Councillor Ken Wyatt

Attendees	Init	Programme Area
Ken Wyatt	KW	Councillor
Helen Leadley	HL	Procurement Client Manager
David Rhodes	DR	Environment & Development Services
Asim Munir	AM	Chief Executive's Section
Brian Barrett	BB	EDS Asset Management
Carol Adamson	CA	Chief Executive's Section
Peter Hunter	PH	RIDO Investment Team
Emma Fairclough	EF	RBT
Jon Surridge	JS	Environment and Development Services
Paul Ritchie	PR	Voluntary Action Rotherham
Sarah McCall	SM	Client Officer

Apologies	Init	Programme Area
Andy Hare	AH	Neighbourhoods and Adult Services
Myles Thompson	MT	Rotherham Chamber of Commerce
Sandra Greatorex	SG	Voluntary Action Rotherham
Lesley Dabel	LD	Voluntary Action Rotherham
Simon Bradley	SB	RBT - Procurement
Gerald Smith	GM	Councillor

Minutes		
Ref	Item or Action	Action Owner
55/08	Minutes of Previous Meeting The minutes of the previous meeting of the Procurement Panel, held on Monday, 9 th June 2008, were agreed as a correct record.	
56/08	Matters Arising (a) BVPI8 The meeting was informed that the Procurement Champion	

	<p>for the CEX's Directorate was Rob Parker and not Rob Houghton as previously reported.</p> <p>(b) BBR Action Plan Update</p> <p>With regard to training for Commissioning Officers, Paul Ritchie reported that a bid for NRF funding to support this work had been rejected. Therefore VAR no longer had the resources to continue to work on the Contract.</p> <p>(c) Update from Supporting People</p> <p>Paul Ritchie reported that, due to staffing issues in Supporting People, the meeting with Tim Gollins to discuss concerns about the Framework Agreement had not yet taken place. Janet Wheatley (VAR) was to write to Tim Gollins.</p> <p>Councillor Wyatt urged that this meeting be arranged as soon as possible.</p>	TG
57/08	<p>Consultation Presentation</p> <p>Asim Munir gave a presentation on the Partnership Consultation & Community Involvement (CCI) Framework.</p> <p>The Partnership CCI Framework had been set up in accordance with the Empowerment White Paper which set out a number of principles for how the public sector should involve the voluntary and community sector in consultation for community services.</p> <p>A recent development for further consideration by the Procurement Panel was the need to involve people in the delivery of service and procurement of services.</p> <p>The presentation set out:-</p> <ul style="list-style-type: none"> - Overview - Why do we need a Partnership CCI Framework? - The Partnership CCI Framework - Agreed Standards - Inclusiveness - Clarity of Purpose - Timing and Planning - Communicating, Consulting and Involving in appropriate ways - Feedback - Delivering change, improving outcomes - Capacity and Resources 	

	<ul style="list-style-type: none"> - CCI Toolkit - What's in the Toolkit? - Future Actions <p>At the close of the presentation, the following issues were covered:-</p> <ul style="list-style-type: none"> o Methods of reporting feedback following consultation – partnership newsletter and Council website o Interpretation and translation issues o Current lack of resources to deliver training or awareness of COMPACT <p>Agreed:- That the presentation on Partnership Consultation and Community Involvement (CCI) Framework be received.</p>	
58/08	<p>Equity and Diversity in Procurement</p> <p>Carol Adamson presented a summary report on current and changing requirements relating to procurement within equality legislation, which pointed out how the procurement function can promote equality and address some of the inequalities that exist.</p> <p>In addition, the report made recommendations for strengthening actions to achieve Equality Standard for Local Government (ESLG) Level 5 by December, 2008.</p> <p>Members present were asked to comment on the proposed equality policy self-assessment questionnaire, and to report any good examples of promoting equality in the procurement process, to be included in the Council's Equality Standard Level 5 evidence portfolio.</p> <p>The equality legislation framework, aimed at public sector bodies, continues to change rapidly. More information about the current laws and the proposed changes is included at Appendix 1.</p> <p>Commissioning and procurement functions are increasingly seen as key tools that public bodies can use to promote equality. This is in two ways:</p> <ul style="list-style-type: none"> ❖ To pass on obligations to contractors so that the Council still meets its equality duties where functions and services are delivered by contractors or partners ❖ To lead by example and use buying power to influence the private and voluntary and community sectors, to contribute to promoting equality for all Rotherham people. 	

	<p>The meeting discussed issues around the audit of partners/monitoring process.</p> <p>Agreed:- (1) That the developments in relation to the Council's obligations under equality legislation (paragraph 7.1 and Appendix 1) be noted.</p> <p>(2) That members of the Procurement Panel ensure compliance with ESLG Level 5 criteria (paragraphs 7.2 and 7.3a) and provide examples of good practice to their Directorate Equality Coordinator, for inclusion in the Directorate ESLG Level 5 portfolio.</p> <p>(3) That the proposed equality policy self-assessment questionnaire be used annually with contractors, to assist with promoting and monitoring equality at contract monitoring meetings (paragraph 7.3b and Appendix 2).</p>	All
59/08	<p>OFT Report</p> <p>Brian Barrett presented a paper which set out the current position with regard to the Office of Fair Trading – Statement of Objections regarding construction price fixing.</p> <p>On 17th April 2008 the Office of Fair Trading (OFT) issued a Statement of Objections in which it alleged that 112 construction companies listed 'engaged in bid rigging activities and in particular cover pricing' within the East Midlands and Yorkshire and Humberside regions. In addition, the Statement formally alleged that a minority of the construction companies had variously entered into one or more arrangements whereby it was agreed that the successful tenderer would pay an agreed sum of money to the unsuccessful tenderer.</p> <p>It must be clearly noted that these are allegations at this stage and not proven.</p> <p>Cover pricing is illegal and in breach of the Competition Act 1998. The alleged offences cover a period of approximately 2000 to 2004.</p> <p>Agreed:- That the contents of the report be noted.</p>	
60/08	<p>Procurement Strategy September 2008 – September 2011</p> <p>Helen Leadley presented RMBC's new Corporate Procurement Strategy September 2008 to September 2011</p>	

	<p>which is at draft stage.</p> <p>The draft document and powerpoint presentation set out what the Council means by procurement – its aims and objectives for procurement and how the Council will improve.</p> <p>The document is aligned with the Council’s Corporate Commissioning Framework which looks at how the Council can pull together all commissioning across the Council strategically, to ensure maximum gain from any efficiencies that may be generated.</p> <p>It was noted that 34 out of 40 actions have been completed from the current strategy’s action plan and that the remaining 6 actions would be carried forward to the new Procurement Strategy.</p> <p>Consultation of the draft strategy had commenced with the Voluntary and Community Sector, information from which would be fed back to a future meeting of this Panel in September, 2008.</p> <p>The presentation set out:-</p> <ul style="list-style-type: none"> - Why a New Strategy? - Achievements from the last strategy - RMBC Procurement - Context - Key Themes of New Strategy - Next Stages <p>Agreed:- (1) That the contents of RMBC’s Corporate Procurement Strategy September 2008-September 2011 be noted.</p> <p>(2) That members of the Procurement Panel feed back any comments for inclusion in the Procurement Strategy to Helen Leadley as soon as possible.</p>	All
61/08	<p>Procurement Strategy Action Plan Update</p> <p>Sarah McCall presented a report which drew the Panel’s attention to the actions which were either amber or red and provided an update on the work being undertaken to resolve each action. Particular reference was made to the following actions listed in the report submitted:-</p> <p><u>Action Plan for Achieving the Vision for Leadership, Management and Capacity</u></p>	

	<p>Of the 17 actions originally contained within this plan, 14 are now complete and 3 are status amber with work ongoing, each with 85% to 95% completion.</p> <p><u>Action Plan for Achieving the Vision for Partnering, Collaboration and Supplier Management</u></p> <p>Of the 5 actions originally contained within this action plan, 3 are complete, 1 is status amber with work ongoing and 1 action has been removed from the plan as this is being undertaken under other projects. The amber action is now 90% complete.</p> <p><u>Action Plan for Achieving the Vision for Systems that Allow Business to be done Electronically</u></p> <p>Of the 8 actions originally contained within this action plan, 7 are complete and 1 is status amber with work ongoing at 50% complete.</p> <p><u>Action Plan for Achieving the Vision for Stimulating markets and Achieving Community Benefits</u></p> <p>Of the 10 actions originally contained within this action plan, all 10 actions are now complete.</p> <p><u>Base Budget Review of Third Sector Funding</u></p> <p>Of the 19 actions within this action plan, 8 are complete, 11 have amber status. It is understood that a full update on this action plan was provided to the June Panel by the action plan owner.</p> <p>Agreed:- (1) That the information be noted.</p> <p>(2) That the actions to implement the Procurement Strategy be noted and the updated Action Plan be approved.</p>	
62/08	<p>Payment of Invoices within 30 days</p> <p>Sarah McCall presented a report on BVPI 8 measures – the payment of undisputed invoices within 30 days.</p> <p>Out turn performance for 2007/08 achieved 94% which demonstrated an improvement on 2006/07 performance which achieved 91%.</p> <p>Performance against BVPI8 is not as consistent as it should be and it has been recognised that the Council should act to</p>	

	<p>instil and embed good practice in this area and work is ongoing to this effect. Recent performance for the new financial year has achieved – April 95%.</p> <p>The meeting was informed of an anticipated decline in this area of work in future reporting of performance for May, June and July figures due to an IT issue of not being able to feed ROCC data into Cedar. This would also have a knock-on effect for the annual figure.</p> <p>Agreed:- That the current position in respect of BVPI8 be noted.</p>	
63/08	<p>Procurement Forward Plan</p> <p>Sarah McCall presented the submitted report on the Council's Forward Plan document for Procurement.</p> <p>Agreed:- That the Forward Plan of key decisions, as detailed in the report presented, be noted.</p>	
64/08	<p>Procurement LPis</p> <p>Sarah McCall submitted a report on the current situation with regard to Procurement Local Performance Indicators.</p> <p>The Council's Corporate Procurement Strategy contains an action to develop a set of local indicators in order to measure the Council's procurement function in terms of delivery of the Procurement Strategy and day-to-day management of the procurement function.</p> <p>The report set out details of the indicators developed to date, targets and performance for the first, second and third quarters of the current year.</p> <p>Of the 18 indicators, full details are attached at Appendix A.</p> <ul style="list-style-type: none"> • 2 are status green with performance above target • 5 are status amber with performance on target • 2 are still under development • 2 are for information/monitoring only without targets • 1 has reporting yet to commence • 5 are annual indicators with reporting due later in the year • 1 indicator has been superseded by changing legislation <p>The meeting discussed issues with regard to demolition project contracts and how much material is re-used. The first available statistics will be Quarter 2. One of the first tasks for the new Building Surveying Manager when</p>	

	appointed will be to look at Demolition projects under £300,000. Agreed:- That the current performance be noted.	
65/08	Feedback on Review of Terms of Reference Helen Leadley submitted a copy of the current Terms of Reference for the Procurement Panel. Agreed:- That comments on the current Terms of Reference be fed back to Helen Leadley in order for the information to be updated, in particular with regard to membership and job titles.	All
Next Meeting		
Date	Monday, 8 th September, 2008	
Time	10.00 a.m.	
Venue	Town Hall, Rotherham	

Dates of Future Meetings

The dates for future meetings of the Procurement Panel are agreed as follows:-

6th October 2008

3rd November 2008

1st December 2008

12th January, 2009

9th February, 2009

9th March, 2009

6th April, 2009

(All Mondays at 10.00 a.m. in the Town Hall)

All actions to be completed prior to the next meeting unless otherwise stated.