

**Committee Name and Date of Committee Meeting**

Cabinet – 07 July 2025

**Report Title**

Ethical Procurement Policy Refresh 2025

**Is this a Key Decision and has it been included on the Forward Plan?**

No, but it has been included on the Forward Plan

**Strategic Director Approving Submission of the Report**

Judith Badger, Strategic Director of Finance and Customer Services

**Report Author(s)**

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**Ward(s) Affected**

Borough-Wide

**Report Summary**

Ethical behaviour is at the core of the Council's procurement activity and the Council expects the suppliers it does business with to share similar values and ethical ethos in the way they deliver their services. The Ethical Procurement Policy sets out the range of measures and policy decisions / commitments that have been taken by the Council over the years to achieve this and drive ethical practice, with the aim to encompass this into one comprehensive policy.

The Policy was first approved in January 2020, with at the time, a recommendation for the Policy to be reviewed on a 3-yearly cycle. Following a review in 2024 the Policy was updated via an officer decision taken on 9 February 2024 at which point it was agreed to review the Policy annually and this report summarises the updates following a review of the Policy in 2025.

**Recommendations**

That Cabinet:

1. Formalise the support of the UK Steel Charter as the successor to the Sustainable British Steel Charter.
2. Approve the updated Ethical Procurement Policy for 2025.

## **List of Appendices Included**

- Appendix 1 Ethical Procurement Policy (v3 – updated July 2025)
- Appendix 2 Equalities Screening (Part A)
- Appendix 3 Equalities Analysis Form (Part B)
- Appendix 4 Carbon Impact Assessment

## **Background Papers**

[Ethical Procurement Policy \(v2 – updated Feb 2024\)](#)

[UK Steel Charter](#)

[UK Steel Charter Guidance](#)

## **Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

## **Council Approval Required**

No

## **Exempt from the Press and Public**

No

# **Ethical Procurement Policy Refresh 2025**

## **1. Background**

- 1.1 The Council's Ethical Procurement Policy was first approved by Cabinet in January 2020, with at the time, a recommendation for the Policy to be reviewed on a 3-yearly cycle. Following a review in 2024 the Policy was updated via an officer decision taken on 9 February 2024 at which point it was agreed to review the Policy annually.
- 1.2 The aim of the Ethical Procurement Policy is to act as an umbrella policy, that holds all of the ethical decisions which affect procurement related activity in one central place.
- 1.3 A review of the current Policy has taken place, and a refresh undertaken to ensure the content within the Policy is reflective of the Council's current position for 2025 onwards.

## **2. Key Issues**

- 2.1 Detailed below is a summary of the key changes proposed to the Policy:
  - 2.1.1 **Paragraph 1:** Updates to the financial year and amount of expenditure made with third party suppliers.
  - 2.1.2 **Paragraph 2:** In February 2025, the procurement legislation changed from the Public Contracts Regulations 2015 to the Procurement Act 2023. Therefore, the legal context that procurement operates within has been updated to reflect the objectives set out in the Procurement Act and some of the mechanisms for testing the reliability and ethical practices of the suppliers participating in Council procurement activity.
  - 2.1.3 **Paragraph 4:** A review of the commitments / decisions taken has resulted in the following:
    - For all decisions a hyperlink inserted within the date field to access the decision record.
    - The Charter for Sustainable British Steel – see paragraph 2.2 – 2.4.
    - Charter against Modern Slavery – additional information has been included to further explain the role of the Modern Slavery working group that has been established and chaired by Community Safety, as well as reference to the Council's most recently published Modern Slavery Transparency Statement.
    - Social Value Policy – removal of the reference to the Policy approved in 2019 and instead reference to the updated version that was refreshed in 2024.
    - Climate Change Emergency – the month the motion was taken has been inserted into the date. In addition, reference made to the climate change working group and action plan supporting services to procure new solutions to reduce carbon emissions.

- Fair Tax Declaration – removal of references to changes in procurement legislation. As referred to above, this has now occurred.
- Case Study – Updates have been made to the case study reflecting the increase in commitments and delivered targets during the revised reporting period, along with reference that the Council was shortlisted for the Making Core Award at the 2024 Social Value Conference.

2.2 In carrying out the review for 2025, a check was undertaken to confirm the Council's name appeared on the relevant websites where external commitments have been made. This exercise identified that the Charter for Sustainable British Steel (committed to in October 2015) had been rebranded and relaunched to the UK Steel Charter, and as a result Rotherham Council are no longer listed as a signatory.

2.3 The aims and objectives of the new UK Steel Charter include:

- Support jobs and job creation within the UK steel sector and its domestic supply chains.
- Maximise the economic benefits to the UK of the Councils steel procurement spend.
- Strengthen and build strong UK manufacturing supply chains.
- Minimise the environmental impact of the Councils steel use, cutting transport emissions and working with a UK steel sector dedicated to decarbonisation.

2.4 The UK Steel Charter is promoted by Make UK who have provided a guidance document that sets out 9 steps that could be undertaken to support the agenda. These are similar to the steps for consideration as part of the original 2015 motion, which reaffirms the position that this is not a new consideration, the original intentions still apply. The Council has continued to act in a manner to support the commitment. This action will now see this support formalised with the Council being listed as a signatory to the successor scheme.

2.5 A copy of the refreshed Ethical Procurement Policy for 2025 can be found at Appendix 1.

### 3. Options considered and recommended proposal

3.1 **Option 1: Do not formalise support of the UK Steel Charter as the successor to the Sustainable British Steel Charter and do not approve the updated Ethical Procurement Policy for 2025:** This option does not align with the original intention of the commitment made to supporting British steel made in 2015 and would also mean the Ethical Procurement policy is outdated, and does not reflect the most accurate and up to date legislative and policy positions made.

This is not the recommended option.

3.2 **Option 2: Formalise the support of the UK Steel Charter as the successor to the Sustainable British Steel Charter and approve the updated Ethical Procurement Policy for 2025:** This option ensures the

Council maintains its position in terms of supporting the intention made in 2015 regarding UK Steel and ensure the Ethical Procurement Policy is up to date with legislation and policy positions made.

This is the recommended option.

- 3.3 The recommended option is to proceed with option 2.

#### **4. Consultation on proposal**

- 4.1 Consultation was conducted for each of the individual policies / commitments / decisions made.

#### **5. Timetable and Accountability for Implementing this Decision**

- 5.1 Following approval of the refreshed policy, this will be updated on the Council's website.
- 5.2 Following the endorsement to formalise the support of the UK Steel Charter, arrangements will be made with Make UK to organise a formal signing event and associated press release. This activity will be concluded by the end of September 2025.
- 5.3 The Ethical Procurement Policy will be scheduled for review again in July 2026.
- 5.4 For all new procurement activity, Services will be encouraged to give due consideration during the pre-procurement phase to the key themes (where appropriate) making up the Ethical Procurement Policy and ensure this is documented in the pre-procurement business case/sourcing strategy.

#### **6. Financial and Procurement Advice and Implications**

- 6.1 This Policy pulls together the range of actions already being conducted within procurement around ethical behaviour and practice, the way the Council procures services, and the expectations it places in its supply chain.
- 6.2 As such there are no direct procurement implications arising from the recommendations detailed in this report. Implications were considered for each of the individual policies / motions at the time they were agreed.
- 6.3 The procurement team will continue to work with Service Areas to encourage them to give due consideration to the key themes identified in the Ethical Procurement Policy pre-procurement, and then once the contract is handed over for them to manage the delivery.
- 6.4 There are no direct financial implications arising from this report.

## **7. Legal Advice and Implications**

- 7.1 As stated in the body of the report the Procurement Act 2023 places a strong emphasis on ethical procurement, requiring contracting authorities to prioritize value for money, public benefit, and integrity. The Procurement Act 2023 also requires authorities to consider ethical standards when evaluating suppliers and also makes it clear that supplier management and qualification will be key to delivering ethical procurement.
- 7.2 The Ethical Procurement Policy is compliant with the Procurement Act 2023 and sets out how the Council will pursue the objectives and principles of the Act.
- 7.3 The commitments and proposals in respect of matters contained within the Ethical Procurement Policy, which are made by suppliers during the procurement process are fully incorporated into contracts with the Council upon award. All contracts which are concluded with suppliers, contain robust terms and conditions around contract and performance management, along with terms in relation to non-performance, regarding amongst other things, the issues set out within the Policy.

## **8. Human Resources Advice and Implications**

- 8.1 There are no direct HR implications associated with this report.

## **9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 This Policy reinforces decisions / commitments already made which contribute towards ethical practice in procurement. The outcomes from these individual decisions / commitments support the Council's priorities: Children & Young People Achieve and Residents Live Well from ensuring that appropriate safeguarding arrangements are in place for vulnerable individuals through to seeking education and employment support through the Social Value Policy by having An Economy That Works for Everyone.

## **10. Equalities and Human Rights Advice and Implications**

- 10.1 There are no direct implications arising from this report. This Policy acts as an umbrella policy for all the commitments made whereby full consideration to equalities and human rights will have been considered.
- 10.2 The activities as part of these commitments made, support and promote wider inclusion in terms of education, employment and skills and steps to ensure vulnerable children and adults are protected.
- 10.3 An equalities screening assessment and analysis form is provided for at Appendix 2 and 3.

## **11. Implications for CO2 Emissions and Climate Change**

- 11.1 Whilst there are no direct impacts in relation to the recommendations detailed in the report, as identified the policy that has been refreshed acts as an umbrella policy for other Council policies / commitments that, if implemented by Services in the design of their procurement activity, could drive improvements relating to climate change.
- 11.2 A climate change impact assessment has been provided at Appendix 4.

## **12. Implications for Partners**

- 12.1 Implications for partners was considered at the time for each individual policy / commitment / decision that has been made.

## **13. Risks and Mitigation**

- 13.1 There is a risk that Suppliers fail to deliver against commitments made in a tender. It is therefore essential that robust Terms and Conditions are developed and published at the time of tender so suppliers are aware of the consequences of under-performance, and that Services effectively manage the delivery of their contracts to ensure commitments made are realised.

## **14. Accountable Officers**

Karen Middlebrook, Head of Procurement

Approvals obtained on behalf of Statutory Officers: -

|   | <b>Named Officer</b> | <b>Date</b> |
|---|----------------------|-------------|
| Chief Executive   | Sharon Kemp<br>OBE   | 23/06/25    |
| Strategic Director of Finance &<br>Customer Services<br>(S.151 Officer) | Judith Badger        | 12/06/25    |
| Assistant Director of Legal Services<br>(Monitoring Officer)            | Phil Horsfield       | 13/06/25    |

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This report is published on the Council's [website](#).