

MAIDSTONE BOROUGH COUNCIL

RECORD OF DECISION OF THE EXECUTIVE

Decision Made: 21 December 2022

Procurement Policy Changes

Issue for Decision

The Council is committed to delivering best value for its residents in every area of service and decided to review and develop its policies in a number of areas in regard to the procurement of its goods and services, most notably the Public Services (Social Value) Act 2012 and the Public Contracts Regulations 2015.

The review identified 3 key areas where we should be developing our policies:

- MBC Biodiversity and Climate Change Action Plan – including Sustainable Procurement Policy.
- Public Services (Social Value) Act 2012 – Social Value
- Modern Slavery Statement

Therefore, the aim is to introduce new policies and revise contract approval levels to develop the procurement process. These changes support the Council's strategic priorities and current legislation. In 2019, the Council declared a climate emergency and set out a commitment to become carbon neutral by 2030. For many councils, the majority of greenhouse gas emissions and cost reduction opportunities lie outside internal operations. Using its own updated procurement frameworks, the Council can encourage and engage suppliers to develop proactive approaches to sustainability and reduce emissions and costs.

We also want to increase our social value impacts to take into account the "economic, social and environmental well-being of Maidstone Borough Council" in its procurement activity'.

Considering this, the Council would like to implement 2 new policies, and one statement as follows:

1. Sustainable Procurement Policy
2. Social Value Policy
3. Modern Slavery Statement

These will ensure the internal procurement process reflects legislation, remains fit for purpose and supports sustainability and social value within Maidstone.

Decision Made

That the following be approved:

- (a) Procurement Sustainability Policy, attached at amended Appendix 1 to the report;
- (b) Social Value Procurement Policy, attached at amended Appendix 2 to the report; and
- (c) Modern Slavery Statement, attached at amended Appendix 3 to the report.

Reasons for Decision

1.1 As part of the work of regularly reviewing procurement policy and statements to ensure they remain fit for purpose and support the Council's priorities, it has been identified that there are two new policies, and a Modern Slavery Statement that the Council needs to implement to help achieve effective procurement function. The new policies and statement are summarised below.

Sustainable Procurement

1.2 Amended Appendix 1 to the report is the sustainable procurement policy. The policy supports the Council's aim of becoming carbon neutral by 2030. Sustainable Procurement is a process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society and the local economy, whilst minimising damage to the environment.

Social Value

1.3 Amended Appendix 2 to the report, the Social Value policy, sets out how the Council intends to deal with these requirements. The implementation of social, ethical, environmental and economic impacts should be in line with the [Public Services \(Social Value\) Act 2012](#). The Council's intention is to commit fully to the Act by embedding its principles into internal procurement processes and procedures where it is feasible and appropriate to do so. The Council can use social benefits to bring long-term good to the Borough

Modern Slavery Statement

1.4 Amended appendix 3 to the report sets out the Modern Slavery Statement which contains the Council's expectations of officers and suppliers. The implementation of the statement will enable the Council to ensure that procurement processes take account of modern slavery when assessing the suitability of contractors to work with the Council.

1.5 These changes support procurement best practice and allow a consistent approach across Tunbridge Wells and Maidstone Borough Councils which operate a joint procurement function.

1.6 Policy Advisory Committee Feedback

Following consideration at the Corporate Services Policy Advisory Committee the Lead Member implemented a number of small changes to the appendices 1,2, and 3 these amended documents were circulated at the meeting, are published online and were approved.

Alternatives considered and why rejected

Option 1 - Approve:

- new policies (Amended Appendices 1 and 2)
- new Modern Slavery Statement (Amended Appendix 3).

Option 2 - Do not approve the new policies and statement.

Option 2 was rejected for the reasons set out above.

Background Papers

None

I have read and approved the above decision for the reasons (including possible alternative options rejected) as set out above.



Signed: _____
Leader of the Council

Full details of both the report for the decision taken above and any consideration by the relevant Policy Advisory Committee can be found at the following area of the [website](#)

Call-In: Should you be concerned about this decision and wish to call it in, please submit a call-in form signed by any three Members to the Proper Officer by: **5pm 4 January 2023**