

Report to	<b>Audit Committee</b>
Date	<b>17 March 2024</b>
Lead Officer	<b>Helen MacArthur – Assistant Chief Fire Officer</b>
Contact Officer	<b>Elgan Roberts – Head of Finance and Procurement</b>
Subject	<b>NWFRA Contract Procedure Rules Summary 2025</b>



## PURPOSE OF REPORT

- 1 The purpose of this report is to present the proposed changes to the Contract Procedure Rules (CPR) of the North Wales Fire and Rescue Authority (the Authority), following amendments to align with the Procurement Act 2023, implemented on 24 February 2025.

## EXECUTIVE SUMMARY

- 2 The CPR outline the methodology for procuring goods, works, and services for NWFRA. Contract Procedure Rules (the Rules) outline the methodology for the procurement of goods, works, and services for the North Wales Fire & Rescue Authority (NWFRA). These Rules ensure that procurement procedures are efficient, transparent, and accountable, requiring high standards of probity from officers and members involved in the procurement process.
- 3 The CPR is updated to align with the Procurement Act 2023 and is based on the current version of the CPR last published in November 2021. The updates include provisions for procurement planning, sustainable procurement, and safeguarding, as well as requirements for quotations and tendering, contract management, and specific contracts such as land transactions.
- 4 By adhering to the updated CPR, the Authority can achieve its strategic objectives while maintaining transparency, accountability, and the highest standards of probity in all procurement activities.

## RECOMMENDATIONS

- 5 Members are asked to:
  - i) **Note the key changes in the CPR; and**
  - ii) **Recommend approval of the CPR by the Authority.**

## BACKGROUND

- 5 The Procurement Act 2023 mandates that the North Wales Fire & Rescue Authority (NWFRA) must adhere to updated Contract Procedure Rules to ensure compliance with statutory provisions. These Rules, last revised in November 2021, have been updated to align with the latest legislative requirements and to enhance procurement efficiency, transparency, and accountability.
- 6 Under the terms of reference, the Audit Committee is responsible for maintaining an overview of the Contract Procedure Rules and Financial Procedure Rules.

## KEY CHANGES

- 7 The updated CPR have undergone several significant changes since the last version published in November 2021. These changes are designed to align with the Procurement Act 2023 and enhance the efficiency, transparency, and accountability of the procurement process.
- 8 One of the key updates to note is the changes to the thresholds for quotations and tendering. These changes aim to provide clearer guidelines and improve the procurement process seen below:

<b>Contract Value</b>	<b>Proposed</b>
All Contracts	Use Corporate Purchasing Agreement if available; Purchase order must be sent via purchase-to-pay solution.
Up to £30,000	Relevant Officer's discretion to obtain one quotation but must demonstrate Most Advantageous Offer (value for money).
£30,000 - £119,000	Obtain formal quotations through Sell2Wales if no Corporate Purchasing Agreement is available.
£120,000 - WTO GPA Threshold	Issue Invitation to Tender via Sell2Wales if no Corporate Purchasing Agreement is available.
Over WTO GPA Threshold	Invite tenders with appropriate advertisements on Sell2Wales if no Corporate Purchasing Agreement is available.

- 9 Several terminology changes have been made to the CPR, with the key updates being, the term "Most Economically Advantageous Tender" has been changed to "Most Advantageous Tender," and "Value for money" is now referred to as "Most Advantageous Offer."
- 10 The updated CPR also introduces new provisions for procurement planning, sustainable procurement, and safeguarding. The rules now emphasise the importance of considering social, economic, and environmental issues when setting tender evaluation criteria.
- 11 The roles and responsibilities within the procurement process have also been adjusted. The responsibilities previously held by the Monitoring Officer have been transferred to the Procurement Team. Additionally, there is now a requirement for legal advice to be sought for certain procurement activities, ensuring that all procedures are compliant with the new regulations.
- 12 Another update is the introduction of electronic submission for tenders. This change removes the need for sealed envelopes and streamlines the tendering process. Invitations to Tender are now required to be issued through Sell2Wales, further enhancing the transparency and efficiency of the procurement process.
- 13 Lastly, various minor wording and structural changes have been made throughout the document to improve clarity and consistency. A detailed version control section has been added to track changes and identify the individuals responsible for those changes.

## **NEXT STEPS**

- 14 Once approved by the Authority, a formal review of the CPR will be conducted every three years. In the interim, the Procurement Team and the ACFO (Finance and Resources) will continuously monitor and implement any minor changes necessary to maintain the integrity of the CPR.
- 15 Training sessions will be provided to officers and their teams to familiarise them with the updated CPR and ensure compliance with the new regulations.

## IMPLICATIONS

Wellbeing Objectives	The Contract Procedure Rules align with the Wellbeing of Future Generations (Wales) Act 2015, ensuring that procurement activities meet present needs without compromising the ability of future generations to meet their own needs. This includes considering social, economic, and environmental issues when setting tender evaluation criteria.
Budget	Before undertaking any procurement exercise, the Responsible Officer must ensure that there is an approved budget for the expenditure. The total expected cost of a proposed contract, including any extensions and ancillary costs, must be estimated, and recorded
Legal	The Contract Procedure Rules comply with all relevant statutory provisions, UK law, and public procurement rules. Legal advice must be sought prior to the early termination of any contract, and all contracts must be in writing and executed under seal if required by law.
Staffing	To comply with the Procurement Act 2023 a procurement officer is being recruited. This post will also support with education of officers and their teams.
Equalities/Human Rights/Welsh Language	The Authority must consider social, economic, and environmental issues when setting tender evaluation criteria. There is no detriment to Equalities/Human Rights/Welsh Language.
Risks	The reports set out the financial risks associated with borrowing and investment activities.