

# **Procurement and Commissioning Strategy 2023 to 2027**

# Procurement and Commissioning Strategy 2023 to 2027

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# Procurement and Commissioning Strategy 2023 to 2027

## Foreword

As we buy in goods, works and services we aim to deliver the very best economic, social, environmental and cultural value for our communities whilst supporting our current Corporate Plan. This Strategy will support the evolution of modern, efficient and effective procurement that delivers for our communities whilst minimising our impact on the world we live in.

With new legislation, UK Public Procurement Reform Bill and the Social Partnership and Public Procurement (Wales) Act 2023, the Council has an opportunity to take advantage of the new shape of public procurement that is on the horizon, with the aim of increasing innovation and agility in this currently highly regulated environment, whilst ensuring that we use our spending power wisely and strategically. With an annual spend in the region of £170 million on bought-in goods, services and works, it is imperative that we manage this responsibly to ensure we obtain value for money for our citizens and support our wider corporate objectives.

The strategy retains the existing seven, key, sound principles which help guide all our procurement and commissioning activity. The strategy also has specific outcomes around achieving a reduction in carbon emissions and carrying out sustainable procurement; setting out measurable expectations in respect of improving the contribution of procurement and commissioning activity on local businesses and the circular economy; increasing our use of technology to support the increase in transparency duties emanating from the Procurement Bill; social and environmental objectives and promotion of the Welsh language, and to invest in a consistent Council wide proportionate approach to contract management.

This strategy supports our Corporate Plan, see:

- Greener Denbighshire pledge is where “Reducing carbon emissions from our supply chains” is specifically mentioned.
- Our regional frameworks in social care and construction can play a key role in reducing carbon emissions and mobilising the market toward net zero future.

# Procurement and Commissioning Strategy 2023 to 2027

The profile of the Collaborative Procurement Service will be raised as a vital function sitting front and centre in the Council supporting the Council achieving its' corporate priorities

- A Denbighshire of high-quality housing that meets people's needs
- A prosperous Denbighshire
- A healthier and happier, caring Denbighshire
- A learning and growing Denbighshire
- A better-connected Denbighshire
- A greener Denbighshire
- A fairer, safer, and more equal Denbighshire
- A Denbighshire of vibrant culture and thriving Welsh language
- A well-run, high performing council

We acknowledge that delivering this strategy will require some significant changes from the way we currently procure and commission, where procurement information will be available to all and which includes a commitment to reduce the amount of exemptions from tendering. The Council is committed to making this change and will provide the clear leadership and support that will be needed to ensure success.

**Councillor Julie Matthews**

**Lead Member for Corporate Strategy, Policy and Equalities**

**July 2023**

# Procurement and Commissioning Strategy 2023 to 2027

## Introduction

### Why we need a Strategy

Denbighshire County Council currently spends in the region of £170 million a year with private and third sector organisations on the goods, services and works needed to deliver our public services. It's the Council's responsibility to manage this money efficiently and effectively. This strategy sets out how we are changing procurement and commissioning within the Council, it will also provide the vision and strategic direction necessary to meet our communities' needs.

This strategy will support all internal officers who are involved in commissioning and procurement to better understand their role in supporting the delivery of this strategy.

What this Strategy will do:

- Establish a clear strategic direction and priorities for change
- Establish key commissioning and procurement policy principles
- Clearly set out what we are going to do and why

The new Public Procurement Reform Bill aims to reduce the complex regulatory framework within which procurement and commissioning operates and consolidating circa 300 EU regulations. It also recognises that Procurement is an area with high risks – including potentially significant impacts on service delivery, financial management and legal compliance, as well as the overall reputation of the Council. However, if we improve our transparency, open up more opportunities for competition, plan the procurement and commissioning cycle well, with tender specifications that are clear in our ask of community benefits and wider social and environmental value, it will give the Council a better chance of improving the use of local suppliers and employment prospects in the County. We aim to make this happen by bringing suppliers along with us in a partnership approach to reducing our carbon emissions and providing local communities with tangible visible added value and creating a simpler and more transparent system which makes it easier for SMEs to win contracts.

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There will be a greater emphasis on strong commissioning and contact management and procurement planning at pre-contract and post award stages.

Where we are now:

- Collaboration (FCC/DCC) now 9 years old and we continue to review and apply lessons learned
- Fully electronic tendering with continual review and application of available technology
- Carbon reduction activity – this is an evolving approach supported by appointment of a Carbon specialist within the procurement team. Following Pilot phase, Carbon emission evaluation questions and carbon reporting will be applied to an increasing number of our procurements.
- Continuing development of joint standard process (commissioning forms etc. )
- Social value/Community Benefits now business as usual/ demonstrably better and good working relations and sharing of best practice across the 2 Councils, achievement of strategic objectives.
- Challenges around recruitment and management capacity
- Legacy impact of Covid19
- Supply Chain capacity and inflation pressures

## The national context

There are a number of regulatory, strategic and policy initiatives that impact on procurement and commissioning at a national and local level. This procurement strategy acknowledges these and maps out how we can ensure compliance where required and help deliver wider outcomes.

## Public Contracts Regulations 2015

As briefly mentioned in the Foreword, these Regulations are being overhauled via the **Procurement Bill** which was introduced to Parliament in May 2022 and is currently making its way through Parliament. Alongside Welsh Government's development of statutory guidance and Statutory Instruments aligned to the Welsh Social Partnership and

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Public Procurement Act (Wales) 2023 the Council will start its preparations for the new law coming into effect sometime in mid-2024. The Collaborative Procurement Service will promote and deliver training to all commissioning officers.

## The Well-being of Future Generations (Wales) Act 2015

The Well-being and Future Generations (Wales) Act is about improving the social, economic, environmental and cultural well-being of Wales. It is designed to make public bodies think more about the long-term, work better with people and communities and each other, look to prevent problems and take a more joined-up approach in order to create a Wales that we all want to live in - now and in the future. The Act puts in place the following 7 well-being goals:

- **A prosperous Wales** – an innovative, productive and low-carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately; and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities.
- **A resilient Wales** – a nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).
- **A healthier Wales** – a society in which people’s physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.
- **A more equal Wales** – a society that enables people to fulfil their potential no matter what their background or circumstances.
- **A Wales of cohesive communities** – attractive, viable, safe and well-connected communities.
- **A Wales of vibrant culture and thriving Welsh language** – a society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sport and recreation.
- **A globally responsible Wales** – a nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.

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## The Wales Procurement Policy Statement

The Welsh Government launched the Wales Procurement Policy Statement 2021 (updated August 2022) which sets out the principles the public sector will follow when procuring well-being for Wales, based on the Well Being of Future Generations (Wales) Act 2015 goals and key Welsh Government policies.

The ten principles of Welsh Public Procurement Policy are that:

1. We will leverage **collaborative** procurement activity in Wales to maximise long-term sustainable social and economic value outcomes from public spend
2. We will **integrate** procurement into the heart of Welsh policy development and implementation
3. We will progress **long-term** sustainable procurement, which builds on and scales best practice and sets clear steps that show how procurement is supporting the delivery of organisational well-being objectives
4. We will raise the **long-term** standing and profile of the procurement profession and its role as an enabler for procurement policy
5. We will support Welsh Government policy objectives relating to progressive procurement, such as the Foundational and Circular Economy, through **collaborative**, place-based (whether national, regional or local) procurement activity which nurtures resilient local supply chains
6. We will act to **prevent** climate change by prioritising carbon reduction and zero emissions through more responsible and sustainable procurement to deliver our ambition for a net zero public sector Wales by 2030
7. We will align our ways of working and increase stakeholder **involvement** to support innovative and sustainable solutions through procurement
8. We will **collaborate** with stakeholders to promote equal opportunities and fair work in Wales
9. We will improve the **integration** and user experience of our digital solutions and applications, maximising the use of our procurement data to support decision making

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10. We will promote value-based procurement which delivers optimum **long-term** outcomes for Wales.

## **Social Partnership and Public Procurement (Wales) Act 2023**

The Act will drive part of the Programme for Government putting Social Partnership on a statutory footing in Wales. The Act aims to ensure that spending on works, goods and services is done in a way that benefits everyone and is not just focused on cost. Fair work is recognised and supports the principles of an Equal and Prosperous Wales. Placing social partnership at the heart of sustainable development - doing things now in a way that takes into account the impact on people living their lives in Wales in the future.

The '**Socially Responsible Procurement**' duty is about setting organisational objectives that contribute to social, economic, environmental and cultural wellbeing, greater transparency and reporting of outcomes, and improving contract management and accountability.

## **Welsh Governments' Commercial Procurement Delivery Team**

The Council has signed up to a Memorandum of Understanding to utilise the frameworks led by the previous National Procurement Service. However, such frameworks did not always provide the local or regional solution. The Commercial Procurement Delivery team will continue to lead on a pipeline of national frameworks alongside local government and, in the meantime, Welsh Government is introducing a 'Procurement Centre of Excellence' – named Cyd that is currently in development and testing phase. and thus has the potential to shape delivery of the Council's procurement planning and overall strategic approach.

## **Net Zero Welsh Public Sector by 2030**

In July 2017 the Welsh Government set an ambition of achieving a carbon neutral public sector by 2030, which includes carbon emissions from the public sectors supply chain. To support the public sector to achieve net zero, the Welsh Government published its public sector route map in July 2021. [The Welsh Public Sector Decarbonisation Route Map](#) provides a strategic overview of the key priority areas for action and milestones needed for the Welsh public sector to reach net zero greenhouse gas emissions by 2030. The vision

## Procurement and Commissioning Strategy 2023 to 2027

underpinning the route map is ‘by 2030, choosing zero carbon will be routine, culturally embedded and self-regulating across the Welsh public sector’. Procurement is one of the four priority areas for action.

In May 2021, the Welsh Government published the [Welsh Public Sector Net Zero Carbon Reporting Guide](#). The aim of the guide is to develop a universal set of instructions for use by public bodies to assist in meeting the 2030 collective ambition, in particular to: baseline, identify mitigation potential and monitor progress. Denbighshire County Council reports on its supply chain emissions every September to Welsh Government.

The Environment (Wales) Act 2016 requires the Welsh Government to reduce emissions of greenhouse gases in Wales to net zero by the year 2050 with a system of interim emissions targets and carbon budgets. In October 2021, Welsh Government published [Net Zero Wales Carbon Budget 2 \(2012 - 2025\)](#). This included policies and proposals for action for public sector to reduce supply chain emissions including:

- **Policy 76** – All public sector organisations should use the Route map and Reporting Guide to develop and publish plans by March 2023 to achieve a collective net zero public sector by 2030
- **Policy 79** – Make Carbon Reduction Plans a mandatory part of tenders for Welsh Government procurement contracts over £5m from April 2022 and prioritise products which are fully recyclable, multi-use or able to be re-purposed as part of a more circular approach to waste

There is a call from the Welsh Local Government Association for Local Government to introduce Carbon Reduction Plans for tenders over £25,000 and utilise the Procurement Decarbonisation Toolkit to support tender exercises.

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## The local and regional context

At a more local level, it is important to recognise the contribution procurement can make to delivering our aspirations and priorities.

### DCC Corporate Plan 2022 to 2028

The Corporate Plan 2022 - 2028 sets out the Council's ambition not only to maintain the quality of its services, but also to improve on them. It identifies 9 key priorities for the Council and the additional funding that will be required to deliver on this ambition. Clearly how effectively we spend that money will have a direct impact on our ability to deliver our ambition and priorities. Thus, the Council recognises that an effective commissioning and procurement strategy is fundamental to achieving organisational success and is instrumental in the delivery of the Corporate Plan, as it will:

- have a direct impact on overall spend, savings, value for money and the cost of service provision to the people of Denbighshire
- help shape the delivery of services to meet the needs of citizens, communities and customers
- contribute to the achievement of corporate and service objectives and
- provide a mechanism for delivering key policy objectives.

## North Wales Regional Economic Framework

The Welsh Government's Economic Action Plan (EAP) established the basis for regional working, including a commitment to deliver a stronger regional voice through a regionally focused model of economic development. This includes the establishment of regional teams and the development of Regional Economic Frameworks (REFs) including the [North Wales Economic Framework](#). The development of REFs is an essential part of Welsh Government's commitment to a more regionally focused model of economic development, supporting inclusive and sustainable economic growth, maximising opportunities to address regional and local inequalities, and contributing to the Well-being Goals for Wales.

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In developing the REFs, consideration must be given to the immediate recovery required in the wake of the Coronavirus pandemic, and the longer-term aspirations for the regions.

REFs are intended as a vehicle to help promote collaborative regional planning and delivery amongst public, private and third sector partners. Delivery will be focused on a single shared vision for each region and supported by a suite of shared regional priorities and principles. This direction of travel marries up with the Welsh Governments' Procurement Policy Statement 2021 and leverage of collaborative procurement activity. Thus the Procurement Strategy will need to set a clear policy statement on the obligation to plan all procurement and commissioning with relevant partners, unless there is good reason not to do so.

## Denbighshire Well-being Plan 2023 to 2028

The [Denbighshire Well-being Plan](#) has been developed by Conwy and Denbighshire's Public Services Board. The plan focuses on Independence and Resilience – recognising that people are independent when they have the freedom to make choices for themselves and the ability to live their lives with minimal help from others, and that they are resilient when they use resources and knowledge to cope with adversity and prepare for the future. Priority areas include tackling the challenges of our rural areas; supporting the most disadvantaged to build their resilience; and building the capacity of communities to develop and thrive. The Procurement Strategy will have a key role in achieving success in these areas by:

- considering how we might collaborate or commission in a more integrated way with partner organisations on procurement or commissioning to more effectively deliver services in our priority areas and to avoid duplication; and
- enabling change so that the services we provide, rather than disabling or restricting individuals' and communities' independence and resilience, actually reinforce people's independence and wellbeing.

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## **Denbighshire County Council's Climate and Ecological Change Strategy 2021 to 2030**

The Council's Climate and Ecological Change Strategy 2021-2030 has been developed following the declaration of a Climate Change and Ecological Emergency by Council in July 2019. The strategy focuses on the Council reducing its carbon emissions, increasing carbon sequestration and improving biodiversity and the species richness of its land holdings. The strategy has 3 main targets: for the Council to become Net Carbon Zero by 2030, for the Council to become Ecologically Positive by 2030, and for the Council to reduce its supply chain emissions by 35% compared to 2019 baseline. The Procurement Strategy will have a key role in achieving success in these goals by:

- outlining the requirements at each stage of the procurement cycle to enable low carbon tendering
- being clear on the need to ask for carbon emission data from suppliers and the active monitoring of emission data annually as part of contract management
- considering the contribution specifications and contract clauses can make to ensuring ecologically sound practices as well as low carbon delivery of the goods / services / works

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## **Future challenges for procurement**

### **Playing our part in managing a reduction in Supply Chain Emissions**

The most impactful reductions in carbon emissions are achieved prior to procurement stage in the design and specifications of what will be procured. Designing out carbon in the specification and design, structuring the tender to support low carbon outcomes, evaluating tenders on their carbon performance, evidencing emissions and emission reduction at tender stage and throughout the contract. The Collaborative Procurement Service will work with commissioning officers and contract managers to promote a seamless approach to support a reduction in supply chain emissions and reporting from contract management.

As a procurement service we will be ambitious in:

- playing our part in disrupting the default way of doing things
- encouraging and earlier planning of tender exercises
- giving clear parameters and requirements
- empowering and enabling buyers to go beyond minimum requirements
- generating real data on carbon emissions by suppliers rather than relying on high level comparators based on spend.

### **Improving our Sustainable procurement practices**

The Social Partnership and Public Procurement (Wales) Act gives rise to statutory obligations aligned with the Well-being of Future Generations Act. Statutory Guidance will be developed, and the Collaborative Procurement Service will share such guidance, offer training and sign-post relevant officers to government delivered training and knowledge transfer as and when it becomes available. Sustainable procurement is at the heart of the new Act and includes focus on ecological impact of what we procure, encouragement of circular economy etc.

# **Procurement and Commissioning Strategy 2023 to 2027**

## **The expectations of Welsh Government**

The revision of the Wales Procurement Policy Statement and Regional Economic Frameworks clearly demonstrates the importance that the Welsh Government attributes to procurement and its role in helping to achieve its policy objectives – particularly around collaborative, place based socially and environmentally responsible procurement.

Collaborative procurement is usually much more resource hungry and less efficient than a single authority purchase as it involves so many stakeholders and factors. The procuring service will often choose the path of least resistance and understandably wish to find as quick a solution from the market at the least cost and impact on delivery budgets.

The procurement strategy will need to respond to this challenge by:

- Ensuring that in the development of any local procurement approaches or policies, we are mindful of the expectations set out in the Wales Procurement Policy Statement and the prospect of new primary legislation.
- Setting clear and honest corporate expectations in respect of collaborative procurement
- Being realistic in what can be achieved on the ground and in a locality, in the context of a single regional approach.

## **Shortcomings of procurement activity within services**

Recent internal audit reviews identified a number of shortcomings in relation to how procurement is undertaken within the services, including:

- A high prevalence of Exceptions from tendering and Contract Extensions.
- Inconsistent standards of Contract management within service departments
- Poor planning of procurement activities
- A lack of understanding of Contract Procedure Rules
- Inconsistent use of the centralised database Proactis to record decisions and contract data.

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All this is often leading to a “firefighting” approach both within service areas and within the corporate procurement team that is supporting them, and in more extreme cases is leading to breaches in regulations and associated financial penalties for the Council. The lack of consistency and proper planning also creates confusion for our suppliers and can create barriers to them accessing opportunities with the council. A prevailing culture of extending long running contracts is not conducive to being able to seek continuous improvement in quality and outcomes but also to work with our suppliers to reduce ours and their carbon footprint and that of the supply chain using the power of purchase to obtain additional value which can contribute to meeting corporate priorities. The Prosperous aim, from Well-being of Future Generations Act, includes innovation, by going out to the market new and novel ways of delivering services, goods and works can be explored. Also, new procurements, rather than extensions, enable new suppliers to engage with the Council and potentially become suppliers. The local economy may not be stimulated as much as it could be if the same supplier’s contracts are rolled over and extended.

How we improve procurement and commissioning practices and culture within service areas will be one of the key challenges going forward, and the strategy needs to respond by:

- Outlining what measures and support will be put in place to support improved procurement processes and compliance within service areas
- Detailing how more corporate oversight of procurement activity will be established to ensure better planning and a greater degree of accountability for non-compliance issues.

## **Embedding ‘transparency by default’**

The use and investment in digital systems - Proactis and Sell2 Wales to advertise tenders - has become business as usual. However, the Procurement Bill proposes greater transparency throughout the commercial lifecycle from planning through procurement, contract award and performance, disclosing contract data as soon as practically possible. In advance of these proposals, the Welsh Government has published Wales Public Procurement Policy Note 02/22 which will have the effect of increasing the transparency of

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all awarded contracts, including those awarded under a Framework and by a direct award without any competition.

The procurement strategy will need to respond to this challenge by outlining how technology will be used to improve performance and compliance, and what management measures and resources will be put in place to support these additional processes.

## Joint Collaborative Procurement Service with Flintshire

The Joint Collaborative Procurement Service with Flintshire delivers tangible benefits but it also presents some challenges. Ideally all processes and policies would be completely aligned to maximise the benefits in terms of a consistent approach to procurement activity both internally with council officers, but also externally with our suppliers. Respective approaches in relation to Community Benefits and Social Value are not completely aligned. Whilst different organisational structures, management arrangements and political priorities will always present a challenge to full alignment, the strategy should seek to:

- Develop the format of the strategy document and associated materials in manner which can be easily translated across and adopted by Flintshire
- Align as far as possible the processes and policies between the two authorities
- Set out Senior Leadership position on a 'collaboration by default' position in respect of potential collaborative opportunities.
- Maximise use of resources and smarter working to support both Councils

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## The strategy

### Key principles

Denbighshire County Council is committed to setting rigorous quality standards and robust commissioning and procurement procedures to ensure that all commissioning and procurement is managed and conducted appropriately in compliance with all legislative requirements. We are committed to making sure that every pound we spend provides value for money for the council and our constituent residents and businesses.

This strategy outlines how we intend to deliver on that commitment, but in order to achieve this the council requires that all Staff and Members that are involved in commissioning and procurement to adhere to and promote the following principles:

- To help reduce or eliminate non-essential spend, all staff, before commencing any commissioning or procurement activity, will first consider whether there is an alternative approach to delivering the outcome **without the need for the council to spend at all**, or at least to reduce the spend.
- In undertaking any procurement or commissioning activity, all officers must comply with our duties under the Well-being of Future Generations (Wales) Act 2015 and the Social Partnership & Public Procurement (Wales) Act 2023 to take into account the impact of any decisions we make on the people of Wales – now and in the future. The “**sustainable development principle**” should be applied to all procurement activity and in particular that we will work in partnership with our supply chain in continually reducing the carbon footprint and to decarbonise Wales and contribute to Global Responsibility.
- All service areas will work with the corporate procurement team to develop and implement appropriate strategies and mechanisms for delivering value for money in the goods, services or works that they procure. This will include public sector **collaboration** opportunities.
- Every procurement exercise will be managed and led by an officer with **skills** appropriate to the value and risk associated with that arrangement and be conducted with openness, honesty and accountability.

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- The council's regulatory framework (contract procedure rules, delegations and financial regulations), and all legal requirements will be complied with and once awarded the contract shall be managed in accordance with corporate **contract management** principles.
- Ensure that due regard is made in all commissioning and purchasing decisions to local economic prosperity and **well-being** outcomes in accordance with the current policy on achieving social value and community benefits whilst promoting positive social, economic, environment, and cultural impacts.
- The Council shall publish an Annual Report on its procurement as soon as practicable after the end of each financial year and in accordance with the Social Partnership and Public Procurement (Wales) Act 2023.

# Procurement and Commissioning Strategy 2023 to 2027

## Outcome 1

### **Denbighshire County Council improves the contribution its procurement activity has on the local economy**

The Council's spend is a major driver for local economic development and creation of a thriving and prosperous economy. However, the need to deliver savings and efficiency improvements will invariably lead to a reduction in the number of suppliers and contractors that directly trade with the council. To ensure that our procurement activity continues to have a positive impact on the local economy, it is important for us to look at ways to improve access to the council and its business opportunities and to support the development of local suppliers. We want to be confident that our procurement policies and procedures do not disadvantage local businesses, and that they find it easy to do business with us.

We will work to achieve this outcome by:

- Working proactively on **local supplier development** to ensure that businesses and the third sector are aware of the opportunities to sell to the council and are capable of submitting high quality bids to opportunities that arise
- Developing **new approaches** to how we structure our offers to the market and related contracts to ensure we create opportunities for local businesses to bid and potentially win business from the council
- Continuing to deliver more and better **community benefits** through the procurement process

### **Local Supplier Development**

#### **Why is this important?**

With the likelihood of the amount the Council spends on goods, works and services reducing year on year for the foreseeable future, it is ever more important to ensure that where we are spending there are opportunities for Denbighshire based businesses to bid for and win contracts with the Council. To ensure this is the case, we need to be working

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closely with key partners like the Federation of Small Businesses (FSB), North Wales Business Council and Business Wales to provide the advice and support Denbighshire's business community will need to submit good quality bids for contracts the Council advertises.

## **Where we want to be**

By the end of the strategy period (2027) we want to demonstrate we are providing more and better opportunities for local businesses to purchase from the Council, some of this action will be mandated under the new Procurement Acts.

The current baseline of 31% (as value) with Denbighshire businesses will be actively monitored, especially in light of potential impact of new Procurement Acts.

## **New approaches**

### **Why is this important?**

As well as the external-facing support we need to provide to businesses, we also need to look internally and consider how we approach the market for the goods, services and works that we require. The way we do this can have a significant impact on how attractive and accessible that offer will be to Denbighshire based businesses. For example, a bid evaluation process and contract that includes criteria for after-sales service or minimum response times will create opportunities for local businesses, whereas contracts that exclude these types of requirements may not. We also need to make sure that it is as straightforward as possible to do business with us by reviewing, simplifying and standardising processes we require businesses to follow when bidding to supply the Council and subsequently in delivering contracts.

## **Where we want to be**

By the end of the strategy period (2027) we want to be confident that our procurement policies and procedures do not disadvantage local businesses, and that they find it easy to do business with us.

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## Community benefits / social value

### Why is this important?

Denbighshire seeks to gain, via procurement of goods, works and services from 3<sup>rd</sup> party suppliers, the commitment of specific benefits that are targeted and enjoyed by our communities. Such community benefit commitments can include:

- targeted training and recruitment
- commitment to local supply chain and local sub-contracting
- support for local volunteer and community led organisations, including opportunities for social enterprises to become suppliers or sub-contractors
- sponsorship of local clubs, societies and other organised activities

These commitments are above those expected within the contract specifications, e. g. Carbon and energy reduction, payment of appropriate living wage, fair working practices etc.

### Where we want to be

At the end of this strategy, we wish to continue the 'business as usual' approach of community benefits and use our past experience to maximise benefits enjoyed by our communities.

## Measuring our progress for Outcome 1

### Annual high level indicators

Indicator	2022 baseline	Desired trend
% of council spend with Denbighshire businesses	31%	Increase to 40%

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Indicator	2022 baseline	Desired trend
% of council spend with North Wales businesses	52%	Increase
% of council spend with Welsh businesses	59%	Increase
% of Denbighshire based suppliers to whom the Council has made a payment who are registered on the e-procurement Portal.	To be confirmed	Increase
% of suppliers categorising the council as “very good” or “good” at contract end in supplier satisfaction surveys	To be confirmed	Increase

### Annual performance measures to be established

Performance measure	2023 baseline	Desired trend
% of offers to the market with at least one Denbighshire based business bidding at the Low Value threshold (£10,001 to £25,000)	To be confirmed	Increase
% of offers to the market with at least one Denbighshire based business bidding at the Intermediate Value threshold (£25,001 to OJEU)	To be confirmed	Increase

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Performance measure	2023 baseline	Desired trend
% of offers to the market with at least one Denbighshire based business bidding at the High Value threshold (OJEU)	To be confirmed	Increase
% of bids received from Denbighshire based businesses as a proportion of total bids received at the Low Value threshold	To be confirmed	Increase
% of bids received from Denbighshire based businesses as a proportion of total bids received at the Intermediate Value threshold	To be confirmed	Increase
% of bids received from Denbighshire based businesses as a proportion of total bids received at the High Value threshold	To be confirmed	Increase
% of successful bids from Denbighshire based businesses as a proportion of the total number of successful bids at the Low Value threshold	To be confirmed	Increase
% of successful bids from Denbighshire based businesses as a proportion of the total number of successful bids at the Intermediate Value threshold	To be confirmed	Increase
% of successful bids from Denbighshire based businesses as a proportion of the total number of successful bids at the High Value threshold	To be confirmed	Increase

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Performance measure	2023 baseline	Desired trend
% of contracts awarded in the financial year over £1,000,000 with community benefits included in contract documents	70% across all contracts	Increase
% of contracts awarded in the financial year under £1,000,000 with community benefits included in contract documents	70% across all contracts	Increase

**Note:** Where no baseline data has been provided, the information is currently unavailable. It is also to be noted that there may be no Denbighshire business able to bid, due to capacity, sector or expertise required, especially on higher value or specialised opportunities.

# Procurement and Commissioning Strategy 2023 to 2027

## Outcome 2

**Denbighshire County Council will work in partnership with its supply chain to achieve 35% reduction and make our contribution to the public sector reaching net zero carbon emissions by 2030.**

The Council declared a Climate Change and Ecological Emergency in July 2019 and in 2021 adopted a Climate and Ecological Change Strategy with the aim of becoming a Net Zero and an Ecologically Positive Council by 2030, along with reducing supply chain emissions by 35% compared to 2019 baseline. The strategy also set out the tasks required to achieve our 2030 goals. Public sector procurement and commissioning plays an important role in supporting the reduction of emissions within the sector's supply chains. A 2029/30 target has been set of reducing supply chain emissions by 35% compared with the 2019/20 baseline. Achieving this target will also help the Council's contribution to the Welsh Government policy ambition for the public sector reaching net zero carbon emissions by 2030 and the statutory 2050 national targets for greenhouse gas reduction set in the Environment (Wales) Act 2016. In addition, the Well-being of Future Generations (Wales) Act 2015 gives the Council permission and ambition as well as a legal obligation to work to limit the effects of climate change.

### Specific objectives

Specific Objectives stated in the Climate and Ecological Change Strategy and monitored under the Climate and Ecological Change Programme include:

Objective	Description
NCZ A27 / EP A17	Identify the Council officers who procure on a regular basis to target communication and training as to the Climate and Ecological Change agenda and the contribution that environmentally responsible procurement can make.

## Procurement and Commissioning Strategy 2023 to 2027

Objective	Description
NCZ A28	Re-visit regional contracts as they expire with the aim to reduce carbon, where possible, in the future.
NCZ P8	Identify community benefits in Council contracts that reduce carbon and increase carbon absorption.
NCZ P7	Ensure the carbon reduction is being appropriately considered in Council Procurement - Policy and Strategy documents, Commissioning templates, tender evaluations.
NCZ A25 / EP A18	Create a bank of specific carbon related questions which could be used as part of the tender evaluation process. These should be scored and weighted appropriately as part of the quality assessment of tenders.
NCZ A30	Work with businesses and suppliers in Denbighshire to encourage lower carbon practice.

The Climate and Ecological Change Strategy is reviewed and refreshed every 3 years (2023/24 and 2026/27) and objectives relation to procurement and commissioning will be added to and changed.

### Achieving outcomes

We will work to achieve this outcome by:

- Formally assessing, for the majority of new procurement and commissioning, whether a bidder is taking steps to **minimise its carbon footprint** and the steps it intends to take to further reduce these over the lifetime of the contract
- Building a **library of decarbonisation KPIs** over the term of this Strategy that Officers can utilise relevant to their contract

# Procurement and Commissioning Strategy 2023 to 2027

- Making better **use of technology** to enable suppliers to self-serve us with data requirements
- Improving our **contract management** skills and formalising a **contract management framework** which systematically captures carbon management issues and carbon performance data
- Investing in **people and skills** to ensure that we have a well organised and appropriately skilled workforce, who have the motivation and carbon knowledge to deliver decarbonisation through procurement
- Moving to **longer term** rather than short-term contracting wherever possible
- Maximising our influence over the market by **increasing our collaborative activity**
- Reviewing, as part of our procurement and commissioning forward planning in relation to our **incumbent supply chain**, spend categories and medium to high value contracts which present the opportunity for us to work with suppliers to **improve year on year** their carbon management targets
- **Reflecting more** on what we could have done better to get a better carbon outcome next time and share that learning as the opportunity arises with other public sector agencies.

## Minimising the supply chain carbon footprint

### Why is this important?

The Environment (Wales) Act 2016 and the Council's Declaration of a Climate and Ecological Emergency require us to reduce greenhouse gas (GHG) emissions in accordance with net zero targets. These obligations will drive the inclusion of carbon management assessment criteria and wider sustainability wording in supply chain contracts. Where related and proportionate to the contract, the Council will set a mandatory carbon footprint weighting for all contracts over an agreed threshold. In respect of major high value contracts, Carbon Reduction Plans will be required, resulting in a pass / fail selection criteria, in accordance with Wales Procurement Policy Note guidance. Commissioners entering contractual arrangements under the Light Touch Regime or grant funding will also give consideration to increasing citizens' commitments and lifestyle changes in order to reduce individual carbon footprints and buyer behaviour.

# Procurement and Commissioning Strategy 2023 to 2027

## Where we want to be

By the end of the strategy term (2027), we will demonstrate a supply chain emission reduction of 24% compared to the 2019 baseline, equating to 17,411 tCO<sub>2</sub>e.

Achieving this 2026/27 target will mean we are on track to meeting the Climate and Ecological Change Strategy carbon reduction target for supply chain emissions of 35% by 2030 (14,762 tCO<sub>2</sub>e or less from a baseline of 22,710 tCO<sub>2</sub>e).

Third sector / light touch regime will have influenced how people live their lives. [measure]

## A Library of Performance KPIs

### Why is this important?

The Council will often ask 'how' a supplier intends to perform but it does not always state 'what' it wants that performance to look like. Having a suite of useful industry acceptable, but reasonably ambitious KPIs will assist officers in pulling their specifications together to go out to the market, providing this is non-discriminatory and fair to all bidders.

## Where we want to be

By the end of the strategy period (2027), we will have developed a comprehensive SMART (Specific, Measurable, Achievable, Realistic and Time-bound) bank of performance requirements with related contractual clauses that give the Council some 'teeth' to lever improvements, whether through service credits or offsetting activities; balanced against costs of the contract.

## Use of Technology

### Why is this important?

Technology has a key role to play in delivering efficiencies and improvement in the procurement process. Effective use of new and evolving technology will increase efficiency of procurement process and enable the capture of management information which is critical to support intelligence-led decision making. Given the volume of contracts that will need oversight, we will replicate best practice and build upon the approach taken in

# Procurement and Commissioning Strategy 2023 to 2027

relation to Community Benefits self-reporting of annual or other regular data with a drive to achieve Tier 3 (Supplier Specific Data) with options in key contracts to audit or dip sample submissions in line with the Contract Management Framework.

[Digital Strategy for Wales.](#)

## Where we want to be

By the time of data gathering to produce the next annual carbon report to Welsh Government, i. e. by before the end of the current 2023/24 financial year, we want to have in place, with the first tranche of selected suppliers (framework contract suppliers), a more accurate method of measuring greenhouse gas emissions. This will require those suppliers to input their data to a reporting spreadsheet from which we can collate, analyse and report onwards the data for Scope 3 emissions from that portion of the supply chain. By the following year, we want to have any issues with the new method resolved and more suppliers requested to use this approach. We want to have phased-in all suppliers to report their actual emissions by 2026/27.

By the end of the strategy period, we ideally want to be using technology to provide an end-to end carbon management to improve data quality and consistency.

## Contract Management

### Why is this important?

We have traditionally placed a lot of emphasis on the point in the procurement process where we invite bids and award contracts, but not always on the subsequent management of those contracts. Making sure that contracts deliver what is expected – in terms of costs, time, specification, decarbonisation and community benefits/social value – is fundamental to achieving value for money and meeting our obligations under the Council's Climate and Ecological Change Strategy 2021-2030, the Environment (Wales) Act 2016 and the Well-being of Future Generations (Wales) Act 2015. This requires active performance monitoring, contract management and enforcement of non-compliance, and proactive management of the supplier/purchaser relationship, rather than a "let and forget"

# **Procurement and Commissioning Strategy 2023 to 2027**

approach. All officers managing contracts on a regular basis will be provided with the training to improve their skills in this area.

Pressing suppliers to make improvements over the life of the contract (using the Continuous Improvement clause) is a whole new way of working for the Council. The contractual onus is placed upon the supplier to identify and implement improvements but, again, it requires proactive contract management rather than a “let and forget” approach, including regular reviews with the supplier of this contract clause, the state of the market and supply chain benchmarking. All officers managing contracts on a regular basis will be provided with the training to improve their skills in this new and developing area. The benefits to suppliers who work with us will be that their own competitiveness will improve, in readiness for future bids they submit to the public sector.

## **Where we want to be**

By the end of the strategy period, we expect all contracts will be placed according to risk and carbon footprint within the Contract Management Framework Assessment Matrix and thereafter increase the contract leadership of high emitters/high value arrangements. Annual returns of carbon emissions data are asked for by contract managers and completed by suppliers accurately and proactively by end of May each year in reference to the previous financial year.

## **People and skills**

### **Why is this important?**

We have an ambitious strategy with demanding targets to achieve, and we will only be successful if we have the right people, with the skills, development opportunities and support in place. This applies to both the officers in the corporate procurement team, but also to officers throughout the council who are undertaking commissioning and procurement activity.

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## **Where we want to be**

By the end of the strategy period, we want to have a well organised and appropriately skilled workforce, who have the motivation and carbon knowledge skills to be an intelligent procurer.

## **Longer Term Contracting**

### **Why is this important?**

We know that many contracts are extended despite originally being considered short term in nature; whereas if the commissioning or procuring officer based the offer to market on a realistic term and considered as part of the procuring strategy what added value it could achieve at the outset, then there is scope to obtain better value and better carbon management. This also improves compliance with legal procurement obligations of fairness and transparency. It can bring about efficiencies in saving a service continually re-procuring. Longer term contracts are generally more attractive to suppliers who will be more readily willing to look at a longer return on investment (ROI) and invest in carbon friendly equipment and products, working with their own supply chain and replicating requirements. The more attractive the offer to market the more likely that competition will be stimulated, and the Council will receive quality bids from suppliers who understand their impact on the environment. Long term contracts will not be suitable for all arrangements and some provision will need to be included to terminate in specific circumstances.

## **Where we want to be**

By the end of the strategy period, we want to see an appropriate increase in longer term contracts that balances with the benefits of going out to market to encourage innovation and increase the supplier base, especially local supply base.

## **Increased Collaborative Activity**

### **Why is this important?**

Denbighshire County Council has always supported collaborative procurement where there are benefits to the area; however, in the context of decarbonisation, this is even

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more pertinent. As a relatively small Local Authority in Wales, the Council's ability to influence the market and its behaviour may be limited in many areas, especially low spend categories. The Council will prioritise considerations of aggregated spend where this is likely to materially influence decarbonisation activity. This may be by procuring jointly, regionally or on a pan Wales or pan UK basis; sharing supply chain data or engaging with sectors in order to educate suppliers on our carbon management drivers which in turn will translate to the delivery and performance of their contracts. There is a legal obligation to work better with others in order to achieve the Well-Being Goals – the Act expressly provides that Collaboration is one of the 5 Ways of Working and this will need to be led from the highest levels of the public sector in order to be maximised.

## **Where we want to be**

During the term of this Strategy, the level of collaborative procurement will have increased where collaborative procurement is applicable. Collaborative procurement includes Denbighshire procurements with: Flintshire, other regional authorities, accessing national or UK level frameworks or purchasing agreements.

We will be able to demonstrate an outcomes-based approach where collaborative procurement potential has been identified and achieved.

## **Incumbent Supply Chain**

### **Why is this important?**

Rather than waiting until a contract is to be re-procured, current contracts may contain an appropriate Continuous Improvement clause enabling us to direct a supplier to provide their carbon emission performance annually, a carbon reduction plan or pledge in how they will reduce emissions over time. Where a contract is being extended, this will also present an opportunity which is not currently exploited on extension.

## **Where we want to be**

By the end of the Strategy period, we will have reviewed and identified high carbon emitting categories of expenditure and identified the suppliers of these goods and services [utilising the WG Decarbonisation Dashboard]. We will also have identified high value

# Procurement and Commissioning Strategy 2023 to 2027

spend categories and prioritised these in accordance with the Contract Management Framework. We will have actioned for all contracts with an appropriate continuous improvement clause direction to receive carbon emission data annually and target reduction in emissions.

We will have demonstrated that we have been able to manage down GHG emissions in a proportionate manner and by a minimum of 35 %

## Reflection Time

### Why is this important?

Officers should be given the time and space to self-assess and reflect on theirs and their organisations performance in letting and managing a contract and reducing a supplier's emissions. It is a challenging and difficult task to manage suppliers and there needs to be a time during the contract lifecycle where lessons are captured so that knowledge is transferred to the next officer or team and is translated into the next procurement cycle and specification. This process will be systemised in the Contract Management Framework and accessible.

### Where we want to be

Lessons learned are reviewed by team managers and shared widely. Feedback from contract managers reflects their improved level of confidence and capability in getting the most out of contracts, that we get better at procuring for wellbeing when running the next tender process.

## Measuring our progress for Outcome 2

Principal performance indicator - CSCHCORP- Total carbon tonnage emitted (Corporately) through supply chains (reported annually)

Supporting performance indicators to be developed by Carbon Business Partner in collaboration with Climate Change team (starting September 2023)

- Number of contracts reporting actual carbon emissions annually

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- Number of contracts with a Carbon Reduction Plan
- Number of tender evaluations including carbon related criteria
- Number of tender specifications including carbon related criteria
- Number of procuring officers / procurement system users who have completed the “Introduction to Climate Change” e-learn
- Number of contract managers / contract management system users who have completed the “Introduction to Climate Change” e-learn

## Outcome 3

### **Denbighshire County Council achieves value for money from the goods, services and works it procures**

The council has always had a duty to ensure we can demonstrate value for money in the delivery of our services, and with increasing budgetary pressure and the need to balance cost reductions against the increasing demand on services, achieving value for money on our bought goods, services and works is more important to the council than ever.

However, the ongoing austerity measures and the prospect of ever decreasing budgets means that we now need to go beyond just seeking value for money in the goods, services and works we procure, and be much more proactive in our consideration of options to avoid the need to spend at all, or at least a consideration of how we can significantly reduce the amount we spend. In addition, the administrative cost of sourcing, ordering and paying for goods, services and works is significant. We therefore need to ensure that the way we work is efficient and effective.

We will work to achieve this outcome by:

- Considering different **delivery models** and more collaborative working for the services we provide that reduce or remove the need for council expenditure;
- Continually reviewing our **processes** and endeavour to make them as simple as possible for both internal users and our suppliers, whilst still ensuring we remain legally compliant but taking full advantage of the new and more flexible public procurement rules making it easier for smaller VSMEs to bid.

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- Making better **use of technology** to deliver efficiencies in the commissioning and procurement process; and
- Improving our **contract management** to ensure that the contracts we enter into are delivered to budget and in accordance with the agreed terms and conditions, including the delivery of any required community benefits.
- Investing in **people and skills** to ensure that we have a well organised and appropriately skilled workforce, who have the motivation and resilience to deliver excellence in all our commissioning and procurement activities.

## Contract Management

### Why is this important?

New and upcoming procurement Acts include obligation to promote transparency and the well-being impact and performance of awarded contracts. Contract management will be part of the continuous feedback and reporting loop that will better inform future procurement activity and efficiency.

### Where we want to be

By the end of the strategy period (2027) we expect to see a seamless circle of 'commissioning – procurement – contract management – reporting'. Procurement can engage with, support, and encourage this approach.

## People and skills

### Why is this important?

We have an ambitious strategy with demanding targets to achieve, and we will only be a successful if we have the right people, with the skills, development opportunities and support in place. This applies to both the officers in the corporate procurement team, but also to officers throughout the council who are undertaking commissioning and procurement activity.

# Procurement and Commissioning Strategy 2023 to 2027

## Where we want to be

By the end of the strategy period (2027) we want to have a well organised and appropriately skilled workforce, who have the motivation and resilience to deliver excellence in all our procurement activities.

## Measuring our progress for Outcome 3

### Annual high-level indicators

Indicator	2022 baseline	Desired Trend
Total cashable savings achieved from all spend through procurement activity. (subject to development of a robust savings measure)	Baseline to be established following improved estimating	Increase
Total cashable savings achieved from revenue spend through procurement activity. (subject to development of a robust saving measure)	Baseline to be established following improved estimating	Increase
Percentage of officers attending procurement training categorising the quality of the training as “good” or better.	No Baseline	Increase
Percentage of Middle Management Team assessing their knowledge of procurement as “good” or better.	8%	Increase
Percentage of Middle Management Team who have read or referred to the Contract Procedure Rules in the last 12 months.	33%	Increase

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Indicator	2022 baseline	Desired Trend
Percentage of internal customers categorising the service from the corporate procurement team as “good” or better.	No Baseline	Increase

### Annual performance measures

Performance measure	2023 baseline	Desired Trend
Percentage of contracts over £25,000 where a commission form has been completed.	To be confirmed	Increase
Percentage of contracts over £25,000 where a sustainability assessment has been completed.	To be confirmed	Increase
Percentage of contracts over £25,000 where all required documentation (evaluation criteria, t & c's, etc. ) are available prior to inviting tenders.	To be confirmed	Increase
Percentage of contracts over £25,000 where a tender exercise is undertaken but no award is made.	To be confirmed	Decrease
Percentage of contracts over £25,000 where the contract award amount is no more than the estimated budget. (subject to robust estimates)	Baseline to be established following improved estimating	Increase

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Performance measure	2023 baseline	Desired Trend
Percentage of contracts over £25,000 where the final contract cost is no more than the tender award amount. (subject to robust estimates)	Baseline to be established following improved estimating	Increase
Percentage of contracts over £25,000 with a signed or sealed contract in place within 6 weeks of the contract award.	No Baseline	Increase

**Note:** Where no baseline data has been provided, the information is currently unavailable.

# Procurement and Commissioning Strategy 2023 to 2027

## Delivering the strategy

Delivering the outcomes described in this strategy is not the preserve of any one Council service or team but will require contributions from all teams and departments. All services procure, and therefore all have a contribution to make to improve our performance in terms of both achieving value for money, and on the impact our procurement activity has on the local economy.

## Action plan

Accompanying this strategy is an Action Plan which sets out the individual actions that are planned to deliver the agreed outcomes. To ensure clarity, accountability and to effectively monitor progress the Action Plan will apply the following principles:

An annual report detailing performance in relation to the identified Indicators and Performance Measures will be produced annually by the Corporate Procurement Team, broken down to individual services wherever data is available at this level

The Action Plan will be reviewed and revised annually by the Corporate Procurement Team based on the information provided in the above referenced report, to ensure actions and resources are targeted based performance over the preceding 12 months

The individual actions within the Action Plan will be entered onto and monitored using the Council's Verto system

Each action will have **one** manager from Middle Management Team (MMT) identified as responsible for ensuring the action is delivered, rather than individual officers or teams. This manager may delegate the action, or work in partnership with other areas of the Council or partner organisations to deliver the action, but for the purposes of clarity and accountability only one name – from MMT – will be entered in the Action Plan

Each action will have clearly identified what evidence will demonstrate the action has been completed. This will provide clarity and enable a consistent approach to monitoring using the Verto system whereby:

- **Green:** action on track to be delivered to the agreed deadline

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- **Yellow:** experiencing obstacles and may not be delivered to the agreed deadline
- **Orange:** experiencing obstacles and highly unlikely to be delivered to the agreed deadline
- **Red:** delivery deadline has passed, and the action is still outstanding
- **Blue:** action completed

## Governance arrangements

### Joint Collaborative Procurement Board

Formed in July 2014, Denbighshire County Council and Flintshire County Council established a collaborative procurement service overseen by a Joint Collaborative Board and hosted by Denbighshire County Council to:

- implement a shared, skilled and excellent corporate procurement service that ensures the required support for the two organisations and individual services in delivering corporate and service objectives and efficiency targets
- maximise procurement savings for the benefit of the residents and businesses of Denbighshire and Flintshire
- develop professional capacity and resilience to create a top performing procurement team, delivering organisational benefit and personal professional development for the team.

### DCC Procurement Transformation Board

Given the potential for fairly significant changes in procurement practice as the Procurement Bill is progressed, a Procurement Transformation Board will be established to monitor the delivery of this strategy and the revision of the Council's Contract Procedure Regulations on the back of the Procurement Bill; provide the Council with a conduit in which to report issues or themes that emanate from related groups such as the Carbon Operations Board and the Joint Procurement Board.

# **Procurement and Commissioning Strategy 2023 to 2027**

## **DCC Climate and Ecological Change Programme Operational Board**

Progress against Outcome 1- “Denbighshire County Council will work in partnership with its’ supply chain to achieve 35% reduction and make our contribution to the public sector reaching net zero carbon emissions by 2030”, will be reported to Climate and Ecological Change Programme Operational Board and any issues escalated for resolution. This Board provides strategic direction and oversight for the delivery of the Climate and Ecological Change Strategy and the achievement of 35% reduction in carbon from supply chain.

## **Council Committees**

Updates on progress towards the outcomes and key issues will also be reported to Corporate Governance Committee and Partnerships and/or Performance Scrutiny Committee.