

CABINET 19 JANUARY 2021

ITEM 18: UPDATE ON FAIRER FUTURE PROCUREMENT FRAMEWORK

Comments of the Director of Law and Governance

1. This report seeks the cabinet's approval to the refreshed Fairer Future Procurement Framework (FFPF), shown in Appendix 1; and to note the update on actions taken to enhance the council's commitment to social value in procurement. Pursuant to Part 3B of the constitution, the cabinet has responsibility to consider and promote strategic and council wide initiatives to improve the quality, efficiency and effectiveness of the council's services to the public, and therefore the approval of the FFPF is reserved to cabinet.
2. The key considerations and commitments set out in the FFPF and council procurements must comply with and be delivered in accordance with all applicable EU and UK legislation and guidance. Relevant legislation is noted in the FFPF, but includes the Public Contract Regulations 2015, the Public Services (Social Value) Act 2012 and the Equality Act 2015. Officers in law and governance will continue to provide support and guidance in the implementation of the updated FFPF, and any necessary amendments to contract and tender documents.
3. The cabinet's attention is drawn to the Public Sector Equality duty (PSED General Duty) under the Equality Act 2010, and when making decisions to have regard to the need to (a) eliminate discrimination, harassment, victimisation or other prohibited conduct, (b) to advance equality of opportunity and (c) foster good relations between persons who share a relevant protected characteristic and those who do not share it. The relevant characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The duty also applies to marriage and civil partnership but only in relation to (a). The cabinet is specifically referred to the community impact statement at paragraphs 37-38 of this report, and paragraph 21 of the FFPF setting out the consideration that has been given to equalities issues, which should be considered when approving the recommendations in this report.