



**Reading**  
Borough Council  

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# **Summons and Agenda 30 June 2026**

**Chief Executive  
Reading Borough Council  
Civic Offices, Bridge Street,  
Reading, RG1 2LU**





Jackie Yates  
**CHIEF EXECUTIVE**

Civic Offices, Bridge Street,  
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To: All Members of the Council

e-mail:  
committee.services@reading.gov.uk

22 June 2026

Your contact is: Simon Hill / Richard Woodford - Committee Services

Dear Sir/Madam

You are hereby summoned to attend a meeting of the Reading Borough Council to be held in the **Council Chamber, Civic Centre, Reading**, on **Tuesday, 30 June 2026 at 6.30 pm**, when it is proposed to transact the business specified in the Agenda enclosed herewith.

Yours faithfully

CHIEF EXECUTIVE

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## A G E N D A

1. **MAYOR'S ANNOUNCEMENTS**

To receive Mayor's Announcements.

2. **DECLARATIONS OF INTEREST**

To receive any declarations of interest.

3. **MINUTES**

7 - 16

The Mayor to sign the Minutes of the proceedings of the previous Council Meeting.

4. **PETITIONS**

Public petitions may be submitted on any matter within the Council's responsibilities, or on issues affecting the Borough or its residents. Submissions should be emailed to [committee.services@reading.gov.uk](mailto:committee.services@reading.gov.uk) and must be received **no later than 12 noon, four clear working days before the meeting.**

5. **QUESTIONS FROM MEMBERS OF THE PUBLIC**

Public questions may be submitted on any matter within the Council's responsibilities, or on issues affecting the Borough or its residents. Submissions should be emailed to [committee.services@reading.gov.uk](mailto:committee.services@reading.gov.uk) and must be received **no later than 12 noon, four clear working days before the meeting.**

6. **QUESTIONS FROM COUNCILLORS**

Councillor questions may be submitted on any matter within the Council's responsibilities, or on issues affecting the Borough or its residents. Submissions should be emailed to [committee.services@reading.gov.uk](mailto:committee.services@reading.gov.uk) and must be received **no later than 12 noon, four clear working days before the meeting.**

**Reports and Recommendations from Committees**

7. **UPDATE TO COUNCIL'S CONSTITUTION - CONTRACT PROCEDURE RULES**

17 - 48

Report by Executive Director of Resources and Director of Finance

8. **APPOINTMENT OF STANDARDS COMMITTEE INDEPENDENT CHAIR AND INDEPENDENT PERSON**

49 - 52

Recommendation from the 24 June 2026 meeting of the Standards Committee

## WEBCASTING NOTICE

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**Present:** Councillor Mpofu-Coles (Mayor);

Councillors Gittings (Deputy Mayor), Asare, Ayub, Ballsdon, Clarke, Cresswell, Cross, Davies, Dennis, Dominguez, Eden, Ennis, Foster, Gavin, Goss, Griffith, Gurung, Hornsby-Smith, Hoskin, Keane, Keeping, Lanzoni, Leng, Magyarosy, McCann, McEwan, McGoldrick, McGrother, Magon, Moore, Naz, O'Connell, DP Singh, R Singh, Smith, Stevens, Tarar, Terry, Thompson, Williams, Woodward and Yeo

**Apologies:** Councillors McElroy, Nikulina, Saadat, Walkem and White

### 1. TO ELECT A MAYOR FOR THE ENSUING YEAR

The first business to be transacted being the election of the Mayor, it was moved by Councillor Terry and seconded by Councillor Hoskin and CARRIED:

“That Councillor Paul Gittings be elected Mayor of this Borough.”

No other candidate having been nominated Councillor Gittings was duly declared elected.

### 2. TO ELECT A DEPUTY MAYOR FOR THE ENSUING YEAR

It was moved by Councillor Terry and seconded by Councillor Griffith and CARRIED:

“That Councillor Amjad Tarar be appointed Deputy Mayor of this Borough.”

### 3. ADDRESS BY NEWLY-ELECTED MAYOR

Councillor Gittings addressed the Council.

### 4. VOTE OF THANKS TO THE RETIRING MAYOR AND TADI CHIGUMIRA

It was moved by Councillor Leng and seconded by Councillor Eden and CARRIED:

“That the Council record their sincere appreciation of the ability, courtesy and diligence with which Councillor Alice Mpofu-Coles has discharged her duties attached to the office of Mayor since 21 May 2025. They also record their grateful thanks to Tadi Chigumira for the support and assistance she rendered in the capacity of Mayor’s escort throughout the Mayor’s term of office.”

### 5. ADDRESS BY RETIRING MAYOR

Councillor Mpofu-Coles addressed the Council.

### 6. MINUTES OF THE COUNCIL MEETING ON 24 MARCH 2026

## COUNCIL - ANNUAL MEETING MINUTES - 27 MAY 2026

The Minutes of the meeting held on 24 March 2026 were confirmed as a correct record and signed by the Mayor.

### 7. STATEMENT OF THE RETURNING OFFICER

The Returning Officer submitted a Statement for the information of the Council showing details of the persons elected as Councillors at the local government elections held on 7 May 2026.

### 8. APPOINTMENT OF LEADER OF THE COUNCIL

It was moved by Councillor Leng and seconded by Councillor Tarar and CARRIED:

“That Councillor Terry be appointed Leader of the Council for the Municipal Year 2026/27.”

### 9. ANNUAL REVIEW OF THE COUNCIL'S CONSTITUTION

The Monitoring Officer submitted a report setting out proposed amendments to the Council's Constitution following an annual review. Where applicable, relevant extracts of the Constitution showing the proposed changes were set out in Appendices 1 - 7 of the report.

#### Resolved –

- (1) That the proposed amendments to the Council's Constitution, as set out in paragraphs 3.2 – 3.15 of the report, be approved;
- (2) That the Director of Legal and Democratic Services publish the amended Constitution on the Council's website.

### 10. APPOINTMENT OF DEPUTY LEADER AND LEAD COUNCILLORS AND ALLOCATION OF PORTFOLIOS

It was moved by Councillor Terry and seconded by Councillor Leng and CARRIED:

#### Resolved –

- (1) That Councillor Leng be appointed the Deputy Leader of the Council for the Municipal Year 2026-27;
- (2) That for the Municipal Year 2026-27, the following Councillors be appointed as Lead Councillors for the services listed below:

Adult Social Care	Councillor Dennis
Children	Councillor Griffith
Education and Public Health	Councillor Eden
Environmental Services and Community Safety	Councillor McGoldrick
Housing	Councillor Yeo
Leisure and Culture	Councillor Lanzoni

## COUNCIL - ANNUAL MEETING MINUTES - 27 MAY 2026

Corporate Services and Resources	Councillor McEwan
Climate Strategy and Transport	Councillor Ennis
Planning and Assets	Councillor Leng

### 11. APPOINTMENT OF COUNCIL BODIES AND ALLOCATION OF SEATS TO POLITICAL GROUPS

The Monitoring Officer submitted a report asking the Council to decide which committees to establish for the year, their size and terms of reference, and determine the allocation of seats to political groups represented on the Council on committees in accordance with the provisions of Sections 15 and 16 of The Local Government and Housing Act 1989 and The Local Government (Committees and Political Groups) Regulations 1990. Appendix 1 to the report setting out the Allocation of seats on Committees and Other Bodies was tabled at the meeting. Attached to the report at Appendix 2 was a revised Constitution and Terms of Reference agreed by the Standing Advisory Council for Religious Education (SACRE).

A motion was moved at the meeting which set out the nominations of the political groups for appointments to the Standing, Regulatory and Other Committees, the Health & Wellbeing Board, Corporate Parenting Panel and the Consultative Committees and Forums.

It was moved by Councillor Terry and seconded by Councillor Leng and CARRIED:

#### **Resolved –**

- (1) That the total number of Committees Seats, the overall share of Committee Seats, and the Allocation of Committee Seats be agreed as set out in Tables 1 to 3 of Appendix 1;
- (2) That the list of Committees as set out in Table 3 of Appendix 1 be appointed to as follows:

#### **Standing Committees**

That the following Councillors be appointed to serve on the following Standing Committees of the Council in the Municipal Year 2026/27:

<b>Policy Committee (10:3:2:1)</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Cllr Dennis	Cllr Nikulina	Cllr R Singh	Cllr Thompson
Cllr Eden	Cllr White	Cllr Smith	
Cllr Ennis	Cllr Williams		
Cllr Griffith			
Cllr Lanzoni			
Cllr Leng			
Cllr McEwan			
Cllr McGoldrick			
Cllr Terry			
Cllr Yeo			

**COUNCIL - ANNUAL MEETING MINUTES - 27 MAY 2026**

<b>Adult Social Care, Children's Services &amp; Education Committee (10:4:2:1)</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Cllr Asare	Cllr Clarke	Cllr Ballsdon	Cllr O'Connell
Cllr Dennis	Cllr Cresswell	Cllr Smith	
Cllr Eden	Cllr Magon		
Cllr Foster	Cllr Walkem		
Cllr Gittings			
Cllr Griffith			
Cllr McEwan			
Cllr Mpofu-Coles			
Cllr Naz			
Cllr Tarar			

<b>Housing, Neighbourhoods &amp; Leisure Committee (11:5:2:1)</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Cllr Ayub	Cllr Clarke	Cllr Ballsdon	Cllr Thompson
Cllr Cross	Cllr Cresswell	Cllr Saadat	
Cllr Gavin	Cllr Keane		
Cllr Hoskin	Cllr Nikulina		
Cllr Lanzoni	Cllr Walkem		
Cllr Magyarosy			
Cllr McEwan			
Cllr McGoldrick			
Cllr McGrother			
Cllr Naz			
Cllr Yeo			

<b>Strategic Environment, Planning &amp; Transport Committee (10:4:2:1)</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Cllr Cross	Cllr Dominguez	Cllr Goss	Cllr Moore
Cllr Ennis	Cllr McCann	Cllr Saadat	
Cllr Gurung	Cllr McElroy		
Cllr Hornsby-Smith	Cllr Nikulina		
Cllr Keeping			
Cllr Leng			
Cllr McGoldrick			
Cllr McGrother			
Cllr DP Singh			
Cllr Stevens			

**Regulatory and Other Committees**

## COUNCIL - ANNUAL MEETING MINUTES - 27 MAY 2026

That the following Councillors be appointed to serve on the following Regulatory and Other Committees of the Council in the Municipal Year 2026/27:

<b>Audit &amp; Governance Committee (5:2:1:1)</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Cllr Asare	Cllr Keane	Cllr Smith	Cllr Moore
Cllr Gavin	Cllr Williams		
Cllr Magyarosy			
Cllr McGrother			
Cllr Stevens			

<b>Licensing Applications Committee (8:3:1:0)</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Cllr Ayub	Cllr Clarke	Cllr Saadat	-
Cllr Dennis	Cllr Keane		
Cllr Gurung	Cllr Magon		
Cllr Leng			
Cllr McGoldrick			
Cllr Stevens			
Cllr Tarar			
Cllr Woodward			

<b>Personnel Committee (4:2:0:0)</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Cllr Ennis	Cllr Keane		
Cllr McEwan	Cllr Nikulina		
Cllr Mpofu-Coles			
Cllr Terry			
<i>(or nominees)</i>			

<b>Planning Applications Committee (8:3:1:1)</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Cllr Davies	Cllr Dominguez	Cllr Saadat	Cllr Moore
Cllr Ennis	Cllr McCann		
Cllr Foster	Cllr Williams		
Cllr Gavin			
Cllr Hornsby-Smith			
Cllr Leng			
Cllr Stevens			
Cllr Yeo			

<b>Standards Committee (4:1:1:1)</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Cllr Gavin	Cllr Keane	Cllr R Singh	Cllr Moore
Cllr Keeping			
Cllr McEwan			

## COUNCIL - ANNUAL MEETING MINUTES - 27 MAY 2026

Cllr Terry			
<i>Named Substitutes:</i>			
Cllr Leng			Cllr Thompson

- (3) That the Director of Legal and Democratic Services, in consultation with the relevant Group Leader, be authorised to determine any necessary adjustments to be made to individual Committee allocations in accordance with the provisions of Sections 15 and 16 of the Local Government and Housing Act 1989;
- (4) That the Council appoint to the Corporate Parenting Panel and Health & Wellbeing Board in accordance with the Constitution, approve the allocation of seats as set out in Tables 4 and 5 of Appendix 1 and make appointments as follows:

### **Corporate Parenting Panel**

That the following Councillors be appointed to serve on the Corporate Parenting Panel in the Municipal Year 2026/27:

<b>Corporate Parenting Panel</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Leader of the Council		Cllr Ballsdon	Cllr O'Connell
Lead Cllr for Children (Chair)			
Lead Cllr for Education and Public Health			
Cllr Yeo			

### **Health & Wellbeing Board**

That the following Councillors be appointed to serve on Health and Wellbeing Board in the Municipal Year 2026/27:

Leader of the Council
Lead Councillor for Adult Social Care
Lead Councillor for Children
Lead Councillor for Education and Public Health
Named substitute: Councillor Leng

- (5) That the Council appoint to the Consultative Committees and Forums listed in Table 6 of Appendix 1 as follows:

<b>Access and Disabilities Working Group</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>

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Cllr Cross		Cllr Goss	Cllr Thompson
Cllr Hornsby-Smith			
Cllr McGrother			

<b>Alliance for Cohesion and Racial Equality</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Cllr McGoldrick		Cllr Saadat	Cllr Thompson

<b>Arts &amp; Heritage Forum</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Cllr Hoskin	Cllr Nikulina	Cllr Ballsdon	Cllr Thompson
Cllr Lanzoni		Cllr Goss	
Cllr Magyarosy			
Cllr Stevens			

<b>Civic Board</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Cllr Eden		Cllr Ballsdon	Cllr Thompson
Cllr Gavin			
Cllr Hornsby-Smith			
Cllr Leng			
Cllr Stevens			
Cllr Terry			

<b>Cleaner Air &amp; Safer Transport Forum</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Cllr Cross	Cllr Magon	Cllr Goss	Cllr O'Connell
Cllr Davies			
Cllr Ennis			
Cllr Griffith			
Cllr Hornsby-Smith			
Cllr Leng			

<b>COMMUNITY SAFETY PARTNERSHIP</b>			
Cllrs McGoldrick and Terry			
Observers: Other Group Spokespersons			

<b>Cycle Forum</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Cllr Cross	Cllr White	Cllr Goss	Cllr Moore
Cllr Davies			
Cllr Ennis			
Cllr Griffith			

**COUNCIL - ANNUAL MEETING MINUTES - 27 MAY 2026**

Cllr Hornsby-Smith			
Cllr Leng			

<b>Local Joint Forum</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Cllr Ennis		Cllr R Singh	
Cllr McEwan			
Cllr McGrother			
Cllr Terry			
(or nominees)			

<b>Older People's Working Group</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Cllr Gittings			Cllr O'Connell
Cllr Hornsby-Smith			
Cllr Hoskin			
Cllr McEwan			
Cllr McGrother			

<b>Standing Advisory Committee on Religious Education</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Cllr Ayub		Cllr Goss	Cllr O'Connell
Cllr Eden			
Cllr Ennis			

<b>Safer Reading Neighbourhood Forum</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Cllr Davies		Cllr Ballsdon	
Cllr Griffith			
Cllr Hornsby-Smith			
Cllr Keeping			
Cllr McGoldrick			

<b>Town Twinning Group</b>			
<b><i>Labour</i></b>	<b><i>Green</i></b>	<b><i>Conservative</i></b>	<b><i>Liberal Democrats</i></b>
Mayor – ex-officio		Cllr Smith	
Cllr Terry			

- (6) That the following Councillors be appointed as Chairs/Vice-Chairs of the bodies listed at (5) above:

<b>Body</b>	<b>Chair</b>	<b>Vice Chair</b>
Access & Disabilities Working	Cllr Hornsby-	Cllr McGrother

## COUNCIL - ANNUAL MEETING MINUTES - 27 MAY 2026

Group	Smith	
Arts & Heritage Forum	Cllr Lanzoni	Cllr Stevens
Civic Board	Cllr Terry	Cllr Leng
Cleaner Air & Safer Transport Forum	Cllr Cross	Cllr Ennis
Corporate Parenting Panel	Cllr Griffith	
Cycle Forum	Cllr Cross	Cllr Ennis
Local Joint Forum	Union side	Cllr McEwan
Older People's Working Group	Cllr Gittings	Cllr Hoskin
Safer Reading Neighbourhood Forum	Cllr McGoldrick	
Town Twinning Group	The Mayor	

- (7) That the Terms of Reference of all bodies listed in (2) to (5) above be as set out in the Council's Constitution;
- (8) That the revised Constitution agreed by the Standing Advisory Committee on Religious Education, as attached to the report at Appendix 2, be agreed and adopted.

### 12. APPOINTMENT OF CHAIRS AND VICE-CHAIRS OF COMMITTEES

It was moved by Councillor Terry and seconded by Councillor Leng and CARRIED:

#### Resolved –

That the following be appointed Chairs and Vice-Chairs of the following Committees for the Municipal Year 2026/27:

Committee	Chair	Vice-Chair
Adult Social Care, Children's Services & Education	Councillor Asare	Councillor Naz
Audit & Governance	Councillor Williams	Councillor Stevens
Health & Wellbeing Board	Councillor Eden	Thames Valley ICB representative
Housing, Neighbourhoods & Leisure	Councillor Hoskin	Councillor Magyarosy
Licensing Applications	Councillor Woodward	Councillor Tarar
Planning Applications	Councillor Gavin	Councillor Davies
Personnel	Councillor McEwan	Councillor Terry
Policy	Councillor Terry	Councillor Leng
Standards	Independent	Councillor Keeping
Strategic Environment, Planning & Transport	Councillor Cross	Councillor Hornsby-Smith

### 13. DATES OF ORDINARY COUNCIL MEETINGS FOR 2026/27

It was moved by Councillor Gittings and seconded by Councillor Tarar and CARRIED:

## COUNCIL - ANNUAL MEETING MINUTES - 27 MAY 2026

### Resolved –

- (1) That the calendar of meetings for the Municipal Year 2026/27, as attached to the agenda, be approved;
- (2) That, before the day of the Annual Meeting in 2027, meetings of the Council be held at half-past six o'clock in the afternoon on 30 June, 13 October 2026, and 26 January, 23 February and 23 March 2027, unless the Mayor shall specify some other date and time.

(The meeting closed at 8.00 pm)

**Council**

**30 June 2026**



**Reading**  
Borough Council  
*Working better with you*

<b>Title</b>	Update to Council's Constitution – Contract Procedure Rules
<b>Purpose of the report</b>	To make a key decision
<b>Report status</b>	Public report
<b>Executive Director/ Statutory Officer Commissioning Report</b>	Louise Duffield, Executive Director Resources Darren Carter, Section 151 Officer
<b>Report author</b>	Emily Chomicz
<b>Lead Councillor</b>	Cllr Ruth McEwan, Lead Councillor for Corporate Services and Resources
<b>Council priority</b>	Ensure Reading Borough Council is fit for the future
<b>Recommendations</b>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. consider the proposed updates to the Council's Contract Procedure Rules (CPRs)</li> <li>2. approve revision to the CPRs for immediate incorporation into the Constitution</li> <li>3. authorise that any procurements already in train transition to the new delegations and procedures of these CPRs where such transition has business benefit to the Council</li> <li>4. delegate authority to the Head of Procurement to revise the UK Procurement Threshold values in the Procedure section of the CPRs in line with bi-annual revision by Cabinet Office, and minor general revisions to allow ongoing corporate alignment.</li> </ol>

## 1. Executive Summary

1.1. This report recommends updates to the Council's CPRs to ensure continued alignment with evolving procurement legislation and best practice. The last major revision in 2023 prepared the Council for the Procurement Act 2023, which came into force in February 2025. The current update builds on that foundation, incorporating lessons learned and aligning more closely with broader legal and governance frameworks.

1.2. Key improvements include:

- Updated financial thresholds and approval levels to reflect statutory requirements and internal governance standards.
- Integrated governance with Financial Regulations, creating a more cohesive and transparent oversight structure.
- Streamlined rules that reference, but do not duplicate, key legislation such as the Procurement Act 2023, Public Contracts Regulations 2015, and the Local Government Act 1972.
- Refinements based on operational feedback, removing unintended barriers and improving efficiency in day-to-day procurement.

- 1.3. These revisions aim to deliver a more agile, transparent, and value-driven procurement framework that supports the Council's strategic priorities and ensures compliance with current legislation.

## **2. Policy Context**

- 2.1. The Council's CPRs were last revised in Autumn 2023, primarily to prepare for the implementation of the Procurement Act 2023. At that time, the report included delegated authority to update terminology in line with the new legislation. However, a broader review has since identified the need for more substantive changes.
- 2.2. These proposed revisions go beyond terminology. They include updates to financial thresholds to ensure compliance with both statutory requirements and the Council's internal key decision thresholds. The thresholds reflect the Council's ambitions to support local economic growth and aim to deliver efficient procurement outcomes both in time taken to run the procedures and outcomes that balance price/cost and quality. The proposed revisions also reconsider approval levels for contract initiation, award, and management, as well as the rules governing waivers and exemptions.
- 2.3. A key objective of this update is to align the CPRs with the recently revised Financial Regulations. Together, these documents provide a comprehensive governance framework that supports effective budget setting, financial management, and value-for-money decision-making by officers.
- 2.4. The revised CPRs are designed to meet the requirements of the Local Government Act 1972, which mandates that Councils establish standing orders to secure competition and regulate tendering procedures. The Local Government Act does not mandate that standing orders explain how competition is created in practice, therefore this guidance for the Council is to be held only in standard operating procedures which can be regularly refreshed to apply lessons learnt and new central government policy requirements. Key sections removed during this revision have been transferred into the Procurement Manual, which serves this purpose.
- 2.5. The CPRs also reflect the broader legislative landscape, including the new Procurement Act 2023 and the new terminology it brings, the Public Contracts Regulations 2015 which continue to apply for established contracts, and the Health Care Services (Provider Selection Regime) Regulations 2023 which apply for specific contracts the Council procures.
- 2.6. Importantly, the CPRs have been refined based on practical experience with the October 2023 version. This has led to the removal of unintended barriers and the introduction of improvements that better support operational delivery plus corporate governance and compliance.
- 2.7. To avoid duplication, the CPRs no longer restate the detailed requirements of the Procurement Act 2023, the National Procurement Policy Statement, or other statutory instruments. Officers are expected to be familiar with these documents and to consult the Procurement Manual and related corporate policies for operational guidance.
- 2.8. In summary, the revised CPRs focus on two core statutory obligations:
  - Ensuring fair competition to secure value for money.
  - Regulating the tendering process to meet legal and policy expectations.All other commercial expectations and procedural details are addressed through the Procurement Manual and supporting corporate documentation.

## **3. Legal and Regulatory Alignment**

- 3.1. The Proposed CPRs reflect a significant shift in the legal landscape governing public sector procurement. The most notable change is the transition from the legacy Public Contracts Regulations 2015 and Concession Contracts Regulations 2016 to the Procurement Act 2023 and Procurement Regulations 2024, which came into force for procurements initiated on or after 24 February 2025. This change is not merely procedural—it introduces a new framework for transparency, flexibility, and accountability in public procurement.
- 3.2. The legacy regulations however must continue to be referenced since these continue to apply to all arrangements the Council already has secured in contracts, such as the large leisure contract with GLL or the Minster Quarter Central development agreement.
- 3.3. In addition to the core legislative updates, the CPRs now explicitly reference:
  - Provider Selection Regime Regulations 2023 – applicable to certain health and care contracts, allowing more tailored approaches to provider selection based on recognition of service users’ needs.
  - Subsidy Control Act 2022 – which governs how financial assistance is granted, ensuring subsidies are lawful and justified.
  - Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) – relevant during service transitions to protect employee rights.
  - Care Act 2014, Children Act 1989, and Children Act 2004 – which influence commissioning decisions in social care and children’s services.
  - Local Government Acts 1972 and 2000, and the Best Value Duty (Local Government Act 1999) – which underpin the Council’s duty to secure value for money.
- 3.4. The CPRs also require officers to consider the National Procurement Policy Statement (NPPS) and Procurement Policy Notes (PPNs) issued by the Cabinet Office. These documents set out strategic priorities such as supplier diversity, climate action, and innovation.
- 3.5. These changes ensure that the Council’s procurement practices are aligned with contemporary law and policy, reduce the risk of legal challenge, and support broader strategic goals. Officers are now expected to identify applicable legislation at the outset of each procurement and seek advice from Legal Services or the Procurement Team where needed.

#### **4. Governance and Delegation**

- 4.1. The Proposed CPRs introduce a structured Gateway Process to improve oversight and consistency in procurement decision-making. This process breaks procurement into four key stages—Planning, Approval to Procure, Approval of Tender Pack, and Approval to Award—each requiring formal sign-off. This change responds to previous audit recommendations and internal reviews that highlighted the need for clearer checkpoints and record keeping.
- 4.2. The Contract Delegations have also been updated to reflect more granular financial thresholds and operational roles (see Table 1). Notably, the term Budget Holder has been adopted to align with Financial Regulations, replacing previous terminology. Budget Holders are now authorised to approve contracts below £30,000, an increase from the previous £5,000 limit under the October 2023 CPRs. This change aligns with procurement legislation, which sets £30,000 as the lowest threshold for awarding a contract without publishing a notice.
- 4.3. For higher-value contracts, the CPRs continue to require consultation or formal approval from senior officers or committees, depending on the value and strategic impact. Key Decision thresholds remain as before, but Directors are now more

empowered to make decisions and be accountable for financial and commercial decisions within their department. Scrutiny and oversight by their Executive Director and/or the Chief Executive continue to be maintained for high value officer decisions, but without needing formal sign-off by the Executive Director.

- 4.4. Additionally, the CPRs now explicitly clarify the allowance for emergency procurement actions under the Council's Silver rota arrangements. Retrospective compliance however must be ensured. This change was introduced to support emergency planning and resilience, particularly in response to severe weather, public health incidents, or other urgent scenarios.
- 4.5. The Proposed CPRs also revise the approval process for contract extensions and variations. Previously, approvals regardless of value may have required full committee approval e.g. £10,000 in a £15 million contract. The new rules allow Budget Holders and Directors to authorise certain variations within their delegated limits. Key Decisions relating to extensions or variations must still go to Committee unless previously approved through the Medium-Term Financial Strategy or formally delegated. This change improves responsiveness while maintaining governance.
- 4.6. Overall, changes to governance and delegation ensure that procurement decisions are made at the right level, with appropriate checks and balances. They also support operational agility while maintaining governance standards and provide a clear framework for emergency response and contract management.

Table 1.

<b>Role</b>	<b>October 2023 CPRs</b>	<b>Proposed CPRs</b>
Budget Holder	Up to £5,000 (under different role title)	Up to £30,000
Director	Up to £100,000	£30,001–£100,000 (revenue per annum) or up to £100,000 (capital total value)
Director with ED consultation	£100,001–£500,000 (revenue per annum) or up to £2.5m (capital total value)	No change
Committee (or as delegated to an Executive Director)	Over £500,000 (revenue) or over £2.5m (capital)	No change

## **5. Procurement Procedures**

- 5.1. The Proposed CPRs revise the thresholds and procurement procedures. These changes are to reflect updated legislative requirements, apply lessons learnt on the effectiveness of different procurement practice, and create opportunity for local and small companies to more readily bid for contracts. These changes are designed to align with the Procurement Act 2023 and the Public Procurement Thresholds, which are adjusted periodically as declared by Cabinet Office.
- 5.2. One of the most significant updates in the CPRs is the formal recognition of the £30,000 threshold, which now serves as the lower limit for awarding a contract purely on price (when appropriate). This aligns the CPRs with national procurement regulations where below this value, public notices are not required to be published by Councils (or other sub central government organisations like the NHS or emergency services). Officers may include a quality assessment in their process, however it is not mandated, simplifying the process for officers and reducing administrative burden.
- 5.3. Second-hand equipment purchasing is now explicitly captured under the CPRs, providing governance to ensure value for money and suitability is evidenced. This change supports sustainability goals and enables officers to consider cost-effective alternatives where appropriate.

- 5.4. The procedures also promote the inclusion of local suppliers wherever possible, particularly for contracts below the regulated thresholds. This supports the Council's strategic goals around economic development and community engagement. Local will be defined by the Council as "within Berkshire" as this aligns the national Procurement Policy<sup>1</sup>.
- 5.5. Guidance on concessions contracts (which can generate revenue for the Council) has also been updated, allowing greater flexibility in how these contracts are awarded and aligning with Works since the national value threshold for both works and concessions is the same.
- 5.6. Additionally, the CPRs now reference the new Placement Standing Orders, which provide tailored governance for individual placements in care and education settings or those at risk of homelessness. These Standing Orders apply where larger commissioned arrangements cannot meet the needs of an individual, and include scenarios such as emergency placements, hospital discharges, and tribunal rulings. They ensure that placements are lawful, proportionate, and outcome-focused, while maintaining compliance with relevant legislation including the Children Act, Care Act, SEND Code of Practice, and Homelessness Reduction Act. Officers must follow the Placement Standing Orders when making spot placements and ensure that all decisions are recorded, reviewed, and subject to appropriate scrutiny.
- 5.7. These procedure changes simplify procurement for lower-value contracts, reduce administrative burden, and encourage fair competition. They also promote direct competition, ensure the Council remains compliant with national regulations while supporting local economic priorities.
- 5.8. A comparison of the core procedures to follow as a minimum are in Table 2. Note – a compliant framework/DPS call-off was permitted at all levels previously and is maintained as an option in the proposed CPRs.

Table 2.

<b>Contract Type / Value Band</b>	<b>October 2023 CPRs</b>	<b>Proposed CPRs</b>	<b>Reason for Change</b>
Below £5,000	One quote	One quote	No change £5,000 is the value where we must publish a record on the contracts register
£5,000 up to £30,000	3 quotes	3 proposals	Gives clarity that quality and price should inform award decisions £30,000 is the value where we must publish public notices that we have awarded a contract
Goods/Services £30,000 up to £214,904 Light Touch (e.g. social care, education) £30,000 up to £663,540 Works £30,000 up to £1 million	3 quotes up to £125k, then formal tender	3 proposals (including 1 local company), or open tender	Encourages local suppliers and smaller companies to be able to bid The top thresholds for Goods, Service and Light Touch align with the nationally set value for when tendering must start

<sup>1</sup> [PPN 005: Reserving below threshold procurements - GOV.UK](https://www.gov.uk/guidance/ppn-005-reserving-below-threshold-procurements)

Contract Type / Value Band	October 2023 CPRs	Proposed CPRs	Reason for Change
Works £1m–£2.5m	Formal tender	4 proposals (including 1 local company) and receive 2 bids, or open tender	Supports more efficient procurement processes, supports smaller and local companies to bid and grow  This value bracket aligns with a standard nationally accepted contract for construction (JCT Intermediate) up to the Key decision threshold
Works £2.5m–£5.37m	Formal tender	5 proposals (including 2 local companies) and receive 2 bids, or open tender	Encourages local economic growth and aligns with National Procurement Policy Statement
Above Public Procurement Thresholds	Regulation-compliant tender	Regulation-compliant tender	No change
Individual Placements	Not separately defined	Governed by Placement Standing Orders	Tailored governance for care and education placements, plus urgent homelessness provision

## 6. Waivers

6.1. The Proposed CPRs introduce clearer and more stringent rules around the use of waivers. Waivers allow officers to bypass certain elements of procurement procedures in exceptional circumstances. Their use must now be justified in line with procurement legislation and approved by the Section 151 Officer. This change reflects a shift toward stronger governance and accountability.

6.2. A key update is the removal of the need for waivers when making direct awards from compliant frameworks. These arrangements are already established through competitive processes and therefore do not require additional justification. Scrutiny on value for money is delivered instead through the procurement governance Gateway model if this process is recommended for use. This streamlines procurement and reduces unnecessary administrative burden.

6.3. The CPRs also clarify that waivers cannot be used retrospectively, to avoid having formally written contracts, or repeatedly for the same scope of work. Officers must demonstrate value for money and ensure that supplier performance meets expectations. All waiver requests must be documented and subject to scrutiny.

6.4. Newly Added Justifications:

- To extend a contract where the terms do not specify an extension and there is clear value for money in doing so and the law permits e.g. continuing to use a consultant for a final piece of unanticipated work on a project.
- To continue service where product compatibility issues exist e.g. the purchase of additional software licenses.
- To achieve better value for money when a competitive route fails to secure the most advantageous offer e.g. better rates can be offered outside of a framework due to its design.

- To engage with a supplier in a true monopoly or where limited supply options exist (e.g. patented goods), provided the Council did not cause the limitation.
- To apply a legal exemption not already listed in the CPRs.

#### 6.5. Removed or Clarified Justifications:

- Direct awards from compliant frameworks no longer require a waiver.
- Retrospective waivers are explicitly prohibited.
- Waivers cannot be used due to poor planning or to avoid issuing a written contract.
- Repeated waiver usage for the same scope (e.g. retaining a supplier beyond contract end or increasing payments beyond tendered price) is not permitted and will be investigated.

6.6. These changes ensure that waivers are used appropriately and only when genuinely necessary. They protect the Council from legal and financial risk, promote fair competition, and uphold procurement integrity. In conjunction with the new allowances in procurement procedures, the revisions aim to reduce reliance on waivers and create efficient opportunities for faster compliant competitive routes to be used instead.

## 7. Contract Formation and Risk Management

7.1. The Proposed CPRs reinforce and clarify expectations around contract formation and risk management, many of which were already present in the October 2023 version. Officers are still required to ensure all contracts are in writing, with Purchase Orders permitted for contracts below £5,000. For contracts above this threshold, a formal written agreement remains mandatory. These are maintained standards, not new additions, and recognise the work the Legal Service has undertaken with the development of standard terms and self-service contract models.

7.2. Officers must continue to use the contract templates that have been approved by Legal Services. What has changed is the emphasis on ensuring these steps are followed consistently and with appropriate scrutiny. Clarity has been included that contracts must be signed or sealed before any purchase order is raised.

7.3. The Proposed CPRs also introduce clearer guidance on the use of indemnities, bonds, and guarantees without creating restrictions around what works best in practice and is affordable. Officers must assess financial and operational risks and include appropriate protections in the contract, and Legal and Financial Services must be consulted where necessary.

7.4. Additionally, the CPRs mandate the inclusion of Key Performance Indicators (KPIs) in all contracts – this is to align with expectations in the Procurement Act 2023 and promote good financial and commercial management by officers. At a minimum, contracts must include KPIs for “on-time and in-full” delivery and “on budget” performance. This ensures accountability and avoid the Council paying for substandard delivery.

7.5. These changes ensure that contracts are properly formed, risks are managed, and supplier performance is monitored. They protect the Council from financial and legal exposure and support the delivery of value for money.

## 8. Record Keeping and Transparency

8.1. The Proposed CPRs maintain and expand expectations around record keeping and transparency. Officers are still required to retain procurement documentation in accordance with the Council’s document retention policy. These requirements were

present in the October 2023 CPRs and have been updated to reflect all contexts the Council may experience.

- 8.2. In addition, the Proposed CPRs highlight the new centralised Document Centre to be used for retaining these records. This SharePoint site allows automatic application of retention periods, enables more efficient audit of procurements, supports collaboration, and governs record management. It was introduced as part of the Annual Governance Assurance recommendation this year.
- 8.3. Other new content in the Proposed CPRs include a strengthened requirement for conflict-of-interest checks throughout the entire contract lifecycle, aligning to Procurement Act 2023 requirements. Officers must now conduct and document these checks at every stage of decision-making, including procurement planning, evaluation, award, and contract management. This ensures impartiality and protects the Council from reputational and legal risk.
- 8.4. These changes reinforce the Council's commitment to transparency, accountability, and good governance. They ensure that procurement records are complete, accessible, and auditable, and that conflicts of interest are proactively managed.

## **9. Grants**

- 9.1. The Proposed CPRs retain the core principles from the October 2023 version regarding grants and exclusions but offer clearer guidance on their application. Grants are still not treated as contracts unless they include substantial conditions.
- 9.2. A key clarification is that when the Council receives a grant from an external body, it must follow any conditions attached to that funding, even if those conditions require a more competitive process than the CPRs typically mandate. This ensures that the Council remains compliant with external expectations and avoids risk of fund recovery if conditions were not complied with.
- 9.3. The CPRs also reinforce that when the Council issues grants to third parties, officers must follow internal guidance and apply the principles of transparency and fairness. This includes ensuring that the grant is used for its intended purpose and that outcomes are monitored.

## **10. Contribution to Strategic Aims**

- 10.1. The Proposed revision of the CPRs represents a comprehensive update that balances continuity with necessary reform. While many foundational principles—such as the requirement for written contracts, use of approved templates, and retention protocols—have been maintained, the revised CPRs introduce targeted clarifications and governance improvements that respond to feedback from officers who must follow these rules, plus legislative change and strategic priorities.
- 10.2. Key changes reflect a pragmatic shift toward flexibility and value for money, enabling the Council to be modern in its commercial activities when procuring. Decision making is shared amongst roles holding accountability in the Financial Regulations to ensure scrutiny and efficiency. Introducing the Placement Standing Orders provides tailored governance for individual care and education placements, ensuring statutory duties are met without compromising procurement integrity.
- 10.3. Several procedural details have been relocated to the Procurement Manual to streamline the CPRs and distinguish between strategic rules and operational guidance. Officers are expected to refer to the Manual for day-to-day processes, templates, and workflows.
- 10.4. Overall, the revised CPRs offer a more accessible, accountable, and responsive framework for procurement across the Council. They support compliance, encourage

local and small organisation participation, ensuring that procurement at the Council continues to deliver best value for residents and its budgets.

- 10.5. This draft was circulated for consultation across the Council. Review included the Section 151 Officer, Monitoring Officer, Finance colleagues, Legal colleagues, Procurement colleagues (hub and spoke), plus Senior Leadership Group (who in turn disseminated to their teams for feedback). Revisions were made where required before presenting here.
- 10.6. Of further note, the Procurement Manual as committed to in the Autumn 2023 paper is now fully published and available to any officer of the Council, although continues on as a living document. Updates are completed when it is identified the officers need new guidance on how best to make commercial decisions. Similarly, it is revised when the Council decides how to interpret Procurement Policy Notes or other Cabinet Office publications into its local context. Removed section of the previous CPRs which outlined operational requirements when procuring have been incorporated into the Manual, where relevant.
- 10.7. The recommendations in this report contribute towards the Council's priorities of:
- Secure Reading's economic and cultural success – by considering local and small medium organisations in our procedures for regulating tenders submitted to RBC.
  - Ensure Reading Borough Council is fit for the future – by reflecting the new legislation more clearly in our standing orders.
- 10.8. Through revision of the CPRs, our delivery of goods works and services towards our principles are more secure.

## **11. Environmental and Climate Implications**

- 11.1. There are no direct environmental or climate implications arising from report, but alignment to the National Procurement Policy Statement is intended to better enable the delivery of sustainable procurement outcomes.

## **12. Community Engagement**

- 12.1. No community engagement was undertaken in revision of CPRs or preparation of this report.

## **13. Equality Implications**

- 13.1. There are no direct equality implications arising from the revisions of the CPRs or drafting of this report.

## **14. Other Relevant Considerations**

- 14.1. The following considerations must also be considered considering this recommendation:
- Procedural requirements – the Council will depart from its established procedures and align to those more complementary to the legislation and recognising amends which should support diverse suppliers and small / local businesses improved opportunities to bid for Council contracts.
  - Transparency of information and freedom of information implications – the proposed CPRs support and promote the Council's requirements under the Local Government Transparency Code and its ability to report and respond to FOI requests.

## **15. Legal Implications**

15.1. The revisions proposed to the CPRs improve alignment to obligations the Council is required to meet under law.

**16. Financial Implications**

16.1. There are no direct financial implications arising from report, but their implementation will strengthen the Council's financial governance framework through alignment with the Financial Regulations.

**17. Timetable for Implementation**

17.1. It is anticipated that, if adopted, the CPRs will come into immediate effect.

**18. Background Papers**

18.1. There are none.

**Appendices**

Draft CPRs 2026

Draft Placement Standing Orders 2026

## **1 Introduction**

- 1.1 These Contract Procedure Rules (CPRs) explain how Reading Borough Council purchases and procures all goods, services, works, and concessions. They also set out the rules for making contract arrangements to ensure the Council meets its needs.
- 1.2 The CPRs (also known as Standing Orders) guide the Council in procuring and awarding contracts. They provide a clear framework to ensure the Council establishes all contracts lawfully, transparently, and accountably. The Council created these rules to uphold key principles, comply with legislation, protect public money, promote competition, and advance strategic objectives. Everyone involved in buying or commissioning services must follow these rules to maintain high standards of governance and public trust.
- 1.3 All procurements must follow these CPRs, the Council's Financial Regulations, and all current procurement and relevant legislation. Procurement activity must also align with corporate policies (such as Net Zero and Social Value) and follow any guidance the Council issues to help meet these policies and deliver corporate objectives.
- 1.4 If any conflict arises between these CPRs and legislation, the Council must follow the legislation.
- 1.5 Executive Directors, Deputy Directors, Directors and Cost Centre Managers must ensure their services follow these CPRs during procurement. They must also appoint a suitable Officer to plan procurements, start them on time, allow enough time for competitive procurement, follow governance procedures, formalise contracts into signed agreements, and manage them through delivery.
- 1.6 Officers<sup>1</sup> must notify and engage key stakeholders early in the process to support resource planning, starting from budget setting or business case drafting. Officers must identify which stakeholders they need advice from across all Departments within the Directorate of Resources.
- 1.7 Managers must ensure that Officers involved in procurement have the necessary skills. When needed, they must arrange support from a fully skilled and qualified member of the Procurement Team.
- 1.8 Failing to follow these CPRs may result in disciplinary action and could be considered serious misconduct.
- 1.9 If someone does not fully follow these CPRs, the Council will treat it as a breach. The Council will record the breach in a corporate register, analyse lessons learned, and report findings to the Monitoring Officer. The Council must apply remedial measures to the affected contract, which may include early termination and reprocurement through a compliant process.

## **Legislation**

- 1.10 Various laws govern procurement activities. For procurements that begin on or after 24 February 2025, the Procurement Act 2023 and Procurement

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<sup>1</sup> Officer means any person employed directly by the Council regardless of seniority

Regulations 2024 apply. If the Council awarded contracts or used national frameworks or dynamic purchasing systems before this date, it must follow the Public Contracts Regulations 2015 or the Concession Contracts Regulations 2016. For certain health-related contracts, the Provider Selection Regime Regulations 2023 may be relevant.

- 1.11 Before starting any procurement project, Officers must identify which laws apply and ensure full compliance. If they are unsure, they must consult the Procurement Team <sup>2</sup>or Legal Services.
- 1.12 Contracting authorities must also consider the National Procurement Policy Statement (NPPS) and follow guidance in Procurement Policy Notes (PPNs) issued by the Cabinet Office. Officers must also take into account key legislation such as the Best Value Duty (Local Government Act 1999), the Local Government Act 1972 and 2000, and statutory service laws including the Care Act 2014, Children Act 1989, and Children Act 2004.
- 1.13 The Council's Procurement Manual provides practical guidance on applying these laws and policies during procurement and contract management. Officers must read the manual alongside any service-specific guidelines and operating procedures.

### **Additional Legislation and Guidance**

- 1.14 Other laws may influence procurement decisions and contract-related actions. For example:
  - • Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) affects employee rights during service transitions.
  - • Subsidy Control Act 2022 governs financial assistance and requires public authorities to assess and justify subsidies.
  - • Care Act 2014 impacts procurement in adult social care, especially regarding market oversight, provider failure, and person-centred commissioning.
- 1.15 While the Procurement Team and Legal Services offer guidance on these laws, the Officer leading the procurement must ensure compliance and understand how each law affects decision-making. Officers must also seek advice from legal and technical specialists when necessary.

### **Exclusions**

- 1.16 These CPRs do not apply to:
  - i. Contracts<sup>3</sup> where the Council unconditionally<sup>4</sup> sells or purchases land – including leasehold interests

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<sup>2</sup> Procurement Team includes any service procurement lead ("spoke") or central ("hub") member – this definition applies throughout this document

<sup>3</sup> Only the actual sale or purchase of land (including leasehold interests) is excluded. Any advice or services to support these transactions are still in scope including commissioning agents

<sup>4</sup> Conditional sales require a formal procurement process

- i. Contracts where the Council appoints employees
  - ii. Grant Agreements that the Council issues to external parties
  - iii. Services procured by schools within the Council's boundaries using their own budgets
  - iv. Contracts that residents award when they receive direct payments
  - v. Works or services<sup>5</sup> that the Council provides to another party
  - vi. Urgent niche legal advice<sup>6</sup>
  - vii. Any other circumstances defined by the Procurement Act
- 1.17 In emergencies that require immediate action to protect life (as defined by the Procurement Act) or resolve emergency planning incidents (e.g. severe weather), Officers may award contracts before completing full governance, in line with the approval limits in the Financial Regulations. However, they must ensure retrospective compliance. An Executive Director, Deputy Director, or Director must approve this action, and notify both the Section 151 Officer and the Monitoring Officer as soon as possible.
- 1.18 Even in the cases listed above, Officers must still consider value for money, comply with any grant conditions, and conduct general supplier due diligence.

### **CPRs Relevant to Individual Placements**

- 1.19 Officers must follow all regulations and legislation outlined in this section when arranging individual placements<sup>7</sup>; these are designed to consider social care, education or emergency homelessness services. Due to the unique nature of these arrangements, Officers may instead follow the Appendix to the CPRs ("Placement Standing Orders") to ensure equitable governance and outcomes.

## **2. Scheme of Delegation and Approvals**

- 2.1 This section explains who holds the authority to start procurement processes, make procurement decisions, sign contracts, and approve variations or extensions.
- 2.2 The Council uses a Gateway process to assess and monitor procurement at key stages. The four stages of the Gateway Process are:
- i. Planning
  - ii. Gateway 1 – Approval to Procure
  - iii. Gateway 2 – Approval of Tender Pack
  - iv. Gateway 3 – Approval to Award

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<sup>5</sup> When appointing a supplier/contractor to deliver services/works, the appointment remains within scope of the CPRs

<sup>6</sup> Counsel or barrister appointment relevant to uncommon areas of law to respond to litigation, injunctions, judicial review where a formal procurement or exemption would not be possible – this must be evidenced. General Counsel, Barristers and legal advice for all other proceedings and needs must follow the full CPRs.

<sup>7</sup> Any individual or group forming a household, such as a single person, couple, or family in any form

- 2.3 The Gateway process, along with the Dashboard, tracks progress and approvals throughout the procurement pipeline.
- 2.4 Before moving to the next stage of any procurement, an authorised Officer must seek approval for the action and save the approval for audit purposes. The Council's Scheme of Delegation (referred to here as 'Contract Delegations') sets out who holds this authority.

### **Contract Values**

- 2.5 Officers must determine the contract value both inclusive and exclusive of VAT. Officers will use the VAT-inclusive value to decide the sourcing strategy and the VAT-exclusive value for publishing notices and applying the correct delegations and internal processes.
- 2.6 If the contract includes potential extensions or optional extras, Officers must include those in the total value.

### **Key Decisions**

- 2.7 Key Decisions require formal approval through a Committee report and must go to a Standing Committee. Officer must refer to the Key Decision thresholds in the Constitution to determine if they require Committee approval to proceed. Examples of specific procurement scenarios are outlined in the Procurement Manual for ease of reference.
- 2.8 A Standing Committee may delegate a Key Decision to an Executive Director, allowing them to make the decision without returning to Committee for final approval or for variations/extensions.

### **Non-Key Decisions**

- 2.9 Executive Directors, Deputy Directors, or Directors may make non-Key Decisions in line with the Constitution.
- 2.10 If none of these Officers are available, an Officer with equivalent or greater authority—such as the Section 151 Officer or Monitoring Officer—may make the decision.

### **Low Value Purchases**

- 2.11 Cost Centre Managers may authorise purchases and contract awards below £5,000 (excluding VAT). They must prioritise using existing corporate contracts before selecting new suppliers. Cost Centre Managers must also monitor repeated purchases of similar items and consolidate them into a single contract to improve value for money. The Procurement Team will help identify opportunities for joint purchasing across departments.

### **Officer Approval Levels**

- 2.12 The following approval levels apply under the Contract Delegations for awarding contracts:

<b>Value/Type of Contract</b>	<b>Approver</b>
Below £30,000	Budget Holders
£30,000–£100,000 revenue (per annum) or capital (total)	Deputy Director or Director
Revenue: £100,001–£500,000 per annum or Capital: £100,001–£2.5m total	Deputy Director / Director, in consultation with their Executive Director
Revenue: Over £500,000 per annum or Capital: Over £2.5m total	Formal decision by Council or Committee, or delegated authority to an Executive Director

Where a contract has both capital and revenue funding, if any part of the contract exceeds a threshold mentioned above, Officers must treat the entire contract as falling under the higher authorisation level.

- 2.13 Officers must seek authorisation for the creation of frameworks, DPS, and Dynamic Markets that the Council has designed itself based on their aggregate value, in line with Contract Delegations.
- 2.14 If the Council created or is a named member of a framework, DPS or dynamic market, a Director (or Deputy Director) may approve call-offs from it regardless of value. However, if the call-off itself qualifies as a Key Decision, the Officer must consult their Lead Member to determine if Committee approval is needed.
- 2.15 When using national frameworks or equivalent arrangements (e.g. Crown Commercial Service), the Head of Procurement may approve and sign access to such agreements. All Officers must still follow the rules in Contract Delegations to approve the contract procured via that arrangement in line with its individual value.

### **Extensions and Variations**

- 2.16 If a proposed extension or variation qualifies as a Key Decision, a relevant Committee must approve it. If the change has already been approved through the Medium-Term Financial Strategy or another formal Member review, no further Committee sign-off is needed. Similarly, if the Council has delegated the decision to an Officer, no additional approval is required.
- 2.17 Deputy Director, Director and Budget Holders may authorise all other variations under the Contract Delegations.
- 2.18 If a contract includes an extension option, the authorised Officer in line with the Contract Delegations may approve it, provided they confirm budget availability and satisfactory supplier performance.

- 2.19 For any other extensions or variations, Officers must seek a Waiver and demonstrate value for money and compliance with CPRs and applicable legislation.

### **3. Procurement Procedures and Thresholds**

- 3.1 Officers must initiate all procurements within the scope of the CPRs—regardless of route—by submitting a Procurement Instruction Form. For contracts outside the scope of the CPRs, the Deputy Director or Director may decide whether a Procurement Instruction Form is necessary, but they should still assess whether combining similar purchases could deliver better value.
- 3.2 Officers must only submit a Procurement Instruction Form after confirming spending approval which may include approval secured through the budget-setting process or authorisation to apply for external grant funding. Before starting any procurement activity, Officers must provide evidence of proper authorisation, including cost centre details. Once ready, Officers must send the form to the Procurement Team to obtain a Unique Reference Number, which allocates resources and officially starts the procurement process.

### **Record Keeping**

- 3.3 Officers must retain copies of all procurement documentation using the standard filing structure under the relevant URN in the Procurement and Contracts Document Centre.
- 3.4 They must also store any supplementary notes that explain decision-making in line with the Council's document retention policy:
- • Retain documents related to unsuccessful bids for 12 months from the tender award date, following the filing protocol in the Procurement Manual.
  - • Retain documents related to successful bids and the associated contract for the legally required period:
    - 6 years from final payment for signed contracts
    - 12 years for sealed contracts
    - 30 years for building works completed before 28 June 2022
    - 15 years for building works completed after that date
- 3.5 Officers must manage conflicts of interest throughout the entire project and contract lifecycle. They must conduct checks when reviewing bidder submissions, including for Waivers and Direct Awards, and at every stage of decision-making, including approvals and contract management. If someone new takes on a key role, they must confirm any conflicts of interest before assuming responsibilities.
- 3.6 Officers must complete a risk management assessment and lessons learned assessment at the start of the Gateway process and continue it through contract delivery. This assessment must reflect the nature and

value of the contract, as guided by the Procurement Manual. Officers must assign an owner and mitigation for each identified risk.

### Selection of Strategy Procedure

- 3.7 Officers may use Visa or Government Purchasing Cards for low-value one-off purchases, but only in circumstances defined by the Financial Regulations.
- 3.8 Officers must secure all recurrent purchases through a contract. The following procedures apply relevant to different contract values. Procurement Specialists may choose to exceed these minimum procedures if doing so adds value.

Total Contract Value	Procedure
Below £5,000	One written quote
£5,000 to <£30,000	<p>Where the requirement is not complex and can be assessed purely on the basis of price or price and simple quality requirements:</p> <ul style="list-style-type: none"> <li>• Seek at least three and obtain at least one written proposals (via email or e-tendering portal).</li> <li>• Call-off from an established framework, dynamic purchasing system or dynamic market</li> </ul> <p><i>Note: Where award of the Contract is subject to complex quality requirements one of the options from £30,000 to Threshold (as below) should be used.</i></p>
£30,000 up to the Public Procurement Threshold for Goods and Services (£207,720 inc. VAT or £663,540 inc. VAT for Light Touch Regime) OR £30,000 up to £1m for Works	<p>One of the following should be selected:</p> <p>A. Seek at least three and obtain at least one written proposals through the Council’s e-tendering portal; wherever possible the invitation should include at least one local<sup>8</sup> Supplier</p> <p>Or B.</p> <ul style="list-style-type: none"> <li>• An open invitation to tender through the Council’s e-tendering portal</li> <li>• Competitive call-off from established framework, dynamic purchasing system or dynamic market</li> </ul> <p>Or C.</p> <ul style="list-style-type: none"> <li>• Direct award to another contracting authority or via an established framework where best value is demonstrated</li> </ul>

<sup>8</sup> “Local” will be defined within the Council’s Corporate Strategy

<p>Over £1m up to £2.5m for Works</p>	<p>One of the following should be selected:</p> <p>A. Seek at least four and obtain at least two written proposals through the Council's e-tendering portal; wherever possible the invitation should include at least one local Suppliers</p> <p>Or B.</p> <ul style="list-style-type: none"> <li>• An open invitation to tender through the Council's e-tendering portal</li> <li>• Competitive call-off from an established framework, dynamic purchasing system or dynamic market</li> </ul> <p>Or C.</p> <ul style="list-style-type: none"> <li>• Direct award to another contracting authority or via an established framework where best value is demonstrated</li> </ul>
<p>Over £2.5m Works up to Works Public Procurement Threshold (£5,193,000 inc VAT)</p>	<p>One of the following should be selected:</p> <p>A. Seek at least five and obtain at least two written proposals through the Council's e-tendering portal; wherever possible the invitation should include at least two local Suppliers</p> <p>Or B.</p> <ul style="list-style-type: none"> <li>• An open invitation to tender through the Council's e-tendering portal</li> <li>• Competitive call-off from an established framework, dynamic purchasing system or dynamic market</li> </ul> <p>Or C.</p> <ul style="list-style-type: none"> <li>• Direct award to another contracting authority or via an established framework where best value is demonstrated</li> </ul>
<p>Above the Public Procurement (FTS) Threshold – all Categories</p>	<p>A compliant tendering procedure fully in line with legislation and regulations</p>

- 3.9 When procuring a concession contract for works or services, Officers must apply the same procedures and financial thresholds used for works contracts.
- 3.10 If the procurement involves a Light Touch Regime contract, Officers can apply the flexibilities permitted in the Regulations. Before developing the strategy, Officers should confirm whether the Light Touch Regime applies to the subject matter.
- 3.11 Similarly, Officers should determine whether the Provider Selection Regime applies. If it does, Officers may follow the procedures outlined in that legislation.

### **Pre-Used Equipment**

- 3.12 To achieve cost efficiencies, Officers may consider purchasing second-hand equipment when appropriate.
- 3.13 Regardless of the value, Officers must follow all CPR requirements and guidance in the Procurement Manual to ensure best value when purchasing pre-used equipment.

### **Procurement Strategies**

- 3.14 For most contracts, Officers must agree on a strategy (or Waiver) in collaboration with a dedicated Procurement Specialist and the nominated contract manager. The Gateway Process and Contract Delegations will guide the approval of this strategy.
- 3.15 Low-value, low-risk purchases do not require a documented strategy, as defined in the Procurement Manual.
- 3.16 The Procurement Lead must publish all relevant notices in compliance with legal requirements. The contract manager must meet equivalent obligations throughout the contract's lifetime.
- 3.17 When calling off from an external Framework, DPS, or Dynamic Market, Officers must include any associated costs (e.g. access charges) in the cost analysis of the strategy.

### **Collaboration**

- 3.18 Officers must actively seek opportunities to run joint procurement exercises with other Council departments that may be planning similar procurements.
- 3.19 They should also explore opportunities to collaborate with other local authorities and public sector bodies.
- 3.20 When procuring a contract in collaboration with other public sector bodies, Officers must follow the CPRs of the lead organisation. They must confirm that the lead authority complies with its own CPRs.
- 3.21 Officers only need to seek approval for the Council's contribution to the collaboration agreement. The Contract Delegations apply to the Council's share of the cost, not the total value of the agreement.

## **4. Waivers**

### **About Waivers**

- 4.1 Waivers allow Officers to not follow specific CPR requirements when justified and permitted by procurement legislation. Officers may request a waiver under the following circumstances:

To resolve urgent situations not of the council's own making e.g. urgently imposed statutory changes

To prevent enforcement action against the Council for non-compliance with a relevant statutory provision

To extend a contract where the terms do not specify an extension and there is clear value for money benefit for doing so

To continue service where product compatibility issues exist

To achieve better value for money when a competitive route fails to secure the most advantageous offer

To engage with a supplier in a true monopoly or where limited supply options exist (e.g. patented goods), provided the Council did not cause the limitation

To apply a legal exemption not already listed in the CPRs

4.2 Officers must obtain authorisation from the Section 151 Officer before placing a contract or confirming arrangements with a supplier under a waiver.

4.3 Waivers cannot override any legislative requirements under any circumstances.

4.4 Officers must not request waivers:

After the fact (retrospectively)

Due to poor planning

To avoid or replace a written contract

Repeatedly for the same scope of requirements, especially to:

a. Retain a supplier beyond their contract end

b. Increase payments to a contractor beyond the tendered price, unless clear and justified grounds exist

4.5 If Officers misuse waivers in these ways, the Council may treat it as a potential breach of the CPRs. Officers must then explore alternative methods to meet contract requirements, which may include tolerating service delays or arranging interim solutions while running a compliant competitive process.

4.6 If Officers submit repeated waiver requests for similar requirements, the Monitoring Officer and Section 151 Officer will review and recommend if remedial action is needed.

4.7 Officers must follow the waiver process outlined in the Procurement Manual. They must demonstrate value for money and ensure the supplier delivers ongoing performance that benefits the Council and its residents.

4.8 Even when using a waiver, Officers must still:

Obtain all necessary authorisations

Prepare procurement documentation

Follow filing protocols

Conduct supplier due diligence

Assess conflicts of interest

Comply with internal governance

Secure a signed or sealed written contract

## **5. Process Compliance**

5.1 Officers must run procurements and make award recommendations strictly according to the process outlined in the procurement documents.

5.2 Once the final tender submission deadline passes, Officers must not make any material changes to bid submissions.

- 5.3 Officers must award contracts based on the stated criteria and weightings. The authorised decision-maker must confirm that the evaluation followed the procedure, criteria, and weightings as set out in the procurement documents before approving acceptance and award under the Contract Delegations.

## **6. Contract Formation**

- 6.1 Officers must put a written contract in place for all goods, services, or works, regardless of the procurement process used:
- For contracts below £5,000 that involve minimal complexity or risk, Officers may use a Purchase Order containing the Council's minimum standard terms and conditions as the written contract.
  - For contracts valued at £5,000 or more per annum, Officers must use a written contract in a format approved by the Director of Legal and Democratic Services or their deputy.
- 6.2 The Contract Manager must assess the financial and operational risks associated with the service and determine what protections—known as indemnities—the Council needs.
- 6.3 If financial risks exist, the Contract Manager must consider using a Bond, Parent Company Guarantee, or another financial guarantee. Legal and Financial Services must advise on this decision.
- 6.4 To determine the risks and insurance levels required, a Risk Management Assessment should occur. To manage operational risks, the Contract Manager must include appropriate tools in the contract, such as liquidated damages, service improvement mechanisms, and service credits. The Procurement Team can recommend suitable options.
- 6.5 Where regulations require it, Officers must include key performance indicators (KPIs) in the contract. As a minimum, all contracts should include KPIs for “on-time and in-full” delivery and “on budget” performance.

## **Insurance Requirements**

- 6.6 Officers must ensure contracts include the following recommended insurance cover levels:
- £10 million for employer's liability insurance
  - £10 million for public liability insurance
  - £5 million for professional indemnity insurance (when required)
  - £5 million for product liability insurance (when required)
- 6.7 If Officers propose lower insurance levels, they must confirm that the coverage is sufficient for the contract's risks and value by completing a risk management assessment. The responsible Officer under the Contract Delegations and the corporate Insurance Manager must authorise the reduced levels. Lower coverage is typically

appropriate only for small businesses, low-risk contracts, or third sector organisations such as charities.

- 6.8 Officers should complete draft contracts, include the successful organisation's details, and ensure the contract is signed or sealed before the contract starts and certainly before raising any purchase order.
- 6.9 For contracts exceeding £500,000 per annum, Officers must seal the contract with the Council's common seal. Alternatively, if the Director of Legal and Democratic Services confirms that the Council's interests are adequately protected, an authorised Officer may sign the contract. Legal Services will advise whether sealing is appropriate for contracts below this threshold, and the authorising Officer must consider this advice before proceeding.

### **Letters of Intent**

- 6.10 Officers must not issue Letters of Intent before or instead of a contract award unless the Director of Legal and Democratic Services confirms that doing so serves the Council's interests.

### **Contract Transparency**

- 6.11 Officers must record all contracts (or agreements that meet the Local Government Transparency Code requirements) valued at £5,000 or more on the centrally held Contract Register as soon as they sign or seal the contract.

## **7. Prevention of Corrupt Activity**

- 7.1 Officers must immediately terminate a contract and take steps to recover any losses if, after consulting the Director of Legal and Democratic Services, they confirm that the supplier—or someone acting on their behalf—has:
  - i. Offered, promised, or given money or another benefit to a councillor, staff member, or consultant in connection with the contract or procurement
  - ii. Requested or accepted money or another benefit to perform an improper act related to the contract
- 7.2 If a bidder engages in any of these actions during the procurement process or contract delivery, Officers must exclude them immediately, following consultation with the Director of Legal and Democratic Services. Where permitted by law, the Council may also ban the bidder from future tender opportunities for a defined period.

## **8. Contracts and Contract Management**

- 8.1 Officers must identify a Contract Management resource during the planning stage of the procurement process.

- 8.2 This resource must join the procurement project team and help design the contract's management tools and performance indicators.
- 8.3 Officers must carry out proportionate contract management activities throughout the contract's delivery, based on the contract's value and risk to Council operations. The Procurement Manual provides guidance on these activities.

### **Early Contract Termination**

- 8.4 Officers may terminate contracts due to a change in business need / the contract is no longer required, seeking Procurement or Legal advice as required.
- 8.5 If Officers believe there are grounds to terminate a contract early for breach of contract, poor performance, or the application of Mandatory or Discretionary Exclusion Grounds—they must contact the Procurement Team and Legal Services as early as possible.
- 8.6 Officers must follow internal governance procedures before formally terminating the contract.
- 8.7 Authorisation to terminate must follow the Scheme of Delegation outlined in Section 2 of these CPRs.

### **Assignment and Novation**

- 8.8 Officers may only assign or novate a contract after obtaining consent from the Head of Procurement, validation from Legal Services, and approval from the relevant authority under the Scheme of Delegation (Section 2).
- 8.9 All three parties must confirm that the vetting process for any subcontractors or assigned staff meets the expectations established during the original procurement.

## **9. Grants**

- 9.1 The Council does not classify grants as contracts unless they include substantial conditions. However, Officers must still ensure that grants deliver best value during both award and management. Officers must apply the principles of these CPRs and follow Council guidance on grant distribution, including the Contract Delegations for approval. This may apply to each individual grant or to the total value of a distribution programme.
- 9.2 When the Council receives a grant, Officers must ensure compliance with the Financial Regulations and meet all related obligations and expectations.
- 9.3 Officers must also follow the terms of received grants, including any required processes for awarding the grant to a supplier. In some cases, these processes may require a more competitive approach than the CPRs typically mandate.

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# Placement Standing Orders (Appendix to Contract Procedure Rules)

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## 1. Introduction

1.1 These Placement Standing Orders (PSOs) form an appendix to the Council's Contract Procedure Rules (CPRs). They apply specifically to the commissioning and procurement by the Council of individual placements, and packages of care for adults and children as per the Light Touch Regime<sup>1</sup> or for emergency accommodation purposes. For larger commissions, including pilot schemes, preventative services, universal services, or where arrangements like creation of frameworks (for example) can better suit the Council's delivery of statutory care/education and value for money requirements, the main CPRs must be followed in their entirety instead. They would not include Direct Payments or Individual Service Funds since in those circumstances, the agreement is no longer between the Council and the resultant organisation, but the individual instead.

1.2 As per the main CPRs, these PSOs provide a clear and consistent basis for procuring and awarding contracts lawfully, transparently, and fairly. They ensure compliance with legislation and corporate policies, safeguard public funds, and support strategic objectives through effective competition and governance. All officers must adhere to these rules without exception, as non-compliance may result in disciplinary action.

1.3 The Council has strategically commissioned arrangements to meet a wide range of needs of residents whilst delivering value for money. These arrangements include internal provision and block<sup>2</sup> provisions, which must always be considered first, especially where voids or retained places exist and they can meet the statutory care or education needs of the individual requiring support.

1.4 Where neither internal provision nor established commissioned contract arrangements can meet needs, arrangements may need to be made on an eligible individual. The PSOs will then apply. It is expected that the situations for when the PSOs will apply include, but are not limited to:

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<sup>1</sup> [Procurement Act 2023](#) – Light Touch Regime

<sup>2</sup> an agreement where a commissioner pays a provider a fixed sum for a broadly defined service over a set period, guaranteeing payment for a volume of services whether fully used or not

- General spot placements <sup>3</sup>– services commissioned to meet the needs of a single individual when no service is otherwise available or the individual has elected to use personal choice, made due to a reactive or specialist<sup>4</sup> requirement, including community support, residential and nursing support
- Emergency and urgent placements – where a commissioned arrangement has broken down or statutory need must be met immediately such as homelessness accommodation provision, immediate eviction, children taken into urgent care
- Hospital discharge (Acute, Community and/or Psychiatric) and/or package novation – contracts to sustain arrangements for individuals already established under a contract but were funded by an alternative body, or where timing of discharge can be hard to plan for due to reactive change in needs and readiness to leave high support provision
- Community discharge following prison release – contracts to support those needing statutory support to compliment services provided by probation or youth offending services
- Tribunal / court ruling – where a judge makes a determination based on law which the Local Authority is required to follow

1.5 These PSOs recognise the distinct legislative, operational, and governance frameworks that apply to social care and education placements for children, young people and adults, as well as accommodation needs for those at risk of homelessness. They maintain the Council’s commitment to value for money, transparency, and good procurement practice. Alongside the legislation noted in the main CPRs, these PSOs factor in the following to their design: Children Act 1989, Children Act 2004, Children and Families Act 2014, Care Act 2014, Mental Capacity Act 2005, Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, SEND Regulations 2014, SEN and Disability Code of Practice, Housing Act 1996, Homelessness Act 2002 and Homelessness Reduction Act 2017. This is not an exclusive list and may change from time to time, with the most contemporary legislation applying.

1.6 These PSOs must be read in conjunction with the CPRs, the Procurement Manual, and relevant statutory guidance. Where there is a conflict, the applicable legislation shall prevail.

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<sup>3</sup> Overarching terms and conditions for a provider with individual placement agreements appended would be viewed as a framework agreement (or similar), and therefore would require to be procured in line with the CPRs for its aggregate value

<sup>4</sup> Referring to individuals with multiple, profound and complex difficulties and barriers to more standard provision, or especially unique circumstances e.g. needing decision made on a safeguarding basis such as those at risk of domestic violence

## 2. Scheme of Delegation

2.1 In any procurement undertaken in line with the scope of these PSOs, approval to proceed to the next key stage of any process may only be given by an officer with sufficient authority as laid down in the Scheme of Delegation in this Section.

2.2 It must be noted that, for the purposes of UK procurement legislation and the CPRs, all contract values include VAT at the rate in force when the procurement exercise is undertaken. Contract values must include VAT, but delegated authority levels apply at the value without VAT.

2.3 Calculation of placement and contract duration must align with procurement legislation. This means it will be calculated on the expected duration a person may require statutory support, which will be:

- their entire lifetime if it is expected they will need support for a significant time, or
- the duration of their Key Stage of education, or
- the duration until a different phase in their life where alternative provision should be reviewed as a best value alternative e.g. 5 years in extra care before a move into residential care.

### *Key Decisions*

2.4 It is expected that very few, if any, 'placements' will be valued over the key decision threshold. Where placements of this value are identified, they are likely to be highly specialised to significant needs of an individual. Care or education would need to be implemented expediently, therefore authorisation remains within the decisions permitted by Officers, however they are reportable in an appropriately anonymised manner to the Lead Councillor for the portfolio and may be reported to Members on an annual cycle as part of the budget setting process to demonstrate suitable scrutiny of meeting both statutory needs and value for money of tax payers funds are achieved.

2.5 All placements falling under these PSOs must be reviewed as a single group of agreements by Commissioners with Finance, Legal, and Procurement colleagues on an annual basis. This collective review forms part of a strategic value-for-money assessment to ensure shared scrutiny of decision-making and to identify whether a more commercially sound arrangement, such as a block contract, should be commissioned. Typically this will occur as part of annual budget setting and/or uplift processes.

### *Lower Value Expenditure*

2.6 Authorisation levels for provision below £5,000 in total regardless of their duration must align with the Directorate's Scheme of Delegation. Use of internal provision, voids or established frameworks must have been exhausted first. In such instances, the manager authorising the expenditure may approve the transactions, whilst ensuring the requirements to aggregate spend and deliver improved value for money to the Council are delivered. For example, through more universal commissioned contracts.

2.6.1 Satisfactory and proportionate checks should be carried out on any organisation prior to purchase to ensure that the commissioned company meets requirements.

2.6.2 A Purchase Order and emails may suffice unless the relevant Director (or Deputy Director) requires a more formalised contract be in place to protect the Council's interests and the Individual's package.

2.7 Similarly, any Visa / Government Purchasing Cards should only be used for the circumstances as defined in the Financial regulations and never for any recurrent purchase where a contract would be a more appropriate arrangement, regardless of value.

#### *Officer Approval Levels*

2.8 Directors (and Deputy Directors) are permitted to approve placements up to £500,000 per annum, in consultation with their Executive Director. The form and shape of that consultation must align with main CPRs or any scheme of delegation formally drawn up within the Directorate to provide sufficient scrutiny of decisions e.g. outlined in the Terms of Reference for a specific Panel or Board.

2.9 For jointly funded placements with another organisation e.g. Health, the authorisation level only needs to align to the contribution made by the Council to that agreement, as opposed to the total value payable by all parties.

2.10 For jointly funded contracts due to the age of an individual during a contracts lifetime, where transition will occur between Children and Adult services, a Director of Children Services should consult with the receiving Director of Adult and Community Services before agreeing to the placement (or respective Deputy Directors).

#### *Extensions and Variations*

2.11 Deputy Director, Director and Budget Holders may authorise all variations and extensions of contracts, provided they confirm budget availability and satisfactory provider performance.

### **3. Procurement Procedures and Thresholds**

3.1 While competitive tendering may not always be feasible for individual placements, officers must:

- Have a clearly defined Personal Budget or equivalent assessment undertaken to identify the usual rates for a service of this type.
- Evidence market testing or benchmarking where possible
- Use internal provision, approved frameworks or similar, or voids / retained placement spaces where available as first consideration at all times

- Demonstrate that the placement represents best value for money and meets assessed needs via approved forums or panels.
- Identify clearly if user choice is the deciding factor, and secure evidence to this effect in line with appropriate policies

3.2 The Council uses a Gateway process for procurements which has been adapted for these PSOs to enable Officers to deliver statutory obligations without causing delay:

- i. Planning
- ii. Gateway 1 – Approval to Procure
- iii. Gateway 2 – Approval of Tender Pack
- iv. Gateway 3 – Approval to Award

For transparency, equitable diligence is applied for PSO procurements however the gateways work differently for PSOs to standard CPR applications to meet the urgency of meeting statutory needs. Officers must follow the instructions as detailed in the Procurement Manual.

3.3 Any placement to be made under these PSOs must be notified to the Hub where the value is expected to be over £5,000 total value for the contract, whether calculated from day value, weekly, yearly etc. This should be in the form agreed by the Hub (which ensures that recording and publication on the Contracts Register at the end of the process is tracked and complied with).

3.4 Where a placement is made outside of an existing framework or similar, placement justification must be completed and retained in a format determined by the service, including:

- ‘Needs’ assessment summary in a format to meet relevant legislation e.g. Support Plan, Education Health Care Plan
- Provider selection rationale
- Cost comparison (if available) including details of non-responders / no capacity
- Panel approval reference

3.5 All placements not made through universal commissioning arrangements (sometimes referred to as Spot Placements) must be recorded individually in an anonymised fashion on the Council’s contract register or equivalent system where the value exceeds £5,000. Publication is quarterly therefore data may be provided at this interval 2 weeks prior to publication date by the Procurement team.

3.6 The procedures to procure shall be:

<b>Total Contract Value</b>	<b>Procedure</b>
Below £5,000	One written quote
£5,000 to Public Procurement Threshold for Light	Seek at least three and obtain at least one written offer (via email or e-tendering portal).

Touch Services (£663,540 inc. VAT)	
Above Procurement Threshold	A compliant tendering procedure fully in line with legislation and regulations

3.7 Record must be maintained for both successful and unsuccessful bids in line with main CPRs, although may be retained against the individual case file for confidentiality purposes<sup>5</sup>.

3.8 Regardless of process selected and followed, the Procurement Lead must ensure compliant publication of all relevant notices required under law, with equivalent obligations on the contract manager following award for the lifetime of the agreement.

#### **4. Compliance with Procurement Process**

4.1 Before any procurement process proceeds to the evaluation stage, all bids must be checked for compliance. Submissions not in compliance with the written requirements outlined by the Council must be rejected as non-compliant. For further specific circumstances, the Procurement Manual should be referred to before any action is taken

4.2 Similarly, any bid submitted which appear to contain errors, discrepancies, anomalies or abnormalities must be checked for compliance and adequacy. If it is not resolveable to the Procuring Officer's satisfaction that the bid is feasible, the bid must be rejected. Guidance is provided in the Procurement Manual.

7.3 Relevant insurances must be verified before placements commence in line with main CPR requirements, as well as validation of other due diligence checks required by the service to be completed e.g. robust safeguarding, Health & Safety, and data management practices. Where this review has been undertaken as part of general annual monitoring, this shall suffice unless the Director (or Deputy Director) requires a contemporaneous check. Similarly, where verification has been undertaken by another authority, they may provide this information for the Council's consideration.

8.1 As well as the expectations of the main CPRs, verification that a provider has satisfactory controls to prevent corrupt activities ,e.g. modern slavery, fraud; must be obtained before entering a contractual agreement with them. As in section 7, where this review has been undertaken as part of general annual monitoring, this shall suffice unless the Director (or Deputy Director) requires a contemporaneous check.

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<sup>5</sup> Minimum documentation for each placement includes the Hub notification; Information as per 3.4 of PSOs; Any personal preference statements; Conflict of Interest forms; Evidence of award decision and letters to any unsuccessful interested party; copy of countersigned contract.

## **5. Eligibility of Suppliers**

5.1 As part of the tender compliance check and before any submission is assessed, Officers must check whether any supplier or their Connected Persons or Associated Persons or subcontractors are eligible bidders according to both legislative requirements or corporate expectations as outlined in the procurement documentation.

## **6. Placement Acceptance and Award**

6.1 Contracts must be awarded in accordance with any stated criteria and any weightings. Acceptance and award must only be authorised in accordance with the Scheme of Delegation once the decision maker is satisfied that bids have been evaluated in accordance with the procedure, criteria and weightings as stated in the procurement documents.

6.2 A written contract is required for all placements, regardless of the procurement process employed. For placements below £5,000, the written contract may take the form of a Purchase Order. For placements of £5,000 and above, the contract must be in writing, in a form approved by Legal Services.

6.3 Contract formation with the successful organisation's details must be completed as required by the AD of Legal and Democratic Services in line with the Scheme of Delegation prior to raising of any purchase order.

6.4 All contracts (or other agreement meeting the requirements of the Local Government Transparency Code) with a value in excess of £5000 value shall be entered in the centrally-held Contract Register.

## **7. Risks and Mitigations**

7.1 All placement decisions must be recorded and auditable, with clear evidence of panel approval and rationale for provider selection, plus a Conflict of Interest assessment. The Conflict of Interest assessment may instead be the annual Declaration of Interest, and where an Interest exists, that person must remove themselves from any decision making process involving the linked company.

7.2 Risks should all be formally identified and recorded to allow good and transparent decision making by completing a risk management assessment. In the instance of operational risks, the Contract Manager must consider the inclusion of management tools within the contract to mitigate these risks as far as possible including but not exclusive to liquidated damages, service improvement mechanisms and service credits.

7.4 When placements are inherited (for example, through novation when an individual moves their usual residence), the checks outlined in Section 7 must be completed as soon as reasonably possible.

## **9. Delivering Efficiencies**

9.1 All placement activity must be reviewed annually as part of the Medium-Term Financial Planning (MTFP) process or Uplift / Inflation Appeals process.

9.2 This review will:

- Assess spend trends and forecast demand
- Identify opportunities for improved commissioning or aggregation
- Ensure continued alignment with statutory duties and best value

9.3 Advice must be sought from Procurement on commercial and aggregation matters, Legal where legal implications are noted and Finance where budgetary implications have been noted.

## **10. Early Contract Termination**

10.1 Where Officers believe that there may be grounds for early termination for breach of contract, poor performance, or the Supplier or their Associated Persons or their subcontractors have become excludable suppliers on Mandatory or Discretionary Exclusion Grounds, Officers must contact the Procurement Hub and Legal Services at the earliest possible opportunity. Officers must not proceed with any early termination for these reasons until they have consulted with both the Procurement Hub and Legal Services. This will include completion of an Early Termination Report which must identify lessons learnt and mitigations to apply to any subsequent replacement contract/s.

10.2 Authorisation to terminate an agreement early will be in line with the Scheme of Delegation as outlined in Section 2 of these PSOs.

10.3 Termination of contracts due to the service no longer being required e.g. death or user choice, however, do not need to follow 10.1 as above. Instead, record of the termination of these types must be recorded on the person's case file on the management system, and should be notified to Head of Commissioning.

## **11. Assignment and Novation**

11.1 Assignment or novation of contracts shall only be permitted with the prior consent of the Head of Procurement, validation by Legal and relevant authority under the PSO Scheme of Delegation (Section 2), who must all be satisfied that an effective vetting procedure of assignees or subcontractors has been implemented in line with the initial procurement expectations.

**Council**

**30 June 2026**



**Reading**  
Borough Council  
*Working better with you*

<b>Title</b>	Recruitment of Independent Person and Independent Chair of the Standards Committee
<b>Purpose of the report</b>	To make a decision
<b>Report status</b>	Public report
<b>Executive Director/ Statutory Officer Commissioning Report</b>	Jayne La Grua, Interim Director of Legal and Democratic Services and Monitoring Officer
<b>Report author</b>	Simon Hill, Acting Democratic Services Manager
<b>Lead Councillor</b>	Councillor Terry, Leader of the Council
<b>Council priority</b>	Ensure Reading Borough Council is fit for the future
<b>Recommendations</b>	That Council: (1) Appoints Amanda Lewis as Independent Chair of the Standards Committee for a fixed term of 4 years; and (2) Appoints Amina Hossain as an Independent Person pursuant to section 28(7) of the Localism Act 2011 for a fixed term of 4 years.

## 1. Executive Summary

- 1.1 This report asks Council to agree the appointment of an Independent Chair of the Standards Committee and an Independent Person appointed pursuant to section 28(7) of the Localism Act 2011 following the conclusion of a successful open recruitment process.

## 2 Recruitment of Independent Chair

- 2.1 The terms of reference of the Standards Committee include provision for at least one and no more than three co-opted Independent Member(s), that is, persons who are not a councillor or an officer of the Council or otherwise disqualified from being a member of a committee of the Council under Section 104 of the Local Government Act 1972. The Committee's terms of reference further provide that the Council will appoint an Independent Member of the Standards Committee to be its Chair.
- 2.2 Following the retirement of the previous Independent Chair, the Committee does not have any Independent Members or Chair.
- 2.3 The post was advertised between 24 April and 17 May 2026 and five applications were received. Candidates were shortlisted against the following criteria:
- (1) Eligibility and independence
  - (2) Understanding of public life and ethical standards
  - (3) Integrity and values
  - (4) Analytical thinking
  - (5) Communication skills
  - (6) Relevant experience
  - (7) Commitment and availability

- 2.4 Two applicants were shortlisted and interviewed by the Monitoring Officer and Democratic Services Manager, with the successful applicant being proposed to Standards Committee for recommendation to full Council for formal appointment.
- 2.5 **Amanda Lewis** is recommended for appointment to the post of Independent Chair of the Standards Committee for a fixed term of 4 years.
- 2.6 Amanda is an experienced Standards Committee Chair, which is a role that she currently discharges for Basingstoke and Deane Borough Council.

### **3. Recruitment of Independent Person**

- 3.1 The Council is required, by Section 28(7) of the Localism Act 2011, to appoint at least one Independent Person whose views are to be sought, and taken into account, by the Council before it makes its decision on an allegation under the Councillors' Code of Conduct that it has decided to investigate. The views of the Independent Person may also be sought by a member, or co-opted member, of the Council if that person's behaviour is the subject of an allegation.
- 3.2 For the purposes of the legislation, a person is not independent if they are, or have been in the preceding five years, a member, co-opted member or officer of the Council, or a relative or close friend of a member, co-opted member or officer.
- 3.3 Following the retirement of the Council's previous Independent Person, the post is currently vacant. An Independent Person may not be appointed unless the vacancy has been advertised, the person has submitted an application to fill the vacancy, and the person's appointment has been approved by a majority of the members of the authority.
- 3.4 The post was advertised between 24 April and 17 May 2026 and ten applications were received. Candidates were shortlisted against the criteria set out at paragraph 2.3 above.
- 3.5 Three applicants were shortlisted and interviewed by the Monitoring Officer and Democratic Services Manager, with the successful applicant being proposed to Standards Committee for recommendation to full Council for formal appointment.
- 3.6 **Amina Hossain** is recommended for appointment to the post of Independent Person for a fixed term of 4 years.
- 3.7 Amina is an experienced Independent Person, a role that she currently discharges for City of London Corporation and previously discharged for London Borough of Sutton.

### **4. Contribution to Strategic Aims**

- 4.1 The Council's strategic aims are underpinned by the ability of members, officers and local residents to participate in democratic processes in the confidence that high standards of conduct are maintained.

### **5. Environmental and Climate Implications**

- 5.1 There are no environmental or climate implications arising from this report.

### **6. Community Engagement**

- 6.1 There are no Community Engagement implications arising from this report.

### **7. Equality Implications**

- 7.1 An Equality Impact Assessment is not relevant to the contents of this report.

### **8. Other Relevant Considerations**

- 8.1 There are none.

### **9. Legal Implications**

- 9.1 Covered in the body of the report.

**10. Financial Implications**

- 10.1 The Independent Chair of the Standards Committee receives a Tier 3 Special Responsibility Allowance and the Independent Person receives a Tier 4 Special Responsibility Allowance under the Members' Allowances Scheme 2026/27, as approved by Council on 27 January 2026, which is fully funded from within the Member Services budgets.

**11. Timetable for Implementation**

- 11.1 Not applicable.

**12. Background Papers**

- 12.1 There are none.

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