



**CAMBRIDGESHIRE  
& PETERBOROUGH**  
COMBINED AUTHORITY

## OVERVIEW & SCRUTINY COMMITTEE

**Date: Monday, 24 July 2023**

**Democratic Services**

Edwina Adefehinti  
Chief Officer Legal and Governance  
Monitoring Officer

**11:00 AM**

72 Market Street  
Ely  
Cambridgeshire  
CB7 4LS

**Civic Suite, Pathfinder House, St Mary's Street, Huntingdon  
PE29 3TN  
[Venue Address]**

## AGENDA

**Open to Public and Press**

**1 Apologies for Absence**

**2 Declarations of Interest**

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests.

**3 Public Questions**

Arrangements for asking a public question can be viewed here

- [Public Questions - Cambridgeshire & Peterborough Combined Authority \(cambridgeshirepeterborough-ca.gov.uk\)](https://cambridgeshirepeterborough-ca.gov.uk/public-questions)

- 4 Minutes of the Previous Meeting**  
To approve the minutes of the meeting held on 19th June 2023  
**O&S Draft Minutes190623** **1 - 10**
- 5 Improvement framework report** **11 - 98**
- 6 Implementing the Scrutiny Function** **99 - 110**
- 7 Access to Information Report** **111 - 121**
- 8 Combined Authority Forward Plan**  
Members allocated to monitor the activities of the Combined Authority to provide a verbal update to the committee on any areas of interest. The current forward plan can be found here: [CMIS > Forward Plan, Mayoral and Officer Decision Notices > Forward Plan](#)
- 9 CA Board Agenda**  
Members to discuss the upcoming CA Board Agenda which will be published on the 18th July 2023 and can be found here: [CMIS > Meetings](#)
- 10 Date of next meeting:**  
Monday 18th September 2023 at 11am at Bourges Viersen Rooms, Town Hall, Peterborough PE1 1HF

The Overview & Scrutiny Committee comprises the following members:

*For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact*

The Combined Authority is committed to open government and members of the public are welcome to attend Committee meetings. It supports the principle of transparency and encourages filming, recording and taking photographs at meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites (such as Twitter and Facebook) to communicate with people about what is happening, as it happens.

Councillor Michael Atkins

Councillor David Brown

Councillor Charlotte Cane

Councillor Andy Coles

Cllr Maureen Davis

Councillor Mark Goldsack

Cllr Tim Griffin

Cllr Mohammed Haseeb

Councillor Martin Hassall

Councillor Anne Hay

Councillor Jon Neish

Councillor Judith Rippeth

Cllr Martin Smart

Councillor Aidan Van de Weyer

Clerk Name:	Anne Gardiner
Clerk Telephone:	
Clerk Email:	anne.gardiner@cambridgeshirepeterborough-ca.gov.uk



**CAMBRIDGESHIRE  
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COMBINED AUTHORITY

# **CAMBRIDGESHIRE & PETERBOROUGH COMBINED AUTHORITY – OVERVIEW AND SCRUTINY COMMITTEE**

## **DRAFT MINUTES**

**Date:** Monday, 19 June 2023

**Time:** 11.00

**Location:** Council Chamber, Fenland District Council

### **Members Present:**

Cllr Martin Smart	Cambridge City Council
Cllr Tim Griffin	Cambridge City Council
Cllr Mark Goldsack	Cambridgeshire County Council
Cllr Anna Bradnam	Cambridgeshire County Council
Cllr Charlotte Cane	East Cambs District Council
Cllr David Brown	East Cambs District Council
Cllr Anne Hay	Fenland District Council
Cllr Elisabeth Sennitt-Clough	Fenland District Council
Cllr Jon Neish	Huntingdonshire District Council
Cllr Martin Hassall	Huntingdonshire District Council
Cllr Mohammed Haseeb	Peterborough City Council
Cllr Andy Coles	Peterborough City Council
Cllr Judith Rippeth	South Cambs District Council
Cllr Aiden Van de Weyer	South Cambs District Council

### **Officers:**

Rob Bridge	Chief Executive Officer
Nick Bell	Director Corporate Services
Kate McFarlane	Head of Policy & Executive Support
Reena Roojam	Head of Legal and Deputy Monitoring Officer
Edwina Adefehinti*	Interim Monitoring Officer
Jodie Townsend*	Governance Improvement Lead
Jules Ient*	Senior Policy Advisor
Anne Gardiner	Governance Manager (Statutory Scrutiny Officer)

\*Denotes attendance via Zoom

### **1. Apologies for absence**

- 1.1 Apologies were received from Cllr Maureen Davis substituted by Cllr Elisabeth Sennitt Clough and Cllr Michael Atkins substituted by Cllr Anna Bradnam.

## **2. Election of Chair**

- 2.1 Nominations were invited for the position of Chair of the Committee. Councillor Cane was proposed by Cllr Van de Weyer and seconded by Cllr Griffin, and Cllr Coles was proposed by Cllr Goldsack and seconded by Cllr Neish. Cllr Cane and Cllr Coles both gave a short speech to members outlining their suitability for the role.

A vote was taken with 8 votes cast for Cllr Cane and 6 votes cast for Cllr Coles.

### **2.2 RESOLVED:**

That Cllr Cane be elected Chair of the Overview and Scrutiny Committee for the municipal year 2023-24.

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Cllr Cane took the Chair and thanked Members for electing her.

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## **3. Election of Vice Chair**

- 3.1 Nominations were invited for the position of Vice-Chair of the Committee. It was proposed by Cllr Hay and seconded by Cllr Goldsack that Cllr Coles be elected as Vice-Chair. There were no other nominations and upon being put to the vote the motion was carried.

### **3.2 RESOLVED:**

That Cllr Coles be elected Vice-Chair of the Overview and Scrutiny Committee for the municipal year 2023-24.

## **4. Declarations of Interest**

- 4.1 No declarations of interest were made.

## **5. Public Questions**

- 5.1 There were no public questions.

## **6. Minutes of the Previous Meeting and Action Log**

- 6.1 The minutes of the meeting held on 20 March 2023 were approved as a correct record and the Action Log was noted.

## **7. Co-Option of Independent Member**

- 7.1 The Committee received the report which requested the members consider the co-option of an independent member (and substitute) from a Constituent Council.

- 7.2 The following points were raised during the discussion:-

- The guidance from Centre for Governance Scrutiny referenced within the report advised that co-opted independent members should be selected from local people with expertise.

- Co-opting an independent member from one of the constituent councils should be done based on a skill or experience that the Committee required and it was for the Committee to determine whether there was a skills gap and until that had been determined taking the decision to co-opt at this time seemed premature.
- The Committee were advised that central government were looking at ways to include independent members from constituent councils into Combined Authority Committee's.
- Members queried whether there was any interest from Independent members to sit on the CA Committee's – the Committee felt it would be worth waiting until there was sufficient interest from independent members before considering amending the terms of reference to allow the co-option of an independent member.

7.3 The Chair proposed that the Committee did not appoint a co-opted member. The motion was seconded and upon being put to the vote; the motion was carried with 13 votes and 1 abstention.

7.4 **RESOLVED:**

That the Overview and Scrutiny Committee do **not** appoint a co-opted member for the municipal year 2023-24.

**8. Delivering Scrutiny Function**

8.1 The Committee received the report which requested that the members discuss and agree how it intended to deliver the Overview & Scrutiny function going forward.

8.2 The Committee had received an information pack which had outlined the options available and had been discussed at a workshop on the 13<sup>th</sup> June. Following the workshop a briefing note had been circulated to members with recommendations for the Committee to consider and agree.

8.3 The Committee fed back that they felt that option A was a positive way to move forward and that the timing was appropriate given the improvement work being undertaken.

8.4 **RESOLVED:**

- a) Option A be supported, noting the need to maximise the use of limited Member capacity and availability
- b) Officers develop an implementation plan and work programme proposals for the delivery of Option A to be considered at the July OSC meeting, with the intention that they be implemented following that meeting
- c) An Access to Information Protocol that reflects matters raised in the scrutiny workshop, as well as the review of governance, and best practice, be brought for consideration to the July OSC meeting and the Combined Authority Board meeting
- d) An analysis of required officer support for the delivery of Option A be undertaken and reported to the Independent Improvement Board, along with a proposal to strengthen officer support to the scrutiny function, noting future English Devolution Accountability Framework requirements

- e) OSC recommend to the Combined Authority Board that the Combined Authority commit to developing a 6–12 month Forward Plan
- f) Ways of working between Board and Thematic Committees and the Scrutiny function be developed to drive opportunities for early OSC involvement in key decision-making and strategy development
- g) The Improvement Plan Highlight Report be presented to each informal scheduled supporting scrutiny meeting for review to help direct focus and challenge at subsequent OSC meetings

## **9. Implementing the Combined Authority's Corporate Strategy and Business Plan**

9.1 The Committee received the report which set out how the CA's Corporate Strategy and Business Plan will deliver for the CA in the 2023/24 municipal year

9.2 The Mayor Nik Johnson and CEO Rob Bridge were in attendance to respond to questions from the Committee. The Chair welcomed them both to the meeting and opened up the session to questions.

9.3 The following points were raised during the discussion:-

- The golden thread was there to ensure there was a direct link between what the CA Board approves and how this was then delivered through the directorate business plans right down to what staff are working on daily. The Mayor stated that the governance of the organisation and the golden thread was the key to stitching all of the work and ambitions together.
- The CEO acknowledged that the CA had struggled to reach out to external stakeholders but this had now been addressed. The work being done on the improvement plan was helping to build confidence with staff, stakeholders and government departments.
- Members commented that the strategy while welcomed was difficult for most people to understand and requested if an easy read version could be provided. Officers accepted the comment and agreed more work needed to be done at articulating the strategic message.
- The Mayor outlined his 4 Mayoral Ambitions which sat alongside the strategic objectives for the CA:
  - 1) A Locally determined, innovative, and public transport system that is fit for the future
  - 2) Promote, protect and grow our unique Fens
  - 3) Creating a strong sense of place and cultural identity for our region
  - 4) Working with ICS to support the delivery of better health outcomes and address health inequalities in our region
- The Mayor advised that his ambitions could be brought about by ensuring that when approaching central government for funding it was with one voice for the region.
- In response to a question regarding the bus review the Mayor advised that the bus services review and its improvement plan was the focus of the CA transport team and the constituent councils. The lack of connectivity across the region was very striking and there had to be improvements.

- The Mayor agreed with members that alongside culture as one of his ambitions that sport was also important.
- The Mayor acknowledged that not all of the fens sat within Fenland and that they were of great importance across the county.
- In response to a questions about the work being done on Active Travel the Mayor advised that the CA had now employed an Active Travel Officer to promote this area of work.
- The CEO advised that the franchising of buses had been one of the key issues brought to his attention in his first 10 days in post. Work was taking place on what a business case could look like. These would look at working in a different way with bus companies – it was important to set out very clearly what differences there were for both partners to ensure the best way forward for all.
- Internal and external communications were being looked at to ensure that external stakeholders and the constituent members were kept informed on work being done around the buses and it was recognized that O&S Committee needed to receive reassurance on this.
- In response to a question about air quality the Mayor advised that this was one of the key markers that made up the LTCP; that there were air quality challenges across the region. By moving to more freight by rail would help remove lorries from the road.
- In response to a question about how O&S Committee could provide help to the CA; the CEO advised that there were key projects coming up and that officers would consider the request in the context of the CA forward plan.
- Members queried how the Mayoral Ambition of Arts and Culture fitted in with the strategy of the Combined Authority and the Mayor advised this was an area he had requested officers to focus a coordinated approach which had not been tried before.
- A rail summit was taking place in July for key stakeholders which would provide an opportunity to shine a spotlight on the need to invest in rail improvements. There were different lobbying levels for key bits of funding for infrastructure and this was where the CA could play a different role.

9.4 The Committee thanked the Mayor and CEO for answering their questions.

9.5 RESOLVED:

To note progress made in implementing the Combined Authority's (CA's) Corporate Strategy and Business Plan.

## **10. Interim Performance Management Framework**

10.1 The Committee received the report which provided an update on work that had taken place to develop an interim Performance Management Framework, which was intended to give increased assurance in the interim period until September 2023, when the full Performance Management Framework would be recommended to CA Board.



10.2 The Committee were advised that there would be a workshop to discuss the development of the key performance indicators for members on the 13<sup>th</sup> July.

10.3 A member raised the issue of it being difficult to spot where there may be issues within the reporting of projects and queried whether issues would be reported to O&S Committee. Officers advised this was an area they were working on so that notice on arising problems could be flagged to members.

10.4 **RESOLVED:**

To note the progress to develop and implement an interim performance management framework and a performance management framework.

## **11. Improvement Framework Report**

11.1 The Committee received the report which provided an update on the improvement work being undertaken.

11.2 The following points were raised during the discussion:-

- Work on procurement had now moved forwards with recommendations being taken to CA Board in July to address the action required from the PWC report.
- The Committee were advised that Richard Carr had been appointed as the new Chair for the Independent Improvement Board and that the Board had started to meet quarterly.
- Officers advised that following the discussions at the O&S workshop on the 13<sup>th</sup> June the plan was to bring a report back to O&S in July which would focus the work of the Committee on the impact and outcomes of the improvement plan.
- In response to a query about the RAG ratings the officers advised that these had been supplied by government and were intended to show whether there was a trend towards red or green but further refinement could be done to make them clearer.
- Members were advised that in regards to the conclusions of the safeguarding investigation that officer were waiting on the investigators report before any further action could be taken.
- A piece of work had already been started on refreshing the CPIER which would help feed into the long term vision for the area.

11.3 **RESOLVED:**

- a) Note the progress against stated areas of improvement identified by the External Auditor in June 2022 and Best Value Notice received in January 2023 as reported to the CA Board on 31 May 2023.
- b) Note the reframed improvement plan agreed by the CA Board at its meeting on 31 May 2023.

- c) Note the observations of the Independent Improvement Board held on 22 May 2023.
- d) Note the proposed RAG rating methodology to measure progress of improvement activity against the agreed reframed Improvement Plan.
- e) Note the progress to the appointment of Chair, Independent Improvement Board.

## **12. Combined Authority Forward Plan**

- 12.1 The Committee noted the Forward Plan.

## **13. Draft Work Programme**

- 13.1 The Committee reviewed the work programme and also the example work programme at Appendix 2.

- 13.2 The Committee members discussed that engagement with the improvement plan was important and that the challenge going forward was how to develop the Committee's role in regard to pre-decision scrutiny.

- 13.3 RESOLVED:

The Committee noted the existing work programme and requested that officers develop the example work programme at appendix 2 to align with the agreed way forward discussed earlier in the meeting and bring this back to the July meeting for the Committee to review.

## **14. Date of next meeting**

- 14.1 Monday, 24 July 2023 at 11am at Pathfinder House, Huntingdonshire DC.

Meeting Closed: 1:30pm



## Overview and Scrutiny Committee Action Log

Purpose: The action log records actions recorded in the minutes of Overview and Scrutiny Committee meetings and provides an update on officer responses to those outstanding.

### Minutes of the Meeting 19<sup>th</sup> June 2023

Item	Report title	Lead officer	Action	Response	Status
8.8	Delivering Scrutiny Function	Anne Gardiner/Jodie Townsend	Officers develop an implementation plan and work programme proposals for the delivery of Option A to be considered at the July OSC meeting, with the intention that they be implemented following that meeting	To be brought to the July meeting	CLOSED
		Edwina Adefehinti	An Access to Information Protocol that reflects matters raised in the scrutiny workshop, as well as the review of governance, and best practice, be brought for consideration to the July OSC meeting and the Combined Authority Board meeting	To be brought to the July meeting	CLOSED
			An analysis of required officer support for the delivery of Option A be undertaken and reported to the Independent Improvement Board, along with a proposal to strengthen officer support to the scrutiny function, noting future English Devolution Accountability Framework requirements	Officer support capacity to be monitored as the new processes are implemented	Ongoing
			OSC recommend to the Combined Authority Board that the Combined Authority commit to developing a 6–12 month Forward Plan	This will be raised at the next CA Board meeting	CLOSED

			Ways of working between Board and Thematic Committees and the Scrutiny function be developed to drive opportunities for early OSC involvement in key decision-making and strategy development	To be developed as part of the Access to Information Protocol	CLOSED
			The Improvement Plan Highlight Report be presented to each informal scheduled supporting scrutiny meeting for review to help direct focus and challenge at subsequent OSC meetings		OPEN

### Minutes of the Meeting 20<sup>th</sup> March 2023

Item	Report title	Lead officer	Action	Response	Status
5	Improvement Framework	Angela Probert	The Interim Programme Director to send an update to the Committee to address the points raised in the meeting and provide more detail on the following: <ul style="list-style-type: none"> <li>• Transport Schemes</li> <li>• IT and software requirements</li> </ul> Communications and the building of an effective public relations and influencing delivery operation.	Ongoing	Open
6	Delivering the Scrutiny Function	Edwina Adefehinti	The Improvement Lead to draft an Access to Information Protocol for consideration by the Committee at their next meeting.	Protocol to come to July's meeting	CLOSED

## Minutes of the meeting 23 January 2023

Item	Report title	Lead officer	Action	Response	Status
11.	Demand Responsive Transport	Tim Bellamy	<p>Transport officers to:</p> <ol style="list-style-type: none"><li>1. Investigate the Dial-A-Ride mapping exercise, referred to at a CCC meeting, and report back to the Committee.</li><li>2. Provide the Committee with the details of any section 106 contributions to DRT services.</li></ol>	<p>As part of our Network Review work, we are continuing to engage with CCC on a range of issues including dial-a-ride, education transport (home-to-school) and a number of other factors. The Network Review will be presented to the TIC, Board and O&amp;S in due course where mapping of a service network will be presented.</p> <p>No Section 106 monies are used to fund DRT services.</p>	On-going



<b>Overview and Scrutiny Committee</b>		Agenda Item
<b>24 July 2023</b>		<b>5</b>
Title:	Improvement Framework with a specific focus on Procurement	
Report of:	Angela Probert, Interim Director of Transformation Programme	
Lead Member:	Mayor, Dr Nik Johnson	
Public Report:	Yes	
Key Decision:	No	
Voting Arrangements:	A simple majority of all Members present and voting	

#### Recommendations:

A	Note the progress against stated areas of improvement identified by the External Auditor in June 2022 and Best Value Notice received in January 2023 as reported to the CA Board on 31 May 2023.
B	Note the development of the Procurement Improvement plan to address identified areas of improvement.

#### Strategic Objective(s):

The proposals within this report fit under the following strategic objective(s):

x	Achieving ambitious skills and employment opportunities
x	Achieving good growth
x	Increased connectivity
x	Enabling resilient communities
x	Achieving Best Value and High Performance

The identified improvements set out in this report to meet concerns of the External Auditor and Best Value Notice will support the Combined Authority demonstrate its ability to achieve best value and enable the delivery of agreed priorities and objectives.

#### 1. Purpose

1.1	The report updates the Committee on the progress in June against the key concerns and observations identified by the External Auditor in June and October 2022, the Best Value Notice received in January 2023 and DLUHC in February 2023.
1.2	The report also supports the proposed 'deep dive' into the Procurement Improvement plan. The focus for the improvement plan following the PWC report is set out in paragraphs 3.3 to 3.5 and key documents are attached as appendices.

## 2. Proposal

2.1	This report sets out for the Overview and Scrutiny the progress made on identified areas of improvement. This update will be presented to the Independent Improvement Board meeting on 17 July 2023 and a note from the Chair will be circulated to Overview and Scrutiny members in advance of the meeting scheduled for 24 July.
2.2	Attached as Appendix 1 is the overall Improvement programme highlight report, setting out progress against the key improvement themes (1 – 5) set out in paragraph 3.1. A summary of activity delivered in June is set out in paragraph 2.4 below.
2.3	The Corporate Management Team has assessed overall progress against the improvement plan as <b>‘Green / Amber’</b> – ( <i>Successful delivery of the improvement theme within timescale appears probable. However, constant attention will be needed to ensure risks do not materialise into issues threatening delivery</i> ).
2.4	<p>Set out below are the key deliverables from the Improvement programme highlight report attached as Appendix 1.</p> <p><b>2.7.1 Governance (Green / Amber)</b></p> <ul style="list-style-type: none"> <li>• Induction sessions have been held for Overview and Scrutiny Committee, Audit and Governance Committee and CA Board members</li> <li>• The revised scrutiny function has been agreed by Overview &amp; Scrutiny Committee</li> <li>• Member training is in place and underway</li> </ul> <p><b>2.7.2 Project delivery (Green / Amber)</b></p> <ul style="list-style-type: none"> <li>• DLUHC engagement has taken place to discuss the Government clearance process for the SAF</li> <li>• Corporate prioritisation proposals taken to Corporate Management Team</li> <li>• Approval thresholds taken to Corporate Management Team for comment</li> </ul> <p><b>2.7.3 Procurement (Green / Amber)</b></p> <ul style="list-style-type: none"> <li>• The PwC recommendations have been accepted</li> <li>• Consideration of the scale and scope of the action plan required to implement the agreed recommendations from the PWC report</li> <li>• Consideration of the resources and governance required to manage and implement the action plan</li> <li>• A detailed stage 2 action plan is being developed</li> </ul> <p><b>2.7.4 Partnerships (Amber)</b></p> <ul style="list-style-type: none"> <li>• The project group has been formed and met for the first time this month.</li> <li>• The terms of reference for the group and project scope have been drafted and an initial Project Plan has been developed.</li> <li>• A review of existing priority partnerships is due to begin w/c 3rd July, which will allow the group to further refine scope and enable more detailed analysis into the appropriateness and effectiveness of various partnerships and working relationships.</li> </ul> <p><b>2.7.5 Culture, Confidence, Capacity (Green / Amber)</b></p> <ul style="list-style-type: none"> <li>• A formal project plan has been developed with key milestones identified and progress against the plan updated.</li> </ul>

	<ul style="list-style-type: none"> <li>• Directorate Business Plans drafted and agreed, translated into individual objectives and relayed/discussed during appraisals with over 90% of eligible staff completing these</li> <li>• Leadership values and behaviours drafted into recruitment and selection procedures and documentation</li> <li>• Plan is in place for the Chief Executive's first 100 days</li> <li>• Commenced weekly internal eBulletin from the Chief Executive (CEX)</li> <li>• Third staff conference has taken place, focussing on embedding values and behaviours and meeting the new CEX</li> <li>• Review of third staff survey results, feedback at conference and analysis to inform future plans</li> <li>• Interim staff recruited and commenced to improve internal communications</li> <li>• CA Board Member induction session has taken place promoting values and working together</li> <li>• Training budget (for all training needs) identified and allocated</li> </ul>
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### 3. Background

3.1	<p>The Combined Authority Board meeting in May 2023 agreed the improvement plan to directly address the concerns raised by The External Auditor in June and October 2022, February 2023 and the Best Value Notice received in January 2023:</p> <ol style="list-style-type: none"> <li>1. Governance and decision making</li> <li>2. Project Plans and delivery</li> <li>3. Procurement</li> <li>4. Partnership working</li> <li>5. Confidence, culture and capacity</li> </ol> <p>And also:</p> <ol style="list-style-type: none"> <li>6. Improvement plan progress</li> <li>7. Independent Improvement Board engagement</li> <li>8. Conclusion of code of conduct investigation and safeguarding of staff</li> </ol>
3.2	<p>The Independent Improvement Board (IIB) in May agreed the 'RAG rating' system to report progress against identified areas of activity set out in paragraph 3.1. Activity reported to the IIB on 17 July and in this report uses the agreed RAG to measure progress. The Improvement highlight report and RAG descriptions are set out in Appendix 1.</p>
3.3	<p>Procurement is a key theme of the CPCA Improvement plan and the PWC procurement review attached as Appendix 2 focused on three key areas in order to assess current capability and identify improvements:</p> <ol style="list-style-type: none"> <li>1. A procurement maturity assessment, a self-assessment against 18 questions;</li> <li>2. Procurement spend analysis through a review of spend and contracts; and</li> <li>3. Procurement processes review through interviews with officers and review of documentation.</li> </ol>
3.4	<p>The findings attached as Appendix 2 identified:</p> <ol style="list-style-type: none"> <li>1. A lack of effective governance</li> <li>2. A lack of centralised guidance for officers</li> <li>3. No formal coaching or development of procurement capability</li> <li>4. Uncertainty around contract execution processes</li> </ol>
3.5	<p>The report recommended that the CPCA :</p> <ol style="list-style-type: none"> <li>1. Redesign its Procurement Operating Model (supporting Governance, Op Model, Capability &amp; Capacity and Compliance)</li> <li>2. Refresh its Contracts Register (supporting Governance and Capability &amp; Capacity):</li> </ol>



	<p>3. Revise its Procurement Strategy, Policy &amp; Procedures (supporting Governance, Capability &amp; Capacity, Compliance and Contract Execution)</p> <p>4. Implement procurement &amp; contract management training (supporting Governance, Op Model, Capability &amp; Capacity and Compliance)</p> <p>A high level action plan to address the above findings and recommendations is attached as Appendix 2</p>
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## 4. Appendices

4.1	Appendix 1- Improvement Highlight report June 2023
4.2	Appendix 2 – PWC report on Procurement
4.3	Appendix 3 – Procurement High level action plan
4.4	Appendix 4 – Procurement policy
4.5	Appendix 5 – Procurement strategy

## 5. Implications

### Financial Implications

5.1	The update has no direct financial consequences, and costs of the programme are being met through the approved Improvement Programme funding. The actions contained in the Improvement Programme are designed to improve Value for Money and Best Value.
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### Legal Implications

6.1	<p>The CPCA is required to consider the key areas of concern identified by the External Auditor in June 2022 and in the Best Value Notice received in January. The CPCA Board agreed the Improvement plan in October 2022 and the reframed improvement plan.</p> <p>The Overview and Scrutiny committee is non-executive statutory body. It has the statutory duty to review or scrutinise decisions taken by the Combined Authority, or any other actions as set out in Chapter 14, para 14.2.1 of the Combined Authority Constitution. The Committee may also make reports or recommendations to the Combined Authority Board with regards to the decisions that have been made as set out in Chapter 14, para 14.2.1 (e) of the Combined Authority Constitution.</p> <p>The improvement plan deals with risk management, internal control and corporate governance arrangements of the CPCA.</p> <p>The Local Government Act 1972 requires the Combined Authority to have rules in place about "the manner in which the Combined Authority buys goods or materials, services and works" which shall include "provision for securing competition".</p> <p>As a "Contracting Authority" for the purpose of the Public Contracts Regulations 2015 ("PCR 2015"), the Combined Authority must procure goods, works and services in compliance with those rules.</p> <p>The CPRs meet the legislative requirement under the LGA 1972 and should enable the Combined Authority to meet its best value obligations and procure lawfully.</p>
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### Public Health Implications

7.1	None
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### Environmental & Climate Change Implications

8.1	None
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Other Significant Implications	
9.1	None
Background Papers	
10.1	<a href="#">Best Value Notice</a> <a href="#">External Auditor Letter</a>

<p style="text-align: center;"><b>Improvement Plan Phase 2</b>  <b>Programme Level Highlight Report for the Period:</b>  <b>1 June 2023 to 30 June 2023</b></p> <p style="text-align: center;"><u><b>Lead Executive Director Overview</b></u></p> <p>This is the first of the highlight reports that detail progress against the second phase of our improvement journey. The first phase was brought to a conclusion in the end of March 2023. This allowed us to refocus on the improvement journey, to reflect upon advice and feedback from the Independent Improvement Board, DLUHC and our external auditor to ensure the priorities for improvement reflect those of our partners and stakeholders.</p> <p>The result is a new phase of the Improvement Plan with 5 themes that demonstrate both this new focus and continuity with our improvement journey.</p> <p>As with any new plan there is a forming stage where we convene the necessary resources, governance and processes to deliver our outcomes and this has been focus of these early weeks. All themes are now focussing upon the clear targets and milestones set out in their project plans and subsequent highlight reports will detail progress against these as we move forward.</p> <p>We operate in a changing political environment and recent weeks have demonstrated the close links between this improvement plan and our discussions with government about future arrangements and devolved powers for the CA. The governance improvements that were a major achievement of our first phase will be necessary to provide assurance to government that we are fit for purpose for enhanced devolution; whilst the Single Assurance Framework will be an essential requirement of any agreement. Similarly the world of partnerships is shifting as a consequence of these discussions, causing us to continue to scope the deliverables of this theme.</p> <p>Overall the programme is rated as Green/Amber and I encourage readers to look at the definitions that underpin this rating (at the end of this document) since with all themes at an early stage with much to do in a constrained timetable such a rating is appropriate at this stage. I am confident of progress and achievement and expect this to be reflected in future ratings.</p>
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Individual Workstream Status		
Workstream	this period	last period
Governance and decision making	green/amber	N/A
Procurement	green/amber	N/A
Project, Planning and delivery	green/amber	N/A
Partnership working	amber	N/A
Confidence, Culture and Capacity	green/amber	N/A

Governance and Decision Making		
<p><b>Project Description:</b> To embed the governance structures &amp; constitutional changes agreed at CA Board, enabling sound decision making &amp; implementation. Create confidence and evidence to ensure external scrutiny of the CPCA governance arrangements is positive. Increase &amp; improve the representation on decision making committees &amp; boards of councillors from across the political spectrum.</p> <p><b>Project Outcomes:</b></p> <ul style="list-style-type: none"> <li>- Plan for embedding new structures</li> <li>- Review membership of committees, &amp; advisory groups</li> <li>- Review of BB role &amp; role of BAP</li> <li>- Review role of Mayoral Advisory Group</li> <li>- Develop Terms of Reference for each group</li> <li>- Create Financial Regs, Procurement Code &amp; SAF</li> <li>- Consideration of EDAF Requirements</li> <li>- Internal review of governance arrangements by A&amp;G</li> <li>- Recruitment of permanent staff into interim posts:</li> <li>- Monitoring Officer</li> <li>- Head of HR</li> <li>- Place Director</li> <li>- Review independent councillor representation</li> <li>- Guidance documents and training</li> <li>- Member remuneration</li> <li>- Review role of Scrutiny function</li> <li>- Review non-councillor membership in groups (CIPF code)</li> </ul>		
<b>Workstream Sponsor:</b>	Nick Bell	
<b>Project Manager/s</b>	Louisa Simpson	
<b>PMO (Programme Management Office) Support:</b>	Heidi Robinson	
<b>Agreed Completion Date</b>	31/03/2024	
<b>Forecast Completion Date</b>	31/03/2024	
<b>Reporting Period:</b>		01/06/2023 - 30/06/2023
<b>Governance and Decision Making - Project Status</b>	<b>This Period:</b>	Green / Amber
	<b>Previous Period:</b>	
<p><b>Governance and Decision Making - Project Manager update:</b></p> <p>The project group has met this month and have agreed the scope of the project and developed the project plan.</p> <p>The project group has been agreed and fortnightly meetings arranged, as well as fortnightly meetings between the Workstream Sponsor and Project Manager.</p> <p>The project group and ToRs have been agreed - ToR is being circulated for agreement/sign off.</p> <p>Project documentation is being developed and will be completed and signed off by the end of June 23. The Risk Register will be agreed at the next project meeting.</p> <p>The tasks identified as in scope have been given completion dates and to date the below has been completed:</p> <ul style="list-style-type: none"> <li>&gt; Financial regulations have been agreed</li> <li>&gt; Constitutional changes have been agreed and the new constitution is on the website - 17/05</li> <li>&gt; The revised scrutiny function has been agreed by Overview &amp; Scrutiny Committee - 19/06</li> <li>&gt; Member training is in place and underway - first session 21/06</li> <li>&gt; Membership of new Committees LA have been asked to nominate reps</li> <li>&gt; Membership of Advisory Groups LA have been asked to nominate reps</li> <li>&gt; New Chief Executive started - 01/06</li> </ul>		
<p><b>Governance and Decision Making - Workstream Sponsor comments:</b></p> <p>Good progress being made. Scope agreed and refined. Project plan in place for most key deliverables and agreed lead for business board governance issues. Identified overlap/dependencies on culture theme for appointments to key roles and project delivery for SAF - both now resolved. Positive work in defining roe of O&amp;S since last meeting. <b>There is some clarity required on key dependencies especially with SAF and delegations in the lead up to July Board, where some decisions will be taken. More prominent decisions will be taken to September Board in relation to the changes of the constitution and SAF.</b></p>		

Governance and Decision Making - Key Milestones/Activities this Period		
1	Agreed project plan and clear scope	
2	Agreed interdependencies where we have been able to identify them	
3	The revised scrutiny function has been agreed by Overview & Scrutiny Committee	
4	Plans around member training are in place	
5	Agreed key dates - all meetings are in the diary	
Governance and Decision Making - Key Milestones Planned for Next Period		
1	Finalise the Risk Register	
2	Agree role of the Business Board & Business Advisory Panel	
3	Agree remuneration policy for members	
4	Agree officer support required for O&S Committee	
5	Agree Procurement Code	
Governance and Decision Making - Key Milestones Project Risks		
	Risk Description	Mitigation
1	Resilience of staff to deliver the new structures	Support for staff from CMT and continued emphasis
2	Resistance of staff to work within new structures	Messages regarding the benefits of the new
3	Resistance of Members to work within new structures	Training is in place and has started for new and
Governance and Decision Making Report Completed By:		Louisa Simpson, Nick Bell
Completion Date		30/06/2023

Procurement		
<p><b>Project Description:</b> To redesign the Procurement function in line with the PWC report, ensuring that Governance, Operating Model, Capability &amp; Capacity and Compliance are reflected in the redesign. Carrying out the practical elements of updating the Contracts Register, revising the Procurement Strategy, Policy &amp; Procedures. Ensuring the embedding of the new design through corporate training &amp; support</p> <p><b>Project Outcomes:</b></p> <ul style="list-style-type: none"><li>- Redesign the procurement function</li><li>- Agree operating model</li><li>- Develop operating model in line with recommendations</li><li>- Refresh the contracts register</li><li>- Revise procurement strategy, policies and procedures</li><li>- Establish a procurement hub</li><li>- Implement procurement and contract management training</li><li>- Communication Strategy in place to support changes</li><li>- Develop procurement KPIs</li><li>- Develop M&amp;E framework</li><li>- Regular reviews and periodic evaluations</li></ul>		
<b>Workstream Sponsor:</b>		Nick Bell
<b>Project Manager/s</b>		Louisa Simpson
<b>PMO (Programme Management Office) Support:</b>		Heidi Robinson
<b>Agreed Completion Date</b>		31/12/2023
<b>Forecast Completion Date</b>		31/12/2023
<b>Reporting Period:</b>		01/06/2023 - 30/06/2023
<b>Procurement - Project Status</b>	<b>This Period:</b>	Green / Amber
	<b>Previous Period:</b>	
<p><b>Procurement - Project Manager update:</b></p> <p>The project group has met this month and have agreed the scope of the project and developed the project plan.</p> <p>The project group has been agreed and fortnightly meetings arranged, as well as fortnightly meetings between the Workstream Sponsor and Project Manager.</p> <p>Project documentation is being developed and will be completed and signed off by the end of June 23. The Risk Register will be agreed at the next project meeting.</p> <p>The tasks identified as in scope have been given completion dates and to date the below has been completed:</p> <p>&gt; Procured the support to develop the CA Procurement Strategy</p>		
<p><b>Procurement - Workstream Sponsor comments:</b></p> <p>There is a clearly agreed scope and project plan with key dates to ensure we deliver to required timelines. Some key milestones are already being achieved, e.g. A&amp;G on 7th July will receive draft procurement strategy &amp; policy and refreshed CPR. Engagement of procurement user in project group has proved beneficial to provide wider view.</p>		
<b>Procurement - Key Milestones/Activities this Period</b>		
1	Consideration of the scale and scope of the action plan required to implement the agreed recommendations from the PWC Report. Report to be shared with CA Board on 26 July	
2	User involvement to ensure that what is designed from a central perspective has the right interface and it works from a user perspective	
3	Consideration of the resources and governance required to manage and implement the action plan	
4	Development of a detailed stage 2 action plan	
<b>Procurement - Key Milestones Planned for Next Period</b>		
1	Sign off risk register and project management documents	
2	Clarify roles & responsibilities of the project group	
3	Agree the preferred delivery structure for procurement function	
4	Update the contracts register	
5	Establish Procurement Hub	
6	Training to be provided on procurement and contract management to be rolled out back end of summer	
7	Revise Procurement Policy	
8	Development of a detailed stage 2 action plan	

Procurement - Key Milestones Project Risks		
	Risk Description	Mitigation
1	Recruitment of Contracts Manager and Procurement Officers	Interim options being investigated
2	Strategy misalignment	Working with key officers to ensure alignment across SAF & governance
3		
Procurement Report Completed By:		Louisa Simpson
Completion Date		30/06/2023

Project Plans and Delivery		
<b>Project Description:</b> Development of an inclusive Single Assurance Framework (SAF) <b>Project Outcomes:</b> Agreement by the CPCA and partners of a SAF Agreement of a Performance Management Framework and reporting Dashboard. Adoption of a new corporate risk management framework A revised PMO with expanded responsibility for corporate performance		
<b>Workstream Sponsor:</b>	Steve Cox	
<b>Project Manager/s</b>	Jodie Townsend	
<b>PMO (Programme Management Office) Support:</b>	Thomas Farmer	
<b>Agreed Completion Date</b>	30th September 2023	
<b>Forecast Completion Date</b>	30th September 2023	
<b>Reporting Period:</b>		01/06/2023 - 30/06/2023
<b>Project Plans and Delivery - Project Status</b>	<b>This Period:</b>	Green / Amber
	<b>Previous Period:</b>	N/A
<b>Project Plans and Delivery - Project Manager update:</b>		
<b>Engagement</b> The SAF project involves a significant level of engagement. There is an M10 Group, a Partner Working Group that all Constituent Authorities are represented on and an Internal Working Group that consists of CA Business Areas. Engagement with all of these groups was undertaken in June on SAF entry points. Engagement has also begun with DLUHC as the SAF requires DLUHC (and DfT and DfE) clearance before it can come into operation. The initial engagement confirmed that the English Devolution Accountability Framework (EDAF) will now guide the clearance process, detailed EDAF criteria/ guidance has not yet been developed and so initial engagement has involved pressing DLUHC for a steer. An update was provided to the Audit & Governance Committee who remain supportive of the SAF development work. An outcome of the meeting was a request to provide Committee Members with a detailed map of the SAF through an illustration that highlights political oversight and accountability. This will be developed in July. The Corporate Management Team (CMT) have been provided with a high level update on the project and the Finance Team have been engaged (through Rob Emery) on the SAF entry points.		
<b>Focus</b> The focus in June has been on getting a clear steer from CMT on the development decision points for the SAF. These originally included splitting clearance of the SAF content, with approval thresholds and corporate prioritisation approach going to Board in July and everything else in September. CMT supported the request from the Project Manager that the split decision approach be replaced by a single approval in September, with additional engagement with Leaders Strategy meeting (informal Board) and CMT in the development process on elements that require a steer. The split decision approach was causing difficulties and delays to the project as it required a proposed approach to the front end of SAF without key implications from the development phase, which would follow in development, being taken on board. Getting a detailed Project plan completed has also been a focus.		
<b>Delivered</b> In addition to getting a completed Project Plan (that is now undergoing amendment to fit with CMT steer on split decision) the following have been delivered: <ul style="list-style-type: none"> <li>• Project Plan</li> <li>• Entry Point process options for both in-year proposals and Corporate Plan drawdown</li> <li>• Draft Concept paper and draft assessment criteria</li> <li>• Evidence based proposals for Approval Thresholds (based around the Principle of Approval agreed at the March 2023 Board)</li> </ul>		
<b>Issues</b> The issues explained above in regard to the split decision have been resolved, however the time taken in resolving these has temporarily put the project behind schedule in elements of its engagement. As a result engagement with Regional CEXs is being done via email rather than through the monthly meeting. The level of response from engagement continues to remain an issue, particularly on the CA side. A trickle of feedback is beginning to emerge from some of the Constituent Authorities. The level of work that goes into the engagement efforts is considerable and takes time, as well as shapes the overall timeline. The amount of 'fruit' this engagement is delivering is not currently matching the effort being put into it.		
<b>Next Steps</b> July will be a significant month for the development of the SAF, the LSM meeting on 12 July being key. If a steer is provided on the key areas then the project will be in a good position to advance development at pace.		
<b>Project Plans and Delivery - Workstream Sponsor comments:</b> Progress continues for what is a significant piece of work. The issue around the split decision has now been resolved which will allow progress with development of process, criteria and templates in support of the SAF document to accelerate. DLUHC clearance should be considered in context of the CAs improvement and DLUHC involvement in that process, IIB support in seeking DLUHC support for this would be beneficial.		



Project Plans and Delivery - Key Milestones/Activities this Period		
1	Concept Paper development	
2	Approval Thresholds development	
3	interdependencies identified	
4	Front Door/ Initiation options completed	
Project Plans and Delivery - Key Milestones Planned for Next Period		
1	Template/ criteria/ process development for Initiation	
2	LSM paper on approvals	
3	Performance framework direction to go to CA Board in July followed by detailed framework going to CA Board in	
4	Risk paper going to Audit and Governance Committee in July	
5	Business Case approach development & development phase	
Project Plans and Delivery - Key Milestones Project Risks		
	Risk Description	Mitigation
1	Capacity of PM due to governance task requests	Working Group support now available
2	CMT direction not provided	Change in split decision and clarity on steer points provided
3	Engagement activities not producing input and leading to timeline delays	Refocused engagement agendas and offers of 1-2-1 meetings with Constituent Authorities
Project Plans and Delivery Report Completed By:		Jodie Townsend
Completion Date		21/06/2023

Partnership Working		
<b>Project Description:</b> To enhance partnership working within the combined authority, enabling it to act as a bridge between the local area and government. This involves establishing a unified voice and offer through coordinated representation, policy alignment, and effective advocacy. The project aims to foster strategic partnerships, streamline communication channels, and influence policy development. Additionally, it seeks to secure funding and resources, facilitate joint problem-solving, and empower local governance.		
<b>Project Outcomes:</b> CPCA should be the bridge between the local area, government and all local regional and national partners and		
<b>Workstream Sponsor:</b>	Richard Kenny	
<b>Project Manager/s</b>	Pete Tonks	
<b>PMO (Programme Management Office) Support:</b>	Heidi Robinson	
<b>Agreed Completion Date</b>	31/03/2024	
<b>Forecast Completion Date</b>	31/03/2024	
<b>Reporting Period:</b>		01/06/2023 - 30/06/2023
<b>Partnership Working - Project Status</b>	<b>This Period:</b>	Amber
	<b>Previous Period:</b>	N/A
<b>Partnership Working - Project Manager update:</b> This month has concentrated upon the formulation of the essential project management processes required to take this project forward.  The project group has been formed and met this month. Terms of Reference for the group, a high level project scope has been drafted and a high level initial Project Plan has been developed.  The Project Group will initially meet on a monthly basis and these meetings have been arranged. Additionally, fortnightly meetings between the Workstream Sponsor and Project Manager will take place.  Further Project documentation is being developed and will be completed and signed off by the end of June 23. The Risk Register will be agreed at the next project meeting in early July.  The tasks identified as in scope have been given completion dates and to date the below has been completed: - Terms of Reference drafted - Project Plan drafted - Breadth of Scope analysis agreed  The next phase of the project will be to finalise those partnerships that require attention from the project, either because of their current function requiring improvement or their importance. This latter point is influenced by the Devo discussions with partners and government, which is bringing some partnerships - for example housing- up the CPCA agenda. This is a key reason why this scoping work has not been completed to date as we adjust to this rapidly changing partnership landscape.		
<b>Partnership Working - Workstream Sponsor comments:</b> The first phase of the Improvement Plan saw tangible improvements in the approach to partnership working by the CA. The changes to governance at both member and officer level saw new streamlined decision structures in place whilst complementary cross authority working groups were established. The involvement of the CEX as leads in each theme of the Improvement Plan increased cross authority understanding and this has promulgated down in cross authority working groups for the development of the SAF. Finally the Devo 2 development is led by a cross authority working group and project teams led by the CA but populated by officers from all councils. Given this progress and the multitude of partnerships the CA is involved in the project group have agreed that a short scoping exercise to identify and prioritise the key partnerships to focus upon will be the next step. Action plans to consider how best to then maximise their utility based upon an assessment of importance, our influence etc will guide the following actions. The work on this theme is resource intensive and close attention will need to be paid to questions of capacity. The Head of PMO is aware of this pressure. Finally, I agree that at this early stage a RAG rating of amber is appropriate. Much of the project is still ahead of us and to be fully scoped and this workstream is of necessity a step behind the other workstreams as we hone down where attention to partnership development will add value in a changing partnership landscape as a consequence of the Devo discussions.		
Partnership Working - Key Milestones/Activities this Period		
1	Consideration of the scale and scope of the action plan required to implement the agreed milestones	
2	Consideration of the resources and governance required to manage and implement the action plan	
3	Development of a detailed stage 2 project plan	

Partnership Working - Key Milestones Planned for Next Period		
1	Agree/secure project resources	
2	Define/scope types of Internal (CA & Constituent Authorities) partnerships to include in review	
3	Put in place resources to deliver key outputs	
4	Commence review of existing internal partnerships	
Partnership Working - Key Milestones Project Risks		
	Risk Description	Mitigation
1	TBA	TBA
2		
3		
Partnership Working Report Completed By:		P Tonks; R Kenny
Completion Date		30/06/2023

Confidence, Culture and Capacity		
<p><b>Project Description:</b> To establish a clear direction for the Combined Authority, foster a positive work culture based on shared values and behaviours, develop effective leadership at all levels and be recognised as a good employer. By focusing on these areas, the project seeks to establish a strong foundation for the Combined Authority to effectively deliver its goals and serve the region within a positive working environment.</p> <p><b>Project Outcomes:</b></p> <p><b>Ambition and Priorities:</b></p> <ul style="list-style-type: none"> <li>- We are clear in our ambition and priorities for the combined authority region</li> <li>- We have a well-established framework to work in partnership with key stakeholders to deliver this ambition</li> </ul> <p><b>Values and Behaviours:</b></p> <ul style="list-style-type: none"> <li>- Values and behaviours are embedded and owned by everyone (both officers and members) through day to day activities</li> <li>- Values and behaviours are recognised as central to all CPCA practice and processes and there is collective ownership and responsibility for culture- living the values through day to day working activity</li> <li>- Alignment to the values is recognised and celebrated, whilst non-aligned of 'behaviours' are addressed</li> <li>- Peer reviews and feedback from partners identify CPCA is 'living its values'</li> </ul> <p><b>Leadership:</b></p> <ul style="list-style-type: none"> <li>- Leadership at all levels of CPCA is seen as high quality, effective and in line with the agreed values and behaviours</li> </ul> <p><b>Recruitment, Retention, Reward and Resources</b></p> <ul style="list-style-type: none"> <li>- Balanced scorecard in place that reflects job satisfaction, employee turnover, absence etc.</li> <li>- Workforce strategy agreed (up to 2025) that identifies key resourcing requirements and how they will be delivered.</li> <li>- CPCA is viewed as a 'good' employer tested through staff surveys, exit interviews and external review</li> </ul>		
<b>Workstream Sponsor:</b>	Kate McFarlane	
<b>Project Manager/s</b>	Pete Tonks	
<b>PMO (Programme Management Office) Support:</b>	Heidi Robinson	
<b>Agreed Completion Date</b>	31/03/2024	
<b>Forecast Completion Date</b>	31/03/2024	
<b>Reporting Period:</b>		01/06/2023 - 30/06/2023
<b>Confidence, Culture and Capacity - Project Status</b>	<b>This Period:</b>	Green / Amber
	<b>Previous Period:</b>	N/A
<p><b>Confidence, Culture and Capacity - Project Manager update:</b></p> <p>The project group has been formally formed and met this month to begin to draft Terms of Reference for the group and project scope. An initial project plan has been developed with key milestones identified and progress against the plan updated.</p> <p>The Project Group will initially meet fortnightly and these meetings have been arranged. Additionally, regular meetings between the Workstream Sponsor and Project Manager will take place.</p> <p>Further Project documentation is being developed and will be completed and signed off by the end of June 23. The Risk Register will be agreed at the next project meeting.</p> <p>The tasks identified as in scope have been given completion dates and to date the below has been completed:</p> <ul style="list-style-type: none"> <li>- Project Plan drafted</li> <li>- Directorate Business Plans drafted and agreed, translated into individual objectives and relayed/discussed during appraisals with over 90% of eligible staff completing these.</li> <li>- Development of behaviours linked to each value through a workshop held in April 2023</li> <li>- 3rd staff survey completed to continue building the CA 'one team' ethos in delivering the vision and priorities and embedding agreed values</li> <li>- 3rd staff conference held in June which focussed on meeting the new CEX, development of behaviours, feedback from most recent staff survey &amp; celebrating successes</li> <li>- Increase Interim Comms Capacity</li> <li>- Member Induction Session including emphasis on 'How we work together' held</li> <li>- Onboarding of new CEX</li> <li>- Commenced Weekly Internal eBulletin from CEX</li> <li>- Training Budget (for all Training Needs) Identified and allocated</li> <li>- Leadership Values and Behaviours drafted into Recruitment and Selection Procedures and Documentation</li> </ul>		
<p><b>Confidence, Culture and Capacity - Workstream Sponsor comments:</b></p> <p>Work on this improvement theme commenced in April, but with the appointment of the project manager in May, June has seen the necessary structure rapidly coming into place. A number of key activities have been delivered in June, including a new style Member Induction session that was well attended and received, with feedback being used to inform future activities. The third all staff conference and the third staff survey were completed, with the survey seeing a positive response to all questions with the exception of one. Significant movement noted on questions relating to Vision and direction and how staff contribute, Staff having 1-1s with managers, objectives set and development plan discussed and Improvements being seen since September in Operational leadership, Governance, decision making and performance and how staff feel working for the CA. Much needed interim internal communications capacity is now in place which will allow for improved communication with staff, including how we can better share results from staff survey and the action that is arising as a result of it. During this period the external review of communications, engagement and public affairs activity has commenced with interviews with stakeholders and staff scheduled. This is a key piece of work that builds on previous Workstream F Improvement Activity. Early scoping work has also taken place on the refresh of the CPIER and development of a shared vision with a Board steer anticipated at the July Board meeting.</p>		

Confidence, Culture and Capacity - Key Milestones/Activities this Period		
1	3rd Staff Conference	
2	3rd staff survey	
3	CA Board induction including 'how we work together' and reflections on futher activity	
4	Onboarding of new CEX	
5	Snr Policy officer recruited to Mayors office	
6	Leadership Values and Behaviours drafted into Recruitment and Selection Procedures and Documentation	
Confidence, Culture and Capacity - Key Milestones Planned for Next Period		
1	Commence internal communications review and improvement	
2	Staff conference and workshop review to consider and plan next steps and translate into 'you said - we listened - we did'	
3	Corporate Performance Reporting (Balanced Scorecard) to commence	
4	Continue recruitment to activities to establish effective capacity to support the Mayor's priorities	
5	CA Board to be asked to provide steer on refresh of CPIER and development of a vision	
6	Approval of additional HR policies	
Confidence, Culture and Capacity - Key Milestones Project Risks		
	<div>Risk Description</div>	<div>Mitigation</div>
1	TBA	TBA
2		
3		
Confidence, Culture and Capacity - Report Completed By:		P Tonks; K McFarlane
Completion Date		28/06/2023

The Independent Improvement Board have requested implementation of 'Rag Rating' to report progress against identified areas of activity. It is proposed that this will be used from now on for Improvement reports to all Boards and Committees to ensure a consistent approach. We have used our learning from the first phase of improvement and sought best practice to inform our future approach.

Set out below is the methodology adopted.

Green	Successful delivery of the improvement theme to time, cost and quality appears to be highly likely.
Green / Amber	Successful delivery of the improvement theme within timescale appears probable. However, constant attention will be needed to ensure risks do not materialise into issues threatening delivery.
Amber	Successful delivery of the improvement theme appears feasible, but issues exist requiring attention. These appear resolvable at this stage, and if addressed properly, should not represent a schedule overrun.
Amber / Red	Successful delivery of the improvement theme is in doubt with major risks or issues apparent some key areas. Action is underway to ensure these are addressed and establish whether resolution is feasible.
Red	Successful delivery of the improvement theme within the agreed timescale and/or budget appears to be unachievable as issues have been identified which officers conclude are at present not manageable or resolvable. The theme will therefore need re-profiling.

# Cambridgeshire & Peterborough Combined Authority

## Procurement Review

May 2023



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# 1

## **Executive Summary**

# Executive Summary

## Overview

This review has been commissioned by the Authority to review its procurement capability over 5 areas: **Governance, Operating Model, Capability and Capacity, Culture of Compliance** and **Contract Execution**.

The review focuses on 3 key areas in order to assess current capability and identify improvements:

- 1) **A procurement maturity assessment**, a self-assessment against 18 questions;
- 2) **Procurement spend analysis** through a review of spend and contracts; and
- 3) **Procurement processes** review through interviews with officers and review of documentation.

An analysis of publicly available procurement information from other Combined Authorities was conducted in order to highlight areas of good practice that could be considered by the Authority. Alongside a review of the forthcoming **Procurement Bill** to ensure the Authority is aware of the proposed provisions and what changes it needs to implement in order to be compliant with these provisions.

## Highlights

Officers were very engaged in the process and were open and honest during their interviews. Many officers have good procurement and contract management experience and understand the need for effective controls and governance around grants and contracts.

All officers highlighted the high level of support, guidance, expertise, impact and value provided by the Authority's Procurement & Contracts Manager.

# Executive Summary

## Challenges

All officers stated that the corporate procurement function is under-resourced with limited capacity to make the improvements or provide the strategic direction that is expected from the Authority.

For many officers, the lack of centralised and standardised guidance, templates and process flows covering the full end-to-end procurement process was their biggest challenge as they felt this increased risk both to themselves and the Authority in the event that something went wrong. They indicated there was a lack of clarity around roles and responsibilities of procurement and legal colleagues, and that differing advice had been given which had led to confusion around process.

Whilst the review was focused on procurement, many of the challenges raised by officers, particularly around governance, operating model, capability and capacity, were reflective of similar concerns about the Authority in general.

## Recommendations

**There are 4 key areas of recommendation**, with supporting activities, which will drive improvements across the 5 areas.

## Executive Summary: Key Findings

### Operating model is under-resourced and not fit for purpose:

- The corporate Procurement & Contracts Manager is highly regarded by officers for their impact and value.
- However, the corporate procurement function is under-resourced. Benchmarking by the Chartered Institute of Procurement & Supply (CIPS) indicates that for every £15m procurement spend there should be 1 FTE professionally managing that spend. The Authority currently has budget for a central team of 2-3 FTEs, along with a number of officers undertaking procurement activity as part of their wider role in service areas. Based on CIPS, your spend indicates needing circa 8 FTEs with procurement capability across the corporate function and service areas (this number is a guide and may flex dependent on the Operating Model you determine).
- There is a highly dispersed operating model with a high number of officers (22) involved who are not procurement experts.
- Roles & responsibilities for procurement, legal & officers is unclear leading to uncertainty about who is required to lead certain parts of the process including contract execution stage.
- There is limited technology in place to support end-to-end procurement process or provide robust data to support decision making.

### Procurement is focused on tactical rather than strategic activities:

- Self-assessment against 18 questions for the Maturity Assessment shows the Authority scoring **1.82** (tactical) out of 5 (advanced).
- There is limited capacity in the corporate procurement function to build procurement capability or provide leadership and direction on complex, high value procurements.

### Data is incomplete in key areas hampering effective decision making:

- Data missing in spend and contract profiles makes it difficult to map relationships and identify opportunities for savings.
- Data missing in relation to key supplier information such as address / postcode makes it difficult to identify use of local suppliers and SMEs.

## Executive Summary: Key Findings

### Lack of effective governance:

- Processes and procedures are inconsistent and complex to follow with no central repository to find guidance and templates.
- Lack of visibility on procurement plans across the Authority makes it difficult to assess the level of corporate procurement support required.

### Lack of centralised guidance for officers:

- There is very little evidence that officers are not following correct processes & procedures or not reaching out to the corporate procurement function for advice and support when required.
- However, there is a lack of standard contract & supplier management guidance, KPIs and SLAs and Terms & Conditions which is leading to duplication across service areas.

### No formal coaching or development of procurement capability:

- No procurement or contract management training available (induction or refresher) for those officers involved in the procurement process.

### Uncertainty around contract execution processes:

- There is evidence of grants and contracts (across all service areas) commencing without documentation being finalised, but in all cases this was due to circumstances out of the control of officers.
- Reasons include: review of Ts & Cs; Grant Funding Agreements being amended; late allocation of grants from UKG; and time taken to get Board approval.

# Recommendations

## 1. Redesign your Procurement Operating Model (*supporting Governance, Op Model, Capability & Capacity and Compliance*):

- **Develop a whole Authority, end-to-end procurement Operating Model** which shifts activity toward strategic procurement, underpinned by professional procurement capability and capacity and supported by procurement technology to automate the full procurement process and provide robust management information to support effective decision making.
- **Define and clarify roles and responsibilities** for procurement, legal and service area colleagues during the procurement process, contract execution phase and ongoing contract & supplier management activities to reduce confusion, increase impact and value and meet timescales.
- **Implement a scheme of “Delegated Procurement Authority”** across service areas to allow officers to approve grants and contracts (depending on value and risk) to reduce timescales for Board approval and enable teams to meet procurement requirements as a result of additional and/or unexpected grant funding from UKG departments.
- **Improve procurement scrutiny** through visibility of Business Cases and complex projects/programmes in order to provide assurance that commercial risks and issues are captured and mitigated, that optimal routes to market are considered and agreed and that effective contract management processes are implemented.
- **Implement a corporate project management tool** to capture the existing and future pipeline of procurement activity across the Authority in order to assess workload, ensure that support is available to service areas at the right time and identify opportunities to reduce duplication and increase collaboration across the Authority and its constituent councils.

## 2. Refresh your Contracts Register (*supporting Governance and Capability & Capacity*):

- **Review and regularly update your Contracts Register** to capture all existing contract opportunities and contract awards to increase visibility and oversight of all live tenders, active contracts, total value of contracts placed, expiry dates, potential extension periods and all suppliers delivering contracts. This will support planning, governance and assurance of procurement activity, provide full transparency of all contracts awarded by the Authority and improve reporting capability on number of local suppliers and SMEs involved in the delivery of contracts (**aligned to Procurement Bill: “Visibility & Transparency Notices” and “Fair Treatment of Suppliers”**).

# Recommendation

## 3. Revise your Procurement Strategy, Policy & Procedures (supporting Governance, Capability & Capacity, Compliance and Contract Execution)

- **Develop an Authority wide Procurement Strategy** that includes the vision, values, and principles which underpin procurement, and develop a policy on agreed approach to prioritisation, risk, commodity categorisation and roles and responsibilities (**aligned to Procurement Bill: all provisions**).
- **Establish a 'Procurement Hub' (similar to HR Hub)** where all procurement related documentation, templates, Terms & Conditions etc for the full procurement process (from identification of need through to contract and supplier management) are centrally held (**aligned to Procurement Bill: all provisions**).
- **Revise your Procurement Policy** to make it more user friendly with supporting process flows, step-by-step procedural checklists and decision trees to enable officers to fully understand what they need to do during the procurement process and when they need to seek professional procurement advice and guidance (**aligned to Procurement Bill: all provisions**).
- **Standardise and rationalise contract management processes and procedures** including refining KPIs, SLAs and reporting templates to ensure consistency of practice and provide assurance that contract deliverables are being achieved and supplier performance is being monitored (**aligned to Procurement Bill: "Contract Management"**).
- **Enhance focus on Social Value** by ensuring that all contracts (current and new) identify, capture, monitor and report on Social Value outcomes to demonstrate the impact procurement activities have on your local area (**aligned to Procurement Bill: "Value for Money & Delivery of Strategic National Priorities"**).
- **Develop standard Grant Funding Agreements (GFA)** for different types of grant activity that require little or no change by any party to reduce delays to grants commencing.
- **Develop set of Terms & Conditions for different types of contract activity** (low value, low risk to high value, high risk) that can be selected at tender stage with little or no change required during the process to reduce delays to contracts commencing.

## 4. Implement procurement & contract management training (supporting Governance, Op Model, Capability & Capacity and Compliance)

- **Implement procurement and contract management training** for all officers (and potentially Elected Members) involved in procurement activities, including induction and refresher training at suitable intervals, to increase understanding and capability of officers, reduce risk to officers and the Authority and increase assurance of effective management of contracts and suppliers (**aligned to Procurement Bill: all provisions**).

# 2

## Introduction



# Background & Purpose

## Background and context

In January 2023 the Department for Levelling Up, Homes and Communities (DLUHC) wrote to the interim Chief Executive of the Cambridgeshire and Peterborough Combined Authority (CPCA) to inform him that the Parliamentary Under Secretary of State had decided to issue the CPCA with a Best Value Notice.

Amongst issues cited by DLUHC in the letter as causing the issuance of the Best Value Notice was *"concerns raised within the Authority in respect of procurement of services to the Authority"*.

As part of its response to the Best Value Notice, the Authority commissioned a review of its current procurement activities to ensure that they reflected good practice and demonstrated Best Value for the Authority.

## Purpose of this document

This document set out the **key findings** from the Procurement Review and presents 4 key areas of **recommendation for improvement** to enable the Authority to harness effective change in its procurement capability based on good practices.



## Review Scope

The work was commissioned to review the following **5 areas** to identify good practice, issues and concerns, along with recommendations to strengthen and improve the Authority's approach to procurement so that it is able to demonstrate best value. In addition, the forthcoming **Procurement Bill** will bring changes to how procurement is conducted and this review highlights the proposed provisions and the changes the Authority will need to implement to ensure that it is compliant when the Bill comes into force (expected mid 2024).



### Governance of Procurement

Governance of Procurement through the Constitution and financial regulations and whether this reflects current guidance, regulations and good practice.



### Operating Model

Whether the current operating model for procurement in the Authority reflects good practice and achieves best value.



### Capability & Capacity

Whether the Authority has the right capabilities, including adequacy of resourcing both within the corporate centre and service areas and adequacy of training and understanding of those involved.

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### Culture of Compliance

How effective the culture of compliance is with the Authority's procurement regulations, and when instances of non-compliance occur, how effectively these are addressed and reported to the relevant Officer and Member governance structures.



### Contract Execution

Whether there is an impact caused by projects/contracts commencing before the execution of the documents.

## Areas covered in this review

In order to support a rapid diagnostic review of the Authority's procurement capability, work focused on the following 3 main areas over a 5 week period:



### Procurement Maturity Assessment

To assess the **maturity and capability\*** of current procurement capability across the procurement cycle.



### Procurement Spend Insights

To **profile spend** through analysis of spend with 3rd parties to identify potential savings, highlight any key gaps in coverage and assess any risks to contract compliance.



### Procurement Process Review

To assess the key processes in place to manage the **end-to-end procurement process** including strategy development, sourcing, contract management, supplier management, benefits realisation and purchase-to-pay capability.

# 3

## **Approach Taken & Methodologies Used**

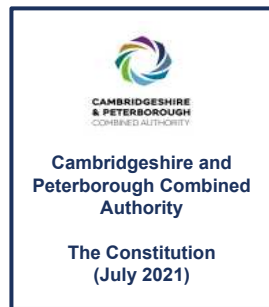
# Procurement Process Review: Approach Taken

## Review of Documentation

An in-depth review of the following documents was undertaken:

- Procurement and Contract Procedure Rules contained within the Authority's Constitution
- Procurement Policy
- Various procurement templates

Publically available procurement advice and guidance from other Combined Authorities was also reviewed.



## Interviews

- Invites were issued to 23 officers across the Authority (Business, Skills, Transport, Corporate Services, PMO and Net Zero Hub).
- 22 officers took part in 1-1 interviews (96% engagement rate).
- Elected Members from the Authority's Board, Chairs of the Committee's, and the Audit and Governance Committee were invited to attend a meeting to discuss their concerns.
- Engaged directly with 3 Elected Members, including the Mayor.

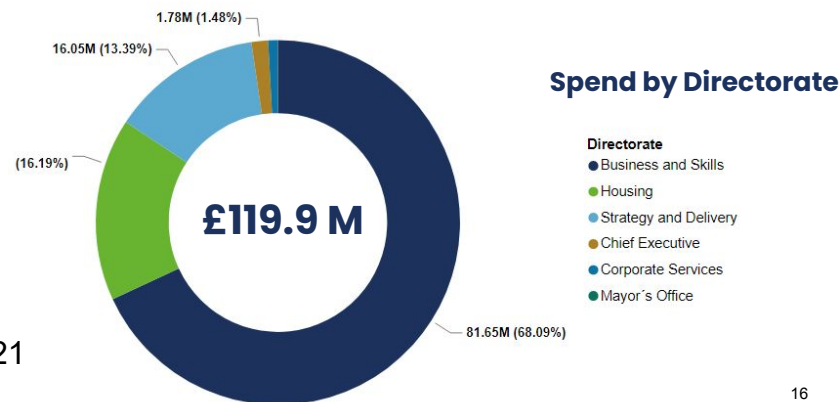
# Methodologies Used

## Procurement Maturity Assessment

- In addition to the interviews, all staff who had been interviewed were asked to complete an online survey to assess the maturity of the procurement capability.
- 18 questions were asked covering strategy; people & skills; process; governance; and technology.
- From the 22 surveys issued, only 6 completed surveys were returned (26% engagement rate.)
- Many newly employed officers felt unable to answer the survey as their experience of procurement within the Authority was limited.

## Procurement Insights

- Accounts Payable (AP) data from April 2022 to March 2023 was analysed.
- Data was cleansed, prepared, categorised and visualised to enable enhanced analysis.
- AP data was compared against data in the Contract Register to explore whether a supplier relationship could be defined between the two datasets and identify how much spend was covered by contract.
- The completed analysis was assessed to identify potential opportunities for savings



## Good Practice in Other Combined Authorities

In order to assess good practice, a review of publicly available procurement information by other Combined Authorities was undertaken with the following highlighted as options to be considered further:



### Leveraging Technology:

GMCA operates a 'Flexible Procurement System' (similar to Dynamic Purchasing System) for education, work and skills to make it easier and quicker for commissioning, minimise timescales, reduce administration costs, and create opportunities for a wider range of suppliers to bid.



### Delegated Authority:

TVCA states in its Constitution that all senior officers can approve regulated contracts for goods, services & supplies up to £100k and for works up to £250k with all Heads of Services able to approve regulated contracts for goods, services and supplies up to £1m and for works up to £1m.



### Procurement Information:

WYCA procurement page provides details on the categories of goods and services purchased; its live business opportunities; the procurement procedures used; its Procurement Strategy; an overview of tender assessment process; a number of FAQs; its Social Value Guide; its Terms & Conditions; and a glossary of public procurement terms.

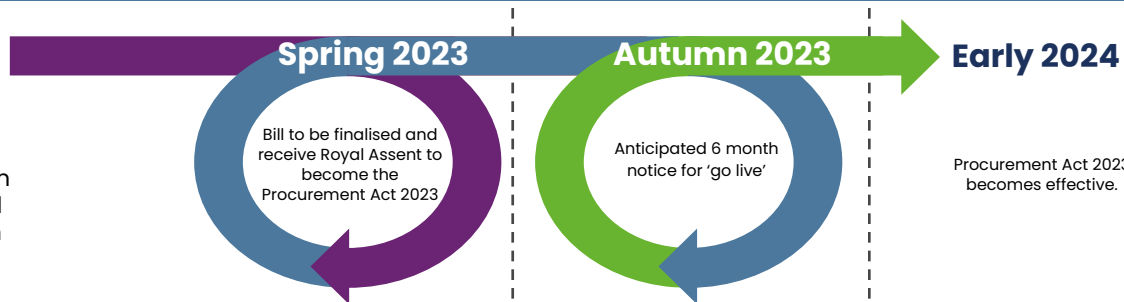
# Procurement Bill Considerations

The new Procurement Bill is due to come into effect in early 2024. It proposes major reform to the public procurement regime in the UK.

CPCA Legal colleagues are aware of the Bill and the proposed changes, and are considering its scope and impact. Training will be required to all officers who engage in procurement. The corporate procurement function will need to be adequately resourced to manage the communication of changes and the delivery of training.

Key changes are as follows:

*Highlighted in green are actions for the Authority*



## Visibility & Transparency Notices

Procurement information made publicly available to support effective competition and to ensure public insight into how money is spent. Contracts over £2m published within 90 days of commencement. Notices required for changes made during contract term. Future procurement activity will need to be made public.

**Robust and up-to-date publicly available Contracts Register required and Procurement Page detailing opportunities and spend.**

## Greater Supplier Due Diligence

A more robust process required. Identification and management of conflicts of interest.

**Clear due diligence processes in place for tenders; evidence of information and data being collected and assessed prior to contract award; and management of any conflict of interest ie. declaration forms for evaluation panel.**

## Fair treatment of suppliers

Aims to create a **Level Playing Field** by opening public procurement to new entrants and SMEs and encourages Authorities to have regard to barriers facing SMEs.

**Publicly available pipeline of opportunities required; robust market engagement; SME strategy; full transparency of contract opportunities and contract awards; and consider ways to support SMEs to overcome barriers.**

## Simplified, flexible approaches

Introduces a small number of simpler rules applicable to lower value contracts. Consolidates rules across the PCR15, Utilities Contracts Regulations 2016, Concession' Regs. and the Defence and Securities Public' Regs 2011. It proposes 3 streamlined procedures: Open, Competitive Flexible, Limited Tender.

**Incorporate simplified rules within Procurement Policy & Constitution.**



# Procurement Bill Considerations

**“ The Bill will reform the UK’s public procurement regime, making it quicker, simpler, more transparent and better able to meet the UK’s needs while remaining compliant with our international obligations\* ”**

Key changes are as follows:

*Highlighted in green are actions for the Authority*

## Supplier exclusion

Suppliers can be excluded for **underperformance** on previous contracts, or where there is evidence of **modern slavery**.

**Robust Contract & Supplier Management processes to be developed; and KPIs and SLAs to be implemented and effectively monitored and reported.**

## Contract Management

The Bill sets out steps required to manage a contract, and strengthening of the rules to ensure suppliers are paid on time. New requirement for publication of KPIs and supplier performance against them (reported minimum once annually).

**Development of standard KPIs and SLAs; effective monitoring and reporting mechanisms embedded; and reporting processes developed.**

## Procurement Review Unit

The **PRU** has the power to issue directions to authorities in the case of **systemic breaches**.

**Adoption of provisions and key recommendations of the review to avoid external intervention; and capture data on current/pipeline contracts to ensure visibility and transparency.**

## Value for Money & Delivery of Strategic National Priorities

Most Economically Advantageous Tender (**MEAT**) becoming Most Advantageous Tender (**MAT**) by considering the non-monetary benefits of a bid ie. social value, environmental benefits.

**Regard to delivering value for money, maximising public benefit, providing transparency and acting with integrity; development of selection criteria with project specific weightings for quality/price/social value; central government emphasise the importance of good management, and control of procurement activity and inclusion of national priorities within Procurement Strategy.**

# 4

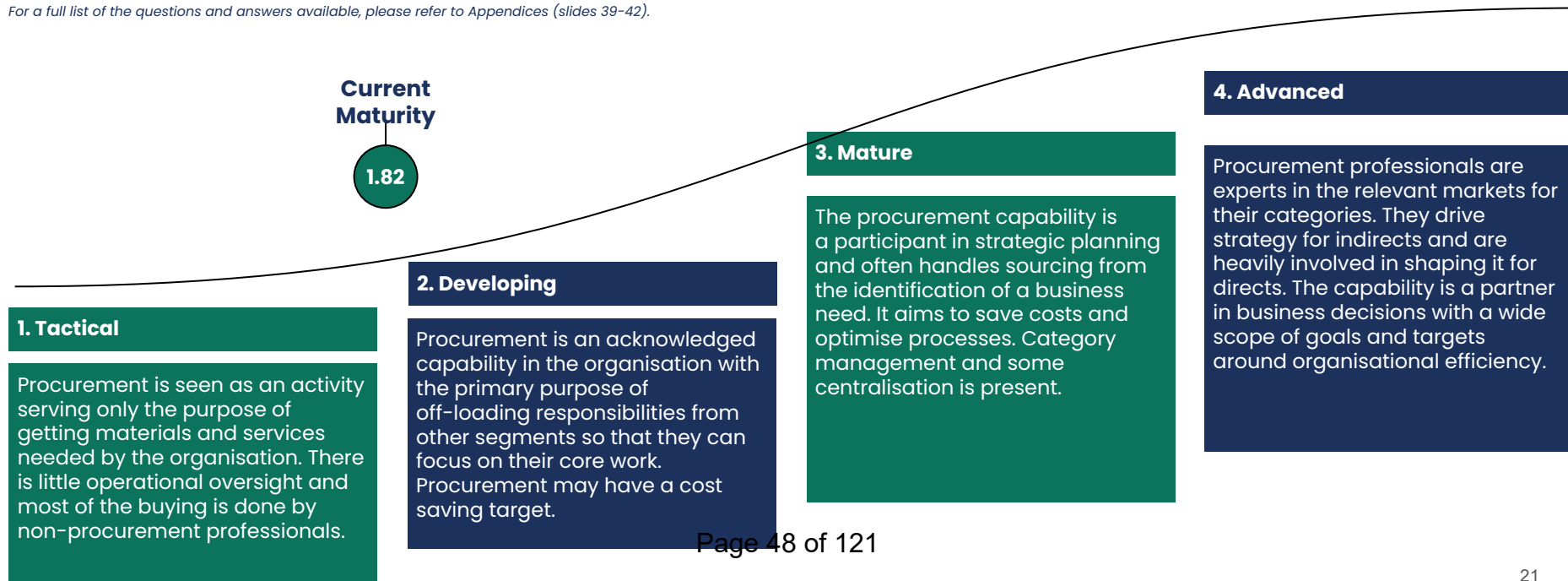
## **Procurement Maturity Assessment**

# Results from the Procurement Maturity Assessment

Officers were asked to rate the central procurement function against 18 questions from 1 (tactical) to 5 (advanced).

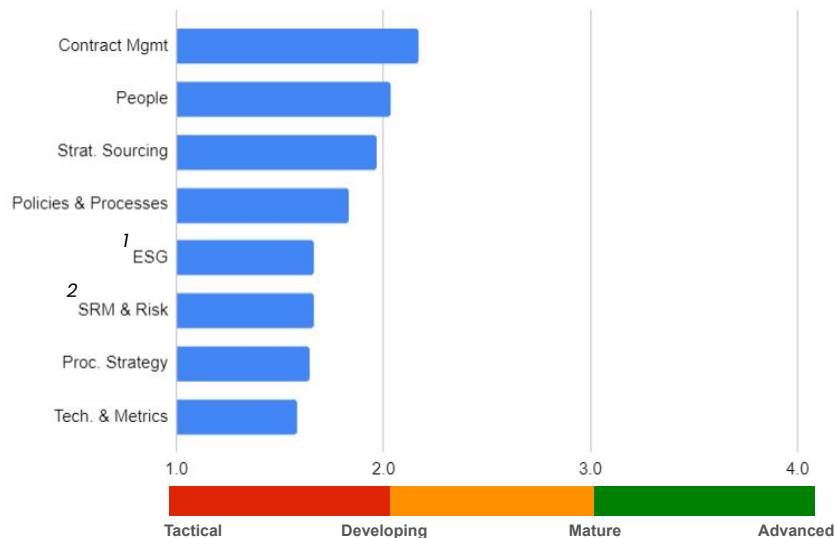
Overall, the Authority is demonstrating a **low level of maturity (1.82)** which the Review team concur with. Much of the procurement activity is focused on tactical procurement rather than strategic procurement which in large part is a consequence of the central procurement function being under-resourced, with limited capacity to build the procurement capability of the Authority or provide leadership and direction on complex, high value procurements.

*For a full list of the questions and answers available, please refer to Appendices (slides 39-42).*



# Procurement Maturity (Self-Assessed)

**The central procurement function is operating at a tactical level, providing advice & guidance as and when required rather than setting strategy and direction**



- There is not a consistent view amongst officers of the strength of procurement capability.
- 'Contract Management' and 'People' received the highest rating but that is due to some teams implementing contract management processes and some officers with experience of procurement
- 'Procurement Strategy' and 'Tech & Metrics' received the lowest rating as there is no strategy in place and limited technical capability to support the procurement process or capture data.
- Only 6 officers returned a response. Other officers highlighted difficulty in completing the survey as they had only been working at the Authority for a short period of time.

*n.b. <sup>1</sup> Environmental, Sustainability and Governance; <sup>2</sup> Supplier Relationship Management*

*Further analysis can be found in the Appendices (slide 43).*

# 5

## Procurement Spend Insights

# Overview

FY2022/2023 was established as the baseline for the analysis in order to provide the most up-to-date profile of spend with the following metrics assessed: total spend, total number of suppliers, contract register value and spend per Directorate.

## Spend

**Addressable third party spend is c.£119.9m**

This excludes grant payments for the 7 constituent councils during the Financial Year.

**The top 3 spend directorates are Business & Skills, Housing and Transport Strategy & Delivery**

There may be an opportunity to embed strategic procurement support to provide increased scrutiny, governance and assurance to complex and high risk contracts.

## Suppliers

**415 unique suppliers used**

There are over 6,200 transactions to 415 different suppliers with an average spend per supplier of £288.9k.

**The majority of spend is incurred with only a few of these suppliers**

80% of third party spend is incurred with just 8% (33) suppliers due to limited supply market for certain categories of spend. There is a long tail of low value suppliers which could result in increased administration costs, duplication of suppliers and lack of visibility on potential contracting opportunities.

## Contract Register

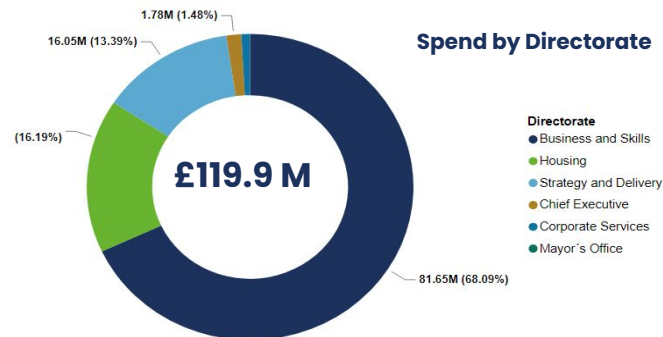
**Total awarded value is £171m**

Not all contracts placed by the Authority appear on the Register.

**Contract coverage across suppliers is difficult to track**

There is no linkage between the Contracts Register dataset and the accounts payable dataset, making it difficult to perform a full analysis of spend & contract data, limiting the ability to identify opportunities to rationalise contracts, reduce costs and make savings as well as map local suppliers and SMEs.

## Spend by Directorate



- Business & Skills has the largest spend (68.09%) whilst Housing and Transport Strategy & Delivery Directorates are responsible for nearly 30% of spend.
- The Business & Skills and Transport Strategy & Delivery Directorates account for 68% of the supplier base (310 suppliers).

Further analysis for all 3 Directorates is provided in [Appendices](#) (slides 49-51)

# Contracts Register

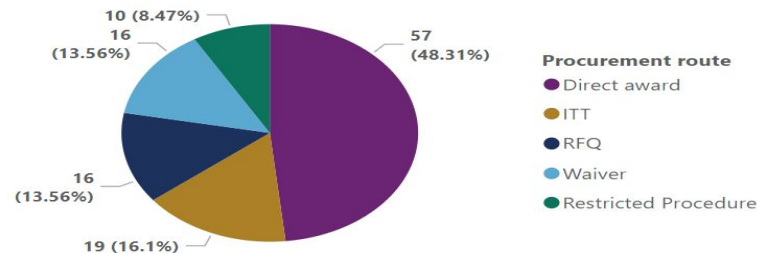
The Contracts Register was exported directly from the eTendering platform used by the Authority. It contained incomplete data (e.g. supplier name, address and value) so only a high level analysis was performed resulting in the following overview:

**Recorded location of suppliers awarded contracts**



**£171.71m**  
Total value of  
contracts placed  
2019- 2028

**Procurement Process Used**



- Nearly 50% of contracts awarded have been through Direct Award. In the interest of transparency and creating a fair level playing field, Direct Awards should be used sparingly, and the forthcoming Procurement Bill will be introducing new measures when dealing with such cases. Interviewees highlighted lack of time and resource as contributing factors.
- Records show that the location of suppliers are geographically diverse, however higher spend (deeper purple on the map) are generally centered near to the Authority's region of operations.
- Not all contracts placed by the Authority are contained within the Contract Register, particularly those that have not been managed through the eTendering platform. There is an incomplete picture of contract activity and contract value.
- Not all supplier records in the Contract Register record supplier size or address, making it difficult to assess locality of suppliers or the number of SMEs providing services to demonstrate local economic impact for the Authority.

# 6

## **Procurement Process Review**



# Governance of Procurement

## Highlights

- Officers aware of Procurement Policy and Procurement & Contract Procedure Rules in the Constitution.
- Some service areas track and monitor their own procurement activities but this is not consistent or standard across the Authority.

## Challenges

- **Procurement Policy & Contract Procedure Rules:** officers indicated that both were not user friendly and complex to follow.
- **Guidance:** no central 'Procurement Hub' where officers can go to find simple, easy to follow process flows and standard documentation and templates covering the full end-to-end procurement process from identification of need through to contract exit.
- **Approval delegation:** officers highlighted they had no delegated authority, leading to disproportionate effort to provide papers to the Board for all types of procurement from low value, low risk to complex, high risk.
- **Procurement Assurance:** no procurement scrutiny of business cases and complex projects/programmes which have a commercial element which could leave the Authority at risk and exposed from an assurance perspective.
- **Contracts Register:** is incomplete leading to lack of awareness of active contracts and their expiry dates. Where the eTendering portal is being used the Register is updated but many contracts are awarded outwith the system.
- **Reporting:** limited reporting on the benefits, savings and outcomes delivered from contracts so the Authority is unable to demonstrate the impact of its procurement activities at a local level.
- **Planning:** no corporate project management tool to capture the existing or future pipeline of procurement activity so difficult to assess workload, ensure that support is available to service areas at the right time and identify opportunities to reduce duplication or increase collaboration across the Authority and its constituent council's.

# Operating Model

## Highlights

- The corporate Procurement & Contracts Manager provides central guidance and support to service areas working closely with legal colleagues on the development of tender & contract documentation.

## Challenges

- **Control:** highly dispersed operating model across the Authority with 22 officers involved in all or part of the procurement process.
- **Procurement Expertise:** officers are experts in their service area, not procurement so there is a risk of exposure to them and the Authority if they are not following due process or correct procedures. Some officers indicated a preference for a dedicated procurement officer or business partner with expertise in their service area.
- **Duplication:** service areas are creating or duplicating processes and procedures due to lack of central, standard guidance and documentation (for example, contract management; contract pipelines; and templates).
- **Roles & Responsibilities:** there is some uncertainty around the role and responsibilities of procurement and legal colleagues in the procurement process with some officers highlighting different advice being given, causing confusion.
- **Process:** service areas have different procurement requirements (some areas place low value, low risk contracts whilst others place complex, high value, high risk contracts) with officers highlighting difficulties in understanding at what point they need to bring in procurement and legal colleagues to add most value.
- **Technology:** limited procurement technology in place to support procurement activities which means minimal data available on live procurement exercises, contract and supplier performance, benefits & savings, contract extensions and contract expiry dates.

# Capability & Capacity

## Highlights

- **Engagement:** officers highlighted very positive engagement with the corporate procurement function. The Procurement & Contracts Manager is well respected for their knowledge and skills, delivering high impact and trusted by their colleagues.
- **Experience:** many officers have well developed procurement knowledge & skills with many having good experience of managing procurement exercises, contracts and suppliers either in their current role or in previous roles at other organisations.
- **Assurance:** officers are providing oversight and challenge to procurement exercises led by other constituent councils under Grant Funding Agreements.
- **Procurement Bill:** Legal colleagues already discussing scope and impact of forthcoming Procurement Bill.

## Challenges

- **Resource Constraints:** corporate procurement function is under-resourced. CIPS benchmark indicates that for every £15m procurement spend there should be 1 FTE. Based on CIPS, your spend indicates needing circa 8 FTEs with procurement capability across the corporate function and service areas (this number is a guide and may flex dependent on the Operating Model you determine).
- **Capacity:** all officers acknowledged that the central procurement team is “severely” under-resourced. They raised concerns regarding resilience and well-being for the Procurement & Contracts Manager as well as the risk to officers and the Authority of non-compliance due to lack of capacity and professional procurement support.
- **Training:** no procurement or contract management training offered to officers (new and existing) so requirement to seek regular support from Procurement & Contracts Manager.
- **Capability:** due to lack of professional procurement capacity, there have been limited improvements and enhancements to documentation, processes, reporting & benefits realisation. Strategic procurement outcomes such as innovation and delivery of Social Value through contracts have been on the back burner.

# Culture of Compliance

## Highlights

- There is little evidence of officers and teams not following the correct procurement process. If they are unsure they contact the Procurement & Contracts Manager for guidance.
- Officers understand the importance of effective contract governance and controls. Many recognise the need for KPIs and SLAs and some highlighted they held contract meetings with their suppliers to discuss progress, performance, risks and issues.
- Officers are aware of need to use the eTendering Portal to advertise contract opportunities to ensure visibility and transparency.

## Challenges

- **Direct Awards:** there is some evidence of contracts expiring without continuity arrangement in place. This has necessitated the need to place 'Direct Awards' with incumbent suppliers to ensure stability of service delivery whilst a re-tender exercise takes place.
- **Contract & Supplier Management:** there are no standardised processes or procedures in place to track supplier performance or manage contracts. As such, there is a risk that performance issues are not being addressed or that contract obligations are not being monitored.
- **KPIs and SLAs:** there are no standard metrics in place so officers have to either create new ones or adapt existing ones to meet the requirements of each contract.
- **Terms & Conditions:** there are no standard Terms & Conditions in place with legal colleagues having to review and amend each tender and contract that they are involved in (some low value tenders are being issued without legal input).
- **Due Diligence:** evidence that some contracts are commencing without the necessary due diligence checks carried out prior to award (e.g. insurance requirements).
- **Supplier Poor Performance:** evidence of a supplier awarded a contract even though performance issues during the delivery of a previous contract had been highlighted (there was uncertainty around ability to deselect the supplier from the tender exercise).

# Contract Execution

## Highlights

- Some service areas have embedded additional controls to ensure that work commences once grants and contracts have been signed.

## Challenges

- There is some evidence of grants and contracts (across all service areas) commencing prior to the completion of documentation. This often happens for reasons outwith the control of officers, for example:
  - A review of Terms & Conditions during a live procurement exercise delayed the signature of the contract;
  - A Grant Funding Agreement going through a series of amendments by both legal parties beyond the date of the grant being awarded;
  - Additional funding provided by DLUHC and BEIS but procurement process taking longer than the funding timeframe;
  - 'Surrendered' bus contracts with only 70 days to put in place a replacement service but procurement process taking longer; and
  - Time taken to get Board approval as there are no delegation limits for officers to award contracts up to a certain value.
- In these cases, it was agreed by both parties that grants and contract would commence "at risk" whilst documentation was being finalised. Whilst this allowed services to commence or continue there is a risk to both parties that any issues remain unresolved or escalate.
- Roles & Responsibilities:** Lack of clarity on who is responsible for drafting, issuing, ensuring execution (signature) and storing contract documentation (procurement, legal or officers).

# 7

## **Recommendations for Improvement**

# Recommendations

## 1. Redesign your Procurement Operating Model (*supporting Governance, Op Model, Capability & Capacity and Compliance*):

- **Develop a whole Authority, end-to-end procurement Operating Model** which shifts activity toward strategic procurement, underpinned by professional procurement capability and capacity and supported by procurement technology to automate the full procurement process and provide robust management information to support effective decision making.
- **Define and clarify roles and responsibilities** for procurement, legal and service area colleagues during the procurement process, contract execution phase and ongoing contract & supplier management activities to reduce confusion, increase impact and value and meet timescales.
- **Implement a scheme of “Delegated Procurement Authority”** across service areas to allow officers to approve grants and contracts (depending on value and risk) to reduce timescales for Board approval and enable teams to meet procurement requirements as a result of additional and/or unexpected grant funding from UKG departments.
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## 2. Refresh your Contracts Register (*Supporting Governance and Capability & Capacity*):

- **Review and regularly update your Contracts Register** to capture all existing contract opportunities and contract awards to increase visibility and oversight of all live tenders, active contracts, total value of contracts placed, expiry dates, potential extension periods and all suppliers delivering contracts. This will support planning, governance and assurance of procurement activity, provide full transparency of all contracts awarded by the Authority and improve reporting capability on number of local suppliers and SMEs involved in the delivery of contracts (**aligned to Procurement Bill: “Visibility & Transparency Notices” and “Fair Treatment of Suppliers”**).

# Recommendations

## 3. Revise your Procurement Strategy, Policy & Procedures (supporting Governance, Capability & Capacity, Compliance and Contract Execution)

- **Develop an Authority wide Procurement Strategy** that includes the vision, values, and principles which underpin procurement, and develop a policy on agreed approach to prioritisation, risk, commodity categorisation and roles and responsibilities (**aligned to Procurement Bill: all provisions**).
- **Establish a 'Procurement Hub' (similar to HR Hub)** where all procurement related documentation, templates, Terms & Conditions etc for the full procurement process (from identification of need through to contract and supplier management) are centrally held (**aligned to Procurement Bill: all provisions**).
- **Revise your Procurement Policy** to make it more user friendly with supporting process flows, step-by-step procedural checklists and decision trees to enable officers to fully understand what they need to do during the procurement process and when they need to seek professional procurement advice and guidance (**aligned to Procurement Bill: all provisions**).
- **Standardise and rationalise contract management processes and procedures** including refining KPIs, SLAs and reporting templates to ensure consistency of practice and provide assurance that contract deliverables are being achieved and supplier performance is being monitored (**aligned to Procurement Bill: "Contract Management"**).
- **Enhance focus on Social Value** by ensuring that all contracts (current and new) identify, capture, monitor and report on Social Value outcomes to demonstrate the impact procurement activities have on your local area (**aligned to Procurement Bill: "Value for Money & Delivery of Strategic National Priorities"**).
- **Develop standard Grant Funding Agreements (GFA)** for different types of grant activity that require little or no change by any party to reduce delays to grants commencing.
- **Develop set of Terms & Conditions for different types of contract activity** (low value, low risk to high value, high risk) that can be selected at tender stage with little or no change required during the process to reduce delays to contracts commencing.

## 4. Implement procurement & contract management training (supporting Governance, Op Model, Capability & Capacity and Compliance)

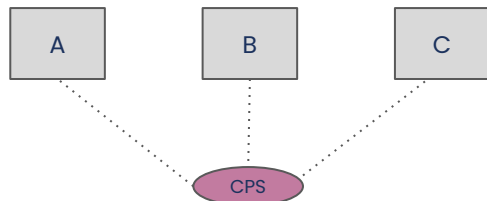
- **Implement procurement and contract management training** for all officers (and potentially Elected Members) involved in procurement activities, including induction and refresher training at suitable intervals, to increase understanding and capability of officers, reduce risk to officers and the Authority and increase assurance of effective management of contracts and suppliers (**aligned to Procurement Bill: all provisions**).



# Recommendations: Example Operating Models

The current procurement operating model for the Authority is partially devolved but there are other models to consider that may deliver procurement good practice; however, they will require a re-design of the corporate procurement service (CPS) and additional resource.

## 1. Devolved



CPS decentralises most operational activities to directorates with each directorate conducting their own procurement exercises with direction from CPS.

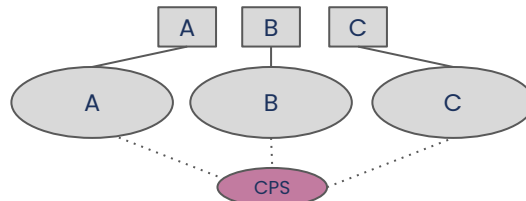
### Strengths

- + Allows Directorates direct control over their sourcing decisions.
- + CPS would be elevated to strategic role.

### Weaknesses

- Level of self serve far greater and therefore risk higher.
- Model does not break down silo ways of working and likely to be different approaches across the Authority.

## 2. Hub and Spoke



CPS aligns procurement officers per directorate to manage all procurement activities and provides strategic oversight, advice and guidance as well as day-to-day line management for the procurement officers.

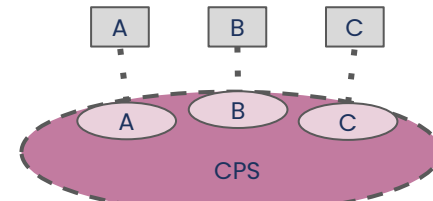
### Strengths

- + Enables the organisation to set up centres of excellence.
- + Directorate 'hubs' are better aligned with services enabling closer working and therefore self servers may be more likely to seek support.

### Weaknesses

- Risk of confusion around roles, responsibilities and accountability of CPS & directorate 'hubs'.
- Requires strong direction from the CPS to ensure consistency of practice across the Hubs.

## 3. Consolidated Matrix



CPS responsible for all strategic and operational procurement activity. Procurement officers are not assigned to specific directorates, and instead are assigned to manage a procurement as and when they are initiated.

### Strengths

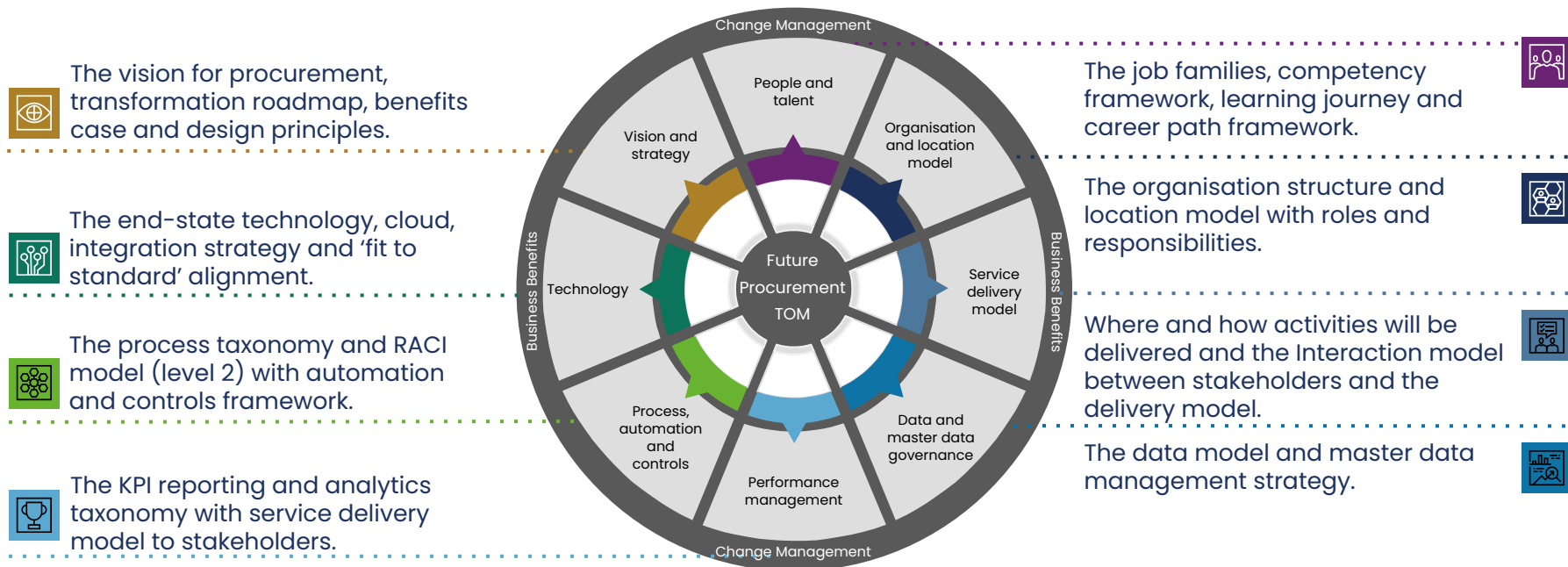
- + Better central visibility and control/ ability to influence spend.
- + Upskilling and ability to share good practice, tools and templates.
- + Commercial career paths to help attract /retain talent.

### Weaknesses

- Significant recruitment / upskilling depending on current maturity and capability.
- Largest amount of change increasing likelihood of resistance and perceived loss of control.
- Time to implement.

## Recommendations: High Level Operating Model Design

When designing the operating model for procurement the following design elements need to be included:



# 8

## Appendices

# Procurement Maturity Assessment: Survey Structure

	How would you describe your current Procurement strategy and its alignment with your organisational strategy?	Across your third-party spend to what extent are Category Strategies in place and aligned to the requirements of the business?	How proactive is procurement in identifying future business requirements and collaboratively working with stakeholders to develop a long-term sourcing pipeline?	What visibility do you have over your third-party spend and how is this used by your organisation?	What level of risk management do you have in place across your third-party spend?
1	There is no documented Procurement Strategy.	Procurement support the organisation sporadically but often have no input on defining requirements and sourcing decisions.	There is little or no engagement of Procurement across the organisation. Clear documented process for engagement does not exist.	Invoice and payment data isn't easily available from Finance systems and where it is, lacks the required detail for procurement to perform any meaningful spend analysis.	There is no formal process for risk management. No supplier monitoring in place. Contingency plans are not in place even for critical requirements.
2	A Procurement Strategy has been developed but is largely based around cost reduction and makes no reference to supporting the broader Corporate strategy goals. Procurement are seen as a supporting capability to the organisation.	Key spend categories are identified with some initiatives defined, but Procurement is typically led by the needs of the business and unable to influence sourcing decisions.	Procurement is engaged on a reactive basis, based on where demand is and upcoming contract renewals.	Spend data is available from finance systems but is difficult to extract or process. There may also be a reliance on suppliers to provide spend data and there is no ability to separate revenue and capital expenditure.	Risk management guidelines are in place for Procurement but the approach is not consistent. Procurement are actively involved in qualification of new suppliers but there is limited evidence of proactive or regular risk assessment & monitoring of existing suppliers. Contingency plans to cover supply shortages on critical requirements are available.
3	An organisation-wide Procurement Strategy has been developed which goes beyond pure cost reduction (e.g. supply chain resilience, sustainability, strategic partnerships etc). There are references to the Corporate strategy but limited evidence that Procurement objectives align with organisational goals.	Strategies are in place for most areas of major direct and indirect spend with a focus on achieving the lowest cost. Category strategies tend to be owned and understood by the Procurement Team with little alignment to the wider-organisation.	Stakeholders collaborate with Procurement across key categories to proactively identify upcoming strategic sourcing requirements. However, there is little evidence of a fixed approach to engagement across all third-party spend.	Spend data is available from a data warehouse covering the corporate ERP systems and is easy to extract. There may be reliance on supplier data for granularity. Revenue and capital spend can be analysed with manual data manipulation. Data is manipulated to provide insights and drive decisions.	A risk management approach has been defined which lays out Procurement responsibilities. Risk monitoring & ongoing assessment in place for critical suppliers only. Contingency plans in case of supply shortage are in place for most critical requirements but not all.
4	Procurement strategy has been developed with the participation of key business stakeholders, and is fully aligned to the Corporate strategy and key objectives. Procurement is seen as a value-add capability across the organisation.	Advanced strategies are in place for all categories of spend and all sourcing factors are considered e.g. supplier base consolidation, demand aggregation, ESG. Procurement are seen as specialists and are able to challenge category stakeholders to drive innovation and change across the business	Procurement actively collaborates across all categories to proactively identify upcoming strategic sourcing requirements.	Spend data can be immediately extracted from a data warehouse providing full coverage and at a granular level for contract suppliers. Revenue and capital spend can be analysed separately. Data is manipulated to provide insights which drive decision at all levels of the business.	Detailed risk management processes have been rolled out across Procurement, supported by good practice templates, training & tools. Risk monitoring requirements are defined by category & supplier according to exposure. Complete contingency plans exist in case of supply shortage for critical requirements.

# Procurement Maturity Assessment: Survey Structure (continued)

	What contract management processes and policies do you have in place?	How embedded are ESG (environmental, sustainability and governance) considerations across your S2C value chain?	Across your organisation, how well-defined and adhered to is your Procurement policy?	How well-defined and executed is your approach to managing third party supplier relationships?	To what level are digital tools and technology integrated across all core S2C activities?
1	Contracts are not consistently in place with suppliers. Where contracts do exist there are no standard terms and conditions. Supplier terms are widely accepted with minimal adaption.	ESG is a regulatory requirement and has been incorporated in corporate strategy and vision. No documents detailing the role of procurement in ESG strategy exist.	There is no policy covering procurement and as a consequence the Procurement Team has no central visibility of procurement activity taking place across the organisation.	All suppliers are treated on a purely transactional basis with no partnerships or alliances in place.	There is currently no eSourcing system in place.
2	Contracts are in place for major spend areas. Contract models vary across the business with standard terms and conditions defined but not consistently used.	There are ESG ambitions but they are not regularly actioned. ESG criteria are covered to some extent in policies and KPIs used within procurement. Adjustments have started in some procurement processes such as awarding.	Policy is in place but it is followed inconsistently, particularly in indirect category areas. There is some visibility of procurement activity happening across the business.	Strategic suppliers have been identified, though the management of supplier relationships by Procurement is on a reactive basis focusing on performance.	An eSourcing system but is used to limited effectiveness across the business or multiple categories. Team members may lack the required training to fully utilise the software.
3	Contract good practice and guidance is owned and driven by the procurement team with some standardised terms and conditions to deliver efficiency. They are stored within a central digital repository.	There is a clear procurement ESG strategy which is embedded within procurement policy. KPIs cover relevant ESG criteria and roles and responsibilities are clearly defined. ESG criteria are included across most of the procurement process.	Policies and delegations of authority are in place governing all procurement activity. There is good visibility of procurement activity with high compliance.	Across major spend categories there is a supplier management strategy in place led by procurement and business stakeholders but the approach is inconsistent.	An end to end Source to Contract system is used by all of procurement for all categories and some wider business stakeholders. Team members are fully trained on its application
4	There is a contract management framework in place with standard terms and conditions that is integrated with the wider Procurement Strategy.	ESG vision and targets are embedded in procurement strategy. Clear and documented ESG monitoring and reporting structures have been implemented with roles and responsibilities clearly defined. Procurement policy and suppliers embrace all relevant ESG criteria.	Clear policies and delegations of authority are in place governing all procurement activity with high compliance Procurement is involved in all major Source-to-Contract activities.	There is a supplier management strategy in place with executive sponsorship of strategic relationships and defined processes with Procurement as a joint owner. Individuals have dedicated time and objectives linked to management of key suppliers.	An end to end Source to Contract system allows Business Stakeholders to run their own sourcing activities using standardised templates, AI, auctions, and other tools with Procurement providing strategic support and direction

# Procurement Maturity Assessment: Survey Structure (continued)

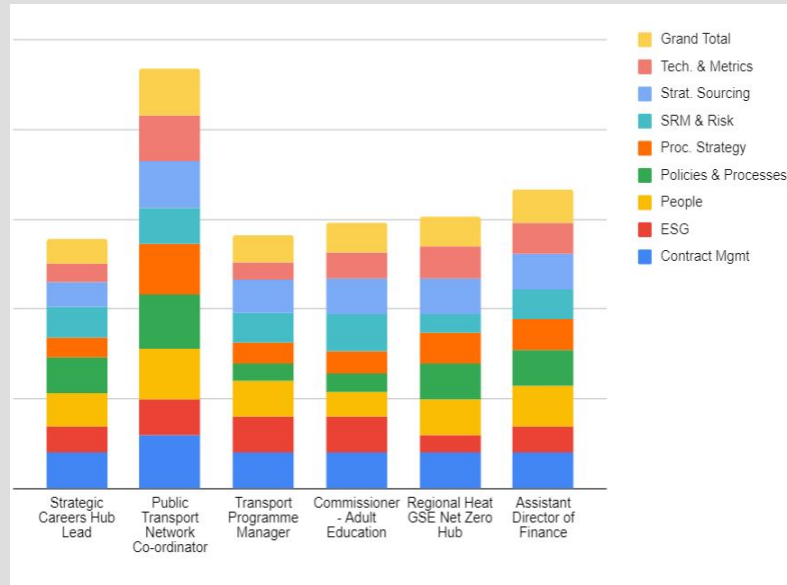
	Is the role of the Procurement capability clear?	What role does procurement play in corporate, strategic and operational planning?	To what extent does your organisation have a defined strategy and approach for managing supplier?	How is compliance to the the contract management process monitored and managed?	To what extent is training used to develop skills of employees engaged in the procurement process?
1	Procurement responsibilities are unclear	Procurement has no involvement in business planning.	All suppliers are treated on a purely transactional basis with no partnerships or alliances in place.	There is no monitoring of compliance.	No formal training or methodology. Diverse skill sets. No formal plan to build a broad capability to fulfil defined roles.
2	Responsibility and accountability defined for some areas of Procurement, with moderate adherence.	Procurement has some limited involvement in providing cost data to some business capabilities, but no involvement in decision-making.	The management of supplier relationships is inconsistent and is down to business stakeholders. Procurement's focus is on supplier performance management.	Monitoring of compliance is inconsistent with high levels of non-compliance evident. While periodic attempts to identify off-contract spend are made, there is no mandate to support effective action.	Inconsistent guidelines for training and methodologies. Skills and capabilities loosely defined. Unstructured capability model.
3	Responsibility and accountability defined for all areas of Procurement, with moderate adherence.	Procurement provides cost data to business units to support planning but is not involved in decision making.	There is a supplier management strategy in place with Procurement Team relationship leads, but business stakeholder involvement has not been formalised. There is limited business recognition of Procurement responsibilities.	Compliance is controlled through internal monitoring, however there is no recourse for non-compliance. While periodic attempts to identify off-contract spend are made there is limited evidence of successful remedy.	Group wide guidelines for training and methodologies, adjusted locally. Local definition of skills and capabilities based on group wide guidelines. Structured but immature capability model.
4	Responsibility and accountability defined for all areas of Procurement, with high levels of adherence.	Procurement works with the Leadership Teams in business units, providing cost analysis and helping to shape operational plans.	There is a supplier management strategy in place but the application of processes is inconsistent and the commitment of resources is an issue. Procurement is seen as the owner of process and is involved in the majority of key relationships.	Compliance control is exercised through internal and external controls e.g. no PO, no pay policies. Non-compliance is limited with monthly reports used to identify and remedy off-contract spend.	Consistent guidelines for training and methodologies, group wide implemented. group wide definition of skills, developed and consistent capability model.
5	All influencers of non-pay spend identified with roles, responsibilities and accountability agreed and adhered to across the organisation.	Procurement is an integral member of the Executive Management Team, and is actively involved in strategic and operational planning.	There is a supplier management strategy in place with executive sponsorship of strategic relationships and defined processes operational. Procurement is seen as an owner of the process and is fully involved in all key relationships.	Exceptional process compliance is being achieved through internal and external controls. Monthly reports are used to identify off-contract spend and the effectiveness of actions are monitored by Procurement and the business.	Rigorous training and methodology. Mature capability model with clear and structured development strategy. Training covers technical and business partnering/change management skills.

# Procurement Maturity Assessment: Survey Structure (continued)

	To what level are digital tools and technology integrated across all core P2P activities?	How does the organisation measure the effectiveness of procurement?	How unified is Procurement across the organisation; what is the level of centralisation?
1	There is currently no electronic ordering system in place	The Procurement team are not tracked against any performance metrics.	Procurement is not recognised as a capability and there is no central Procurement Team. There is a lack of clear visibility of who 'does' procurement across the organisation.
2	An electronic ordering system is in place but is used to limited effectiveness across the business	A limited, static set of KPIs measuring internal performance exists, but is infrequently used or reported on and mainly tracks the delivery of savings vs. targets	Procurement Teams and resources are decentralised and fragmented across business units. Procurement resources are tactical and reactive to stakeholder needs.
3	eProcurement solution operating effectively and transacting 90% or more of the addressable transaction volume	A set of internal KPIs is regularly used and reported on, these are focused on cost reduction and spend under management and are tracked by the organisation	A centralised/centre led Procurement Team is in place for major spend categories and providing overall Procurement vision, strategy & policy for the business. Transactional Procurement may be outsourced or part of an alternative delivery model. There are some areas where Procurement has been unable to challenge established buying models.
4	Fully integrated P2P solution embedded across the organisation and used to drive all transactional procurement activity	The organisation track the delivery of spend reduction through to its bottom line. Procurement are tracked against non-cost strategic goals such as strategic supplier relationships and wider ESG metrics. Business stakeholders are also held to account for the delivery of targets.	A centralised/centre led Procurement structure is in place for all spend areas and sets the Procurement vision, strategy & policy for the business. Category teams are in place for all major spend categories. There is flexibility and ability to move resources between teams and allocate resources to support projects based on risk and value and specialisms within the process (e.g. SRM) are recognised.

# Procurement Maturity Assessment: Survey Results (Self-Assessment)

**There is not a consistent view across the Authority**

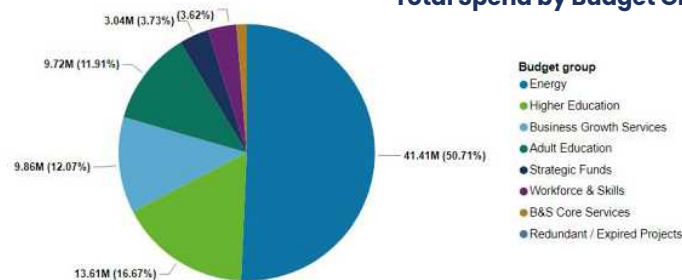




# Procurement Insights: Business and Skills Directorate

This slide shows the spend profile for Business and Skills Directorate. If using the CIPS recommendation of 1 FTE for £15 m of spend, this Directorate would necessitate at least 6 FTE with professional procurement expertise.

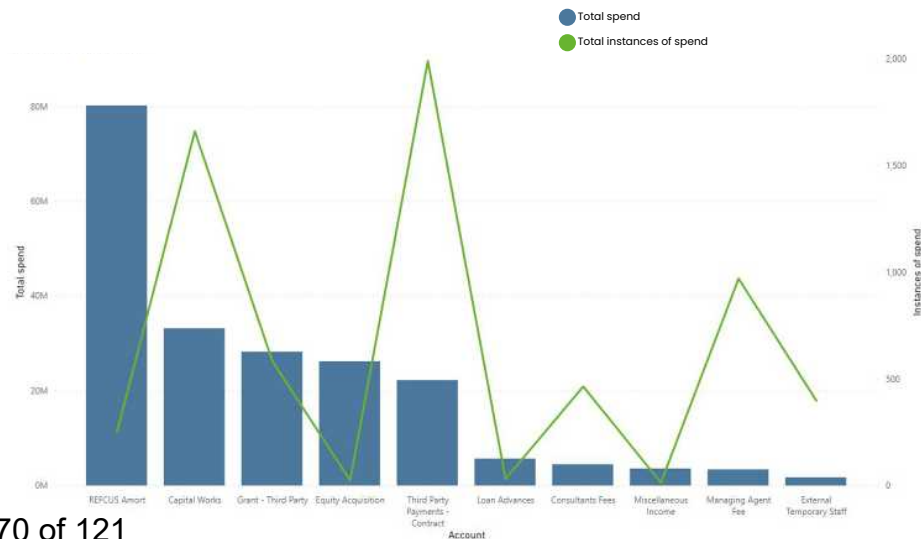
**Total Spend by Budget Group**



## £81.65m

Total spend FY-22/23

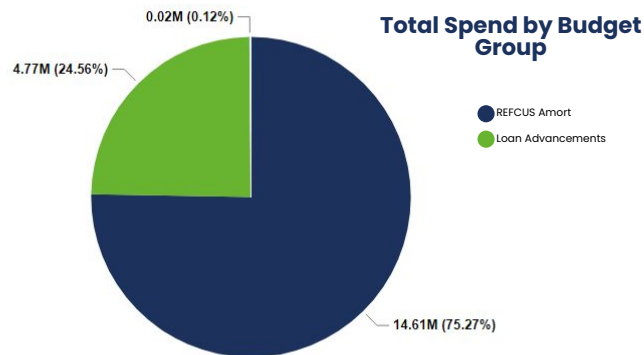
**Total and instances of spend with top 10 accounts**



- Energy accounts for 50% of the total spend and approx. 60% (121 suppliers) of the supplier base for the Directorate. As such, this Directorate may warrant greater scrutiny and strategic planning.
- Little funding is spent on redundant/expired projects, showing strong contract management oversight and governance.
- Comparing total spend against instances of spend tracks what is to be expected for each account regarding infrequent high value spend (REFCUS Amort, equity acquisition) and common low value spend (consultants, managing agents).
- Grant - Third Party spend is the second largest spend account which shows Councils outside the CPCA area being paid

# Procurement Insights: Housing Directorate

This slide shows the spend profile for Housing Directorate. If using CIPS as a guide on the recommended number of FTEs, this Directorate should have at least 1 FTE with professional procurement expertise.

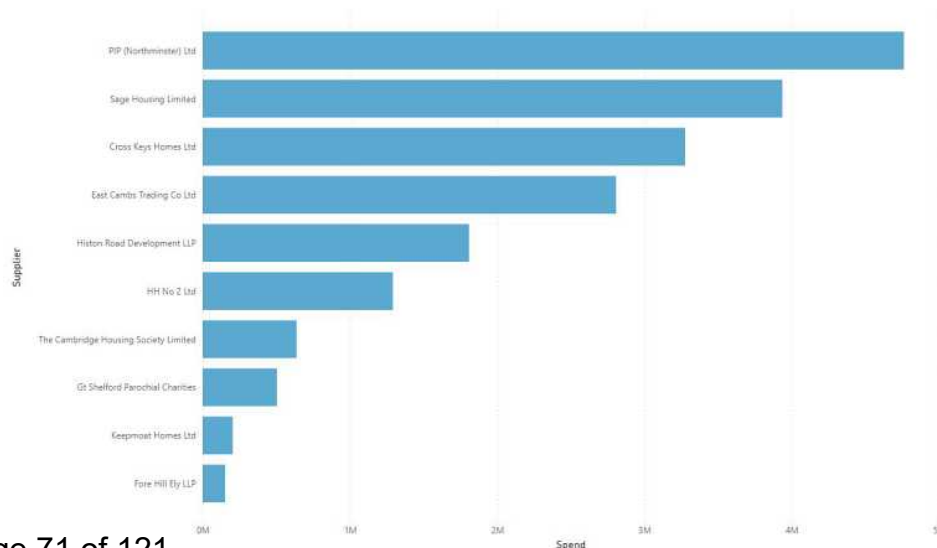


**£19.41m**

Total spend FY-22/23

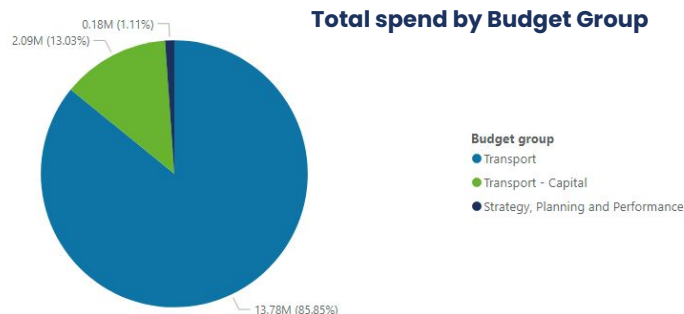
- An in-depth analysis of housing proved difficult, due to a lack of sub-categorisation.
- Over 75% of housing spend relates to the REFUS Amort account, with the remaining 25% falling under Loan Advances. There is negligible spend that falls under contractors, training, consultants, postage, salaries, subscriptions, and licenses, which implies that the Housing Directorate is performing efficiently.
- No one supplier has market dominance, with 6 suppliers all receiving at least £1m of spend in the last fiscal year. This market diversification suggests procurement performed effectively when engaging with suppliers.

## Total spend per supplier



# Procurement Insights: Transport Strategy & Delivery Directorate

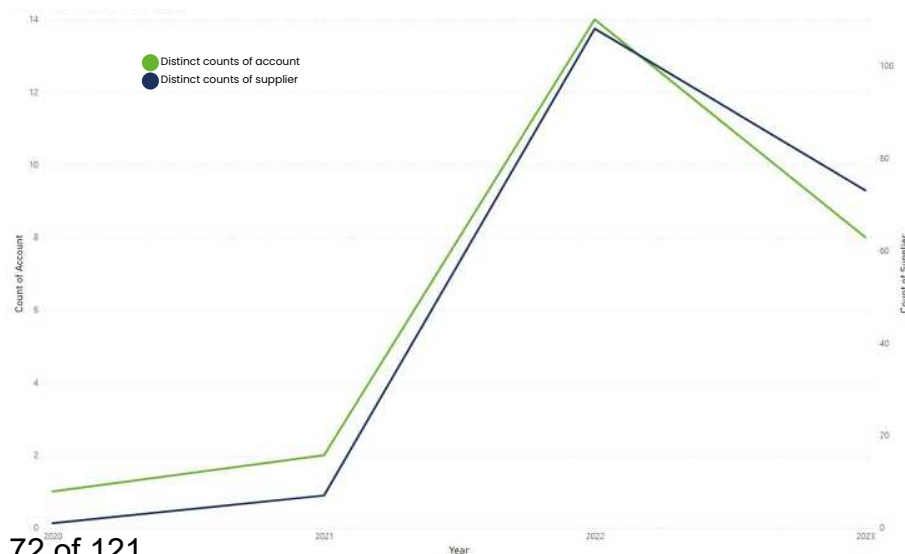
This slide shows the spend profile for Transport Strategy & Delivery Directorate. As with the Housing directorate, this Directorate should have at least 1 FTE with professional procurement expertise.



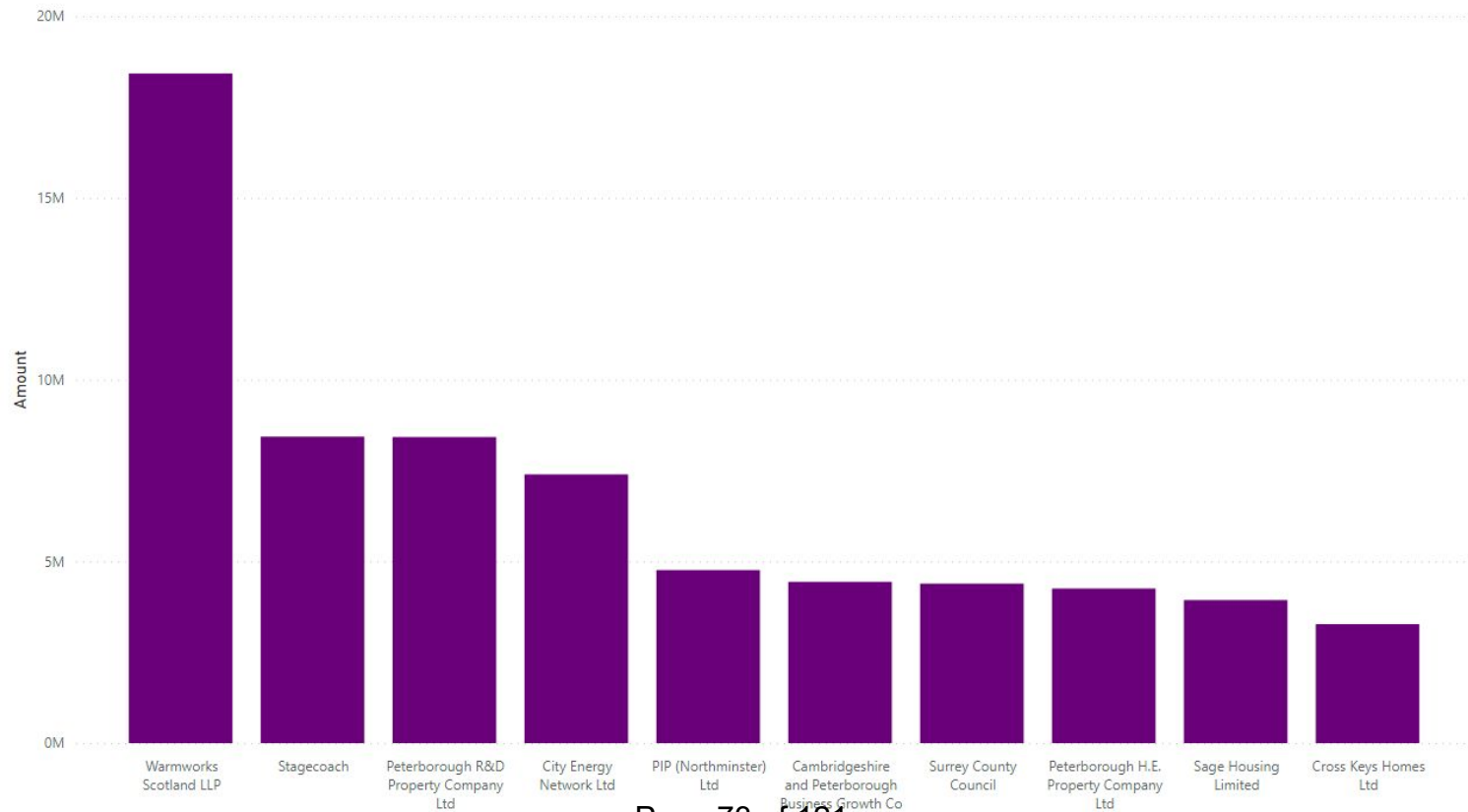
- There are a high number of suppliers covered by the Transport budget group with this budget group making up the majority of where the Directorate's spend is channelled.
- 2022 saw a rapid increase in the distinct number of suppliers with new bus operator contracts being awarded. However, during the first quarter of 2023, 4 of these contracts have been surrendered due to the financial crisis.
- There are 200 suppliers responsible for £16m spend (averaging £80k/supplier).

**£16.05m**  
Total spend FY-22/23

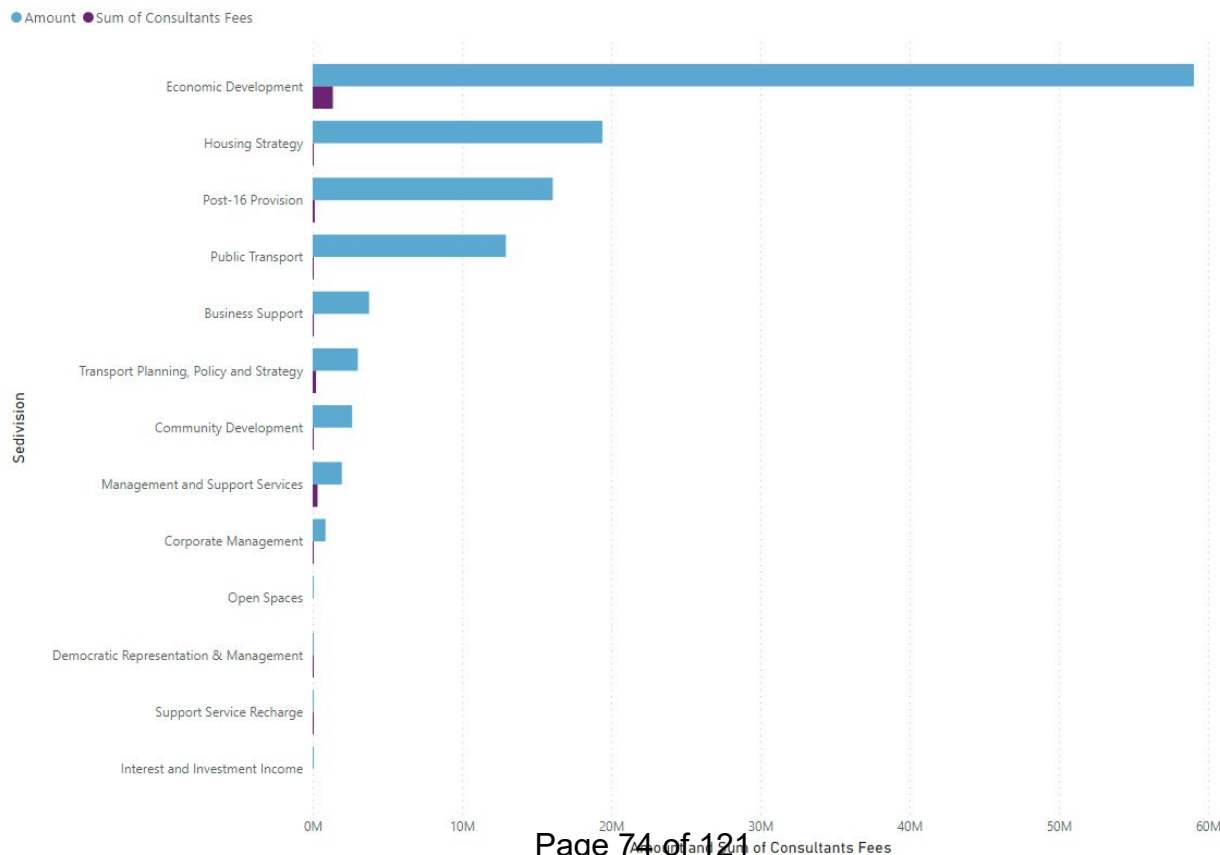
**Number of distinct accounts and suppliers in Strategy and Delivery directorate**



## Top 10 Suppliers by amount spent FY 22 – 23



## Spend per Division, including amount spent on consultants FY 22 – 23



This document has been prepared only for the Cambridgeshire and Peterborough Combined Authority and solely for the purpose and on the terms agreed with the Cambridgeshire and Peterborough Combined Authority. We accept no liability (including for negligence) to anyone else in connection with this document, and it may not be provided to anyone else.

If you receive a request under freedom of information legislation to disclose any information we provided to you, you will consult with us promptly before any disclosure.

This is a draft prepared for discussion purposes only and should not be relied upon; the contents are subject to amendment or withdrawal and our final conclusions and findings will be set out in our final deliverable.

## **APPENDIX 2**

### **High Level Action Plan**

As set out within the PwC report on pages 33 and 34, Recommendations 1 – 4

- **Recommendation 1 - Redesign your Procurement Operating Model (supporting Governance, Op Model, Capability & Capacity and Compliance)**

The operating model will be based on a 'business partnering' model with 3 Procurement Business Partners reporting to the Head of Procurement. Each Procurement Business Partner will service and support a specific Directorate (Transport and Connectivity; Economy & Skills; Resources & Performance) and recruitment will be required to the additional posts. Budget for one of the posts already exists within the approved Medium Term Financial Plan, and approximate costs for the further 2 additional Procurement and Contracts Officer posts will be in the region of £30-35k each plus on costs.

- **Recommendation 2 - Refresh your Contracts Register (Supporting Governance and Capability & Capacity)**

This requires the recruitment of a Contracts Manager to maintain an up to date contracts register. Approximate costs for a Contracts Manager post will be in the region of £40k-£43k plus on costs.

- **Recommendation 3 - Revise your Procurement Strategy, Policy & Procedures (supporting Governance, Capability & Capacity, Compliance and Contract Execution)**

Work is currently being undertaken to update the Contract Procedure rules within the constitution, along with the creation of a new Procurement Strategy and Policy document which will include guidance for officers undertaking a procurement. This forms the basis of a separate item on the Board agenda.

- **Recommendation 4 - Implement procurement & contract management training (supporting Governance, Op Model, Capability & Capacity and Compliance)**

We are obtaining quotes from providers of Contract Management and Procurement training to roll out to the organisation. It is anticipated that the costs of this training can be met within existing approved budgets.



**CAMBRIDGESHIRE  
& PETERBOROUGH**  
COMBINED AUTHORITY

# **CAMBRIDGESHIRE & PETERBOROUGH COMBINED AUTHORITY**

## **PROCUREMENT POLICY**



## 1 Introduction

The Cambridgeshire and Peterborough Combined Authority recognises its responsibility for procuring the delivery of its corporate objectives in an economically, environmentally, and socially responsible Manner.

The Authority's procurement approach is supported by the Public Services (Social Value) Act 2012, this both requires and enables authorities to consider the wider impacts of a contract and to the community in which serve.

This policy sets out a number of key topics across the social, economic & environmental considerations and then details how these will be considered across the whole life of a contract.

## 2 Policy Focus 2023/ 2024

Key topics on which our sustainable procurement approach is focused is set out below

Topic Area	Social	Economic	Environmental
Stakeholder Engagement	✓	✓	✓
Equality, Diversity & Wellbeing	✓		
Ethical Supply	✓	✓	✓
Supporting SMEs and Local Businesses	✓	✓	✓
Supporting Third Sector & Social Enterprise	✓	✓	✓
Training, education, and employment opportunities (including for individuals with protected characteristics)	✓	✓	
Commitment to pay the Living Wage	✓	✓	
Carbon Emissions & Energy Usage reductions (including Net Zero)	✓	✓	✓
Protection of Wildlife	✓		✓
Supporting Community Projects	✓	✓	✓
Waste Reduction, re-use & recycle	✓	✓	✓
Improved reporting	✓	✓	

### 3 Embedding Social Value into Procurement

The above topics will be addressed through the following levers

**Procurement Instruction Document** – asking what the social, environmental, and economic impacts of the contract are and ensuring appropriate impact assessments are carried out and a sustainable procurement strategy agreed before a procurement is launched

**Selection Questionnaire** – asking targeted questions which seek identify suppliers with an appropriate track record in considerations of the agreed sustainable procurement strategy

**Invitation to Tender** – including requirements within the method statement questions and award criteria that will ensure that the successful supplier will deliver against the agreed sustainable procurement strategy

**Specification** – embedding all of agreed policy topics within the specification to ensure all bidders understand the authority's and project expectations; against which tender submission can be transparently assessed.

**Accessibility** – taking steps to remove unnecessary barriers to supplier participation

- Removing or reducing financial turnover thresholds, where financial risk is not high, to enable small firms or start-ups are not excluded;
- Dividing larger contracts into **lots** so that small organisations with limited capacity can bid for part of the contract;
- Ensuring the procurement process is accessible to bids from **consortia** or partnerships;
- Engaging in **supplier engagement** with the market, prior to major tender exercises, to ensure local bidders understand the process.

### 4 Specific Policy Commitments

*We will*

#### **Stakeholder Engagement**

- ❖ Consult with stakeholders, partner authorities, the supply chain and service users to ensure the procurement is designed and managed to optimise delivery outcomes and facilitate efficient governance.

#### **Equality, Diversity & Wellbeing**

- ❖ Embed our commitment to equality, diversity, and wellbeing into all of our procurements and contracts
- ❖ Reward suppliers who are active in promoting inclusivity and supporting wellbeing within their own organisation's processes and throughout their supply chain

## **Ethical Supply**

- ❖ Encourage suppliers who provide goods or services (including from overseas) to be aware of the impact of these sourcing decisions (including Modern Slavery (PPN 02/23), fairtrade or other relevant accreditations).

## **Supporting SMEs and Local Businesses**

- ❖ Recognise the benefit of sourcing locally where possible
- ❖ Design the procurement/ contract structure to be accessible to SMEs, e.g., use of lots, reducing turnover requirements, application of PPN 11/20 reserving below threshold procurements, etc.
- ❖ Encourage tier one suppliers appointed by the authority to work with SMEs/ local suppliers where practicable to support a sustainable local economy

## **Supporting Third Sector & Social Enterprise**

- ❖ Take steps to ensure our procurement process is as accessible as possible to third sector and social enterprise bidders, by identifying and removing barriers to their participation, and by recognising alternative bidding models, including partnership and consortium bids.
- ❖ Encourage suppliers to take steps to make supply chain opportunities accessible to relevant local third sector organisations and social enterprises.
- ❖ Provide regular engagement and information sessions to ensure local third sector organisations and social enterprises understand the procurement process, and to receive their feedback.

## **Training, education, and employment opportunities (including for individuals with protected characteristics)**

- ❖ Encourage suppliers to support employment opportunities for people from disadvantaged categories – such as those not in education, employment or training (NEET), long term unemployed, people with physical disabilities, learning disabilities or mental health problems, ex-offenders, and ex-armed forces personnel.
- ❖ Encourage suppliers to engage with local training providers to support developing the local workforce and creating local opportunities; e.g., work experience, career events, apprenticeships, placements.

## **Commitment to pay the Living Wage**

- ❖ Include in all in scope contracts, the requirement to pay the living wage in accordance with the Living Wage Foundation accreditation rules.

## **Carbon Emissions & Energy Usage reductions (including Net Zero)**

- ❖ Encourage suppliers to have Carbon Reduction Plans and to commit to achieving Net Zero by 2050

## **Protection of Wildlife**

- ❖ Encourage suppliers, as part of their environmental impact assessments for relevant projects, to demonstrate how they will seek to preserve, and potentially enhance local wildlife as part of delivering the contract.

### **Supporting Community Projects**

- ❖ Encourage suppliers, as part of their social value considerations, to identify how they can support community projects

### **Waste Reduction, re-use & recycle**

- ❖ Seek to reduce the impact of goods, services and works through waste minimisation - including packaging waste, construction waste, the disposal of any consumables, and the disposal of assets at end of life
- ❖ Encourage suppliers to take action to reduce waste and promote re-use, remanufacture and recycling at every level of the supply chain

### **Improved reporting**

- ❖ Encourage suppliers to agreed and regularly report on both their organisation achievements and what they have specifically delivered for the authority against their tendered/ contracted commitments.

## **5 Contact Us**

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**CAMBRIDGESHIRE  
& PETERBOROUGH**  
COMBINED AUTHORITY

# **CAMBRIDGESHIRE & PETERBOROUGH COMBINED AUTHORITY**

## **PROCUREMENT STRATEGY**

# 1 Background

## 1.1 Introduction to CPCA

- 1.1.1 The Cambridgeshire and Peterborough Combined Authority is a mayoral authority and as a body governed by public law are required to carry out their procurements in accordance with the Public Contracts Regulations 2015 (as amended).
- 1.1.2 The Authority, in addition to complying with its statutory obligations, is committed to delivering against best practice, government policy guidance and in response to feedback provided by any third-party individual or organisation.

## 1.2 Document purpose

- 1.2.1 The Authority is updating this document to take into account the recommendations from a recent procurement review.
- 1.2.2 The document has been aligned to the National Procurement Strategy as best practice.
- 1.2.3 The document sets out the procurement function vision, aims within the broader context of the authority's corporate objectives

## 1.3 Document Structure

- 1.3.1 The document is split into 4 parts
  - (a) Part 1 – Background
  - (b) Part 2 – Overview of the
    - (i) vision, values, and principles
    - (ii) aims and objectives
  - (c) Part 3 – Action Plan setting out the specific areas of improvement and target outcomes for each of the next two years of the strategy.
  - (d) Part 4 – Monitoring and Reporting

# 2 Procurement Strategy for 2023-2025

## 2.1 Introduction

- 2.1.1 This Part sets out the Cambridgeshire & Peterborough Combined Authority broader considerations

## 2.2 Vision, Values & Principles

### 2.2.1 Visions

- (a) A Procurement function that delivers on compliance whilst also being efficient and effective is achieving both the contract and the Authority's broader goals

### 2.2.2 Values

- (a) The Authority strives to serve its community by working cooperatively with partner authorities, local businesses, local groups, and residents, whilst also leading with compassion; this to feed into the design of all procurements and through to their contract management and reporting.

### 2.2.3 Principles

- (a) In delivering the procurement function and strategy, the authority is committed to their processes being transparent in their requirements, creating a fair and open competition, with the goals of delivering value for money and maximising public benefit as a driving factor in defining a desirable outcome.

## 2.3 Specific Aims and Objectives

2.3.1 In addition to considering the behaviours listed in the National Procurement Strategy, the Authority has included their own, more specific aims and objectives which came out of the external procurement review.

### 2.3.2 Aims (purpose / goals/ What)

(a) An appropriately resourced procurement and contract management function delivering an efficient and effective service using a standardised set of templates with supporting guidance all managed through a clear and simple governance and approvals process.

### 2.3.3 Objectives/ Improvements (short term outcomes)

- (a) Increased level of appropriately skilled resource
- (b) Updated Policy and Social Value Commitments
- (c) Clearly defined Roles & Responsibilities
- (d) Updated suite of procurement and legal templates
- (e) An efficient and effective governance and approvals process
- (f) Improved Data Collection & Usage

### 2.3.4 Timescales

(a) This strategy is designed to be delivered over a two-year period with an annual review scheduled for the end of 2024

## 2.4 Strategy Goals (Against NPS)

- (a) As of the date of this document, the authority's current maturity assessment against the National Procurement Strategy was calculated to be 1.8.
- (b) As part of the authority's improvement process, a number of behavioural goals have been identified and included within an Action Plan as detailed in Part 3. These goals have been tailored to the Authority's specific aims and objectives and reflect the recommendations from the external review feedback.
- (c) The goals (where relevant) include references to the recommendations from the procurement review in brackets against the relevant area)
- (d) Over the next two years the aim is to increase the authority's maturity level to between Developing to Mature (2-3)
- (e) Progress to be assessed at the end of 2024 using the National Procurement Strategy metrics and this document refined as appropriate.

### 3 Action Plan

#### 3.1 Introduction

- 3.1.1 This plan is aligned to the behaviours detailed in the National Procurement Strategy 2022; it considers each of the identified behaviours within the context of the Authority's current level of maturity.

#### 3.2 Plan Structure

- 3.2.1 The Plan is split into, enablers, showing leadership, behaving commercially, and achieving community benefits.
- 3.2.2 Within each of those section, a number of areas for improvement have been identified, with the goals being Authority specific and details the specific improvements to be achieved (although not always quantified)

3.3 Procurement Capability & Talent			
3.3.1 Developing talent includes professionalisation of Authority procurement talent, addressing recruitment and retention of procurement talent and developing agile procurement talent that can address commercial challenges and innovation in the procurement role.			
Areas	current	Target Year 2024	Target 2025
Resourcing levels (procurement operating model)	<b>Current team</b> 1 No FTE Procurement & Contracts Manager 1 No FTE Procurement Officer 1 No FTE Procurement Assistant	<b>Proposed team</b> Addition to the team of 1 no FTE Contracts Manager An additional 2 no FTE Procurement Officer Access to external support to facilitate delivery against the 2024	<b>Proposed team</b> Team structure review in consideration of progress against the below action plan activities and overall strategy Identify outstanding or newly identified activities against team capacity and capability and then address the resourcing requirement in consideration of the tasks
Training	<b>Currently team training</b> The Procurement Manager is working towards ILM qualification	<b>Propose Team Upskilling</b> Carry out a team skills review/ create skills matrix and training plan Course on Contract Law Basics Training on new Procurement Bill	<b>Skills review</b> Update skills and training matrices, identify at least two courses for each individual to continue with upskilling commitment



<b>3.3.2 Delivery Considerations</b>  (a) The achievement of these goals will be dependent on (i) funding and approval to recruit (ii) a budget for staff training and upskilling			
<b>3.4 Digital Technology</b>			
<b>3.4.1 Why is it Important</b> - Rapid use of data is critical for understanding how to manage procurements and contracts. Increasing data and transparency date is available, along with artificial intelligence, and making good use of this will be key to managing the pressures on Local and Combined Authorities			
Areas	current	Target Year 2024	Target 2025
Electronic Tendering	<b>Developing</b>  Use of electronic tendering and quotations system for some tenders or quotes (either as a dedicated system or tender box rental)	<b>Mature</b>  Use of electronic tendering and quotations system for all tenders or quotes (either as a dedicated system or tender box rental)	N/A
Contract Management	<b>Minimum</b>  Limited procurement and contract management information available via static sources.	<b>Developing</b>  Some procurement and contract management Information available online to all stakeholders with appropriate search and filtering.	<b>Developing</b>  Working towards Comprehensive procurement and contract management information available online to all stakeholders with appropriate search and filtering
Spend Data	<b>Minimum</b>  Only basic information available regarding contracts awarded and spend both on and off contract and this is controlled by finance.  Available data not classified to facilitate strategic procurement planning	<b>Developing</b>  Update technology to provide more detailed breakdown of spend both against contracts and standard reporting classifications.  Usage limited to finance	<b>Developing</b>  Technology can be used to provide spend dash boards and can be used by procurement and senior managers to aid if planning and cost management of contracts.
<b>3.4.2 Delivery Considerations</b>			

(a)	The achievement of these goals will be dependent on
(i)	Resourcing to enable all procurements to be managed centrally
(ii)	budget for the additional module and training in its use
	Finance systems being able to link to the procurement system and export data in a useful format and which can be manipulated to produce dashboards and other reports

### 3.5 Stakeholder Engagement

3.5.1	<b>What it is:</b> Councillors set the Authority's vision and strategic priorities and must be satisfied that the procurement and commercial arrangements for their delivery are robust. Councillors make key decisions, particularly in major projects, and maintain oversight of the performance of key contracts, agreeing corrective action where necessary. Councillor engagement needs to be supported through training, good procurement and commercial advice and reporting arrangements.
3.5.2	<b>Why it is important:</b> When councillors are fully engaged with procurement and commercial matters, the quality of decision-making is better, and oversight and accountability are improved. Councillor engagement leads to better project delivery and better outcomes for the local community

Areas	current	Target Year 2024	Target 2025
Engaging Councillors	<b>Developing</b> Councillor engagement is varied depending on the nature of the procurement, the value, and the political sensitivity	<b>Mature</b> Establish a set protocol for engaging with councillors with the aim of their input adding value/ improving the outcome of the procurement	<b>Leader</b> Increase engagement levels across all procurements based on an objective criterion and include a post award mechanism for monitoring the benefits of engagement
Engaging Senior Management	<b>Developing</b> Senior managers acknowledge the role of procurement but there is limited engagement throughout the process and decision making	<b>Mature</b> Establish a Gateway Process which is managed through a procurement committee made up of senior managers across various considerations, e.g., financial, legal	<b>Leader</b> Review Gateway process and introduce a lesson's learned protocol that links back to the Gateway process so as to measure the benefits of the process and allow process improvements
Process	<b>Developing</b> Although there is a structured approach to how procurements are managed (as set out in the Contract Procurement Rules) it	<b>Mature</b> Establish a clear set of guidance that includes clear roles and responsibilities of all individuals involved in a procurement and procedures to be followed in different situations and ensure they are effectively	<b>Leader</b> Review guidance document, including gathering feedback from across the Authority on how clear the processes are and whether the roles and

	is still not clear what the role of procurement is or exactly how all procurements are to be managed	communicated to all officers, managers and stakeholders	responsibilities as defined are delivering effective / improved outcomes
Training & Development	<p><b>Minimum</b></p> <p>Currently there is no formal training programme for officers and managers; but rather, training is delivered on an adhoc basis</p>	<p><b>Mature</b></p> <p>Establish a clear set of training requirement for officers, senior managers, and stakeholders; including, the updated CPRs, the procurement Bill, contract management, procurement templates and the Gateway Process. Create an attendance/ training register</p>	<p><b>Leader</b></p> <p>Review training matrix and current skill level inconsideration of procurement outcomes, through the use of lessons learned processes and feed this into the training programme for the year</p>
Working With Partners – Culture	<p><b>Minimum</b></p> <p>Currently there is silo working with some individuals carrying out procurements without input from procurement or considering involvement from other teams (including partner Authorities)</p>	<p><b>Developing</b></p> <p>Communicate the Authority's commitment to a shift from silo working and a culture of 'one team' both within the Authority and where appropriate, working with partner Authorities</p>	<p><b>Mature</b></p> <p>Establish a centralised 'one team' approach to procurement whereby all procurements consider the needs/ enable input from the whole Authority and are delivered in a consistent</p>
<p><b>3.5.3 Delivery Considerations</b></p> <p>(a) The achievement of these goals will be dependent on</p> <p>(i) External support to aid in developing a Stakeholder Engagement Strategy</p> <p>(ii) A commitment from Stakeholders to work with procurement and external advisors to agree the required processes and subsequent training for relevant individuals.</p>			

### 3.6 Behaving Commercially

- 3.6.1 **What it is:** There are many ways in which commercial opportunities can be created through the strategic management of the commercial cycle and the services and assets delivered through the contracts it creates. Commercialisation is a broad and important subject to the sector. This key area is confined to how officers, working with the procurement team, should work to identify and create commercial opportunities.
- 3.6.2 **Why it is important:** As funding and revenue is reduced, organisations are required to look at other means of reducing funding deficits. Commercial opportunities can be created in many ways, including procurement design, and collaborative and innovative procurements

Areas	current	Target Year 2024	Target 2025
Forward Planning	<b>Developing</b>  Forward planning is limited to governance/ reporting requirements rather than for strategic procurement purposes	<b>Mature</b>  Forward planning is undertaken on all strategic and cyclical contracts to enable input from procurement/ commercial, adoption of lessons learned and opportunity to discuss any shared contracting opportunities with partner Authorities  The Gateway process and lessons learned process to link into this.	<b>Leader</b>  Forward planning for contracts has developed to form an integral part of the organisation's budget setting and expenditure forecasting process  Procurement procedures, including the gateway process, are updating accordingly to reflect any practical changes to process
Option Appraisals	<b>Developing</b>  Currently these are undertaken on high value/ high risk procurements only with the option appraisal focussing on the route to market	<b>Mature</b>  Establish a policy/ guidance and embed this requirement within the Gateway process, a requirement for all relevant procurements to undertake an option appraisal that considers commercial, social and risk factors	<b>Leader</b>  Review the option appraisal process and seek to extend it out to include a broader range of contracts and working collaboratively with partner authorities in conducting the options appraisal.  Include reviewing the recommendation from the options appraisal in the lessons learned activities
Market & Supplier Engagement	<b>Minimum</b>  Sometimes undertaken if time permits, the procurement is novel, or there is a political imperative	<b>Mature</b>  Establish a policy/ guidance and embed this requirement within the earliest stage of the forward planning/ Gateway process, for all relevant procurements.  This to also include guidance on how the gathered information is to be used and managing potential supplier advantage.	<b>Leader</b>  Outcomes from market and supplier research are used to shape and determine the content and timing of the procurement process used.  Outcomes are also used to contribute to the risk management process and options appraisal process. Procurement input is viewed as an integral aspect of market and supplier research and analysis

Tendering	<p><b>Developing</b></p> <p>Focus still on compliance and standard cost and quality ratios but innovation sometimes considered.</p> <p>Tenders are mainly viewed as legal documents but written in plain language.</p> <p>Procurement team is sometimes invited to contribute to the planning phase.</p>	<p><b>Mature</b></p> <p>Focus is on balancing costs, quality, social value, and innovation.</p> <p>Tenders are considered a collaborative effort by the project team, procurement and legal</p> <p>The tendering process, including the planning phase of the procurement are embedded into the procurement guidance</p>	<p><b>Leader</b></p> <p>Tendering is seen as an essential, important, and commercial process with all parties to be involved from early planning, through the conduct of a procurement up to award, and being appropriately resourced to do so.</p> <p>The strategy for tendering is reviewed and update (and potentially embedded into the Gateway process) where relevant</p>
Performance Reporting	<p><b>Minimum</b></p> <p>Performance reporting is minimal and predominately relates to grant funding conditions</p>	<p><b>Mature</b></p> <p>Performance reporting is carried out for both commercial and social value commitments and this information is collated and reported quarterly for all strategic contracts</p>	<p><b>Leader</b></p> <p>Performance reporting is seen as an integral part of the organisation's culture with reports on commercial and social benefits achieved are included in each contract's performance dashboard</p> <p>This information is used to update the authority's procurement policy and strategy</p>
Post Contract Review	<p><b>Minimum</b></p> <p>These are uncommon and tend to focus on poor contract performance</p>	<p><b>Developing</b></p> <p>Post contract reviews are to be undertaken on all high risk/ high value procurements with the aim of improving outcomes and identifying commercial opportunities</p>	<p><b>Mature</b></p> <p>Post contract reviews are undertaken as a general process on all contracts.</p> <p>Procurement is part of the team that participate in these reviews so that learning can be utilised in future procurements</p>
3.6.3 (a)	<p><b>Delivery Considerations</b></p> <p>The achievement</p> <ul style="list-style-type: none"> <li>(i) Internal resource to manage and monitor delivery against these actions</li> <li>(ii) External support to aid in developing a processes and templates</li> <li>(iii) A commitment from stakeholders to feed into the design of these processes</li> </ul>		

### 3.7 Establishing a Procurement Hub *(Not based on the NPS behaviour/ areas)*

- 3.7.1 **What it is:** There are many ways in which commercial opportunities can be created through the strategic management of the commercial cycle and the services and assets delivered through the contracts it creates. Commercialisation is a broad and important subject to the sector. This key area is confined to how officers, working with the procurement team, should work to identify and create commercial opportunities.
- 3.7.2 **Why it is important:** As funding and revenue is reduced, organisations are required to look at other means of reducing funding deficits. Commercial opportunities can be created in many ways, including procurement design, and collaborative and innovative procurements

areas	current	Target Year 2024	Target 2025
Procurement Operating Model <i>(Including, Procurement Policy, Roles &amp; Responsibilities, Procurement Guidance, Contract management, &amp; Delegated Authority)</i>	This information is included in the Contract Procedure Rules and a separate procurement policy document	Create separate documents that detail <ul style="list-style-type: none"> <li>Procurement Guidance (including roles and responsibilities, delegated authority)</li> <li>Procurement Policy</li> <li>Contract Management</li> </ul>	Carry out a staff survey to identify areas of improvements, relating to process and usability of the templates, and implement accordingly
Procurement Templates <i>(Improve procurement scrutiny)</i>	There is a current suite of procurement templates including instruction documents, response templates etc, held by procurement in a local drive.	Update the suite of procurement documents to work with the new strategy, in consideration of the Procurement Bill and to cover various procurement scenarios  Update business case and programme templates  Make the templates available centrally  Provide training on usage	Carry out a staff survey to identify areas of improvements, relating to process and usability of the templates, and implement accordingly
Legal Templates <i>(contracts and Grant Agreements)</i>	Currently officers are 'recycling contracts' without input from Legal	Create an updated suite of documents that are owned and managed by legal, but which can be accessed but not issued without appropriate approvals in place.	Carry out a staff survey to identify areas of improvements relating to process and usability of the templates, and implement accordingly
Gateway Process <i>(Improve procurement scrutiny)</i>	No current process in place	Design and implement a gateway process that covers the various stages of a procurement with the application being based on value, risk, political interest, or another identified requirement.	Carry out a staff survey to identify areas of improvements relating to process and benefits/ issues identified, and implement accordingly

		Consult stakeholders and senior managers on the process Set up a Gateway approval committee	
Lessons Learned	<b>Minimum</b> Currently the use of a formal lessons learned process is adhoc and limited	<b>Developing</b> Lesson learned activities to be carried out following the award of a contract all strategic procurements; this to be embedded in the gateway process and finding used to refresh procurement documents and guidance	<b>Mature</b> Lesson learned activities to be extended to include other stages (gateways) for strategic procurements and training to be delivered off the back of the findings.
Staff Programme of Training			
<p>3.7.3 <b>Delivery Considerations</b></p> <p>(a) The achievement</p> <p>(i) Internal resource to manage and monitor delivery against these actions</p> <p>(ii) External support to aid in developing processes and templates</p> <p>(iii) A commitment from stakeholders to feed into the design of these processes</p>			

### 3.8 Managing Contracts

- 3.8.1 **What it is:** Contract and relationship management is the process by which all contracts and variations are managed effectively to control costs, secure the quality and timeliness of agreed outcomes and performance levels and minimise the occurrence of risks.
- 3.8.2 **Why it is important:** Poor contractor performance or commercial failure can increase delivery costs, seriously damage an Authority's reputation and its ability to deliver effective services and support to local communities. Lack of contract management can result in commitments made during the procurement period not being realised.

area	current	Target Year 2024	Target 2025
Information Storage and Accessibility <i>(including the contract register)</i> <i>(Implement a contract management tool)</i>	<b>Developing</b>  Contracts register exists via the e-tendering portal.  Data held is generally limited to contracts awarded through the portal so many not be up to date, but efforts are being made to increase data quality and the percentage of third party spend listed on the register.	<b>Mature</b>  Purchase of contract management module Contracts register is dynamic and provided through the e-tendering portal.  Fully visible to the whole Authority with read, write, edit and search capabilities for all contract owners and managers.	<b>Leader</b>  Contract register is fully accessible and includes all Authority spend  Information is always up to date with comprehensive, complete, and accurate records on all contracts. Contracts register has action or renewal alerting capabilities for contract owners and managers
Change Control <i>(contract management process)</i>	<b>Minimum</b>  No change control policy in place except for isolated contracts	<b>Developing/ Mature</b>  A change control process/ guidance exists and is used to capturing all contract changes for all strategic contracts	<b>Leader</b>  All contract changes and variations processed through change control stored on the contracts register. Details shared online with contract managers, owners and contractors.
Supplier Financial Distress <i>(refresh legal templates)</i>	<b>Minimum/ Developing</b>  Recognition of a need for early engagement with suppliers and some strategic contracts do include a financial distress clause	<b>Developing/ Mature</b>  The Authority has a structured approach, as part of the contract management process, for engaging with suppliers in financial difficulties  All standard form contracts to include an appropriate financial distress clause	<b>Leader</b>  Financial distress clause included in all contracts and reviewed in consideration of the contract nature and risk levels.



Savings & Benefits Delivery <i>(contract management process)</i>	<b>Minimum</b> Savings and benefits are delivered from some contracts but not a part of any formal process.	<b>Developing</b> Create a formal process for capturing savings and reporting benefits committed and subsequently delivered from all strategic contracts	<b>Mature</b> Savings capture from contracts and benefits realisation is applied uniformly across the organisation and reported quarterly to councillors/ CA Board.
Recognition & Cultural Acceptance	<b>Minimum</b> There is no recognition by the organisation of contract and relationship management. Only job roles which are fully designated to managing contracts are designated as contract manager in their title	<b>Developing</b> There is recognition by the organisation of the importance of contract and relationship management  Job roles are designated as contract manager or contain specific contract and management activity in their content description in some departments	<b>Mature</b> Contract and relationship management is recognised by the organisation as being essential to its overall performance.  Job roles are designated as contract and relationship manager or contain contract and relationship management activity in their content description as a formal policy.  Performance is reviewed with job holders in their annual appraisals
Skill & Knowledge	<b>Minimum</b> Staff have limited access to any contract and relationship management skills (since COVID) and knowledge programmes.	<b>Developing</b> Staff have access to general contract management training given as a one-off exercise rather than an ongoing skills enhancement programme	<b>Mature</b> Contract and relationship management is acknowledged as a core competency across the organisation.  Briefings on contract and relationship management are given in all induction and management programmes.  Refresher programmes are available to all staff involved in contract and relationship management
3.8.3 (a)	<b>Delivery Considerations</b> The achievement <ul style="list-style-type: none"> <li>(i) Internal resource to manage and monitor delivery against these actions</li> <li>(ii) External support to aid in developing processes and templates</li> <li>(iii) A commitment from stakeholders to feed into the design of these processes</li> </ul>		

3.9 Managing Strategic Risk			
3.9.1	<b>What it is:</b> A series of actions and policies designed to reduce or even eliminate the probability of a perceived risk occurring and minimising the detrimental effects that may occur should it materialise.		
3.9.2	<b>Why it is important:</b> The occurrence of any risk, particularly when it could be foreseen, can have a devastating impact on the organisation's reputation and the lives of the people it serves, the quality of the services that it provides, and even its financial viability.		
area	current	Target Year 2024	Target 2025
Strategic Risk	<b>Minimum</b> Currently strategic risk is not the focus of procurement.	<b>Developing</b> To extend the procurement strategy to cover <ul style="list-style-type: none"> <li>• Modern Slavery</li> <li>• Supply Chain &amp; contractor Failure</li> <li>• GDPR</li> <li>• Fraud &amp; Financial Loss</li> <li>• Externa Events</li> </ul> At the level of developing	<b>Developing</b> Embed the additional strategic activities into all authority procurements at the level of Mature
This area is to be updated as part of the 2024 refresh			

### 3.10 Creating Social Value

- 3.10.1 **What it is:** Social value is about improving economic, social and environmental wellbeing from public sector contracts over and above the delivery of the services directly required and at no extra cost.
- 3.10.2 **Why it is important:** Experience from procurements let by councils that have fully integrated social value requirements has shown that a minimum of +5 per cent to +20 per cent social value (according to sector) can be obtained on contract value by way of direct community benefits

Consideration	current	Target Year 2024	Target 2025
Social Value Policy	<p><b>Minimum</b></p> <p>No specific corporate-wide policy in place.</p> <p>Although procurements do, on an adhoc basis, seek to achieve social value from the procurement</p>	<p><b>Developing</b></p> <p>Social value is recognised as a core principle supported by a published social value policy and implementation strategy.</p> <p>Requirements are tailored to reflect size and scope of contracts</p> <p>Training for officers on social value to be provided</p>	<p><b>Developing/ Mature</b></p> <p>Social value implementation is underpinned by an overarching social value statement which is reviewed annually.</p> <p>Process and policy are in place to identify which contracts should include social value.</p>
Measuring Social Value	<p><b>Minimum</b></p> <p>Measuring social value in a very limited way</p>	<p><b>Developing</b></p> <p>The Authority's chosen way of measuring social value has been mapped to meet their specific policies.</p> <p>Outcomes are weighted where appropriate to council and local priorities.</p>	<p><b>Developing/ Mature</b></p> <p>The 'golden thread' is maintained between the measurement standard, corporate strategy, and the Authority's social value policy</p> <p>Measurement of social value is generated across all procurements above a threshold.</p>
Procurement	<p><b>Minimum</b></p> <p>Social value is considered in contracts. Social value is included in quality assessments as part of the quality and price matrix.</p>	<p><b>Developing</b></p> <p>Social value is included in all tenders over an agreed threshold.</p> <p>The Authority's measurement standard is adopted for all relevant tenders and consideration is given to contract size and scope to determine the measures to be applied.</p>	<p><b>Developing/ Mature</b></p> <p>Social value is included within procurement policies, and these are made available to all potential suppliers.</p> <p>The Authority's relevant standards are published to allow bidders to prepare their approach to social value in advance of tenders being published</p>

Contract Management Reporting	<p><b>Minimum</b></p> <p>Contracts are not monitored in any coherent way for social value post award.</p> <p>Limited or informal social value reporting and feedback only.</p>	<p><b>Developing</b></p> <p>Specific, targeted social value is included within the procurement stage.</p> <p>These are bound into the contract and performance monitored</p>	<p><b>Developing / Mature</b></p> <p>Annual feedback to the Combined Authority Board and Overview &amp; Scrutiny committee on social value creation. Robust reporting is in place on progress and delivery and published annually.</p> <p>Processes are in place to ensure lessons learnt and feedback is incorporated for continuous practice improvement including benchmarking.</p> <p>Meetings are regularly held with contractors to discuss delivery of social value</p>
Supporting SMEs	<p><b>Minimum</b></p> <p>Although there is a desire to support local SMEs, there is minimal commitment/ methodology to deliver this</p>	<p><b>Developing</b></p> <p>To extend the procurement strategy to cover</p> <ul style="list-style-type: none"> <li>Policy</li> <li>Relationships</li> <li>Engagement</li> <li>Procurement</li> <li>Contract Management</li> </ul>	<p><b>Developing</b></p> <p>Embed the additional strategic activities into all Authority procurements at the level of Mature</p>
3.10.3	<p><b>Delivery Considerations</b></p>		
(a)	<p>The achievement</p> <ul style="list-style-type: none"> <li>(i) Internal resource to manage and monitor delivery against these actions</li> <li>(ii) External support to aid in developing processes and templates</li> <li>(iii) A commitment from stakeholders to feed into the design of these processes</li> </ul>		

## **4 Monitoring and Reporting**

### **4.1 Monitoring**

- 4.1.1 Monitoring against the goals within the strategy will be an annual review process.
- 4.1.2 This will include consulting with various stakeholders and an assessment against the National Procurement Strategy behaviours

### **4.2 Reporting**

- 4.2.1 Following each review, a report on progress will be shared with the board and updates to the strategy recommended.

### **4.3 Updating**

- 4.3.1 This document will be updated following either an annual review or if updated guidance is issued by government such that it makes any of the goals no longer appropriate.



<b>Overview &amp; Scrutiny Committee (OSC)</b>		Agenda Item
<b>24 July 2023</b>		<b>6</b>
Title:	Implementing the Overview & Scrutiny Function	
Report of:	Anne Gardiner, Statutory Scrutiny Officer	
Lead Member:	Councillor Edna Murphy, Lead Member for Governance	
Public Report:	Yes	
Key Decision:	N/A	
Voting Arrangements:	Majority of members present	

#### Recommendations:

The Overview and Scrutiny Committee is:

<b>A</b>	<b>requested to note the progress made in implementing the recommendations agreed on 19 June 2023 to deliver new Overview &amp; Scrutiny arrangements</b>
<b>B</b>	<b>nominate and appoint members to rapporteur roles for Thematic Committees</b>
<b>C</b>	<b>consider and approve the draft work programme for 2023/24 attached at Appendix 2</b>

#### Strategic Objective(s):

The proposals within this report fit under the following strategic objective(s):

<input checked="" type="checkbox"/>	Achieving ambitious skills and employment opportunities
<input checked="" type="checkbox"/>	Achieving good growth
<input checked="" type="checkbox"/>	Increased connectivity
<input checked="" type="checkbox"/>	Enabling resilient communities
<input checked="" type="checkbox"/>	Achieving Best Value and High Performance

Enhancing the Overview & Scrutiny function is a key ambition from the ongoing improvement framework of the Combined Authority. A healthy, capable and supported Overview & Scrutiny functionality will drive accountability and improve the effectiveness of decision-making within the Combined Authority, which in turn will contribute to driving enhanced delivery and performance.

The Combined Authority is committed to implementing a positive governance culture in all that it does, building upon significant improvements already delivered in response to previously identified governance shortcomings as it seeks to build the foundations for a healthy regional democracy. This involves improving awareness, opportunity and accountability to the public through the Overview & Scrutiny function.



## 1. Purpose

1.1	Following on from the Overview & Scrutiny Committee (OSC) decision to implement new scrutiny arrangements at its June 2023 meeting, this report provides an update on progress in delivering the outcomes unanimously agreed by the OSC.
1.2	The report provides the OSC with further details regarding the Rapporteur Lead Roles and requests that the OSC considers nominations to appoint as the Scrutiny Rapporteurs for each of the Combined Authority Committees.
1.3	The report further seeks to propose a work programme for consideration by the OSC which takes into account the agreed approach to Overview & Scrutiny in line with the Option A ways of working agreed by the Committee at the June 2023 meeting.
1.4	The proposed work programme provides the suggested informal meeting dates where the OSC will review the performance dashboard, major projects dashboard, improvement plan highlight report and the forward plan to help inform their work for the year.

## 2. Implementing the Overview & Scrutiny Function

2.1	The OSC agreed to adopt new ways of working and a new approach to implementing the Overview & Scrutiny function at the Combined Authority at its June 2023 meeting, this followed consideration of a number of options over the course of several meetings and supported through Member workshops.
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### Delivering Combined Authority Overview & Scrutiny

2.2	The OSC selected Option A which seeks to deliver a strategic focused OSC which is supported by informal planning meetings, the commissioning of deep dive reviews and development of the existing Rapporteur roles to shadow the Combined Authority Committees.
2.3	<p>The new approach will involve Core Roles for the scrutiny function consisting of:</p> <ul style="list-style-type: none"><li>○ Strategic Performance Review of Corporate Plan KPIs</li><li>○ Holding Mayor and Portfolio Holders to account for the delivery of priority area objectives set out in the Corporate Plan and Directorate Plans</li><li>○ Holding the Mayor to account for delivery of Mayoral Priorities</li><li>○ Pre-Scrutiny of Board decision-making (utilising extended Forward Plan to identify upcoming decisions to examine in advance of decision being developed and taken)</li><li>○ Utilising Call-In power if decisions have not been taken in accordance with the new principles of decision-making set out in the Constitution</li><li>○ Policy review when approached to undertake or if gap/ issue identified through performance review and decision-making accountability</li><li>○ Focused meetings on cross- cutting matters and/or issues of significant concern</li><li>○ Focused budget scrutiny on MTFP alignment/ delivery and consultation (although this could be undertaken by commissioned deep dive review)</li></ul>
2.4	<p>The OSC agreed that it would seek to establish its own area of consideration (that should impact report/ project development at the CA) through the adoption of a regional OSC key principle. This principle will be used to drive the focus of how the OSC would consider performance information and decisions at the CA. That key principle is:</p> <p><b>“to examine all Combined Authority decision-making through the lens of integrated decision-making, to drive out silo approaches and ensure CPCA strategy is not</b></p>



	<b>operating in isolation, considers wider impact across corporate plan priority areas, and considers future devolution opportunities and benefits.”</b>
2.5	<p>The OSC agreed that it will seek to utilise the following ways of working to delivering the Core Roles set out above:</p> <ul style="list-style-type: none"><li>○ Mayoral Question Time (focus on progress in delivering on the Mayoral Ambitions and challenge on Strategic Objectives in role as Chair of the CPCA Board)</li><li>○ Portfolio Lead/ Thematic Committee Chair(s)/ Business Board Question &amp; Answer sessions</li><li>○ Deep Dive focused topic reviews undertaken by small group of Members (opportunity to engage relevant committees within Constituent Authorities in review)</li><li>○ Rapporteur review of areas of focus identified by the Committee or shadowing of Thematic Committees. Leads could be appointed to keep watching brief on each Thematic Committee/Priority Area within the Corporate Plan</li><li>○ Informal meetings process to identify Committee focus and Key Lines of Enquiry with the Statutory Scrutiny Officer</li></ul>
<b>Implementing the agreed approach to Overview &amp; Scrutiny</b>	
2.6	<p>In unanimously supporting the new approach to deliver the scrutiny function the OSC agreed 7 recommendations at its June 2023 meeting, those recommendations and an update on implementing them are as follows:</p>
<b>Recommendation 1: Option A be supported, noting the need to maximise the use of limited Member capacity and availability.</b>	
2.7	<p>Option A is now the agreed approach to delivering Combined Authority Overview &amp; Scrutiny in the region. The Corporate Management Team has been briefed on the agreed approach and the core roles that it will support delivery of, noting the need to provide the OSC with the tools that it requires to fulfil the core roles in the context of limited Member capacity.</p>
2.8	<p>This report seeks to set out some of the steps being taken to implement Option A.</p>
2.9	<p>The OSC will have an opportunity to identify areas for scrutiny attention when it holds its first informal meeting which will provide it with a first opportunity to informally review key dashboards. The OSC may want to consider whether there are any significant topics of regional importance/ concern that it may want to commission deep dives into at the first informal meeting.</p>
<b>Recommendation 2: Officers develop an implementation plan and work programme proposals for the delivery of Option A to be considered at the July OSC meeting, with the intention that they be implemented following that meeting</b>	
2.10	<p>The new approach to delivering the scrutiny function will be implemented throughout the course of the 2023/24 year, this report acts as an initial step in the implementation of new arrangements by seeking agreement on an evolving work programme and seeking nominations to the Rapporteur roles.</p>
2.11	<p>A proposed work programme is attached at Appendix 2, the OSC is asked to consider this proposal in the context of the new approach and agree a work programme for the remainder of the 2023/24 year, noting that the work programme is a live document that can be added to and amended as required by the OSC through regular review.</p>
2.12	<p>A co-production session took place on the 13 July with members of the OSC and the Audit &amp; Governance Committee to help develop a key tool for future scrutiny activity and accountability at the Combined Authority. The session focused on the development of key performance indicators for the strategic objectives agreed by the CPCA Board.</p>
<b>Recommendation 3: An Access to Information Protocol that reflects matters raised in the scrutiny workshop, as well as the review of governance, and best practice, be brought for consideration to the July OSC meeting and the Combined Authority Board meeting</b>	





2.13	A draft Access to Information Protocol will be presented to the OSC at its meeting on 24 July for consideration. If a protocol is supported then it will be proposed for adoption into the Combined Authority Constitution at the next available Board meeting.
<b>Recommendation 4: An analysis of required officer support for the delivery of Option A be undertaken and reported to the Independent Improvement Board, along with a proposal to strengthen officer support to the scrutiny function, noting future English Devolution Accountability Framework requirements.</b>	
2.14	Officers are currently engaged with the Department for Levelling Up, Housing and Communities (DLUHC) on the development of the English Devolution Accountability Framework (EDAF), in particular the Scrutiny Protocol element which will apply to all Combined Authorities. The Centre for Governance & Scrutiny (CfGS) is advising DLUHC on the Scrutiny Protocol and have therefore also been engaged by Officers to get a better understanding of what EDAF will require.
2.15	As EDAF requirements become clearer and better understood a review of Scrutiny Officer support will be undertaken, including comparisons with other Mayoral Combined Authorities (MCAs) in order to prepare a report for consideration firstly by the Corporate Management Team and subsequently by the Independent Improvement Board.
2.16	The intention is for such a review to be undertaken in November 2023 in alignment with the intended release by DLUHC of further EDAF information.
<b>Recommendation 5: OSC recommend to the Combined Authority Board that the Combined Authority commit to developing a 6–12 month Forward Plan</b>	
2.17	Following the review of Governance and the first phase of the Improvement Framework, steps have already been taken to improve the Combined Authority Forward Plan. As a result efforts have already been undertaken to generate a 6-month forward plan. The intention is to create a 6-to-12-month Forward Plan, this recommendation from the OSC will be reported to Board on 26 July 2023.
2.18	It should be noted that the move to a 6-to-12 month Forward Plan will take time to deliver as it requires an element of cultural change from within the organisation. The Combined Authority is also currently developing Annual Business Plans in support of delivering the Corporate Plan, the creation of these annual plans will help identify future workstreams and required decisions which in turn will help better inform the Forward Plan.
<b>Recommendation 6: Ways of working between Board and Thematic Committees and the Scrutiny function be developed to drive opportunities for early OSC involvement in key decision-making and strategy development</b>	
2.19	This recommendation will be reported to the Governance workstream in the phase 2 Improvement Framework for further development in the context of the agreed approach to delivering the scrutiny function at the Combined Authority. This move recognises that training/ guidance may need to be provided to officers to help drive improvements in ways of working.
2.20	The appointment to Rapporteur roles for each of the Combined Authority Committees will play a key role in driving these new ways of working, once appointments have been made it is suggested that Rapporteurs meet with the Chairs of Committees to discuss how they can best support each other.
2.21	It is the intention to also pick up ways of working with the newly created informal governance bodies that support the Governance Framework of the Combined Authority. These bodies are led by key CPCA Officers and include key officer representation from across all Constituent Authorities.
<b>Recommendation 7: The Improvement Plan Highlight Report be presented to each informal scheduled supporting scrutiny meeting for review to help direct focus and challenge at subsequent OSC meetings</b>	
2.22	The Highlight Report will formally be presented to each formal OSC. The Improvement Plan Highlight Report will also be presented to the informal OSC with Officer support once those meetings begin, this



	will allow the OSC to identify areas of focus and key lines of enquiry for a deeper dive into particular improvement areas throughout the course of 2023/24.
<b>Rapporteur Appointments</b>	
2.23	In support of delivering the new approach to scrutiny the OSC is requested to nominate and appoint Rapporteurs to lead on engagement, ways of working, cooperation, test and challenge for each of the Combined Authority Thematic Committees.
2.24	In previous years the Committee have appointed members to Lead Member roles aligned to Thematic Committees. Their role involved reviewing the Thematic Committee Forward Plan together with the published agendas and reports with a view to identifying issues which might warrant further scrutiny. Additionally, the Lead Members would ask questions at Thematic Committees meetings on behalf of the O&S Committee and potentially identifying decisions which would warrant the exercise of call-in powers.
2.25	The above approach will continue but be strengthened with more formal recognition and support. To support these roles a draft role description for Rapporteurs is attached at Appendix 1.
2.26	<b>OSC is asked to consider seeking nominations and appointing to Rapporteur roles as follows:</b> <ul style="list-style-type: none"> <li>○ <b>Transport &amp; Infrastructure Thematic Committee</b></li> <li>○ <b>Environment &amp; Sustainable Communities Thematic Committee</b></li> <li>○ <b>Skills &amp; Employment Thematic Committee</b></li> </ul>
<b>Work Programme 2023/24</b>	
2.27	In line with recommendation 2 agreed at the June 2023 OSC and set out in 2.11 above, a draft work programme has been developed for consideration by the OSC in alignment with the agreed approach to delivering the scrutiny function.
2.28	<b>The OSC are requested to consider and approve the draft work programme at Appendix 2 and agree the informal meeting dates for the year. It should be noted that the regularity with which these informal meetings take place will be reviewed to ensure member capacity and availability is taken into account going forward.</b>
<b>Further Considerations</b>	
2.29	In 2.4 the key principle to apply to OSC activity is set out. The OSC may want to consider how this principle should be applied moving forward and may wish to direct Officers to develop an approach for consideration at the 18 September 2023 meeting.
<b>3. Background Information</b>	
3.1	The Combined Authority Board agreed an Improvement Plan following the Interim Chief Executive's diagnosis report at its meeting in October 2022. The improvement plan set out 6 key workstreams that would drive improvement outcomes across the Combined Authority to ensure appropriate foundations and fundamentals were in place to address concerns raised in the Interim Chief Executive diagnosis and concerns raised by the external auditors.
3.2	The improvement plan also built on the conclusions and recommendations set out in the Review of Governance which was endorsed by Board in July 2022. That review set out conclusions and a number of recommendations that were specific to the Overview and Scrutiny function.
3.3	The Overview and Scrutiny function is an integral part of the governance arrangements at the Combined Authority. The Combined Authority wants to ensure that its scrutiny arrangements are effective, impactful and able to support democratic accountability for the region.



3.4	At the June Overview and Scrutiny meeting the members agreed to support the implementation of Option A which would create a new strategic focus for the Committee supported by informal planning meetings and the commissioning of deep dive reviews.
<b>4. Appendices</b>	
4.1	Appendix 1: Rapporteur Role Description (Draft)
4.2	Appendix 2: Work Programme 2023/24 proposal (Draft)
<b>5. Implications</b>	
Financial Implications	
5.1	Option A for delivery of the scrutiny function is unlikely to impact significantly on the Combined Authority's finances.
Legal Implications	
6.1	The importance and legitimacy that scrutiny is afforded by the law should be recognised. Overview and Scrutiny was created to act as a check and balance on the executive and is a statutory requirement for all combined authorities.
6.2	Although the existence of the function is set out in legislation, how it operates and how it is structured is left to individual Local Authorities. This provides for a high degree of flexibility and the ability to consider different topics and issues in the most appropriate way.
Public Health Implications	
7.1	There are no public health implications set out within the content of this report, although it should be noted that the new approach to delivering the scrutiny function is intended to contribute to effective decision-making and drive accountability, performance and delivery across all of the Combined Authority remit.
Environmental & Climate Change Implications	
8.1	There are no environmental and climate change implications set out within the content of this report, although it should be noted that the new approach to delivering the scrutiny function is intended to contribute to effective decision-making and drive accountability, performance and delivery across all of the Combined Authority remit.
Other Significant Implications	
9.1	There are no other significant implications set out in the content of this report.
Background Papers	
10.1	March 2023 Overview & Scrutiny Committee: <a href="#">O&amp;S Meeting – March 2023</a>
10.2	June 2023 Overview & Scrutiny Committee: <a href="#">O&amp;S Meeting – June 2023</a>

## APPENDIX 1

Rapporteur Roles within the Overview & Scrutiny Committee will be appointed at the Overview & Scrutiny Committee (OSC). These roles will act as the OSC leads for Rapporteur themes as agreed by the OSC, these roles can cover:

- Combined Authority Thematic Committees
- Combined Authority Board Portfolio Positions
- Identified key strategy
- Identified key topics

Where these roles apply to Combined Authority Committees it is proposed that those roles include the following:

### Rapporteur: Thematic Committees – Role Description

To scrutinise decisions

- Engaging and cooperating with the Thematic Committee on behalf of OSC
- Reviewing the Forward Plan, agendas and reports of the Thematic Committee, identifying issues which require further scrutiny
- Formulating draft wording for questions to the relevant Thematic Committee, seeking the agreement of the Chair of OSC, where possible
- Questioning the relevant Thematic Committee on behalf of OSC, allowing questions to be submitted in writing and for written responses
- In consultation with the Chair of OSC, consideration of recommendations required in relation to decisions of the relevant Thematic Committee
- Making reports or recommendations to OSC regarding decisions made by the relevant Thematic Committee
- Identifying decisions which require the exercise of 'call-in' powers via reconsideration
- Liaising with officers of the Combined Authority, in order to obtain specific advice on projects considered by the relevant Thematic Committee

The Role Description for wider Rapporteur roles will be presented to the OSC for consideration as and when required. These wider Rapporteur roles should provide an opportunity for O&S members to gain information in an informal capacity, ensuring they are equipped with all necessary information to allow them to undertake scrutiny work in a timely way.

One or two members could act as Rapporteurs to investigate a particular issue on behalf of the wider Committee and report back their findings. Such a role would involve:

- Being tasked to carry out specific work, meeting by meeting, by the OSC– so rather than having a general roving brief they will work to answer a specific research question, challenge or issue, meeting by meeting, and then report back formally;
- Being tasked to make links with specific and relevant CA Board members and CA Officers to gain information on an informal basis that will contribute to wider OSC discussions.
- To lead discussion / questioning on the matter for which they hold responsibility in OSC meetings (with the consent of the Chair);
- Identifying decisions which require the exercise of 'call-in' powers via reconsideration
- Be accountable to the Chair in respect of all of the above.



## OVERVIEW & SCRUTINY WORK PROGRAMME 2023/24

It should be noted that the following items will be standard considerations at every meeting of the OSC:

- Minutes of previous OSC
- Public Questions
- Combined Authority Forward Plan - Rapporteur Updates – Deep Dive Updates
- OSC Work Programme

### Informal OSC Session (Virtual via Teams)

**30 August 2023**

Item:	Information:	Lead Officer:
Corporate Performance	Corporate Performance Dashboard	
Priority Projects Performance and Overview	Major Projects Dashboard	
Future Decision-Making	Forward Plan	
Area of focus – Increased Connectivity		

### Overview & Scrutiny Committee (Town Hall, Peterborough City Council)

**18 September 2023**

Item:	Purpose:	Lead Officer:
<b>Combined Authority Improvement</b>		
Improvement Plan Highlight Report	Review and challenge progress in delivering the improvement plan phase 2	Angela Probert
<b>Combined Authority Performance</b>		
Increased Connectivity: Approach to Bus Service Franchising	To review approach and progress to deliver strategic objective to develop Bus Service Franchising	Steve Cox Tim Bellamy
<b>Accountability</b>		
Increased Connectivity (Corporate Plan) Priority Area Transport & Infrastructure Committee	To review Corporate Plan objectives under Increased Connectivity priority area, test and challenge approach and performance/ progress	Transport & Infrastructure Committee Chair Steve Cox Tim Bellamy
<b>Combined Authority Budget</b>		
Medium Term Financial Plan 2024/25 Budget Preparation	Review and challenge MTFP ability to deliver Corporate Plan and developing budget proposals	Nick Bell

**Informal OSC Session (Virtual via Teams)**  
**1 November 2023**

Item:	Information:	Lead Officer:
Corporate Performance	Corporate Performance Dashboard	
Priority Projects Performance and Overview	Major Projects Dashboard	
Future Decision-Making	Forward Plan	
Area of focus – Achieving Good Growth		

**Overview & Scrutiny Committee (Pathfinder House, Huntingdonshire Council)**  
**27 November 2023**

Item:	Purpose:	Lead Officer:
<b>Combined Authority Improvement</b>		
Improvement Plan Highlight Report	Review and challenge progress in delivering the improvement plan phase 2 + identified priority areas	Angela Probert
<b>Combined Authority Performance</b>		
Achieving Good Growth: Economic Growth Implementation Plan and CPIER 2	To review Corporate Plan objectives under Achieving Good Growth priority area, test and challenge approach and performance/ progress in developing CPIER 2	Rob Bridge Kate McFarlane
<b>Accountability</b>		
Mayor: Mid-Year Update	To receive and question the Mayor on mid-year update on CPCA performance and development of Mayoral ambitions	Mayor
<b>Combined Authority Budget</b>		
2024/25 Budget Consultation	Review and challenge proposed budget consultation plans	Nick Bell

## Informal OSC Session (Virtual via Teams)

**9 January 2024**

Item:	Information:	Lead Officer:
Corporate Performance	Corporate Performance Dashboard	
Priority Projects Performance and Overview	Major Projects Dashboard	
Future Decision-Making	Forward Plan	
Area of focus – Skills & Employment		

## Overview & Scrutiny Committee (Pathfinder House, Huntingdonshire Council)

**29 January 2024**

Item:	Purpose:	Lead Officer:
<b>Combined Authority Improvement</b>		
Improvement Plan Highlight Report	Review and challenge progress in delivering the improvement plan phase 2 + identified priority areas	Angela Probert
<b>Combined Authority Performance</b>		
Skills & Employment: Delivery of lifelong learning and workforce skills	To review Corporate Plan objectives under Skills & Employment priority area, test and challenge approach and performance/ progress in developing CPIER 2	Rob Bridge Kate McFarlane
<b>Accountability</b>		
Skills & Employment (Corporate Plan) Priority Area Skills & Employment Committee	To review Corporate Plan objectives under Skills & Employment priority area, test and challenge approach and performance/ progress	Chair of Skills & Employment Committee Richard Kenny Fliss Miller
<b>Combined Authority Budget</b>		
2024/25 Draft Budget Proposals	Review and challenge draft budget proposals and consultation response and impact	Nick Bell

**Informal OSC Session (Virtual via Teams)**
**14 February 2024**

Item:	Information:	Lead Officer:
Corporate Performance	Corporate Performance Dashboard	
Priority Projects Performance and Overview	Major Projects Dashboard	
Future Decision-Making	Forward Plan	
Area of focus – Enabling Resilient Communities		

**Overview & Scrutiny Committee (Bourges Viersen Rooms, Town Hall, Peterborough)**
**18 March 2024**

Item:	Purpose:	Lead Officer:
<b>Combined Authority Improvement</b>		
Improvement Plan Highlight Report	Review and challenge progress in delivering the improvement plan phase 2 + identified priority areas	Angela Probert
<b>Combined Authority Performance</b>		
Enabling Resilient Communities Climate Change	To review Corporate Plan objectives under Enabling Resilient Communities priority area, test and challenge approach and performance/ progress in tackling climate change	Adrian Cannard
<b>Accountability</b>		
Enabling Resilient Communities (Corporate Plan) Priority Area Environment and Sustainable Communities Committee	To review Corporate Plan objectives under Enabling Resilient Communities priority area, test and challenge approach and performance/ progress	Chair of Environment & Sustainable Communities Committee Adrian Cannard







<b>Overview and Scrutiny Committee</b>		Agenda Item
<b>24 July 2023</b>		<b>7</b>
Title:	Access to Information Protocol	
Report of:	Edwina Adefehinti	
Lead Member:	Edna Murphy (Lead Member for Governance)	
Public Report:	Yes	
Key Decision:	No	
Voting Arrangements:	Simple majority	

**Recommendations: This committee is requested to**

A	Endorse the Access to Information Protocol.
B	Recommend to the Combined Authority Board to approve and adopt the Protocol and to delegate to the Monitoring Officer to circulate the Protocol to all members and substitutes of the Combined Authority Board, Business Board and Committees as a reference point for members.

**Strategic Objective(s):**

The proposals within this report fit under the following strategic objective(s):

5	Achieving Best Value and High Performance
	The issue of Members being able to access the information they require to fulfil their roles effectively has been identified by the Overview & Scrutiny Committee. The purpose of the Access to Information protocol is to clarify the rights of Members to access information held by the Combined Authority and set out the expectations of officers responding to requests for information.

**1. Purpose**

1.1	The purpose of this report is to set out a protocol that can be adopted by the Combined Authority to clarify the rights of members to access to information held the Combined Authority.
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## 2. Proposal

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| 2.1 | The Protocol is being presented to the Overview & Scrutiny Committee for its feedback, endorsement and comments before it is presented to the Combined Authority Board to approve before rolling out to all Members and substitutes of the Combined Authority Board, Business Board and Committees. |
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## 3. Background

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| 3.1 | <p>Members from the Overview and Scrutiny Committee have expressed concerns about their ability to access information held by the Combined Authority, which would assist them in their role.</p> <p>At present the rights of a Members to request access to information held by the Combined Authority are set out in the Constitution under Section 10, Rules 10.6(<i>Additional Access for Members of the Authority</i>) and 10.7 (<i>Additional Rights of Access to Documents for Members of the Overview &amp; Scrutiny Committee</i>)</p> <p>Given the comments from Overview &amp; Scrutiny members, it has become apparent that there is a lack of clarity amongst Members on their rights to access information. As such it was decided that Access to Information Protocol would be created to clarify the existing access arrangements available in the Council's Constitution. A draft of the Protocol is attached as Appendix A to this report.</p>  |
| 3.2 | <p>An Overview &amp; Scrutiny committee needs access to relevant information the authority holds, and to receive it in good time, if it is to do its job effectively. This need is recognised in law, with members of Overview &amp; Scrutiny committees enjoying powers to access information.</p> <p>In particular, regulations give enhanced powers to a scrutiny member to access exempt or confidential information. This is in addition to existing rights for members to have access to information to perform their duties, including common law rights to request information and rights to request information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.</p> <p>When considering what information scrutiny needs in order to carry out its work, scrutiny members and the executive should consider scrutiny's role and the legal rights that committees and their individual members have, as well as their need to receive timely and accurate information to carry out their duties effectively.</p> <p>Scrutiny members should have access to a regularly available source of key information about the management of the authority – particularly on performance, management, and risk. Where such information exists and scrutiny members are given support to understand it, the potential for what officers might consider unfocused and unproductive requests is reduced as members will be able to frame their requests from a more informed position.</p> <p>Officers should speak to scrutiny members to ensure they understand the reasons why information is needed, thereby making the authority better able to provide information that is relevant and timely, as well as ensuring that the authority complies with legal requirements.</p> <p>The law recognises that there might be instances where it is legitimate for an authority to withhold information and places a requirement on the executive to provide the scrutiny committee with a written statement setting out its reasons for that decision.</p> |

## 4. Appendices

### 4.1 Appendix A- Draft Members Access to Information Protocol

## 5. Implications

### Financial Implications

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| 5.1 | No financial implication presently but there may be financial implication on the appointment of the member(s) |
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### Legal Implications

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| 6.1 | The Protocol has been written having regard to relevant legislation and case law, as outlined in the introduction of the Protocol. It has also been informed by guidance produced by the Local Government Association and the Centre for Governance & Scrutiny. |
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| 6.2 | <p>Section 10 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 provides additional rights of access to documents for members of overview and scrutiny committees</p> <p><b>10.—</b> (1) <i>Subject to paragraph (3), a member of an overview and scrutiny committee or a sub-committee of such a committee is entitled to a copy of any document which—</i></p> <p><i>(a) is in the possession or under the control of the combined authority or the mayor ; and</i></p> <p><i>(b) contains material relating to—</i></p> <p><i>(i) any business that has been transacted at a meeting of a decision-making body of that authority; or</i></p> <p><i>(ii) any decision that has been made by an individual member of that combined authority.</i></p> <p><i>(2) Subject to paragraph (3), where a member of an overview and scrutiny committee or a sub-committee of such a committee requests a document which falls within paragraph (1), the combined authority or the mayor must provide that document as soon as reasonably practicable and in any case no later than 10 clear days after the combined authority receives the request.</i></p> <p><i>(3) No member of an overview and scrutiny committee is entitled to a copy—</i></p> <p><i>(a) of any such document or part of a document as contains exempt or confidential information unless that information is relevant to—</i></p> <p><i>(i) an action or decision that that member is reviewing or scrutinising; or</i></p> <p><i>(ii) any review contained in any programme of work of such a committee or sub-committee of such a committee; or</i></p> <p><i>(b) of a document or part of a document containing advice provided by a political adviser (1).</i></p> <p><i>(4) Where the combined authority or the mayor determines that a member of an overview and scrutiny committee is not entitled to a copy of a document or part of any such document</i></p> |
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	<p><i>for a reason set out in paragraph (3), it must provide the overview and scrutiny committee with a written statement setting out its reasons for that decision.</i></p> <p><i>(5) In this article, references to an overview and scrutiny committee include references to a sub-committee of such a committee.</i></p>
6.3	The law above does not require a document to be open to inspection if it appears to the proper officer (being the officer designated by the authority for these purposes) or that the information being sought does not contain material relating to any business that has been transacted at a meeting of a decision-making body of that authority; or any decision that has been made by an individual member of that combined authority.
6.4	Under common law principles members have the right to access information held by their authority where it is reasonably necessary to enable the member to properly perform their duties as a councillor. However, if the member's motive for seeing documents is indirect, improper or ulterior this may be raised as a bar to their entitlement. Members are not, therefore, allowed to go off on a 'fishing expedition' through their Authority's documents. If a member is a member of a particular committee or sub-committee, then they have the right to inspect documents relating to the business of that committee or sub-committee. If not a member of that committee or sub-committee, the councillor would have to show good cause why sight of them is necessary to perform their duties (See <i>R v. Clerk to Lancashire Police Committee ex parte Hook</i> [1980] Q.B. 603).
6.5	A member must not disclose information given to them in confidence nor disclose information acquired which they believe is of a confidential nature, unless they: a) have received the consent of a person authorised to give it; or b) are required by law to do so. If information is accessed using the Freedom of Information / Environmental Information Regulations provisions the information can be regarded as public and the member may share the information with others. If on the other hand the Member has accessed the information via the provisions of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 or the common law 'need to know' then in some cases the information may still be confidential, and the Member will be bound by confidentiality. In that case Members should not publish or otherwise disclose the information to a third party.
Public Health Implications	
7.1	None directly
Environmental & Climate Change Implications	
8.1	None Directly
Other Significant Implications	
9.1	None Directly
Background Papers	
10.1	None

## Access to Information Protocol

### Scope

1. This protocol applies to all formal meetings of the Cambridgeshire and Peterborough Combined Authority. References to meetings of the Combined Authority include meetings of the Combined Authority Board, Business Board, any committee or sub-committee appointed by the Combined Authority. These provisions do not affect any other rights to information arising under any standing orders of the Combined Authority, or by law.

### Members Rights to Information

2. Members are free to request from the Cambridgeshire and Peterborough Combined such information as they may reasonably need in order to assist them in discharging their role as members, having regard to any special responsibility, e.g. Lead member, chair of the Cambridgeshire and Peterborough Combined Board or committee.
3. The legal rights of members to inspect Cambridgeshire and Peterborough Combined Authority documents arise partly from statute and partly from the common law (judicial decisions).
4. Members have the ability to ask for information in accordance with their legal rights. This right extends to such information, explanation and advice as they may reasonably need in order to assist them in discharging their role as a member of the Cambridgeshire and Peterborough Combined Authority. This can range from a request for general information about some aspect of the Cambridgeshire and Peterborough Combined Authority's activities to a request for specific information on behalf of a constituent. Such approaches should normally be directed to the Head of Paid Service or the Monitoring Officer or Statutory Scrutiny Officer.
5. In cases of doubt, members should approach the Monitoring Officer for assistance.
6. As regards the legal rights of members to inspect Cambridgeshire and Peterborough Combined Authority documents, these are covered partly by statute and partly by the common law.
7. Members have a statutory right to inspect any Cambridgeshire and Peterborough Combined Authority document which contains material relating to any business which is to be transacted by the Cambridgeshire and Peterborough Combined Authority. This right applies irrespective of whether the member is a member of the Committee or Subcommittee concerned and extends not only to reports which are to be submitted to the meeting, but also to any relevant background papers. This right does not, however, apply to documents relating to certain items which may appear as a confidential item on the agenda for a meeting.
8. The much broader common law rights of members remains intact and are based on the principle that any member has a right to inspect Cambridgeshire and Peterborough Combined Authority documents so far as his/her access to the document is reasonably necessary to enable the members properly to perform his/her duties as a member of the Cambridgeshire and Peterborough Combined Authority. This principle is commonly referred to as the 'need to know' principle.
9. The exercise of this common law right depends therefore, upon an individual member being able to demonstrate that she/he has the necessary 'need to know'. In this respect a member has no right to 'a roving commission' to go and examine documents of the Cambridgeshire and Peterborough Combined Authority. Mere curiosity is not sufficient. The crucial question is the determination of the 'need to know'. This question must initially be

determined by the Head of Paid Service (with advice from the Monitoring Officer). In the event of dispute, the question falls to be determined by the Monitoring Officer in association with the Head of Paid Service.

10. Member's 'need to know' will normally be presumed where the information clearly relates to the discharge of a function of Cambridgeshire and Peterborough Combined Authority.
11. Whilst the term 'Cambridgeshire and Peterborough Combined Authority document' is very broad and includes for example, any document produced with Cambridgeshire and Peterborough Combined Authority resources, it is accepted by convention that a member of one party group will not have a 'need to know' and therefore, a right to inspect, a document which forms part of the internal workings of another party group.
12. Further and more detailed advice regarding members' rights to inspect Cambridgeshire and Peterborough Combined Authority documents may be obtained from the Monitoring Officer.
13. Finally, any Cambridgeshire and Peterborough Combined Authority information provided to a member must only be used by the member for the purpose for which it was provided, i.e. in connection with the proper performance of the member's duties as a member of the Cambridgeshire and Peterborough Combined Authority. Therefore, for example, early drafts of Committee reports/briefing papers are not suitable for public disclosure and should not be used other than for the purpose for which they were supplied.

### **Correspondence**

14. Correspondence between an individual member and an officer should not normally be copied (by the officer) to any other member without the consent of that member and vice versa. Correspondence includes both hard copy memoranda or letters and email.
15. Most official letters on behalf of the Cambridgeshire and Peterborough Combined Authority will normally be sent in the name of the appropriate officer rather than in the name of a member, particularly when dealing with operational or service delivery matters. However, it will be appropriate in certain circumstances (e.g. representations to Government) for correspondence to be sent in the name of member(s) or the Mayor of Cambridgeshire and Peterborough Combined Authority. Letters which create legal obligations or give instructions on behalf of the Cambridgeshire and Peterborough Combined Authority and which are sent out in the name of a member should always be agreed in consultation with the Head of Paid Service, and on legal matters on advice from the Monitoring Officer.

### **Publicity and Press Release**

16. Cambridgeshire and Peterborough Combined Authority is accountable to the residents of the Cambridgeshire and Peterborough area. Accountability requires local understanding. This will be promoted by the Authority, explaining its objectives and policies to the electors and ratepayers.
17. Publicity is, however, a sensitive matter in any political environment because of the impact it can have. Expenditure on publicity can be significant. It is essential, therefore, to ensure that decisions on publicity are properly made in accordance with clear principles of good practice. The Government has issued a code of Recommended Practice on Local Authority Publicity. The purpose of the Code is to set out such principles. The Code affects the conventions that should apply to all publicity at public expense and which traditionally have applied in both central and local government. The Code requires that all local authorities shall have regard to its provisions in coming to any decision on publicity.

18. Officers and members of the Cambridgeshire and Peterborough Combined Authority will, therefore, in making decisions on publicity, take account of the provisions of this Code. If in doubt, officers and/or members should initially seek advice from the Corporate Communications Manager who will refer the matter to the Head of Paid Service. Particular care should be paid to any publicity used by the Cambridgeshire and Peterborough Combined Authority around the time of an election. Particular advice will be given on this by the Monitoring Officer as appropriate.
19. For the sake of clarity the Code does not apply to press releases and publicity that members may arrange and distribute in their individual political capacity rather than through the Cambridgeshire and Peterborough Combined. Members should not use Cambridgeshire and Peterborough Combined resources for party political purposes.

### **The Statutory Position**

20. Section 100F of the Local Government Act 1972 (as amended) (the Act) provides that any document that is in the possession or under the control of a principal council( which includes a Combined Authority), and contains material relating to any business to be transacted at a meeting of the Council or a committee or sub-committee of the Council, shall be open to inspection by any member of the Council.
21. This does not require the document to be disclosed if it appears to the Proper Officer that it contains exempt information under Schedule 12A of the Act. However, under the Local Government (Access to Information) (Variation) Order 2006, the document will still be open to inspection by members if it contains the following:
- (a) Information relating to the financial or business affairs of any particular person (including the Council holding that information), except to the extent that the information relates to any terms proposed or to be proposed by or to the Council in the course of negotiations for a contract; or
  - (b) Information which reveals that the Council proposes:
    - (i) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
    - (ii) to make an order or direction under any enactment.

All agendas, reports and other documents and proceedings of committees and sub-committees shall be treated as confidential and shall not be disclosed unless and until they become public in the ordinary course of the Council's business.

21. The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (the Regulations) apply to local authorities in England that operate Executive arrangements under Part 1A Local Government Act 2000, as amended by s.21 and Schedule 2 of the Localism Act 2011. The Regulations:

- (a) Clarify and extend the circumstances in which Executive decisions are public. There is a presumption that a meeting will be open to the public unless the nature of the business being transacted would result in confidential information being disclosed;
- (b) Make provision for the publicity that must be given before a Key Decision is taken by the Executive and for the inclusion of prescribed information in a written statement of the Executive decision;
- (c) Set out additional rights of members generally, and members of overview and scrutiny committees in particular, to access documents; and general provisions relating to information that is exempt from disclosure (including advice from a political adviser).

### **All Members**

22. Regulation 16 contains rights for any member to access documents that:

- (a) are in the possession or under the control of the Executive; and



(b) contain material relating to any business to be transacted at a public meeting.

23. Any such document must be available for inspection for at least five clear days before the meeting, except that:

(a) where the meeting is convened at shorter notice, such a document must be available for inspection when the meeting is convened; and

(b) where an item is added to the agenda at shorter notice, a document that would be required to be available in relation to that item, must be available for inspection when the item is added to the agenda.

24. Any document which:

(a) is in the possession or under the control of the Executive and

(b) contains material relating to:

(i) any business transacted at a private meeting;

(ii) any decision made by an individual member in accordance with executive arrangements; or

(iii) any decision made by an officer in accordance with executive arrangements

must be available for inspection by any member when the meeting concludes or, where an Executive decision is made by an individual member or an officer, immediately after the decision is made. Any such document must be available for such inspection, in any event, within 24 hours of the conclusion of the meeting or the decision being made.

25. Neither of these provisions applies if it discloses Exempt information. However, the document may still be open to inspection if it contains information:

(a) information relating to the financial or business affairs of any person (including the Cambridgeshire and Peterborough Combined Authority holding that information), except to the extent that the information relates to any terms proposed or to be proposed by or to the Cambridgeshire and Peterborough Combined Authority in the course of negotiations for a contract, or

(b) information which reveals that the authority proposes:

(i) to give a notice under which requirements are imposed on a person; or

(ii) to make an order or direction

### **Overview and Scrutiny Members**

26. Regulation 17 provides additional rights of access for members of Overview & Scrutiny committees, who are entitled to a copy of any document that:

(a) is in the possession or under the control of the Executive; and

(b) contains material relating to:

(i) any business that has been transacted at a meeting of a decision-making body of the authority;

(ii) any decision that has been made by an individual member of the Executive; or

(iii) any decision that has been made by an officer in accordance with Executive arrangements.

27. The Executive must provide that document as soon as reasonably practicable and in any case no later than 10 clear days after it receives the request.

28. No member of an Overview & Scrutiny committee is entitled to a copy:

(a) of any document or part of a document that contains Exempt or Confidential information, unless that information is relevant to:

- (i) an action or decision that the member is reviewing or scrutinising; or
- (ii) any review contained in any programme of work of such a committee or sub-committee of such a committee; or
- b) of a document or part of a document containing advice provided by a political adviser or assistant.

The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017

29. Section 10 of the 2017 Order provides additional rights of access to documents for members of overview and scrutiny committees.

- (1) Subject to paragraph (3), a member of an overview and scrutiny committee or a sub-committee of such a committee is entitled to a copy of any document which—
  - (a) is in the possession or under the control of the combined authority or the mayor; and
  - (b) contains material relating to—
    - (i) any business that has been transacted at a meeting of a decision-making body of that authority; or
    - (ii) any decision that has been made by an individual member of that combined authority.
- (2) Subject to paragraph (3), where a member of an overview and scrutiny committee or a sub-committee of such a committee requests a document which falls within paragraph (1), the combined authority or the mayor must provide that document as soon as reasonably practicable and in any case no later than 10 clear days after the combined authority receives the request.
- (3) No member of an overview and scrutiny committee is entitled to a copy—
  - (a) of any such document or part of a document as contains exempt or confidential information unless that information is relevant to—
    - (i) an action or decision that that member is reviewing or scrutinising; or
    - (ii) any review contained in any programme of work of such a committee or sub-committee of such a committee; or
  - (b) of a document or part of a document containing advice provided by a political adviser.
- (4) Where the combined authority or the mayor determines that a member of an overview and scrutiny committee is not entitled to a copy of a document or part of any such document for a reason set out in paragraph (3), it must provide the overview and scrutiny committee with a written statement setting out its reasons for that decision.
- (5) In this article, references to an overview and scrutiny committee include references to a sub-committee of such a committee.

30. Where the Executive determines to refuse such a request it must provide the Overview & Scrutiny committee with a written statement setting out its reasons for that decision.

## **FOIA and EIR**

31. Members can, like a member of the general public, also request information from the Cambridgeshire and Peterborough Combined Authority under the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR). The Information Commissioner's Office publishes guidance on access rights and the exemptions that may be applicable under FOIA and EIR.

### **Local authority accounts**

32. The Local Audit and Accountability Act 2014, and the Accounts and Audit Regulations 2015 provide a right to inspect, question and make objections to the Cambridgeshire and Peterborough Combined Authority's auditor, take copies of statements of accounts and auditors' reports. These rights are explained fully in the National Audit Office guidance but are restricted to prevent access to documents containing personal information about staff.

33. In addition, s.228(3) of the Act provides that: "The accounts of a local authority and of any proper officer of a local authority shall be open to the inspection of any member of the authority, and any such member may make a copy of or extract from the accounts".

### **The common law 'need to know'**

34. Under common law principles, all members have the right to access information held by their authority where it is reasonably necessary to enable them to properly perform their duties as a member.

35. However, if the member's motive for seeing documents is indirect, improper or ulterior, this may be raised as a bar to their entitlement. Members are not, therefore, allowed to go on a 'fishing expedition' through their Cambridgeshire and Peterborough Combined Authority documents.

36. If a member is a member of a particular committee or sub-committee, then they have the right to inspect documents relating to the business of that committee or sub-committee. If not a member of that committee or sub-committee, the member would have to show good cause why sight of them is necessary to perform their duties.

### **Notice of Meetings**

37. The Cambridgeshire and Peterborough Combined Authority will give at least five clear days' notice of any meeting by posting details of the meeting at offices and on its website. Where exceptionally this period of notice cannot be given, notice will be given as soon as the meeting is convened.

### **Access to agendas and reports before meetings**

37. The Cambridgeshire and Peterborough Combined Authority will publish the agenda and reports (that are not exempt from publication) on its website at least five clear days before the meeting, or if a meeting is convened at less than five clear days' notice as soon as it is convened.

### **Papers**

38. The report author will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in their opinion:

- (a) discloses any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report; and
- (c) do not include:
  - (i) published works or
  - (ii) exempt or confidential information

39. Background papers are published on the Cambridgeshire and Peterborough Combined Authority's website and available for public inspection at Cambridgeshire and Peterborough Combined Authority offices.

40. The Cambridgeshire and Peterborough Combined Authority will make background papers available for public inspection for four years after the date of the meeting/decision.

**Supply of copies**

41. The Cambridgeshire and Peterborough Combined Authority will supply copies of any agenda, reports and background papers that are open to public inspection to any person, electronically (wherever possible) or, on payment of a charge for copying and postage, in hard copy.

**Access to minutes etc after meetings**

35. The Cambridgeshire and Peterborough Combined Authority will retain and make available copies of the following for six years after a meeting or the taking of a decision:

- (a) the minutes of the meeting and/or records of decision taken, together with the reasons, excluding any part of the minutes that discloses exempt or confidential information and also excluding, if appropriate in the opinion of the Monitoring Officer any part of the minutes of proceedings when the meeting was not open to the public;
- (b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
- (c) the agenda for the meeting; and
- (d) reports relating to items when the meeting was open to the public.