



Department for  
Communities and  
Local Government

# Updating the Revised Best Value Statutory Guidance

Consultation on an addition to the Revised Best Value  
Statutory Guidance



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# 1. Scope of the consultation

**A consultation paper issued by the Department for Communities and Local Government on behalf of the Secretary of State**

<b>Topic of this consultation:</b>	This consultation paper sets out the Government's proposals for adding to the Revised Best Value Statutory Guidance
<b>Scope of this consultation:</b>	The Department for Communities and Local Government is consulting on proposals to update the Revised Best Value Guidance by adding guidance on the subject of procurement boycotts
<b>Geographical scope:</b>	The Revised Best Value Statutory Guidance applies to Best Value authorities in England as defined in the guidance.
<b>Impact Assessment:</b>	No impact assessment has been produced for this consultation as it is adding existing guidance to the Revised Best Value Guidance

## Basic Information

<b>To:</b>	This consultation is open to everyone. We particularly seek the views of all English local authorities and the Local Government Association.
<b>Body responsible for the consultation:</b>	The Department for Communities and Local Government is responsible for conducting the consultation.
<b>Duration:</b>	The consultation will begin on 13 February 2017. The consultation will run for 6 weeks and will close on 28 March 2017. All responses should be received by no later than 28 March 2017.
<b>Enquiries:</b>	<p>During the consultation, if you have any enquiries, please contact:</p> <p>John Flett email: <a href="mailto:bestvalue@communities.gsi.gov.uk">bestvalue@communities.gsi.gov.uk</a> TEL: 030 3444 2263</p> <p>How to respond:</p> <p>Please respond by email to: <a href="mailto:bestvalue@communities.gsi.gov.uk">bestvalue@communities.gsi.gov.uk</a></p>

	<p>Alternatively, please send postal responses to:</p> <p>John Flett  Department for Communities and Local Government  2nd Floor, NE, Fry Building  2 Marsham Street  London  SW1P 4DF</p> <p>Responses should be received by close on 28 March 2017.</p>
<b>How to respond:</b>	<p>You can respond by email or by post.</p> <p>When responding, please make it clear which questions you are responding to.</p> <p>When you reply it would be very useful if you could confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:</p> <ul style="list-style-type: none"> <li>- your name</li> <li>- your position (if applicable)</li> <li>- the name and address of your organisation (if applicable)</li> <li>- an address, and</li> <li>- an e mail address (if you have one)</li> </ul>

## 2. Introduction

1. The Department for Communities and Local Government is consulting on proposals to update the Revised Best Value Statutory Guidance by adding guidance on the subject of procurement boycotts.
2. The Government has a longstanding policy of value for money in public procurement. EU and UK procurement legislation requires public authorities to treat suppliers fairly and equally and this guidance has been updated to reflect that and make it clear that boycotts in public procurement are inappropriate outside where formal legal sanctions have been put in place.

## 3. Proposed new paragraph on procurement boycotts.

### **Proposal**

3. Add a new paragraph stating that authorities should not implement or pursue boycotts other than where formal legal sanctions, embargoes and restrictions have been put in place by the Government.

### **Question**

**Do you agree that the additional paragraph is:**

- a. clear; and
- b. specific.

## 4. About this consultation

This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004.

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department for Communities and Local Government will process your personal data in accordance with DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact DCLG Consultation Co-ordinator.

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or by email to: [consultationcoordinator@communities.gsi.gov.uk](mailto:consultationcoordinator@communities.gsi.gov.uk)