

Procurement Charter

Introduction

In alignment with our Council Plan, our vision is to ensure that we are a Council that works with residents, businesses, communities and other organisations to deliver the best services possible within the available resources, whilst achieving value for money. In meeting our requirements, we are committed to ensuring that our practices of working and procuring, including those of our supply chain, are carried out and delivered in accordance with our ethics.

This Charter outlines the **standards** we aim to achieve through its implementation and aligns with the Council's Officer **Code of Conduct**. Through commissioning and procurement of contracts, we will work with suppliers to meet these standards and code of conduct. Adoption of these standards by suppliers should assist in improving the impact on society and the environment, influenced by supply chain decision

This Charter sets out the Council's aspirations and expectations, both from itself and from any suppliers of goods, works, services and utilities wishing to do business with it.

Purpose of the Charter

- To be clear about the Council's expectations, (internally and externally), in relation to its ethical standards and methods of achieving them through responsible commissioning and procurement;
- Work together with suppliers in the delivery of these standards and to undertake responsible commissioning and procurement, to, and for, Cumbria County Council;
- Continually improve our standards of procurement, and make clear expectations for suppliers to demonstrate a similar approach and ultimately, establish a supply chain that adheres to our ethics;
- Improve economic and social development in communities through initiatives such as apprenticeship, training opportunities and increasing social inclusion;
- Minimise any negative impact on the environment through our contracts by encouraging the use of recyclable materials in our construction projects, and reducing emissions wherever possible.

Our Standards

The Council endeavours to:

- Enhance Social Value, where relevant and proportionate;
- Ensure transparency, confidentiality and equal opportunity in all procurement;
- Minimise the risk of bribery, fraud and corruption in procurement;
- Work with Small, Medium Enterprises encouraging them to compete for opportunities;
- Work with the Third Sector, encouraging them to compete for opportunities;
- Ensure fair payments throughout the supply chain;
- Ensure equality and diversity;
- Provide safe and healthy working conditions;
- Protect the environment.

Enhancing Social Value

Within any commissioning and/or procurement exercise, we will consider the inclusion of appropriate Social Value clauses, where relevant and proportionate to do so, in order to improve the economic, social and environmental wellbeing of our communities.

Social Value benefits we may seek to secure include:

- Fair employment practices;
- Enabling skills, training and employment;
- Procuring ethically with suppliers and sub-contractors;
- Promotion of equality and diversity;
- Working with SME's and Third Sector;
- Improving Environmental Sustainability;
- Supporting, protecting and improving community assets;
- Providing additional outcomes for vulnerable community groups.

Ensuring transparency, confidentiality and equal opportunity

Through commissioning and procurement processes, (and in-line with relevant legislation), we will work to ensure all suppliers are treated fairly in all of the Council's commissioning and procurement activity. Specifically, we will:

- Be open and transparent about commissioning and procurement opportunities;
- Manage supplier expectations, ensuring clear understanding of Council processes including supplier engagement, procurement timescale requirements, and selection and award criterion;
- Advertise tenders electronically, via our electronic portal, ('The Chest'), and where necessary, through 'Contracts Finder' and 'the Official Journal of the European Union';
- Alternative methods for low value procurements outside of EU Regulations may be used if authorisation is provided by the Executive Director;
- Ensure confidentiality of suppliers is respected throughout the commissioning and procurement process;
- Ensure awarded contracts are identified on the Council's public contracts register.

Bribery, Fraud, and Corruption

The Council will not tolerate bribery, fraud or corruption in any form. These are criminal offences and clear grounds for exclusion from the tender process. As well as a vetting process, which is carried out in the tendering of contracts, the Council will also take consideration of:

- **The need for declaring an interest:** any personal interest between the Council, colleagues and suppliers;
- **Business gifts and hospitality:** including secondary employment in line with the Council's Officers Code of Conduct;
- **Whistleblowing policy:** the Council is committed to the highest standards of honesty, integrity and accountability in carrying out its functions;
- **'Speak Up' process:** the Council is committed to conducting its business with the highest standards of fairness, integrity, ethics and respect for the law and our agreed behaviours;
- **Tax Abuse:** in line with the UK government's guidance to contracting authorities for procurements above EU thresholds. Suppliers will be required to confirm, within a specified time period, that it has had no 'occasions of non-tax compliance' and self-certify this as part of the pre-qualification stage of procurement.

Equality, Diversity and Employees

In line with the Equality Act (2010), and the Ethical Trading Initiative (ETI) base code, the Council will ensure its business activities do not unlawfully discriminate or provide unlawful inequality to employees and workers within Council contracts (or working on behalf of the Council). The behaviours and standards we expect from suppliers include, but are not limited to:

- Regular employment provision, conforming to national law and practice, including labour and social security laws;
- Paying the Living Wage Foundation's Living Wage;
- No discrimination: To any person, on any grounds in-line with the Equality Act (2010) and the Council's Equality Policy;
- No harsh or inhumane treatment to employees;
- Clear and simple employment terms and conditions;
- Employment is freely chosen;
- Working hours will not be excessive, and comply with national laws;
- Modern Slavery Act (2015): The Council is committed to preventing slavery and human trafficking in its commissioning and procurement and will work to ensure its supply chain is free from such grave acts. Under Section 52 of Act, the Council must and will notify the Home Office where there is any suspicion or evidence of slavery or human trafficking;
- No use of "Blacklists".

Safe and Healthy Working Conditions

The Council has a duty under the Health & Safety at Work Act (1974), and associated legislation, to ensure the health, safety and welfare of employees and others who could be affected by our work activities. This duty extends to managing risks associated with works undertaken on our behalf by suppliers. We expect all suppliers to abide by the Health & Safety Act and Code of Practice. The code sets out the minimum requirements and expectations placed on suppliers to assist Cumbria County Council in undertaking its responsibilities in as safe a manner as possible. We expect the following standards of provision:

- Employees and others are protected from risks arising from supplier activities and are provided with safe working and protective equipment required for their job;
- Health, safety and welfare procedures are monitored by the Council regularly for compliance;
- Policies and procedures are in place to minimise risk of hazards, accidents or incidents;
- Suitable and relevant H&S related training must be provided;
- Suitable welfare provisions will be made including access to clean toilets and water suitable for drinking and washing;
- Suppliers will be required to adhere to the Contractor H&S Code of Practice which underpins the Council's wider H&S policy.

Protecting the Environment

As a council, we seek to ensure that we protect the environment through our activities, thereby minimising the possibility of negative impact wherever possible. In all cases, and through our contracts, we expect our suppliers to be able to demonstrate that attention is paid to the environment and that they have environment policies and/or management systems in place.

We expect that suppliers should be able to provide:	We expect, that suppliers will:
<ul style="list-style-type: none"> • Their policy on Environmental Management, where relevant to the contract; • Monitoring and review procedures of environmental practices; • The level of environmental cover provided for operations, including recognised/accredited management systems, or the suppliers intentions of working towards such; • Awareness and risk management of potential risks to the environment relating to their production, service or sourcing and the processes in place for mitigating/ minimising such risks. 	<ul style="list-style-type: none"> • Minimise their carbon footprint; • Minimise their use of energy, water and raw materials, where relevant and possible; • Maximise the use of sustainable recyclable materials and packaging, where possible; • Minimise waste disposal, safely and responsibly; • Avoid contamination of the local environment.