

Impact Assessment - First Stage

1. Details of the initiative

Initiative description and summary: Updating of the Council's Contract Procedure Rules (CPRs)
Service Area: Corporate Procurement, Legal Services
Directorate: Finance and Corporate

2. Does the initiative affect:

	Yes	No
Service users		x
Staff	x	
Wider community	x	
Internal administrative process only	x	

3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age		x				As a result of legislative changes to procurement rules (which began with the Public Contract Regulations 2015) and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Ethical Code of Practice. There will be no effect on this protected characteristic.

Disability		X				As a result of legislative changes to procurement rules (which began with the Public Contract Regulations 2015) and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Ethical Code of Practice. There will be no effect on this protected characteristic.
Gender Reassignment		X				As a result of legislative changes to procurement rules (which began with the Public Contract Regulations 2015) and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Ethical Code of Practice. There will be no effect on this protected characteristic.
Marriage/Civil Partnership		X				As a result of legislative changes to procurement rules (which began with the Public Contract Regulations 2015) and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such

						as the implementation of the Ethical Code of Practice. There will be no effect on this protected characteristic.
Pregnancy/Maternity		X				As a result of legislative changes to procurement rules (which began with the Public Contract Regulations 2015) and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Ethical Code of Practice. There will be no effect on this protected characteristic.
Race		X				As a result of legislative changes to procurement rules (which began with the Public Contract Regulations 2015) and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Ethical Code of Practice. There will be no effect on this protected characteristic.
Religion/Belief		X				As a result of legislative changes to procurement rules (which began with the Public Contract Regulations 2015) and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The

						proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Ethical Code of Practice. There will be no effect on this protected characteristic.
Sex		X				As a result of legislative changes to procurement rules (which began with the Public Contract Regulations 2015) and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Ethical Code of Practice. There will be no effect on this protected characteristic.
Sexual orientation		X				As a result of legislative changes to procurement rules (which began with the Public Contract Regulations 2015) and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Ethical Code of Practice. There will be no effect on this protected characteristic.

4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
--	-----	----	---------------------	---------------	-----------------	---

People's opportunities to use the Welsh language			x			Neutral impact - the updated CPRs incorporate the requirements of the relevant Welsh Language Standards and the statutory obligations contained therein. See report for further details.
Treating the Welsh language no less favourably than English			x			Neutral impact - the updated CPRs incorporate the requirements of the relevant Welsh Language Standards and the statutory obligations contained therein. See report for further details

5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity			x			As a result of legislative changes to procurement rules (which began with the Public Contract Regulations 2015) and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Ethical Code of Practice. The proposed Contract Procedure Rules however will stipulate that officers must consider the maintenance and enhancement of biodiversity in all tender processes.
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment,			x			As a result of legislative changes to procurement rules (which began with the Public Contract Regulations 2015) and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements but the Contract Procedure Rules

such as air quality, flood alleviation, etc.						required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Ethical Code of Practice. The proposed Contract Procedure Rules however will stipulate that officers must consider the promotion and resilience of ecosystems in all tender processes.
--	--	--	--	--	--	---

6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
Long term - how the initiative supports the long term well-being of people	X		The 5 ways of working are reflected in the proposed Contract Procedure Rules, in particular, the consideration of the 5 ways of working under the Well-being of Future Generations Act at the procurement planning stage (as set out in the tender strategy document) and the consideration of community and wider environmental/sustainability benefits is emphasised within the proposed Contract Procedure Rules with signposting to the relevant Welsh Government guidance and the Council's community benefits officer.
Integration - how the initiative impacts upon our wellbeing objectives	X		The updated CPRs assist in implementing the Council's well-being objective of "Develop the local economy and environment", in particular consideration of reserved contracts and sustainability at the procurement planning stage (set out in the tender strategy document), emphasis on pre-engagement with local suppliers under the market testing provisions of the proposed Contract Procedure Rules so as to make local suppliers aware of upcoming opportunities, and the ability to divide contracts up into smaller lots when tendering is highlighted in the preliminary steps provisions of the proposed Contract Procedure Rules so as to encourage the involvement of smaller and local suppliers .
Involvement - how people have been involved in developing the	X		A cross-directorate Procurement Strategy Group (PSG) was formed to undertake a review of the CPRs and to obtain input from all Council

initiative			<p>departments on potential changes. The proposed Contract Procedure Rules are internally focused and have been agreed between officers of the Council to ensure the legal, financial and operational requirements of the Council have been considered and developed. The 5 ways of working have been embedded within the procurement procedures, for example there is a requirement for consideration of the 5 ways of working at the procurement planning stage. As part of its ongoing work with the voluntary sector, feedback has been sought on some proposals to ensure that the proposed Contract Procedure Rules also take into account the views of the voluntary sector.</p>
<p>Collaboration - how we have worked with other services/organisations to find shared sustainable solutions</p>	X		<p>A cross-directorate Procurement Strategy Group (PSG) was formed to undertake a review of the proposed Contract Procedure Rules and to obtain input from all Council departments on potential changes. The updated proposed Contract Procedure Rules are internally focused and have been agreed between officers of the Council to ensure the legal, financial and operational requirements of the Council have been considered and developed. The 5 ways of working have been embedded within the procurement procedures, for example there is a requirement for consideration of the 5 ways of working at the procurement planning stage. As part of its ongoing work with the voluntary sector, feedback has been sought on some proposals to ensure that the proposed Contract Procedure Rules also take into account the views of the voluntary sector.</p>
<p>Prevention - how the initiative will prevent problems occurring or getting worse</p>	X		<p>The 5 ways of working have been embedded within the procurement procedures set out in the proposed Contract Procedure Rules, for example there is a requirement for consideration of the 5 ways of working at the procurement planning stage.</p>

7. Declaration - based on above assessment (tick as appropriate):

A full impact assessment (second stage) is not required	X
Reasons for this conclusion	
<p>There are no impacts requiring a full Integrated Impact Assessment to be completed. As a result of legislative changes to procurement rules (which began with the Public Contract Regulations 2015) and new policy directive from the Welsh Government, an update to these Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Ethical Code of Practice.</p>	

	Name	Position	Signature	Date
Completed by	Joanna Stevens	Principal Solicitor	J Stevens	23rd September 2019
Approved by	Craig Griffiths	Head of Legal Services	C Griffiths	23rd September 2019