

PROCUREMENT ACT READINESS ACTION PLAN

Briefing Note



INTRODUCTION

The purpose of this briefing note and associated action plan is to provide a progress update on Plymouth City Council's readiness for the launch of the UK's new Procurement regime as laid down in the Procurement Act 2023 which is due to go live on 24 February 2025.

The Act sets out the rules that the Council must follow when undertaking procurement activity above certain thresholds and replaces the current Public Contracts Regulations 2015, Concession Contracts Regulations 2016, and wider specialist Procurement legislation into a single regime.

The overarching aim of the new Act is to '*create simpler, more flexible and effective procurement*' following the UK's departure from the European Union (EU).

KEY POINTS OF CONSISTENCY

The UK remains party to many international agreements which means the underlying principles and the majority of the provisions will remain materially the same as the existing legislation. Key points of consistency for the Council include:

- The ability to rely on the 'teckal' exemption to award contracts to its family of companies
- Specific types of contracts remain exempt such as land and buildings and employment
- Recognition of the need for additional flexibility for contracts defined as 'light touch' e.g. certain health and social care contracts
- Frameworks will remain a mechanism through which the Council can award contracts without the need to run full regulatory-compliance procurement processes
- Contracts must comply with the Regulations under which they were procured. I.e. no retrospective application of new provisions.

KEY NEW PROVISIONS

- Introduction of new flexibility into competitive procedures enabling procurements to be tailored to specific requirements.
- Enshrines in law the National Procurement Policy Statement which includes government priorities such as Social Value and supporting SMEs
- Introduction of a new Procurement Pipeline publication requirement
- Extensive new transparency requirements in the form of 14 mandatory notices to be published from pre-procurement market engagement through to contract termination.

ACTION PLAN

To ensure the Council is ready for the new regime a procurement working group has been set up and an action plan has been developed and is being delivered against. The plan categories actions into 6 core areas:

- Policies- including Procurement Strategy and Contract Standing Orders
- Templates/Form- including internal governance procedures and tender procedure templates
- Processes- including pipeline publication and contract management notices
- Systems- updates to e-procurement portal
- Training- procurement professionals, wider PCC officers and suppliers

All actions are currently being delivered as planned however it must be noted that many actions rely on information from central government which has yet to be released. All UK contracting authorities are in the same position and the Procurement working group are closely monitoring the situation.