

Appendix 16 – Contract Standing Orders

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1. Notice to External Parties

- a. These Standing Orders shall not create or form a part of any contract or binding undertaking, express or implied, with any party outside the Council.
- b. The Council does not make any binding commitment to external parties about the conduct of procurement exercises, other than to abide by its statutory and common law obligations.
- c. In seeking quotations or inviting tenders, the Council is not making an offer to enter into any contract

2. Context

- a. The Council is a contracting authority for the purposes of public procurement law and is legally bound to comply with certain practices and procedures in the award, management and variation of contracts.
- b. The law requires the Council to treat suppliers and potential suppliers equally and without discrimination and to act in a transparent and proportionate manner. Procurement activity is also subject to subsidy & competition (formerly state aid) law.
- c. All procurement activity must comply fully with the requirements of the Public Contracts Regulations 2015, the Concession Contracts Regulations 2016 and other legislation.
- d. Procurement is subject to local government law, including the general duty of best value, and to equalities legislation.
- e. Certain procurement exercises are subject to the Public Contracts (Social Value) Act 2012.
- f. Procurement in specific fields – such as tendering for public transport and procurement undertaken on behalf of the NHS – is subject to specific legislation.
- g. Compliance with these standing orders does not of itself ensure compliance with all applicable laws in every circumstance.

3. Interpretation

- a. In these standing orders:
 - i. “CCR 2016” means the Concession Contracts Regulations 2016;
 - ii. the “CCR award process” is the process set out in CCR 2016 for the award of concession contracts;
 - iii. “central purchasing body” has the meaning given to it in PCR 2015;
 - iv. “Contracts Finder” has the meaning given to it in PCR 2015;
 - v. a “controlled entity” is an entity which the Director of Governance has determined to meet the conditions set out in regulation 12(1) of PCR2015 and has included in the list of controlled entities as required by paragraph 6 (k) of these standing orders;

- i. “Official Journal of the European Union” or “OJEU” means the supplement to that journal in which PCR 2015 states that notices concerning procurement processes are to be placed, or any successor publication designated for the same purpose after the UK leaves the European Union;
- ii. “PCR 2015” means the Public Contracts Regulations 2015 (as amended);
- iii. the “PCR thresholds” means the threshold amounts set in regulation 5 of PCR 2015, or in the case of works or service concession contracts, the threshold amounts set in regulation 9 of CCR 2016;
- iv. “PCR tender processes” are the processes stipulated in PCR 2015 for advertising and conducting procurement processes where the value of the anticipated contract exceeds the relevant PCR threshold; and
- v. a “relevant contract” is a contract for pecuniary interest between the Council and any other contracting party, except for
 - a. contracts relating to the lending of money by the Council and the raising of capital by the Council (but do include the procurement of financial services);
 - b. agreements regarding the acquisition, disposal, or transfer of land, leases of pre-existing property, and licenses – the rules governing these are outlined in the Hierarchy of Decision Making on Property Matters Under the Constitution of Norfolk County Council;
 - c. the award of grants by the Council;
 - d. the purchase of historical documents, works of art or museum specimens;
 - e. contracts of employment between the Council and an individual; and
 - f. contracts for loans.

4. Responsibilities

- a. The Director of Procurement has overall responsibility for procurement by the Council and shall consult as necessary with the Director of Governance and the Executive Director Finance & Commercial Services and Commercial Services.
- b. Chief Officers are responsible for compliance with these standing orders within their directorates.
- c. Officers shall comply with guidance issued by the Director of Procurement when undertaking procurement activities.
- d. Any duty or obligation stated in these standing orders to be the duty or obligation of the Director of Procurement or the Director of Governance may be delegated by them to another officer provided that the delegation is in writing.
- e. The Director of Procurement authorises the placement of notices on Contracts Finder and in the Official Journal of the European Union.

- f. Invitations to tender may only be issued, and tender processes managed, by officers authorised to do so by the Director of Procurement, or by organisations approved by them to act as procurement agents on behalf of the Council.

5. Schemes of delegation

- a. Chief Officers shall put in place schemes of delegation which identify which officers have responsibility (and the level of their financial delegation) for:
 - i. agreeing tender processes and procurement plans;
 - ii. approving tender and contract documents;
 - iii. awarding contracts;
 - iv. approving orders and the payment of invoices; and
 - v. managing contracts, including performance monitoring and the agreement of specification and price variations.

6. Applicability and scope

- a. These standing orders apply to all officers of the Council. Officers must ensure that any agents, consultants or contractual partners they allow to act as procurement agents on behalf of the Council (e.g. Norse Group companies, when procuring on behalf of the Council) also comply with them.
- b. These standing orders do not apply to maintained schools, whose procurement activities are governed by the Council's Local Management of Schools Scheme.
- c. These standing orders apply to all relevant contracts made by, for, or on behalf of the Council, including when the Council is acting jointly or on behalf of other public bodies.
- d. Paragraph 14 of these standing orders applies to grants.

7. Choice of procurement process

This paragraph 7 is to be read in conjunction with paragraph 8 below.

Thresholds

- a. The nature of the procurement process to be followed is set out in the tables below, subject to paragraphs (d) to (k) and depends on the total value of the contract being procured.
- b. In exercising their discretion to approve a higher limit for awarding a contract without a competitive process or without a published competitive process, the Director of Procurement shall have regard to considerations including best value, compliance with subsidy & competition law and (for so long as the Council is subject to EU procurement law or equivalent legal duties) the likely interest in the contract from suppliers based in EU states.
- c. The Director of Procurement has the discretion to require any contract or class of contracts to be procured via a competitive process.

d. The total value of a contract is to be calculated in the manner prescribed by PCR 2015.

Table 1: social and other specific services listed in Schedule 3 to PCR 2015.

	Process	Value limit (excluding VAT)	Higher limit if approved by the Director of Procurement	Additional requirements
A	Single quote (with evidence of value for money, such as research into typical prices or rates)	Up to £1,000 (or £10,000 if approved by an officer at grade N or above)	Up to £200,000	Contract award notices must be published on Contracts Finder for contracts with a value of £25,000 or more.
B	<p>(a) Request for quotation issued to three or more capable bidders other than via a framework agreement or dynamic purchasing system; or</p> <p>(b) Request for quotation issued to all capable bidders in the relevant lot of a framework agreement or dynamic purchasing system; or</p> <p>(c) Allocation of work within a framework agreement or similar arrangement in accordance with procedures set out in that arrangement.</p>	Up to £50,000	Up to PCR threshold	
C	Openly advertised competitive process below PCR threshold	Up to the relevant PCR threshold.		Any call for competition must be advertised on Contracts Finder in addition to any other publication

	Process	Value limit (excluding VAT)	Higher limit if approved by the Director of Procurement	Additional requirements
D	<ul style="list-style-type: none"> (a) PCR tender process; or (b) competition under a dynamic purchasing system or framework let in accordance with PCR 2015; or (c) award under a single-operator framework agreement; or (d) award under a multi-vendor framework agreement without reopening competition subject to regulation 8(a) of PCR 2015; or (e) purchase of services from or via a central purchasing body in accordance with regulation 37 of PCR 2015; or (f) process complying with Section 7 of PCR 2015 advertised by means of a contract notice or a prior information notice complying with regulation 75. 	Over the relevant PCR threshold		Appendix 15 of the Constitution sets out circumstances where a decision must be taken by the Full Council. These include any decision that commits the Council to revenue or capital expenditure of over £100m

Table 2: other services, works, concession contracts and supplies

	Process	Estimated total value (excluding VAT)	Higher limit if approved by the Director of Procurement	Additional requirements
A	Single quote (with evidence of value for money, such as research into typical prices or rates)	Up to £1,000 (or £10,000 if approved by an officer at grade N or above)	Up to £100,000 for supplies and services; £1,250,000 for works	Contract award notices must be published on Contracts Finder for contracts with a value of £25,000 or more.
B	(a) Request for quotation issued to three or more capable bidders other than via a framework agreement or dynamic purchasing system; or (b) Request for quotation issued to all capable bidders in the relevant lot of a framework agreement or dynamic purchasing system	Up to £50,000	Up to PCR threshold	
C	Tender process below PCR threshold	Up to the relevant PCR threshold.		Any invitation to tender must be advertised on the government's Contracts Finder website in addition to any other publication

	Process	Estimated total value (excluding VAT)	Higher limit if approved by the Director of Procurement	Additional requirements
D	<ul style="list-style-type: none"> (a) PCR tender process; or (b) CCR award process in the case of concession contracts; or (c) competition under a dynamic purchasing system or framework let in accordance with PCR 2015; or (d) award under a single-operator framework agreement; or (e) award under a multi-vendor framework agreement without reopening competition subject to regulation 8(a) of PCR 2015; or (f) purchase of services from or via a central purchasing body in accordance with regulation 37 of PCR 2015. 	Over the relevant PCR threshold		Appendix 15 of the Constitution sets out circumstances where a decision must be taken by the full Council. These include any decision that commits the Council to revenue or capital expenditure of over £100m.

Specific categories of expenditure

Highway works

- e. Where a third-party commissions works that tie into or modify the Council's highway and the Council sets the specification, PCR 2015 may apply. Such works may:
 - i. be undertaken by a highways contractor appointed by the Council under these standing orders; or
 - ii. where the relevant Chief Officer permits, and subject to requirements for the placing of contract award notices, and where the value is below the PCR threshold for works, be undertaken by another contractor appointed by the third-party that meets the Council's reasonable requirements including professional and financial standing, insurance cover and technical competence.

Local bus services

- f. Where an officer wishes to let a contract for the purchase of season tickets on a local bus service registered as such with the local traffic commissioner, and only two bus operators have registered such services on the bus corridor concerned, the requirement at Row B of table 2 to obtain three quotations is to be read as requiring two quotations from the two operators concerned.

Legal services

- g. The Director of Governance may commission legal services of the types set out in regulation 10 (d) of PCR 2015 without competition.

Software

- h. Where the Council has purchased perpetual software licences, the Director of Procurement, in consultation with the Director of IMT & Chief Digital Officer, may authorise the purchase of software support and maintenance services without competition from the software licensor, where the provisions of regulation 32 (2) (b) (iii) PCR 2015 apply or the purchase is otherwise lawful.

Inter-authority cooperation

- i. The above requirements for competition do not apply if the proposed arrangement is within regulation 12 (7) of PCR 2015.

Controlled entities

- j. Where a supplier to the Council is a controlled entity, the above requirements for competition do not apply. However, there will be a need to ensure compliance with both Best Value and Subsidy & Competition Aid law (and any other relevant matters that may arise from time to time) before doing so.
- k. Only the Director of Governance may decide whether a given entity is a controlled entity. The Director of Governance shall maintain a list of controlled entities and publish it on the Council's intranet.

8. Specialist Purchases and Corporate Contracts

- a. Certain goods, services or works, because of their nature, require specialist skills and/or expertise to be procured effectively, irrespective of their value
- b. The Director of Procurement may maintain and publish on the Council's intranet a list of these reserved areas of spend and the thresholds at which restrictions apply ("Specialist Purchases"). They may also specify on that list, the posts whose occupants are authorised to buy within those areas and thresholds ("Specialist Buyers").
- c. Only officers who are named Specialist Buyers shall have the authority to enter into contracts for these Specialist Purchases.
- d. The Director of Procurement may maintain and publish on the Council's intranet a list of contracts that are to be used exclusively for particular purposes ("Corporate Contracts"). No officer shall let or use any other contract for these purposes.
- e. Any exception to the provisions of this paragraph 8 must be approved in advance by the Director of Procurement.

9. Reserved contracts

- a. The Council may restrict the right for organisations to participate in the award of a Contract to classes of organisation that meet the conditions of either regulation 20 or regulation 77 of PCR 2015.

10. Exemptions to these standing orders

- a. Exemptions may be granted as follows
 - i. Subject to the law, a Chief Officer may approve an exemption to any part of these standing orders that is necessary because of an emergency creating immediate risk to persons or property or causing serious disruption to Council services (including any emergency or disruption under the Civil Contingencies Act 2004). The Chief Officer must, as soon as possible, notify the Director of Procurement.
 - ii. In exceptional circumstances and subject to the law, any requirement to seek more than one tender or quotation may be disapplied, subject to consultation in advance with the Leader of the Council (for exemptions valued over £100,000) and authorisation in advance by the Director of Procurement and Director of Governance.
 - iii. Any other exemption to these standing orders may only be made within the relevant law and with the authority of the Cabinet.
- b. The Director of Procurement shall ensure that all exemptions granted for the award of contracts valued in excess of £250,000 are reported to Cabinet within three months of their being granted.

11. Relevant considerations

- a. An officer proposing to undertake a procurement exercise shall:
 - i. appraise the need for the expenditure and its priority in light of budgetary constraints;
 - ii. confirm that there is Member, or delegated, approval for the expenditure;
 - iii. secure the involvement of the procurement team at an early stage;
 - iv. confirm that the proposed procurement complies with paragraph 7 (Specialist Purchases and Corporate Contracts) of these standing orders;
 - v. consider whether it is necessary to consult – whether as a matter of good practice, to comply with Best Value Statutory Guidance or the Public Contracts (Social Value) Act 2012, or to support compliance with the public-sector equality duty under the Equality Act 2010;
 - vi. comply with the requirements of section 18 (Social Value) of these Contract Standing Orders, and
 - vii. comply with the public-sector equality duty.
- b. In setting the specification, selection criteria and tender evaluation criteria, the relevant officer shall have regard to policy, reputational and legal considerations including:
 - i. alignment with the council's policies, priorities and objectives;
 - ii. minimisation of whole-life cost – not just initial costs;
 - iii. the requirements of the Public Contracts (Social Value) Act 2012;
 - iv. the public-sector equality duty;
 - v. the requirement to include accessibility criteria for disabled persons or design for all users (regulation 42 of PCR 2015);
 - vi. tax compliance, including:
 - a. checking employment status for tax purposes (IR35);
 - b. ensuring that the specification accurately reflects the work undertaken and the nature of the role and the constraints on it; and
 - c. deducting tax and national insurance at source if the off-payroll working rules apply;
 - vii. the criticality of the service and the need for assurances as to bidders' financial stability and/or business continuity arrangements; and
 - viii. the requirements of section 18 (Social Value) of these Contract Standing Orders.

12. Contracts and formalities

- a. All contracts must be formally concluded in writing before the supply, service or work begins.
- b. A purchase order must be raised prior to any works or services commencing or goods being procured.
- c. Contracts shall be written in plain English and shall adopt either:
 - i. conditions of contract developed by or agreed by the Director of Procurement for specific types of procurement or specific procurement projects; or
 - ii. conditions of contract produced by professional bodies and agreed by the Director of Procurement; or
 - iii. conditions of contract within collaborative contracts let by other public contracting authorities; or
 - iv. the Council's General Conditions of Contract as a bare minimum; or
 - v. exceptionally, conditions of contract requested by suppliers; but only where the use of these conditions has been previously agreed by the Director of Procurement.
- d. All contracts, regardless of value, shall as a minimum clearly specify:
 - i. a full description of what is to be supplied or done;
 - ii. the quantities to be provided;
 - iii. the provisions for payment (i.e. the price to be paid and when);
 - iv. the time(s) and location(s) for delivery or performance;
 - v. the provisions for the Council to terminate the contract; and
 - vi. the provisions for indemnity (where required) and insurance.
- e. Conditions of contract shall require transmission of payment by the Council within thirty days of a valid, undisputed invoice and shall incorporate the terms required by regulation 113 of PCR 2015 regarding prompt payment of sub-contractors.
- f. In accordance with regulation 71(3) of PCR 2015, in the case of works contracts and in respect of services to be provided at a facility under the direct oversight of the Council, the conditions of contract shall require that, no later than when the performance of the contract commences, the main contractor shall notify to the Council the name, contact details and legal representatives of its subcontractors, involved in such works or services, in so far as known at the time.
- g. The above conditions (12a to 12f) do not apply to low value, one-off retail purchases where a purchasing card is used.

- h. Where contracts are awarded which involve the transfer of Council staff, or of former Council staff who were previously the subject of an outsourcing of service by the Council, they shall include provisions to ensure that the relevant pension requirements are complied with and that the Council is indemnified. Where the Council is a third-party to any transfer, the contract shall in addition ensure that the Council has access to staff and employee information on request.
- i. Contracts may be concluded by signature by an officer or officers approved to do so under the department's scheme of delegation, or under the Common Seal of the Council.
- j. Where two signatures are required under the scheme of delegation, at least one must be that of a person not involved in the tendering or negotiation of the contract.
- k. Unless otherwise agreed by the Director of Governance, a contract must be entered into as a deed where:
 - i. the Council may wish to enforce the contract more than six years after its end; or
 - ii. there is any doubt as to whether valid consideration is being created under the contract.
- l. Contract sealing shall be carried out by an officer authorised by the Director of Governance. This can take place after a quotation or tender has been accepted provided that the completion of this requirement is made a condition of acceptance of the quotation or tender by the Council.

13. Contract management and variation

- a. The officer responsible shall ensure that all significant contracts have a suitable written contract management plan in place. Officers shall also manage each contract over its entirety, to a level of detail proportionate to the contract's risk and value.
- b. Where an existing contract remains subject to the former Code of Practice on Workforce Matters in Local Authority Service Contracts, the responsible officer shall ensure that compliance with that code is monitored.
- c. Officers shall consult with the Director of Procurement as soon as reasonably practicable when they become aware that any significant dispute or claim may arise in relation to a contract or procurement exercise.
- d. Officers shall manage contracts to reflect the specification, to ensure tax and national insurance deductions are made at source if that was the result of the off-payroll working assessment, and to re-evaluate off-payroll status if the terms and conditions or working practices change.
- e. Chief Officers may agree variations to contracts provided that these are lawful under PCR 2015 and there is adequate approved budget provision. Before agreeing any variation, Chief Officers shall satisfy themselves that a contract

variation offers comparable or better value for money than going out to competition or that a contract variation is the only possible approach by virtue of exclusive rights or for reasons of urgency. Any variation or variations to a fixed term contract which in aggregate result in additional costs exceeding 5% of the original contract value or £50,000 (whichever is the greater) shall be subject to the prior approval of the Director of Procurement.

- f. Where a Chief Officer becomes aware that any major contract will exceed by a significant margin the approved budget or time for completion, or is incurring significant risks not initially identified, this shall be reported at the earliest opportunity to the relevant Cabinet Member; if the additional costs cannot be accommodated within the service's budget this shall be reported to Cabinet as required by the Financial Control Standards.

14. Grants

- a. A grant may be made where the Council is not performing a statutory duty, but the provision can be demonstrated to assist with its wider aims and objectives. A grant need not be made via a competitive process.
- b. Officers must satisfy themselves, taking advice as necessary, that any proposed transaction is a grant rather than a contract for services before treating it as such.
- c. Where the Council is using grant monies itself or passing grant monies to a third-party, the application of that money shall be subject to the requirements of the relevant grant funding body. The fact that a transaction is funded by a grant made to the Council does not automatically mean that that transaction is also a grant.
- d. When making a grant, the relevant officer shall:
 - i. treat all potential grant applicants fairly;
 - ii. act in a fair, transparent and consistent manner in relation to the making of the grant;
 - iii. set out the terms of the grant, in writing; and
 - iv. ensure that best value is met and that there is no subsidy & competition law infringement.

15. Conduct of Tendering and Competitive Processes

- a. The appropriate competitive process must be chosen according to the requirement and the value of the contract over its full lifetime, including any possible contract extensions, as set out in paragraph 7.
- b. In order to secure best value, officers may make use of collaborative procurement arrangements, with the approval of the Director of Procurement. Such arrangements may include, for example, collaborative contracts let by:
 - i. other local authorities; or

- ii. ESPO, other public sector purchasing consortia, or other UK contracting authorities (e.g. central government departments or agencies); or
 - iii. controlled entities.
- c. When inviting tenders or quotations, officers must set out clearly:
 - i. the terms on which the tender or procurement process is being conducted;
 - ii. the deadline for response (which must be reasonable);
 - iii. the applicable conditions of contract;
 - iv. the specification; and
 - v. how the tender or quotation will be evaluated.
- d. Technical specifications
 - i. Technical specifications shall be formulated in accordance with regulation 42 of PCR 2015.
- e. Receipt and evaluation of tenders
 - i. Officers shall use an electronic tendering and/or electronic auction system approved by the Director of Procurement to manage the tendering exercise, including the receipt of tenders.
 - ii. Subject to the law the Director of Procurement has discretion to deal with non-compliant tenders, including whether to accept tenders after the submission deadline has passed (where exceptional circumstances prevail) and whether to seek clarification of a response.
- f. Standstill period
 - i. Officers shall observe a standstill period between provisional award and award where the law requires.
 - ii. For those procurements above the PCR threshold where observance of a standstill period is voluntary, a standstill period shall nevertheless be observed unless the Director of Procurement decides otherwise.
- g. The European Single Procurement Document (ESPD)
 - i. The Council and its agents may receive a completed ESPD in place of published pre-qualifying questions or tender response which shall be accepted provided that it demonstrates that it is compliant, it demonstrates that the bidder meets the relevant requirements, it is submitted by the published deadline and through the required e-communications tool.
 - ii. The Director of Procurement must be consulted prior to the rejection of any ESPD where the information contained in the ESPD or lack thereof is the reason for the rejection.

16. Record Keeping

- a. Officers shall ensure that records of procurement activity are created and retained:
 - i. in all cases, sufficient to justify decisions taken in all stages of the procurement procedure and the subsequent creation and management of the contract;
 - ii. in accordance with the Council's retention policies; and
 - iii. for procurement exercises covered by Part 2 of PCR 2015, in accordance with regulations 22, 83 and 84 of PCR 2015.

17. Prevention of Corruption and Declaration of Interests

- a. Officers shall comply with the Council's Code of Conduct for Employees. In particular:
 - i. no officer shall use or appear to use their position to obtain any personal or private benefit (including benefit accruing to connected third parties) from any contract entered into by the Council;
 - ii. officers' attention is drawn to the provisions of the Code of Conduct relating to the separation of roles during tendering;
- b. With regards to any contract that has been proposed or entered into by the Council, officers must disclose in writing to their Chief Officer any instances:
 - i. where they have any relationship with a supplier; or
 - ii. where they have any personal interest (financial or non-financial) which could reasonably be considered to conflict with the Council's interests or to favour or appear to favour one supplier over another.
- c. The Council's whistleblowing procedure applies to the letting, management and performance of contracts.

18. Social Value

- a. Formal consideration of social value
 - i. The law requires the Council to consider social value in services contracts over the OJEU threshold, but officers shall consider social value in above-threshold contracts for works as well as services. Officers shall set out their assessment of social value issues in Cabinet papers or papers to other decision makers.
 - ii. Social value can:
 - be built into the contractual terms;
 - form part of the specification; and
 - form part of tender evaluation.
- b. Contract packaging and market engagement
 - i. Prior information notices

Unless impracticable because of urgency, prior information notices shall be placed in respect of all procurement exercises. The notices should:

- provide information about the proposed procurement so that:
 - bidders have time to prepare;
 - smaller organisations can form consortia if they choose; and
 - potential sub-contractors can make themselves known to prime contractors;
- provide the opportunity for potential providers to engage in the development of the procurement process, the specification and the evaluation criteria, including the social value aspects;
- provide the opportunity for potential providers to comment on the proposed lotting strategy.

ii. Division into lots

In accordance with the Public Contracts Regulations 2015, for each contractual opportunity, the potential to break the requirement down into lots shall be considered. The rationale for the lotting strategy shall be documented and included in the procurement documents.

iii. Co-production

For services which have a significant effect on people – education, health, care, transport and housing services and services affecting the public realm – appropriate consultation shall be undertaken with those affected and, for people services, commissioners shall work closely with users or their representatives.

c. Requirements to be built into contracts

- i. Appropriate social value requirements shall be built into contract terms or specifications. Where appropriate, bidders' ability to meet these requirements shall be tested through the procurement process; compliance with these requirements shall be monitored, to a proportionate degree, through the contract management process.

ii. General

Contracts shall include requirements for the following:

- payment within thirty days, with this requirement being passed down the supply chain;¹
- compliance with the Equality Act 2010;
- compliance with the Bribery Act 2010;
- compliance with living wage legislation and with requirements to check entitlement to work;
- appropriate measures to deter crime and disorder:

¹ This requirement applies to all contracts under the Public Contracts Regulations 2015

- measures to prevent fraud, where Council or client money is being handled;
- measures to prevent theft of cash or goods;
- requirements for 'security by design' where buildings or infrastructure are being built or modified;
- appropriate health, safety and environmental requirements; and
- appropriate requirements for workforce development.

iii. Blacklisting

Construction contracts shall include a requirement to abide by the Employment Relations Act 1999 (Blacklists) Regulations 2010.

iv. Cyber-Security

Contracts for software as a service and hosted IT systems and contracts that involve processing personal data or data that is essential for business continuity shall include:

- appropriate cyber security and resilience requirements, typically *cyber essentials* or *cyber essentials plus* as defined by the National Cyber Security Centre.
- appropriate business continuity and disaster recovery requirements.

v. Modern slavery

Contracts in sectors where there is an elevated risk of modern slavery, such as waste and construction, shall include requirements for contractors to mitigate the risks. All contracts over £10m per annum shall include requirements for contractors to segment their supply chains by modern slavery risk and to proactively manage modern slavery risk in segments where there is an elevated risk.

vi. Diverse supply chains

Contracts valued over £10m and contracts likely to involve material sub-contracting shall generally include provisions requiring the promotion of diverse and local supply chains, including:

- promotion of sub-contract and supply opportunities to the Norfolk business community; and
- promotion of sub-contract and supply opportunities to women-owned businesses, BAME-owned businesses and businesses owned by people with other protected characteristics under the Equality Act.

vii. Workforce health

For contracts valued over £10m, consideration shall be given to including requirements to promote good mental and physical health in the workforce.

d. Social value opportunities to be considered for evaluation

i. Opportunities to promote social value through the evaluation process – in other words, to give extra marks for additional value - shall be considered for each significant procurement exercise.

ii. In considering these opportunities, the cost shall be borne in mind. By granting marks for social value in a procurement process, the buyer is saying that it is willing to pay extra for those social value features. Officers shall consider whether this is the most cost-effective way of obtaining the desired social benefit.

iii. Skills development – apprenticeships, training and work experience

The opportunity to support skills development by creating quality apprenticeship, training and work experience opportunities through major contracts is significant and should always be considered, particularly in light of its potential impact on social mobility. This will apply to young people in the care of Norfolk County Council and to Care Leavers.

iv. Support for disadvantaged groups

Opportunities to provide support sessions, trade taster sessions and similar opportunities for disadvantaged groups (including BAME people) and to promote employment of disadvantaged groups should always be considered.

v. Support for the local area

Opportunities exist for suppliers to build social value by seeking actively to recruit local people and local subcontractors.

vi. Community and client capacity

The opportunity to make communities more cohesive, sustainable and resilient should always be considered. Approaches to service delivery that will have a long-lasting impact – for example by strengthening the local voluntary sector or enabling clients to be less dependent on support – should be favoured over approaches that are less sustainable.

vii. Volunteering and mentoring

The contribution of volunteering and mentoring time in the local community could form useful added value, but care should be taken that the approach does not simply allow large providers to rebadge volunteering that their staff already undertake and charge extra for it.

viii. Environmental

Where there may be opportunities for significantly better environmental performance, it may be appropriate to include environmental

performance as an 'added value' criterion, rather than simply setting a minimum standard.

Environmental standards above the statutory minima may be particularly relevant where they:

- materially reduce greenhouse gas emissions;
- support the council's public health objectives, for example by improving local air quality;
- contribute towards the environmental and landscape objectives of the Norfolk Spatial Strategy.