

# **Southwark Council's Fairer Future Procurement Framework**



## Table of Contents

The Financial Context.....	3
Background .....	3
Fairer Future Commitments.....	4
Spending Money As If It Were From Our Own Pocket .....	5
Open, Honest and Accountable .....	6
Southwark Economic Wellbeing Strategy .....	7
Equalities, Health and Community Impact .....	7
Workforce Issues.....	7
Health & Safety and Wellbeing .....	8
Violence at Work Charter .....	9
London Living Wage .....	9
Prompt Payment.....	10
Consideration of Trade Union Recognition .....	10
Blacklisting.....	10
Equality, Diversity and Inclusion .....	10
Black Asian and Minority Ethnic pay gap .....	11
Good Work Standard .....	11
Southwark Ethical Care Charter (SECC) .....	12
Southwark Residential Care Charter .....	12
Modern Slavery.....	12
Social Value .....	13
A Greener Borough.....	14
Fairtrade.....	15
Fair Tax Mark.....	15
Freedom of Information .....	15
Data Protection .....	15
Staff Procurement and Contract Management Skills and Training .....	16
Framework Agreements.....	16
Contracts Register .....	16
National Procurement Policy Statement.....	16
Legislative Framework.....	17
Weblinks .....	17
Version Control .....	19



## Purpose and Scope

Southwark Council's Fairer Future Procurement Framework (FFPF) sets out how the council will use its procurement to support the delivery of the Borough Plan and Fairer Future Commitments and the processes and practices that are needed to do this. The council expects all of its procurement activity to be undertaken to the highest ethical, sustainable and responsible standards and within a robust and transparent governance framework.

This framework sets out:

- The values that inform the procurement of goods, works and services for high value contracts. For procurement below £100k officers will have regard to the resources available to smaller providers which may bid for lower value contracts.
- The responsibilities of staff when procuring high quality contracts for the residents of Southwark
- The minimum standards of conduct that external providers, key stakeholders, partners, businesses and organisations who seek to do business with the council should meet
- The wider ambitions and expectations that we wish our procurement to deliver and how this will influence our decision-making during procurements

## The Financial Context

1. LBS has an annual turnover of £1.2bn  
[View the council's budget book](#)
2. Southwark Council spends approximately £650m each year with external contractors for a variety of goods, works and services that allow it to meet its commitments to residents. This spending power means that the council can – and should - use its financial influence for ethical and sustainable impact and for outcomes that increase social value. This FFPF sets out the council's aim that good procurement can deliver not just high quality contracts and value for money but that it can also support the wider ambitions detailed in the Borough Plan.  
<http://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan>
3. These contracts, together with direct service delivery undertaken by council staff and the council's role in local planning and development, means that the entire sphere of influence of the council is significant for the borough, its residents, businesses and the local economy.

## Background

4. The council has committed to minimum standards that must be met in the direct delivery of contracts and these are equally applicable to those organisations that



we work with through external contracts, both directly or as part of the wider supply chain.

5. When procuring contract requirements the council should always clearly:
  - Identify service needs and options for the ways in which these may be best delivered
  - Procure the goods, services and works where contracting is the preferred option via organisations who will have and will act upon the principles that the council requires from those it works with
  - Manage and monitor contracts and the delivery of performance and commitments, once the contracts have been awarded
6. A first version of a Fairer Future Procurement Strategy, approved in 2016, was presented as an internal document that predominantly reflected the desire for greater feedback and engagement with the procurement process. This updated framework takes account of the new legislative background for procurement and the updated Borough Plan and Fairer Future Commitments. It also aims to move away from an internal focus for engagement, firmly embed the council's principles into processes and ensure that suppliers and potential suppliers understand the values and aims that the council wants from its delivery partners.
7. The Fairer Future Procurement Framework must be read in conjunction with the council's Contract Standing Orders and any procurement guidelines. The Contract Standing Orders can be found at:  
<http://moderngov.southwark.gov.uk/ieListMeetings.aspx?Committeeld=425>

### **Fairer Future Commitments**

8. The council's Fairer Future Commitments and values support what we will look at within our procurements and the suppliers that we will work with to deliver our contracts. These commitments shape how the spend under all contracts should achieve maximum benefit to our local area, economy and our residents. The council's promise to deliver value for money across all our high quality contracts and to be open, honest and accountable underpins all procurement projects and runs throughout the Fairer Future Procurement Framework to deliver the Borough Plan.
9. Our Borough Plan sets out the council's Fairer Future Commitments to all residents and communities in respect of:
  - COVID-19 response
  - Southwark Together
  - A green and inclusive economy
  - Climate Emergency
  - Tackling health inequalities
  - Homes for all
  - A great start in life
  - Thriving neighbourhoods



10. The Values of the council are that we will:
- Treat residents as if they were a valued member of our own family
  - Be open, honest and accountable
  - Spend money as if it were from our own pocket
  - Work for everyone to realise their own potential
  - Make Southwark a place to be proud of
  - Always work to make Southwark more equal and just
  - Stand against all forms of discrimination and racism

### **Spending Money As If It Were From Our Own Pocket**

11. When reviewing service delivery and procuring the council will address the following points:
- To consider the need to balance price and quality, and to be explicit about the relative importance of both
  - To challenge procurement arrangements and seek opportunities to reduce price, improve quality and maximise efficiency
  - To complete a whole life analysis of options and assessment of risks
  - To continue joint procurement of contracts with other councils where such arrangements deliver value for money and improved outcomes
  - To reduce the costs of procurement processes and the time it takes by taking a planned and co-ordinated approach that is efficient, effective and streamlined, avoiding duplication and waste
  - To ensure existing contracts, frameworks and internal and external procurement options or collaboration opportunities are utilised where appropriate to reduce procurement costs
  - To undertake a strategic assessment of delivery options before any procurement for all services that have a value of £10m or more
  - To deliver value for money across all our service delivery and contracts
  - To confirm how contracts' performance and commitments will be monitored and managed during their performance.
12. The council operates an 'in-house' preferred provider procurement process based on the high quality of contracts this provides for residents, the terms, conditions and wellbeing this affords our staff and the stability, direct control and flexibility this affords us in the management of our services. The council has a good record of bringing previously outsourced services in-house.
13. However, we currently have a mixed economy of goods and services provision and see no reason why this will not continue well into the future. Ready access to a diverse, competitive range of suppliers providing quality services, goods and works (including small firms, social enterprises, minority businesses, and voluntary and community sector groups) who offer expertise and knowledge is a good thing, particularly where local sourcing and local employment is encouraged and increased.



14. It is important that projects give enough attention and time to plan, in order to take up opportunities that are available. Critically assessing our business needs, from a “make or buy” decision, challenging the specified levels of service or identifying possible process efficiencies are important precursors in the procurement planning process, together with the planning of tender evaluation and contract management that help to ensure any possible contract delivers best value.
15. As part of the “make or buy” option, full consideration of in-house service delivery is the first part of the planning process and explicit consideration of whether the works, goods or services could be provided in-house must be included when developing the procurement strategy. This consideration must be clearly set out in Gateway 0 strategic assessments for services contracts worth over £10m and be addressed at Gateway 1 for all contracts over £100,000.
16. Where contracting with external suppliers is selected for providing services, goods or works, the procurement strategy (Gateway 1 report) must demonstrate how this will be successful in meeting defined service objectives and the commitments of the Borough Plan, and how it will achieve long term value for money.

### **Open, Honest and Accountable**

17. In accordance with our Fairer Future Commitments, the council will seek to exercise good governance in the procurement process. This will include:
  - Ensuring all procurement practices are legal, ethical and transparent, conforming to procurement legislation and regulation and robust enough to meet the challenge of external scrutiny
  - Applying appropriate governance arrangements to meet the principles of openness and accountability, and to manage risk
  - Having clear, unambiguous and sufficiently flexible operational arrangements that respond to service needs, reduce red tape and protect statutory and regulatory responsibilities of the council
  - Promoting the commitment of suppliers to the prevention and detection of fraud and corruption in their processes
  - Ensuring organisations that the council works with have or will deliver the values that it has committed to and setting out a clear process to monitor this
  - Environmental Commitments such as the reduction in carbon emissions and where appropriate, complying with requirements such as the Ultra Low Emission Zone (ULEZ)
18. The council has an established gateway process as part of the governance process set out in Contract Standing Orders. These gateways support the strategic assessment, procurement strategy, contract award and contract variations for contracts. They are approved as set out in the council’s constitution and offer clear governance and best practice for procurement processes.



19. The use of the e-procurement system also supports transparency on the way in which the council will undertake its procurement processes, as well as recording and reporting on contract delivery and performance. These considerations support the aims of the Procurement Act that is expected to come into effect in 2023.

### **Southwark Economic Wellbeing Strategy**

20. The council's Economic Wellbeing Strategy sets out our ambitions to support residents, local businesses and our local economy in tough economic times. Our Fairer Future Procurement Framework should closely align with our vision of being a borough that is open for business and to support and promote economic wellbeing. Our strategy is –

- Employment & Skills: A full employment borough with a job opportunity for every Southwark residents who wants to work
- Business: A growth borough where business thrives and prospers
- Town centres and high streets: Thriving town centres and high streets
- Financial wellbeing: Helping people to grow their incomes and ensuring a fair day's pay for a fair day's work

The full strategy can be found here:

<http://www.southwark.gov.uk/business/economic-wellbeing-strategy>

The detailed delivery plan for the strategy is set out in the Economic Renewal Plan, which can be found here:

<https://www.southwark.gov.uk/business/economic-renewal-plan>

21. The council is committed to community wealth building and measures which support the local economy and businesses, including looking to introduce local spend targets. Work will also be supported to ensure that equalities and other data is captured, for example on those businesses bidding for and successful in winning council contracts, to support decision making.

### **Equalities, Health and Community Impact**

22. The council must have due regard to equality issues and community impact under its Public Sector Equality Duty. Southwark's Framework for Equality policy sets out how equality and human rights considerations will be embedded into our policies on procurement and commissioning. All Gateway 0 strategic assessments and Gateway 1 reports setting out the procurement strategy, must show that all relevant equality issues and obligations are taken into account and planned throughout both the procurement process and in the delivery of those functions on behalf of the council. Equality, health and socio-economic considerations are all covered within the Southwark Framework for Equality.

### **Workforce Issues**

23. The council expects our suppliers to have good employment practices. This is important because workers who are valued and fairly treated are more likely to deliver the high quality and value for money service that our residents need and expect. It is also part of the council's broader commitment to promoting good work



and fair pay for all workers, recognising the fundamental impact employment quality has on people's wellbeing and life chances.

24. Where the council renews contracts or outsources contracts to the private or voluntary sector the following workforce issues must be considered and applied on a case by case basis as allowed by procurement regulations, local government and other relevant legislation and as provided for by relevant council policy.
25. The elements to be covered in this are not intended to be complete but will include the following:
- Payment of the London Living Wage as set by the Living Wage Foundation (see further information below)
  - Pension provision
  - The transfer and treatment of staff under TUPE
  - Ensuring all employees have a written statement of their pay and conditions
  - Terms and conditions including sick pay, holiday pay and provision of equipment
  - Trade Union Recognition (see further information below)
  - Modern Slavery (see further information below)
  - Equality, Diversity and Inclusion (see further information below)
  - Gender Pay Gap (see further information below)
  - Black Asian and Minority Ethnic Pay Gap (see further information below)
  - The requirement for an offer of guaranteed hours that reflect an employee's normal working patterns and with no harmful short or zero hour contracts that are detrimental to the employees affected
  - Adequate training and development for employees that equips them with the skills and expertise needed to deliver the service; including clear information on their right to request time off for training or study
26. For areas covered by legislative requirements, such as modern slavery and the gender pay gap, the council will expect suppliers and their supply chains to fully comply with their lawful obligations and provide any information as to their current status but will potentially ask for action plans around undertaking any changes to address issues where legislation does not directly apply.

## **Health & Safety and Wellbeing**

27. Health and Safety minimum requirements, where set out in legislation are required to be followed by all contractors and those in their supply chain. Going above and beyond this is encouraged where it is best practice, especially in relation to ensuring quality welfare facilities that are fit for purpose.
28. Where pieces of legislation for particular industries or types of contract, such as the Construction Design and Management Regulation of 2015 are in place, these must also be followed by directly employed organisations and their supply chains.
29. The council has codes of practice relating to specific circumstances, including but not limited to, the use of scaffolding, working with asbestos, working from heights





and working in occupied premises that will be included in contracts involving these for the contractor and their supply chain.

30. All organisations are encouraged to support a healthy workforce by signing up to The London Healthy Workplace Award, details of which can be found at: <https://www.london.gov.uk/what-we-do/health/london-healthy-workplace-award>
31. Information from the council for the application process and support can be found at:  
<https://www.southwark.gov.uk/health-and-wellbeing/public-health/for-the-public/healthy-workplaces>
32. The Women's Safety Charter was developed by the council in response to the recognition of the serious nature of and need to address harassment in bars and nightclubs. Contractors who operate in these industries would be expected to sign up to the Charter. Full information and details of the code can be found at:  
<https://www.southwark.gov.uk/community-safety/let-s-talk-about-women-s-safety>

### **Violence at Work Charter**

33. The council is committed to ensuring that staff providing contracts on our behalf should receive protection from violence in the workplace and support if they are subjected to violence in the course of their work. The council approved the 'End Violence at Work Charter' and the award of new contracts will then be dependent on a commitment by contractors to do the same. The Unison 'End Violence at Work Charter' can be found at  
<https://www.unison.org.uk/content/uploads/2018/04/24948.pdf>
34. In addition our expectation is that all contractors should have a clear policy on a zero-tolerance approach to all forms of discrimination, harassment and bullying at work.

### **London Living Wage**

35. Southwark Council became an accredited London Living Wage employer in November 2012. There is a presumption that all contracts for the provision of services or works will include the payment of at least the current Living Wage (LW), as set annually by the Living Wage Foundation, to all relevant staff working directly on the contract in question. This means that pay should be at or above the London Living Wage for contracts performed on council premises or in the Greater London area and at or above the real UK Living Wage for contracts performed outside London.
36. In the planning of all contracts, the appropriateness and best value / cost implications of including the LW must be considered on a case-by-case basis, recorded in writing, and set out in any required Gateway 1 Report. Where LW is



not appropriate it must not be included in the contract and detailed reasons for this should be set out in the Gateway 1 report.

37. Where LW is included, gateway reports and contract documents must set out how the requirement for LW will be evaluated and how the payment of LW and cost implications will be monitored.

38. Full details about the London Living Wage are available at:

<https://www.livingwage.org.uk/>

### **Prompt Payment**

39. The council pays all its undisputed invoices in a prompt manner and expects in its standard terms and conditions of contract, that organisations and their supply chain also pay their contracts promptly. Details of the prompt payment requirements will be set out in tender documents.

### **Consideration of Trade Union Recognition**

40. We expect our suppliers to recognise and respect the rights of their employees to associate freely and to organise and bargain collectively in accordance with the local laws relevant to their employment.

41. We believe that employers who formally recognise trade unions are more likely to take a responsible approach to workforce consultation and planning. We therefore believe that public service contractors should recognise trade unions where there is an active membership and trade union representatives within the workforce. Organisations will be requested to commit to trade union recognition or a timetable to work towards recognition where this does not already exist.

42. We will work to ensure that early consultation with trade unions is undertaken before the possible outsourcing of any service currently delivered in-house.

### **Blacklisting**

43. Blacklisting is where employers and recruiters discriminate against individuals based upon trade union membership or activity. This is prohibited by law. All relevant tenders shall include relevant questions relating to any prior blacklisting activity or self-cleansing activity related to this and shall exclude any organisation that cannot satisfy the council's commitment to only doing business with suppliers who meet minimum statutory and ethical standards, in line with best procurement practice. Contracts for public works will include provisions to provide for the termination of the contract if the provider is proved to engage in blacklisting activities during the course of that contract.

### **Equality, Diversity and Inclusion**

44. The council has an obligation to act in accordance with the Public Sector Equality Duty (PSED). It will ensure that best practice is followed in taking equality



requirements into account when preparing and undertaking procurement activities in line with its policies and procedures.

45. The council is aware of the important role that it plays in ensuring that Equality, Diversity and Inclusion are delivered through all parts of its policies and contracts, including procurement. Processes to ensure that the outcome of reports such as Southwark Stands Together will be incorporated into guidance for procurement.
46. The council will explore how, through use of equalities and other data to be captured, it can best enable Black, Asian and Minority Ethnic and smaller local organisations to participate in procurement opportunities.

### **Gender pay gap**

47. Organisations with 250+ employees are required to publish their gender pay gap. The council is committed to seeing the gender pay gap decrease and will therefore request all contractors with 50+ employees commit to publishing their gender pay gap. Contractors with 250+ employees will be required to publish their gap and the council will request this is accompanied by an annual plan that sets out their plans to reduce any gap.

### **Black Asian and Minority Ethnic pay gap**

48. The council is committed to seeing the Black, Asian and Minority Ethnic pay gap decrease and will therefore request all contractors with 50+ employees commit to publishing their Black Asian and Minority Ethnic pay gap. Contractors with 250+ employees will be asked to publish their gap and the council will request this is accompanied by an annual plan that sets out their strategies to reduce any gap.

### **Good Work Standard**

49. The council is committed as part of its Fairer Future Commitments (Theme 4 - A full employment borough) to comply with the Mayor's Good Work Standard that confirms we will only work with organisations that have good employment practices. The London-wide standard from the Greater London Authority (GLA) has been launched and the first level captures areas of legislative compliance as well as requirements beyond statutory employment practices. The council will expect all contracting organisations to meet the requirements of at least the first (Foundation) level of the standard. Organisations are encouraged to consider accreditation to higher levels of the Good Work Standard.
50. The link to the Mayor's Good Word Standard with its online appraisal is available here:  
<https://www.london.gov.uk/what-we-do/business-and-economy/supporting-business/good-work-standard-gws-0>



## **Southwark Ethical Care Charter (SECC)**

51. The Southwark Ethical Care Charter relates to the standards that the council expects from its care providers in relation to payment for travel and training etc. This reflects the particular challenges in relation to delivering social care to our residents and ensuring that quality standards and fair practice are in place where these are delivered by partner organisations. A copy of the Southwark Ethical Care Charter can be found at:

<http://moderngov.southwark.gov.uk/documents/s52528/Appendix%201%20Southwark%20Ethical%20Care%20Charter.pdf>

## **Southwark Residential Care Charter**

52. The Southwark Residential Care Charter relates to the standards that the council has set out in relation to the working terms and conditions for all residential care providers in the borough. A copy of the Southwark Residential Care Charter can be found at:

[Cabinet report template 2012 \(southwark.gov.uk\)](#)

## **Modern Slavery**

53. We have a zero-tolerance approach to modern slavery and we are committed to acting ethically and with integrity in all our business dealings and relationships and to implementing and enforcing effective systems and controls to ensure modern slavery is not taking place anywhere in our own business or in any of our supply chains. Our full statement on Modern Slavery can be read [here](#).

54. Councils have an important role to play in ensuring their contracts and supplies don't contribute to modern day slavery and exploitation. We expect the same high standards from all of our contractors, suppliers and other business partners, and as part of our contracting processes, we include specific prohibitions against the use of forced, compulsory or trafficked labour, or anyone held in slavery or servitude, whether adults or children, and we expect that our suppliers will hold their own suppliers to the same high standards.

55. The council has a whistleblowing policy which enables and obliges our staff to immediately report a breach of our Modern Slavery policy. All organisations and those in their supply chains also have access to this and should use it if they have any concerns or issues that they wish to report.

56. The council is committed to ensuring that there is no modern slavery or human trafficking in our supply chains or in any part of our operations and we require our suppliers to do the same. We believe that suppliers have a key role to play in combating these crimes and that all of the suppliers we work with must take all possible steps to ensure that human trafficking and modern slavery are not taking place in any of their supply chains or their own operations. We will not maintain relationships with suppliers where it is confirmed that they have been involved in human trafficking or modern slavery, and confirm this is a material consideration in



selecting and evaluating our new and existing supplier relationships. We have signed up to the Co-operative Party's Charter Against Modern Slavery:

<https://party.coop/local/councillors/modern-slavery-charter/#intro>

## **Social Value**

57. The council seeks to get the 'most' value of its spend with external organisations through considering and seeking to improve the economic, social and environmental well-being benefiting the local area and its residents that is linked to the contractual spend. This has been termed 'social value'.
58. The council has an obligation under the Public Services (Social Value) Act 2012 to consider what social value could be obtained during a procurement process for all service contracts that are subject to the Public Contract Regulations 2015. The Act offers an important opportunity to achieve more from the council's spending on services. Southwark Council will go beyond the narrow focus of the legislation and consider what social value can be delivered during the development of all procurement strategies (Gateway 1 reports).
59. When considering the additional benefits and social value to be delivered, this must support the social, economic or environmental wellbeing of Southwark and its residents and specifically support the delivery of the council's Fairer Future Commitments.
60. Key areas of social value commitments include:
- Apprenticeships and paid internships
  - Job creation and local economy
  - Local employment opportunities
  - Work placement opportunities
  - Payment of London Living Wage where appropriate
  - Environmental and sustainability considerations
  - Health and wellbeing considerations
61. In addition to the core quality and cost elements to deliver the tender itself, a clearly methodology for evaluating any social value elements during the procurement process.
62. For all contracts over £100k in value, social value should be considered for inclusion and where applicable, used as part of the evaluation methodology for the tender award. Evaluation criteria should be assessed on a case-by-case basis and the weightings should therefore reflect the relative importance of the social value element to the subject matter of the contract and should be proportional to this. It is however advised that this element be allocated at least 15% of the available evaluation marks.
63. For all contracts over £1m in value, the expectation will be that where practical at least one apprenticeship will be provided per £1m of contract value. These are aims and when they are not possible this should be noted in the Gateway 1 report but other social value options should still be considered.



64. All apprenticeships should be of high quality and in line with the aims set out in the council's Economic Wellbeing and Skills Strategies:

<http://www.southwark.gov.uk/business/economic-wellbeing-strategy>  
<http://www.southwark.gov.uk/business/skills-strategy>

65. The achievement of social value commitments from proposed successful tenderers should be set out in the contract award recommendation (Gateway 2 report). These commitments should form part of the contract and key performance indicators and be monitored and reported on as part of best practice contract management, as well as in performance reports to departmental and corporate contract review boards as required.

## **A Greener Borough**

66. The council has declared a climate change emergency and is committed to working to reduce the negative impacts and externalities that the delivery of its services and contracts has on residents and Southwark's environment. These range from those set out in law, such as London's Ultra Low Emission Zone (ULEZ) and aiming for low or zero emission vehicles, to the council's commitments on carbon reduction and the use of single use plastics. The council will work with suppliers to ensure that its commitment to making the commitments in relation to the Climate Change Strategy are realised, including for carbon neutrality to be reflected wherever possible in contracts entered into. The council's Climate Change Strategy can be found at:

<https://www.southwark.gov.uk/assets/attach/48607/Climate-Change-Strategy-July-2021-.pdf>

67. Procurement must be compatible with our commitment to supporting making a greener borough, including reducing air pollution and factors that support the intention to be a carbon neutral council by 2030. Work to remove single use plastics from our operational estate is part of the single use plastics strategy. Consideration should be given to using sustainable materials and methods wherever appropriate and note of new legislation and more environmentally friendly products and services should be made.

68. Gateway 1 reports should set out clearly what can be considered, potential costs and how any negative impacts can be reduced and how these will be evaluated during the procurement process.

69. With the specific aim to ensure safety for road users, suppliers are asked, where it is appropriate with the use of vehicles, to:

- Comply with the London Cycling Campaign's Safer Lorries, Safer Cycling Pledge, details of which are available at: <https://lcc.org.uk/pages/safer-lorries-pledge>
- Meet the requirements of Fleet Operator's Recognition Scheme. More details of this scheme are available at: <https://www.fors-online.org.uk/cms/>





70. The council has approved an Air Quality Monitoring Plan that contracts will need to be mindful of and incorporate where possible in the support of the council's climate change targets. This is available at:

[Southwark Air Quality Action Plan](#)

### **Fairtrade**

71. The council wishes to encourage contractors, suppliers and service providers engaged to work for the council to show a commitment to Fairtrade. The council is committed to Southwark achieving and maintaining "Fairtrade Borough" status by meeting the five goals necessary to become a designated Fairtrade Borough. Further information on Fairtrade can be found at:

<http://www.fairtrade.org.uk>

### **Fair Tax Mark**

72. The council has signed up to become a Fair Tax Council, confirming its support of the principles that the Fair Tax Foundation stand for and its support for organisations ensuring that they are transparent and pay fair rates of tax. Full information on the obligations of the Fair Tax Mark can be found at:

<https://fairtaxmark.net/>

### **Freedom of Information**

73. It is important to note that information supplied to the council during the tender and evaluation process may be available to the public under the terms of the Freedom of Information Act 2000 (FOIA), the Environmental Information Regulations 2004 (EIR) and other legislation providing a statutory right of access to information. The council's presumption is that information should be released unless it falls within the scope of an appropriate exemption. Whilst the council will take into account the position of the parties in question, it is ultimately the responsibility of the council to decide what information should or should not be released. This includes any information subsequently included in the contract.

### **Data Protection**

74. All contracted organisations shall register with the Information Commissioner's Office where they fulfil the criteria laid out under the terms of the Data Protection Act 2018. This does not imply that any data processing organisation is the data controller of the information defined within the contractual agreement. All organisations are required to name an individual responsible for compliance in relation to the Data Protection Act within that organisation. All organisations are to abide by the Data Protection Act 2018 and the General Data Protection Regulation (GDPR). Further information is available from the Information Commissioner's Office:

<https://ico.org.uk/for-organisations/data-protection-act-2018/>

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulationgdpr/>



75. Where personal information is to be shared with the contracted organisations this shall only be done so securely and incorporating (where appropriate) an information sharing agreement.

### **Staff Procurement and Contract Management Skills and Training**

76. In order to deliver the FFPF, the council will continue to develop the skills of staff, including:

- promoting staff competencies in procurement, commissioning and contract management
- ensuring that all procurement activity is undertaken by informed managers supported by professional procurement staff, providing specialist support and advice
- utilising e-procurement facilities to deliver process and procurement savings
- providing high quality guidance, support, documentation and awareness sessions for service managers and their staff engaged in procurement processes
- supporting the achievement and then managing and monitoring the delivery of social value, where appropriate from the procurement of external contracts
- improving contract management by continuously improving and learning from experience of 'relationship management' and identifying tools, best practice and training as appropriate.

### **Framework Agreements**

77. Where the council uses Framework Agreements that have been put in place by external parties to the Southwark Council, it should ensure that the requirements of the FFPF can be integrated within the call off contract, which is managed, together with the performance of the contract during the management of the contract.

### **Contracts Register**

78. The council's Contracts Register is published online for all live contracts over £5,000 in value in line with the Local Government Transparency Code 2015:

<https://procontract.due-north.com/ContractsRegister/Index?p=2241eb95-058a-e511-80f7-000c29c9ba21&v=1>

### **National Procurement Policy Statement**

79. The government published the National Procurement Policy Statement (NPPS) in June 2021. This set out the need to include core strategic goals in consideration of





procurement projects, as well as resourcing needs. It also introduced a requirement to publish a pipeline of future potential procurements projects, at least 18 months in advance but ideally 3-5 years ahead. These requirements will be incorporated within procurement requirements such as Contract Standing Orders, as well as in discussions with Anchor Institutions on the formative role that the council will take in influencing and supporting with our partner public sector institutions in support of smaller and local businesses as part of the Borough Plan and Community Wealth Building. It is believed this will become mandatory with the introduction of the Procurement Act with its stated aims around transparency in procurement and contracts. More details can be found at:

<https://www.gov.uk/government/publications/the-procurement-bill-summary-guide-to-the-provisions/the-procurement-bill-a-summary-guide-to-the-provisions>

## Legislative Framework

80. The applicable legislation for this framework includes but is not limited to:

- EU Directive on Public Procurement: Directive 2014/24/EU
- Public Contract Regulations (2015 as amended)
- Public Services (Social Values) Act 2012
- Modern Slavery 2015
- Equalities Act 2010
- Employment Relations Act 1999 (Blacklists) Regulations 2010

## Weblinks

The links within this document are set out below.

- The Council's Budget Book:  
<https://www.southwark.gov.uk/council-and-democracy/key-documents/budget-book>
- Borough Plan:  
<http://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan>
- Contract Standing Orders:  
<http://moderngov.southwark.gov.uk/ieListMeetings.aspx?Committeeld=425>
- Economic Wellbeing Strategy:  
<http://www.southwark.gov.uk/business/economic-wellbeing-strategy>
- Economic Renewal Plan:  
<https://www.southwark.gov.uk/business/economic-renewal-plan>
- The London Healthy Workplace Award:  
<https://www.london.gov.uk/what-we-do/health/london-healthy-workplace-award>  
<https://www.southwark.gov.uk/health-and-wellbeing/public-health/for-the-public/healthy-workplaces>



- Women's Safety Code:  
<https://www.southwark.gov.uk/community-safety/let-s-talk-about-women-s-safety>
- Unison's End Violence at Work Charter:  
<https://www.unison.org.uk/content/uploads/2018/04/24948.pdf>
- London Living Wage:  
<https://www.livingwage.org.uk/>
- Mayor's Good Work Standard:  
<https://www.london.gov.uk/what-we-do/business-and-economy/supporting-business/good-work-standard-gws-0>
- Southwark Ethical Care Charter:  
<http://moderngov.southwark.gov.uk/documents/s52528/Appendix%201%20Southwark%20Ethical%20Care%20Charter.pdf>
- Southwark Residential Care Charter:  
[Decision - Residential Care Charter - Southwark Council](#)
- Southwark's Whistleblowing Policy  
<https://www.southwark.gov.uk/council-and-democracy/whistleblowing>
- Co-operative Party's Charter Against Modern Slavery:  
<https://party.coop/local/councillors/modern-slavery-charter/#intro>
- Economic Skills Strategy:  
<http://www.southwark.gov.uk/business/skills-strategy>
- London Cycling Campaign's Safer Lorries, Safer Cycling Pledge:  
<https://lcc.org.uk/pages/safer-lorries-pledge>
- Southwark Climate Change Strategy:  
<https://www.southwark.gov.uk/assets/attach/48607/Climate-Change-Strategy-July-2021-.pdf>
- Fleet Operator's Recognition Scheme:  
<https://www.fors-online.org.uk/cms/>
- Air Quality Action Plan:  
[Southwark Air Quality Action Plan](#)
- Fairtrade:  
<http://www.fairtrade.org.uk>



- Fair Tax  
<https://fairtaxmark.net/>
- Information Commissioner's Office:  
<https://ico.org.uk/for-organisations/data-protection-act-2018/>  
<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulationgdpr/>
- Contracts Register:  
<https://procontract.due-north.com/ContractsRegister/Index?p=2241eb95-058a-e511-80f7-000c29c9ba21&v=1>
- National Procurement Policy Statement  
<https://www.gov.uk/government/publications/procurement-policy-note-0521-national-procurement-policy-statement>
- Procurement Act information  
<https://www.gov.uk/government/publications/the-procurement-bill-summary-guide-to-the-provisions/the-procurement-bill-a-summary-guide-to-the-provisions>

## Version Control

Version	Summary	Date	Approval
1.	New Document	July 2019	Cabinet
2.	Minor & Consequential: Updates to Mayor's GWS, End Violence at Work Charter; London Healthy Workplace Award; Construction Charter working pending approval.	October 2019	DFB / Cllr. Mills
3	ED&I and Economic Renewal Plan Whistleblowing Policy update	January 2021	Cabinet
4	Update to Black Asian and Minority Ethnic Pay Gap terminology Climate Change Strategy Updated Southwark Framework for Equality National Procurement Policy Statement Framework Agreements	January 2022	Cabinet



Version	Summary	Date	Approval
	Economic Renewal and Community Wealth Building with aims for EDI for small local and Black, Asian and Minority Ethnic businesses (para.46)		
5	Residential Care Charter Fair Tax Mark support Air Quality Action Plan Procurement Act information	December 2022	DFB / Cllr. Cryan

