

Appendix 3 - Terms of Reference of Council Committees etc Cabinet Procurement & Insourcing Committee

Functions

Cabinet Procurement & Insourcing Committee is responsible for the functions set out below:

1. The [Committee](#) is authorised by [Cabinet](#) to give detailed consideration on all issues relating to procurement practice and policy and to award all high-risk contracts, including all contracts above £2m regardless of their risk rating. The Committee may also reserve to itself the consideration to award any contract for any other procurement listed on the Procurement Pipeline (Procurement Forward Plan).
2. The Committee will exercise the following functions and those matters which flow from them, which are executive functions and advise, as appropriate on:
 - (a) Improving the quality of public services to better meet the needs of all local Citizens through the skilful use of procurement as a function to support Council priorities;
 - (b) Ensuring the Council's procurement processes deliver Value for Money (VFM) outcomes where VFM is defined as the optimum combination of both whole life costs and quality (or fitness for purpose).
3. The Committee will oversee the progress of all contracting activities on the Procurement Forward Plan.
4. The Committee will oversee those procurements put before it under the Gateway process to ensure:
 - (a) They are consistent with Hackney's procurement policy and procedures and the Council's statutory obligations as advised by [Officers](#);
 - (b) The "make or buy" decision is robust and consistent with achieving best value for the Council, where best value is defined as providing services that are efficient, effective and deliver Value for Money.
 - (c) The procurement approach will achieve best value for the Council, promoting procurement options that, where consistent with this duty, have regard to opportunities for collaborating with partners at local, regional, and national level, are designed to deliver a mixed economy of service provision, with ready access to a diverse, competitive range

of suppliers providing quality services, including small firms, social enterprises, minority businesses and voluntary and community sector groups.

- (d) Contract awards are made having regard to identification of the most economically advantageous tender (MEAT), considering issues such as quality, performance, delivery, continuity of supply and whole life costs.
- (e) That the Benefits Realisation of contracts are considered and that lessons learned are captured.

5. The Committee will give consideration to proposals for insourcing of existing outsourced contracts as part of options appraisal for future service provision. Where there is a clear demonstration that this option will consistently achieve best value for the Council and its residents, the Committee will have the power to approve the insourcing of contracts.
6. The Committee will review and where appropriate award contract variations as set out in [Contract Standing Orders](#).
7. The Committee will be responsible for considering any procurements that are referred to the Committee by the [Chair](#) of Hackney Procurement Board (an officer panel established in accordance with Contract Standing Orders).
8. The Committee has the discretionary right to refer any report at Gateway 2 or 4 review for decision by Cabinet,
9. The Committee will also consider and advise, as appropriate, on:
 - (a) A corporate approach to best value in Procurement and ensuring all departments of the Council comply with these principles;
 - (b) Value for money studies following consideration by those bodies with appropriate responsibility for the specific area of work;
 - (c) The use of procurement to support the Council's wider Equalities, Environmental, In-sourcing Services, Social and Community Benefit objectives
10. The Committee will be responsible for considering any procurements that arise from the acceptance of an Expression of Interest under Section 81 of the Localism Act 2011.

Type of Committee

Cabinet Procurement and Insourcing Committee is an [Executive](#) committee under delegated authority of the [Elected Mayor](#).

Membership

The membership of the Committee is appointed by the Elected Mayor and will include the Cabinet Member for Finance, Insourcing and Customer Service and **X** number of Cabinet members.

Chairing arrangements

This Committee is chaired by the Cabinet Member for Finance, Insourcing and Customer Service.

In the absence of the Chair, and subject to availability, the Elected Mayor will Chair this Committee.

Quorum and Voting Arrangements

The [quorum](#) for a meeting of this Committee is two members of the Cabinet which must include the Chair. If neither of them are present the meeting will not be quorate.

Substitutes

Substitutes to the Committee will be appointed by the Elected Mayor for the purposes of establishing a quorum and will have the same voting rights as regular committee members.

Order of Business

- (a) Receive apologies;
- (b) Receive any declarations of interest from elected members;
- (c) Consider any items of urgent business
- (d) Approve the minutes of the previous meeting;
- (e) Review procurement pipeline to ensure that appropriate plans and resources are in place to re-procure or insource existing contracts before they expire
- (f) Receive questions from, and provide answers to, members of the public on matters covered on the [agenda](#);

- (g) Receive questions from, and provide answers to Councillor questions on matters covered on the agenda;
- (h) Consider any matters delegated by Cabinet.
- (i) Consider reports as set out in the agenda.
- (j) Receive details of any procurement related decisions taken by Officers as key decisions under delegated authority.
- (k) Consider any report that any two of the Council's statutory Officers, acting within their statutory duties, decide ought to be considered by the Committee.

Who may attend?

Meetings of the Committee will normally be open to the public, unless [confidential](#) or [exempt](#) information is to be discussed.

Location

This Committee meets at the Council's main offices or any other suitable location.

You can also view meetings online in accordance with the Access to Information Procedure Rules in [Part 6, Section C](#) of the Council's Constitution with the Protocol on Recording and Live Streaming Council Meetings set out in [Part 6, Section F](#) of the Constitution.

Questions to the Committee

A member of the public who lives, works, or studies in the Borough can ask a question of the Committee with one supplementary question relating to an item on the [agenda](#).

A [Councillor](#) may ask a question of the Committee with one supplementary question relating to an item on the agenda.

The total amount of time for questions with notice at the Committee will be no more than 15 minutes.

If the Chair agrees, a member of the public can ask a question at the Committee without having given notice. If a question without notice is asked, the Chair will explain that it might not be possible to give a full answer at the meeting and that a written response will be provided.

Frequency of meetings

The Committee meets on dates set out in the Council's meetings calendar.

Papers and Notice

The agenda and any papers for the Committee will be issued at least 5 working days in advance of the meeting, except in the case of matters of urgency.

Review

The terms of reference will be reviewed on an annual basis, or as necessary, to support the functions and objectives of this Committee. Updates to the terms of reference will be agreed annually at the Committee's first meeting of the municipal year.

Last reviewed: Date xx