

Appendix 1 – policies and guidance relevant to these Orders

All Officers must follow the Council's policies, in particular those relevant to these Orders, which are listed below.

Guidance Docs / Policies - Appendix 1	Notes/Links	Description/section of PCSOs
Procurement Act 2023	Procurement Act 2023 (legislation.gov.uk)	External link to Procurement Act 2023 Legislation In PCSOs: 1.2. Governing Legislation 1.6. Procurement Type 1.7. Exempted Contracts 2.3. Convertible Contracts
Procurement Regulations 2024	The Procurement Regulations 2024 (legislation.gov.uk)	External link to Procurement Regulations 2024 In PCSOs: 1.2. Governing Legislation 1.6. Procurement Type
The Public Contract Regulations 2015	The Public Contracts Regulations 2015	External link to Public Contracts Regulations 2015 In PCSOs: 1.2. Governing Legislation
The Concession Contracts Regulations 2016	The Concession Contracts Regulations 2016	External link to The Concession Contracts Regulations 2016 In PCSOs: 1.6. Procurement Type
The Public Services (Social Value) Act 2012	The Public Services (Social Value) Act 2012	External link to The Public Services (Social Value) Act 2012 In PCSOs: 1.2. Governing Legislation 5. Council Requirements / Obligations – 5.1. Social Value
Financial Procedure Rules (part 4A1 of the Constitution)	Financial Procedure Rules	External link to BHCC Constitution In PCSOs: 1.4 Compliance 2. Approvals – 2.1. Procurement Forward Plan
Scheme of Delegation (see part 2F of the Constitution)	Scheme of Delegation	External link to BHCC Constitution In PCSOs: 1.7. Exempted Contracts

Code of Conduct (see part 4J of the Constitution)	Code of Conduct	External link to BHCC Constitution In PCSOs: 4. Contracting with Suppliers – 4.3. Bribery, Corruption, Canvassing and Collusion
Brighton and Hove City Council Social Value Policy and Toolkit	Social Value Procurement Policy (brighton-hove.gov.uk) Brighton and Hove Social Value Framework.pdf (brighton-hove.gov.uk) Adding social value	External links to BHCC Social Value Policy Internal BHCC link to the SV toolkit In PCSOs: 5. Council Requirements / Obligations – 5.1 Social Value
BHCC Circular Economy Action Plan	Brighton & Hove Circular Economy Action Plan 2020 to 2035	External link to referenced Policy In PCSOs: 5. Council Requirements / Obligations - 5.2. Environmental Sustainability
Orbis Environmentally Sustainable Procurement Policy, Brighton and Hove City Council	Orbis Environmentally Sustainable Procurement Policy	External link to referenced Policy In PCSOs (not explicitly referenced): 5. Council Requirements / Obligations - 5.2. Environmental Sustainability
Supplier Code of Conduct	Orbis Procurement Supplier Code of Conduct	External link to referenced Policy In PCSOs (not explicitly referenced): 5. Council Requirements / Obligations
BHCC Anti-Slavery Pledge	Anti-slavery pledge APX. n 2.pdf (brighton-hove.gov.uk)	External link In PCSOs (not explicitly referenced): 5. Council Requirements / Obligations
The Co-operative Party Charter Against Slavery	Co-operative Party Charter Against Modern Slavery – Co-operative Party	External link In PCSOs (not explicitly referenced): 5. Council Requirements / Obligations
Guidance for Agency workers and consultants	Book an agency worker Contractors and consultants IR35 status	Internal links to guidance on the Wave In PCSOs: 2.5. Temporary Staff, Consultants and Professional Services
Guidance for Grants and External Funding	Services offered by Legal Services Contracts and Procurement	Internal link to Grants guidance on the Wave In PCSOs: 4.5 Grants
Consultants and IR35 assessment requirements	Contractors and consultants IR35 status	Internal link to guidance on the Wave In PCSOs: 2.5. Temporary Staff, Consultants and Professional Services

Conflict of interest and corruption	Preventing conflict of interest and corruption	<p>Link to BHCC intranet (The Wave)</p> <p>In PCSOs: 4. Contracting with Suppliers – 4.3. Bribery, Corruption, Canvassing and Collusion – Conflict of Interest</p>
Which Summary table decision tree	<p>Use Cabinet Office flow chart as starting point but amend to include light touch, PSR etc.</p> <p>Cabinet Office decision tree can be found on the DMS here: Document Management System - 16 - 20240215 Which procurement regime should I be following decision tree.pdf - All Documents</p> <p>Transforming Public Procurement Learning Manual - Summary Documents and Learning Aids</p>	<p>The internal flow chart that was created to help Officers decide which Procurement Type Summary Table applies to their requirements has now been embedded into the PCSOs: 1.10. Procurement Type Summary Tables</p> <p>Cabinet Office guidance/decision tree RE which procurement regime is available on the Procurement DMS and on the external gov.uk website (Transforming Public Procurement pages and E-learning manual)</p>
Thresholds	<p>Link to existing thresholds - Procurement Policy Note 11/23 – New Thresholds (HTML) - GOV.UK</p>	<p>External link to current thresholds</p> <p>In PCSOs thresholds are referenced in the following sections: 1.6. Procurement Type 1.9. Procurement Method 1.13 Evaluation 2. Approvals – 2.1. Procurement Forward Plan</p>
Below Threshold Procurement Guidance	<p>Publishing notices, No restrictions, SME barriers, - link to cabinet office checklist and guidance Guidance - Below Threshold FINAL.pdf (publishing.service.gov.uk)</p> <p>Below Threshold Contract Checklist Regulated Below Threshold Process Flow saved on the DMS here: Document Management System - Below threshold - All Documents</p>	<p>Internal and external links to Cabinet Office guidance on DMS and these are also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual)</p> <p>In PCSOs: 1.10. Procurement Type Summary Tables 1.11. Below Threshold Procurements 1.12. Direct Award 2.2. Contract Modifications and Extensions 2.3. Convertible Contracts</p>

Contract management	<p>Utilise Cabinet Office resources</p> <p>Contract Management Framework</p>	<p>Cabinet Office resources available on gov.uk (Transforming Public Procurement pages and E-learning manual)</p> <p>Link to internal Contract Management Framework SharePoint site</p> <p>In PCSOs:</p> <p>1.5. Roles and Responsibilities 5. Council Requirements / Obligations - 5.1. Social Value, 5.2. Environmental Sustainability, 5.3. Modern Slavery 7. Managing Contracts</p>
Preliminary Market Engagement	<p>Utilise Cabinet Office guidance and checklist: https://assets.publishing.service.gov.uk/media/664dc112993111924d9d3980/Guidance_-_Preliminary_Market_Engagement.pdf</p> <p>Checklist can be found on the DMS here: Document Management System - Preliminary market engagement checklist.pdf - All Documents</p> <p>*Internal best practice/training can be created but would sit separately to the PCSOS and Appendices*</p>	<p>Internal and external links to Cabinet Office guidance on DMS and these are also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual)</p> <p>In PCOS:</p> <p>5. Council Requirements / Obligations, 5.2. Environmental Sustainability</p>
NPPS (National Procurement Policy Statement)	<p>*Central Government currently re-drafting – will include link once published*</p>	<p>Will include external link to NPPS once published by the Government</p> <p>In PCSOs:</p> <p>Not explicitly referenced as NPPS – mentioned more generically as national policies in the following sections: 1.5. Roles and Responsibilities 5. Council Requirements / Obligations, 5.1. Social Value, 5.3. Modern Slavery</p>
Valuation of Contracts	<p>Use Cabinet Office guidance. Guidance - Valuation of Contracts.pdf (publishing.service.gov.uk)</p>	<p>External link to Cabinet Office guidance</p> <p>In PCSOs:</p> <p>1.8. Valuation of Contracts</p>
Anti-Fraud Strategy/Whistleblowing	<p>BHCC: BHCC Anti-Fraud and Corruption Strategy and Framework 2022 to 2024</p> <p>Whistleblowing</p>	<p>Internal and external links to referenced strategy/policy</p> <p>In PCSOs:</p> <p>4. Contracting with suppliers – 4.3. Bribery, Corruption, Canvassing and Collusion</p>

Conflict of Interest Guidance	Use Cabinet Office guidance - https://assets.publishing.service.gov.uk/media/6698dc04fc8e12ac3edaff11/Guidance - Conflicts of Interest FINAL.pdf	External link to requirements under the 2023 Act (and associated regulations) In PCSOs: 4. Contracting with suppliers – 4.3. Bribery, Corruption, Canvassing and Collusion – Conflict of Interest
Conflict of Interest declaration	Internal COI Declaration template	Template updated – will be available on internal Procurement SharePoint site. In PCSOs: 4. Contracting with suppliers – 4.3. Bribery, Corruption, Canvassing and Collusion – Conflict of Interest
Conflicts assessment template	Use Cabinet Office template - *adapt to Orbis Procurement*	Template updated – will be available on internal Procurement SharePoint site. In PCSOs: 4. Contracting with suppliers – 4.3. Bribery, Corruption, Canvassing and Collusion – Conflict of Interest
CPV Codes - PSR	https://www.legislation.gov.uk/ukdsi/2023/9780348252613/schedule/1	External link to PSR CPV Codes In PCSOs: 1.6. Procurement Type
CPV Codes - Light Touch	The Procurement Regulations 2024 (legislation.gov.uk)	External link to Light Touch CPV Codes In PCSOs: 1.6. Procurement Type
CPV codes - Works	The Procurement Regulations 2024	External link to Works CPV Codes In PCSOs: 1.6. Procurement Type
PSR - choosing the right procedure flow chart	NHS England » Provider Selection Regime: getting to the right decision	External link to PSR guidance In PCSOs: This flow chart is not explicitly referenced but PSR in general is referenced in the following sections: 1.2. Governing Legislation 1.6. Procurement Type 1.10. Procurement Type Summary Tables

Direct Award	<p>Cabinet Office decision tree and guidance. Guidance - Direct Award FINAL.pdf (publishing.service.gov.uk)</p> <p>Decision tree can be found here: Document Management System - 26 - 20231208 Direct award decision tree (section 41).pdf - All Documents</p>	<p>External and internal links to Cabinet Office guidance these are also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual)</p> <p>In PCSOs: 1.12 Direct Award</p>
Light Touch	<p>See Cabinet Office exemptions cheat sheet in training manual and guidance stored here: Document Management System - Exemptions cheat sheet - light touch contracts .pdf - All Documents</p> <p>Guidance - Light Touch Contracts FINAL.pdf (publishing.service.gov.uk)</p>	<p>External and internal links to Cabinet Office guidance these are also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual)</p> <p>In PCSOs: Light Touch is referenced in the following sections: 1.6. Procurement Type 1.7. Exempted Contracts 1.10. Procurement Type Summary Tables</p>
Publishing Notices (procedure)	*FTS / Proactis / Intend - instructions / guidance on this to be created*	Internal guidance to be created on how to publish notices.
Publishing Notices (legislative requirements)	<p>Cabinet Office summary/cheat sheet which can be found here: Document Management System - 18 - 20240209 Table of transparency notices - fact sheet.pdf - All Documents</p>	<p>Internal link to Cabinet Office guidance these are also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual)</p> <p>In PCSOs: 1.9. Procurement Method 1.18 Procurement Notices 7.3. Notices required during the life of the Contract</p>

Assessment & Award	<p>Use Cabinet Office guidance Guidance - Conditions of Participation FINAL 1 .pdf</p> <p>Guidance-Assessing-Competitive-Tenders-FINAL.pdf (publishing.service.gov.uk)</p> <p>https://assets.publishing.service.gov.uk/media/66aa2b50ce1fd0da7b5930c9/Guidance - Assessment Summaries FINAL.pdf</p> <p>https://assets.publishing.service.gov.uk/media/66aa2d7efc8e12ac3edb0875/Guidance - Contract Award Notices and Standstill .pdf</p> <p>Guidance on Contract Details Notices FINAL v2.0.pdf (publishing.service.gov.uk)</p>	<p>External links to Cabinet Office guidance</p> <p>In PCSOs:</p> <ul style="list-style-type: none"> 1.13 Evaluation 1.9. Procurement Method 1.18 Procurement Notices 6.4. Document Retention periods 7.3. Notices required during the life of the Contract
Specifications	<p>Use Cabinet Office guidance linked to this Procurement Act 2023 guidance documents - Define phase - GOV.UK (www.gov.uk)</p>	<p>External link to Cabinet Office Guidance</p> <p>In PCSOs:</p> <p>Specifications are referenced in the following sections:</p> <ul style="list-style-type: none"> 1.5. Roles and Responsibilities 1.6. Procurement Type 5. Council Requirements / Obligations - 5.1. Social Value, 5.2. Environmental Sustainability, 5.3. Modern Slavery
Selecting a Procedure	<p>Cabinet Office Selecting a procedure cheat sheet can be found here: Document Management System - 25 - 20231205 Choosing a procedure.pdf - All Documents</p>	<p>Internal link to Cabinet Office guidance this is also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual)</p> <p>In PCSOs:</p> <ul style="list-style-type: none"> 1.6. Procurement Type 1.9. Procurement Method 1.10. Procurement Type Summary Tables
Timescales	<p>Cabinet Office decision tree/Tendering time limits cheat sheet can be found here: Document Management System - 22 - 20231212 Tendering time limits cheat sheet _ decision tree.pdf - All Documents</p>	<p>Internal link to Cabinet Office guidance this is also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual)</p> <p>In PCSOs:</p> <p>Timescales are referenced in the following section:</p> <ul style="list-style-type: none"> 1.9. Procurement Method

PA2023 - choosing the right procedure	<p>Cabinet Office decision tree on Choosing a procedure can be found here: Document Management System - 25 - 20231205 Choosing a procedure.pdf - All Documents</p>	<p>Internal link to Cabinet Office guidance this is also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual)</p> <p>In PCSOs: 1.6. Procurement Type 1.9. Procurement Method 1.10. Procurement Type Summary Tables</p>
Frameworks	<p>See Cabinet Office guidance - Guidance - Frameworks FINAL.pdf (publishing.service.gov.uk)</p> <p>Framework Cabinet Office cheat sheets can be found here: Document Management System - Frameworks and Dynamic Markets - All Documents</p> <p>Appendix 1 Framework Guidance.docx</p>	<p>Internal and external links to Cabinet Office guidance these are also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual)</p> <p>In PCSOs: 1.10. Procurement Type Summary Tables 1.15. Framework agreements, Dynamic Purchasing Systems (DPS) and Dynamic Markets</p>
Dynamic Markets	<p>See Cabinet Office guidance - Guidance - Dynamic markets FINAL.pdf (publishing.service.gov.uk)</p> <p>Various Cabinet Office cheat sheets can be found here: Document Management System - Frameworks and Dynamic Markets - All Documents</p>	<p>Internal and external links to Cabinet Office guidance these are also available on the gov.uk website (Transforming Public Procurement pages and E-learning manual)</p> <p>In PCSOs: 1.10. Procurement Type Summary Tables 1.15. Framework agreements, Dynamic Purchasing Systems (DPS) and Dynamic Markets</p>
Record Keeping of key decisions	<p>*Template currently in draft* - Min 3 years and procurement report - link to cab office guidance - needs to comply with our own retention periods - e.g. legal hold contracts for 12 years...</p> <p>Cabinet office template can be found on the DMS here: Document Management System - Record keeping.pdf - All Documents</p>	<p>Once document is created it will be available on internal Procurement SharePoint site.</p> <p>In PCSOs, record keeping is referenced in the following sections: 1.5. Roles and Responsibilities 1.9. Procurement Method 4.4. Audit Requirements 5. Council Requirements / Obligations - 5.1. Social Value 6.4. Document Retention periods 7. Managing Contracts</p>

Supplier exclusion and debarment	<p>Use Cabinet Office guidance Guidance - Exclusions_FINAL v.2.pdf</p> <p>Guidance - Debarment_FINAL.pdf</p> <p>Guidance - Conditions of Participation_FINAL 1 .pdf</p>	<p>External Cabinet Office Guidance.</p> <p>In PCSOs this is referenced in the following section: 6.2. Supplier Exclusion</p>
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