Please reply to:

Contact:	Karen Wyeth
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Date:	14 October 2025

Notice of meeting

Standards Committee

Date: Wednesday, 22 October 2025

Time: 7.00 pm

Place: Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames TW181XB

To the members of the Standards Committee

Councillors:

M. Hull (Vice-Chair)	J.R. Boughtflower	K.M. Grant
M.M. Attewell	J. Button	M.J. Lee
C. Bateson	D.L. Geraci	S.C. Mooney

Substitute Members: Councillors S.A. Dunn, T. Burrell, A. Mathur and K.E. Rutherford

Councillors are reminded that the Gifts and Hospitality Declaration book will be available outside the meeting room for you to record any gifts or hospitality offered to you since the last Committee meeting.

Agenda

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Minutes of the Standards Committee
11 June 2025

Present:

Councillors:

C. Bateson	D.L. Geraci	M.J. Lee
J.R. Boughtflower	K.M. Grant	

Substitutions: Councillors T. Burrell

Apologies: Councillors M.M. Attewell, J. Button and S.C. Mooney

9/24 Minutes

The Committee **resolved** to approve the minutes of the meetings held on 12 February 2025 and 09 April 2025.

Councillor Geraci asked for it to be noted in the minutes that he did not agree that the minutes of the meeting held 12 February 2025 were an accurate record of the meeting.

10/24 Disclosures of Interest

There were none.

11/24 Amendments to the Constitution

The Committee considered proposed amendments to the Council's Constitution. The proposed amendments related to the scope of the delegated authority given to the Planning Development Manager.

It was proposed by Councillor Bateson and seconded by Councillor Burrell that the proposed changes should be recommend to Council for approval.

The Committee **resolved** to recommend to Council that it approves the proposed changes to the Constitution as set out in the report.

12/24 Amendments to the Constitution - new Protocol on relations between Members

The Committee considered a proposed new protocol on relations between members.

During the discussion the Committee indicated that they would like the proposed protocol to be amended to reflect that if a member was mindful to submit a complaint about another member that they spoke to their Group Leader first. Their Group Leader would then contact the Group Leader of the other member and try to agree an informal resolution.

It was proposed by Councillor Boughtflower, seconded by Councillor Bateson and **resolved** that the Council's Monitoring Officer added some additional wording to the draft protocol (Paras 3.1 and 7.1). Once drafted, the additional wording would be circulated to committee members via email for their approval.

It was proposed by Councillor Boughtflower, seconded by Councillor Bateson and **resolved** that the committee make a recommendation to Council that it approves the proposed new Member Relations Protocol subject to the agreed amendments.

13/24 Update on Member Complaints

The Committee considered a report that sought to update committee members on the number and outcomes of complaints about members, received and considered under the Council's arrangements for dealing with allegation of a breach of the Code of Conduct.

The Committee **resolved** to acknowledge the update on the number and outcomes of Member complaints dealt with since 01 January 2025.

Standards Committee - 22 October 2025

Update to Climate Change Working Group Terms of Reference

This item was considered at a meeting of the Environment and Sustainability Committee on 18 September 2025. The Committee **resolved** to

1. Approve the change of name of the ‘Climate Change Working Group’ to the ‘Climate and Nature Working Group’,

2. Approve the Revised Terms of Reference as outlined in Appendix A of the report; and

3. Refer the report to the Standards Committee to make a recommendation to Council for adoption in the Constitution.

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<u>**Committee Report Checklist**</u>

Please submit the completed checklists with your report. If final draft report does not include all the information/sign offs required, your item will be delayed until the next meeting cycle.

Stage 1
Report checklist – responsibility of report owner

ITEM	Yes / No	Date
Councillor engagement / input from Chair prior to briefing	**Yes**	**08/07/25**
Commissioner engagement (if report focused on issues of concern to Commissioners such as Finance, Assets etc)	**No**	
Relevant Group Head review	**Yes**	**24/07/25**
MAT+ review (to have been circulated **at least 5 working days before Stage 2**)	**Yes**	**17/07/25**
This item is on the Forward Plan for the relevant committee	**Yes**	**02/07/25**
	Reviewed by	
Risk comments	**L O'Neil**	**30/07/25**
Legal comments	**L Heron**	**23/07/25**
HR comments (if applicable)	**N/A**	

For reports with material financial or legal implications the author should engage with the respective teams at the outset and receive input to their reports prior to asking for MO or s151 comments.

Do not forward to stage 2 unless all the above have been completed.

Stage 2
Report checklist – responsibility of report owner

ITEM	Completed by	Date
Monitoring Officer commentary – at least **5 working days before MAT**	**L Heron**	**27/07/25**
S151 Officer commentary – at least **5 working days before MAT**	**Terry Collier**	**22/7/25**
Confirm final report cleared by MAT		

Environment & Sustainability

18th September 2025

Title	Change of name and Terms of Reference of the Climate Change Working Group
Purpose of the report	To make a decision
Report Author	Arthur Stokhuyzen, Climate Change Officer
Ward(s) Affected	All Wards
Exempt	No
Corporate Priority	Environment
Recommendations	**Committee is asked to:** 1. Approve the change in name of the 'Climate Change Working Group' to the 'Climate and Nature Working Group' 2. Consider and approve the revised Terms of Reference (ToR) set out in Appendix A. Refer the report to Standards Committee to make a recommendation to Council for adoption in the Constitution.
Reason for Recommendation	• The recommendation reflects the need to align the Group's remit with the Council's growing focus on both climate change and nature. • The new name and terms of reference will support councillors' engagement in upcoming biodiversity and planning projects and improve governance. • This change also brings us in line with other Surrey authorities who have already adopted a similar approach.

1. **Executive summary of the report** *(expand detail in Key Issues section below)*

What is the situation	Why we want to do something
• The current Climate Change Working Group focuses primarily on climate-related issues and has limited engagement from councillors beyond core members.	• New biodiversity and strategic planning projects require greater councillor involvement, and climate and nature are increasingly seen as interconnected policy areas.
This is what we want to do about it	**These are the next steps**
• Broaden the Group's remit to include nature recovery and biodiversity, rename it the *Climate and Nature*	• Seek Environmental and Sustainability Committee approval for the revised name and terms of reference

Working Group, and allow all councillors to attend sessions.	• Refer the proposed changes to Standards Committee to make a recommendation to Council for adoption in the Constitution.

2. Key issues

2.1 The existing Climate Change Working Group (CCWG) has focused primarily on issues relating to carbon reduction, energy, and climate resilience. However, as the Council's environmental agenda expands, there is an increasing need for more integrated consideration of biodiversity, nature recovery, and land use, which are central to achieving long-term sustainability goals and delivering on statutory duties, such as the biodiversity duty under the Environment Act 2021.

2.2 Several new and ongoing projects – including the Miyawaki Forests project, the development of 'Habitat Banks', and work to establish a governance framework for our 'Biodiversity Duty' – require structured input from councillors to shape direction, secure support, and ensure alignment with wider Council priorities. These topics sit outside the traditional scope of the CCWG and would benefit from a broader remit and more inclusive approach to member engagement.

2.3 This would strengthen the continuity between the Climate Change and Biodiversity services which already both report to and have their budgets reviewed by Environment and Sustainability Committee.

2.4 To address this, it is proposed to:

(a) Rename the Group as the Climate and Nature Working Group (CNWG) to reflect a more holistic focus;

(b) Expand the terms of reference to formally include nature recovery, biodiversity and other relevant environmental matters;

(c) Allow all councillors to attend sessions to promote wider engagement, transparency, and collective ownership of the Council's environmental strategy.

2.5 These changes will bring our approach in line with best practice across other Surrey districts and boroughs, many of which have already adopted combined climate and nature working group structures. They will also create a stronger foundation for integrated decision-making and delivery as we respond to the dual challenges of the climate and ecological emergencies.

2.6 Key considerations in making this change include ensuring that:

(a) The Group's expanded remit does not dilute focus on climate mitigation and adaptation, but rather strengthens it through integration;

(b) Biodiversity and planning officers are supported in bringing relevant work to the Group;

(c) The new structure facilitates timely, well-informed input from councillors and supports clear reporting and accountability mechanisms.

3. Options appraisal and proposal

3.1 **Option 1:** Rename the CCWG to the ‘Climate and Nature Working Group’ and expand its terms of reference to include nature recovery, biodiversity, and other environmental matters. In addition, open membership to all councillors to attend meetings. (**Preferred Option**)

3.1.1 Pros:

(a) Reflects the integration between nature and climate supporting a more holistic and strategic approach.

(b) Enables structured councillor engagement with upcoming biodiversity and nature projects, improving governance, ownership, and oversight.

(c) Aligns with best practice across other Surrey councils, ensuring consistency and potential for collaboration and future local government reorganisation.

(d) Increases transparency and inclusivity by allowing all councillors to attend, promoting cross-party awareness and input.

3.1.2 Cons:

a) A broader remit may require more officer coordination to ensure meetings remain focused and purposeful.

b) Larger and more open meetings may reduce the ability to make quick, informal decisions without additional structure.

3.1.3 Why preferred: This option provides the clearest framework to support the Council’s expanding environmental agenda, particularly as nature becomes a more prominent element of our statutory and strategic work. It enables better use of the Working Group as a non-decision making governance mechanism while strengthening political engagement and public accountability. The benefits in terms of integration, collaboration, and visibility outweigh the minor operational challenges, which can be managed through agenda planning and officer support.

3.2 **Option 2:** Retain the current Climate Change Working Group name and terms of reference.

3.2.1 Pros:

(a) Minimal administrative change and disruption.

(b) Maintains a clear focus on climate-specific issues.

3.2.2 Cons:

(a) Does not reflect the growing scope of environmental work, particularly biodiversity and nature recovery.

(b) Missed opportunity to increase councillor engagement and improve governance of upcoming projects.

(c) Potential misalignment with neighbouring authorities and national policy direction.

3.2.3 Why not preferred: This option would maintain the status quo but limit the Council’s ability to deliver integrated action on climate and nature. It would also restrict oversight of emerging biodiversity initiatives and reduce the opportunity for early political input.

3.3 **Option 3:** Create a separate working group for nature and biodiversity.

3.3.1 Pros:

(a) Maintains focus in both climate and nature areas with specialised groups.

(b) Allows targeted discussion on technical biodiversity matters.

3.3.2 Cons:

(a) Creates duplication of effort and risks siloed working.

(b) Places additional demands on officer time and councillor availability.

(c) May hinder integration between climate and nature workstreams, contrary to current best practice.

3.3.3 Why not preferred: This option adds complexity and undermines the goal of integrated governance. A single, combined working group is a more efficient and strategic way to deliver joined-up action on climate and nature.

4. Risk implications

4.1 Dilution of focus: Expanding the Group's remit could reduce attention on core climate issues if not well managed. *Mitigation*: Use clear agenda planning and a balanced forward work programme to ensure both climate and nature topics are covered effectively.

4.2 Increased officer workload: A broader remit and wider engagement may place additional demands on officers across multiple service areas. *Mitigation:* Coordinate meeting schedules and topic planning to align with team capacity and strategic priorities.

4.3 Larger, less focused meetings: Opening attendance to all councillors may lead to broader discussions and challenges in maintaining focus. *Mitigation:* Maintain structured meetings with clear agendas, chaired effectively, and provide pre-meeting briefings where needed.

4.4 Unclear scope or role confusion: Without updated terms of reference, there could be overlap with other committees or uncertainty about the group's function. *Mitigation:* Adopt a clear and concise terms of reference outlining the Group's purpose, remit, and governance role.

4.5 Inconsistent councillor engagement: While all councillors will be invited, consistent participation is not guaranteed. *Mitigation*: Maintain the requirement in the ToR for there to be a core group of members.

5. Financial implications

5.1 There are no direct financial implications associated with renaming the Working Group or updating its terms of reference. Any officer time required to support the broader remit will be managed within existing resources.

6. Legal comments

6.1 The proposed changes promote good governance and wider engagement and input.

6.2 Climate Change Working Group Terms of Reference are contained within part 3(b) of the Council's Constitution. The proposed changes would require amendments to the Constitution. This Committee may submit to the Council proposals for changes to the Constitution (para 13.2(c) Article 13). Changes to the Constitution are approved by the Council after consideration of a report from the Monitoring Officer or advice from the Standards Committee (para 13.2(a) of Article 13).

Corporate implications

7. S151 Officer comments

7.1 Given that any officer resourcing impacts of broadening the terms of reference can be accommodated within existing resources and revenue budget, the S151 officer approves the changes.

8. Monitoring Officer comments

8.1 The Monitoring Officer confirms that the relevant legal implications have been taken into account.

9. Procurement comments

9.1 The proposed changes to the Working Group's name and terms of reference do not involve any direct procurement activity or changes to existing contracts.

10. Equality and Diversity

10.1 The proposed changes to the Working Group's name and terms of reference will not negatively impact any protected groups under the Equality Act 2010.

10.2 Opening attendance to all councillors promotes inclusivity and equal opportunity for engagement regardless of political affiliation or background.

10.3 Future projects considered by the Group, including biodiversity and nature recovery initiatives, will continue to be assessed for any equality impacts to ensure they support fair and equitable outcomes for all members of the community.

11. Sustainability/Climate Change Implications

11.1 Expanding the Working Group's remit to include both climate change and nature recovery supports a more integrated approach to environmental sustainability.

11.2 This change will help the Council better address the interconnected challenges of the climate and ecological emergencies, promoting resilient ecosystems alongside carbon reduction efforts.

11.3 Improved governance and councillor engagement through the Climate and Nature Working Group will strengthen strategic decision-making, helping to deliver long-term sustainability benefits for the local community and environment.

12. Other considerations

12.1 Relevant officers have been consulted on resource requirements, and they are to be funded from existing budgets.

13. Timetable for implementation

13.1 18th September: Environment and Sustainability Committee approval and refer to Standards Committee

13.2 8th October: Standards Committee recommendation to Council

13.3 October: Council

13.4 November: First Climate and Nature Working Group Meeting

14. Contact

14.1 Please contact Arthur Stokhuyzen (a.stokhuyzen@spelthorne.gov.uk), Climate Change Officer for any questions or queries

Please submit any material questions to the Committee Chair and Officer Contact by two days in advance of the meeting.

Background papers: There are none.

Appendices:
Appendix A: Climate and Nature Working Group Terms of Reference

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Terms of Reference: Climate and Nature Working Group

The Spelthorne Climate Change Working Group will consist of 8 members but will be open for all councillors to attend.

The Terms of Reference for the Working Group:

1. To implement the climate change strategy and action plan agreed in 2022 and updated in 2024 to deliver our target of net zero by 2030.

2. To develop and implement the ‘Biodiversity Duty’ strategy and subsequent reports to improve biodiversity across the borough by 1 April 2027

3. To make recommendations to Environment and Sustainability Committee on areas for improvement which can impact on ‘climate change’ and ‘nature recovery’ and to identify, and make recommendations on, developing new environmental policies where required which will help move the Council and Borough towards-net zero and improve biodiversity in accordance with our ‘Biodiversity Duty’ strategy across the Borough by 1st April 2027.

4. To report to Environment and Sustainability Committee appropriate action plans and targets to deliver the Council’s 2030 target of net zero emissions.

5. To Report to Environment and Sustainability Committee appropriate strategies, action plans and targets to improve biodiversity across the Borough by 1st April 2027.

6. To monitor progress with delivering the action plans and achieving targets and report on progress to Environment and Sustainability Committee on a quarterly basis.

7. To consider government and wider authorities’ consultation on documents relating to ‘climate change’ and ‘nature recovery’ and assist Environment and Sustainability Committee in formulating its response.

8. For members of the Working Group to act as ‘climate change’ and ‘nature recovery’ champions by leading by example and advocating for action across the Spelthorne Borough.

9. To identify areas for further research and invite presentations, workshops and discussions with experts as appropriate to help inform the Council’s

policies and action plans.

10. The Climate Change Working Group will consider the best way of engaging with key partners and work closely with the Government, the Environment Agency, Surrey County Council, local businesses, residents and other partners
across the county and Borough to meet the target of making the Borough carbon neutral by 2030.

11. To consider and formulate a communication strategy to promote the Council's activities on 'climate change' and 'nature recovery'.

Membership and Proceedings of the Working Group on Climate Change

1. To be a cross-party Working Group of 8 members who are expected to attend regularly and provide continuity.

2. The Chair of the Environment and Sustainability Committee or appointee will chair the Working Group.

3. The Working Group will appoint its own vice chairman from within its membership.

4. The meetings of the Working Group will be internal and confidential to the Council. All the meetings will be open to all members of the Council to attend.

5. The Working Group, can co-opt an external member to the Working Group, as required, to deal with, specialist areas. However, it remains the decision of the full Working Group as to what targets are recommended.

6. The Working Group will meet before Environment and Sustainability Committee but more frequently depending on workload and actions required.

7. The Working Group should aim to deliver a consensual view to Environment and Sustainability Committee. Where this is not possible it should aim to report fairly on the divergent views of the Working Group. Voting is not considered appropriate or necessary. Proactive and innovative suggestions are encouraged.

8. Liaison and engagement with a wide range of stakeholders is welcomed. The Working Group should seek a wide body of opinion to inform its

considerations including exchanging views on pertinent matters and receiving suggestions as to how climate change can be addressed in areas over which Spelthorne Borough Council has limited control or significant influence.

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SPELTHORNE
BOROUGH COUNCIL

Committee Report Checklist

Please submit the completed checklists with your report. If final draft report does not include all the information/sign offs required, your item will be delayed until the next meeting cycle.

Stage 1
Report checklist – responsibility of report owner

ITEM	Yes / No	Date
Councillor engagement / input from Chair prior to briefing	**N/A**	
Commissioner engagement (if report focused on issues of concern to Commissioners such as Finance, Assets etc)	**Y**	
Relevant Group Head review	**Y**	
MAT+ review (to have been circulated **at least 5 working days before Stage 2**)	**N/A**	
This item is on the Forward Plan for the relevant committee	**N**	
	Reviewed by	
Finance comments (circulate to Finance)	**LH**	**12/10/25**
Risk comments (circulate to Lee O'Neil)	**LH**	**12/10/25**
Legal comments (circulate to Legal team)	**LH**	**12/10/25**
HR comments (if applicable)	**N/A**	

For reports with material financial or legal implications the author should engage with the respective teams at the outset and receive input to their reports prior to asking for MO or s151 comments.

Do not forward to stage 2 unless all the above have been completed.

Stage 2
Report checklist – responsibility of report owner

ITEM	Completed by	Date
Monitoring Officer commentary – at least **5 working days before MAT**	**L Heron**	**12/10/25**
S151 Officer commentary – at least **5 working days before MAT**	**T.Collier**	**13/10/25**
Confirm final report cleared by MAT		

Standards Committee

22 October 2025

Title	Review of Councillor Code of Conduct in Part 5(a) of the Constitution
Purpose of the report	To inform and assure
Report Author	Linda Heron, Group Head Corporate Governance and Monitoring Officer
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	N/A
Corporate Priority	This report is for information only
Recommendations	This report is for information only
Reason for Recommendation	This report is for information only

1. Executive summary of the report *(expand detail in Key Issues section below)*

What is the situation	Why we want to do something
• The Council has previously adopted Local Government Association (LGA) Model Councillor Code of Conduct ("the Code")	• To comply with best practice
This is what we want to do about it	**These are the next steps**
• Review the Code to ensure this aligns with the LGA annual revisions	• To note the contents of this report

2. Key issues

2.1 Local authorities have a statutory duty to promote and maintain high standards of conduct by their members and co-opted members (s.27(1) Localism Act 2011). By way of discharging this duty, all local authorities must adopt a Code dealing with the conduct that is expected of members and co-opted members when they are acting in that capacity (s.27(2) of the Localism Act 2011).

2.2 Consequently, the Council has adopted the Code (part 5(a) of the Constitution) which is based on the LGA Model Councillor Code of Conduct.

2.3 LGA reviews the Model Councillor Code of Conduct annually to ensure it continues to be fit for purpose and incorporates relevant changes in legislation. The Council is not required to undertake annual review of the Code, but it is best practice to do so. Annual review of the Code also demonstrates the Council's commitment to high standards of conduct by members and co-opted members.

2.4 The Council's Code was last reviewed in late 2023. In June 2025 this Committee approved the new Protocol on relations between members for incorporation in the Council's Constitution.

2.5 The Monitoring Officer has reviewed the Code and does not consider that any changes are required at this stage.

2.6 Between December 2024 and February 2025 the government undertook a consultation on strengthening the standards and conduct framework for local authorities, and the outcome of that consultation is awaited.

2.7 That consultation indicates that the government is considering making significant changes to the standards and conduct framework including a nationwide mandatory minimum code of conduct for councillors.

2.8 Workstreams within the context of the Local Government Reorganisation ("LGR") are gathering pace and the government's decision on the LGR proposals submitted by Surrey local authorities is awaited later this month. Once the composition of the new unitary authorities and the Council's positioning within the relevant unitary authority is known, LGR governance workstream will inevitably require preparation of the new constitution and associated policies and documentation.

2.9 For these reasons the Monitoring Officer will keep this under constant review and will bring proposals for consideration should the LGR workstreams identify provisions in the Code that may require amendments and / or new provisions that may need to be incorporated in the Code, and once the government's final decision on the changes to the standards and conduct framework are announced.

3. Options appraisal and proposal

3.1 This report is for information only.

4. Risk implications

4.1 None arising directly from this report.

5. Financial implications

5.1 There are no financial implications arising directly from this report.

6. Legal comments

6.1 Legal comments are contained within this report.

Corporate implications

7. S151 Officer comments

7.1 As there are no financial implications from this report there are no budgetary implications.

8. Monitoring Officer comments

8.1 The Monitoring Officer confirms that the relevant legal implications have been taken into account.

9. Procurement comments

9.1 There are no procurement implications directly arising from this report.

10. Equality and Diversity

10.1 There are no implications directly arising from this report.

11. Sustainability/Climate Change Implications

11.1 None arising directly from this report.

12. Other considerations

12.1 None arising directly from this report.

13. Timetable for implementation

13.1 Not applicable.

14. Contact

14.1 Linda Heron, Group Head Corporate Governance and Monitoring Officer (l.heron@spelthorne.gov.uk)

Please submit any material questions to the Committee Chair and Officer Contact by two days in advance of the meeting.

Background papers: Councillor Code of Conduct – part 5(a) of the Constitution.

Appendices: None

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CONTRACT STANDING ORDERS

GENERAL

Introduction

1. These Standing Orders provide basic guidance to anyone making a contract or entering into an agreement (generally, contracts) for the Council. They apply equally to the supply of works, goods, materials and services or other (e.g. utilities). In making such contracts or agreements, the overriding objective is to obtain the best value for the Council in all circumstances.

Compliance

2. Every contract made by or for the Council must comply with these Standing Orders except in the circumstances where exemptions are obtained in advance.

3. Where tenders or quotes have been invited on behalf of any consortium, collaboration or agency arrangement of which the Council is a member, the Standing Orders or requirements adopted by the lead agency can be observed if they differ from these Standing Orders.

PREPARING FOR THE CONTRACT

Contract file to be set up from the start

4. Every procurement for whole contract value over £30,000 must be fully documented on a dedicated contract file, with a complete audit trail recording all significant decisions and actions taken.

5. All contract files should clearly record the specification of requirements and the identity of the staff member undertaking the procurement (the Procuring Officer).

Requirement for a nominated procurement manager

6. The Procuring Officer is responsible for ensuring and recording on the contract file that the relevant authority (Council, the relevant Strategic Committee, delegated or other as appropriate for the type and / or level of spend) has been obtained and there is sufficient budgetary provision in place for the whole life of the procurement before any steps are undertaken.

7. Where stipulated as required in table 1 (Procedural Rules), the Procuring Officer will seek the support from the Procurement Team.

Contractor Suitability

8. The Procuring Officer (with support from the Procurement Team where necessary) is to ensure that the contractor is sufficiently capable and financially sound to undertake the

contract by making enquiries, pursuing references and reviewing the quotes, tender proposals/method statements as appropriate, during the procurement process. The Procuring Officer is also required to ensure that the contractor has appropriate health and safety policies and procedures in place (as appropriate).

9. The Procurement Team will advise on the most appropriate procurement route, taking into account relevant factors such as the legal requirement to advertise (depending on the value); the works, goods or services required; the prevailing market conditions, etc.

10. The Procurement Team will assist the Procuring Officer in developing compliant tender documents which optimise the achievement of value for money.

Specification and Selection Criteria

11. A specification and selection criteria **must** be prepared in advance of tenders or quotations being sought. For lower value procurements, the lowest price may be used as the main selection criterion; however, whole life value for money will also need to be taken into consideration. For larger value procurements, and in particular those which are covered, by virtue of their value, by the Procurement Act 2023, an appropriate split of quality and commercial factors must be used as the selection criteria. Both the specification and the selection criteria must be recorded on the contract file and be used to evaluate tenders/quotations received.

12. If a potential contractor requires information not provided in the specification, such additional information must also be provided to all other bidders, to ensure the equal treatment of all potential contractors.

13. In preparing the specification and selection criteria, the Procuring Officer should consider the opportunities to deliver additional Social Value which the procurement may offer. The Procurement Team will advise on the suitable requirements to be included, relative to the size, type and value of the procurement.

Procurement Board

14. The role of the Procurement Board is to take a strategic approach to the Council's procurement. All contracts likely to exceed £30,000 (other than urgent contracts) should be notified at the planning stage to the Chief Finance Officer. The Procurement Team will maintain a forward plan of contracts to advise Procurement Board and the appropriate Strategic Committee where required, on relevant procurement matters.

Electronic Procurement

15. All procurement opportunities likely to exceed £30,000 should be advertised through the Council's electronic procurement system (Elcom).

PROCEDURAL STEPS OF THE PROCUREMENT

Estimated Value of Contracts

16. An estimated value must be prepared and documented for every contract immediately before starting the procurement process to confirm there is adequate budget provision, and to determine the appropriate procurement process to follow.

17. For contracts which continue over a number of years, the estimated value of the contract shall be taken to be the annual value multiplied by the life (number of years) of the contract to allow the Procurement Team to assess whether the procurement falls under the Public Contracts Regulations.

18. For concession contracts (contracts for which the Council does not pay the provider for any works, goods or services but the contractor receives consideration in other ways, e.g. rights, property or land granted by the Council), the contract value will be based upon the anticipated income which the contractor is likely to receive from any source pursuant to such contract.

Division of Contracts

19. Large scale or high value procurements must not be broken down into smaller units for the purpose of creating lower value contracts unless there are sound operational or management reasons for doing so. Any such action must be authorised by the Chief Finance Officer in writing with the reasons recorded on the contract file. The avoidance of any provision of these Standing Orders is not an acceptable reason for such action.

Special Requirements

20. All contracts must comply with the Procurement Act 2023, the Procurement Regulations 2024 and any subsequent legislation. Where there is a conflict between these Standing Orders and any statutory provision, the law must prevail. Advice on the tender process and form of contract should be taken from the Procurement Team and Legal Services **at the start** of any procurement project.

21. The procedures outlined below by contract value are the minimum. It is important to remember that we are trying to get the best value for the residents of Spelthorne. Consequently, where better value for the Council might be achieved by seeking more tenders or quotations this should be done.

Contract Standing Orders Procedural Rules

22. The Procuring Officer and / or Procurement Team as appropriate must ensure that the procurement procedurally complies with Table 1 below.

CONTRACT STANDING ORDERS PROCEDURAL RULES								
Whole Life Contract Value	**Level of Authority to Proceed required**	**Support required from Procurement Team**	**Advertising the Opportunity**	**Approach to Market**	**Testing Market Capability**	**Evaluation by**	**Approval to Award Contract**	**Contract Required?**
Under £5,000 (including VAT)	Budget Holder	No	Opportunity does not need to be advertised	Local[1] suppliers must be sought. If no local suppliers can be found, then a regional suppliers should be sought. If the selected supplier is not Local or Regional[2] then approval to proceed must be sought from Group Heade and the variation must be added to the Exemption Report	Selected suppliers confirm prices in writing /email in advance	Budget Holder	No further approval required	No. Invoices and quotes to be retained in accordance with the retention policy.

[1] Local is defined as within the Borough of Spelthorne
[2] Regional is defined as in the wider County of Surrey.

CONTRACT STANDING ORDERS PROCEDURAL RULES								
Whole Life Contract Value	**Level of Authority to Proceed required**	**Support required from Procurement Team**	**Advertising the Opportunity**	**Approach to Market**	**Testing Market Capability**	**Evaluation by**	**Approval to Award Contract**	**Contract Required?**
£5,000 - £30,000 (Including VAT)	Procurement Business Case is approved by Group Head	No, except where the opportunity is to be advertised on Contracts Finder	Not required but if the value of contract is over £30,000 and is advertised, it must be advertised in Contracts Finder (Govt transparency requirements)	Requirement communicated to suppliers and confirmed in writing.	A minimum of 3 written quotes to be obtained and retained on file.	Budget Holder	Group Head	Yes. Support from Legal Services is required.
£30,000 (Including VAT) – Procurement Act 2023 Threshold	Procurement Business Case and Procurement process must be approved by Group Head and MaT	Yes, Project needs to be discussed at the Procurement Board and put on the Procurement Project Plan	Opportunity advertised on Elcom portal and on Contracts Finder (if over £30K)	Detailed Specification with required outcomes, outputs and KPIs. (Invitation to Tender, Request for Quotation or suitable Framework)	A minimum of 3 suppliers to be invited to tender. (Select 1 “Local” supplier)	Project Lead with Procurement	Deputy Chief Exec or Service Committee (if the requirement is strategic/critical)	Yes, support from Legal Services is required unless a framework is used. *Contract made under seal if over £100,000.00*

[3] Supplies and Services Threshold - £214,904, Works Threshold - £5,372,609.00 (inc VAT) as from 1st Jan 2024. These figures are revised every two years.

CONTRACT STANDING ORDERS PROCEDURAL RULES								
Whole Life Contract Value	**Level of Authority to Proceed required**	**Support required from Procurement Team**	**Advertising the Opportunity**	**Approach to Market**	**Testing Market Capability**	**Evaluation by**	**Approval to Award Contract**	**Contract Required?**
Over Procurement Act 2023 Threshold	Procurement Business Case and Procurement process must be approved by Group Head and MaT and appropriate Service Committee . The project must be on the Council's Forward Plan	Yes, Project needs to be discussed at the Procurement Board and put on the Procurement Project Plan	Opportunity must (unless a suitable Framework is sought) be advertised on Find A Tender (FTS) via the Elcom portal and on Contracts Finder	Detailed Specification with required outcomes, outputs and KPIs. (Invitation to Tender or suitable Framework)	ITT (inclusive of Suitability Assessment Questionnaire) in accordance with the Procurement Act 2023	Project Lead and /or subject matter experts and Procurement	Service Committee	Yes, support from Legal Services is required. Contract will be made under seal.

Whole Life Contract Value	Level of Authority to Proceed required	Support required from Procurement Team	Advertising the Opportunity	Approach to Market	Testing Market Capability	Evaluation by	Approval to Award Contract	Contract Required?
Procurements from an external Framework Agreement (in accordance with the contract values above)	Procurement Business Case and Procurement process must be approved by Group Head and MaT	Yes, where the contract value exceeds £30,000.00. The project needs to be discussed at the Procurement Board and put on the Procurement Project Plan	No	Detailed Specification with required outcomes, outputs and KPIs. In accordance with the specific Framework, i.e., Mini Comp or Direct Award	In accordance with the Framework conditions.	Project Lead and Procurement	In accordance with the expect contract value as above.	No. Use the Framework Terms and Conditions. Contract made under seal if above £100,000.00

Whole Life Contract Value	**Level of Authority to Proceed required**	**Support required from Procurement Team**	**Advertising the Opportunity**	**Approach to Market**	**Testing Market Capability**	**Evaluation by**	**Approval to Award Contract**	**Contract Required?**
Variations to a Contract Over £100,000.00 (including VAT) **NOTE:** Not to exceed 50% of the original Contract value	Service Committee	Yes	No, but needs to be put on the internal Contract Database	Existing Supplier only	N/A	Project Lead	Service Committee	Variation to be included in the existing Contract – support from Legal Services is required.
Extending a contract's duration	Service Committee	Yes – only if the existing contract has extension periods.	No, but needs to be put on the internal Contract Database	Existing Supplier only	N/A	Project Lead	Service Committee	Extension to contract to be included in the existing Contract – support from Legal Services is required

Tendering and Quotation handling procedure

23. All written quotations or tenders, where required, should be received electronically, either via email or via the e-tendering portal.

24. Contracts estimated to be worth £30,000 or over must be tendered electronically (either via the Procurement mailbox or e-tendering portal) with support from the Procurement Team.

Errors and clarifications of tenders

25. Where examination of tenders reveals errors or discrepancies which would affect the tender figure in an otherwise successful tender, the tenderer should be given details and an opportunity to confirm, withdraw or amend their tender to correct genuine errors. The confirmed or amended tender will then be evaluated accordingly.

Post tender negotiations

26. The Procuring Officer should take advice from the Procurement Team regarding the appropriateness of any post-tender negotiations. No negotiations may be entered into with any tenderers submitting tenders or quotations unless permitted by the Procurement Act 2023 and / or Procurement Regulations 2024, and the Chief Finance Officer considers it necessary to obtain best value for the Council, to accommodate unforeseen changes in the specification, or for any other reason the Chief Finance Officer considers is appropriate. In this event, details of the negotiations must be recorded in writing and must be conducted in accordance with the Public Contracts Regulations. The reasons for entering into post tender negotiations must be recorded on the contract file.

CONTENT OF CONTRACTS

Form of Contracts

27. Every contract over £20,000 must be in writing, in a form approved by the Group Head of Corporate Governance. All contracts of £30,000 and over in value (other than for vehicle purchase) must be in writing and over £100,000 must be under seal.
28. For contracts over £20,000 where the Council may be obliged to contract on the standard terms and conditions of another organisation, the following minimum requirements must be adhered to:

    (a) a specification of services required should be produced and sent to the contractor. This is required in all cases where the Council procures goods and services together. It is not required where the Council only procures goods.
    (b) a copy of the applicable standard terms and conditions should be retained on the contract file.
    (c) an appropriate letter or other document should be agreed with the contractor which refers to the Council's specification of services required and confirms the terms and conditions on which the supply is to made.

Public liability insurance and professional indemnity insurance

29. The Procuring Officer must consider the Council's need for appropriate indemnities backed by insurance. In the case of a contract for works or services, the contract must require the contractor to carry public liability insurance to a minimum of £5,000,000, unless otherwise agreed by the Chief Finance Officer.

30. In the case of a contract for professional services, the contract must require the contractor to carry professional indemnity insurance to a minimum of £5,000,000, unless otherwise agreed by the Chief Finance Officer.

Assignment of Contracts

31. Assignment or under letting of contracts is not to be permitted except with the prior consent of the Chief Finance Officer, and then only where the Chief Finance Officer is satisfied that an effective vetting procedure of assignees or subcontractors has been implemented.

Liquidated Damages

32. The Procuring Officer, with support from the Procurement Team, must consider whether the contract should provide for the contractor to pay liquidated damages on failure to complete the contract by the specified completion date. Where considered appropriate by the Group Head of Corporate Governance, the contract must require the contractor to pay damages for any breach of the terms of the contract. Advice on liquidated damages should be taken from Legal Services at an early stage in the procurement project.

Corruption, Bankruptcy & Cancellation

33. Every contract must state that the Council may cancel the contract and recover any resulting losses if the contractor, their employees or anyone acting on their behalf, with or without their knowledge, does anything improper to influence the Council or commits an offence under Bribery Act 2010.

34. Every contract must state that if the Contractor enters into liquidation or administration, the Council is entitled to cancel the contract and recover any resulting losses.

Performance Bonds

35. Where a contract is estimated to be £100,001 or over, the Chief Finance Officer must consider before the procurement whether the Council should require security for its performance. It must be certified on the contract file that no such security is considered necessary or specify in the conditions of tender the nature and amount of security to be given. In the latter event the Chief Finance Officer must ensure the required bond or other security for the due performance of the contract is given at the time the contract is let.

Nominating Subcontractors and Suppliers

36. Where it is decided to be in the Council's interest, that a sub contractor or supplier should be nominated to a main contractor, at least three tenders for the nomination must be invited in accordance with one of the methods described in Table 1 above.

37. The invitation to tender as sub contractors or suppliers must require an undertaking from any tenderer to enter into a contract with the main contractor, including an obligation to indemnify the main contractor in respect of matters included in the sub contract.

Consultants

38. Any consultant employed by the Council to let or manage contracts must comply with these Standing Orders. The contract with any consultant must provide that all records maintained by the consultant in relation to a contract must be made available to the Council on request and handed over to the Council on completion of the procurement.

MANAGING THE CONTRACT

Contract Management

39. Unless prior written approval is given by the Chief Finance Officer to the Procuring Officer and recorded on the contract file, all contracts in excess of £30,000 should nominate a Contract Manager (and include provision for those details to be updated). Where reasonably practicable, the Contract Manager should be a member of Spelthorne Borough Council staff.

The Procuring Officer must notify the name of the Contract Manager to the contractor prior to letting of the contract.

40. The role of the Contract Manager will be to manage the contract throughout its duration, as well as enforce duties owed to the Council under contract and to be responsible on behalf of the Council for those duties owed to the contractor.

41. The responsibilities of the Contract Manager will include:

(a) monitoring the performance of the contractor against the agreed level of service;
(b) monitoring the continuing level of operational and financial risk to which the Council is exposed and to institute controls as appropriate;
(c) ensuring the contractor's due diligence with all appropriate quality, environmental, health and safety obligations;
(d) facilitating the resolution of issues between the contractor and users of the service;
(e) ensuring prompt payment of invoices and compliance with all financial regulations and Contract Standing Orders during the lifetime of the contract;
(f) providing assurance that the contractor has a long-term, sustainable supply chain, and that there is no evidence of modern slavery;
(g) ensuring that appropriate arrangements are made for the termination or re-letting of the contract at the appropriate time.

Variations

42. Where the Contract Manager considers, and the relevant Deputy Chief Executive agrees, that an existing contract needs to be varied (i.e. practical changes are required which do not alter the essential nature of the original contract, as opposed to additional works or supplies not originally envisaged) the Deputy Chief Executive may approve these subject to the proposed variation being contained within the total budget approved for the contract. The reasons for and details of any such variation must be recorded on the contract file. On contracts over £100,000 in value, where the approved budget would be exceeded because of the variation, approval must be obtained from the appropriate Strategic Committee or Council (according to financial regulations) for any such variation.

Registration of Contracts

43. The Chief Finance Officer will ensure that a register of all contracts of £5,000 and over, placed by the Council is kept. The register must state the name of the contractor, the scope of the work to be done or goods to be supplied, the duration and value of the contract. Any Procuring Officer letting a contract must ensure details are supplied for entry in the register.

44. The Chief Finance Officer will also ensure that a register of all contracts for building, construction or engineering work and associated Consultants which provide for payment by instalments is kept. This register must show the state of account of each contract between the Council and contractor, together with any other payments and related professional fees. The Procuring Officer letting such a

contract must ensure details are supplied for entry in the register.

Contract Management Audits

45. The Procurement Board shall propose an annual planned schedule of contract management audits (Contract Audit Schedule), to be agreed by the Chief Financial Officer and Group Head of Corporate Governance prior to implementation. The Procurement Team shall undertake such Contract Audits.

46. The Contract Audit Schedule shall include a minimum of ten high value, high complexity, and high-risk projects to be audited, as well as auditing a sample of lower value spends for compliance with these Contract Standing Orders (CSOs).

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