

## CONTRACT STANDING ORDERS 2025-26 UPDATE

<b>Head of Service:</b>	Andrew Bircher, Assistant Director of Corporate Services
<b>Report Author</b>	Will Mace, Corporate Governance and Strategy Manager
<b>Wards affected:</b>	(All Wards);
<b>Urgent Decision?(yes/no)</b>	No
<b>If yes, reason urgent decision required:</b>	N/A
<b>Appendices (attached):</b>	Appendix 1 - Contract Standing Orders 2025-26 Update

### Summary

The Contract Standing Orders ('CSOs') were last updated in December 2024, ahead of the implementation of the Procurement Act 2023. Since this time, officers have conducted the annual review of the CSOs, and identified several areas where minor updates could improve their practical application and strengthen governance. The proposed amendments are attached at Appendix 1.

### Recommendation (s)

#### The Committee is asked to:

- (1) Recommend Full Council approve the revisions to the Contract Standing Orders, attached at Appendix 1 to this report.**

## 1 Reason for Recommendation

- 1.1 Following the annual review in November 2025 of the Contract Standing Orders ('CSOs'), updates have been proposed to improve their application and procurement governance. The updates are mostly administrative, however as some additions have been made to officer responsibilities, the updates to the CSOs have been brought to Standards and Constitution Committee for review and recommendation to Full Council for approval.

## 2 Background

- 2.1 The CSOs set out the council's rules on how it procures (purchases) goods, services and works.

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- 2.2 Officers review the CSOs on an annual basis. If officers identify any non-administrative updates, then these are required to be approved by Full Council. The officer review includes input from our procurement partner, the Shared Procurement Service.

### 3 Updates to the Contract Standing Orders 2025-26

- 3.1 The proposed updates to the CSOs can be found in Appendix 1, visible as 'track changes'.
- 3.2 In summary, the proposed changes are:
  - 3.2.1 Updates to officer role titles.
  - 3.2.2 Additions to officer roles and responsibilities, including amendments to the senior officers who can sign Waivers.
  - 3.2.3 Clarifications regarding safeguarding responsibilities, when business continuity plans are required from suppliers, and how we define a contract as strategic.
  - 3.2.4 Reference to the procurement process required for procurements related to insurance claims and those below Threshold 4.
  - 3.2.5 Updates to the national procurement [Thresholds](#), which will come in to force on 1<sup>st</sup> January 2026.
- 3.3 In addition, the Council received a joint letter from Chris Ward MP, Parliamentary Secretary (Cabinet Office), and Alison McGovern MP, Minister of State for Local Government and Homelessness regarding new procurement flexibilities for local authorities. It refers to draft legislation, the Local Government (Exclusion of Non-commercial Considerations) (England) Order 2026, which is expected to come into force in early 2026.
- 3.4 In brief, the Order would give English local authorities new powers to reserve below-threshold contracts for UK or local suppliers, lifting a long-standing restriction on considering supplier location. It is voluntary but expected to significantly increase opportunities for Small and Medium-sized Enterprises ('SMEs') and local businesses. Please note that should the Order come into force, officers will update the CSOs accordingly, as per the provision in Section 35 (Appendix 1), as it would be an amendment arising from a change in the law.

### 4 Risk Assessment

Legal or other duties

- 4.1 Equality Impact Assessment
  - 4.1.1 No direct implications arising from this report.

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### 4.2 Crime & Disorder

4.2.1 No direct implications arising from this report.

### 4.3 Safeguarding

4.3.1 A direct reference to the council's safeguarding responsibilities has been added to the officers roles and responsibilities section of the draft CSOs attached at Appendix 1.

### 4.4 Dependencies

4.4.1 No direct implications arising from this report.

### 4.5 Other

4.5.1 No direct implications arising from this report.

## 5 Financial Implications

5.1 None arising from this report.

5.2 **Section 151 Officer's comments:** None arising from this report.

## 6 Legal Implications

6.1 **Legal Officer's comments:** Any relevant comments are contained within the body of the report.

## 7 Policies, Plans & Partnerships

7.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- N/A

7.2 **Service Plans:** The matter is included within the current Service Delivery Plan.

7.3 **Climate & Environmental Impact of recommendations:** No direct implications arising from this report.

7.4 **Sustainability Policy & Community Safety Implications:** No direct implications arising from this report.

7.5 **Partnerships:** No direct implications arising from this report.

7.6 **Local Government Reorganisation Implications:** No direct implications arising from this report.

## 8 Background papers

8.1 The documents referred to in compiling this report are as follows:

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### **Previous reports:**

- *Contract Standing Orders Update – Procurement Act Update*, Council, 10<sup>th</sup> December 2024. Online available: <https://democracy.epsom-ewell.gov.uk/ieListDocuments.aspx?CId=146&MId=1625> [last accessed 01/12/2025].

### **Other papers:**

- None.