

# Procurement and Contract Management Strategy



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WEST OXFORDSHIRE  
DISTRICT COUNCIL

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Approved by

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## Background

West Oxfordshire District Council manages gross expenditure of approximately £62 million per annum (2025/26). The Council uses a range of commissioning,

procurement and contracting approaches to deliver services in a way that is open, fair, transparent and cost effective. These approaches include the use of simple standard terms and conditions for low risk and low value contracts, framework agreements, recognised industry standard contracts and bespoke contractual arrangements where appropriate.

Effective commissioning, procurement and contract management is fundamental to contributing to the delivery of the Council's priorities:

1. Putting Residents First
2. Enabling a Good Quality of Life for All
3. Creating a Better Environment for People and Wildlife
4. Responding to the Climate and Ecological Emergency
5. Working Together for West Oxfordshire

By applying proportionate commercial approaches and robust contract management, the Council will ensure that public money is spent responsibly and that services deliver the outcomes residents expect.

## **1. Introduction**

The West Oxfordshire Procurement and Contract Management Strategy 2026–2028 supersedes the 2023 Strategy and has been developed in response to significant legislative change, most notably the introduction of the Procurement Act 2023. This legislation establishes a new statutory framework for public sector procurement, promoting greater transparency, enhanced flexibility, and improved access for small and medium-sized enterprises (SMEs).

The overarching purpose of this Strategy is to ensure that all commissioning and procurement activity is undertaken in a consistent, transparent and proportionate manner, aligned with best practice and fully compliant with all legislative and policy requirements. The Strategy supports the achievement of value for money while ensuring that procurement outcomes contribute directly to the Council's wider strategic objectives.

In addition, the Strategy provides a clear framework to support organisational readiness and resilience in advance of Local Government Reorganisation, ensuring continuity, compliance and commercial discipline through a period of structural change.

West Oxfordshire District Council's procurement function is delivered through Publica Limited, its shared services company. This Strategy applies equally to all procurements undertaken by Publica on behalf of the Council, ensuring a consistent, compliant and value for money approach across all arrangements.

## **2. Setting the Scene for Procurement**

### **2.1 Our Vision**

West Oxfordshire District Council will use commissioning, procurement and contract management as a strategic tool to deliver value for money, high-quality services and lasting benefits for residents and communities.

Through intelligent commissioning, whole life commercial decision making and strong contract management, the Council will secure outcomes that:

- Support local priorities and place based delivery.
- Enable housing and regeneration ambitions.
- Strengthen the local and regional economy.
- Reduce carbon emissions and minimise environmental impact.

The Council will operate openly, proportionately and in full compliance with public procurement legislation, ensuring that public funds are used responsibly and that suppliers are treated fairly and consistently.

### **2.2 Legal Context**

West Oxfordshire District Council will carry out all procurement activity in full compliance with the Procurement Act 2023 and its associated regulations, which came into force on 24 February 2025. The Act introduces clearer statutory objectives, enhanced transparency requirements, increased procedural flexibility and measures to improve access to public contracts, particularly for SMEs and local suppliers.

This Strategy also aligns with, and supports compliance with, the following key policies and frameworks:

- National Procurement Policy Statement
- West Oxfordshire District Council Contract Procedure Rules
- West Oxfordshire District Council Carbon Action Plan 2024–2030
- West Oxfordshire District Council Local Code of Corporate Governance
- Counter Fraud and Anti-Corruption Policy
- Sustainable Procurement Policy (subject to approval)

## **2.3 Commissioning and Procurement**

Commissioning is deciding what is needed, why it is needed and how best to deliver it whereas Procurement is the process of contracting with an organisation to deliver the need.

Commissioning and Procurement are intrinsically linked. The procurement function is designed to deliver and support commissioners' intentions in a legal and compliant manner, delivering best value for money. Whilst the procurement function sits centrally within Publica and Commissioning can sit in either Publica or the Council, it is key that we continue to develop and maintain strategic links to all commissioners to ensure procurement activities are undertaken in line with best practice.

To ensure that commissioning and procurement activity is planned, coordinated and aligned to strategic priorities, Publica will maintain a forward procurement plan covering all relevant procurements with a value exceeding £50,000. The forward plan will provide visibility of upcoming activity, support early engagement with stakeholders and the market, and enable appropriate resourcing and governance.

The forward procurement plan will be a standing agenda item at the Commissioning and Procurement Board, which meets monthly. The Board comprises of Senior Managers from both Publica and West Oxfordshire District Council, Procurement and relevant stakeholders and provides oversight, challenge and assurance to ensure that commissioning and procurement activity is aligned with Council priorities, compliant with statutory requirements, and delivers value for money.

## **2.4 The Role of the Commissioning and Procurement Board and Local Government Reorganisation**

Local Government Reorganisation (LGR) represents a period of significant structural, financial and operational change. It brings increased pressure to maintain service continuity, manage risk, and ensure that public money continues to be spent lawfully, transparently and effectively while new governance and delivery arrangements are developed.

In this context, the Commissioning and Procurement Board plays a critical assurance and coordination role, ensuring that commissioning and procurement activity remains strategic, compliant and aligned with both current organisational priorities and future successor authority arrangements.

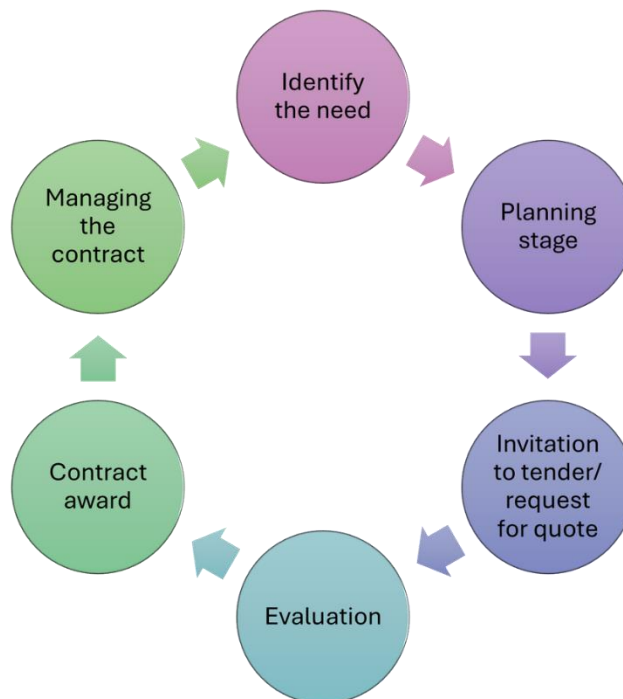
To support WODC with LGR the procurement team will

- Identify contracts that could be ended early, extended, or renegotiated so that no new procurement exercises start in the six months before (November 2027) or twelve months after (March 2029) vesting day (1st April 2028). This will provide capacity for contract novation, developing new governance and identifying opportunities for joint procurement.

- Support a consolidated contract pipeline showing which contracts can be extended, which must be reprocured, and which could shift to future joint procurement.
- Ensure any contract extensions are compliant, justified, and follow consistent principles, aiming to align expiry dates to support future coordinated procurement.
- Avoid short contract extensions unless unavoidable to maintain operational continuity.

### 3. Strategic Context – Aims and Objectives.

#### 3.1 The Procurement Lifecycle



#### 3.2 The Contract Procedure Rules

The West Oxfordshire District Council Contract Procedure Rules provide a basis for fair competition by providing clear and auditable procedures, which, if followed will give confidence that the Council has a procurement process that are fully accountable and compliant with legislation and the procurement lifecycle.

The Procurement team will ensure that the Contract Procedure Rules are updated in line with the most up to date legislation and best practice.

Furthermore, the Contract Procedure Rules ensure compliance other aspects of the Constitution including schemes of delegation and budgetary control mechanisms.

### **3.3 The Procurement Toolkit**

The Procurement team have developed a Procurement Toolkit to support Officers in their understanding of the Procurement lifecycle.

The procurement toolkit details the 'how to' - providing a step-by-step guide with the templates Officers will need including minimum legal and policy obligations involved in each stage of the process. There are different processes to follow depending on contract value (threshold).

The toolkit will be regularly reviewed and developed and will always have the most up to date guidance and templates.

The Procurement have delivered mandatory procurement training on both process and toolkits to officers who undertake Procurement activity as part of the job role. Further training will be provided as and when required.

### **3.4 Sustainable Procurement**

The Procurement team will aim to ensure that all activities will deliver economic, social and environmental value for residents, in alignment with the Council Plan and the Council's sustainability strategies, including the Carbon Action Plan, which seeks to minimise carbon emissions arising from procurement.

Sustainability will be embedded throughout the entire procurement lifecycle, from commissioning and procurement to contract management and is a vital mechanism to respond and contribute to these challenges. Early engagement with suppliers at the pre-procurement stage is essential to maximise sustainability outcomes.

The Council's Sustainability Procurement Policy sets out the guiding principles for achieving sustainable procurement across all activities.

### **3.5 Supporting Local SMEs**

Following changes introduced by new legislation, the Procurement Team may reserve below-threshold contracts for suppliers based within the local area.

For this purpose, the local area is defined as:

- a. The area in which the authority is situated (e.g. West Oxfordshire or Oxfordshire).
- b. The authority's area and any neighbouring local authority areas.

The Procurement Team will support Officers to make use of this provision where appropriate.

To further maximise this opportunity, the Contract Procedure Rules have been updated to require Officers to obtain at least one quotation from a local supplier for all requirements valued below £30,000, where suitable local suppliers are available.

### **3.6 Modern Slavery**

The Modern Slavery Act 2015 defines modern slavery as encompassing human trafficking and all forms of exploitation involving slavery and forced or compulsory labour.

The means: coercive behaviour

The purpose: exploitation.

In the context of UK Public Procurement, the type of modern slavery in the UK that requires attention is labour exploitation where victims are forced to work for offenders, often under paid or not all.

We are committed to ensuring the suppliers with whom we do business understand the risks of modern slavery in supply chain and take appropriate action to identify and address those risks, with particular focus on supporting victims of modern slavery.

Modern slavery risks will be addressed during the procurement process: -

- When identifying the need, approach to be taken and the market – commissioning/pre procurement stage
- When deciding the requirement – specification stage
- When selecting suppliers to invite to tender - selection stage
- When awarding contract -award stage. As part of the award stage, the Procurement team will consult with the Debarment Review Service (DRS) which was established following the passing of the Procurement Act 2023. The DRS' purpose is to protect public procurement from suppliers that pose risk, by carrying out an investigatory process to consider whether suppliers should be entered onto a centralised debarment list under the powers of the Procurement Act 2023.
- In the performance of the contract – contract conditions and contract management.

### **3.7 Social Value**

The Public Services (Social Value) Act 2012 places an obligation on the Council to consider economic, social and environmental wellbeing within any procurement for public service contracts above the relevant Public Contract Regulation threshold. The Council endeavours to not only meet the legal requirements, but exceed them, through consideration of Social Value within all procurement activity.

Delivery of Social Value is intrinsically linked to commissioning which assists with innovation, creating savings and social outcomes. There has never been a more influential time to bring Social Value to the front and centre focus of project delivery; commissioning, procurement and contract management all have an intrinsic part to play in ensuring support and development of the local communities and environment the Council serves.

The Procurement Team will

- Continue to build its confidence to explore the social, economic and environmental impacts that can deliver and support the Councils aspirations for carbon neutrality and a sustainable future.
- Work to upskill SMEs, VCSEs and local suppliers to turn their social, economic, and environmental ambitions into practical actions.
- Contribute to the Councils Modern Slavery statement and ensure procurement and contracting activity monitors this area.

### **3.8 Fraud and Corruption**

Publica are committed to supporting its partners countering fraud and corruption and officers who procure goods, services and works must be fully aware of the rules and support this aim.

Successful counter fraud and anti-corruption arrangements should be a consequence of effective business systems, governance practices and controls, specifically the:

- Contract Procedure Rules
- Financial Rules
- Whistleblowing Policy
- Employee's Code of Conduct or Business Conduct Policy, and
- Counter Fraud and Anti-Corruption Policy and Fraud Response Plan.

To support and create further awareness the Procurement team will ensure that the Counter Fraud and Enforcement team are involved in all Officer Procurement Training.

Please see Appendix 1.

### **3.9 Data Protection**

The Data Protection Legislation consists of the UK General Data Protection Regulations (UK GDPR), the Data Protection Act 2018 (DPA 2018) (and regulations made thereunder) and the Privacy and Electronic Communications Regulations 2003 (SI 2003/2426).

Article 28 of the Data Protection Legislation adds a requirement upon controllers (the organisation who determines the purposes and manner in which personal data is processed) to ensure that certain provisions are included in contracts where there is personal data being passed from one party as the controller, to another acting as a processor, of that personal data.

The aim of the Article is to ensure that a controller of data who passes personal data to the processor controls how that processor can use that data. To achieve this, the Article stipulates that any processing of personal data by a processor shall be governed by a contract containing certain Information to ensure compliance, security and accountability.

Procurement will therefore ensure that Data Protection Legislation is addressed where required at each stage of a regulated procurement and recorded appropriately on the Contract register by:

- Ensuring that the processor provides sufficient guarantees to implement technical and organisational measures to protect personal data and comply with UK GDPR
- Mandatory Contract Terms: Processing must be governed by a Data Processing Agreement (DPA) or other legal act specifying: to include:
  - Subject matter and duration of processing
  - Nature and purpose of processing
  - Types of personal data and categories of data subjects
  - Obligations and rights of the controller
  - Processor duties including security measures, confidentiality, and compliance with instructions
  - Sub-processor arrangements
  - Data deletion or return procedures at the end of the contract
  - Audit and inspection rights for the controller

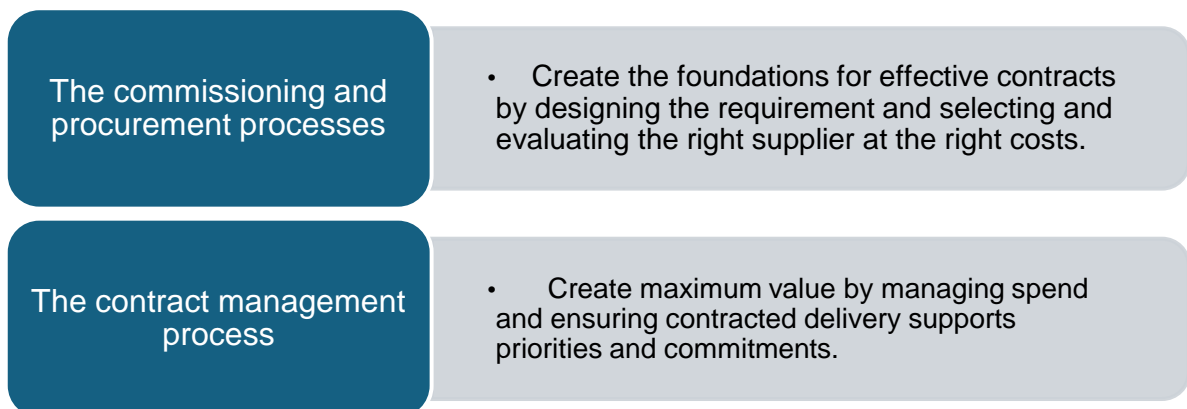
## **4. Contract Management**

Contract Management is the process of systematically and efficiently managing contract development, contract entry, contract delivery and contract exit.

Good contract management:

- Ensures the contract is delivered for the purpose it was intended, at agreed levels, timescales and costs.
- Effectively measures contract compliance and performance in a continuous way.
- Supports an effective working relationship between all parties to the contract.
- Reduces the risk of disputes and litigation, which can be costly and cause reputational damage.
- Provides clear mechanisms for managing change.
- Ensures accurate and relevant reporting and monitoring.
- Fulfils all parties' contractual obligations.

Contract management sits within a wider commercial lifecycle that includes commissioning and procurement. All three are really important functions to ensure the council is compliant with legislation and achieving value for money in spending decisions.



Our aim is to deliver efficiencies, savings and service quality improvements through an assertive, proactive, consistent approach to supplier relationship and contract management.

This will include the management of risks such as contract management capability, supplier performance, changes in requirements, and stakeholder relationships. Where appropriate contract management plans will be utilised to ensure that value is created throughout life of the contract.

Contract management responsibilities include:

- Maintaining comprehensive contracts register
- Ensuring contracts align with the objectives of the Council and offer value
  - Ensuring contractual obligations are met by both parties
    - Managing contracts throughout their lifecycle, including variations and extensions.

Contracts will be managed by individual services within the Council or Publica who need the contract to support their service delivery. For the avoidance of doubt, the Procurement team are not responsible for managing contracts.

The Procurement Team will:

- Provide targeted, short-term support to Contract Managers across the Council who may need some advice, guidance, or short-term practical support to manage a contract.
- Contribute towards creating and embedding best practice whilst maintaining a culture of high standards in the performance of contract management functions across the Council.
- Segment contracts in relation to spend and criticality to the Council and work with service-based contract managers to assess and baseline contract management activities against best practice for strategic contracts.
- Work with internal audit to identify shortfalls and create improvement plans to close contract management gaps.
- To support the Council, the Procurement team will design targeted training and support for contract managers, ensuring they have the knowledge, skills and tools to manage their contracts.
- Complete the Contract Management Foundation training on the Government Commercial College and, where appropriate, the Contract Management Practitioners training to upskill staff.
- Continue to work with the Government Commercial Function, Contract Management Pioneer Programme to review our practices and embed an improved contract management culture.

## **5. What is next**

Since adoption of the previous Procurement and Contract Management Strategy, the Procurement team has delivered significant change to align with the most substantial reform to public sector procurement since 2015. This has been achieved while continuing to maintain effective delivery of business-as-usual procurement and contract management services across the organisation.

Over the lifetime of this strategy, the primary focus will shift towards supporting Local Government Reorganisation (LGR). This will ensure that West Oxfordshire District Council is well positioned to transition into the new Unitary Authority model and to fully leverage the opportunities presented by reorganisation. Throughout this period, the Procurement team will continue to ensure that statutory, operational, and commercial business as usual requirements are maintained.

# Appendix I - Fraud Awareness



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The Council has a duty to prevent fraud and corruption, whether it is attempted by someone outside or within the Council such as another organisation, a resident, an employee or Member. Fraud can occur at all stages of the procurement cycle and can be internal, external or both where there is collusion. Officers must be aware of the risks and the fact that they apply not just to large, high value contracts but also to low level spend. Officers engaged in all stages of the process need to be alert to the possibility of abuse when raising or approving requisitions, when writing or evaluating specifications, as well as further on in the process once the contract has been awarded.

### **ECONOMIC CRIME AND CORPORATE TRANSPARENCY ACT 2023 (ECCTA)**

ECCTA created a failure to prevent fraud offence. Guidance makes clear that under the offence, an organisation may be “criminally liable where an employee, agent, subsidiary, or other ‘associated person’, commits a fraud intending to benefit the organisation and the organisation did not have reasonable fraud prevention procedures in place.”

If liable, penalties could include unlimited fines and other severe commercial and operational consequences. The Council falls within the definition of an organisation impacted by the new offence. The Council will be able to avoid criminal liability for failing to prevent fraud where it can prove that it had “reasonable” fraud prevention procedures in place at the time of the alleged fraud (or that it was reasonable not to have such procedures in place). It is therefore everyone’s responsibility to ensure probity and transparency in any of the Council’s areas of work, but procurement is a high-risk area where fraud and an offence under ECCTA is more probable.

To manage the risk of bribery and corruption, procedures for declaring gifts and hospitality and conflicts of interest are also mandatory and the organisation encourages a culture of transparency that is supportive of whistleblowing.

Fraud awareness and training for all staff involved in the procurement process is mandatory and includes training on the fraud indicators officers must be alert to.

The table below gives examples of common indicators of fraud in the procurement cycle and how to mitigate the risks. For more information on procurement fraud risks and how to prevent and mitigate please see the Procurement fraud risk register and Procurement fraud toolkit.

Procurement cycle	Red Flags	Controls
<b>Pre Tender - Collusion among contractors</b>	Evidence or suggestion of a close relationship between bidding organisations	Joined up working across the organisation/different teams.
	Limited competition in the sector – Increases the chances that suppliers can manipulate contract value	Training on procurement processes and potential fraud.
	Same contractors bid for each job – may indicate price fixing	Centralised contracts register that is regularly reviewed.
	Certain contractors don't bid (unexpected) – may be a pre-agreement between contractors	Strong controls around sub-contracting
	Suspiciously high bids or bids from fake companies to give the appearance of competition	Due diligence to establish legitimacy of suppliers/bids
	Pattern to winning/losing contracts	
Collusion amongst bidders distorts true competition and reduces public confidence in the procurement process achieving value for money.		
<b>Pre Tender - Collusion between procurer and bidder</b>	Officer overseeing the award of contract has a relationship with successful contractor – conflict of interest	Maintaining and monitoring Register of Interests and Gifts & Hospitality register.
	Contractor provides gifts or rewards – Bribery	Improving the culture of compliance with financial regulations/OJEU requirements/procurement processes
	Contract specification changes after award of contract – could indicate collusion and malpractice against losing bidders	Training on procurement fraud and the Bribery Act

	<p>One officer specifically deals with a particular supplier - collusion</p> <p>Supplier wins multiple bids – insider information</p> <p>Contract awarded to unknown/surprising contractor – bid manipulation</p> <p>Favouring getting procurement done quickly over following due process – bid manipulation/corruption</p>	<p>Segregation of duties/rotation of employees</p> <p>Due diligence to establish legitimacy of suppliers/bids</p>
<b>Procurement - pre-tender</b>	<p>Lack of needs assessment and lack of evidence around decision making process – could be collusion</p> <p>Altering timing or need – to suit one specific supplier</p> <p>Multiple procurement for same goods/services – splitting contracts to circumvent approval and tender thresholds</p> <p>Narrow or vague tenders – to suit one supplier</p> <p>Abuse of waivers – to circumvent approval process</p> <p>Lack of due diligence on suppliers – financial risk</p>	<p>Training on procurement processes</p> <p>Regular audit and reviews of paperwork</p> <p>Spend analysis to identify large/above approval threshold spends when aggregated.</p> <p>Tender evaluation framework agreed at planning stage</p>
<b>Tendering/Bid evaluation - Bid manipulation</b>	<p>Limiting the reach/scope or duration of adverts for tenders – procurer may have a bidder in mind and wants to restrict the number of bidders; Altering bids/timetables; Accepting late bids; Limited bids; Fictitious companies; Sharing</p>	<p>Training on fraud awareness and the procurement process</p> <p>Audit on bid security and sensitive tender documentation</p> <p>Audit on patterns of contract award</p>

	<p>info; Manipulating scoring; Falsified documents; High/ similar prices; Same suppliers and patterns; Prices close to estimates</p>	
	Altering bids or timetables- to favour one bidder	
	Limited number of bids/contractors do not bid – collusion between bidders	
	Providing different information to different bidders – unfair advantage to one	
	Manipulation of bid scoring and evaluation – procurement fraud	
	Contractor providing false documentation – fraud	
	Collusion between bidders to 'share' the awards on a rota.	
<b>Post-Tender - Contract Management</b>	No assessments of work prior to invoice payment – inadequate valuation & inspection of work/deliverables	Effective contract management & monitoring  Internal audit review of contracts including checking goods/services received.
	Contract variations, sub- standard delivery	Proactive monitoring of spend.
	Duplicate invoicing or vague and non-specific invoicing – fraudulent charging	Appropriate authorisation limits  Segregation of duties
	Contractor performing below expectations - underperformance not acted on	Effective budget monitoring  Contract variations approved at an appropriate level
Inferior product substitution/services not delivered to standard results in poor value money and risk to the Council.		

<b>Contract Management - Payments</b>	Same person raises and approves payments – conflict of interest	Promoting an open culture and an effective Whistleblowing policy
	Increasing amounts paid in expenses/large payments to an individual – abuse of system	Segregation of duties and duplicate payment controls
	Transactions at odd times/odd frequencies/unusual amounts/unexpected recipients. Discrepancies in accounting records/unexplained items	Maintaining and monitoring Register of Interests and Gifts & Hospitality register.  Internal review of controls and processes  A message of zero tolerance of fraud
	Internal controls that are not enforced/or are bypassed	
	VAT paid on invoices without VAT number	
	Missing documents/records not complete	
	Employees unwilling to share duties/take leave or who work long hours on their own	
	Large number of small payments to one supplier	
Some areas of public sector business are at risk of penetration by Serious and Organised Crime Groups – risk of money laundering and fraud.		
<b>Contract management - Processes</b>	One employee controls process – no segregation of duties	Effective audits  Effective Reconciliation processes
	Little or no supervision	Segregation of duties
	Deliberate manipulation of accounting records/missing files	Due diligence by the procurement team

	Lack of verification or validation checks within the process	
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