

**NORTH YORKSHIRE COUNCIL**  
**Children & Young Peoples Services**  
**Executive Members**

**18 MARCH 2025**

**NORTH YORKSHIRE COUNCIL LOCAL MANAGEMENT OF SCHOOLS  
(LMS) PROCUREMENT AND CONTRACT PROCEDURE RULES**

**Report of the Procurement & Contract Management service**

**1.0 PURPOSE OF REPORT**

- 1.1 To present proposed changes to North Yorkshire Council's Local Management of Schools (LMS) Procurement and Contract Procedure Rules to the CYPS Executive Members for their consideration and approval.

**2.0 BACKGROUND**

- 2.1 The Local Management of Schools (LMS) Procurement and Contract Procedure Rules are made by North Yorkshire council to form part of the overall control framework within which Schools operate. Proposed changes to the LMS Procurement and Contract Procedure Rules are to be considered by the Executive Members for Children & Young People.

**2.0 PROPOSED AMENDMENTS**

- 2.1 The Procurement Act 2023 (PA2023) comes into force on 24<sup>th</sup> February 2025 and therefore the LMS Procurement and Contract Procedure Rules will need to align with the new legislative requirements.
- 2.2 In order to comply with the changes in legislation the following amendments have been made:
- Terminology and definitions have been updated throughout to match the changes in the PA2023.
  - References to specific Regulations under the current legislation have been updated.
  - The types of contracts that are exempt from the Procurement & Contract Procedure Rules have been updated in line with the PA2023.
  - The procedures for above threshold processes have been updated to reflect the revised procedures in the PA2023.
  - The standstill process has been updated to align to the revised requirements under the PA2023.
  - New transparency requirements added to align with the PA2023.

2.3 A broader review of the LMS Procurement and Contract Procedure Rules has also been undertaken which has also resulted in the following additional proposed amendments:

- Consolidation of related information for clarity. For example, the “Tender Process” section includes tender options; receipt & opening; evaluation & acceptance; and exemption to tender rather than having these as separate sections within the Rules.
- The Award and Transparency Tables have been removed from the Procurement & Contract Procedure Rules as this duplicated information already included in the Rules.
- The exemptions to the bid process around light touch contracts have been updated as follows:
  - Sub-section (i) has been made generic and not light touch specific so that Schools can now exempt the bid process if the supplier is performing, offering value for money and where the foreseeable distribution to service users cannot justify the bid process.
  - Sub-section (ii) remains as the only light touch exemption for contracts where there is personal choice by end users and it would be inappropriate for bids to be invited.
  - Sub-section (iii) which is in regards to urgency of need under light touch contracts will be removed as there is already a generic exemption for urgent requirements that cannot be undertaken through the bid process.
- The “NOT USED” sections have been removed.
- Clear delegation added throughout.
- Inclusion of a single quotation process for contracts below £5,000 (excluding VAT). This would then align to NYC’s Procurement and Contract Procedure Rules which have this provision.
- Requirement added to the three quotes process for at least one of the quotes to be from a Small and Medium Enterprise (SME), Voluntary, Community or Social Enterprise (VCSE) or local supplier based within North Yorkshire, unless this is not possible due to the nature of the market.
- The subsidy requirements have been added to the grants process for clarity on when information needs to be published on the Subsidy Database in line with Subsidy Law.

2.4 **Appendix 1** sets out proposed amendments to the LMS Procurement and Contract Procedure Rules for consideration. **Appendix 2** is a clean version for reference.

### 3.0 **FINANCIAL IMPLICATIONS**

3.1 There are no significant financial implications arising from this report.

### 4.0 **LEGAL IMPLICATIONS**

4.1 The legal implications are set out in the body of this report.

**5.0**      **Recommendation(s)**

5.1      CYPs Executive Members are asked to consider and approve the revised LMS Procurement and Contract Procedure Rules.

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Appendices:

- Appendix 1 - LMS Procurement and Contract Procedure Rules (Feb 2025) TRACK CHANGES
- Appendix 2 - LMS Procurement and Contract Procedure Rules (Feb 2025) CLEAN