

**ARMAGH CITY, BANBRIDGE AND CRAIGAVON BOROUGH COUNCIL**

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**AMENDMENT RECORD SHEET**

Remove and destroy old pages. Insert new pages as indicated.

<b>Revision Number</b>	<b>Page Number</b>	<b>Date Revised</b>	<b>Description of Revision</b>
N/A			New Policy



**Armagh City  
Banbridge  
& Craigavon**  
Borough Council

**DRAFT CONTRACT MANAGEMENT  
POLICY AND PROCEDURE 2023**

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## Introduction

Contract Management is the process that enables both parties to a contract to meet their obligations in order to deliver the objectives required from the contract. It enables the Council to ensure that it is receiving the goods / services that it has procured, on time, at the agreed price and at the requisite quality. It also involves building a good working relationship between customer and provider. It continues throughout the life of a contract and involves managing proactively to anticipate future needs as well as reacting to situations that arise.

## Purpose

The purpose of this Contract Management Policy is to provide a clear and standardised approach to managing and administering contracts for goods, services and works purchased from suppliers by driving continuous improvement and performance in the delivery of contracted goods and services. This includes, but is not limited to, delivery of savings identified through procurement or service innovation, deriving social value and sustainability, contract efficiencies and additional value from the supplier relationship whilst ensuring that the reputation of the Council is maintained. Contract Management follows on the commissioning (strategic) and procurement (delivery) phases of the Commissioning and Procurement cycle.

## Benefits of Policy

The benefits of the contract management policy include:

- Delivering end user outcomes in line with the Council Objectives by maximising outcomes through supplier performance management; maintaining quality; improving productivity; and identifying opportunities for improvement and innovation;
- Demonstrating Value for Money by realising savings identified during the procurement process, or during the contract lifecycle and driving additional value through ongoing performance improvements and innovation in the supply chain;
- Providing effective risk management by identify and reduce contractual risks through engagement, challenge and monitoring.
- Informing future commissioning to help shape decisions around service design & delivery and the best route to source future services.

These benefits will be monitored and reported through the effective maintenance of records.

## Scope

This Policy commences in the Post-Contract-Award stage of the Procurement Life-Cycle. The Pre-Contract Award stage is covered by Council's Procurement Procedure Rules and Procurement Handbook  
The Council's Contract Procedure Rules cover the Contract forming stage.

This Contract Management Policy applies to all Council staff and contractors that are involved in the management of supplier Contracts on behalf of Council.

This Policy applies to all Contracts and any other documents that create legally binding obligations on the Council for the procurement of goods, services and works which may include procurements which are simple in nature and low risk. Further, it applies to a Contract until all contractual obligations have been completed.

The following are excluded from this Policy:

- Employment contracts,
- Non-binding Memoranda of Understanding,
- Partnering and collaborative contracts within the Council or other public sector organisations.
- Supply of works, goods and services by the Council or one of its public sector partners. *However, the Council's legal advisers must be consulted where the Council is contemplating this route,*
- Funding & Sponsorship agreements,
- Works Contracts (managed by Capital Projects team)
- Leases and Licences

## Policy Detail

### Contract Management

For the purposes of this document Contract Management is defined as “the management process that ensures an agreement for the delivery of outcomes and benefits envisaged, with any market advantage secured during the tendering phase of a procurement process, realised and improved through proactive performance management during the term of the agreement and throughout the contract close out phase.”

The management of a Contract may extend beyond the current term of the contract when there are ongoing obligations associated with maintenance agreements, warranties and guarantees.

### Objectives of contract management

Through the procurement process, the Council seeks to enter into a contract which represents the best Value for Money. Throughout the procurement process, the Council will agree on:

- The **volume** of goods / services to be provided
- The **price** at which the goods / services will be provided
- The agreed level of service or performance standard (i.e. **quality**)
- The **timing** of delivery of the goods / services

The objectives of contract management are to ensure that the contract terms and conditions are met, such that the Value for Money agreed during the procurement phase is achieved / realised in practice.

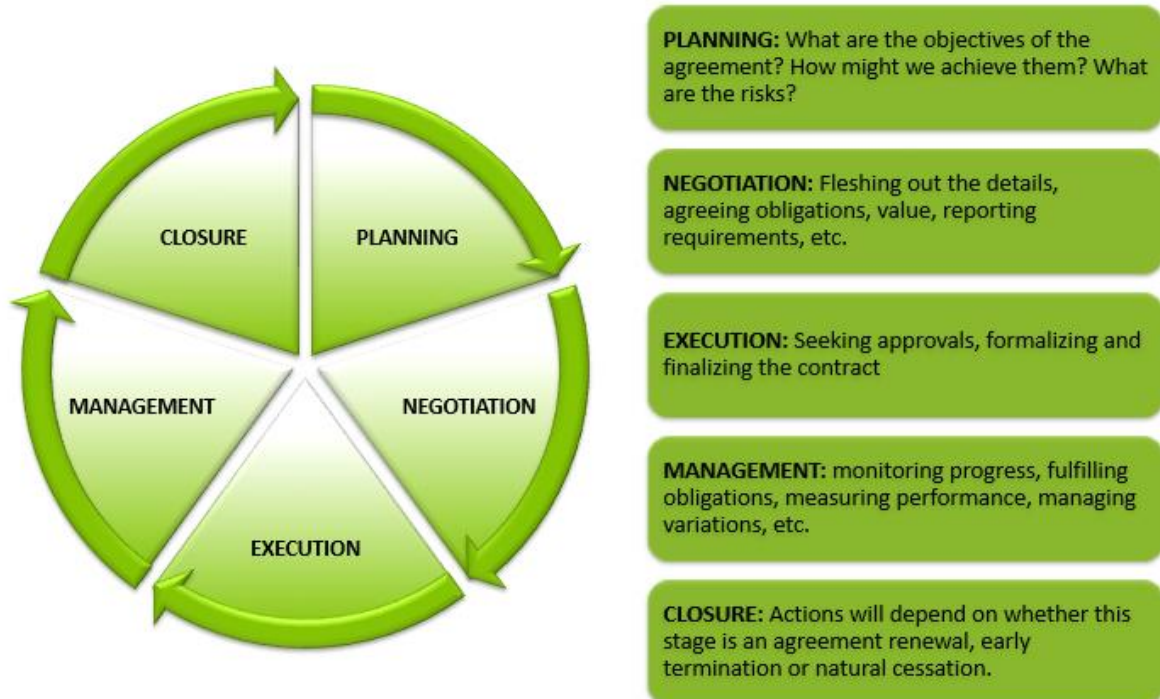
Where poor/unsatisfactory performance is identified, prompt action can then be taken to:

- Facilitate improvement; or
- In exceptional cases, to permit early recourse to the Council's rights under the contract default provisions.

## 1.0 Phases of Contract Management

Contract Management describes the activities undertaken to monitor the promises made in an agreement, ensuring that all parties meet their contractual obligations. It is the processes and procedures that we implement to manage the tender, execution, performance, modification and closure of contracts. Contract Management activities will vary in rigour, resources and effort, dependent on the risks and value associated with the agreement.

The phases of contract management are:



### Mandatory Requirements applying to contracts

The following **minimum requirements** apply to all Council contracts **valued at £20,000 or more**:

- a) Staff must adhere to Council's procurement policies, procedures and processes, specifically the Contract and Procurement Procedure Rules.
- b) All Contracts must be formed in accordance with the Councils (Legal Department) Contract Procedure Rules and using the relevant Contract Template.
- c) Specific advice should be sought from Councils Procurement and Legal teams during the planning and tender stages of procurement to determine the appropriate terms and conditions that should apply and develop the procurement and contract management strategy to be adopted.

- d) Specific contract details must be registered into Council's Contracts Register and receive a unique Contract number – issued by the procurement department
- I. Unique Contract Number must be entered on all requisitions when creating an order on the finance system.
- e) A Contract Manager must be formally appointed.
- i. The Contract Manager may manage a contract valued at more than their level of financial delegation. However, the Contract Manager must not approve or incur expenditure on goods, services or a project valued at more than their level of financial delegation. Note, this also applies to any changes (variations) to the original price of procurement.
- f) Agree with Procurement the 'classification' of the contract.
- g) Council developed **Contract Management Templates** must be used where appropriate.
- h) Ensure all contract variations are permissible, have appropriate approvals and are administered in accordance with Councils Contract Procedure rules.
- i) Maintain validity of all relevant **approvals and licences** during contract lifetime.
- j) **Contract performance of all contracts valued at £20,000 or more** must be regularly monitored, evaluated and reported.
- i. This is required at least annually over the term of the contract, and upon conclusion of a contract.
  - ii. Complete and document performance evaluations.
  - iii. Monitor spend throughout the life of the contract life to ensure value of the contract is not exceeded.
  - iv. Escalate potential contract overspend and non-performance

## Role and Responsibilities

### HOD/Directors/Executive Team

- Overall implementation of the Policy oversight/challenge etc. towards members

### Contract Owner/Department Manager

- Accountable for the budget / cost centre that funds the contract and monitoring spend on the contract
- Employee with delegation to approve payments and variations
- Appoint contract management roles
- Senior employee whose area of responsibility is impacted by the contract outcomes
- First point of escalation for contractual issues
- Provide assurance on the performance of the contract. *Via Six monthly assurance statement*
- Ensure contract are recorded on Departmental Contracts Register.

## Contract Manager

- Complete and maintain contract details via recording on Departmental Contracts Register
- Manage contract through post award cycle
- Point of contact for supplier on contract matters
- Leads monitoring contract performance and compliance through regular supplier meetings
- Has relevant commercial skills
- Liaise with senior management and other stakeholders to help shape future activity
- Perform administrative activities supporting the contract
- Supports regular contract review meetings

It is vital that the contract manager understands what is in the contract. The Contract Assessment template (as provided in the accompanying handbook) enables contract managers to understand the specifics of the contract and the contract management arrangements in place. It also assists in the identification of improvements to those contract management arrangements.

## Procurement

- Development of the Policy
- Provide advice and support during contract close out, set up transition
- Provide advice and support on contract, communication and relationship issues, challenges and other risks associated with the contract
- Oversight of the Procurement pipeline, to supervise timescales available for contract review and implementation
- Facilitate review of contract performance
- Analyse and classify contracts as per classification matrix
- Liaise with Lead Officers to ensure appropriate performance management and contract management arrangements are built into tenders and contracts

## Related Policies

- Council Constitution 2021
- Financial Regulations
- Procurement Handbook
- Conflict of Interest Policy (Draft)
- Procurement Policy
- Procurement Policy Note 01/21 (Thresholds and Inclusion of VAT)
- Public Contracts Regulations



## Appendix 1 – Equality Screening

### Policy Scoping

Policy Title:

**Brief Description of Policy (please attach copy if available). Please state if it is a new, existing or amended policy.**

This is a new Policy. Contract Management is the process that enables both parties to a contract to meet their obligations in order to deliver the objectives required from the contract. It enables the Council to ensure that it is receiving the goods / services that it has procured, on time, at the agreed price and at the requisite quality.

**Intended aims/outcomes. What is the policy trying to achieve?**

The Contract Management Policy is to provide a clear and standardised approach to managing and administering contracts for goods, services and works purchased from suppliers by driving continuous improvement and performance in the delivery of contracted goods and services. Contract Management follows on the commissioning (strategic) and procurement (delivery) phases of the Commissioning and Procurement cycle.

### Policy Framework

Has the policy been developed in response to statutory requirements, legal advice or on the basis of any other professional advice? Does this affect the discretion available to Council to amend the policy?

The Contract Management Policy makes reference to the Public Contract Regulations 2015 which applies to all tendered spend over a specified threshold value. The rest of the policy is guided by best practice contract management across the public sector and in particular Northern Ireland Public Procurement policy and Procurement Guidance Note - PGN 01/02 Contract Management Principles and Procedures , although this is not applicable to local authorities.

**Are there any Section 75 categories which might be expected to benefit from the policy? If so, please outline.**

In compliance with the guidance issued by the Equality Commission for Northern Ireland and the Central Procurement Directorate, the relevance of the statutory equality duties will be considered by the commissioning department before procurement begins and then, if relevant to the procurement exercise will be included in the planning, scoping, deciding the strategic objectives, the specification, when writing the project documentation and during the performance of the contract. Questions relating to the statutory equality duties are included in the Tender Request Form.

**Who initiated or wrote the policy (if Council decision, please state). Who is responsible for implementing the policy?**

<b>Who initiated or wrote the policy?</b>	Procurement Manager
<b>Who is responsible for implementation?</b>	The Council, Procurement Manager and Heads of departments

**Are there any factors which might contribute to or detract from the implementation of the policy (e.g. financial, legislative, other)?**

No

### **Main stakeholders in relation to the policy**

Please list main stakeholders affected by the policy (e.g. staff, service users, other statutory bodies, community or voluntary sector, private sector)

Members and Staff, rate payers

**Are there any other policies with a bearing on this policy? If so, please identify them and how they impact on this policy.**

Council Constitution 2021  
 Financial Regulations  
 Procurement Policy  
 PGN 01/02 Contract Management Principles and Procedures  
 Conflict of Interest Policy (Draft)  
 Procurement Policy Note 01/21 (Thresholds and Inclusion of VAT)  
 Public Contracts Regulations 2015

### **Available Evidence**

Council should ensure that its screening decisions are informed by relevant data. What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories. For up to date [S75 Borough Statistics](#)

<b>Section 75 category</b>	<b>Evidence</b>
Religious belief	The Policy takes account of current UK and EU legislation and NI Public Procurement Policy and incorporates the principles of equal treatment, non-discrimination, proportionality and transparency. In compliance with the guidance issued by the Equality Commission for Northern Ireland and the Central Procurement Directorate, the relevance of the statutory equality duties will be considered by the commissioning department before procurement begins and then, if relevant to the procurement exercise will be included in the planning, scoping, deciding the strategic objectives, the specification, when writing the project documentation and during the performance of the contract. Questions relating to the statutory equality duties are included in the Tender Request Form.

Political opinion	
Racial group	
Age	
Marital status	
Sexual orientation	
Men and women generally	
Disability	
Dependants	

**Needs, experiences and priorities**

Taking into account the information gathered above, what are the different needs, experiences and priorities of each of the following categories in relation to this particular policy/decision?

<b>Section 75 category</b>	<b>Needs, experiences and priorities</b>
Religious belief	In compliance with the guidance issued by the Equality Commission for Northern Ireland and the Central Procurement Directorate, the relevance of the statutory equality duties will be considered by the commissioning department before procurement begins and then, if relevant to the procurement exercise will be included in the planning, scoping, deciding the strategic objectives, the specification, when writing the project documentation and during the performance of the contract. Questions relating to the statutory equality duties are included in the Tender Request Form.
Political opinion	
Racial group	
Age	
Marital status	
Sexual orientation	
Men and women generally	
Disability	
Dependants	

**Screening Questions**

**1. What is the likely impact on equality of opportunity for those affected by this policy for each of the Section 75 categories?**

Category	Policy Impact	Level of impact (Major/minor/none)
Religious belief	None	None
Political opinion	None	None
Racial group	None	None
Age	None	None
Marital status	None	None
Sexual orientation	None	None
Men and women generally	None	None
Disability	None	None
Dependants	None	None

**2. Are there opportunities to better promote equality of opportunity for people within the Section 75 categories?**

Category	If yes, provide details	If no, provide reasons
Religious belief		N/A
Political opinion		N/A
Racial group		N/A
Age		N/A
Marital status		N/A
Sexual orientation		N/A
Men and women generally		N/A
Disability		N/A
Dependents		N/A

**3. To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion, or racial group?**

Category	Details of Policy Impact	Level of impact (major/minor/none)
Religious belief		None
Political opinion		None
Racial group		None

**4. Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?**

Category	If yes, provide details	If no, provide reasons
Religious belief		No – contract management decisions are made solely on the basis of contract management monitoring and performance
Political opinion		
Racial group		

**Multiple Identity**

Generally speaking, people fall into more than one Section 75 category (for example: disabled minority ethnic people; disabled women; young Protestant men; young lesbian, gay and bisexual people). Provide details of data on the impact of the policy on people with multiple identities. Specify relevant s75 categories concerned.

N/A – Contract management decisions are made solely on the basis of contract management monitoring and performance.
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**Disability Discrimination (NI) Order 2006**

Is there an opportunity for the policy to promote positive attitudes towards disabled people?

N/A – Contract management decisions are made solely on the basis of contract management monitoring and performance.
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Is there an opportunity for the policy to encourage participation by disabled people in public life?

N/A – Contract management decisions are made solely on the basis of contract management monitoring and performance.

### Screening Decision

#### **A: NO IMPACT IDENTIFIED ON ANY CATEGORY – EQIA UNNECESSARY**

Please identify reasons for this below

Contract management decisions are made solely on the basis of contract management monitoring and performance. Procurement Regulations are based on the EU Treaty Principles of: 1. non-discrimination 2. free movement of goods 3. freedom to provide services 4. freedom of establishment.

In compliance with the guidance issued by the Equality Commission for Northern Ireland and the Central Procurement Directorate, the relevance of the statutory equality duties will be considered by the commissioning department before procurement begins and then, if relevant to the procurement exercise will be included in the planning, scoping, deciding the strategic objectives, the specification, when writing the project documentation and during the performance of the contract. Questions relating to the statutory equality duties are included in the Tender Request Form.

#### **B: MINOR IMPACT IDENTIFIED – EQIA NOT CONSIDERED NECESSARY AS IMPACT CAN BE ELIMINATED OR MITIGATED**

Where the impact is likely to be minor, you should consider if the policy can be mitigated or an alternative policy introduced. If so, an EQIA may not be considered necessary. You must indicate the reasons for this decision below, together with details of measures to mitigate the adverse impact or the alternative policy proposed.

N/A

#### **C: MAJOR IMPACT IDENTIFIED – EQIA REQUIRED**

If the decision is to conduct an equality impact assessment, please provide details of the reasons.

N/A

### **Timetabling and Prioritising**

If the policy has been screened in for equality impact assessment, please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3 with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

**Policy Criterion**

**Rating (1-3)**

Effect on equality of opportunity and good relations  
Social need  
Effect on people’s daily lives

The total rating score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the council in timetabling its EQIAs.

Is the policy affected by timetables established by other relevant public authorities? If yes, please give details.

**Monitoring**

Effective monitoring will help the authority identify any future adverse impact arising from the policy. It is recommended that where a policy has been amended or an alternative policy introduced to mitigate adverse impact, monitoring be undertaken on a broader basis to identify any impact (positive or adverse).

Further information on monitoring is available in the Equality Commission’s guidance on monitoring ([www.equalityni.org](http://www.equalityni.org)).

Identify how the impact of the policy is to be monitored

**Approval and Authorisation**

A copy of the screening form for each policy screened should be signed off by the senior manager responsible for that policy. The screening recommendation should be reported to the relevant Committee/Council when the policy is submitted for approval.

Screened by	Position/Job title	Date
Zoe Vennard	Procurement Manager	01/03/2023
Approved by	Position/Job Title	Date
Dominic Donnelly	Head of Finance, ICT & Procurement	02/06/2023

**Please forward a copy of the completed policy and form to:**

[mary.hanna@armaghbanbridgecraigavon.gov.uk](mailto:mary.hanna@armaghbanbridgecraigavon.gov.uk)

**who will ensure these are made available on the Council’s website.**

**The above officer is also responsible for issuing reports on a quarterly basis on those policies “screened out for EQIA”. This allows stakeholders who disagree with this recommendation to submit their views. In the event of any stakeholder disagreeing with the decision to screen out any policy, the screening exercise will be reviewed.**

## Appendix 2 - Rural Needs Impact Assessment (RNIA)

### SECTION 1

#### Defining the activity subject to Section 1(1) of the Rural Needs Act (NI) 2016

1A. Name of Public Authority: Armagh City, Banbridge & Craigavon Borough Council

1B. Please provide a short title which describes the activity being undertaken by the Public Authority that is subject to Section 1(1) of the Rural Needs Act (NI) 2016.

Contract Management Policy

1C Please indicate which category the activity specified in Section 1B above relates to:

Developing a Policy

Adopting a

Implementing a

Revising a

Designing a Public Service

Delivering a Public Service

1D. Please provide the official title (if any) of the Policy, Strategy, Plan or Public Service document or initiative relating to the category indicated in Section 1C above

Contract Management Policy

1E. Please provide details of the aims and/or objectives of the Policy, Strategy, Plan or Public Service

To provide background on the need for contract management, ensure officers are aware of legislative requirements, identify the different levels of contract management, define roles and responsibilities of contract management section.

1F. What definition of 'rural' is the Public Authority using in respect of the Policy, Strategy, Plan or Public Service?



- Population Settlements of less than 5,000 (Default definition)
- Other Definition (Provide details and the rationale below)
- A definition of 'rural' is not applicable

**Details of alternative definition of 'rural' used**

Rationale for using alternative definition of 'rural'.

Reasons why a definition of 'rural' is not applicable.

The main objective of this contract management policy is to obtain best value for money spent on goods and services having due regard to the needs of the organisation/service i.e., to realise the advantages obtained in the procurement phase of the right quality of goods and services in the right quantity, at the right time; delivered to the right place from the right supplier and at the right price.

**SECTION 2**

**Understanding the impact of the Policy, Strategy, Plan or Public Service**

**2A. Is the Policy, Strategy, Plan or Public Service likely to impact on people in rural areas?**

Yes  No  If response is No go to 2E

**2B. Please explain how the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas.**

**2C. If the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas *differently* from people in urban areas, please explain how it is likely to impact on people in rural areas differently.**

**2D. Please indicate which of the following rural policy areas the Policy, Strategy, Plan or Public Service is likely to primarily impact on.**

- Rural Businesses
- Rural Tourism
- Rural Housing
- Jobs or Employment in Rural Areas
- Education or Training in Rural Areas
- Broadband or Mobile Communications in Rural Areas
- Transport Services or Infrastructure in Rural Areas
- Health or Social Care Services in Rural Areas
- Poverty in Rural Areas
- Deprivation in Rural Areas
- Rural Crime or Community Safety
- Rural Development
- Agri-Environment
- Other (Please state)

**If the response to Section 2A was YES GO TO Section 3A.**

**2E. Please explain why the Policy, Strategy, Plan or Public Service is NOT likely to impact on people in rural areas.**

This policy is for internal use only. However, the relevance of the statutory rural duty will be considered by the commissioning department before procurement and contract management begins and then, if relevant, to the procurement exercise will be included in the planning, scoping, deciding the strategic objectives and the specification in writing project documentation and during the performance of the contract.

**SECTION 3**

**Identifying the Social and Economic Needs of Persons in Rural Areas**

**3A. Has the Public Authority taken steps to identify the social and economic needs of people in rural areas that are relevant to the Policy, Strategy, Plan or Public Service?**

Yes  No  If response is No go to 3E

**3B. Please indicate which of the following methods or information sources were used by the Public Authority to identify the social and economic needs of people in rural areas.**

- Consultation with Rural Stakeholders
- Consultation with Other organisations
- Published Statistics
- Research Papers
- Surveys or Questionnaires
- Other Publications

Other Methods or Information Sources  
(include details in Question 3C below)

**3C. Please provide details of the methods and information sources used to identify the social and economic needs of people in rural areas including relevant dates, names of organisations, titles of publications, website references, details of surveys or consultations undertaken etc.**

**3D. Please provide details of the social and economic needs of people in rural areas which have been identified by the Public Authority?**

**If the response to Section 3A was YES GO TO Section 4A.**

**3E. Please explain why no steps were taken by the Public Authority to identify the social and economic needs of people in rural areas?**

This policy is for internal use only. However, the relevance of the statutory rural duty will be considered by the commissioning department before procurement and contract management begins and then, if relevant, to the procurement exercise will be included in the planning, scoping, deciding the strategic objectives and the specification in writing project documentation and during the performance of the contract.

#### **SECTION 4**

##### **Considering the Social and Economic Needs of Persons in Rural Areas**

**4A. Please provide details of the issues considered in relation to the social and economic needs of people in rural areas.**

N/A

#### **SECTION 5**

##### **Influencing the Policy, Strategy, Plan or Public Service**

**5A. Has the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, been influenced by the rural needs identified?**

Yes

No

If response is No go to 5C

**5B. Please explain how the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, has been influenced by the rural needs identified.**

**If the response to Section 5A was YES go to 6A.**

**5C. Please explain why the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or the delivery of the Public Service, has NOT been influenced by the rural needs identified.**

This policy is for internal use only. However, the relevance of the statutory rural duty will be considered by the commissioning department before procurement and contract management begins and then, if relevant, to the procurement exercise will be included in the planning, scoping, deciding the strategic objectives and the specification in writing project documentation and during the performance of the contract.

## **SECTION 6**

### **Documenting and Recording**

**6A. Please tick below to confirm that the RNIA Template will be retained by the Public Authority and relevant information on the Section 1 activity compiled in accordance with paragraph 6.7 of the guidance.**

I confirm that the RNIA Template will be retained and relevant information compiled.

Rural Needs Impact Assessment undertaken by:  (Zoe Vennard)

Position:  (Procurement Manager)

Department / Directorate:  (Finance, ICT & Procurement)

Signature: Zoe Vennard

Date: 01/03/2023

Rural Needs Impact Assessment approved by:  (Dominic Donnelly)

Position:  (Head of Finance)

Department / Directorate:  (Deputy Chief Executive)

Signature: Dominic Donnelly

Date: 02/06/2023