

Report to:	Executive Cabinet Environmental Services Delivery		
Date of meeting:			
Report of:	Director of Place	Report Number:	42442
Reporting Officer:	Jon Dyson – Director of Place	Telephone Number:	336810
Contact Officer:	Jane Barber, Services to Schools Manager Gillian Moir, Food & Technical Officer	Telephone Number:	336952 336965
Report title:	Procurement of Meat for School Meals		
Not confidential			
This report does not contain information which warrants its consideration in the absence of the press or members of the public.			
Purpose:	The purpose of this report is to procure raw and cooked meat including HMC Halal meat under the YPO DPS UK Food Deal		
Recommendations:	The Executive Cabinet Member is recommended to grant approval to: <ul style="list-style-type: none"> (i) the Director of Place Services to undertake a mini competition exercise under the YPO's Food Deal Dynamic Purchasing System (DPS) 985 and to enter a call off agreement with the successful bidders on the terms of the DPS to enable the provision of the above goods for the School Meals Service; and (ii) the Borough Solicitor to carry out all necessary legal formalities 		
Decision:			
Background documents:			
Signed:	Leader/Executive Cabinet Member	Monitoring Officer	
Date:			
Consultation with other officers			
Finance	Yes	07/02/2023	Katherine Roscoe
Legal	Yes	06/02/2023	Elizabeth Cunningham Doyle
HR	No		
Procurement	Yes	10/02/2023	Gaynor Wright
Climate Change	No		
Equality Impact Assessment	No		
(a) Pre-consultation reports			None
(b) Post consultation reports			None

Vision outcomes Please identify the appropriate Vision outcome(s) that this report relates or contributes to by putting a cross in the relevant box.		1. Start Well	X
		2. Live Well	X
		3. Age Well	
		4. Prosperous	
		5. Clean and Green	
		6. Strong and Distinctive	
1. Start Well	Our children get the best possible start in life, so that they have every chance to succeed and be happy.		
2. Live Well	The health and wellbeing of our residents is improved, so that they can live healthy, fulfilling lives for longer.		

1. INTRODUCTION & BACKGROUND

- 1.1 Services to Schools, School meals are looking to commence the procurement process for the provision of fresh and freshly frozen meat supply in July 2023, ready to commence service delivery from 1st October 2023. The Food and Technical Officer is working with the Corporate Procurement Team to produce a specification which will suit the requirements of the service.
- 1.2 The current contract for supply of meat expires on the 30 September 2023. Within this contract the Council currently spends £340k per annum on a variety of meat and poultry products including Halal meat and poultry.
- 1.3 In accordance with The Councils agreement to provide Halal meat where practical and affordable and where demand has been assessed for religious diets the supply of Halal meat forms part of this contract. Approximately 28% of the meat purchased by School Meals is Halal.
- 1.4 The statutory School Meals Food Standards require a portion of meat or poultry to be served on the menu three times per week.

2 ISSUES

- 2.1 There are several key issues to consider when seeking to purchase meat which include:
 - The supplier is required to be accredited by the Halal Monitoring Committee (HMC) and the products must adhere to religious principles and be approved by HMC.
 - The products must meet industry standards.
 - The situation in Ukraine continues to have a significant impact on global food ingredient availability and costings, added to which the increasing production and distribution costs are resulting in huge inflationary pressures across the whole economy, including the food sector.
 - There is a requirement that primary school meals provided meet the regulatory dietary requirements on an ongoing basis. There is therefore a requirement for a consistent supply of goods from a specified range of products available, with product specifications readily available, containing both nutritional and allergen details.
 - Environmental and sustainable production considerations e.g., carbon footprint, ethical production, and packaging policies.
- 2.2 The above considerations are reflected in the specification for procuring raw and cooked meat including Halal provision and the School Meals Service Technical Officer has responsibility for identifying the most appropriate procurement option (in consultation with the Corporate Procurement team) to satisfy the above considerations and secure the most economically advantageous solution.

3 MAIN BODY OF THE REPORT

- 3.1 The existing contract for supply of meat expires on the 30 September 2023. It is proposed that the new contract will be for a period of two years with the option to extend the term for one-year on no more than 2 occasions. The School Meals Service needs to undertake a procurement exercise to award a new contract which will commence on 01 October 2023.
- 3.2 As indicated in Section 2, a range of supplier risks and issues have been considered, along with the most appropriate procurement option and it has been determined that the Yorkshire Purchasing Organisation (YPO) Food Deal framework provides the best option for the supply of meat. YPO has established a fully compliant Dynamic Purchasing System (DPS) – the UK Food Deal. This

comprehensive DPS can be used for the supply and delivery of various food category types direct to YPO customers throughout the public sector. The DPS has been split into 12 categories, and customers may access as many (or as few) of these categories as they wish, depending on their requirements. There are 10 suppliers appointed under the Fresh and Cooked Meat category (Category 7) that can also supply HMC Halal meat.

- 3.3 In order to ensure that the School Meals Service complies with good practice and is able to secure Best Value, a further mini competition between the framework suppliers is carried out as part of the call-off process. The mini competition process includes the provision of a detailed specification and evaluation criteria for the goods and service required and requirement for the DPS suppliers to submit a pricing schedule and respond to a series of 'quality of service' questions. This approach will ensure that the School Meals Service secures the most economically advantageous tender.

4. OPTIONS

- 4.1 The procurement options considered, included:

- Do nothing – this option would result in the service being unable to provide menus which satisfy regulatory dietary requirements.
- Letting the contract as an Open Tender managed by Bolton Council – this option could be costly and time consuming.
- Letting the contract as an Open Tender as part of the newly formed Greater Manchester Group. Boltons meat contract end dates do not align with the Greater Manchester Group meat contracts.
- Call off from a relevant contract framework. This is the recommended option.

- 4.2 The main criteria when considering the above options is capacity to carry out a tender exercise and resource (post-contract award) to monitor contract performance and remain abreast of service developments, especially during a period of economic uncertainty (the situation in Ukraine and cost inflation). The time, resource, and cost to let the tenders from Bolton Council effectively precluded this option. Using a framework can save significant time and expense, while still delivering a service specified to the School Meals Service.

- 4.3 Therefore, the YPO UK Food Deal framework is considered to offer the best option for future supply. This will enable the School Meals Service to procure goods from local, regional, and national suppliers via the Framework; and the use of a further mini-competition will increase competitiveness between the awarded suppliers, drive up service standards and enable the service to benefit from the lowest possible price (having regard to the risks and issues identified above). The Council is also a founder member, shareholder, and customer of YPO and will benefit from support and advice from the procurement team.

5. IMPACTS AND IMPLICATIONS:

5.1 Financial

The projected annual expenditure for meat is in the region of £340k, equating to 12.7% of the total expenditure of food, which will be contained within existing budget provision. Expenditure on food contracts is also reviewed and monitored as a key performance indicator.

5.2 Legal

The YPO's Food Deal Dynamic Purchasing System (DPS) 985, Category 7 Fresh and Cooked Meat has been procured in accordance with relevant legislation and is available to the Council as a named

Contracting Authority. The Council must procure goods in accordance with the terms and conditions of the DPS and enter a call off agreement with the successful tenderer in the prescribed form.

5.3 **HR**

There are no HR implications associated with this procurement process.

5.4 **Climate Change**

As part of the evaluation process for awarding the contract all potential suppliers are requested to evidence how they will promote environmental sustainability – reduce wastage, limit energy consumption, and procure materials from sustainable sources.

5.5 **Other**

“NONE”

6. **EQUALITY IMPACT ASSESSMENT (EIA)**

6.1 Under the Equality Act 2010, the council has a general duty to have due regard to the need to:

1. **eliminate unlawful discrimination**, harassment, victimisation, and any other conduct prohibited by the Act.
2. **advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
3. **foster good relations** between people who share a protected characteristic and people who do not share it.

6.2 It is important to consider how the proposals contained within this report may impact positively or negatively on protected characteristics. It has been determined that due to the report being a request to tender and award, it is not anticipated that the proposals within this report will have a differential impact on any of Bolton’s diversity groups, including staff. A full EIA is therefore not required at this stage.

7 **CONSULTATION**

7.1 Ongoing contract monitoring for raw and cooked meat throughout the current contract period includes customer consultation/feedback to determine service quality and value for money.

8 **VISION 2030**

8.1 The Bolton 2030 Vision is for Bolton to be a vibrant place, built on strong cohesive communities, successful businesses, and healthy residents.

8.1.2 Within the Vision 2030 Strategy, the Council will strive to deliver services more efficiently, through service improvement, redesign, recommissioning, and decommissioning, based on evidence of impact. The proposals within this report contribute to this strategic council aim.

9 **RECOMMENDATIONS**

9.1 The Executive Cabinet Member is recommended to grant approval to:

- the Director of Place Services to undertake a mini competition exercise under the YPO's Food Deal Dynamic Purchasing System (DPS) 985 and to enter a call off agreement with the successful bidders on the terms of the DPS to enable the provision of the above goods for the School Meals Service; and
- the Borough Solicitor to carry out all necessary legal formalities.

Equality Impact Assessment – (Part 1 – Screening)

Title of report or proposal:
Procurement of Meat for School Meals

Directorate:	Place (Services)
Section:	Services to Schools (School Meals)
Date:	03/02/2023

Public sector bodies need to be able to evidence that they have given due regard to the impact and potential impact on all people with ‘protected characteristics’ in shaping policy, in delivering services, and in relation to their own employees.

Under the Equality Act 2010, the council has a general duty to have due regard to the need to:

1. **eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
2. **advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
3. **foster good relations** between people who share a protected characteristic and people who do not share it.

By completing the following questions, the three parts of the equality duty will be consciously considered as part of the decision-making process.

Details of the outcome of the Equality Impact Assessment must also be included in the main body of the report.

1. Describe in summary the aims, objectives, and purpose of the proposal, including desired outcomes.

The aim is to award local and regional suppliers' contracts to supply and deliver goods to the Borough of Bolton school kitchens. Achieving this via a framework and mini competition to achieve quality goods at the best value.

2. Is this a new policy / function / service or review of existing one?

Review of an existing function

3. Who are the main stakeholders in relation to the proposal?

Bolton Council School Meals Service

4. In summary, what are the anticipated (positive or negative) impacts of the proposal?

Positive

- Ability to continuing the agreed service level agreements between school meals and schools.
- Providing healthy nutritious meals to the children of Bolton
- Using local and regional suppliers and distributors
- Food safety regulations are achieved.
- Environmental, sustainable, and animal welfare standards are adhered to.

Negative

Inability to achieve all the above

5. What, if any, cumulative impact could the proposal have?

The impact of not being able to procure the commodities required would have a detrimental impact on the ability to provide a nutritious, healthy school meal to the school pupils of Bolton.

6. With regard to the stakeholders identified above and the diversity groups set out below: **(Part 2 – Full EIA)**

Consider:

- How to avoid, reduce or minimise negative impact (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- How to **advance equality of opportunity**. This means considering the need to:
 - Remove or minimise disadvantages suffered by people with protected characteristics due to having that characteristic.
 - Take steps to meet the needs of people with protected characteristics that are different from people who do not have that characteristic.
 - Encourage protected groups to participate in public life and in any other activity where participation is disproportionately low.
- How to **foster good relations**. This means considering the need to:
 - Tackle prejudice; and
 - promote understanding between people who share a protected characteristic and others.

	<p>If you are completing this form prior to consultation: Is there any potential for (positive or negative) differential impact? Could this lead to adverse impact and if so, what?</p> <p>If you are completing this form following consultation: List any adverse impacts identified from data or engagement (Delete as appropriate)</p>	<p>Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group, or for any other reason? Please state why</p>	<p>Please detail what actions you will take to remedy any identified adverse impact i.e., actions to eliminate discrimination, advance equality of opportunity and foster good relations</p>
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Race (this includes ethnic or national origins, colour or nationality, and caste, and includes refugees and migrants, and gypsies and travellers)			
Religion or belief (this includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief)			
Disability (a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities)			
Sex / Gender			

Gender reassignment / Gender identity (a person who's deeply felt and individual experience of gender may not correspond to the sex assigned to them at birth, they may or may not propose to, start or complete a process to change their gender. A person does not need to be under medical supervision to be protected)			
Age (people of all ages)			
Sexual orientation - people who are lesbian, gay and bisexual.			
Marriage and civil partnership (Only in relation to due regard to the need to eliminate discrimination)			
Caring status (including pregnancy & maternity)			
Socio-economic			
Other comments or issues.			

<p>Please provide a list of the evidence used to inform this EIA, such as the results of consultation or other engagement, service take-up, service monitoring, surveys, stakeholder comments and complaints where appropriate.</p>	
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This EIA form and report has been checked and countersigned by the Directorate Equalities Officer before proceeding to Executive Cabinet Member(s)

Please confirm the outcome of this EIA:

No major impact identified, therefore no major changes required – proceed	<input type="checkbox"/>
Adjustments to remove barriers / promote equality (mitigate impact) have been identified – proceed	<input type="checkbox"/>
Positive impact for one or more groups justified on the grounds of promoting equality - proceed	<input type="checkbox"/>
Continue despite having identified potential for adverse impact/missed opportunities for promoting equality – this requires a strong justification	<input type="checkbox"/>
The EIA identifies actual or potential unlawful discrimination - stop and rethink	<input type="checkbox"/>

Contact Officer

Name:

Date:

Directorate Equalities Lead Officer

Name:

Date:
