

BABERGH DISTRICT COUNCIL

FROM: Procurement Task Group

REPORT NUMBER: **G134**

TO: Strategy Committee

DATE OF MEETING: 15 November 2007

A STRATEGIC FRAMEWORK FOR PROCUREMENT - ISSUES PAPER

1 PURPOSE OF REPORT

To outline the conclusions of an initial review of the Council's current Corporate Procurement Strategy and consider the overall strategic direction and key priorities for the next four years.

The report highlights current issues and ways in which the strategic framework and direction for procurement in Babergh should be strengthened.

2 RECOMMENDATIONS

- 2.1 That Strategy Committee considers the core issues set out in paras. 5.12 to 5.16 and the other procurement issues covered in paras. 5.17 to 5.23 of the report.
- 2.2 That, following this, the issues be addressed in more detail through an updated Strategic Procurement Framework, following further consideration by the Procurement Task Group.
- 2.3 That Members agree that the current Corporate Procurement Strategy remains in place until that new Strategic Framework is approved.
- 2.4 That the Procurement Task Group reports back to the Committee on this early in 2008.

The Committee is able to resolve these matters.

3 FINANCIAL IMPLICATIONS

- 3.1 None in relation to considering this paper. One of the key aims of the updated strategic framework will be to provide a platform for delivering further savings and efficiencies through shared services, joint procurement and partnering.
- 3.2 Any proposals resulting from the framework to invest in specific procurement activities to deliver the aims and achieve the outcomes set out will be subject to the Council's normal service and financial planning arrangements.
- 3.3 One of the issues identified in the review relates to supporting the local economy and small businesses, which can be in direct conflict with achieving 'best value'. The Council needs to be clear on what the balance should be between achieving savings and efficiencies and using local suppliers or contractors.

4 **RISK MANAGEMENT**

- 4.1 This report is most closely linked with the Council's Significant Business Risk Nos. 2 and 8 - Shared Services & the Comprehensive Spending Review. Key risks are set out below:

Risk Description	Likelihood	Seriousness or Impact	Mitigation Measures
Shared Services and partnerships not sufficiently developed due to lack of a clear strategic direction	High	Critical	Suffolk Pathfinder and Service Integration Group work is in the early stages of development.
Other procurement arrangements are not effective and do not deliver service improvements and/or increased value for money	Significant	Critical	New approaches to and processes for procurement have been established as a result of the current Corporate Procurement Strategy but the new strategic framework needs to improve on this further and embed a culture of innovation and more radical thinking on new ways of working.

5 **KEY INFORMATION**

Introduction

- 5.1 A review of the Council's Corporate Procurement Strategy (2004 to 2007) is needed in order to establish a clear strategic direction and priorities for the next four years.
- 5.2 Babergh spends around £12M a year on procuring goods and services of a capital and revenue nature. Capital projects account for around £4.5M of this (of which, about 70% is Council Housing). Revenue expenditure is around £7.5M, of which approximately £2M relates to Council Housing and £2.5M to major long-term contracts eg waste collection and open spaces.
- 5.3 The Procurement Task Group has given initial consideration to the various issues relating to this and the key elements of the current strategy; what has been achieved so far in terms of key actions/deliverables; what is still relevant for the future, and the key drivers and new issues that need to be taken into account in developing an updated Strategic Procurement Framework.
- 5.4 In taking this forward, it is clear that such a framework will play a vital part in relation to Suffolk Pathfinder and in shaping Babergh's approach to collaboration, joint working, shared services and the commissioning of contracts, goods and services over the next 4 years.

- 5.5 This framework needs to be linked to the achievement of the Council's Corporate Plan Priorities and to the Suffolk Strategic Partnership themes and to other corporate and service strategies. Procurement can play a key role in the ongoing delivery of Value for Money improvements and efficiencies. This will require drive and commitment as well as a focus that puts that agenda at the centre of what the Council is aiming to achieve.

Current Strategy – Actions, deliverables and progress

- 5.6 Babergh's first Corporate Procurement Strategy was produced in 2004 in response to the National Procurement Strategy for Local Government and covers the period up to the end of 2007.
- 5.7 The key elements of the current strategy in terms of the agreed aims and actions are set out in Appendix A, which also indicates what has been done in relation to these over the last 3 years.
- 5.8 It should be recognised that the Procurement Strategy is just one of the Council's tools for delivering the council's priorities and achieving service improvements, savings and efficiencies. A number of other strategies and projects have also helped over the period such as the Waste Strategy and CAST.
- 5.9 In relation to the key deliverables that were specifically anticipated from the 2004 Procurement Strategy, some of the key actions and outcomes are summarised below. Further action on a number of these is required:
- Procurement Task Group established and Member Champion appointed.
 - The Task Group has monitored progress on procurement activities generally and has overseen a number of key projects eg Joint Waste Contract WITH Mid Suffolk DC, establishment of the Leisure Trust. Efficiency savings have been achieved.
 - Initial Member training undertaken, externally facilitated by the 4 P's. This provided a basic foundation and awareness of the issues involved in modern procurement decision-making processes.
 - IdeA fitness check, which helped to focus on key actions eg the need for a clear approach to e-procurement.
 - Partnering contracts for capital improvement works to council houses, amongst the first in the country. There have been efficiency savings in terms of reduced staff time on supervision and management as a result.
 - Working with other councils, as part of the officer Countywide Procurement Group, and the Regional Centre of Excellence to identify collaborative procurement opportunities Savings of over £30,000 p.a. identified on the purchase of goods and services as a result of the appointment of a joint procurement officer, shared with St Edmundsbury BC and Forest Heath DC.
 - 'Selling to the Council' guide produced, which is on our website. This summarises how suppliers and contractors can provide goods and services to the Council.
 - Centralised procurement activities within the Contracts & Asset Management Division to standardise and streamline processes. This has released capacity in other divisions.

- Started to roll out an e-procurement system throughout the council in order to reduce paper transactions and further increase the efficiency of the procure-to-pay cycle. Combined with the above, the aim is to save one fte in staffing resource.
- 5.10 In addition, through its commitment to partnership working (which is embodied in the current Procurement Strategy), the Council has entered into a number of other partnerships e.g. a Countywide Legal Services Partnership and a Building Control Partnership with Ipswich BC and Suffolk Coastal DC.
- 5.11 So, in terms of progress and the actions set out in the 2004 Procurement Strategy, it can be concluded that:
- There has been good progress in a number of areas, with some notable achievements and successful outcomes on the procurement front
 - There has been increased collaboration between councils on joint procurement and service delivery partnerships such as the Mid Suffolk and Babergh joint waste contract, the first in the country, and which received a national procurement award
 - Progress in some areas has not been made to the extent that was anticipated (as indicated in Appendix A)
 - Overall, therefore, the picture is a mixed but generally very positive one which provides a platform and basis that Babergh can look to build on in the future

Taking Things Forward – Issues and Priorities

- 5.12 The Council’s current Corporate Procurement Strategy states that:

“Implementing the Strategy will require political and managerial leadership and a continuing development of the Council’s culture in challenging existing methods of service delivery in relation to investigating new opportunities to provide improved services through partnerships and joint commissioning of goods and services.”

- 5.13 This is still valid and there are a number of additional key drivers and issues that have and will continue to affect the development of Babergh’s Procurement Strategy.
- 5.14 Our Strategic Procurement Framework needs to deliver increased value for money, savings and efficiencies to help with the demands on the Council’s budget and service provision. This is all the more important given the increased Value for Money/cashable efficiency target of 3% per annum for Local Government for the next 3 years.
- 5.15 The council needs to determine and agree a clear strategic direction and a focus on key procurement priorities. It is suggested that this should focus on the following 5 key priorities:
- Shared services and partnerships
 - Further increase collaboration and joint working with others to achieve more joint procurement activity
 - Support the local economy
 - Promote and deliver environmental and economic sustainability

- Equalities issues

5.16 Based on the above, it is suggested that the updated Strategic Procurement Framework should, for the next four years:

- Set out a coherent ambition, vision and strategic direction for shared services, partnerships and the various options relating to this
- Support the Council's full commitment to delivering the objectives of the emerging Suffolk Pathfinder initiative eg through the selection of preferred partners/Councils for partnerships new joint working arrangements.
- Recognise and manage the huge challenges, tensions and issues in taking this agenda forward and that radical and innovative approaches to new ways of working that will be needed if we are to meet the Suffolk Pathfinder aspirations and contribute towards the Government's higher 3% Value for Money/cashable efficiency targets for the next 3 years
- Provide clarity in the approach to be adopted in using SME's (Small and Medium Enterprises), local suppliers and contractors as opposed to larger ones that may result in savings, subject to legal constraints
- Ensure sustainability and green issues are adequately addressed, linked to the Suffolk Strategic Partnership theme of the 'Greenest County', both in terms of the built environment and our policy on 'green' purchasing. What detailed procurement policies and stance should be taken, for example, on supporting the use of Fairtrade products and how we can meaningfully address climate change and achieve carbon reductions through our procurement strategy?
- Ensure that full regard is had to equalities and the Council's duty to eliminate unlawful discrimination by promoting equality of opportunity in making procurement decisions

Other Procurement Issues and Actions

5.17 The draft Strategic Procurement Framework, in addition to these key issues and strategic priority areas, should cover the council's aims and policies for all procurement activities, which should be aligned to national, regional and local developments.

5.18 These are broadly covered in the current strategy but it is felt that a clearer focus and attention can be established by agreeing a set of aims, policies and actions in relation to the various procurement themes (10 of which have been identified). A draft of these, which include the key priorities outlined earlier in the report, is set out in Appendix B. An indication of the actions envisaged is also shown.

5.19 We have worked with St Edmundsbury and Forest Heath Councils in developing the themes and aims, on the understanding that each council will focus on tailoring these with regard to their own priorities, overall approaches to procurement and action plans.

- 5.20 Improvements are suggested in relation to governance arrangements and processes. For example, the current Contact Procedure Rules are in need of revision and streamlining in a number of areas to reflect modern and effective procurement practices, enabling Members and officers to focus on what really matters. The Procurement Task Group has considered these revisions and the proposed set of updated rules will be brought to Strategy Committee for approval in due course.
- 5.21 In addition, a Procurement Code of Practice should be produced that clearly sets out Member and officer responsibilities and arrangements to support delivery of the overall Strategic Procurement Framework. This would translate the priorities, aims and policies into practical guidance.
- 5.22 It is also suggested that revised governance arrangements at officer level would be helpful, to assess and evaluate strategic and operational procurement approaches through an officer Procurement Steering Group. This should include representatives and key officers as appropriate and, it is suggested, the Member Procurement Champion.
- 5.23 Other key aspects of the draft action plan in Appendix B (in addition to the key priorities set out in paras. 5.15 and 5.16) are highlighted below:
- Training and awareness – A Procurement training programme should be developed and delivered to ensure increased Member and officer skills and awareness. This will need ongoing monitoring and development.
 - A communication strategy and a delivery platform (i.e. Procurement web page) should be created to increase visibility to and access by all stakeholders – both external and internal - to all procurement policies and activities, including contract opportunities and awards
 - Embedding key procurement disciplines, joint working culture and processes throughout the Council and its activities, enabling and supporting the delivery of more consistent and effective procurement
 - Ensuring the Procurement Task Group’s role and that of the Member Champion is appropriately framed to ensure they can monitor and report on developments and progress

Consultation and Implementation Timescales

- 5.24 Internally, Heads of Service have been consulted and their views reflected as appropriate but more engagement will be required to establish and embed the revised framework. External consultation with the Chamber of Commerce in finalising views on some of the issues should also be undertaken.

5.25 The overall timetable for taking this forward and considering the draft Strategic Procurement Framework is set out below:

Action	Issues Paper	Draft Strategic Framework
Procurement Task Group	30 October	December 2007– February 2008
Strategy Committee	15 November	6 March 2008

5.26 The Procurement Task Group will give further consideration to the various issues before the framework is brought back to the Committee. This is likely to cover the following:

- What will successful outcomes look like, measures of success, KPI's
- The draft actions outlined in Appendix B, with milestones and responsibilities for these
- Capacity and delivery, including the crucial role that Heads of Service will need to play in that
- Governance and scrutiny arrangements

5.27 Views are sought from Strategy Committee on the core thrust of the framework, as explained in the report, and comments on any of the other issues to guide the Task Group's thinking.

5.28 Following approval to the framework, the Task Group will report back to the Committee at regular intervals on progress and to seek approvals for implementing any aspects of this that are needed.

6 APPENDICES

A – Current Procurement Strategy 2004 to 2007 – Aims and priorities for action

B – Procurement Themes - Draft Aims, Policies and Actions

7 BACKGROUND PAPERS

(a) National Procurement Strategy 2003

(b) Babergh Procurement Strategy 2004

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Appendix A

2004 to 2007 Procurement Strategy - aims and priorities for action

Aim	Progress
Using procurement to contribute towards delivering the Council's vision, aims and strategic priorities. To achieve this, we will ensure there is political and managerial leadership through a member 'champion' and by making procurement the responsibility of one of the Corporate Directors.	Member Champion appointed and Corporate Director has responsibility for Corporate/Strategic Procurement. Head of Finance leads on this.
Looking at how goods and services are procured, including whether services should be provided by in-house staff ie the 'make or buy' decision.	Countywide Group, Shared dedicated procurement resource. Major projects such as CAST and joint refuse contract. A number of other examples to be identified through this group and Regional Contracts Database (Centre of Excellence)
Promoting a culture of partnering (with other Local Authorities, other organisations, suppliers and contractors), committing to joint procurement and commissioning of goods and services and the operation of a 'mixed economy' ie using private sector expertise as well as in-house staff where appropriate.	Has developed, including capital partnering contracts. Approach of mixed economy has continued. Further opportunities on joint working and procurement being considered under Suffolk Pathfinder & Shared Services.
Making year on year savings in the costs of goods, works and services and improving the efficiency of our procurement processes through the use of electronic procurement solutions that best meet the needs of the Council and its suppliers.	Savings or cost mitigation has been achieved in a number of areas. However, as indicated above, more can be done.
Adopting sound risk and project management arrangements to ensure projects are delivered on time, within budget and in accordance with the Council's specification.	Existing arrangements are adequate in relation to capital and other projects. Rigorous approach to CAST, joint waste contract, Leisure Trust etc.
Ensuring all procurement projects have regard to the impact on the social, economic and environmental well-being within the District and take into account the needs of service users.	More could be done in relation to this – sustainability and equality impact assessments require further consideration.
Giving full consideration to the appropriate packaging of services and major projects to ensure they can be delivered in the most economic and efficient manner.	Limited repackaging has occurred, although the Open Spaces Contract is a good example.

Sharing knowledge, skills and expertise with other Councils including the County Council and the Regional Centre of Excellence.	Main approach has been through Countywide Procurement Group. More could be done on the procurement skills of key Babergh staff involvement in the procurement of goods and services.
Ensuring the highest standards of transparency, probity and accountability in awarding procurement projects.	Achieved through our Contract Procedure Rules, although these need updating. Clear tender evaluation criteria applied to major contracts.
Looking to build the opportunity for continuous improvement into longer-term contracts.	Provision for efficiencies and service enhancements built into joint refuse contracts and capital partnering contracts.
Ensuring that human resource issues are fully considered in any potential procurement project that involves the possible transfer of staff.	Appropriate arrangements are in place.
Ensuring that we have regard to sustainability and equalities issues and to our legal duty of eliminating unlawful discrimination and promoting equality of opportunity in making procurement decisions	More consideration need on sustainability/equality issues.
Having more regard to awarding contracts on best value for money rather than the lowest price option.	This is now being done for joint/other procurement activity. Needs embedding in Contract Procedure Rules.
Ensuring that proper consideration is given to supplier relationships and that the interests of small and medium sized enterprises are fully considered.	Supplier Spend analysis shows that Babergh compares favourably with other councils in Suffolk.
Priorities/Targets	Progress
Training and awareness programmes for Officers and Members.	Support from the IDeA and 4 P's on specific projects. Procurement knowledge has increased but more can be done.
Increasing procurement skills and knowledge of best practice in other Local Authorities and organisations.	Countywide Beacon Councils workshop in 2006.
Further analysis and examination of the Council's current procurement spending so that the results can inform the business case for E-Procurement and other procurement initiatives.	Supplier Spend analysis undertaken by Centre of Excellence and being used to identify opportunities. E-Procurement system being rolled out but progress is slow. E-marketplace trialled but proved unsuccessful. Processes reviewed and now centralised through Organisational Review in 2006. Supplier/spend analysis is ongoing.
Spread good practice throughout the organisation.	Has been achieved to some extent but more could be done.

Undertaking an IDeA free fitness check on our procurement activities.	Took place in 2005 and provided some helpful pointers.
Establishing a 3-5 year procurement plan, setting out the Council's main procurement projects and opportunities for joint working.	Not yet established. Eastern Region Contract database should enable this to be achieved in the future, complimenting the Suffolk Pathfinder work.
Implementing relevant recommendations from the Byatt report and from 'Constructing Excellence'.	The capital partnering contract was one of the first in the country.
Seek dedicated resources and other support to improve procurement arrangements, refine and implement the strategy.	Achieved, although limited resource, shared with 2 other councils, which means that there has been a focus on certain elements of the strategy.
Work towards meeting the targets in the National Procurement strategy.	Have met some but not all of these. Focus has been on key priorities for Babergh.
Evaluate and put in place the appropriate use of procurement cards for high volume, low value purchases.	Some additional use but further expansion requires consideration.
Publish an initial guide for staff involved in procurement and issue a more detailed guidance manual and Code of Practice to staff.	No progress, but needs to be prioritized to increase awareness/understanding through a Procurement Code of Practice.
Amend existing Contract Procedure rules to enable electronic and joint purchasing with others.	Approved by Procurement Task Group, subject to legal views.
Pilot the use of electronic tendering and e-auctions as part of the e-procurement strategy.	No action as we have utilised framework agreements, some of which have resulted from e-auctions.

Key Procurement Themes – Aims, Policies and Actions 2008 to 2012

Theme	Aims/Policies	Actions
<p>Strategic Procurement, Partnerships and Shared Services</p>	<p>The Council will always endeavour to work in partnership and share services with other public sector organisations at local, regional, and national level, in order to provide the most cost-effective services for residents, increase buying power and/or procure more efficiently.</p>	<ul style="list-style-type: none"> • Fully embrace the Shared Services, partnership and joint working agenda at Member and officer level as part of the Suffolk Pathfinder. • Actively lead on investigating Shared Services opportunities, repackaging and combining services where appropriate • Consider all possible collaborative routes, including opportunities through the West Suffolk Procurement Partnership, Regional Centre of Excellence, and any other appropriate regional or national projects. • Pursue further partnering on major and rolling construction-related projects • Widely advertise existing contracts and forthcoming opportunities in a Forward Procurement Plan, in order to encourage collaboration with other partners • Adopt clear option appraisal and business case approaches to individual procurement projects • Identify more opportunities for joint procurements, channelled through a clear procurement route and process.
<p>Governance</p>	<p>Corporate and operational governance arrangements will ensure an appropriate framework is in place to support and deliver all procurement activities.</p>	<ul style="list-style-type: none"> • Strengthen monitoring and reporting at officer and member levels - Procurement Task Group and Officer Steering Group (with Member Champion) to oversee and report on progress • Embedding – through the above and other means, develop procurement awareness and knowledge to enable and supporting decision-making at both Member and officer level • Produce and publish Procurement Code of Practice • Update Contract Procedure Rules – fit for purpose

Theme	Aims/Policies	Actions
Procurement Function (Routine procurement activities)	The Council will use Professional Buying Organisations (PBO's) to procure day-to-day goods and services and seek out joint commissioning opportunities to aggregate purchases wherever possible	<ul style="list-style-type: none"> • Actively pursue opportunities to procure goods and provide services jointly and in partnership with other bodies • Seek to purchase all Goods and Commodities via PBOs (Professional Buying Organisations) or regional buying consortia • Not to duplicate Procurement activity which has already been undertaken elsewhere • Extend the use of purchasing cards for appropriate low level purchasing activity • Use e-technology where appropriate to ensure that processes operate efficiently both internally and with suppliers/contractors
Contract Management	The Council will adopt effective and robust systems for the entering into and management of contracts with appropriate recording, monitoring, and review.	<ul style="list-style-type: none"> • Ensure that all renewable (and any other appropriate) contracts are entered onto the Eastern Region Contracts Register • Thoroughly review all contracts in advance of their expiry date, to determine the subsequent Procurement process • Not enter into or maintain “rolling” contracts unless these meet best value criteria • Take early and decisive action to address failing or unsatisfactory contracts • Ensure that Procurement always plays a role in the establishment of contracts, whether renewable or project-based • Use Procurement expertise in contract disputes, negotiations, problem resolution, and annual contract renewals

Theme	Aims/Policies	Actions
Electronic Procurement and Streamlined Processes	The Council aims to trade electronically with all suppliers as its' first preference across the whole Procure to Pay cycle, including quotations, tenders, purchase ordering, invoicing, and payment, with the added benefit that such electronic trading will assist in delivering more efficient and streamlined procurement processes.	<ul style="list-style-type: none"> • Raise all Purchase Orders electronically • Pay all Suppliers via BACS or similar electronic means • Promote and encourage the use of electronic invoicing by suppliers • Facilitate and promote the use of electronic tender and quotation processes • Encourage innovation aimed at making procurement more efficient • Increase the use of ICT to replace and simplify manual procurement processes • Update Contracts Procedure Rules to enable the most effective and efficient procurement processes
		<ul style="list-style-type: none"> • Continuously aim to reduce the volume of orders raised, invoices processed, and the number of active suppliers
Best Value and Value for Money	The Council aims to treat each Procurement activity as an opportunity to achieve Best Value/Value for Money, either by improving service at no extra cost, or receiving the same or improved service at a lower cost.	<ul style="list-style-type: none"> • Regularly review the packaging of contracts and activities to achieve Best Value • Maximise its' buying power using the principles of "Working in Partnership" • Challenge contract price increases (e.g. annual renewals, contract variances) to ensure that Best Value is maintained • Seek to reduce the on-costs of Procurement by simplifying and improving tender and quotation processes • Eliminate spending on goods and commodities from non-contracted suppliers • Award contract on Best Value principles, not just lowest price • Apply internal and external challenge including market testing

Theme	Aims/Policies	Actions
Developing Skills and Capacity	The Council will ensure that Procurement skills are a corporate priority, with the necessary support and resources, including training, to guarantee continuous improvement.	<ul style="list-style-type: none"> • Ensure that officers with Procurement responsibility are given the necessary resources and training to fulfil their responsibilities • Ensure that members with a responsibility for Procurement are given access to the necessary training and guidance • Produce and maintain a “Procurement Code of Practice”, linked to the Strategic Procurement Framework and Contracts Procedure Rules, which provides a one-stop reference point for those engaged in Procurement • Liaise with the Regional Centre of Excellence, Procurement Beacon authorities and other appropriate organisations and bodies, with regard to identifying and implementing Procurement “Best Practice” • Provide training and guidance, through the IdeA, 4P’s and others to close identified “skills gaps” • Reduce the reliance on external expertise to provide specialist support and assistance by encouraging the development of retained staff • Ensure that Procurement issues are fully considered at the initiation of major projects
Mixed/Local Economy	The Council will ensure that it adopts a mixed economy of service provision of suppliers and considers all options for procurement, service delivery and the impact on the local economy to provide best value.	<ul style="list-style-type: none"> • Ensure that all sectors of the economy are considered when undertaking Procurement, including SME’s, local suppliers and contractors • Support the local economy in Procurement decision-making • Take opportunities to liaise with the local business sector, e.g. through Business Link, “Meet the Buyers” events etc. • Ensure that all officers understand how to respond to approaches from businesses wishing to work with the Council • Advertise tenders as openly as possible, including the use of electronic advertising • Support the principles of the national “Small Business Friendly Concordat”

Theme	Aims/Policies	Actions
Efficiencies - monitoring and Measuring Savings	The Council will ensure that efficiency savings are assessed in all procurement projects and activity and that these are recorded and fed into efficiency returns, financial planning and the annual budget process.	<ul style="list-style-type: none"> • Ensure that all potential and actual savings made on renewable contracts are identified and reflected in budget setting • Encourage the use of Procurement resources and expertise to achieve efficiency savings against ongoing or project budgets • Respond positively to challenges, both internal and external, to identify potential efficiency savings
Sustainability and Equality	The Council will aim for positive outcomes from Procurement activity with regard to sustainability, equality and the local economy	<ul style="list-style-type: none"> • Ensure that sustainability is a factor considered in all Procurement decision-making • Adopt ‘green purchasing’ policies and consider active endorsement of ‘Fairtrade’ products as part of this • Not deal with suppliers who demonstrate poor practice in relation to environmental management • Not deal with suppliers who are seen to discriminate in any way against any group or individual • Encourage the use of voluntary or “third” sector organisations