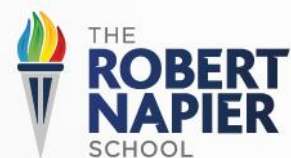




# PROCUREMENT & TENDERING POLICY and PROCEDURES

September 2022

Next Review: Summer Term 2025



## VALUE FOR MONEY (VfM)

VfM at the heart of the trust procurement policy and is defined as achieving the best possible educational and wider societal outcomes through the **economic**, **efficient** and **effective** use of resources, the avoidance of waste and extravagance, and prudent and economical administration.

**Economic** - Obtaining an outcome for the least possible input of resources.

**Efficient** - Obtaining the best possible outcome for the resources input

**Effective** - Obtaining the desired outcome.

## QUOTATION AND TENDERING

Authorisation of purchases must be in accordance with the Beyond Schools Trust Scheme of Delegation. The minimum required numbers of tenders or quotations from appropriate contractors for a given estimated value of contract are:

- Below £1,000: In seeking best VfM, the time spent on seeking comparative quotes should not be disproportionate to the value of the prospective order. To this extent orders below £1,000 account for 80% of the volume of Trust annual procurement expenditure largely consisting of departmental capitation expenditure which is accepted that budget holders will seek to manage their budget to maximum effect and is subject to independent review and authorisation by the Executive Business Managers.  
To ensure a prudent time cost against order value for orders at this level, the Trust will undertake to review a balanced basket of goods and to establish a preferred supplier list to be reviewed bi-annually. Orders subsequently procured through this route or via a nationally recognised procurement framework do not need to seek additional quotes.  
For orders below £1,000 that do not follow the above procurement route, the budget holders are required to confirm in writing their undertaking to conform to the principles of seeking best value or by seeking two comparative independent quotes or by internet comparison of prices (evidence of best value review must be retained by the requisitioner and provided on request e.g. by screenshot of the comparative prices)
- Above £1,000 and up to £2,500 two written quotations:
- Above £2,500 (£5,000 for works) and up to £10,000, three written quotations;
- Above £10,000 and up to £50,000 three written quotations unless a justifiable reason for less e.g. niche product/service with limited number of suppliers providing the specific product/service.
- Above £50,000 and up to £125,000, three formal comparative quotations to be submitted in writing by a specified date and time and based on a written specification evaluation criteria and business case.
- Above £125,000 and up to EU procurement thresholds, four tenders;  
Over EU thresholds, five tenders.

The values are for single items or groups of items, which must not be disaggregated artificially.

*For tenders expected to exceed EU thresholds, advertisements must also be placed in OJEU (the Official Journal of the European Union) and must follow EU procurement requirements with particular regard to be given to the timescale for such tenders.*

## PROCEDURES

Any requests to place orders in the financial system for purchases up to £125,000 MUST be supported by evidence of best value comparison in accordance with the limits noted above.

All purchases with a value greater than £125,000 must be put out to formal tender. The following procedures must be followed in such circumstances:

1. A specification will be prepared, authorised by the chair of the relevant committee and Headteacher and sent to at least three suppliers. It is anticipated that for any major building works of a value greater than £5,000 the services of an architect would be engaged to deal with the handling of specifications and suitability to tender.
2. Where appropriate, the suppliers invited to tender should be drawn from an approved list agreed with the Trust executive **or** from those agreed with the architect. Otherwise, invitations to submit tenders will be advertised in local newspapers and trade journals if appropriate. The invitations to tender will include:
  - (a) an introduction/background to the project;
  - (b) the scope and objectives of the project;
  - (c) any technical requirements;
  - (d) implementation details for the project;
  - (e) the terms and conditions of the tender; and
  - (f) the form and date of response to the academy, or in the case of building works, to the architect or quantity surveyor.
3. All replies, if to the school, should be addressed to the Executive Assistant to the CEO and if submitted by post these should be submitted in a plain sealed envelope marked 'Tender' to reach him/her by a specified date. Replies by email should be securely held in a separate folder. All responses must be kept sealed/unopened until the specified date and opened in front of the appropriate review panel which will likely consist of a Trustee, Headteacher, CEO, CFO and EBM together with the Trust Estates Manager.
4. All tenders will be opened at the same time and details of the contractor, quotation and any other details recorded at the time of opening,
5. No contractor will be allowed to amend the tender after the time fixed for receipt.
6. Following the review and shortlist process the second stage review of the shortlisted tender quotations – apparent anomalies in individual line items on the tender proposal will be reviewed and challenged and may be amended accordingly as necessary in reaching the final tender sum.

7. The Business Manager will open a separate correspondence file for each tender which will contain copies of all correspondence or other relevant information.
8. For purchases up to £50,000 approval is granted in accordance with the scheme of delegation and supported by an approved business case. Provided that the expenditure is included in the approved budget, the decision as to which quote to accept will be taken by the Headteacher, in consultation with the Executive Business Manager and the chair of Finance Committee.
9. For purchases exceeding £50,000, provided the expenditure has been budgeted for, a business case must be provided and a decision will be recommended by the Finance committee. The decision will need to be ratified by the full governing body.
10. Where expenditure is not included in the budget or anticipated expenditure exceeds the budget allocation, the decision as to which tender to accept will be taken by the finance committee, in line with their terms of reference and then ratified by the full governing body; and
11. The reasons for accepting a particular tender must be documented, especially if it is decided to accept other than the lowest tender. All decisions must be duly recorded and reported to the full Trust body.

#### **ACCEPTANCE OF TENDER**

The following points will be considered when deciding which tender to accept:

1. The overall price and the individual items or services which make up that price.
2. Whether there are any 'hidden' costs; that is additional costs which the academy will have to incur to obtain a satisfactory product.
3. Whether there is scope for negotiation, while being fair to all tenderers.
4. The qualifications and experience of the supplier, including membership of professional associations.
5. Compliance with the technical requirements laid down by the school and track record of Health and safety management on previous projects undertaken.
6. Whether it is possible to obtain certificates of quantity.
7. The supplier's own quality control procedure; pre sales demonstrations, after sales service and, for building works, a six month defects period and insurance guarantees.
8. The financial status of the supplier.
9. References from other establishments.
10. Understanding & compliance with Health & safety, CDM regulations and Child Protection issues related to working on a school site

In the case of building works, where the tendering process is being carried out by the architect or quantity surveyor, they will be responsible for checking the documents of the lowest tender before making a recommendation to the academy.

Once a tender is accepted an order should be issued as soon as possible to the supplier in the normal way.

### **Related Party Transactions**

Related party transactions must be monitored and scrutinised by budget holders and governing body committees prior to any approval being granted. The internal Trust and Governing body register of interests will be shared with members of staff and committee/board members with due authority to approve purchases. All known related parties will also be marked within PSF so that approvers are able to readily identify them before making the approval. Additional related party transaction regulations are detailed in the Academies financial Handbook and should be followed in addition to the requirements of this policy.

### **IT Related purchases;**

Any procurement for software or services requiring a third party to process personal data on behalf of the trust should clearly establish the relationship between the trust as the 'data controller' and the supplier as the 'data processor', including any 'sub processors' to be used in the supplier's supply chain.

Before any orders are awarded that will result in additional sharing of personal data a Data Protection Impact Assessment (DPIA) must be completed and approved by the Trusts Data Protection Officer (DPO).

Compatibility for IT hardware or software should be checked with a member of the Trust It team and approved, before orders are awarded.

### **Miscellaneous**

To ensure that the principles of best value are equally applied to the procurement of operating leases, the minimum number of operating lease quotes sought should be in accord with the number of quotations required for the total procurement value.

For tenders expected to exceed UK thresholds, procurement notices must also be published using the UK e-notification service, FTS (Find a Tender) and must follow The Public Procurement (amendment etc) (EU Exit) Regulations 2020, with particular regard to be given to the timescale for such tenders.

The successful contractor should be informed that the school is a NON-SMOKING site at all times.

*The Schools' Funding Agreement should be considered when applying this policy  
Due reference is drawn to the trust anti-fraud, anti-bribery and whistleblowing policies.*

This Policy will be reviewed by the Trustees on a 3-yearly cycle and evidence provided of approval by the Chair of Trustees and Chief Executive Officer.

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|---------------------------------|---------------------------------------|
| Policy Reviewed:                | Summer Term 2022                      |
| Policy update                   | Autumn Term 2022                      |
| Next Review:                    | Summer Term 2025                      |
| Signature of Chair of Trustees: | Signature of Chief Executive Officer: |