

# **Cantonian High School**

## **Ysgol Uwchradd Cantonian**



THE BEST FROM EACH  
SUCCESS FOR ALL

## **Procurement & Tendering Policy**

February 2023

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This policy was adopted by Governors on 28 February 2023

## Introduction

Procurement is the term used to describe the whole process of purchasing goods, services or works, and includes:

- The identification of whether there is a clear procurement need;
- Researching different suppliers and what each is able to offer and at what cost;
- Making an informed decision;
- Purchasing the selected goods/service;
- The utilisation of the goods or management of services to the end of the contract; and
- The evaluation of the benefits of the purchase made – value for money.

Cantonian High School relies on public funding to undertake its work and meet its aims and objectives. It recognises that it must have in place procurement principles and guidance, which should be followed whenever the school procures goods, services or works in order to ensure that public money is used in ways that are demonstrably open, fair, complies with legislation and represents value for money.

Understanding and following the principles and guidance stated in this document will allow the school to demonstrate that it uses public money effectively and achieves value for money. It will give all suppliers an equal opportunity to seek the school's business and make competitive offers, and ensure that the school's spending choices and decisions are transparent and defensible. It is recognised that poor procurement practices may result in legal challenges, cancellation of contracts, financial penalties and damages, and loss of reputation for the school and Council, as suppliers who compete unsuccessfully for business are increasingly keen to challenge the legality of the procurement process.

## Categories of Spend

The procedures cover three categories of spend:

- 1. Goods** – the term for actual products being purchased, such as stationery, books, equipment (e.g. IT, furniture) and vehicles.
- 2. Services** – the skills and expertise provided by individuals or companies. Examples include IT installation and maintenance, educational services, grounds maintenance, banking services (cheque book schools).
- 3. Works** – this refers to any building work, including new buildings, extensions, refurbishments or repairs.

## Prior to the Procurement Process

Prior to the start of the procurement process, the school will:

- Ensure the reasoning behind the procurement is in line with the business and aims of the school.
- Ensure that funding is in place to purchase goods / services / works, that is, the initial costs plus future maintenance and /or ongoing costs.
- Consider the aggregate (or total) spend in relation to contracts.

- Be clear on what is required, to support the drawing up of a detailed specification as part of a tendering process.
- Recognise that “best value” is not always the lowest cost and that full life costs must be considered.

## Procurement Thresholds

The Governing Body has adopted procurement thresholds as below:

| Value of procurement (£) | Minimum requirements   |
|--------------------------|--|
| Up to £5,000             | No minimum requirement, flexible best value, will look to have one written quotation. Price comparison expected. Trusted provider. |
| £5,001 to £9,999.99      | Minimum two written quotations   |
| £10000 to £14,999.99     | Minimum three written quotations   |
| £15,000 to £59,999.99    | Three tenders  |
| Over £60,000             | Tendering to be undertaken in consultation with the Council’s commissioning and Procurement Manager                                |

Procurement thresholds will apply to the aggregate (total) value of all requirements for the purchase, lease, rental or hire of works, goods and services of a similar type. In judging whether supplies / services are “of the same type”, account will be taken of whether they would normally be ordered together and/or from the same suppliers.

If the term of the contract / lease is indefinite, or uncertain at the time the contract is entered into, then the value will be taken as equating to the value of the monthly consideration multiplied by 48 months (4 annual payments).

In certain circumstances, e.g. where the goods or services are very specialised and offered by only one supplier, a business case will be presented by the school to the Governing Body for quotes or tenders over the £5,000 threshold. The business case will be held on file for future reference, and a single tender or quote will be required.

## Quotations

- The school will seek quotations for goods / services / works where the value is below £15,000 in line with the ‘procurement thresholds’ given above.
- The request for quotations will be sent to all suppliers simultaneously, wherever practicable, allowing each potential supplier the same amount of time to prepare a quote.
- The request will take the form of an email or letter giving details of the goods / service / works to be completed, the outcomes expected, and the final date for receipt of the quote.
- In seeking a quotation, the maximum period for a contract / lease will be three years.

- The specification will reflect the need to appoint companies / contractors that are competent Health and Safety practitioners, that is, competent in relation to managing and complying with Health and Safety legislation.
- The specification will include, where appropriate, the need to engage a technically competent and experienced operator.
- Quotations will be considered by two nominated persons and the decision made, in line with the set evaluation criteria and best value, by the Headteacher and / or Governing Body (as determined in the School's Financial Regulations).
- Documentation will be kept for six years plus current, and made available to Internal Audit if requested.

## **Tendering**

- The school will seek tenders for goods / services / works where the value is £15,000 and above, in line with the 'procurement thresholds' given above.
- The school will draw up a detailed specification, which reflects the needs of the school and the outcomes expected.
- The specification will reflect the need to appoint companies / contractors that are competent Health and Safety practitioners, that is, competent in relation to managing and complying with Health and Safety legislation.
- The specification will include, where appropriate, the need to engage a technically competent and experienced operator.
- Robust, pre-defined evaluation criteria will be included as part of the specification.
- Potential suppliers will be contacted regarding the opportunity and shortlisted suppliers invited to tender.
- The request for a tender will be sent to all tenderers simultaneously, allowing each potential supplier the same amount of time to prepare the tender.
- When tendering, the maximum period for a contract / lease will be four years.
- Tenders will be stored securely until the designated opening time and at the set time will be opened by two persons nominated by the Governing Body.
- In line with Financial Regulations, the decision for awarding the contract will be made by the Governing Body, and will be based on pre-determined evaluation criteria and best value.
- Timely notification of the results will be submitted to all those who tender.
- After notifying all those who tendered, the school will observe the required standstill period of ten calendar days, allowing suppliers the opportunity to challenge the decision.
- If no challenge is forthcoming, the school will progress the contract.
- All documentation will be kept for six years plus current, and made available to Internal Audit if requested.

## **Managing and monitoring contracts**

Effective project management is essential to ensure that outcomes are delivered as per the original specification. Special attention will be paid to the management of variations to ensure that payments are made only for 'approved' additional works completed. Adequate invoice details should be received to substantiate payments and allow a clear audit trail.

A log of all contracts / leases will be maintained to include the contract / lease value, monthly or quarterly costs, duration and contract end date for planning and monitoring purposes.

## **Financial Integrity and Conflicts of Interest**

The school will take care to ensure propriety in all financial business, protecting the integrity of those involved in spending public money, and to minimise the opportunities for errors or impropriety.

To avoid any conflicts of interest:

There must be no personal or professional relationships between those who have responsibility for making the decision on the school's spending, and the suppliers / potential suppliers of works, goods and services to the school. To promote transparency, the school will:

- i) Maintain a register of business interests and a register on which any hospitality or gifts accepted are recorded (**Gifts and Hospitality Register**);
- ii) Governors and members of the senior leadership team involved in the tendering / procurement processes at the school should not make use of contractors employed by the School.

## **Division of Duties**

There will be a clear division of duties within the school's procurement and payment processes to ensure that the same person is not responsible for taking the decision to buy something, confirming receipt of the works / supplies / service and for authorising and making payments for that purchase. This will be supported by the **School's Authority List**.

## **Data Protection and Freedom of Information**

Data security and confidentiality will be key considerations for the school when letting contracts to suppliers, where the supplier will need access to personal data of school staff, teachers and/or pupils.

The **Data Protection Act** clause (clause 11 in Library of Special Clauses) will be included in all contracts where information is processed on individuals in any way, either electronically or on paper.

It is recognised that, under the **Freedom of Information Act**, the School may be required to disclose past (certain tender information is not exempt after contract award), current and future tender documentation and contracts. The school will therefore make provision within tender information to reflect this.

## **Health and Safety**

Health and Safety requirements will be a key consideration for the school when letting contracts to suppliers in relation to:

- An appropriately experienced and technically competent operator being appointed;
- Appointed suppliers / contractors being fully competent in all aspects of Health and Safety;
- Appointed suppliers /contractors who provide services and works on school site having the relevant Disclosure and Barring Service checks in place.

The school will also consider its own role and competence in relation to managing the work and complying with health and safety legislation.

## European Rules


The School will work within the EU Directives regarding Procurement in the Public Sector as outlined below and, where the financial threshold requires EU procurement directives to be applied, will consult with the Council's Procurement Department.


- EU Public Procurement Directives regulate the publication and organization of tender procedures for contracts which meet a defined financial threshold.
- The Directives apply common principles of transparency, open competition and sound procedural management to public contract award procedures which are likely to be of interest to suppliers. Open and well-regulated procurement markets are expected to contribute to a better use of public resources.
- The Directives set out the procedures to be followed at each stage of the procurement process to ensure that public sector bodies award contracts in an efficient and non-discriminatory manner. The table below shows the financial thresholds above which the EU procurement directives must be applied (as at 1<sup>st</sup> January 2018).

| Supplies | Services | Works      |
|----------|----------|------------|
| £189,330 | £189,330 | £4,733,252 |
| €214,000 | €214,000 | €5,350,000 |

## Policy Review

This policy will be reviewed every two years.

Agreed by Headteacher: 

Agreed by Chair of Governors: 

Date of Issue: Spring 2023

Date for Review: Spring 2025