



Procurement Policy

2024/2025 Academic Year

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Aims and scope

This policy aims to ensure that:

- Value for money (economy, efficiency and effectiveness) is achieved
- Conflicts of interest are managed adequately and appropriately
- Spa Education Trust (the Trust) has open and transparent procurement procedures

This policy includes procedures for open tenders. This approach allows anyone to submit a tender to supply goods or services required and offers an equal opportunity to any organisation to submit a tender.

Legislation and guidance

This policy is based on:

- [Department for Education \(DfE\) guidance on buying procedures and procurement law](#)
- [The Public Contracts Regulations 2015 \(PCR\)](#)
- This policy also complies with our funding agreement

Roles and responsibilities

The Board of Trustees

The Board of Trustees (the Board) will ensure that:

- The Trust has achieved value for money
- Relevant legal or professional advice (such as an external auditor) is used, where appropriate
- Any conflicts of interest that may arise are managed
- A register of the up-to-date business and pecuniary interests of the Board, Executive Headteacher and the Finance Manager is kept, helping to ensure the Board is transparent and open
- Where any Trustee has a pecuniary interest in a procurement decision, they exclude themselves from the process and records (e.g. meeting minutes) show they had no influence on the decision

Executive Headteacher

The Executive Headteacher is responsible for:

- Overseeing and supporting competitive tendering
- Providing information to the Board, as appropriate
- Monitoring budgets and reserves

Purchase thresholds

Purchase levels are divided into the following:

De minimis level purchase: Up to £999

- For goods and services up to £999 the Trust is not required to obtain a written quotation but must have an official order.

Low-value purchase: £1,000 – £9,999

- For goods and services that are over £1,000 but less than £9,999 are subject to one written quotation and must be on an official order

Medium-value purchase: £10,000 – £49,999

- For goods and services that are over £10,000 but less than £19,999 are subject to three written quotations and must be on an official order
- For goods and services that are over £20,000 but less than £49,999 are subject to three written quotations and must be on an official order

High-value purchase: over £50,000 but below the PCR procurement threshold

- For goods and services with a value at £50,000 and over are subject to tender

PCR procurement threshold

If it is estimated that the cost of a contract is above the PCR threshold for procurement spending, the Trust will seek legal advice to ensure it runs a PCR compliant buying process. The current PCR threshold for all goods and most services is £214,904.

A 'light touch regime', with a higher threshold of £663,540, applies for some services that are specifically for education provision. We will seek legal advice to determine if any procurement run by the Trust qualifies.

Framework agreements

Where possible, we will use a framework agreement to contract suppliers. These are arrangements that a contracting authority, such as a public sector buying organisation, makes with suppliers. The benefits of frameworks are that they have already been through a competitive tender process and they have favourable terms and conditions. In addition, the framework provider may offer advice and support.

Depending on the framework we choose, we will either pick the best value supplier from a list or run a mini-competition between listed suppliers. In either case, we will follow the DfE guidance on procurement (see legislation and guidance section) to ensure good practice. The reasons for the choice of framework, and for the choice of supplier, will be clearly

recorded. The Executive Headteacher will have the authority to choose whether to use a framework agreement and which framework to use.

Valuing contracts

The value of a contract will be determined by calculating the estimated whole-life value of the goods, works or services, including any related fees.

For fixed term contracts with an option to extend the term, the value of the contract will be the price of the fixed term plus the potential extension period. We will not divide a single contract into smaller contracts to bypass the purchase thresholds (see purchase thresholds section).

Evaluating tenders

Tenders will be evaluated against the criteria and weighting outlined in the tender document. This criterion will include:

- Cost
- Quality
- Delivery
- Performance
- Risk

We may specify additional criteria based on the type of tender, as outlined in the tender document.

Tendering procedure: low and medium-value purchases

When making low and medium-value purchases without a framework agreement, the Trust will use the process as outlined below:

- Create a specification – a specification document will set out what suppliers need to understand what we are looking to buy, including the quality, quantity and delivery date
- Compare suppliers – a comparison of different suppliers, including their reputation, will help the trust develop a shortlist of at least three suppliers we want to approach for a written quote

- Assess quotes – an award criterion will be developed to assess suppliers' quotes. Criteria may include:
 1. How well the supplier meets our specification
 2. The whole-life cost of the contract, which may include:
 - The sale price of the goods, works or services
 - VAT
 - Delivery charges
 - Maintenance costs
 - Running costs
 - The cost of removing and disposing of an item or service once we no longer need it
 - Whether there will be price increases or decreases over the life of the contract
 - Value for money
- Each aspect of the criteria will be scored on a scale of 1 to 5, with 5 being the highest score. A record of how the quotes are evaluated will be kept. The Executive Headteacher will evaluate quotes with support from the Finance Manager and the Premises Manager. When we contact suppliers, we will send them:
 - The specification
 - Deadlines for quotes and when decisions will be made
 - Instructions for how to ask clarification questions about the specification
- Place an order – when the best value quote is identified, we will send the supplier a purchase order, which includes details of the:
 - Goods, works or services we are purchasing
 - Price
 - Delivery address
 - Delivery deadline and any other important dates
 - Payment schedule

Tendering procedure: high-value purchases

The Trust will make high-value purchases without a framework only in rare circumstances and only with legal support. When this does happen, we will use the process below:

- Create a specification (see section 9)
- Assess the market – we will prepare for the tendering process by developing our knowledge of the market. We will find out how many suppliers are available and the best way to advertise our contract to a range of suppliers
- Check the Trust’s position in relation to the PCR procurement thresholds (see section 4)
- Develop a contract – a contract will include terms and conditions, service levels expected, a contract management plan and an exit strategy
- Reduce the number of bids – to reduce the number of bids the school needs to evaluate, we will either use an expression of interest process to gauge interest in the contract or a pre-qualification questionnaire
- Establish how we will assess quotes – we will set out criteria that will allow us to evaluate which of the suppliers’ bids best meets the requirements in our specification, and is the most economically advantageous tender that best combines price and quality
- Create a timeline for the tender process – this will include the dates of the clarification period, the deadline for submitting tenders and the date we expect to award the contract
- Prepare an invitation to tender – this will include:
 - A covering letter with a timeline for the process
 - Instructions on how suppliers can ask clarification questions and submit their tender
 - The specification
 - A pricing schedule
 - The contract’s terms and conditions
 - Contract management requirements (see ‘develop a contract’ above)
 - Award criteria, including the scoring system and any weightings
 - If appropriate, an invitation for suppliers to give a practical demonstration of their goods, works or services

- Advertise the contract – the contract will be advertised where suppliers are likely to look, such as:
 - The Find a Tender service – this is a requirement if the contract is over the PCR procurement threshold
 - The government's Contracts Finder service
 - Local or national newspapers
 - Education publications or websites
 - Trade magazines
- Run the tender process and provide clarifications
- Evaluate tender responses – at least 2 people will independently score and evaluate each bid, and then compare notes after completing their evaluations; records of decision making and moderation decisions will be kept
- Notify bidders – we will inform both the successful bidder and the unsuccessful bidders at the same time
- Challenges from unsuccessful bidders – if an unsuccessful bidder challenges the fairness of the contract, we will contact them to explain that we have conducted a fair process and kept good records. If they make a formal challenge, we will not formalise the contract and seek legal advice.
- Finalise the contract (if there are no legal challenges) and advertise the award (if the contract was advertised in Contracts Finder or the Find a Tender service)
- Abandoning the tender process – on very rare occasions we may need to halt the tender process. The tender documents should make it clear that we have the right to do so without any liability to the bidders. Should this occur, we will notify suppliers who are preparing their bids as soon as possible

Record keeping

Records will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and our records retention schedule.

Monitoring arrangements

The Operations Committee is responsible for the implementation of this policy. This policy will be reviewed and approved by the Board every year and when PCR procurement thresholds change.

Links with other policies

This competitive tendering policy is linked to the following policies:

- Financial Policies & Procedures
- Scheme of Delegation

Signed by Chair of Trustees

Signed by Executive Headteacher