



Statement of Intent

St Mary's Catholic High School aims to achieve value for money on all its tendering and procurement activities while complying with all statutory requirements. This policy has been created to establish procedures to ensure all members of staff involved in tendering and procurement are aware of the standards they are expected to follow.

During the school's tendering and procurement processes, we aim to fulfil the following objectives:

- **Value for money** – ensuring we secure the best price and quality for goods and services
- **Fairness** – ensuring that all parties are treated in a fair and equitable manner
- **Accountability** – taking responsibility for expenditure and the conduct of staff
- **Integrity** – ensuring transparency and that all relevant processes can be recorded
- **Probity** – ensuring there is no private gain from the school's financial affairs

Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Equality Act 2010
- The Public Contracts Regulations (PCR) 2015
- DfE (2020) 'Governance handbook'
- DfE (2022) 'Buying procedures and procurement law for schools'

This policy operates in conjunction with the following school policies:

- Contractors Policy
- Business Continuity Policy
- Data Protection Policy
- Finance Policy
- Reserves and Investments Policy
- Conflicts of Interest Policy
- Anti-fraud and Corruption Policy
- Records Management Policy

Building a business case

Where necessary, before the school starts on a project, it will prepare and put together a business case. The business case will help to outline:

- What is required.
- Why the goods and services are required.
- When these are required by.
- What level of approval is needed.
- The school's decision-making process is.

Where the school needs to produce a business case, it will include:

- A draft of the specification.
- The estimated cost.
- Whether there are any opportunities to work with other schools.
- Who should be involved in the process, e.g. the governing body.

Where the school produces a business case, it will consider:

- The total cost of the contract across its lifetime.
- The price of the goods or services.
- Any delivery charges.

- Any ongoing maintenance costs.
- Any running costs.
- The cost of removing or disposing of an item that is no longer needed.

The school will also consider working with other schools to save time and money.

The school will consider:

- Borrowing equipment.
- Sharing resources and staff expertise.
- Sharing knowledge of markets.
- Comparing prices and experiences from previous purchases.
- Pursuing a joint venue.

Using a framework agreement

Where possible, the school will use a framework agreement to purchase goods, works or services. Each framework agreement will have:

- Details of the products and services available.
- An agreed pricing structure.
- Details of the suppliers.
- Instructions on how to buy.
- An agreed set of terms and conditions.

When using a framework agreement, the school has two options:

1. Select a supplier direct from a framework agreement.
2. Run a mini-competition where the school will ask all suppliers on the list to bid and the best one is chosen.

The framework agreement will state whether the school can select a preferred supplier itself or if a mini-competition must be run. If the school can select a supplier itself, the framework agreement will set out the rules for doing so, which the school will follow.

When running a mini-competition, the school will:

- Comply with the terms of the framework agreement.
- Decide how it will assess bids, following any rules the framework has.
- Decide the level of service required.
- Decide if it wants to run an expression of interest process.

- Send an invitation to tender to all suppliers who can provide what the school needs.
- Fairly assess all bids received.
- Choose the supplier that offers the best value for money.
- Award the contract to the winning supplier.
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Procurement and spending decisions

Procurement basics

The school will ensure that:

- Spending is for the purpose intended and there is probity in the use of public funds.
- Spending decisions represent value for money.
- Internal delegation levels exist and are applied.
- A competitive tendering policy is in place and applied, and Public Contract Regulations, (PCR) procurement rules and thresholds are observed.
- Professional advice is obtained where appropriate.

Procurement thresholds

The following thresholds are in place in relation to how goods, works or services can be procured:

Order value for Services and Supplies	Process required
Low - under £10,000	Framework agreement or at least three quotes from suppliers
Medium - £10,000 to £74,999	Framework agreement or at least three quotes from suppliers
High - over £70,000 and up to PCR thresholds	Framework agreement or advertise a contract and run a buying process
Over PCR thresholds: Goods and most services – £189,330 Services covered by the ' light touch regime ' – £663,540 Works – £5,336,937	Framework agreement or PCR compliant buying process

Order value for Execution of Works	Process required
Low - under £24,999	Orders or contracts may be entered into with a minimum of one quote, although at least three are recommended.
Medium – over £25,000 and £99,999	At least three quotes from suppliers
High - over £100,000 and up to PCR thresholds	Framework agreement or publicly advertised and tenders invited for each contract
Over PCR thresholds: Goods and most services – £189,330 Services covered by the ' light touch regime ' – £663,540 Works – £5,336,937	Framework agreement or PCR compliant buying process

Specifications

No matter what procurement process is followed, a specification will always be written outlining what the school wants to procure. All specifications will include:

- A precise description of the goods, work or services required and what it should do.
- The amount required and when it is needed.
- The expected quality of the goods, work or services.

Small and medium purchases

Any purchase or service estimates below [£10,000](#) are considered to be 'small' purchases, and any below [£75,000](#) are considered to be 'medium' purchases.

Where possible, the school will use a framework agreement to purchase small and medium goods, works or services.

Where it is not possible to procure small and medium purchases through a framework agreement, quotes from at least [three](#) suppliers are obtained prior to purchasing. All suppliers will be sent the same information, as follows:

- The deadline to submit the quote
- The specification
- When a decision will be made

- How the supplier can ask questions about what the school is buying and the process
- A link to the school's terms and conditions, if needed

Award criteria will be set before any suppliers are contracted. To avoid legal challenges, the school:

- Does not open any bids before the deadline.
- Does not open any late bids.
- Has at least two people assess each bid, where possible.
- Treats all bids fairly and equally.
- Records how decisions are made.
- Keeps confidential, secure and auditable records.
- Awards the contract to the highest scoring bidder.

The school will ask for clarification where something in a bid is not clear, and will never negotiate over bids.

Where a relevant approved supplier list exists, approved suppliers will be used unless written permission is received from the governing board outlining the reasons for using an alternative supplier.

The school will award quotes a score between 1 and 5; quotes are scored based on:

- The price offered to supply the goods or services.
- The quality of the goods or services to be delivered.
- How well the suppliers meet the school's specification.
- How quickly the supplier can provide the goods or services.

The school ensures that at least two people assess each bid. When they compare scores, they will:

- Discuss where they have scored differently.
- Reach an agreed score.

The school will also keep a record of all scores, comments and decisions.

The SBM is responsible for overseeing the arrangements for the delivery of goods and checking items upon delivery. The school will send a contract, such as a purchase order, to the chosen supplier, which includes:

- Details of what has been purchased.
- The total cost.
- The delivery address, or where any work should be carried out.
- The delivery date and any other important dates.
- When the payment will be made.

All receipts and invoices will be kept in the [school office](#) for a period of **18 months** after the initial purchase, in line with the Records Management Policy. The SBM **will** process each receipt and ensure they are available for inspection where necessary. A record of goods rejected and delivered will be kept in the [school office](#).

High-value purchases

The school will seek legal advice before making large purchases. Any purchase or service estimated to cost over £40,000 will be put to formal tender.

The school will run a PCR compliant buying process where it cannot procure what is needed through one of the DfE's recommended deals or a framework agreement, and the value is near to or over the PCR procurement thresholds. In the case of major building works or construction, the services of an architect will be sought before the tendering process is undertaken. Before running the school's own buying procedure, the school will check whether the purchase can be made through a framework agreement.

Large purchases under the PCR procurement threshold

When the school makes purchases with a value under the PCR procurement threshold, it will:

- Assess the market.
- Prepare the contract and tender documents.
- Advertise in the right places.
- Consider using an expression of interest to cut the number of bids to assess later.
- Send an invitation to tender to people who reply to the advert.
- Fairly assess all the bids received, using the same process.
- Choose the bid that offers the best value for money.
- Award the contract to the highest scoring bidder.

High-value purchases over the PCR procurement threshold

The school will take the following actions when making a purchase with a value over the PCR procurement threshold:

- Assess the market.
- Check the relevant frameworks to see if the purchase is available via an alternative route.
- Prepare the contract and invitation to tender.
- Consider whether to use the restricted procedure to reduce the number of bids to assess later, or the open procedure to let anyone bid.
- Advertise a contract notice using the e-notification service Find a Tender (FTS).
- Make the invitation to tender and all other documents available electronically from the time that the contract notice is published.
- Assess all bids fairly, using the same process.
- Choose the supplier that offers the best value for money.
- Award the contract to the highest scoring bid supplier.

The school will check the list of services covered by the 'light touch regime' outlined in [The Public Contracts Regulations 2015](#) before considering the full buying process.

Invoices

All invoices will be recorded and stored for future reference, with checks on the following information:

- The mathematical validity
- The purchase ledger
- The goods or services ordered and delivered
- Any difference between the agreed and delivered price
- The authorisation for payment
- The amount paid in VAT
- The total payment made

The Assistant SBM is responsible for processing and receiving invoices. The Assistant SBM will create [weekly](#) invoice reports which are submitted to the SBM. The invoice reports will be kept for the current financial year plus an additional six years, and in line with the Records Management Policy.

Risk management

The school will maintain a risk register with regards to the procurement of goods and services and manages risks to ensure its effective operation.

The school's risk management for the procurement of goods and services includes contingency and business continuity planning. The governing board retains the ultimate oversight of the risk register, drawing on advice from the audit and risk committee. The governing board will review the risk register annually.

The school will be protected from risk by the risk protection arrangement.

The school will cooperate with risk management auditors and risk managers, implementing any reasonable risk management audit recommendations to ensure the procurement of goods and services does not negatively impact the school.

To cover rare occasions where the school may need to stop a bidding process, the school ensures that its tender documents clearly state that the school has the right to abandon the bidding process at any time without any liability to the bidders.

Methods of tender

Open tender

All interested suppliers will be invited to tender, with the SBM making a recommendation to the headteacher. The headteacher has the final say in selecting the successful tender. Advertisements will be publicised in places suppliers will look, e.g. the [Contracts Finder service](#), newspapers, trade magazines, Education publications, to attract bids for tender. Open tender is the school's preferred methods used for goods or services under £75,000.

Restricted tender

Only specified suppliers chosen by the SBM will be invited to bid. The school will establish a shortlist of five bids during the restricted tender. Restricted tender will be used in any of the following circumstances:

- There is a need to maintain a balance between the contract value and administrative costs
- The service required is specialised
- The cost of public advertisement outweighs the potential benefits of open tender

Negotiated tender

The terms of the contract will be negotiated with the supplier. Negotiated tender will only be used in any of the following circumstances:

- Other types of tender have been used and have not found any suitable suppliers
- Very few suppliers are available
- There is an urgent need for a service

Initiating the tendering process

Preparation for tender

When preparing for a tender, the SBM will consider the following:

- The overall objective of the project
- Any technical skills required to complete the project
- Any after-sales services required
- The form of the contract

Invitation to tender

The school makes all necessary invitation to tender documents available online.

These include:

- A covering letter.
- A timeline.
- How to ask questions.
- How to submit a bid.
- Specifications for the good or services required.
- A list of good or services the school requires prices for.
- The award criteria.
- The level of service required.
- Any contract management needs, such as regular meetings or contact.
- An invitation for suppliers to give a demonstration, if required.
- **[When the school is running the restricted tender]** The standard selection questionnaire.
- The proposed contract drafted as far as possible.

Invitations to tender always state the date and time the completed tender documents are to be received by the SBM. All envelopes are clearly marked upon arrival and securely stored in the [school office](#). Tender documents received after the deadline are not considered unless the supplier provides proof of exceptional circumstances.

Where the school is inviting suppliers from a framework to bid, it follows the terms of the framework agreement.

Tender evaluation

When making high-value purchases using a full tender process or mini-competition process, the school:

- Decides the method of assessing the bids.
- Ensures they have received offers to tender from at least three suppliers.
- Assesses all bids received fairly and according to the specification.
- Chooses the supplier that offers the best value for money.

When evaluating a tender, the following financial implications are considered:

- Lower costs may not necessarily be the most favourable, e.g., when they result in a reduced service
- The price being considered should be the total cost, without extra fees or hidden costs
- Where there is scope for negotiation, the SBM needs to ensure the best possible value for money

When evaluating a tender, the following technical requirements are considered:

- Certificates of conformity
- Conformity of standards
- The qualifications and experience of the supplier
- Descriptions of technical services and facilities
- Quality control procedures
- Details of previously delivered services
- Reference from previous customers

When considering a tender, the following other requirements are considered:

- Pre-sales demonstrations
- After-sales service
- The financial viability of the supplier

A record is kept of all the suppliers who submitted tenders, along with the amount tendered. Where the school is inviting suppliers from a framework to bid, it follows the terms of the framework agreement when evaluating and accepting tenders.

Tender acceptance

Invitations to tender always state the date and time the completed tender documents are to be received by the SBM.

Suppliers are required to submit documents in marked brown envelopes clearly stating they are tender documents. All envelopes are clearly marked upon arrival and securely stored in the [school office](#).

Tender documents received after deadlines are not considered, unless the supplier provides proof of exceptional circumstances.

Informing unsuccessful bidders

The school sends a letter to all unsuccessful bidders, including the following information:

- The name of the winning bidder
- The award criteria used
- The scores for the winning bid
- The reasons for the decision, including the characteristics and relative advantages of the successful tender
- When the standstill period ends
- Their scores and feedback

The school provides information regarding the cost of the winning bid upon request, providing it does not reveal any commercially sensitive information.

Informing the successful bidder

The school sends a letter which includes the following information when informing the successful bidder that they have been successful:

- The award criteria used
- Their scores
- Why the school thinks their bid is the most economically advantageous
- When the standstill period ends

The school uses the letter as an invitation to finalise a contract. The letter outlines that:

- The school will only award the supplier the contract if the standstill period passes without a challenge from another supplier.
- There are no commitments, and no work should begin, until both sides have signed the contract.

Tender opening

All offers for tender are opened at the same time, with a minimum of [two](#) members of staff present, one of whom is the SBM.

A record is kept of all the suppliers who submitted tenders, along with the amount tendered. A record is signed by all members of staff who are present at the opening of a new tender. The records are stored in line with the school's Records Management Policy.

Staff involvement in evaluating offers for tender and quotes

The SBM is responsible for ensuring that none of the members of staff involved in the tender process are subject to conflicts of interest in line with the Conflicts of Interest Policy. Members of staff who are involved in decision making do not accept

gifts or hospitality from suppliers. A full record of the evaluation process is maintained by the SBM.

Contracts

The school seeks legal advice before entering a contract and ensures it has a contract management plan in place. Non-routine tenders or purchases, such as leases, are subject to a contract, which is signed before the work begins or goods are delivered.

A meeting will be arranged with the supplier to finalise the management and payment arrangements, clarify key performance indicators and agree how they will work together.

All contracts include the following details:

- The scope of the work, including accurate specifications
- The timeline and completion date of the work
- Quality control measures, e.g. regular meetings
- The agreed fees or charges
- The payment date or pricing schedule
- Specifications of the goods or service
- An 'implementation plan' to outline who is responsible for what
- Any terms and conditions, e.g. terminating the contract
- An exit process
- The requirements for any companies being employed by the supplier

If the supplier is employing another company to undertake some, or all, of the work, or to provide goods, it is the supplier's responsibility to ensure the company has:

- Health and safety policies in place.
- The relevant insurance.
- The required professional qualifications.
- Proof of certification.

Copies of all contracts are securely stored in the central record located in the SBM office. The school places a contract award notice in the OJEU using eNotices, if the purchase is over the PCR procurement threshold, within 30 days of awarding the contract.

The school sets the option to extend a contract in its invitation to tender, if required, and specifies a timeframe. Any extended contracts adhere to the timeframe set in the invitation to tender, using a variation agreement. The school seeks legal advice or contacts the DfE if a contract needs to be extended but was not an option included on the initial invitation to tender.

Challenges from unsuccessful bidders

The school maintains the following minimum standstill period between notifying the winning bidder and awarding the contract, depending on the means of communication used to transmit the standstill notice:

- Notices communicated by electronic means: 10 calendar days
- Notices communicated by non-electronic means: 15 calendar days

If this period ends on a non-working day, this is extended to the end of the next working day.

During the standstill period, if an unsuccessful bidder challenges the fairness of the contract award decision or process, the school will contact them and explain that a fair assessment process was conducted and good records have been kept – legal advice may be sought depending on the nature or seriousness of the challenge.

If an unsuccessful bidder makes a legal challenge, the school will not finalise the contract, and will seek legal advice before proceeding. Where the court grants ‘interim measures’, the school will wait for the outcome of the legal proceedings.

The end of a contract

The school plans for the end of a contract in advance by:

- Returning the supplier’s equipment, where required.
- Terminating any joint arrangements.
- Disposing of or removing any unwanted items.

The school follows its exit process where a contract needs to end prematurely.

Related party transactions

The governing board and all relevant members of staff avoid any conflicts of interest, declare their interest in proposed transactions and arrangements, and do not accept benefits from third parties.

All members of the governing board and any relevant members of staff complete the register of interests. No employee or volunteer uses their connection to the school for personal gain.

Personal relationships with related parties are managed in a manner that avoids both real and perceived conflicts of interest.

The school is aware of relationships with related parties that may attract greater public scrutiny, such as:

- Transactions with individuals in a position of control and influence.
- Payments to organisations with a profit motive, as opposed to those in the public or voluntary sectors.
- Relationships with external auditors beyond their duty to deliver a statutory audit.

The school will keep a record of any related party transaction, including:

- The value of the contract.
- The person's interest which makes it a related party transaction.
- Details on the procurement was handled.

The school will submit a list of their related party transactions to the Schools Financial Value Standard (SFVS).

The school keeps a register of interests and manages related party transactions in line with the Business Continuity Policy and the Conflicts of Interest Policy.

Fraud

Fraud is defined as deliberate deception intended to make financial gain or cause a loss. The school remains vigilant for fraudulent activity during the procurement process and aims to avoid this by:

- Adhering to this policy.
- Maintaining clear records.
- Running a transparent buying process.
- Ensuring all relevant parties are well informed of the process.
- Implementing a selection stage in the procurement process to exclude fraudulent offers.
- Researching the estimated cost of a purchase before starting the procurement process.
- Adhering to the Anti-fraud and Corruption Policy.
- Conducting fraud risk assessments.

The school remains vigilant for:

- Price fixing – this is where suppliers work together to raise prices or decide who wins the bid.
- Cover pricing – this is where suppliers send in excessively high bids to make other bids seem low, or where they do not want the work but do not want to seem unwilling to do similar work in the future.
- Overcharging.
- Suppliers charging for work or goods that are not provided or required.

The school may halt the procurement process if it suspects there is fraudulent activity, and reports this to the relevant authority in line with the Anti-fraud and Corruption Policy.

Assessment of goods

Goods are inspected by the BSOs upon delivery. Any items that are not part of the order, damaged, or not fit for purpose are returned as soon as practicable.

When goods are returned, the Finance BSO records:

- The name and product code of the item.
- The cost of the item.
- Photographic proof, if required.
- Details of the item.
- The reason for rejecting the item.

A record of goods that have been accepted or rejected is kept in the school office.