Three Counties Academy Trust

Tendering and Procurement Policy

#FI8

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Policy lifespan: 3 years. Subject to annual compliance check. Next full review 8th November 2029.

Version history

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Policy abbreviations and acronyms

ABM	Academy Business Manager	**GPA**	Government Procurement Agreement
ATH	Academy Trust Handbook	**KPI**	Key performance Indicator
CEO	Chief Executive Officer	**PCR**	Public Contracts Regulations
CFO	Chief Financial Officer	**RPA**	Risk protection Arrangement
DFE	Department For Education	**SLA**	Service Level Agreement
DPA	Data Protection Act	**TCAT**	Three Counties Academy Trust
FBIT	Financial Benchmarking and Insights Tool	**UK GDPR**	UK General Data Protection Regulations
FTS	Find a Tender Service	**VAT**	Value Added Tax

NB. Where the term "parent" or "parents" is used this includes those who act as carers or have parental responsibility.
NB. Staff roles noted within this policy may also include those staff performing that role in an 'Acting' capacity.

Statement of intent

Three Counties Academy Trust (TCAT) aims to achieve value for money on all its tendering and procurement activities by ensuring that a competitive and compliant tendering policy is consistently applied. TCAT will ensure it is able to show that public funds have been used as intended by Parliament. With that in mind, this policy has been created to establish procedures to ensure all members of staff involved in tendering and procurement are aware of the standards that they are expected to follow.

Preferred suppliers will be used, wherever possible, as TCAT has had previous positive interactions with these suppliers. During tendering and procurement processes, the following four key objectives will always be kept in mind:

- **Achieving value for money** – including the cost of goods and services, the quality of goods and services, and administrative costs
- **Ensuring fairness** – ensuring that all parties are treated in a fair and equitable manner
- **Establishing accountability** – taking responsibility for expenditure and the conduct of staff
- **Allowing probity** – ensuring there is no private gain from TCAT's financial affairs

Member, Trustee, Local Governor and Staff Summary

Key Principles

- All procurement decisions must achieve value for money while maintaining quality and appropriate levels of service
- Spending must be transparent, justifiable and support educational priorities
- Competitive processes should be used wherever required to ensure fairness and market testing
- Conflicts of interest must be declared and managed appropriately
- Procurement decisions must comply with relevant legislation, DfE guidance and the Academy Trust Handbook

Governance and Oversight

- Members and Trustees are responsible for ensuring strong financial governance and compliance across TCAT
- The Trust Board oversees procurement arrangements and receives assurance that resources are being used effectively and appropriately
- The Trust Board approves financial delegations, budgets and key procurement arrangements
- The Finance, Audit and Risk Committee provides scrutiny and advice regarding procurement controls, value for money and risk management
- Local Governors contribute to oversight through local assurance and monitoring arrangements as delegated by the Trust Board

Procurement Requirements

- A written specification must be prepared before purchasing goods, services or works
- Framework agreements should be used wherever suitable and available
- At least three quotations are normally required where purchases are not made through an approved framework agreement
- Tendering arrangements become more formal as contract values increase
- High-value procurement activity must follow formal tendering processes and procurement regulations where applicable

Value for Money

- Procurement decisions should balance cost, quality, sustainability and risk rather than focus solely on the lowest price
- Benchmarking information and market analysis should be used to support spending decisions
- Approved procurement routes, frameworks and national deals should be considered where they provide demonstrable value for money
- Savings achieved through effective procurement should be reinvested to support teaching and learning

Tendering and Contract Management

- Tender processes must be open, fair, consistent and properly documented
- Suppliers must be assessed against clear criteria established before bids are received
- Records of procurement decisions, evaluations and scoring must be retained and available for audit purposes
- Contracts should clearly define responsibilities, costs, service standards and performance expectations
- Supplier performance should be monitored throughout the life of contracts to ensure continuing value for money

Risk Management

- Procurement risks must be identified, monitored and managed appropriately
- The Trust maintains a risk register and reviews significant risks regularly through governance channels
- Business continuity, contract dependency and supplier risks should be considered as part of procurement planning

Conflicts of Interest and Related Party Transactions

- All business and pecuniary interests must be declared and recorded appropriately
- Individuals must not use their position within the Trust for personal financial gain
- Related party transactions must be managed openly and transparently and may require DfE approval where thresholds are met
- Goods and services provided by related parties must normally be supplied at cost and be procured through a fair process
- Trustees and staff involved in procurement must avoid gifts, hospitality and any circumstances that could compromise impartial decision-making

What This Means for Staff

- Follow TCAT procurement procedures and approval levels before committing expenditure
- Obtain quotations and evidence of value for money where required
- Maintain accurate and auditable procurement records
- Declare any actual or potential conflicts of interest immediately
- Support transparent, fair and compliant procurement practices at all times
- Seek advice from finance colleagues when unsure about procurement requirements or thresholds

Supplier and Prospective Supplier Summary

Purpose of the Policy

- Explains how TCAT purchases goods, services and works in a fair, transparent and compliant manner
- Ensures all suppliers are treated consistently, and procurement activity delivers value for money for pupils, academies and TCAT
- Provides assurance that procurement decisions are based on objective criteria and robust governance arrangements

Opportunities to Work with TCAT

- Suppliers may be invited to quote or tender for contracts depending on the value and nature of the requirement
- Competitive procurement processes are used to ensure fairness, transparency and value for money
- Existing framework agreements may be used where these offer a compliant and efficient route to market
- Procurement opportunities may be advertised through appropriate procurement platforms where required by legislation

Expectations of Suppliers

- Deliver high-quality goods, services or works that meet TCAT's requirements
- Demonstrate value for money rather than competing on price alone
- Provide clear, accurate and timely information during procurement exercises
- Meet all relevant legal, safeguarding, health and safety, employment and data protection requirements
- Maintain high standards of ethical and professional conduct
- Disclose any actual, potential or perceived conflicts of interest

Tendering and Selection

- Bids and quotations are assessed against predetermined criteria
- Evaluation may consider quality, service delivery, experience, risk, sustainability, compliance and cost
- Procurement decisions are evidence based and documented

- Suppliers should ensure responses fully address the specification and evaluation requirements
- Clarification questions should be raised through the procurement process where permitted

Fair and Equal Treatment

- All suppliers should be treated fairly and consistently throughout procurement exercises
- Competitive information provided by one supplier will not be shared with competitors
- Evaluation processes must be objective and free from bias
- No supplier will receive preferential treatment because of existing relationships with TCAT or our schools

Conflicts of Interest

- Suppliers must declare any links with Members, Trustees, Local Governors, school leaders or employees
- Related party transactions are subject to additional scrutiny and regulatory requirements
- Failure to disclose relevant interests may result in exclusion from a procurement process or review of an existing contract

Contract Management

- Successful suppliers are expected to deliver agreed outcomes, service standards and contractual obligations
- Performance may be monitored throughout the contract term
- TCAT may review key performance indicators, quality standards and contract compliance
- Suppliers should engage constructively with contract review and performance monitoring arrangements

Data Protection and Information Security

- Suppliers handling TCAT information must comply with applicable data protection legislation
- Appropriate technical and organisational measures must be in place to protect personal and confidential information
- Data breaches or security concerns must be reported promptly through agreed procedures

Sustainability and Social Value

- TCAT encourages suppliers to demonstrate sustainable business practices where relevant
- Consideration may be given to environmental impact, responsible sourcing and wider social value benefits
- Suppliers should support TCAT's commitment to responsible use of public funds

Key Message

- TCAT aims to build professional, transparent and constructive relationships with suppliers that deliver high-quality services, value for money and positive outcomes for pupils while ensuring full compliance with procurement and governance requirements.

1. Legal framework

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

- The Academies Act 2010
- Equality Act 2010
- The Public Contracts Regulations (PCR) 2015
- DfE 'Academy trust handbook' (ATH)
- DfE 'Academy trust governance guide'
- DfE 'Report or seek approval for related party transactions: summary guidance'
- HM Treasury 'Review of the tax arrangements of public sector appointees'
- DfE 'Buying for schools: things to consider before you start'
- DfE 'Buying for schools'
- DfE 'Maximising value for pupils'
- DfE 'Achieving better value when buying'
- DfE 'Maximising school and trust resources: managing financial and physical assets'
- DfE 'Strategic workforce planning for schools and trusts'
- DfE 'Improve your school's and trust's digital and financial planning'
- The Public Procurement (Agreement on Government Procurement) (Thresholds) (Amendment) Regulations 2021

Where legislation has been passed or updated during the shelf life of this policy, we will always apply the latest version available irrespective of the version quoted here.

This policy operates in conjunction with the following policies:

- Records Management Policy (FI2)
- Reserves and Investment Policy (FI3)
- Anti-Fraud and Corruption Policy (FI14)
- MAT Financial Procedures Policy (FI5)

- Data Protection Policy (FI20)
- Conflicts of Interest Policy (GN13)
- Business Continuity Policy (GN22)
- Contractors Policy (ST2)

Central TCAT policies have the policy number identified, e.g. “SG1”. Where no policy number is identified this indicates the policy is a school specific policy available from an individual TCAT school’s website.

2. Roles and responsibilities

Responsibilities for different groups and individuals within TCAT are set out in full throughout this policy. This section highlights key responsibilities.

The Members are responsible for:

- Where necessary, by special resolution, issuing direction to the Trustees to take a specific action
- Conducting the business of the trust in accordance with company and charity law and adhering to the TCAT’s funding agreement with the Secretary of State

The Trust Board is responsible for:

- Applying the highest standards of conduct and governance and taking full ownership of their duties
- Approving a written scheme of delegation of financial powers
- Managing conflicts of interests and related party transactions
- Approving a balanced budget for the financial year and minuting the approval
- Appointing a Finance, Audit and Risk Committee to advise on the adequacy of TCAT’s controls and risks
- Reviewing the budgets for TCAT and individual academies and approving those budgets
- Ensuring that any grants are used for the purposes intended
- Reviewing the actual income and expenditure against the approved budgets and making recommendations as appropriate
- Ensuring that finances are used to deliver maximum value for pupils

The Accounting Officer/CEO is responsible for:

- TCAT's financial affairs
- Achieving value for money and the best possible educational outcomes through the economic, efficient, and effective use of resources
- Ensuring regularity when dealing with items of income and expenditure in accordance with legislation, the terms of the trust's funding agreement and the 'Academy trust handbook' (ATH), and with TCAT's internal procedures
- Ensuring propriety with regards to expenditure and receipts, including standards of conduct, behaviour, and corporate governance
- Keeping full and accurate financial records
- The management of opportunities and risks
- Assuring the Trust Board that TCAT is compliant with the ATH and the funding agreement
- Informing the Trust Board, in writing, of any action or policy under consideration that is incompatible with the terms of the Articles of Association, funding agreement or the ATH
- Prioritising and allocating financial resources appropriately, ensuring efficiency, effectiveness, and probity in the use of public funds
- Implementing the decisions of the Trust Board
- Ensuring that all monies controlled by TCAT are handled in accordance with sound financial practice
- Overseeing staff dealing with finances and ensuring that procedures are carried out accurately
- Making monthly checks of procedures

The CFO is responsible for:

- Acting as the principal finance officer for TCAT
- Ensuring that all financial matters focus on the wider needs of TCAT, rather than on any individual academy
- Challenging finance staff to ensure that value for money is routinely obtained
- Ensuring effective financial policies are in place across TCAT
- Liaising with the CEO and Academy Business Managers (ABMs) regarding financial matters
- Control, monitor and evaluate TCAT and individual academies finances, ensuring compliance with financial requirements and regulations
- Work with and maintain administrative systems, ensuring that maximum efficiency is achieved
- Provide reports, as requested, on current TCAT and school accounts to the Finance, Audit and Risk Committee and Trust Board

- Be responsible for the financial management system and all financial and personnel papers. They will ensure that only authorised staff members have access to personnel files and that arrangements to access their own files are in place – in line with the GDPR and the Data Protection Act (DPA) 2018
- Be responsible for maintaining a list of all assets
- Advise the CEO on matters of financial administration or maladministration

ABM's are responsible for:

- Ensuring that orders, invoices, and other financial documents are processed according to established procedures
- Being responsible for checking the accuracy of information and providing regular reports to the CFO

3. Using a framework agreement

Where possible, TCAT will use a framework agreement to purchase goods, works or services. Each framework agreement has:

- 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, TCAT has two options:

1. Select a supplier direct from a framework agreement
2. Run a 'mini-competition' – where suppliers are asked to send a bid and the best one is chosen

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

When running a mini-competition, TCAT 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 TCAT needs
- Fairly assess all bids received
- Choose the supplier that offers the best value for money
- Award the contract to the winning supplier

4. Procurement and spending decisions

Procurement basics

TCAT 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 Government Procurement Agreement (GPA) rules and thresholds are observed
- Professional advice is obtained where appropriate
- Appropriate due diligence takes place

Procurement thresholds

TCAT will run a Public Contracts Regulations (PCR) compliant buying process if:

- It cannot get what is needed through one of the DfE's recommended deals for schools or a framework agreement
- Something is being bought that is over the PCR procurement thresholds

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

Order value	Process required
Low - under £10,000	Framework agreement or at least three quotes from suppliers
Medium - £10,000 to £40,000	Framework agreement or at least three quotes from suppliers
High - over £40,000 and up to PCR procurement thresholds	Framework agreement or advertise a contract and run a buying process
Over PCR thresholds: Goods and most services – £213,477 Works – £5,336,937	Framework agreement or PCR-compliant buying process (unless covered in the list of services in the lighter touch regime, in which case the threshold is £663,540)

Specifications

No matter what procurement process is followed, a specification will always be written outlining what TCAT 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

5. Maximising value for pupils

TCAT will ensure that all tendering and procurement activity secures best value for money and maximises the impact of resources for pupils across the Trust. Procurement decisions will be transparent, proportionate and compliant, and will support the effective delivery of TCAT's educational objectives.

Principles

TCAT will ensure that procurement activity:

- Delivers value for money, balancing cost, quality, sustainability and risk
- Is compliant with the Academy Trust Handbook, DfE guidance and all relevant legislation
- Is informed by benchmarking, market awareness and robust financial data
- Makes effective use of national, DfE-approved and sector-recognised procurement routes

Procurement and Commercial Spend

TCAT will adopt a structured and value-driven approach to all commercial spend. In particular, the Trust will:

- Use the Financial Benchmarking and Insights Tool (FBIT) and other relevant data sources to inform procurement decisions, identify potential inefficiencies and assess value for money across TCAT
- Use compliant procurement routes, including DfE–approved and Crown Commercial Service frameworks, where these provide demonstrable value and reduce commercial and legal risk
- Consider and, where appropriate, adopt DfE-backed national deals and commercial solutions, including energy, insurance and other centrally negotiated arrangements
- Use the Get Help Buying for Schools service to support compliant tendering processes and ensure open and fair competition

Tendering and Contract Management

TCAT will ensure that tendering and contract management arrangements support best value over the full life of each contract. TCAT will:

- Undertake competitive tendering, quotation or benchmarking exercises in line with TCAT's financial thresholds, scheme of delegation and regulatory requirements
- Ensure that tender specifications and evaluation criteria are clearly defined, objective and aligned to TCAT priorities, including cost, quality and service performance
- Maintain effective contract management arrangements to monitor supplier performance, compliance and delivery of agreed outcomes
- Regularly review contracts and seek to reduce reliance on high-cost, poor-value or non-compliant suppliers

Governance, Delegation and Capability

TCAT will ensure strong governance and appropriate capability in relation to procurement.

TCAT will:

- Ensure the Trust Board provides oversight and receives assurance that procurement arrangements are compliant and deliver value for money
- Clearly define procurement responsibilities and approval thresholds through TCAT's Scheme of Delegation and financial regulations
- Support staff involved in procurement through access to appropriate training, guidance and professional development
- Seek expert advice and support, including from School Resource Management Advisers, where this will strengthen procurement decisions and commercial practice

TCAT will take a proactive, consistent and evidence-based approach to tendering and procurement across all schools. By using benchmarking data, approved procurement routes and robust contract management, TCAT will aim to achieve efficiencies, manage risk and reinvest savings directly into teaching and learning, thereby improving outcomes for pupils.

6. Low and medium purchases

Any purchase or service estimates below £10,000 are considered to be 'low' purchases, and any below £40,000 are considered to be 'medium' purchases. Small purchases below £5000 will not require approval from the Trust Board.

Where possible, TCAT 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 will be obtained prior to purchasing. All suppliers will be sent the same information, as follows:

- Specification
- Deadline for submitting the quote
- When TCAT will make a decision
- How the supplier can ask questions about what TCAT is buying or its process

- A link to TCAT's terms and conditions, if needed

Award criteria will be set before any suppliers are contacted.

To avoid legal challenges, TCAT will:

- Not open any bids before the deadline
- Not open any late bids
- Treat all bids fairly and equally
- Keep confidential, secure, and auditable records
- Buy from the highest scoring supplier

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

TCAT will award quotes a score between 1 and 5 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 TCAT's specification
- How quickly the supplier can provide the goods or services
- The suppliers customer service
- After-care provided by the supplier

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

TCAT will ensure that at least two people assess each bid and, when comparing scores, that they:

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

TCAT will send a contract, such as a purchase order, to the chosen supplier, including details of:

- What has been purchased
- The total cost
- The delivery address
- The delivery date and any other important dates
- When TCAT will pay the cost

All receipts and invoices will be kept in the Trust Finance Office for a period of 18 months after the initial purchase. The CFO will process each receipt and ensure they are available for inspection where necessary.

The CFO will be responsible for overseeing the arrangements for the delivery of goods and checking items upon delivery. Any items that are either not part of the order, damaged or not fit for purpose will be returned. When goods are returned, the ABM will record:

- The name and product code of the item
- The cost of the item
- If damaged, photographic proof
- Details of the item
- The reason for rejection

A record of goods rejected and delivered will be kept in the Trust Finance Office.

7. High-value purchases

TCAT will seek legal advice before making large purchases.

Any purchase or service estimated to cost over £40,000 will be put to formal tender. In the case of major building works or construction, the services of an architect will be sought before the tendering process is undertaken.

Large purchases under the PCR procurement thresholds

When TCAT 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 needed 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

Large purchases over the PCR procurement threshold

When TCAT makes purchases with a value over the PCR procurement threshold, it will have regard for:

- delivering value for money
- maximising public benefit
- sharing information and being transparent
- integrity
- treating suppliers the same
- not putting a supplier at an unfair advantage or disadvantage
- small and medium enterprises
- National Procurement Policy Statements

TCAT will:

- 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 Service (FTS)
- Make the invitation to tender and all other documents available electronically from the time that the contract notice is published
- Assess all the 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

8. 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 CFO will create monthly invoice reports which are submitted to the CEO.

9. Risk management

TCAT will maintain a risk register and manages risks to ensure its effective operation.

The Trust Board will retain ultimate responsibility for risk management, including ultimate oversight of the risk register, drawing on advice from the Finance, Audit and Risk Committee. The Trust Board will review the risk register as required and at least annually.

TCAT's risk management will include contingency and business continuity planning.

TCAT is protected from risk by the RPA.

TCAT will cooperate with risk management auditors and risk managers, implementing any reasonable risk management audit recommendations.

10. Types of tender

Open tender

Open tender is TCAT's preferred method of tender due to its open and competitive nature. Open tender is used for all goods or services under £5,000.

All interested suppliers will be invited to tender, with the CFO making a recommendation to the CEO. The CEO has the final say in selecting the successful tender.

Advertisements in trade publications will be used to attract bids for tender.

Restricted tender

Where a restricted tender is used, only specified suppliers chosen by the CFO are invited to bid. TCAT will establish a shortlist of three 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

Where a negotiated tender is used, the terms of the contract will be negotiated with the supplier. Negotiated tender is only 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

11. Preparation for tender

In preparing for a tender, the CFO 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

12. Invitation to tender

TCAT will make all necessary documents available online when the advert has been placed on the FTS. These include:

- A covering letter
- A timeline
- How to ask questions
- How to submit a bid
- Specifications
- A list of things TCAT requires prices for
- The award criteria
- The level of service required
- Any contract management needs, such as regular meetings or contact
- If needed, an invitation for suppliers to give a demonstration
- The standard selection questionnaire for use with restricted tender
- The proposed contract drafted as far as possible

13. Tender evaluation

When making purchases, TCAT will:

- Decide the method of assessing the bids
- Get bids from at least three suppliers
- Assess all the bids received fairly and according to the specification
- Choose the supplier that offers the best value for money

When evaluating a tender, the following financial implications will be 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 CFO needs to ensure the best possible value for money

When evaluating a tender, the following technical requirements will be 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
- References from previous customers

When considering a tender, the following other requirements will be considered:

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

14. Tender acceptance

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

Suppliers will be required to submit documents in marked brown envelopes clearly stating they are tender documents. All envelopes will be clearly marked upon arrival and securely stored in the Trust Central Office.

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

Informing unsuccessful bidders

TCAT will provide a letter including the following information to all unsuccessful bidders at the same time:

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

TCAT will only comment on their unsuccessful bid and will not share details of anyone else's bid. TCAT will try to give constructive feedback.

Informing the successful bidder

TCAT will provide a letter including the following information when informing the successful bidder that they have won:

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

TCAT will use the letter as an invitation to finalise a contract. The letter will make it clear that:

- TCAT will only award them 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

15. Tender opening

All offers for tender will be opened at the same time, with a minimum of two members of staff present, one of whom will be the CFO or in their absence the CEO.

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

16. Staff involvement in evaluating offers for tender and quotes

The CFO will be responsible for ensuring that none of the members of staff involved in the tender process are subject to conflicts of interest.

Members of staff who are involved in decision making will never accept gifts or hospitality from suppliers.

A full record of the evaluation process will be maintained by the CFO.

17. Contracts

TCAT will seek legal advice before entering a contract and ensure that it has a contract management plan in place. Non-routine tenders or purchases, such as leases, will be 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 will include the following details:

- A detailed description of the goods, works or services TCAT has agreed to buy, linked to the specification

- A pricing schedule – what will be paid when
- Terms and conditions
- The level of service wanted – this may include service level agreements (SLA) and/or ‘key performance indicators’ (KPIs)
- Any contract management arrangements such as regular meetings or contact.
- An ‘implementation plan’ saying who is responsible for what.
- What happens at the end of the contract
- The written specification, as an appendix to the contract
- The timeline and completion date of the work
- 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 will be securely stored in the central record located in the Trust Central Office.

TCAT will ensure it places a contract award notice in the FTS within 30 days of awarding the contract.

Challenges from unsuccessful bidders

TCAT will maintain 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 will be 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, TCAT will contact them and explain that the assessment process was conducted fairly and that TCAT has kept good records – legal advice may be sought depending on the nature or seriousness of the challenge.

If an unsuccessful bidder makes a legal challenge, TCAT will not finalise the contract, and will seek legal advice before proceeding.

The end of a contract

TCAT will plan 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

TCAT will follow its exit process where a contract needs to end prematurely.

18. Related party transactions

Principles TCAT adheres to:

- Trustees will avoid any conflicts of interest, declare their interest in proposed transactions and arrangements, and will not accept benefits from third parties
- All Members, Trustees, Local Governors, and senior employees will complete the register of interests, which is kept up to date
- No Member, Trustee, Local Governor, employee, or related individual will use their connection to TCAT for personal gain, including payment under terms that are preferential to those that would be offered to an individual or organisation with no connection to TCAT
- Payments to Trustees by TCAT will only be made where permitted by its Articles of Association, or by the authority of the Charity Commission, and comply with any relevant agreement with the Secretary of State
- TCAT will consider its obligations where payments are made to other businesses who employ a Trustee, are owned by a Trustee or in which the Trustee holds a controlling interest

- Where TCAT believes a significant advantage exists in paying a Trustee for acting as a Trustee, the Charity Commission's approval will be obtained prior to payment
- TCAT adheres to 'at cost' requirements
- The Chair of the Trust Board and the Accounting Officer will ensure their capacity to control and influence does not conflict with related party transaction requirements
- Personal relationships with related parties will be managed in a manner that avoids both real and perceived conflicts of interest, promotes integrity and openness, and is in accordance with 'The Seven Principles of Public Life'
- TCAT 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, including the Chair of the Trust Board and the Accounting Officer
    - 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

Record keeping

TCAT will keep sufficient records, and make sufficient disclosures in the annual accounts, to show that related party transactions have been made in accordance with accountability and transparency standards.

Approval by the DFE

TCAT will obtain the Department for Education's (DfE) approval for related party transactions that are novel, contentious or repercussive. Transactions involving the Chair of the Trust Board or the accounting officer will be carefully considered against this requirement.

All related party transactions will be reported to the DfE in advance of transactions taking place on or after 1 September 2023, using the appropriate form.

The DfE's prior approval will be obtained, using the online form, for contracts and other agreements for the supply of goods or services to the trust by a related party agreed on or after 1 September 2023 where any of the following limits arise:

- A contract or other agreement exceeding £40,000

- A contract or other agreement of any value that would take the total value of contracts and other agreements with the related party beyond £40,000 in the same financial year ending 31 August

Approval will not be required where contracts and other agreements for the supply of goods or services to TCAT are with colleges, universities and schools which are sponsors of TCAT, and other state funded schools and colleges, including academies. This concession does not apply to transactions with a subsidiary of such a related party.

For the purposes of reporting to, and approval by, the DfE, related party transactions will not include salaries and other payments made by TCAT to a person under a contract of employment through TCAT's payroll.

When seeking approval, TCAT will ensure that it has the relevant information about the supplier, including the supplier's name, address and company number. TCAT will also:

- Confirm the statement which best describes the relationship between the supplier and TCAT
- Confirm that the supplier is listed in TCAT's register of interests
- Confirm that TCAT has a statement of assurance from the supplier
- Confirm that TCAT has an open-book agreement with the supplier
- Provide a short description of the goods or service, details of the proposed cost and the start and end date of any contract or agreement

In addition, TCAT will provide evidence of the following:

- How TCAT agreed to the related party transaction, e.g. minutes of meetings where it was discussed
- That TCAT followed this policy
- That TCAT tested the market before making a decision
- How TCAT managed any conflicts of interest

TCAT will provide a copy of the agreement or proposed contract. TCAT will upload any additional documents the trust feels are relevant as part of its submission.

TCAT will ensure the information and documentation listed in the Academy Trust Handbook has been received before it completes the online related party transaction form.

Register of interests

TCAT will document all relevant business and pecuniary interests of Members, Trustees, Local Governors and senior employees, including:

- Directorships, partnerships and employments with businesses
- Trusteeships and governorships at other educational institutions and charities
- For each interest, the name of the business, the nature of the business, the nature of the interest and the date the interest began

The register of interests will identify all relevant material interests from close family relationships between TCATs Members, Trustees or Local Governors. It will also identify relevant material interests arising from close family relationships between those individuals and employees.

TCAT will consider any other interests for inclusion on the register of interests – if there is any doubt about whether an interest should be registered, it is registered.

The Trust Board will keep the register of interests up to date.

TCAT will publish on its website the relevant business and pecuniary interests of Members, Trustees, Local Governors and accounting officers. The publication of interests belonging to any other individuals named on the register is at the discretion of TCAT.

'At cost' requirements

TCAT will not pay more than 'cost' for goods or services provided by the following:

- Any TCAT Member or Trustee
- Any individual or organisation related to a TCAT Member or Trustee, namely:
    - A relative of a Member or Trustee: defined as a close member of the family, or member of the same household, who may be expected to influence, or be influenced by, the person. This includes, but is not limited to, a child, parent, spouse or civil partner
    - An individual or organisation conducting business in partnership with the Member, Trustee or a relative of the Member or Trustee

    - A company in which a Member or the relative of a Member (taken separately or together), and/or a Trustee or the relative of a Trustee (taken separately or together), holds more than 20 percent of the share capital or is entitled to exercise more than 20 percent of the voting power at any general meeting of that company
    - An organisation which is controlled by a Member or the relative of a Member (acting separately or together), and/or a Trustee or the relative of a Trustee (acting separately or together) – an organisation is controlled by an individual or organisation if that individual or organisation is able to secure that the affairs of the body are conducted in accordance with the individual's or organisation's wishes
- Any individual or organisation given the right under TCATs articles of association to appoint a Member or Trustee of TCAT, or any body connected to the individual or organisation
- Any individual or organisation recognised by the Secretary of State as a sponsor of TCAT, or any body connected to the individual or organisation

A body is connected to an individual or organisation if it is controlled by the individual or organisation, controls the organisation, or is under common control with the individual or organisation, namely any of the following:

- Holding a greater than 20 percent capital share or equivalent interest
- Having the equivalent right to control management decisions of the body
- Having the right to appoint or remove a majority of the board or governing board

'At cost' requirements will apply to:

- Contracts for goods and services from a related party agreed on or after 7 November 2013
- Contracts for goods and services from a related party exceeding £2,500, cumulatively, in any one financial year. Where a contract takes TCATs cumulative annual total with the related party beyond £2,500, the element above £2,500 must be at no more than cost
- Legal advice or audit services when the organisation's partner directly managing the service is a TCAT Member or Trustee, but not in other cases

The 'at cost' requirement does not apply to TCATs employees unless they are also one of the parties described above.

TCAT will ensure that any agreement with an individual or organisation which is classed as being a related party transaction is:

- Procured through an open and fair process
- Supported by a statement of assurance from the individual or organisation to TCAT confirming their charges do not exceed the cost of the goods or services
- On the basis of an open-book agreement including a requirement for the supplier to demonstrate clearly, if requested, that their charges do not exceed the cost of supply

The cost will be the full cost of all the resources used in supplying the goods or services and will not include any profit. Full cost includes:

- All direct costs – the costs of any materials and labour used directly in producing the goods or services
- Indirect costs – a proportionate and reasonable share of fixed and variable overheads

Monitoring and review

Lifespan of Policy: 3 Years

At any point this policy is updated or fully reviewed, it will be updated on the main TCAT website and will automatically update on all TCAT school websites simultaneously.

Where an annual check or other check results in minor changes, the Version History will be reviewed and updated with a change in the number following the decimal point, for example, v1.1 ⇨ v1.2. Where the policy is reviewed in full, then the number before the decimal point will change and reset, for example v1.4 ⇨ v2.0.

Any changes made by the CEO in collaboration with the Board Appointed Trustee will be passed to the Trust Board for ratification and subsequently be notified to Clerks to Local Governing Bodies and Headteachers/Heads of School.

The next scheduled full review date for this policy is 8th November 2029.

Date approved by the Board Appointed Trustee: 9th November 2026.

To be ratified and recorded in the minutes at the first Trust Board Meeting after 9th November 2026.

Trust Glossary

AA	Admissions Authority	**H&S**	Health and Safety
AAI	Adrenaline Auto-Injector (Epi Pen)	**HoS**	Head of School
ACM	Asbestos Containing Materials	**HSE**	Health and Safety Executive
AHT	Assistant Headteacher	**ICO**	Information Commissioners Office
AIR	Attendance Intervention Reviews	**IDSR**	Inspection Data Summary Report
APDR	Assess Plan Do Review Cycle	**IHP**	Individual Healthcare Plan
APIs	Application Programming Interfaces	**IRMS**	Information and Records Management Society
ASC	Autistic Spectrum Condition	**IWF**	Internet Watch Foundation
ASP	Analyse School Performance	**KCSIE**	Keeping Children Safe in Education
ATH	Academy Trust Handbook	**KS1/2/3/4**	Key Stage 1/2/3/4
BAME	Black, Asian and Minority Ethnic Backgrounds	**LAC**	Looked After Child
BAT	Board Appointed Trustee	**LADO**	Local Authority Designated Officer
BCP	Business Continuity Plan	**LGB**	Local Governing Body
BFR	Budget Forecast Return	**LLC**	Low-Level Concerns
CEO	Chief Executive Officer	**LSA**	Learning Support Assistants
CFO	Chief Financial Officer	**MASH**	Multi-Agency Safeguarding Hub
CIF	Condition Improvement Fund	**MAT**	Multi-Academy Trust

CIN	Child in Need	**MFA**	Multi-Factor Authentication
CLA	Children Looked After	**MFL**	Modern Foreign Language
CMIE	Child Missing in Education	**NCSC**	National Cyber Security Centre
COO	Chief Operating Officer	**NoV**	Note of Visit
COSHH	Control of Substances Hazardous to Health	**NPQ**	National Professional Qualifications
CP	Child Protection	**PA**	Persistent Absence
CPD	Continuing Professional Development	**PAN**	Published Admission Number
CPOMS	Child Protection Online Management System	**PECR**	Privacy and Electronic Communications Regulations
CSCS	Children's Social Care Services	**PEP**	Personal Education Plan
CSE	Child Sexual Exploitation	**PEEP**	Personal Emergency Evacuation Plan
CTIRU	Counter-Terrorism Internet Referral Unit	**PEx**	Permanent Exclusion
CWD	Children with Disabilities	**PP**	Pupil Premium
CYPMHS	Children and Young People's Mental Health Services	**PPG**	Pupil Premium Grant
DBS	Disclosure and Barring Service	**PSHE**	Personal, Social and Health Education
DDSL	Deputy Designated Safeguarding Lead	**PSED**	Public Sector Equality Duty
DfE	Department for Education	**PTFA**	Parent, Teacher and Friends Association
DHT	Deputy Headteacher	**QA**	Quality Assurance

DSE	Display Screen Equipment	**RIDDOR**	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations
DSL	Designated Safeguarding Lead	**RHE**	Relationships and Health Education
DPO	Data Protection Officer	**RPA**	Risk Protection Arrangement
EAL	English as an Additional Language	**RSHE**	Relationships, Sex and Health Education
ECT	Early Career Teacher	**SA**	Severely Absent
EDIB	Equality, Diversity, Inclusion and Belonging	**SALT**	Speech and Language Therapist
EHA	Early Help Assessment	**SARC**	Sexual Assault Referral Centre
EHCNA	Education, Health and Care Needs Assessment	**SBM**	School Business Manager
EHCP	Education, Health and Care Plan	**SCC**	Standard Contractual Clause
EHE	Elective Home Education	**SCITT**	School-Centred Initial Teacher Training
ELSA	Emotional Literacy Support Assistant	**SCR**	Single Central Record
ESFA	Education and Skills Funding Agency	**SDP**	School Development Plan
EVC	Educational Visit Coordinator	**SDQ**	Strengths and Difficulties Questionnaire
EWOSSO	Education Welfare and Safeguarding Support Officer	**SEF**	Self-Evaluation Form
EYFS	Early Years Foundation Stage	**SEMH**	Social, Emotional, and Mental Health
FBV	Fundamental British Values	**SENCO**	Special Educational Needs Coordinator
FFT	Fischer Family Trust	**SEND**	Special Educational Needs and Disabilities

FGM	Female Genital Mutilation	**SIP**	School Improvement Partner
FGMPO	FGM Protection Order	**SLA**	Service Level Agreement
FOI	Freedom of Information	**SLCN**	Speech, Language and Communication Needs
FSM	Free School Meals	**SLT**	Senior Leadership Team
FTS	Find a Tender Service	**SPOC**	Single Point of Contact
GAG	General Annual Grant	**STEM**	Science, Technology, Engineering and Maths
GDPR	General Data Protection Regulation	**TA**	Teaching Assistant
GIAS	Get Information about Schools	**TAC**	Team Around the Child
HASH	Herefordshire Association of Secondary Heads	**TCAT**	Three Counties Academy Trust
HBA	Honour Based Abuse	**TUPE**	Transfer of Undertakings (Protection of Employment)
HR	Human Resources	**VSH**	Virtual School Headteacher