



PROCUREMENT POLICY

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Policy Renewal: March 2027

Reviewed by the SLT MAT Board

“The Trustees of the Southport Learning Trust are committed to safeguarding and promoting the welfare of children and young people at every opportunity and expect all staff and volunteers to share this commitment”

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The Trust has implemented a Procurement Policy which details the procedures to be followed when making purchasing decisions regarding goods or services.

Procurement is the process whereby goods, services and works are acquired. The procurement process spans a life cycle from identification of need and resources, through selection of suppliers, purchasing, contract management and disposal. Purchasing is the transactional process of buying the goods/services and is just one part of Procurement.

As a publicly funded organisation, Southport Learning Trust in accordance with procurement legislation, is a 'Contracting Authority'. Subsequently, any procurement activity is regulated by UK Public contracts regulations - the Procurement Act 2023. Any procurement activity must be carried out in a transparent and non-discriminatory manner.

1. General Principles

When purchasing and contracting for goods and services the Trust must always demonstrate compliance with procurement legislation and the proper and effective use of public funds. Purchasing procedures should also ensure that the goods, services and works procured are for the correct quantity and quality, arrive on time and achieve best value. The following general principles must therefore be adhered to:

- Transparency and Non-Discrimination

In all purchasing activity the Trust must ensure that all contractors, suppliers and service providers are treated equally and without discrimination and must act in a transparent and proportionate manner. Procurement procedures must not be undertaken in a manner which artificially narrows competition, favours, or disadvantages any contractor, supplier, or service provider.

- Probity

It must be demonstrable that all parties are dealt with on a fair and equitable basis and that there is no private gain, favouritism or corruption involved in any dealings of the Trust.

- Accountability

The Trust is publicly accountable for its expenditure and can clearly demonstrate that public funds have been used for the purpose intended.

- Value for Money

The achievement of value for money underpins the appropriate use of all public funds, therefore as well as striving to achieve the best price possible for all purchases, consideration should also be given to other factors such as quality, suitability, availability, reliability of the supplier, terms available etc.

The Trust's funds must not be used to purchase alcohol for consumption, except where it is to be used in religious services.

2. Purchasing Thresholds

There are two types of threshold governing the procurement for the Trust and Academies. Firstly, authority to commit expenditure, which is covered in the scheme of delegation and secondly the procurement process which is governed by the anticipated full lifecycle cost of the procurement and must be inclusive of VAT. The £214,904 threshold in the fourth and fifth bullet points below are subject to revision every 2 years and was effective from 1st January 2024.

- Below £2,500 – ensure that purchase is in line with Best Value.
- £2,500 - £49,999 – three written quotations from suitable suppliers/contractors
- Any expenditure over £50,000 will be subject to formal tendering procedures.
- £50,000 - £214,904 – advertise on the Contracts Finder website (www.contractsfinder.service.gov.uk) and invite a minimum of three tenders following advertisement unless an appropriate framework may be used.

- Over £214,904 a full tender procedure and advertising on Find a Tender Service (www.find-tender.service.gov.uk) or use of a compliant framework.

3. Tendering

The Central Procurement Team will select and manage the most appropriate procurement process in accordance with the anticipated value, any potential aggregation and Trust tendering guidelines which are compliant with current procurement legislation. This may include the use of Frameworks, Dynamic Purchasing systems, or bespoke tenders.

Tendering procedures may take up to six months depending on lifecycle costs and compliance with legislation, failure to programme sufficient time for procurement will not be a reason to grant a dispensation.

The Trust may decide to seek appropriate professional advice or outsource the tender management where appropriate. This approach can be cost effective, ensure value for money, and make certain procurement legislation is adhered to.

Where capital projects are project managed by the third parties such as the Trust appointed Building Surveyors, the responsibility for the tender management will be included within the project management. The third party will be required to complete tender process with the in line with this policy and the UK Public contracts regulations. The Trust will maintain continue oversight of this process.

Any communication or post tender bid clarification with suppliers will be led by the Central Procurement Team for centrally managed tenders.

Types of Tenders

There are two forms of tender procedure: a single stage procedure or a competitive flexible procedure. The Central Procurement Team will assess which is most appropriate on a case-by-case basis taking into account the requirement to act in a proportionate manner of awarding the contract, having regard to the nature, complexity and cost of the contract.

- **Single Stage Tender**

This is where all potential suppliers are invited to tender. This is the preferred method of tendering, as it is most conducive to competition and the propriety of public funds.

- **Competitive Flexible Procedure**

Any other competitive tendering procedure as the Central Procurement Team considers appropriate for the purpose of awarding the contract. This could include limiting the number of participating suppliers, generally or in respect of particular tendering rounds or other selection processes; or making provision for the refinement of award criteria in accordance with the Procurement Act 2023.

4. Frameworks

Frameworks are a type of contract the Trust can use to buy goods or services. The frameworks consolidate the purchasing power of lots of individual public sector organisations. The framework providers carry out a tendering exercise in compliance with UK procurement legislation. The Trust is a member and therefore has access to a range of frameworks. These contracts act as an 'umbrella agreement' that sets out the terms (particularly relating to price and quality) under which individual purchases (call-offs) can be made, at which point a contract is formed between the Trust and supplier.

Frameworks First

This policy requires that prior to committing to a procurement process, it is necessary to check whether there is a framework for the required goods or services. The Central Procurement Team will be able to advise further on the availability of framework agreements.

5. Dispensations

In limited circumstances a dispensation from the requirement to obtain alternative quotes may be granted. This may include authority to solicit a single quotation, to award a contract or place an order without having obtained the requisite number of tenders or quotations or to directly award a contract.

All dispensations require prior approval from the Executive Director before progressing and must not result in a breach of procurement legislation or be contrary to the Trust Scheme of Delegation.

Dispensations from the requirement for competitive quotations / tenders must not be used to avoid competition, or for administrative convenience, or to award fresh / further work to a supplier originally appointed through a competitive procedure.

Subject to approval as outlined in the Trust scheme of delegation, dispensations may be granted for the following reasons:

- unforeseen emergency requirement as long as is not attributable to any act or omission of the Trust; and could not have been reasonably foreseen by the Trust.
- The contract concerns the production of a prototype, or supply of other novel goods or services; or the contract concerns the creation or acquisition of a unique work of art or artistic performance.
- the goods or services are only available from one source and there is no possibility of the Trust's requirements being met in any other way.
- an extension is required to a current contract to allow sufficient time to complete a competitive tendering exercise (but failure to have planned the re-procurement would not be justification for a single tender).
- where the seeking of tenders and subsequent contract award could cause significant operational difficulties and where any potential savings would be outweighed by those operational issues (which along with a VFM analysis must be documented).

6. Social Value and Sustainability

The Trust is committed to ensuring sustainability in its contracts and will comply with the Academies Buying Resource <https://www.gov.uk/guidance/buying-for-schools> to include relevant Social Value and Sustainability criteria in its contracts. You must check with the Director of Finance if you are unsure.

7. Supplier Management

Purchase Orders, Contracts and Payments should only be raised/made to suppliers which have passed Trust vetting procedures and have been added to the finance system.

New suppliers may only be added to the finance system following completion of a new supplier form and the requisite vetting procedures.

All staff who may raise purchase orders for work should satisfy themselves that where required, contractors have appropriate DBS clearance before raising an order for work. The Trust has issued guidance for the safeguarding of pupils whilst contractors are on site which must be followed.

8. Contract Agreements /Terms and Conditions

Framework Agreement Terms

Where a framework agreement is used, there are generally terms and conditions already set up to be used with call-offs from the framework.

Terms and Conditions Following Procurement

When a procurement is carried out, the tendering process will require the terms and conditions of purchase to be set out by the Contracting Authority. Example contracts and terms and conditions can be found at the Department for Education procurement information pages:

<https://www.gov.uk/government/organisations/department-for-education/about/procurement#terms-and-conditions-for-dfe-contracts>

Contract Signatures

Any agreement, contract or lease with a supplier which requires a signature by a member of staff of the Trust (not including general orders for goods and services) should be forwarded to the Central Procurement Team for review prior to signature. Appropriate legal advice will be obtained where necessary to protect the interests of the Trust.