



# Procurement Policy

LINKS: QET Financial Administration and Controls Policy

DATE: May 2023

POSTHOLDER RESPONSIBLE: DFO

TRUSTEE COMMITTEE: Finance, Operations & Audit

AUDIENCE: All Trust Staff

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## 1. Policy Statement

- 1.1. This policy sets out the principal guidelines detailing Quantock Academy Trusts (QET) approach to procurement. The document rationalises the QET's approach to the purchase of goods, works and services for its schools (the Academies or Academy).
- 1.2. QET strives to achieve the best value for money from all its purchases. This means getting what is needed in the correct quality, quantity and time at the best price possible. A large proportion of purchases will be paid for with public funds and therefore we need to maintain the integrity of these funds by following the general principles of:
  - Probity - it must be demonstrable that there is no corruption or private gain involved in the contractual relationships of the academy;
  - Accountability - the academy is publicly accountable for its expenditure and the conduct of its affairs;
  - Value for money - the achievement of value for money underpins the appropriate use of public funds. It is usually defined as economy, efficiency and effectiveness where:
    - economy is minimising the costs of resources used having regard to appropriate quality;
    - efficiency is the relationship between the output (however measured) and the resources used to generate that output;
    - effectiveness is the extent to which the objectives are achieved and the relationship between the actual and the intended outputs from an activity.
- 1.3. In applying funds to purchase decisions, QET Trust and Local Governance Committees (LGCs) must have regard to value for money considerations. From the definitions given above it should be evident that this does not necessarily mean the cheapest on offer. Consideration also needs to be given to factors including quality, suitability, availability, reliability of the supplier, terms available and other factors deemed pertinent for the item in question.
- 1.4. QET ensures to comply with the Academies Financial Handbook, Funding Agreements with the Department for Education (DfE), any DfE guidance (including the Academies Procurement Resources) and the Public Contracts Regulations 2015 (the Regulations). As defined within our Funding Agreements and as a registered charity, the QETs board of trustees have specific obligations to ensure value for money. This duty is communicated and embedded throughout QET and its Academies.
- 1.5. QET is committed to ensure that through its governance the highest standards of integrity, probity and openness are adhered to and QET and its Academies conduct themselves in an appropriate manner to allow for this.
- 1.6. This policy aims to allow QET to demonstrate that contracts entered into by QET or its Academies, are done so with fairness and transparency, avoiding the opportunity for private gain and ensures value for money is sought.

- 1.7. It is essential that the correct level of authority is sought and obtained before entering in to any contract as set out in this document. These guidelines apply to everybody within QET and its Academies who is responsible for purchasing, whether as an employee or contractor.
- 1.8. This Procurement Policy should be read in conjunction with the QET Financial Administration and Controls Policy.

## 2. Definitions

- 2.1. **“Supply”** includes buying, leasing, hiring or any form of credit arrangement.
- 2.2. **“Quotation”** means a written offer for supply without needing to use the formal procedures of tendering.
- 2.3. **“Tendering”** means a formal procedure for getting written offers (tenders) for supply. Under this policy there are two tendering procedures - the full and the shortened procedure.
- 2.4. A **“Pecuniary Interest”** is where a member, director member of staff or QET members has an interest in a person or business that could benefit from a procurement process.
- 2.5. A **“Contract”** is a legally binding agreement between two or more people or organisations.

## 3. Responsibilities

- 3.1. The Trustees are responsible for contracts covered by this policy. Responsibility is delegated to the Finance, Operations and Audit Committee, Chief Executive Officer (CEO), Director of Finance and Operations (DFO), Head Teachers, Academy Leadership Teams and other staff as appropriate.
- 3.2. This policy applies to any contract for services, supplies or works, which results in payment for said items being made by QET or an Academy.
- 3.3. Every procurement should deliver value for money to QET ensuring the purchase is considered to be good use of public money. Achieving value for money is not always accepting the lowest price, other factors such as, quality, timing and whether the contract is fit for purpose should also be considered.
- 3.4. Consideration as to the procurement method and the estimated value of contract, should be made before any purchase is agreed. The Academies Financial Handbook should be consulted in relation to some types of leasing arrangements and novel/contentious transactions as special rules apply to some of these transactions, which require Secretary of State consent.
- 3.5. Care will be taken to ensure that a contract is not disadvantageous to QET. Care and consideration will be given to all procurement exercises, ensuring where possible that significant payment in advance is avoided for goods or services.
- 3.6. Repeatedly rolling over a single year contract, is unlikely to allow best value to be achieved. Any contracts procured on this basis should be reviewed and where appropriate re-procured.

- 3.7. Anyone bidding in a competition ("Bidders") should be treated in a way which ensures equality of treatment, non-discrimination and transparency, for example:
- All Bidders must be given the same information at the same time, and no Bidder should be treated more favourably than another; and
  - There must be clear and transparent timescales, requirements, specifications and deadlines to comply with any competition.

## 4. Budget expenditure and tender approval

- 4.1. QET policy is to delegate budgets to individual Academies. However, not all employees of QET are authorised to purchase on behalf of QET. The details of those individuals with delegated authority (and the maximum threshold value of the contract(s)) are set out at in the QET wide scheme of delegation.
- 4.2. For contracts involving more than a single Academy and for all High Value and Upper Threshold Contracts (as set out below), prior approval must be sought from the DFO or CEO and, where required, from the Finance, Operations and Audit Committee.

## 5. Procedures

- 5.1. Wherever practical, for any purchase above £10,000 checks should be made with other Academies and the Head of Estates or DFO whether the same purchase is required elsewhere within QET. If so, the spend should be included within the same contract/purchase.
- 5.2. When addressing any procurement need it is essential to consider how the purchase is to be sourced:
- What is the estimated level of spend?
  - Due to the procurement thresholds, how many quotes are required?
  - Is a formal tender exercise required?
  - Can QET/Academy use an existing framework agreement (see section 6 below), or can another Academy provide the requirement?
- 5.3. As set out below, if suitable, existing framework agreements (particularly for Upper Threshold Contracts) can be used.
- 5.4. As part of any procurement exercise, as a minimum requirement, what is to be purchased must be clearly identified. This means knowing in advance what is expected to be delivered from the goods, works or services, together with the quantity, maximum cost and delivery / completion requirements.
- 5.5. Please see Appendix A for a guide to carrying out a tender and what information will be required at each stage of the process.

## 6. Contract Values

### 6.1. Contract values must be decided as follows:

- If the contract is to purchase a single item, which is not related to purchasing other items, the value of the contract is the price, or estimated price of the item, including all related fees. A single contract must not be broken down into smaller contracts to avoid contract value thresholds.
- If the contract is for specific services, the value of the contract is the price, or estimated price, of the services.
- If the contract is for a fixed term with an option to extend, the value of the contract is the total price over the whole life of the contract, i.e. the initial term plus the extension period.
- If the contract is for goods or services to be provided by lease or hire, the value of the contract is the capitalised value of the goods or services to be provided. This can be worked out by multiplying the regular payment to the lease or hire company by the minimum number of payments to be made under the contract. Note, QET must not enter into finance leases without the prior written agreement of the Secretary of State for Education.
- If the contract is a framework agreement, (also known as call-off agreement) the value of the contract is the expected total value of goods or services taken under that contract during the life of the contract.

6.2. If the contract is entered into by a group of schools/academies through “collaborative purchasing” the value of the contract is the total price of all the schools/academies within the group over the whole life of the contract.

6.3. The value of a contract does not include VAT unless VAT cannot be reclaimed (Academies should assume that VAT can be reclaimed on all purchases).

## 7. Purchasing Thresholds

7.1. Procurement thresholds for Academy buying decisions are set in line with guidance from the ESFA – “Buying for Schools” with the introduction of low, medium and high value buying thresholds. The ESFA also recommend that schools should use national procurement frameworks for high value goods and services (See Section 9).

### Trust approved purchasing thresholds

Purchasing Threshold	Value (excl VAT)	Quotes and Tenders
Low	£0 - £9,999	Evidence of Price
Medium	£10,000 - £50,000	Written quotes from at least 3 suppliers
High	£50,000+	Written Tenders from at least 3 suppliers, (where practicable) one of which must be through a recognised school framework agreement

## 8. Low and medium level transactions (Goods and services from £0 - £49,999)

- 8.1. The process of how QET obtains goods, works or services with a contract value below £50,000 must be documented, this documented evidence must include:
- A minimum number of 3 quotations to be gathered (where above £9,999);
  - The method to be used for inviting quotations;
  - The method for choosing suppliers or contractors; and
  - Details of the staff authorised to accept quotes.
- 8.2. For low value (£10,000) items, it is possible to show that value for money has been achieved by comparing prices across several suppliers using catalogues or the internet. For more significant purchases, it is possible to demonstrate value for money by getting alternative quotations. There may be occasions when it is beneficial to use the tendering procedure for some contracts below £50,000 if this is likely to provide best value for money.
- 8.3. Where the procurement exercise is expected to exceed £10,000, It is expected that a Procurement Authorisation Form is completed (Appendix B) and a minimum of three suppliers/contractors would be approached to submit written quotes for procurements within this range.

## 9. High value transactions (goods/services between £50,000 and the current Procurement threshold and works up to the current threshold)

- 9.1. Prior to undertaking any High Value transaction, a business case for the purchase must be produced and a Procurement Authorisation form completed (See Appendix B).
- 9.2. The business case will be considered by the DFO or delegated person and must include as minimum:
- Why there is the need to spend - identify the need;
  - Best value for money;
  - Benefits to the Organisation (Financial/Non-Financial);
  - Specification of the requirement;
  - Market Testing; and
  - Procurement Strategy - please seek advice or consult with the DFO.
- 9.3. Bidders requesting information regarding any procurement exercise must be sent a tender pack. This should contain the information about the requirement and needs, together with the information required from bidders. This will need to be bespoke in each case but could include, for example:
- details of pricing;
  - details of method statements;
  - details of product characteristics;

- the evaluation criteria which will be used to evaluate the tenders received, including disclosure of the criteria, sub criteria and weightings that will be applied to select the best Bidder(s). This is a complex area and you must check with the DFO; and
- a draft set of terms and conditions.

9.4. It is expected that a minimum of three suppliers/contractors would be approached to submit tenders for procurements of this value.

9.5. Once the tender process has been completed, Tenders must be opened in accordance with the tender Opening Form (Appendix C) and any approval for the procurement made via the Tender Acceptance form (Appendix D).

## 10. Transactions above current UK Procurement Thresholds

10.1. UK Procurement Thresholds indicate at what minimum value, a contract for goods, works or services must be advertised.

10.2. It is mandatory for public sector contracting authorities to adhere to these regulations. However, it is important that suppliers are also aware of advertising thresholds.

10.3. Applies to public authorities including, amongst others, government departments, local authorities and NHS Authorities and Trusts.

10.4. The Directives set out detailed procedures for the award of contracts whose value equals or exceeds specific thresholds. Details of the thresholds are given below. Thresholds are exclusive of VAT.

**The Public Contracts Regulations \* 2022**

	<b>Supply, Services and Design Contracts (goods)</b>	<b>Works Contracts</b>	<b>Social and other specific services (most services)</b>
Contracting Authorities (Multi Academy Trusts)	£213,477	£5,336,937	£663,540
Small Lots	£70,778	£884,720	N/A

10.5. Upper threshold procurements should not be undertaken by individual Academies and must be referred to the DFO.

10.6. Prior to undertaking any upper threshold transaction, a business case and completed Procurement Authorisation Form must be completed (Appendix B) for the purchase. The DFO will review the business case and will notify the Academy on the decision to procure and the most appropriate way to make the purchase.

10.7. This document does not set out the detailed process which must be followed whenever the total value of the contract exceeds the Upper Threshold.



- 10.8. It is expected that a minimum of five suppliers/contractors would be approached to submit tenders for procurements estimated to be above the EU procurement threshold.
- 10.9. Once the tender process has been completed, Tenders must be opened in accordance with the tender Opening Form (Appendix C) and any approval for the procurement made via the Tender Acceptance form (Appendix D).

## 11. Procurement via Framework Agreements

- 11.1. Framework contracts are those where a number of suppliers have been pre-procured with all public sector rules complied with. Due to this it is possible to purchase directly from a framework without the need to complete a further procurement exercise, irrespective of the value being procured. In appropriate circumstances, this can be an efficient way of procuring goods and services as it reduces administration costs on the procurement as well as potentially securing value for money through pre-tendered low prices.
- 11.2. A framework agreement (or call-off agreement) is one where the terms of supply are fixed but it does not involve the supply of goods or services until an order is placed for the supply.
- 11.3. If appropriate, in accordance with the Academies Financial Handbook and DfE policy, QET may choose not to run its own procurement processes, and instead use an existing framework arrangement.
- 11.4. QET may also set up its own framework agreements which can be used by all Academies. Such frameworks will be notified to Academies as appropriate.
- 11.5. There are several organisations that offer a wide variety of framework agreements, these include:
- Crown Commercial Services (CCS)
  - Crescent Purchasing Consortium (CPC)
  - Eastern Shires Purchasing Organisation (ESPO)
  - Yorkshire Purchasing Organisation (YPO)
  - Fusion 21
- 11.6. Registration is usually required in order to access these framework providers. As per the requirements of section 3 are adhered to when deciding the procurement route.
- 11.7. Throughout the process of each procurement exercise, it is important to ensure that:
- QET is entitled to call off from the arrangement. You should check in each case;
  - The specification and the contract terms are suitable for your particular needs. The terms and conditions from frameworks are generally set in advance and cannot be changed beyond the mechanism set out in the framework; and
  - The framework's guidance must be adhered to, particularly about how orders should be placed. This will either generally permit (1) direct awards of contracts to a supplier and/or (b) mini competitions between all suppliers with capacity to deliver the requirement on the framework.

- 11.8. Different rules apply depending on the value of the purchase you want to make. QET's current spend thresholds are set out below.
- 11.9. If your contract is of a value which exceeds the Upper Threshold, the Regulations will apply and you must follow the procedure set out in section 10 of this document.
- 11.10. Frameworks can be an attractive way to procure, however, it is advisable to carry out some open market testing, especially in markets where the value can fluctuate over time to ensure best value is sought.

## 12. TUPE (Transfer of Undertaking Protection of Employment)

- 12.1. Some contracts will involve provision of services to QET where members of staff are employed by a contractor to specifically support QET and/or its Academies. Examples of these contracts include Catering and Cleaning services. Due to this, these employees may have employment rights when these contracts are re-negotiated.
- 12.2. Any consideration of tendering these contracts should be done in consultation with QET's Director of HR and advice sought on the TUPE transfer process. Any procurement exercise that involves TUPE is likely to prolong the period of the procurement due to the complexity and nature of it.

## 13. Tender opening procedures and rules

- 13.1. The procedures will differ when opening bidders' proposals during procurement exercises. If it is estimated that the procurement value is likely to be below £50,000. The bidders' quotes/return documentation may be opened at any point and the contents assessed.
- 13.2. Bidders, Contractors and suppliers may submit their quotations for values under £50,000 by the following methods:
- Hard copy
  - Email
- 13.3. If the procurement value is estimated to exceed £49,999, the tender process detailed in Appendix A should be followed.
- 13.4. Where the value exceeds £50,000, only tenders will be accepted and can be submitted via the following methods:
- Hard copy\*
- \*In the case of hard copies, the envelope/package should bear no external markings identifying the tenderer.
- 13.5. An appointed officer from QET or the Academy the purchase relates to must ensure to keep any tenders received, secure, until the specified tender opening meeting. Any tenders received via the

Procurement portal should remain on the portal and must not be downloaded until the Tender opening meeting.

- 13.6. If an external E-tendering platform is to be operated for any the procurement exercise above the threshold this will help ensure compliance.
- 13.7. If a formal tender exercise is required and sealed submissions are received, a formal tender opening meeting should be called to ensure all potential suppliers are treated fairly. The formal tender opening form found at Appendix C should be used when completing this stage of the tender exercise, this will allow for a clear audit trail to be presented.

## 14. Audit and Record Keeping

- 14.1. For all purchases, regardless of the contract length or procurement type or method and clear audit trail should be kept. The level of detail required for this audit trail will depend on the value of the purchase and will increase proportionately. The details within the written record should include:
  - Details of the purchase, e.g. what was purchased, who the supplier was and the cost of item or value of contract.
  - Information on the procurement method used and why it was suitable for this purchase/contract. E.g. was a framework used and why, if not then copies of the quotations or tenders submitted attached.
  - If appropriate, how the supplier complies with the data Protection Act 2018, with particular regard for the General Data Protection Regulation (GDPR).
  - Full minutes of any meeting where the procurement was discussed (if applicable).
  - Who was responsible for evaluating the tenders, along with any details of the evaluation scoring (if applicable).
  - Who was responsible in deciding to procure, and rationale behind the reason to procure.
  - Where the lowest cost is not the driver behind the successful bidder, reasons for this must be documented.
  - Where the procurement is for a lease agreement, evidence that the agreement has been authorised at the correct level must be documented.

## 15. Exemptions

- 15.1. There are instances where a tender process has already been carried out on behalf of public/education sector. It is not necessary to get alternative quotations or carry out a tender procedure for these contracts, although it is still important to ensure QET is achieving value for money. Instances where this may apply are:
  - Central/Local Government or Public Sector Buying organisations have setup a framework agreement.
  - Local Authority Framework or Approved Contractor List agreed.

- 15.2. Where QET had previously carried out a procurement exercise (e.g. a contract for 3 years) and QET wishes to continue using the supplier by means of a contract extension, there are circumstances where a quotation waiver/tender waiver may not be required, as detailed in section 17.
- 15.3. For all levels of new procurement, this policy must be followed in all but exceptional circumstances.
- 15.4. If the exceptional circumstances described in this section apply, the Chief Executive Officer has the delegated authority to decide not to quote or tender.
- 15.5. If the CEO uses the powers described in paragraph 15.12, the Chair of Finance, Operations and Audit Committee must be informed and a report provided to the next Finance, Operations and Audit Committee meeting explaining why the decision was made not to tender and providing full details of the contract.
- 15.6. Trustees may grant an exception to these regulations using the waiver forms at Appendix E and F. Under normal circumstances, this must be taken to a Finance, Operations and Audit Committee meeting for approval and appropriately recorded, before any contract may be entered into. However, it is acknowledged that this may cause unnecessary delay for some projects (e.g. where an order needs to be placed quickly so work can be completed during a school holiday). Under these circumstances, the decision can be made by the Chair of Finance, Operations and Audit Committee, and reported to the next Finance, Operations and Audit Committee. However, QET must not continually waive the same contract as this may break the law. Lack of time caused by poor forward planning is not an appropriate reason for granting a waiver.
- 15.7. It is not necessary to quote or tender if there is an unexpected emergency involving danger to life or health or serious damage to property, if the goods, work or services are needed more urgently than would be possible if the tender or quotation procedure were followed.
- 15.8. It is not necessary to quote or tender if you can achieve value for money by buying used vehicles, equipment or materials. However, there may be hidden costs in purchasing used goods and the decision to do so must take account of these.
- 15.9. It is not necessary to quote or tender if for technical reasons, the goods, work or services can be bought from only one provider. This must be justified – QET must be able to demonstrate that it has tried various providers.
- 15.10. Some other types of arrangements fall outside of the procurement rules, such as employment contracts. This may also include some types of Special Education Needs provision. For any clarifications needed please see the DFO.
- 15.11. Any exemptions should only be relied upon with express written consent from the Chief Executive Officer, the Finance, Operations and Audit Committee or the Board of Trustees. You should check with the DFO if you are unsure about any procurement and before any orders placed, or any contracts signed.
- 15.12. In summary therefore the delegated authority not to go to seek quotes or go to tender is:

Purchasing Threshold	Value (excl VAT)	Exemption (Waiver)
Medium	£10,000 - £49,999	CEO on recommendation from the DFO
High	£50,000+	<£100,000 – Finance, Operations and Audit Committee on the recommendation from the CEO and DFO
		>£100,000 – Board of Trustees on the recommendation from the CEO (usually following consideration by the Finance, Operations and Audit Committee)

## 16. Conflicts of Interest (Pecuniary Interests)

- 16.1. The Academies Financial Handbook puts strict obligations on QET to ensure that conflicts of interest in procurement are managed.
- 16.2. Any interest which may affect the outcome of a procurement process must be declared.
- 16.3. All trustees and LGCs members must complete the register of business interests and keep this updated at least once per year. Under the Academies Trust Handbook QET must not pay any more than “cost” for goods and services provided to it by a member, trustee or connected party of a member or trustee. Rules on this are very specific and if any doubts exist over a connection to a member or trustee then this must be referred to the DFO prior to any procurement decision being made.
- 16.4. There are rules in the Academies Trust Handbook in relation to payments to individuals/ organisations which are "connected" to a member or trustee. In any such case the CEO and DFO must be informed before any such payments are made.
- 16.5. A record of all such declared conflicts of interest must be sent to the DFO who will determine what if any action can be taken to seek to remedy any such conflict of interest.
- 16.6. No gifts or hospitality should be accepted by any service provider as an inducement to award a contract to that supplier. This may be an offence under the provisions of the Bribery Act 2010, this includes free IT equipment. You must inform the DFO immediately on becoming aware of any such gifts or hospitality.

## 17. Management of Contracts

- 17.1. Following the procurement of any service contract it is vital to ensure the contract is appropriately and effectively managed, the method for doing so will be dependent on the size and complexity of the contract. It is important to hold regular contract management meetings to:
  - Ensure all parties understand their role and responsibilities within the contract and to fulfil them effectively.
  - Ensure progress is made within the contract on a day-to-day management basis and against any agreed Key Performance Indicators (KPIs). Ensuring any issues preventing these being met are discussed and resolved.

- Ensure that notice of termination or the requirement to re-negotiate is given on all contracts in plenty of time. Most contracts have a minimum notice period of three months. Ensure to have served written notice as per the terms and conditions of the contract to ensure an auto-renewal of the contract on a rolling basis is not enforceable.

- 17.2. Contract variations and extensions – best practice dictates that all contracts should be re-negotiated or put to the market at the end of each term. However, it may be appropriate to extend an existing contract.
- 17.3. Any contract variation or extension should be agreed by QET (or Academy) and the supplier by mutual consent. If the original contract is under the UK Public buying threshold the contract may be extended by a maximum of 1 year, or in the case of existing multi-year deals, 67% of the original contract length (where a multi-year contract was procured) without the need for tendering. If the contract value is expected to be over the UK Public buying threshold, then a new procurement exercise should be entered into. To enable the new procurement to be completed, it is possible to allow short extensions to the existing contract.
- 17.4. In line with the provisions set out in paragraph 17.3 situations where it may be appropriate to extend an existing contract without going to market would be; Where QET had previously carried out a procurement exercise to procure goods or services and wishes to continue beyond the end date of the current term. This option will be afforded, provided the service continues to offer value for money, satisfactory service levels have been maintained throughout the contract and the price offered for the new/extended term does not increase by more than inflation.

## 18. Appendix A - Aide Memoir: Stages of a tender process

### Preparation for Tender

Purchases within higher thresholds can be dealt with under light touch regulations and commonly advertised in electronic portals such as “Contracts Finder” Contracts Finder - GOV.UK ([www.gov.uk](http://www.gov.uk)). Services or works above these limits will require advertising to the “Find a Tender” service. [www.findtender.service.gov.uk](http://www.findtender.service.gov.uk) or facilitated through compliant Framework agreements

Full consideration should be given to:

- objective of project
- overall requirements
- technical skills required
- after sales service requirements
- form of contract

It may be useful after all requirements have been established to rank requirements (e.g. mandatory, desirable and additional) and award marks to suppliers on fulfilment of these requirements to help reach an overall decision. If a restricted tender is to be used then an invitation to tender must be issued. If an open tender is to be used an invitation to tender may be issued in response to an initial enquiry.

An invitation to tender should include the following:

- introduction/background to the project;
- scope and objectives of the project;
- technical requirements;
- implementation of the project;
- health & safety arrangements;
- terms and conditions of tender;
- form of response.

### Invitation to Tender

An invitation to tender allows potential suppliers to gather all the information they need to bid for the product, work or service being procured. In order to ensure all bidders are clear of expectations and what is required, the tender information pack contents should include:

- An introduction to QET and/ or the Academy
- A precise description of the goods, works or services required
- If appropriate, an explanation of what the goods, works or services should do to meet the requirements. It may be necessary to include an output specification or Schedule of Works
- The quantity required
- The quality required
- The length of the contract being procured
- Required delivery dates or draft programme of works/timeline
- Data sharing requirements under GDPR

- Implementation requirements for the project
- The KPIs that will measure performance of the contract
- The terms and conditions of the contract
- TUPE information (if relevant)
- The criteria by which tenders will be evaluated including information on how the various criteria will be weighted
- Precise details about how the tender should be submitted and the closing date
- The form of response

### Forms of Tenders

There are three forms of tender procedure: open, restricted and negotiated. The circumstances in which each procedure should be used are described below:

- **Open Tender:** This is where all potential suppliers are invited to tender. The budget holder must discuss and agree with the Senior Finance Officer how best to advertise for suppliers, e.g. general press, trade journals or to identify all potential suppliers and contact directly if practical. This is the preferred method of tendering, as it is most conducive to competition and the propriety of public funds.
- **Restricted Tender:** This is where suppliers are specifically invited to tender. Restricted tenders are appropriate where:
  - there is a need to maintain a balance between the contract value and administrative costs
  - a large number of suppliers would come forward or because of the nature of the supplies/services are such that only specific suppliers can be expected to supply the school's requirements
  - the costs of publicity and advertising are likely to outweigh the potential benefits of open tendering.
- **Negotiated Tender:** The terms of the contract may be negotiated with one or more chosen suppliers. This is appropriate in specific circumstances:
  - the above methods have resulted in either no or unacceptable tenders; or only one or very few suppliers are available;
  - extreme urgency exists;
  - additional deliveries by the existing supplier are justified.

Details of suppliers engaged via the negotiated tender route, must be reported to QET board at the earliest possible opportunity.

### Advertise an open tender

Advertisements can be placed in trade journals (costs may apply), websites and on QET's Procurement Portal website to invite interested suppliers to make contact and tender.

Open Tender is considered to be the most open and competitive method for receiving tenders. The decision as to where to advertise should be taken on a case-by-case basis and should be proportionate and



reasonable with the aim to elicit a good response from qualified suppliers. A sensible amount of time should be left from the advert for interested parties to respond.

### **A restricted tender**

Specific suppliers are identified and asked to bid by completing a tender. This method avoids the cost of advertisement and can be useful where previously successful contractors/suppliers can be used and best value demonstrated. It would also be appropriate where there are a limited number of specialist suppliers. Acceptance of tenders Invitations for tender must always state the date and time the completed tender documents are to be received and the method for the tenders to be received. E.g. Sealed envelope, email, procurement portal. All tenders must be clearly marked upon arrival and securely stored. Tender documents received after deadlines are not considered, unless the supplier provides proof of exceptional circumstances.

### **Receipt of Tenders Electronically**

From time to time there may be occasions where tender submissions need to be received electronically. All potential tenderers should be advised if electronic submissions are to be accepted when sending an invitation to Tender letter, receipt of all electronic submissions will still be required to comply with a submission date and time. Electronic submissions will be in the form of a specific e-mail with contract information forming the subject line of all e-mails. All electronic tenders will be sent to the Trust central e-mail address: [tender@qet.co.uk](mailto:tender@qet.co.uk)

Electronic tenders shall comply with the following requirements:

- A specific contract file shall be created in the central e-mail address for the tender which will be named by the contract number and a brief description of the tender.
- All emailed tenders will have the same subject line requirements.
- Any forms of tender or pricing documentation shall be a PDF scan of a hard copy document suitably signed by the tenderer.
- All received tenders should be moved unread to the contract file by somebody not directly involved with the Tender.
- All tender submissions are to be forwarded to the person who is carrying out the tender after the due date and time of the submission.
- Where tenders are required to be opened in the presence of senior Trust staff, tenders will be opened from the location of the e-mail file with submissions being recorded on a tender register.
- The date and time of the tender being received to the e-mail account will be recorded on the tender register.
- Tenders received after the submission deadline will not normally be accepted.

### **Opening of tenders**

The following procedure ensures that all potential suppliers are treated fairly:

- All offers for tender are opened at the same time, with a minimum of two members of staff present. The required staff members present will depend on the value of the tender and should be appointed proportionately.

- A record is to be kept of all the suppliers who submitted tenders, along with the amount tendered and any significant information noted at the time of opening.
- The record is signed by all members of staff who are present at the opening of a new tender.

### **Evaluation of tenders**

The tenders are to be evaluated against the criteria and weighting stipulated in the original tender document. Such criteria should include:

- Price
- Financial stability of the supplier
- Insurance cover
- Ability to supply the contract
- Best match of the goods or services to the specification required
- Quality control procedure
- Conformity with required standards
- References from current or previous customers
- Helpdesk or other responsive services
- How well supplier can match timescales

At least 2 people should independently evaluate the submitted tenders and their combined scores should be moderated to award the contract to the highest scoring bidder.

Those involved should disclose all interests, business or otherwise, that might impact on their objectivity. If there is a conflict of interest, then that person must withdraw from the tendering process.

## Quantock Education Trust Procurement Authorisation Form

As required by the Academies Financial Handbook, QET has an agreed Scheme of Delegation (SoD) as outlined within the Financial Policy Manual. The SoD sets out a requirement that three written quotes are received for any purchase between £10,000 and £49,999, or a formal tender process is followed in advance of the purchase of any goods or services with a value over £50,000 to ensure value for money is achieved.

There are instances where the purchase may be low in value but complex to deliver and on occasions high in value but straightforward to deliver. This form should be used to determine who should be involved in the deliver of these projects/purchases.

The Procurement Decision Matrix below should be completed and submitted by the Procurement and Contracts lead who will arrange for the request to be considered in accordance with QETs SoD.

Procurement Authorisation Matrix				
Value of procurement/project	£75,000+	Delegated by CEO or DFO	Delegated by CEO or DFO	Delegated by CEO or DFO
	£50,000 - £74,999	Professional Services Lead (Estates/ICT/Finance)	Professional Services Lead (Estates/ICT/Finance)	
	£25,000 - £49,999	Delegated by Head Teacher		Professional Services Lead (Estates/ICT/Finance)
	£10,000 - £24,999		Delegated by Head Teacher	
	£0 - £9,999			Delegated by Head Teacher
		Low	Moderate	High
		Complexity of procurement or project management needs		

<b>Requested By:</b>	
<b>Requested Date:</b>	
<b>Procurement Category:</b>	Educational Resources / Estates /ICT etc

<b>Description of Goods or Services to be Purchased and Reason for Purchase, including contract/lease length (if applicable), is it new or replacement.</b>	
<b>Estimated total cost:</b>	£ Enter the total cost for all years if a contract/lease
<b>Funded by:</b>	Enter funding stream (Revenue/Capital/External Grant)

<b>Decision</b>	
Authorised	
Print Name:	
Position	
Signature:	

## 20. Appendix C - Formal Tender Opening Form



### Quantock Education Trust Tender Opening Form

As required by the Academies Financial Handbook, QET has an agreed Scheme of Delegation (SoD) as outlined within the Financial Policy Manual. The SoD sets out a requirement that formal tender process is followed in advance of the purchase of any goods or services with a value over £50,000 to ensure value for money is achieved.

This Tender Opening Form should be used when a meeting is convened to open any tenders above the value stated above.

The following procedure must be adhered to, to ensure that all bidders/suppliers are treated fairly:

- All offers for tender are opened at the same time, with a minimum of two members of staff present. The staff members required to be present will depend on the value of the tender and are to be appointed proportionately.
- A record is to be kept of all the suppliers who submitted tenders, along with the amount tendered and any significant information noted at the time of opening.
- The record is signed by all members of staff who are present at the opening of a new tender.

<b>Quantock Education Trust or Academy Name:</b>	
<b>Nature of Procurement:</b>	
<b>Closing date for submission:</b>	
<b>Date of tender opening meeting:</b>	

Name of person present	Role	Signature

<b>1. Bidder/Supplier Name:</b>		
<b>Cost (Ex VAT)</b>	<b>VAT</b>	<b>Total Cost (inc VAT)</b>
£	£	£
<b>Initial comments relating to submitted tender Documents</b>		

<b>2. Bidder/Supplier Name:</b>		
<b>Cost (Ex VAT)</b>	<b>VAT</b>	<b>Total Cost (inc VAT)</b>
£	£	£
<b>Initial comments relating to submitted tender Documents</b>		

<b>3. Bidder/Supplier Name:</b>		
<b>Cost (Ex VAT)</b>	<b>VAT</b>	<b>Total Cost (inc VAT)</b>
£	£	£
<b>Initial comments relating to submitted tender Documents</b>		

<b>4. Bidder/Supplier Name:</b>		
<b>Cost (Ex VAT)</b>	<b>VAT</b>	<b>Total Cost (inc VAT)</b>
£	£	£
<b>Initial comments relating to submitted tender Documents</b>		

<b>5. Bidder/Supplier Name:</b>		
<b>Cost (Ex VAT)</b>	<b>VAT</b>	<b>Total Cost (inc VAT)</b>
£	£	£
<b>Initial comments relating to submitted tender Documents</b>		

*NB. If more than five bids are returned, please add additional sheets as necessary.*

## 21. Appendix D - Tender Acceptance form



### Quantock Education Trust Tender Acceptance Form

As required by the Academies Financial Handbook, QET has an agreed Scheme of Delegation (SoD) as outlined within the Financial Policy Manual. The SoD sets out a requirement that formal tender process is followed in advance of the purchase of any goods or services with a value over £50,000 to ensure value for money is achieved. For tenders of above £50,000, at least 3 suppliers must be used and (where practicable) one must be through a recognised procurement framework agreement.

The Tender Acceptance Form is to be used to record the decision-making process behind the acceptance of the tender and will therefore be available for audit scrutiny. In accordance with QETs SoD, the CEO is authorised to enter into a high value contract (over £50,000). Where there is no budgetary provision approval is required by the Finance, Operations and Audit Committee.

This Tender Acceptance Form should be completed and submitted to QET Central Finance who will arrange for the request to be considered in accordance with QET's SoD. Where the tendering process has been carried out on behalf of QET by external professional advisors, then when completing the sections below, the author of the report can refer to the report produced by the advisors as appropriate.

<b>Requested By:</b>	
<b>School Requesting:</b>	
<b>Requested Date:</b>	

<b>Description of Goods or Services Tendered</b>	
<b>Annual Budget Provision</b>	Enter value in £
<b>Access Code where Budget Held</b>	Enter nominal and cost centre code
<b>Contract Length</b>	Enter one off or length of contract
<b>Value for Money Analysis</b>	Set out a brief analysis as to how the tenders have been evaluated (i.e. the % mix between price and quality)
<b>Capital Funding</b>	If this is a capital project, set out how the cost is being funded.
<b>Project Code (CIF funded)</b>	Project Code
<b>Tender Process</b>	Set out in summary, the tender process including criteria for selection of suppliers, submission deadlines and tender opening process

<b>Outcome of tender exercise</b>		
Details of the key information is provided below. The author may wish to refer to a separate document.		
	<b>Name of Supplier</b>	<b>Price quotes (exc VAT)</b>
<b>Tender 1</b>		
<b>Tender 2</b>		
<b>Tender 3</b>		
<b>Use of recognised school framework agreement</b> (set out why you have decided to use the selected framework agreement or why you cannot use one).		
<b>Recommended Supplier and case supporting this</b> (including how value for money has been ensured)		

<b>Proposed by:</b>	Head Teacher
<b>Print Name:</b>	
<b>Signature:</b>	
<b>Date:</b>	

<b>Review and recommendation by:</b>	DFO
<b>Print Name:</b>	
<b>Signature:</b>	
<b>Date:</b>	

<b>Authorisation:</b>		
	CEO	Finance, Operations & Audit Committee (for high value contracts where there is no budgetary provision)
<b>Print Name:</b>		
<b>Signature:</b>		
<b>Date:</b>		

<b>Tender Acceptance Register (completed by QET Central Finance.)</b>	
<b>Approval Number:</b>	

Details of supporting attachments (if any), please list below:

The document should be submitted in word format to the DFO. Once approved, the document will be returned in a pdf format to the school, together with a reference number.

## 22. Appendix E – Tender Waiver Form



### Quantock Education Trust Tender Waiver Form

As required by the Academies Financial Handbook, QET has an agreed Scheme of Delegation (SoD) as outlined within the Financial Policy Manual. The SoD sets out a requirement that formal tender process is followed in advance of the purchase of any goods or services with a value over £50,000 to ensure value for money is achieved.

There are instances where a formal tender process cannot reasonably be undertaken. In such instances, authorisation must be obtained to proceed with the purchase without undertaking a formal tender process.

The Tender Waiver Form should be completed and submitted to QET Central Finance who will arrange for the request to be considered in accordance with the QET SoD.

Description of Goods or Services to be purchased and reason for purchase	
<b>Contract Length</b>	Enter months/years or "one off purchase"
<b>Contract Cost</b>	£ Enter the total cost for all years
<b>Budget Available</b>	Yes / No
<b>Previously Waived</b>	Yes / No

Reason a minimum of 3 quotations cannot be obtained (Including how value for money has been ensured)

<b>Proposed By:</b>	Head Teacher
<b>Print Name:</b>	
<b>Signature:</b>	
<b>Date:</b>	

<b>Recommended By:</b>	DFO
<b>Print Name:</b>	
<b>Signature:</b>	
<b>Date:</b>	



<b>Authorised By:</b>	CEO
<b>Print Name:</b>	
<b>Signature:</b>	
<b>Date:</b>	

<b>Authorised By:</b>	Finance, Operations & Audit Committee (for amounts over £50,000)
<b>Print Name:</b>	
<b>Signature:</b>	
<b>Date:</b>	

<b>Tender Waiver Register (completed by QET Central Finance.)</b>	
<b>Approval Number:</b>	

The document should be submitted in word format to the DFO. Once approved, the document will be returned in a pdf format to the school, together with a reference number.

## 23. Appendix F – Quotation Waiver Form



### Quantock Education Trust Quotation Waiver Form

As required by the Academies Financial Handbook, QET has an agreed Scheme of Delegation (SoD) as outlined within the Financial Policy Manual. The SoD sets out a requirement that a minimum of 3 quotations are obtained in advance of the purchase of any single item over £10,000 or entering into any contract over £10,000 to ensure value for money is achieved.

There are instances where 3 or more quotations cannot reasonably be obtained. In such instances, authorisation must be obtained to proceed with the purchase without obtaining comparable quotations.

The Quotation Waiver Form should be completed and submitted to QET Central Finance who will arrange for the request to be considered in accordance with the QET SoD.

Description of Goods or Services to be purchased and reason for purchase	
<b>Contract Length</b>	Enter months/years or "one off purchase"
<b>Contract Cost</b>	£ Enter the total cost for all years
<b>Budget Available</b>	Yes / No
<b>Previously Waived</b>	Yes / No

Reason a minimum of 3 quotations cannot be obtained (Including how value for money has been ensured)

<b>Proposed By:</b>	Head Teacher
<b>Print Name:</b>	
<b>Signature:</b>	
<b>Date:</b>	

<b>Recommended By:</b>	DFO
<b>Print Name:</b>	
<b>Signature:</b>	
<b>Date:</b>	

<b>Authorised By:</b>	CEO
<b>Print Name:</b>	
<b>Signature:</b>	
<b>Date:</b>	

<b>Authorised By:</b>	Finance, Operations & Audit Committee (for amounts over £50,000)
<b>Print Name:</b>	
<b>Signature:</b>	
<b>Date:</b>	

<b>Tender Waiver Register (completed by QET Central Finance.)</b>	
<b>Approval Number:</b>	

The document should be submitted in word format to the DFO. Once approved, the document will be returned in a pdf format to the school, together with a reference number.