



Purchasing and Procurement Policy

June 2024 (version 1.0)

Document Control

Changes History

Version	Date	Amended by	Recipients	Purpose
1.0	June 2024	Karl Murphy Barnes Chief Finance Officer	Board	Initial creation

Approvals

This policy requires the following approvals:

Board	Chair	CEO	Date Approved	Version	Date for Review
x			December 2024	1.0	December 2025

National/Local Policy

- This policy must be localised by schools
- This policy must not be changed, it is a trust policy (only change logo, contact details, and yellow highlighted sections)

Position with the Unions

Does the policy require consultation with the National Unions under our recognition agreement?

- Yes No. If yes, the policy status is: Consulted and Approved Consulted and Not Approved
 Awaiting Consultation

Distribution

This document has been distributed to:

Position	Date	Version
Plymouth CAST Directors and SELT	December 2024	1.0
All Plymouth CAST HTs	December 2024	1.0
All Plymouth CAST LCBs	December 2024	1.0

Contents

Information about this policy	Page 5
Policy Principles	Page 5
Linked Policies	Page 5
Extent of Application	Page 5
Why is this Important?	Page 6
Contracts Register	Page 6
Spend Category Management	Page 6
Establishing the Value of the Purchase or Contract	Page 6
Establishing the Value of the Routine Purchase	Page 7
Public Contract Regulations (PCR) 2015 Spend Thresholds	Page 7
Capital Projects & Works	Page 7
Purchasing and Contract Spend Threshold Requirements	Page 8
Formal Procurement Planning	Page 9

Formal Procurement Route to Market	Page 9
Formal Procurement Tender Document Suite	Page 9
Formal procurement Process	Page 10
Contract Terms and Conditions	Page 11
Exemption from the Application of Procurement & Contract Spend Thresholds Reqs	Page 11

1. Information about this policy

- 1.1 Plymouth CAST is a multi-academy trust of Catholic schools which is part of the mission of the Catholic Church dedicated to human flourishing and the building of a kingdom of peace, truth, and justice. The Trust is to be conducted in all aspects in accordance with canon law and the teachings of the Roman Catholic Church and at all times to serve as a witness to the Catholic faith in Our Lord Jesus Christ.
- 1.2 Our vision and values are derived from our identity as a Catholic Trust. Central to our vision is the dignity of the human person, especially the most vulnerable. Our academies are dedicated to providing education and formation where all our pupils and young people flourish in a safe, nurturing, enriching environment. All governors in our academies are expected to be familiar with the vision, mission, values, and principles of the Trust and not in any way to undermine them. They should support and promote the vision and conduct themselves at all times in school and on school business according to the vision and principles of the Trust.

2. Policy Principles

- 2.1 The Trust is committed to procurement practices that achieve value for money, and to being worthy custodians of public money. The following sets out the framework for ensuring that The Trust maintains and develops compliant procurement processes and procedures, which meet the requirements of procurement legislation and financial accountability.
- 2.2 The Trust takes its legal framework from the following legislation and statutory guidance:
 - a) The Trust's Funding Agreement.
 - b) The Trust's Articles of Association.
 - c) The Public Contract Regulations 2015.
 - d) From 28th October 2024, the Procurement Act 2023 and the Public Contract Regulations 2024 will go live. Existing legislation will also continue to apply to procurements started under the old rules.
 - e) The Academy Trust Handbook.

3. Linked policies

- 3.1 The links with other policies include:
 - a) Plymouth CAST Financial Policy and Regulatory Framework.

4. Extent and Application

- 4.1 This guidance applies to all spending on goods, services and works for and on behalf of the Trust, including ad-hoc one-off requirements and will be applied by any Trustee, or staff member, who is undertaking any purchasing or procurement activity on behalf of the Trust.

5. Why is this Important?

- 5.1 The Trust spends public money; therefore, it must ensure that the money is spent in a way that is fair, open and represents good value for money (VFM). Poor procurement decisions and a failure to comply with procurement legislation could result in legal challenges from suppliers, contracts being cancelled and financial penalties, which can be costly, time-consuming and impact on the Trust's reputation.
- 5.2 Any non-compliance or breach of this guidance can seriously impact upon the legal standing of the public money being spent and the resultant contract that is let which can increase the ability of unsuccessful suppliers to seek redress through the courts.
- 5.3 The benefits of effective procurement practices include:
 - a) Financial savings that can then be re-invested in priorities.
 - b) Goods or services purchased are fit for purpose.
 - c) Suppliers deliver (and continue to deliver) as agreed.
 - d) Legal and financial obligations are complied with.

6. Contracts Register

- 6.1 The Trust Procurement & Services Manager shall maintain a Contracts Register for the Trust to:
 - a) Ensure an accurate picture of tendering and contracts across the Trust.
 - b) Demonstrate greater accountability & transparency regarding contracting activity.
 - c) Enable a full understanding of liabilities and compliance with procurement rules.
 - d) Identify which contracts need to be re-let and to programme work.
 - e) Support understanding of areas where efficiency gains may be sought.
 - f) Identify where contracts are not in place and should be.

7. Spend Category Management

- 7.1 The Trust follow a category management approach to the procurement of their goods and services. Category Management is a strategic approach which organises procurement resources to focus on specific areas of spending. This enables the Trust to focus their time and conduct in-depth market analysis to fully leverage their procurement decisions on behalf of the whole organisation. The results can be significantly greater than traditional transactional based purchasing methods.

8. Establishing the Value of the Purchase or Contract

- 8.1 The estimated value must be calculated to identify the correct actions and approval process for the purchase that must be followed as set out in the purchasing threshold table below. Advice should be sought from the Trust Procurement and Services Manager to determine the correct value of the procurement.

9. Establishing the Value of the Routine Purchase

- 9.1 When establishing which procurement threshold limit will apply, it is not necessarily just the value of the individual purchase being considered at the time. If the purchase is regular in nature, the value of successive purchasing of the same type or spend category should be estimated over 12 months (either based historically or in the future). Note, however, requirements cannot be disaggregated to avoid the legislation.
- 9.2 It is the expenditure across the Trust and not just for a single school. E.g., for stationery, it is not the value of the individual purchase, it is how much the Trust spends on stationery across the Trust over a 12-month period.
- 9.3 Where there is a single requirement for goods and a number of supplier contracts for similar requirements that have been, or are to be entered into, then the total value of all individual purchases must be calculated.
- 9.4 If the procurement is for a fixed period e.g., one year, but has an option(s) to extend for a further period of one or two years, then, regardless of whether there is uncertainty about exercising the extension options, the maximum duration, i.e., 4 years, is used when estimating its value.
- 9.5 In the case of a procurement without a fixed term or the term of which cannot be defined, (e.g., an indefinite or uncertain period), or on a rolling 12-month period, the monthly value is multiplied by forty-eight.
- 9.6 The procurement shall not be sub divided, nor should the choice of the method used to calculate the estimated value be made with the intention of avoiding the application of this guidance, nor shall it be sub divided. Where a procurement is proposed to be awarded in the form of lots, account shall be taken of the total estimated value of all the lots combined.

10. Public Contract Regulations (PCR) 2015 Spend Thresholds

- 10.1 Spend Thresholds for establishing if the PCR applies to a purchase, are reviewed annually, and released January each year. NB. VAT is now included in contract estimates.
- 10.2 Refer to the Trust Procurement and Services Manager to seek support with establishing if the value of your purchase or contract may be near or over the PCR spending thresholds. Purchasing near or over the spend threshold must be procured in accordance with PCR 2015.

Contract Type	Threshold January 2024
Public Works	£5,372,609**
Supplies & Services*	£214,904**
Light Touch Regime Services	£663,540**

*This figure is lower for central government

**Inclusive of VAT

11. Capital Projects & Works

11.1 All capital procurement should comply with the procedures and delegations as set out below.

12. Purchasing & Contract Spend Threshold Requirements

12.1 Once the estimated value of the purchase or contract spend has been established, refer to the appropriate spend threshold in the table below which identifies the actions and approval process to be followed:

Estimated Value (Capital & Revenue)	Purchasing Process	Approval process	Contract process
£1,200 to £6,000	Evidence of best value. Annotated documents of conversations regarding prices must be kept for audit.	Schools can arrange, ensuring that a Trust wide Contract is not already in place. Budget holder will have the authority to approve spending if documentation is held on file and evidenced.	Raise Purchase Order in Finance System Budget holder authorises order
£6,0001 to £30,000	Request two written quotations, by telephone, email, or internet, recorded on documentation, referenced, and filed centrally.	Schools can arrange, ensuring that a Trust wide Contract is not already in place. Budget holder will have the authority to approve spending if documentation is held on file and evidenced.	Raise Purchase Order in Finance System CFO authorises order
£30,001 to £99,999	Request three formal quotations, by telephone, email, or internet, recorded on documentation, referenced, and filed centrally. <i>A proxy quote can be used as the third formal quote, where it can be demonstrated all practical steps have been taken and supplier shortage is significantly delaying progress.</i>	Trust Procurement & Services Manager to support, ensuring that a Trust wide Contract is not already in place. Budget holder will have the authority to approve spending if documentation is held on file and evidenced.	Contract signed by CFO. Contracts are held centrally and detailed on the Contracts Register. Raise Purchase Order in Finance System CFO or CEO authorises order
£100,000 and up to PCR Spend Threshold.	A central procurement activity is required. For example, a formal Request For Quote (RFQ). This would require formal approval from the Finance & Resources Committee.	Trust Procurement & Services Manager to arrange, ensuring that a Trust wide Contract is not already in place. Contract Award approved by the Finance & Resources Committee.	Contract signed by CFO Contracts are held centrally and detailed on the Contracts Register. Raise Purchase Order in Finance System CFO or CEO authorises order
PCR Spend Threshold & Above	Full tender process to be run in accordance with the Public Contract Regulations 2015 and from 28th October 2024, the Procurement Act 2023, and the Public Contract Regulations 2024, including the use of a Framework Agreement or CCS G Cloud. Documentation must be held centrally. Contract held centrally and detailed on the Contracts Register	Trust Procurement & Services Manager to arrange, ensuring that a Trust wide Contract is not already in place. Must be approved by the Finance & Resource Committee	Contract signed by CFO. Contracts are held centrally and detailed on the Contracts Register. Raise Purchase Order in Finance System CFO and CEO authorises order

13. Formal Procurement Planning

- 13.1 Before a formal procurement process is commenced, the following will be considered:
- a) Whether equipment can be loaned, or resources shared with any other public body.
 - b) Whether there are any available collaborative opportunities which will increase the buying power.
 - c) Whether there are any suitable existing contracts or frameworks in place.
- 13.2 In order to avoid any distortion of competition and ensure equal treatment of suppliers, the Trust is legally required to take all appropriate measures to effectively identify, remedy and prevent any conflicts of interest that may arise during the course of a procurement process.
- 13.3 The Trust must not disclose information which has been provided by a supplier and designated as being confidential by that Supplier. This includes, but is not limited to, technical or trade secrets and the confidential aspects of Tenders unless the Trust is required to do so under the Freedom of Information Act.
- 13.4 Where a procurement procedure requires the sharing of confidential information with Suppliers, e.g., details relating to the transfer of staff, this must not be disclosed unless the supplier has signed and submitted an appropriate Confidentiality Agreement.
- 13.5 TUPE Regulations may apply when a service Contract is transferred from one external supplier to another or where staff are being outsourced. Under both TUPE and Public Contract Regulations, there is a requirement for the Trust to share anonymous information relating to the staff who may be eligible to transfer.

14. Formal Procurement Route to Market

- 14.1 The most suitable procurement route to market must be selected which takes into consideration the complexities of the requirements, estimated value of the contract, whether PCR 2015 (and from 28th October 2024, the Procurement Act 2023, and Public Contract Regulations 2024) apply and any associated timescales. This may be through an existing Framework or CCS G Cloud Agreement, or through running your own tender process.

15. Formal Procurement Tender Document Suite

- 15.1 Appropriate tender documentation must be used when running a formal procurement process. These documents must include as a minimum:
- a) Suitable instructions for the Applicants.
 - b) A specification of your requirements.
 - c) Procurement Information and Evaluation Criteria.
 - d) Pricing requirements.
 - e) Tender submission requirements.
 - f) Contract Terms and Conditions.
- 15.2 Value for money is not always about the lowest price. It is about striking the right balance between quality and price. Consideration will be given to how these will be measured when setting the evaluation criteria.

- 15.3 Contracts must be awarded based on the evaluation criteria laid out within the Tender documents. Selection and Award Criteria must be treated separately, and all criteria, sub-criteria and weightings must be clearly detailed within the Tender documents.
- 15.4 For tender processes conducted via a Framework or CCS G Cloud, the tender documents must be formulated in accordance with the Framework or G Cloud guidance.
- 15.5 For tender processes above the PCR spend threshold procurements, the tender documents must be formulated in accordance with the PCRs.

16. Formal Procurement Process

- 16.1 Formal procurement processes must be conducted in a fair and transparent manner which enables all communication and information exchange to be provided by electronic means. Where communication is via email, the anonymity of all suppliers must be maintained.
- 16.2 All Tender submissions received must be evaluated in accordance with the pre-determined evaluation criteria, set out in the invitation to tender documents issued. Criteria, sub criteria, weightings and the attributed breakdown must not be changed from what was published in the tender documents and must be applied consistently for all tender submissions.
- 16.3 Tender evaluation processes must be recorded on a suitable evaluation matrix. All criteria, sub criteria and scoring must be detailed for each tender submission to enable a complete assessment of what scores are attributed to each criteria set. Reasons for scores allocated must be recorded which provides an appropriate justification which is used to complete the tender award decisions letter.
- 16.4 The decision to approve the tender award to the highest scoring supplier must be taken in accordance with the pre-determined evaluation criteria.
- 16.5 All successful and unsuccessful suppliers must be notified of the tender award decision at the same time via a suitable tender award decision letter. This also includes where a decision is taken not to award.
- 16.6 For tender processes conducted via a Framework or CCS G Cloud, the process must be conducted in accordance with the Framework or G Cloud guidance.
- 16.7 For tender processes above the PCR spend threshold procurements, the process, evaluation, and award process must be conducted in accordance with the PCRs and conducted using a tendering portal.

17. Contract Terms and Conditions

- 17.1 Suitable terms and conditions will be used for procurements below the PCR 2015 Spend Thresholds. Legal advice will be sought for appropriate contract terms and conditions for procurement processes above the PCR spending threshold.
- 17.2 Prior to issuing a contract, staff must obtain from the Supplier evidence of compliance with any contractual requirements, e.g., insurances, disclosure and barring service checks, policies, and procedures.
- 17.3 Where a procurement process was undertaken, the contract terms and conditions must be those that were issued within the Tender documents.
- 17.4 A supplier shall not be allowed to commence conducting the contract prior to the formal contract documents being signed. With reference to Framework Agreements, or CCS G Cloud processes, a supplier shall not be permitted to participate in any call-off until such a time that their agreement has been duly signed.

18. Exemption from the Application of the Procurement & Contract Spend Threshold Requirements

18.1 An application can only be made for requirements under the spend threshold for the PCR 2015.

18.2 An application can be made for an exemption from this procurement and spend threshold requirements by submitting a request to the Strategic Board. The exemption will only be applied in the following circumstances:

- a) The spend is urgently required and delay would cause loss, injury or damage, The urgency must be brought about by events that were unforeseeable by and not attributable to the Trust and which will result in loss or damage to the Trust if the suspension or exemption is not allowed; and / or
- b) The spend is of such a special nature that no advantage would be gained by inviting competitive tenders; or
- c) There is no effective competition because payment is fixed under statutory authority, or the item is a patented or proprietary article or is available from only one source.

18.3 The following must be considered before applying for an exemption:

- a) Lack of planning and / or internal process delays will not constitute special, exceptional, or emergency circumstances.
- b) Exemptions from this guidance must not be applied retrospectively.
- c) Exemptions from this guidance must not be applied for where spend will exceed the relevant PCR 2015 Spend Threshold.