



## ATLAS Multi Academy Trust

### PROCUREMENT POLICY AND PROCEDURE

Trust sub-committee: Resources, Risk and Audit Committee

Co-ordinator: ATLAS Executive Team

Last Reviewed: New Policy

Next Review: Spring 2022

St Albans Girls' School: Beech Hyde Primary School and Nursery : The Adeyfield Academy

Signed by:  
Margaret Chapman  
Executive Head Teacher

Signed by:  
Rachael Kenningham  
Chair of ATLAS Board of Directors

| 1   | RATIONALE |   |
|-----|-----------|---|
| 1.1 |           | Procurement is the term used to describe the whole process of buying anything. This includes the first step of identifying what it is that you need, finding out what different suppliers can offer you, and then choosing, purchasing and using your goods or managing your services, right through to disposing of the used goods, or the end of the contract.  |
| 1.2 |           | Academies and maintained schools, rely on public funding to carry out their work and meet their objectives. As such they have to understand and follow basic procurement rules whenever they spend that money. These rules aim to ensure that taxpayers' money is used in ways that are demonstrably open, fair, and good value.  |
| 1.3 |           | Understanding and following these rules and guidance will provide protection from being criticised for wasting public money or using it inappropriately. It will give all suppliers an equal opportunity to seek business and make competitive offers, and ensure that spending choices and decisions are transparent and defensible. Poor procurement skills impact on the academy's ability to meet its objectives – bad spending decisions mean that the total budget simply won't go as far as it can and should. But they can also result in legal challenges, cancellation of contracts, financial penalties and damages, and loss of reputation. |
| 1.4 |           | The policy of the Trust is that all purchases of goods and services should represent 'Best Value for Money' for the academy. This means that they want to get the correct quality, quantity and provision of service at the best price possible.  |
| 1.5 |           | A large proportion of academy purchases will be paid for from public funds and, therefore, the academy must maintain integrity of these funds by following the general principles of:-  |

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|          |   | <ul style="list-style-type: none"> <li>• Probity: it must demonstrate that there is no corruption or private gain involved in the contractual relationships of the academy</li> <li>• Accountability: the academy is publicly accountable for its expenditure and the conduct of its affairs</li> <li>• Fairness: that all those dealt with by the academy are dealt with on a fair and equitable basis</li> </ul>   |
|          | 1.6   | The Trustees, therefore, require that all purchases of goods and services are made in accordance with the regulations as laid down by the DfE/ESFA and as itemised in the Academies Financial Handbook and the Academy's own Financial Procedures Manual.  |
| <b>2</b> | <b>DEFINITION OF 'BEST VALUE FOR MONEY'</b> |  |
|          | 2.1   | <p>Value for money is the acquisition of goods and services of the right quality at the most appropriate cost. The lowest cost does not necessarily always represent value for money or best value. Therefore, as well as price, consideration must be given to:-</p> <ul style="list-style-type: none"> <li>• The goods or services effectively meet and/or exceed the academy's requirements and specifications</li> <li>• The goods or services are of premium quality</li> <li>• Where required, professional after sales support is fully available</li> </ul> <p>For large procurement exercises the application of best value principles assists decision making in securing best value for money.</p> <ul style="list-style-type: none"> <li>• Challenge why, how and by whom a service is provided;</li> <li>• Compare performance of other academy organisations where applicable</li> <li>• Consult with potential users of the procured service;</li> <li>• Use fair competition, wherever practicable, to secure an efficient and effective service.</li> </ul> <p>Where the lowest price is not the selected supplier the reasons why must be carefully and fully documented against purchasing criteria and if necessary should be referred back to the COO</p> |
| <b>3</b> | <b>DETERMINING PURCHASE PROCEDURE</b>       |  |
|          | 3.1   | <p>The value of the purchase or contract will determine the purchase procedure, namely:-</p> <p><b>Purchases under £10,000 (low Level)</b><br/>Two quotations requested and written specification provided may be required</p> <p><b>Purchases £10,000 to £50,000 (Medium Level)</b><br/>Three quotations requested and written specification provided.</p> <p><b>Purchases over £50,000 – EU Procurement Threshold (High Level)</b><br/>The Thresholds are:</p> <ul style="list-style-type: none"> <li>• goods – £189,330</li> </ul>  |

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|          |   | <ul style="list-style-type: none"> <li>works – £4,733,252</li> <li>most services – £189,330</li> </ul> <p>Some services for education, health and care are covered by the ‘light touch regime’. The threshold for these is £663,540</p> <p>Check the list of all the services covered by the light touch regime in the <u>legislation</u>.</p> <p>Formal Open Tender. Contract values as determined as high value contracts (usually above £118,000) may use the <u>find high value contacts</u> service.</p> <p>Purchases will be made in accordance with the budget approved by the Board of Directors.</p>   |
| <b>4</b> | <b>PROCUREMENT OF REACTIVE MAINTENANCE SERVICES</b> |   |
|          | 4.1   | <p>Reactive maintenance services are procured either through the Trusts approved contractors or an order is raised directly by the Academy with the contractor. The latter arrangement adheres to the following areas of control:-</p> <ul style="list-style-type: none"> <li>Contractors will have provided a quote/estimate/hourly rate for works</li> <li>Contractor will have fulfilled all safeguarding control regulations</li> <li>Contractor will have appropriate liability insurance</li> <li>Contractor will have supplied a method/risk assessment for works</li> <li>Contractor will be registered with the appropriate professional or trade association, the need for this type of job required</li> </ul> |
|          | 4.2   | The Academy Site Manager will keep a record of all contractors used directly by the Academy and file documentation relating to the control measures listed above.   |
| <b>5</b> | <b>ORDERS FROM ONE SOURCE OF SUPPLY</b>             |   |
|          | 5.1   | Where it is considered that there is only one source of supply and/or it is not in the interest of the Academy to pursue other suppliers the Executive Headteacher and/or Board of Directors must satisfy themselves that competition is not possible or the timeframe is prohibitive and delay would have significant detriment to the success of the project. Records to support these decisions will be kept.  |
| <b>6</b> | <b>NEW SUPPLIER CHECKLIST</b>                       |   |
|          | 6.1   | <p>In order to verify the validity of new suppliers added to the Trust’s Financial Management System, all orders with suppliers new to the Trust are checked (where appropriate) in relation to:</p> <ul style="list-style-type: none"> <li>Company registration number</li> <li>VAT number</li> <li>Bank details</li> <li>GDPR compliance</li> </ul>   |

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|          |                   | <ul style="list-style-type: none"> <li>● H&amp;S</li> <li>● IR35</li> </ul>  |
|          | 6.2               | The person requesting the supplier use has to verify that they have no relationship with the supplier and that fair value checks have been undertaken in accordance with Trust guidelines.   |
| <b>7</b> | <b>PROCEDURES</b> |  |
|          | 7.1               | <p>The following procedures must be followed in purchases over the £50,000 value:</p> <ol style="list-style-type: none"> <li>1. A specification will be prepared, authorised by the Chief Operations Officer (COO) and CEO and sent to at least three suppliers (four suppliers if value of contract is above £118,000 the Trust may use the <u>'find a tender</u> Service threshold). It is anticipated that for any major building works of a value greater than £10,000 the services of an architect would be engaged to deal with the handling of specifications and suitability to tender.</li> <li>2. Where appropriate, the suppliers invited to tender should be drawn from an approved list or from those agreed with the architect. Otherwise, invitations to submit tenders will be advertised in local newspapers and trade journals if appropriate. The invitations to tender will include: <ol style="list-style-type: none"> <li>a) an introduction/background to the project;</li> <li>b) the scope and objectives of the project;</li> <li>c) any technical requirements;</li> <li>d) implementation details for the project;</li> <li>e) the terms and conditions of the tender; and</li> <li>f) the form and date of response to ATLAS, or in the case of building works, to the architect or quantity surveyor.</li> </ol> </li> <li>3. All replies, if to the academy, should be addressed to the Chief Operations Officer in a plain sealed envelope marked 'Tender' to reach him/her by a specified date. All replies must be kept sealed and secure until opening. A separate record should be kept of the date and time of receipt.</li> <li>4. All tenders will be opened at the same time and details of the contractor, tender value and any other details recorded at the time of opening, Tenders should be opened by 2 people. Tender documents should be initialled and dated at time of opening; and the people opening the tenders must sign the tender receipt log.</li> <li>5. No contractor will be allowed to amend the tender after the time fixed for receipt.</li> <li>6. The Chief Operations Officer will open a separate correspondence file for each tender which will contain copies of all correspondence or other relevant information.</li> <li>7. For purchases up to £50,000, provided the expenditure is included in the budget, the decision as to which quotation to accept will be taken by the Executive Headteacher / Headteacher / budget holder, in consultation with the Chief Operations Officer</li> </ol> |

|          |                                     |   |
|----------|-------------------------------------|---|
|          |                                     | <p>8. For purchases exceeding £50,000, provided the expenditure has been budgeted for, a decision will be recommended by the Trusts Resource, Audit and Risk Committee. The decision will need to be ratified by the Board of Directors.</p> <p>9. Where expenditure is not included in the budget or anticipated expenditure exceeds the budget allocation, the decision as to which tender to accept will be taken by the Trusts Resource, Audit and Risk Committee, in line with their terms of reference and then ratified by the Board of Directors; and</p> <p>10. The reasons for accepting a particular tender must be documented, especially if it is decided to accept other than the lowest tender. All decisions must be reported to the Board of Directors.</p>  |
| <b>8</b> | <b>ACCEPTANCE OF TENDERS</b>        |   |
|          | 8.1                                 | Evaluation of tenders should be undertaken by at least two members of staff.  |
|          | 8.2                                 | <p>The following points will be considered when deciding which tender to accept:</p> <ol style="list-style-type: none"> <li>1. The overall price and the individual items or services which make up that price.</li> <li>2. Whether there are any 'hidden' costs; that is additional costs which the Trust will have to incur to obtain a satisfactory product.</li> <li>3. Whether there is scope for negotiation, while being fair to all tenderers.</li> <li>4. The qualifications and experience of the supplier, including membership of professional associations.</li> <li>5. Compliance with the technical requirements laid down by the academy.</li> <li>6. Whether it is possible to obtain certificates of quantity.</li> <li>7. The supplier's own quality control procedure; pre sales demonstrations, after sales service and, for building works, a six month defects period and insurance guarantees.</li> <li>8. The financial status of the supplier.</li> <li>9. References from other establishments.</li> <li>10. Understanding &amp; compliance with Health &amp; Safety at Work legislation, Construction, Design and Maintenance Regulations and Child Protection legislation related to working on a academy site and any other relevant Trust policies.</li> </ol> |
|          | 8.3                                 | <p>In the case of building works, where the tendering process is being carried out by the architect or quantity surveyor, they will be responsible for checking the documents of the lowest tender before making a recommendation to the Trust</p> <p>Once a tender is accepted an order should be issued immediately to the supplier in the normal way. The successful contractor should be informed that academies are NON SMOKING sites.</p>   |
| <b>9</b> | <b>ENVIRONMENTAL CONSIDERATIONS</b> |   |
|          | 9.1                                 | Governors also require that where-ever possible the environmental impact of the product or service is considered. This may include buying local, buying recycled or recyclable products and reducing the academy's carbon footprint associated with purchased products and services.  |

Appendix 1



**ATLAS Multi Academy Trust**

**NEW SUPPLIER CHECKLIST**

|  |   |
|--|---|
| <b>SAGE supplier code</b>                            |   |
| <b>Supplier use requested by (name &amp; school)</b> |   |
| <b>Date</b>  |   |
| <b>Name of Supplier</b>                              |   |
| <b>Address of supplier</b>                           |   |
| <b>Company contact</b>                               |   |
| <b>Name and email</b>                                |   |
| <b>Details of goods/services supplied</b>            |   |
| <b>Fair value check</b>                              | <b>Have the appropriate procurement checks been filled out for value of purchase?</b>   |
| <b>Related party</b>                                 | <b>Does the member of staff requesting use of the supplier have any relationship with the supplier? Is the company on the related party list held by the Trust Finance Manager?</b> |
| <b>Company registration number</b>                   | <b>VAT number</b>   |
| <b>Company check undertaken</b>                      | <b>VAT number checked</b>   |
| <b>Email for orders</b>                              | <b>Email for remittances</b>  |
| <b>Bank</b>  |   |
| <b>Bank account</b>                                  | <b>Sort code</b>  |

|  |  |                           |
|--|--|---------------------------|
| <b>Bank details checked and confirmed by finance team</b>  |  |                           |
| <b>Quotation process undergone</b>   | <b>If yes details</b>  |                           |
| <b>IR 35 check required</b>  | <b>Yes - Please attach print out of check to this form</b>                             | <b>No not required</b>    |
| <b>If supplier is to deal with children's data then a GDPR check is required</b>                             | <b>Yes – completed 3<sup>rd</sup> party supplier compliance questionnaire attached</b> | <b>No. Not applicable</b> |
| <b>I supplier is coming to the school premises to work has a H&amp;S check been done by Premises manager</b> | <b>Yes - attached</b>  | <b>No. Not applicable</b> |
| <b>Use of supplier authorised by TFM</b>   |  | <b>Date</b>               |



## ATLAS Multi Academy Trust

### Equality Impact Analysis

When reviewing all Trust policies, the following Equality Impact Analysis (EIA) should be undertaken to ensure fairness of the new proposals/policy and to identify any action needed to redress any potential discrimination, positively promoting equal opportunities, improved access and participation for all.

|   |   |               |
|---|---|---------------|
| <b>Title of Policy:</b>   | Procurement Policy and Procedure  |               |
| <b>Date:</b>  | Spring 2021   |               |
| <b>EIA carried out by:</b>  | Mr P O'Neill  |               |
| <b>EIA reviewed by:</b>   | Resources, Risk and Audit Committee   |               |
| <b>1. Identify the aims and objectives of the policy, what will be the proposed change and how will it be implemented</b>   |   |               |
| <ul style="list-style-type: none"> <li><b>Policy contains information about:</b><br/>Overall aims and objectives?<br/>What is the proposed change?<br/>Who is intended to benefit from the proposal and in what way?<br/>Outcomes of the policy?<br/>How will it be put into practice and who is responsible for this?</li> </ul> | To ensure the Trust meets procurement guidance and procurement law in respect |               |
| <b>2. Assessment of Impact?</b> <i>To include impact of policy, any plans needed to mitigate any negative impact, equality issues to be addressed</i>   |   |               |
| Characteristic  | Group   | Effect/Impact |
| <ul style="list-style-type: none"> <li>Age</li> </ul>   |   | N/A           |
| <ul style="list-style-type: none"> <li>Disability</li> </ul>  |   |               |
| <ul style="list-style-type: none"> <li>Gender reassignment</li> </ul>   |   |               |
| <ul style="list-style-type: none"> <li>Marriage/civil partnership</li> </ul>  |   |               |
| <ul style="list-style-type: none"> <li>Pregnancy/Maternity</li> </ul>   |   |               |
| <ul style="list-style-type: none"> <li>Race</li> </ul>  |   |               |
| <ul style="list-style-type: none"> <li>Religion or Belief</li> </ul>  |   |               |
| <ul style="list-style-type: none"> <li>Sex</li> </ul>   |   |               |
| <ul style="list-style-type: none"> <li>Sexual orientation</li> </ul>  |   |               |

| <b>3. Consultation</b>  |  |
|---|--|
| <ul style="list-style-type: none"> <li>● <b>New policy contains information about:</b><br/>Policy audience, expected actions and outcomes<br/>Consultation and communication process<br/>Accessibility for all<br/>Fair access to the consultation process<br/>Lessons learnt from previous consultation, if appropriate</li> </ul> | Expectations, Requirements and actions |
| <b>4. Decision</b>  |  |
| <ul style="list-style-type: none"> <li>● Should the new proposal/policy be agreed and any impacts identified following consultations?</li> <li>● What reasonable adjustments are required?</li> </ul>   | No issues and adjustments required     |
| <b>5. Action Planning</b>   |  |
| <ul style="list-style-type: none"> <li>● Any actions identified to address inequality for different groups?</li> <li>● Any actions identified to promote equality and diversity?</li> <li>● Where are these actions recorded and who is responsible for them?</li> </ul>  | None                                   |
| <b>6. Monitoring and Review</b>   |  |
| <ul style="list-style-type: none"> <li>● When will the impact assessment be reviewed?</li> <li>● Who is responsible?</li> </ul>   | Spring 2022<br><br>COO                 |
| <b>7. Publication of the results of the impact assessment</b>   |  |
| <ul style="list-style-type: none"> <li>● Results of EIA are published – where and when?</li> <li>● The results are kept as a public record of the EIA – where and when?</li> </ul>  | With Policy                            |