



**Children First Academy Trust**

**Academy Tendering and Procurement**

**Policy**

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<b>Reviewed by:</b>	<b>RRA Committee</b>
<b>Approved by:</b>	<b>Trust Board</b>
<b>Next Review:</b>	<b>February 2026</b>

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## Statement of Intent

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

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

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

## 1. Legal Framework

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

- The Academies Act 2010
- Equality Act 2010
- The Public Contracts Regulations (PCR) 2015
- ESFA (2023) 'Academy trust handbook 2023' (ATH)
- DfE (2020) 'Governance handbook'
- ESFA (2023) 'Declare or seek approval for related party transactions: summary guidance'
- HM Treasury (2012) 'Review of the tax arrangements of public sector appointees'
- DfE (2023) 'Buying for schools: things to consider before you start'
- DfE (2023) 'Buying for schools'
- The Public Procurement (Agreement on Government Procurement) (Thresholds) (Amendment) Regulations 2021 (PCR)

This policy operates in conjunction with the following Trust policies:

- Data Protection Policy
- Business Continuity Plans
- Financial Regulations, Governance and Administration Document
- Reserves Policy
- Investment Policy
- Records Retention Policy

## 2. Roles and Responsibilities

### Academy Trustees

Academy Trustees will ensure that:

- Spending decisions represent value for money.
- The Trust's funds are used in a way that commands broad public support.
- Relevant professional advice (legal, external audit) is used, where appropriate.
- Goods or services provided by individuals or organisations connected to the Trust are provided at no more than cost.
- Nobody connected to the Trust, directly or indirectly, uses their connection to the Trust for personal gain and where any Trustee has a pecuniary interest in a procurement decision, they exclude themselves from the process and records (e.g. meeting minutes) show that they had no influence on the decision.

## **Resources, Risk and Audit Committee**

Academy Trustees delegate competitive tendering responsibilities to the Resources, Risk and Audit Committee.

The Resources, Risk and Audit Committee is responsible for:

- Overseeing the Trust's compliance with guidance on conflicts of interest and related party transactions.
- Ensuring compliance with tendering processes through approval and oversight.
- Placing orders for goods and services, and entering contracts within delegated limits
- Waiver of financial regulations in respect of purchasing.

## **Director of Finance**

The Director of Finance is responsible for:

- Oversight of the day-to-day management of financial matters including the establishment and operation of a suitable accounting system for the Multi Academy Trust
- Management of the Trust's financial position at a strategic and operational level within the framework for financial control determined by the members and Trustees
- Preparation of budget plans in conjunction with the CEO, Trust Finance Manager and Headteachers
- The maintenance of effective systems of internal control
- Financial compliance in relation to contract management and asset management planning.

## **Trust Finance Manager**

The Trust Finance Manager is responsible for:

- Controlling, monitoring and evaluating the school's finances, ensuring compliance with financial requirements and regulations.
- Ensuring that orders, invoices, and other financial documents are processed according to established procedures and delegated limits.
- Overseeing staff dealing with finances and ensuring that procedures are carried out accurately.

## **Operations Manager, Procurement, Contract and Service Management**

The Operations Manager is responsible for:

- Overseeing and supporting purchasing and competitive tendering.
- Maintaining lists of approved suppliers and Trust-wide contracts.
- Developing procurement strategy.
- Contractor and supplier management.
- Identifying opportunities for savings.

- Working collaboratively to develop procurement policies and processes with establish effective controls and maximise value from suppliers
- Placing orders, entering into contracts within the limits set out in the Scheme of Delegation and the Financial Regulations, Governance and Administration Document.

### **3. Using a Framework Agreement**

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

- Details of the products and services available.
- An agreed pricing structure.
- Details of the suppliers.
- Instructions on how to buy.
- An agreed set of terms and conditions.

### **4. Procurement and Spending Decisions**

#### **Procurement Basics**

The trust will ensure that:

- Spending is for the purpose intended and there is probity in the use of public funds.
- Spending decisions represent value for money.
- Internal delegation levels exist and are applied.
- A competitive tendering policy is in place and applied, and Government Procurement Agreement (GPA) rules and thresholds are observed.
- Professional advice is obtained where appropriate.

## Purchasing Thresholds and Process Required

Order value	Process required
<b>Low</b> Up to £10,000	Routine day-to-day purchases in line with guidance of securing best value. Order from approved supplier list where possible.
<b>Medium</b> £10,000 to £150,000	The trust will use quotes from three known suppliers or using relevant frameworks. If there are no suitable suppliers able to do comparable quotes, Trust will seek approval for single source approval to purchase goods, works or services. A record of all quotes and decisions must be maintained.
<b>Medium -</b> £150,000 to £214,904	<b>Restricted or Limited Tendering Process</b>  At least three providers will be approached to provide quotes that include the criteria – price, quality, sustainability and equal opportunities. Decision made by panel of three including CEO/ Chair of RRAC/ another senior leader.
<b>High – over PCR</b> Threshold £214,904 not categorised as LTR.	<b>PCR-compliant buying process</b>  Use of a Tendering Consultancy service. Full Board Trustee Approval required.
<b>High –</b> categorised as <a href="#">LTR</a> over £214,904 and under the PCR limit £663,540	<b>Open Tendering Process</b>  Process run by the Central Team. All interested parties invited to tender. Bids assessed against agreed criteria including the CEO/DCEO/DOF. Full Board Trustee Approval required.
<b>High –</b> categorised as a LTR, but over the PCR limit £663,540.	<b>PCR-compliant buying process</b>  Use of a Tendering Consultancy service. Full Board Trustee Approval required.

## Specifications

No matter what procurement process is followed, a specification will always be written outlining what the trust wants to procure. All specifications will include:

- A precise description of the goods, work or services required and what it should do.
- The amount required and when it is needed.
- The expected quality of the goods, work or services.

## **5. Small and Medium Purchases**

Any purchase or service over £10,000 up to £150,000.

Where appropriate, the trust will use a framework agreement to purchase small and medium goods, works or services.

Where it is not possible to procure small and medium purchases through a framework agreement, quotes from at least three suppliers will be obtained prior to purchasing. All suppliers will be sent the same information, as follows:

- Specification
- Deadline for submitting the quote
- When the trust will decide
- How the supplier can ask questions about what the trust is buying or its process
- A link to the trust's terms and conditions, if needed

## **6. Restricted or Limited Process** (£150,000 to £214,904)

At least 3 providers will be approached to provide quotes that include the criteria – price, quality, sustainability and equal opportunities. Decision made by panel of three including CEO/ Chair of RRAC/ another senior leader.

## **7. Large Purchases over the PCR Procurement Threshold** (over £214,904)

When the trust makes purchases with a value over the PCR procurement threshold, it will:

- Assess the market.
- Check the relevant frameworks to see if the purchase is available via an alternative route.
- Prepare the contract and invitation to tender.
- Advertise a contract notice using the e-notification service Find a Tender (FTS).
- Make the invitation to tender and all other documents available electronically from the time that the contract notice is published.
- Assess all the bids fairly, using the same process.
- Choose the supplier that offers the best value for money.
- Award the contract to the highest scoring bid supplier.





## **Tendering Shortlisting Matrix (determined by tender)**

The Price/Quality ratio is assessed on the criteria linked to the subject matter of the tender

<b>Criteria</b>	<b>Weight</b>	<b>T1</b>	<b>T2</b>	<b>T3</b>	<b>T4</b>	<b>T5</b>
Quality of Goods or Services including Experience and Qualifications (in Education Sector)	30%					
Meets the school's specifications	20%					
Price Proposal	20%					
Financial Stability	10%					
Delivery Timeframe	10%					
Social Values and Sustainability	10%					

Tenderers will be scored based on how well they meet each criterion (1-5, 5 is best).

## **8. Tender Acceptance**

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

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

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

### **Informing Unsuccessful Bidders**

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

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

The trust will provide information regarding the cost of the winning bid upon request, provided it does not reveal any commercially sensitive information.

### **Informing the Successful Bidder**

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

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

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

- The trust will only award them the contract if the standstill period passes without a challenge from another supplier.
- There are no commitments, and no work should begin, until both sides have signed the contract.

## **9. Tender Opening**

All offers for tender will be opened at the same time, with a minimum of two members of staff present, one of whom will be the Operations Manager.

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

## **10. Staff Involvement in Evaluating Offers for Tender and Quotes**

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

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

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

## **11. Contracts**

The trust will seek legal advice before entering a contract and ensure that it has a contract management plan in place. Non-routine tenders or purchases, such as leases, will be subject to a contract, which is signed before the work begins or goods are delivered.

A meeting will be arranged with the supplier to finalise the management and payment arrangements, clarify key performance indicators, and agree how they will work together.

All contracts will include the following details:

- A detailed description of the goods, works or services the school has agreed to buy, linked to the specification
- A pricing schedule – what will be paid when
- Terms and conditions
- The level of service wanted – this may include service level agreements (SLA) and/ or 'key performance indicators' (KPIs)
- Any contract management arrangements such as regular meetings or contact.
- An 'implementation plan' saying who is responsible for what.
- What happens at the end of the contract
- The written specification, as an appendix to the contract
- The timeline and completion date of the work
- An exit process
- The requirements for any companies being employed by the supplier

If the supplier is employing another company to undertake some, or all, of the work, or to provide goods, it is the supplier's responsibility to ensure the company has:

- Health and safety policies in place.
- The relevant insurance.
- The required professional qualifications.
- Proof of certification.

Copies of all contracts will be securely stored in the central finance team records.

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

### **Challenges from Unsuccessful Bidders**

The trust will maintain the following minimum standstill period between notifying the winning bidder and awarding the contract, depending on the means of communication used to transmit the standstill notice:

- Notices communicated by electronic means: 10 calendar days
- Notices communicated by non-electronic means: 15 calendar days

If this period ends on a non-working day, this will be extended to the end of the next working day.

During the standstill period, if an unsuccessful bidder challenges the fairness of the contract award decision or process, the trust will contact them and explain that the assessment process was conducted fairly and that the trust has kept good records – legal advice may be sought depending on the nature or seriousness of the challenge.

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

### **The End of a Contract**

The school will plan for the end of a contract in advance by:

- Returning the supplier's equipment, where required.
- Terminating any joint arrangements.
- Disposing of or removing any unwanted items.

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

## **12. Monitoring and Review**

This policy will be reviewed annually. All changes to this policy will be communicated with the relevant stakeholders.

The next scheduled review date for this policy is 2026.