

# NEWPORT GIRLS' HIGH SCHOOL ACADEMY TRUST



## PROCUREMENT AND TENDERING POLICY

<b>Policy written by:</b>	SLT / based on T&W Model Guidance
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## Policy Statement

This policy outlines Newport Girls' High School Academy Trust's expectations regarding procurement and tendering. It provides a clear framework for purchasing goods and services, ensuring compliance with the Procurement Act 2023 and the Procurement Regulations 2024 (SI 2024/692), the Academy Trust Handbook 2025, and principles of transparency, value-for-money, and equality.

This policy must be read in conjunction with the Trust's Financial Procedures Manual, Staff Code of Conduct, Child Protection and Safeguarding Policy, Safer Recruitment Policy, and ICT Acceptable Use Policy.

We are committed to fulfilling our Public Sector Equality Duty and expect all staff and volunteers to:

- Eliminate unlawful discrimination, harassment, and victimisation.
- Advance equality of opportunity.
- Foster good relations between people with and without protected characteristics.

This policy does not form part of any employment contract and may be amended or withdrawn at any time.

## Scope

This policy applies to all employees, workers, agency staff, consultants, contractors, and volunteers engaged in procurement activities on behalf of the Trust.

## Aims & Principles

Ensure procurement decisions are fair, transparent, and deliver value-for-money.

Comply with all relevant legislation, including the Procurement Act 2023.

Promote open competition and equal treatment of suppliers.

Maintain robust records and audit trails.

Ensure safeguarding and due diligence checks are completed.

## Procurement categories

The following categories detail the procedures required, according to the estimated value of the goods or service contract:

1. £0 to £5,000. Lower value purchases: No formal quotations are required.
2. £5,001 to £50,000. Medium value purchases: Three written quotations must be obtained, except in exceptional circumstances as provided below.
3. £50,001 up to current UK public procurement thresholds. High value purchases: four tenders must be obtained.
4. Over UK public procurement thresholds: five tenders obtained using the latest Procurement Act 2023 requirements.
5. Framework agreements: For some goods and services a framework agreement may exist, whereby services have been pre-tendered by another organisation, and the trust can buy-in at a price that has

been fixed under the framework agreement. In these cases, the procurement and tendering regulations have already been satisfied.

The above values are net of VAT. Aggregation rules apply, so the value is the total value of a contract over the specified contract term.

## **Procedures**

### **1. Low Value Purchases (£0 - £5,000)**

Whilst there is no requirement to obtain formal quotes, price comparisons should be made regularly to achieve best value. Prices may be obtained direct from suppliers or printed from websites if appropriate.

For purchases up to £5,000, the decision as to which quote to accept will be taken in accordance with the Trust scheme of delegation and financial procedures manual.

### **2. Medium Value Purchases (£5,001 - £50,000)**

Three written quotations should be obtained. Occasionally it may not be possible to gain three, due to limited numbers of potential suppliers or other reasons, such as suppliers declining to quote. If it has not been possible to gain three quotations, evidence should be retained to show that every attempt has been made to receive the maximum number of quotes.

For purchases between £5,001 and £50,000, the decision as to which quote to accept will be taken in accordance with the Trust scheme of delegation and financial procedures manual.

Quotations should be based on a written specification, particularly for services and works, to ensure that they are prepared on a 'like for like' basis.

### **3. High Value Purchases (£50,001 – Current UK public procurement thresholds)**

All purchases with a value greater than £50,000 must be put out to formal tender following the designated procedures.

A specification will be prepared and authorised by the Trust and sent to at least four suppliers. For any major building works the services of an architect may be engaged to deal with the handling of specifications and suitability to tender.

Where appropriate, the suppliers invited to tender should be drawn from an approved contractor 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:

1. an introduction/background to the project.
2. the scope and objectives of the project.
3. any technical requirements.
4. implementation details for the project.
5. the terms and conditions of the tender.
6. the form and date of response to the Trust, or in the case of building works, to the architect or quantity surveyor.

All replies should be addressed to the Headteacher, or to the architect if this is specified in the invitation to tender, in a plain sealed envelope marked 'Tender' and must be received by the specified date.

The date and time of receipt will be recorded on the envelope, and all replies must be kept sealed until the tender meeting.

All tenders will be opened at the same time. The tender register will be completed with the details of the goods/service tendered for, the name of the contractor, the tender price, the date/time received and the date/time of opening. The names and signatures of those present will also be recorded. Notes will be made to detail any queries on the tenders and details of any suppliers who failed or declined to submit a tender.

The tender meeting must be attended by at least the Headteacher (or their designated deputy), the Finance and Facilities Manager and a nominated Trustee. Another senior member of staff who is involved in the operation of the service and/or any architect or consultant used to carry out the tender process may also be present.

A decision will be taken at the tender meeting regarding the preferred supplier, and this will be recommended to Finance and Buildings Committee for their approval. Sometimes further clarification may be needed from the supplier and in these cases the recommendation may be subject to receiving this clarification. Such clarification must be received and reported to Finance and Buildings Committee.

Where the tender price exceeds the budget allocation, the decision as to which tender to accept will be taken by the Finance and Buildings Committee.

The reasons for accepting a particular tender must be documented in the committee meeting minutes, especially if it is decided to accept other than the lowest tender.

No contractor will be allowed to amend the tender after the time fixed for receipt.

The Finance and Facilities Manager will retain copies of all correspondence for each tender and all other information relevant to the tender, such as tender specification documents.

All organisations who submitted a tender should be advised of the outcome of the process as soon as possible following approval of the successful tender.

#### **4. Purchases Above UK Public Procurement Thresholds**

For contracts where the estimated total value exceeds the UK public procurement thresholds (currently 2026/2027 £207,720 for goods and services, and £5,193,000 for works, inclusive of VAT), the Trust is required to follow the procedures set out in the Procurement Act 2023.

These include:

- Advertising the opportunity via the Find a Tender Service (FTS), the UK's official platform for public procurement notices.
- Using a compliant procurement procedure, which may include open, restricted, or competitive flexible procedures, depending on the nature of the contract.
- Applying the Most Advantageous Tender (MAT) principle, which considers not only price but also quality, social value, risk, and sustainability.
- Ensuring transparency and equal treatment throughout the process, including clear evaluation criteria and documented decision-making.

- Publishing contract award notices on FTS and maintaining records in accordance with audit and regulatory requirements.

Where appropriate, the Trust may engage external procurement specialists to support the process and ensure full compliance with legal obligations. All such procurements must be approved by the Finance and Buildings Committee and follow the Trust's Scheme of Delegation.

## **Acceptance of tenders**

The following points will be considered when deciding which tender to accept:

1. The overall price and the individual items or services which make up that price.
2. Whether there are any 'hidden' costs; that is additional costs which the Trust will have to incur to obtain a satisfactory product.
3. Whether there is scope for negotiation, while being fair to all tenderers.
4. The qualifications and experience of the supplier, including membership of professional associations.
5. Compliance with the technical requirements laid down by the Trust.
6. The supplier's own quality control procedure; pre-sales demonstrations, after-sales service and, for building works, a defects period and insurance guarantees.
7. The financial status of the supplier.
8. References from other establishments.
9. Understanding & compliance with Health & safety, CDM regulations and Child Protection issues related to working on a school site.
10. Whether the supplier is excluded or excludable (as provided for in the Procurement Act 2023), including by virtue of the conduct of its connected persons, associated persons and intended subcontractors,

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 recommended tender after the tender meeting has taken place.

Once a tender is accepted an official order should be issued immediately to the supplier in the normal way.

Consideration should be given to the frequency with which contracts are re-tendered. A balance needs to be struck between regularly testing value for money against the cost of tendering and developing supplier relationships.

## **Dispensations**

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

All dispensations require prior approval from the Headteacher and Finance and Buildings Committee before progressing and must not result in a breach of procurement legislation or be contrary to the Trust Scheme of Delegation. Staff may be called upon to attend the Finance and Buildings Committee meeting to explain the reasons for requesting a dispensation.

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

All dispensations will be subject to obtaining and documenting appropriate evidence for single quotation / tender action, obtaining authorisation for such action in accordance with the approved Scheme of Delegation and never breaching current Public Contract Regulations or the relevant OJUK public procurement thresholds. Subject to approval as outlined in the Trust Scheme of Delegation, dispensations may be granted for the following reasons:

- Unforeseen emergency requirement
- The goods or services are only available from one source and there is no possibility of the Trust's requirements being met in any other way
- An extension is required to a current contract to allow sufficient time to complete a competitive tendering exercise (but failure to have planned the re-procurement would not be justification for a single tender)
- Where the seeking of tenders and subsequent contract award could cause significant operational difficulties and where any potential savings would be outweighed by those operational issues (which along with a value for money analysis must be documented) and only for use in circumstances to be approved in accordance with the scheme of delegation, under the specific advice of the Trust's auditors or external procurement specialists in terms of compliance with UK legislation.