

Date ratified at  
Directors Board meeting  
**12 April 2021**

Review  
Resources Committee

**St John the Baptist**



**Catholic Multi Academy Trust**

## **COMPETITIVE TENDERING POLICY**

### **THE MAT MISSION STATEMENT**

Our family of schools is united in the belief that God's love, peace, truth, and joy is for all. We are dedicated to the achievement of excellence in all we do. We cherish the uniqueness of each of our school communities and celebrate together as one Trust family. By following Jesus' example we bear witness to the greatness of God.

*'To think, to feel, to do' Pope Francis*

**St John the Baptist Catholic MAT**  
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**Registered Office: Surrey Street, Norwich NR1 3PB**



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## 1. Aims

This policy aims to ensure that:

- The St John the Baptist Catholic Multi Academy Trust's (the Trust) funds are used only in accordance with the law, its articles of association, its funding agreement and the Academies Financial Handbook
- The trust's funds are used in a way that commands broad public support
- Value for money (economy, efficiency and effectiveness) is achieved
- Trustees fulfil their duties and responsibilities as charitable trustees and company directors

## 2. Legislation and guidance

The Academies Financial Handbook states that academy trusts are required to have a competitive tendering policy and ensure that the current procurement thresholds are observed.

This policy is based on the Academies Financial Handbook and the guidance by Department for Education (DfE) on buying procedures for schools

This policy also complies with our funding agreement and articles of association.

## 3. Roles and responsibilities

### 3.1 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 (such as an external auditor) 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
- 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

### 3.2 Resources committee

Academy trustees delegate competitive tendering responsibilities to the Resources committee.

The committee is responsible for reviewing the trust's tendering processes, and for reporting to trustees on tenders.

### 3.3 Chief financial officer

The chief financial officer (CFO) is responsible for:

- Ensuring appropriate financial governance and risk management arrangements are in place
- Preparing and monitoring budgets
- Providing information to the Resources committee and academy trustees, as appropriate
- Overseeing and supporting competitive tendering

## 4. Purchase thresholds

### 4.1 Low to high-value purchase thresholds

Purchase levels are divided into the following:

- Low-value purchase: £0 - £4,999
- Medium-value purchase: £5,000 - £9,999
- Medium-high-value purchase: £10,000 - £25,000
- High-value purchase: > £25,000, but below the former EU threshold

### 4.2 UK / EU procurement threshold

If it is estimated that the cost of a contract is above the former EU threshold for procurement spending, the trust will follow UK's current Public Procurement Regulation and seek legal advice. The procurement thresholds remain the same as they were before the end of the transition period given that these thresholds are set under the WTO's Agreement on Government Procurement. Current thresholds for public contracts for Other Contracting Authorities are £189,330 (Supply, Services and Design Contracts) and £4,733,252 (Works Contracts) A 'light touch regime', with a higher threshold of £663,540, applies for some services that are specifically for education provision. We will seek legal advice to determine if any procurement run by the trust qualifies.

## 5. Framework agreements

Where possible, we will use a framework agreement to contract suppliers. These are arrangements that a contracting authority, such as a public sector buying organisation, makes with suppliers. The benefits of frameworks are that they have already been through a competitive tender process and they have favourable terms and conditions. In addition, the framework provider may offer advice and support.

Depending on the framework we choose, we will either pick the best value supplier from a list or run a mini-competition between listed suppliers. In either case, we will follow the DfE guidance on procurement to ensure good practice. The reasons for the choice of framework, and for the choice of supplier, will be clearly recorded.

## 6. Procurement procedure: low and medium-high value purchases

When making purchases between 10,000 and £25,000 budget holders are required to obtain at least three written quotations to evidence best value unless placing an order through government procurement frameworks a preferred supplier or a sole supplier. They will also need to:

**Place an order** – when the best value quote is identified, we will send the supplier a purchase order, which includes details of the:

- Goods, works or services we are purchasing

- Price
- Delivery address
- Delivery deadline and any other important dates
- Payment schedule

## 7. Tendering procedure: high-value purchases

Any purchase over £25,000 will be subject to either three written quotes, formal tendering procedures or a framework competition (except for cases where goods or services can only be delivered by a sole supplier, or other exceptional circumstance, e.g. exam fees). Purchases over the former OJEU limit must be fully compliant. The trust will make high-value purchases without a framework only in rare circumstances. When this does happen, depending on a complexity of the goods / services purchased we may use the process below.

- a. **Create a specification**
- b. **Assess the market** – we will prepare for the tendering process by developing our knowledge of the market. We will find out how many suppliers are available and the best way to advertise our contract to a range of suppliers
- c. **Check the school's position in relation to procurement thresholds**
- d. **Develop a service level agreement (SLA)** – an SLA sets out the standards of service expected from a supplier. Some suppliers may have their own SLAs, which the trust will consider using on a case-by-case basis
- e. **Develop a contract** – a contract will include terms and conditions, a contract management plan and an exit strategy
- f. **Reduce the number of bids** – to reduce the number of bids the trust needs to evaluate, we will either use an expression of interest process to gauge interest in the contract or a pre-qualification questionnaire
- g. **Establish how we will assess quotes** – we will set out criteria that will allow us to evaluate which of the suppliers' bids best meets the requirements in our specification, and is the most economically advantageous tender that best combines cost and quality
- h. **Create a timeline for the tender process** – this will include the dates of the clarification period, the deadline for submitting tenders and the date we expect to award the contract
- i. **Prepare an invitation to tender** – this will include:
  - A covering letter with a timeline for the process
  - Instructions on how suppliers can ask clarification questions and submit their tender
  - The specification
  - A pricing schedule
  - Any SLA requirements
  - The contract's terms and conditions
  - Contract management requirements (see 'develop a contract' above)
  - Award criteria, including the scoring system and any weightings
  - If appropriate, an invitation for suppliers to give a practical demonstration of their goods, works or services
- j. **Advertise the contract** – the contract will be advertised where suppliers are likely to look, such as:

- The new UK e-notification service called Find a Tender (FTS) instead of in the OJEU. The government's Contracts Finder service
- Local or national newspapers
- Education publications or websites
- Trade magazines

**k. Run the tender process and provide clarifications**

- l. Evaluate tender responses** – at least 2 people will independently score and evaluate each bid, and then compare notes after completing their evaluations; records of decision making and moderation decisions will be kept

**m. Notify suppliers and award the contract**

- n. Finalise the contract** (and advertise the award, if the contract was advertised in Contracts Finder or the FTS )

- o. Abandoning the tender process** – on very rare occasions we may need to halt the tender process. Should this occur, we will notify suppliers who are preparing their bids as soon as possible

## **8. Monitoring arrangements**

The CFO is responsible for the implementation of this policy.

This policy will be reviewed and approved by the board of trustees every two years and when the relevant procurement thresholds change.

## **9. Links with other policies**

This competitive tendering policy is linked to the following policies:

- Finance policies