

Procurement Policy 2023- 2025

Equality Impact Assessment: Askham Bryan College recognises the importance of the Equality Act 2010 and its duties under the Act. This document has been assessed to ensure that it does not adversely affect staff, students or stakeholders on the grounds of any protected characteristics.

1. DOCUMENT HISTORY

Date of Issue: 6th November 2023 Approved on: 18th October 2023 Next review: September 2025 SLT Owner: Chief Finance Officer Author: Chief Finance Officer

2. SCOPE AND LIMITATIONS

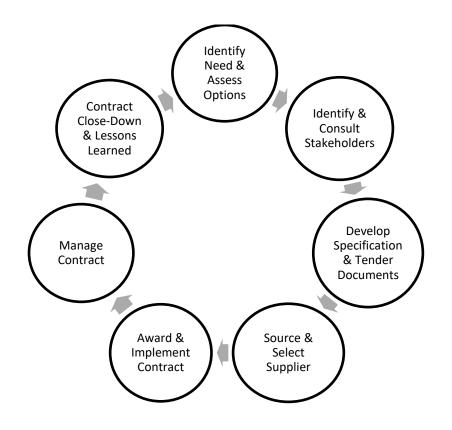
2.1. This Policy applies across all sites and to all staff who seek to purchase Goods, Services and Works on behalf of the College.

3. **RESPONSIBILITIES**

3.1. The Chief Finance Officer (CFO) will have overall responsibility for ensuring compliance with this policy. The CFO will be assisted by the Finance Team to ensure compliance with this policy.

4. INTRODUCTION

4.1. Procurement is the process by which the College manages the purchase of all its Goods, Services and Works over the full procurement lifecycle:



- 4.2. This Contract and Procurement Policy provides an organisational framework for the procurement of all Goods, Services and Works (as defined by this policy) by the College. This policy is designed to ensure that all procurement undertaken by the College is performed ethically, sustainably and in compliance with relevant legislation and regulation whilst ensuring value for money.
- 4.3. Contracts which do not fall within the scope of this policy, such as leases, licences, memoranda of understanding, service agreements, service level agreements, joint venture agreements, etc are subject instead to the College's Contracts Procedure. See the College's Contracts Procedure for further details.

5. **DEFINITIONS**

Budget Holder	means staff who are assigned a budget and who are involved in procurement activity on behalf of the College
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Concession Contracts	means a Contract under which the execution of Works or the provision and management of Services is entrusted to one or more Suppliers, the consideration for which is the right to exploit those Works or Services. Usually this will involve a transfer of operating risk to the Supplier and them receiving payment from third parties, not wholly from the College
Conflict of Interest	means any interest which may appear to an objective bystander to affect the fair judgment of a College staff member or any person acting on the College's behalf in a procurement process. The concept of conflict of interest shall at least cover any situation where relevant person has, directly or indirectly, a financial, economic or other personal interest which might be perceived to compromise his or her impartiality and independence in the context of a Procurement
Contract	means any form of contract or agreement for the supply of Goods, Services and/or Works that the College enters into as part of the College's procurement process
Dynamic Purchasing System (DPS)	means a Procurement tool available to procure Goods, Services and Works commonly available on the market. It has its own specific set of requirements (as set out in Regulation 34 of the Public Contracts Regulations 2015); for example, it must be run as a completely electronic process, must remain open to new entrants, all suppliers must be invited to quote for contracts, and it should be set up using the Public Contracts Regulations 2015 Restricted Procedure
E-Procurement	means the use of an electronic procurement portal or system to obtain quotations and tenders, which is mandatory under UK Procurement Law

Framework Agreement	means an agreement between the College and/or other public bodies and one or more Suppliers where the volumes to be delivered are not set out at the outset but which establish terms (including price) under which the Supplier will enter into a Contract to provide Goods, Works and/or Services
Goods	means all supplies, equipment and materials that the College purchases or acquires as part of the College's procurement process
Public Contract Regulations 2015 (PCR15)	means the Public Contracts Regulations 2015 (as amended) and/or the Concession Contracts Regulations 2016 (as applicable) on the procurement of Goods, Works, Services and Concessions and as amended and supplemented by the High Court of Justice. Breach of these regulations is legally actionable by a Supplier
Procurement	means the purchase, contract hire, lease, rental or any other form of acquisition which results in a contract where the College is purchasing Goods, Works or Services from a third- party Supplier. Procurement also includes the establishment of Framework Agreements and DPS
Quotation	means a written offer in relation to a Procurement, making reference to a price and (where applicable) other information
Services	means all services which the College commissions, purchases or acquires as part of the College's procurement process
Specification	means a written document detailing the College's requirements for a purchase, including things such as definitions, acceptance test methods, material requirements, drawings, plans, certifications of compliance, data security measures, quality control, performance testing, delivery and timescales
Supplier	means any person, partnership, sole trader, company, economic entity or any other organisation which provides or offers Goods, Works and/or Services to the College
Tender	means a formal process by which proposals are requested by the College and received from Suppliers in relation to a Procurement, making reference to a price and (where applicable) other information
TUPE	means the Transfer of Undertakings (Protection of Employment) Regulations

Value for Money	means securing the optimum mix of price, quality and suitability over the period of use of the goods or services bought
Works	means the execution, or both design and execution, of construction works and civil engineering works including the execution of repairs in relation to those works

6. POLICY

Procurement Principles

- 6.1. Whilst the Public Contract Regulations 2015 mandate that the purchase of all Goods and certain types of Services and Works whose value exceeds specific thresholds must be advertised in the Find a Tender Service (FTS), it is important to understand that all public-sector procurement must follow the 'spirit of the legislation'. This policy seeks to promote the following procurement principles:
 - Purchases are in compliance with legal obligations and shall at all times ensure that it complies with the principles of Regulation 18 of the Public Contracts Regulations 2015:
 - i. the College shall treat economic operators equally and without discrimination and shall act in a transparent and proportionate manner;
 - ii. the design of the procurement shall not be made with the intention of excluding it from the scope of Regulation 18 or of artificially narrowing competition.
 - Goods, Works and Services are fit for purpose and value for money is obtained.
 - Money is spent in a way that is fair, open and transparent.
 - Staff awareness of relevant public-sector regulations is promoted.
 - Most effective and efficient Procurement processes are used, including E-Procurement.
 - Aggregation of spend throughout the College to maximise buying power.
 - Consortia Framework Agreements are used wherever possible.
 - Local, small and medium-sized enterprises (SMEs) are used wherever it is possible and compliant to do so, ensuring that Value for Money is obtained.
 - Contracts are managed effectively and supplier performance is monitored.
 - Clear purchasing procedures, guidance and training is available to all relevant College staff.
 - Consistency in approach.

Value for Money

- 6.2. When making purchasing decisions, all College staff should seek the best Value for Money for the College. Value for Money should not be judged solely on cheapest initial price, but the optimum combination of the whole-life cost and quality to meet the users' requirements for the longest possible useful life of goods and services.
- 6.3. This means that, in anticipating the price to pay, the College should account for maintenance, support, design, delivery, operational and disposal (end-of-life) costs, reliability and compatibility with College systems. Factors such as these may justify a higher initial cost in the expectation of lower whole-life costs.

- 6.4. Achieving Value for Money includes a recognition that the lowest price is not necessarily best value for money and being expensive does not guarantee quality. Key, best value, factors to be considered in purchasing decisions other than price include:
 - Capacity of provider and experience of key personnel.
 - Quality of output.
 - Responsiveness.
 - Reliability, which may include an assessment of design-life and cost of maintenance.
 - Compatibility of College values e.g. equality and diversity.
 - Environmental and sustainability factors.
 - Cost of disposal
 - Ethical procurement.
- 6.5. One of the best ways to achieve Value for Money is through competition (subject to certain exemptions see section 15.9). The achievement of Value for Money is not necessarily achieving the cheapest price but the right quality, quantity, time, place, and price (the 'five rights' of purchasing). It is therefore imperative that any Goods or Service the College intends to procure is described accurately by the Budget Holder so that the supplier can respond without ambiguity. The specification must be clear and accurately describe the Goods and/or Services required. The specification should be sufficiently detailed yet still generic so as not to preclude any participants nor give others unfair advantage hence cannot specify branded or bespoke products. Any variation or addition may have to be procured separately to ensure the contract is not challenged as an illegal award.

Sustainable Procurement

- 6.6. The College is committed to procuring Goods, Services and Works that meet sustainable procurement objectives, achieving value for money on a whole life basis whilst minimising damage to the environment supporting environmental obligations, seeking to reduce poverty, inequality and ensure fair working practices.
- 6.7. In support of this commitment and complying with relevant legislation and regulations in procuring Goods, Services and Works, the College will, wherever possible and reasonably practicable:
 - Consider sustainable alternatives by assessing options such as cutting down on waste and repairing or re-using Goods, following the ethos of Reduce, Reuse, Recycle before considering replacement.
 - Ensure Contract documentation reflects relevant sustainability criteria to be considered in the award of contracts.
 - Allow potential Suppliers to price for sustainable and environmental alternatives.
 - Ensure that appropriate consideration is given to Suppliers' environmental credentials in the supplier appraisal process.
 - Ensure that Suppliers' compliance with the Modern Slavery Act is considered as part of the supplier appraisal process.
- 6.8. Budget Holders must balance environmental and social factors alongside economic consideration to achieve Value for Money on a whole-life basis (see Appendix 1).

7. **RESPONSIBILITY**

- 7.1. The CFO is responsible for administering and enforcing the Procurement Policy.
- 7.2. Budget Holders are responsible for:
 - Maximising Value for Money for their area of budget responsibility.
 - Ensuring compliance with the College's Procurement Policy and Procedures for their area of budget responsibility.
 - Liaising with the Finance Team to ensure procurement activities in the area are conducted effectively and efficiently or where the Contracts Procedure applies instead, liaising with the Legal and Compliance Adviser.
 - Once procured, ensuring that Suppliers are performance-managed against Contracts for their area of budget responsibility.

7.3. All College staff involved in procurement activity are responsible for compliance with the College's Procurement Policy and Procedures.

Further Guidance

7.4. For further guidance on any aspect of the College's Procurement Policy and related procedures and practice, please refer to the Finance Team or to the Procurement section of the Finance Regulations.

8. BRIBERY ACT

8.1. All staff involved in Procurement activity must comply with the College's Anti-Bribery Policy.

9. ETHICS

- 9.1. All staff involved in procurement activity must ensure that they are fair and unbiased when making a procurement decision.
- 9.2. If a member of staff suspects that someone involved in the contracting and procurement process is acting in an unethical way the member of staff must report this to their line manager immediately.
- 9.3. Staff must not use their position for personal gain and should always maintain the highest standard of integrity in all business relationships both inside and outside the College.
- 9.4. Staff should declare any personal interest that might influence a purchasing decision to the CFO.

10. DELEGATION OF AUTHORITY

Authority Levels

10.1. The authority levels for College purchasing are as follows:

Value of Purchase (including VAT)	Authorisation
£0 to £5,000	Purchases require prior approval from the Budget Holder.
£5,001 to £10,000	Purchases require prior approval from the Budget Holders SLT lead.
£10,001 to £20,000	Purchases require prior approval from the Head of Finance.
£20,001 to £50,000	Purchases require prior approval from the CFO.
£50,001 to £150,000	Purchases require prior approval from the Chief Executive Officer (CEO).
Over £150,000	Purchases require prior approval from the Corporation. Expenditure on items costing more than £150,000 are considered and recommended for approval the Corporation by the Finance and General Purposes Committee.

Unauthorised Expenditure

10.2. All purchases of Goods, Works and Services must be correctly and appropriately authorised. If this is not done, the College may hold the individual concerned personally responsible for payment of the costs incurred.

11. TENDERS AND QUOTATIONS

Thresholds

11.1. Budget Holders must comply with the College's quotations and tendering thresholds shown below.

Value of Purchase (including VAT)	Purchase Method
£0 to £5,000	Budget Holder has discretion whether to request Quotations, although Value for Money must be obtained at all times and use of Framework Agreements are encouraged. Note: The Budget Holder will be expected to explain and document any derogation from the use of any College, regional or national Framework Agreements set up to cover a specific area of purchase.
£5,001 to £24,999	The Budget Holder must arrange for at least three Quotations or use a Framework Agreement. Note: The Budget Holder is responsible for retaining sufficient evidence of the quotations and decision.

£25,000 to PCR15 Threshold	The Budget Holder, with support from the Finance Team, must carry out a formal Tender in compliance with the College Tendering Procedures, or use a Framework Agreement in accordance with framework guidelines and College policy. The tender documents and purchase contracts must be signed by the CEO or CFO. Any agreement/contract made should be provided to the College's Procurement Consultant for advertisement on Contracts Finder. Please speak to the Finance team.
Above PCR15 Threshold (see Appendix 2)	The Budget Holder must contact the CFO. All applicable purchases must be made in compliance with the current and relevant PCR15 Regulations. The PCR15 threshold applies to the aggregate value of the contract (see clause 9.2).

Please note these requirements are a minimum; more suppliers can be invited to bid if necessary to achieve greater Value for Money through competition.

- 11.2. It is the responsibility of the Budget Holder to ensure that their members of staff comply with PCR15 Regulations by notifying the CFO of any purchase that is likely to exceed the thresholds. This will need to be done well in advance to permit FTS advertisement.
- 11.3. The award of contract values over £150,000 shall be reported to the Finance & General Purposes Committee.

Aggregation

- 11.4. For all Contracts, the total value of the contract over its full lifetime (the number of years the contract will be used), including any ongoing support, maintenance, licencing, repair, or disposal costs, must be taken into account when calculating the whole contract value, for the purpose of selecting the appropriate Purchase Method.
- 11.5. A purchase should not be sub-divided to reduce the total value of the contract. Similar contracts must be aggregated to calculate the total value; for example, a Works contract must include the cost of any Supplies and Services involved with delivering that project.

Repeat Purchases

11.6. Where supplies of Goods, Works or Services are repeatedly purchased (e.g. office stationery), it is not necessary to evaluate each purchase, but the annual sum must be evaluated and calculated over a three-year term. Areas of spend for repeat purchases must have a compliant Contract or Framework Agreement in place. The Finance Team will work with Budget Holders to identify areas of spend for repeat purchases, of over £20,000 in the last two financial years.

External Framework Agreements and DPS's

- 11.7. Goods, Services and Works may be purchased through third-party Frameworks Agreements or DPS's that:
 - a) Are created by a public body or a private sector party as agent of a public-sector body which is approved by the CFO;
 - b) Have valid mechanisms that exist to enable the College to use the Framework Agreement (including appropriate transparent referencing in the procurement documents and inclusion in the framework call off conditions); and
 - c) They are not used to create further Framework Agreements or DPS's.
- 11.8. The College is a member of the CPC (Crescent Purchasing Consortium) and Budget Holders are encouraged to use these Framework Agreements where possible, in line with the relevant procedures. As well as CPC, the College also has access to a number of Government Consortia offering use of pre-tendered framework agreements. A non-exhaustive list of purchasing consortia is available in Appendix 3.

Exemption from Tender and Quotations Procedure

- 11.9. The following criteria will exempt the Budget Holder from carrying out a formal Tender or Quotation procedure:
 - a) The College has an existing Contract, DPS or Framework Agreement in place for the specified goods or services;
 - b) A Framework Agreement or DPS is available via an approved consortium, although the framework guidelines may state further competition is required; all purchases using a framework must be compliant with the framework user guide; and/or
 - c) Additional criteria for exemption, subject to compliance with the PCR15 regulations:
 - i. Where there is genuinely only one potential Supplier, such as copyrighted material or unique technology, compatibility with existing equipment, where no reasonable alternative or substitute exists and the absence of competition is not the result of an artificial narrowing down of the specification.
 - ii. Compliance with the College's standard programmes.
 - iii. The usage of a Supplier where usage of that specific Supplier is a condition of grant funding.
 - iv. The selection of a Supplier on the instruction of a third party, providing the whole of the funding is met by the third party.
 - v. A necessary supply is required extremely urgently, not due to any action or inaction of the College, with the prior agreement of the CFO.
- 11.10. When the PCR15 Regulations apply, these exemptions may not be permitted. For purchases above the PCR15 Threshold, Budget Holders must check and confirm exemptions with the CFO. This may be in the form of a VEAT Notice (Voluntary Ex ante Transparency Notice).

Conflict of Interest

- 11.11. Budget Holders shall take appropriate measures to effectively identify, prevent and remedy Conflicts of Interest arising in the conduct of procurement procedures to avoid any distortion of competition and to ensure equal treatment of all Suppliers.
- 11.12. Except in exceptional cases where it is clearly in the best interests of the College, it is the Corporation's general policy that the College will not engage a Governor to provide Services and/or Goods. If a member of the Corporation is engaged to provide Goods and/or Services it may be prudent to consider whether the Conflict of Interest should be removed by the member in question resigning following the Charity Commission's most recent comments on conflicts of interest particularly if the conflict is likely to be serious and is expected to continue for an extended period of time. Each individual case will be assessed by the Corporation in advance of any procurement process.

12. COLLEGE FRAMEWORK AGREEMENTS AND DPS's

- 12.1. The College may choose to establish its own Framework Agreement or DPS for the purchase of Goods, Works or Services. Any associated Procurement process must be completed in accordance with the procedures outlined in this Contract and Procurement Policy.
- 12.2. Framework Suppliers will be chosen by a competitive process in accordance with these rules as if they were a standard contract (but must not be procured through another framework agreement or a DPS) and in accordance with the PCR15 Regulations.
- 12.3. All Framework Agreements will be in the form of a written Contract detailing the method by which the College will call off Goods, Works or Services during the duration of the Framework Agreement and stating that there will be no obligation to make any purchase from any framework Supplier.
- 12.4. Framework Agreements must be closed to new entrants and must not last longer than four years without this being justified in a written assessment of the exceptional factors present and the approval of the CFO.
- 12.5. Contracts created through Framework Agreements must not be greater than four years in duration without being justified in a written assessment of the exceptional factors present and the approval of the CFO. Contracts created through a Framework Agreement may extend beyond the end date of the Framework Agreement itself.
- 12.6. DPS's must be set up by an advertised competitive process which is approved by the CFO; and
 - remain advertised;
 - not limit the number of Suppliers admitted to the system (but the system may be split into categories);
 - be set up with clear operative rules which involve obtaining Quotations from all Suppliers on the system, or on the relevant category on the system, as appropriate; and
 - be operated wholly electronically; and
 - be open to new entrants; and

• not last longer than five years.

13. TUPE

- 13.1. Before the commencement of a procurement exercise the College must consider whether TUPE will apply to the College's or the incumbent Supplier's staff.
- 13.2. Guidance should be sought from the People Services team at an early stage and must ensure that sufficient time is built into the procurement process to deal with staffing issues and ensure that the correct processes are followed.
- 13.3. TUPE will apply where College Services are:
 - Contracted out or "outsourced" to a third party;
 - Re-let to a new Supplier;
 - Brought back in-house.
- 13.4. Where TUPE applies staff will transfer automatically to the new employer on current terms and conditions.
- 13.5. Where TUPE applies, the Tender and Contract documentation must include standard provisions dealing with TUPE. The Contract must not commence until all TUPE issues have been resolved.

14. PLACING ORDERS WITH SUPPLIERS

Purchase Orders

- 14.1. Purchase orders are required as follows:
 - Official College orders must be placed for the purchase of all Goods, Works and Services, except those that have a value of less than £25. Below this limit, the use of petty cash or the College credit card is more efficient.
 - Orders must not be placed with the Supplier until an official purchase order has been created.
 - In exceptional circumstances, urgent/emergency orders may be given verbally but must first be agreed by the CFO and confirmed with a purchase order no later than the next working day.

Call-Off Orders

- 14.2. Call-off orders are to be used primarily for Goods and Services that are provided on a regular and consistent basis. Examples include:
 - Bottled water
 - Consumables ordered regularly from an agreement/contract
 - Rental of equipment
 - Professional Services
 - Veterinary/Animal Feed
 - Transport

- 14.3. When raising a call-off order staff must ensure:
 - An approved Contract or agreement is place.
 - Call-off order numbers should be sent to the Supplier, so they know the number to include on all invoices.
 - There is a record of requests against the call-off order. This helps when checking invoices and keeping track of spend.
 - All call-off orders should be reviewed each year during June/July or thirty (30) days prior to issuing a new blanket order for the upcoming financial year.

Credit Card

14.4. A College Credit Card is held by the Finance Department. It is only to be used for low value purchases, internet orders or one-off purchases.

Petty Cash

14.5. Petty cash must only be used in line with the College's Financial Regulations and the College's Petty Cash Policy.

Internet Orders

- 14.6. Ordering via the internet presents increased risk and responsibility to those who purchase on behalf of the College. Purchases via the internet should be minimised unless the order is with a preferred or contracted Supplier.
- 14.7. Deal only with established, reputable Suppliers. Do not buy from unincorporated individuals or groups offering products or services.
 - Departments can submit a Credit Card Request.
 - Departments choosing to order via the internet should ensure that the Supplier provides a secure website for transmission of information.
- 14.8. It may appear the item being purchased is less in value via an internet Supplier, but the whole-life cost still has to be taken into account including delivery charges and warranties. In addition, the College has less protection and loses buying power, compared with preferred Suppliers.
- 14.9. Amazon should only be used as follows:
 - If there is no existing Contract or Framework Agreement.
 - If the item is unique and there is no preferred Supplier.
 - For book purchases.
- 14.10. eBay and other internet auction sites must not be used under any circumstances unless approved by the CFO.

Personal Monies

14.11. Staff making any purchases using their own money or a personal credit card will not be able to recover through expenses unless prior approval has been sought and received from their Budget Holder.

15.NEW SUPPLIERS

- 15.1. Prior to requesting new Suppliers, staff should first check the Finance System Supplier List. Guidance can be sought from the Finance Team.
- 15.2. If there is no existing Contract or preferred Supplier, follow the procedure for setting up a new Supplier.
- 15.3. If there is an existing Contract or preferred Supplier and the Budget Holder requires a new supplier to supply Goods, Works or Services, the Budget Holder will be expected to explain and document any derogation from the use of any College, regional or national Contract/Framework Agreement set up to cover a specific area of purchase. Such evidence should be attached with the new Supplier request form submitted via the Colleges finance system, eBis.
- 15.4. All new Supplier requests will be reviewed and approved by the Finance Team. A notification will be issued to the requestor when approved or rejected, with reasons.

16. TERMS AND CONDITIONS / SUPPLIER PAYMENTS

Terms and Conditions

16.1. Where possible, all purchases for Goods, Works and Services must be agreed on the College's standard terms and conditions. There will be occasions when the Supplier requests the purchase/Contract to be agreed against their terms and conditions because of the type of purchase. Where this occurs, the department must submit the Supplier terms and conditions to the Finance Team for review and approval before an order is placed with the Supplier.

Supplier Payments

- 16.2. All payments will be made to Suppliers in line with the College's Financial Regulations. Payment terms are stated within the College's terms and conditions.
- 16.3. Under no circumstances should staff agree to any special payment terms, including payments before Goods are delivered or reduced payment terms. Upfront payment places the College at risk of loss if the goods are not received or are received in an unsatisfactory condition.
- 16.4. Under exceptional circumstances a request for different payment terms can be submitted to the CFO for review and approval.

17. CONCESSION CONTRACTS

- 17.1. Concession Contracts for Works or Services with a value that exceeds the PCR15 Threshold are subject to the Concessions Contracts Regulations 2016 and will be subject to such additional procurement process requirement(s) as the CFO feels are necessary to comply with these Regulations.
- 17.2. The value of a Concession Contract shall be the total turnover of the concessionaire generated over the duration of the contract, excluding VAT, in consideration for the Works or Services which are the object of the Concession Contract and for any ancillary Goods, Works or Services.

18. AUDIT TRAIL AND DOCUMENT RETENTION

- 18.1. The CFO may request and review any document related to a particular purchase decision. To that end, College departments must ensure that they retain copies of key documentation in accordance with the College's procurement procedures, and sufficient information to justify decisions taken in all stages of the procedure, such as:
 - Communications with Suppliers and internal deliberations;
 - Preparation of the procurement documents;
 - Any interviews, presentations, clarifications, other dialogue or negotiation;
 - Supplier vetting;
 - Reasons for award of the contract.
- 18.2. All other Contractual documentation relating to the delivery or performance of a contract must be retained for a period of six years from the date of the completion and close-down of the Contract, in accordance with the Limitations Act 1980, except for:
 - Records relating to Contracts that are £5,000 or less (these should be kept for no longer than two years after the end of the Contract)
 - Records relating to Contracts that are for a period of more than ten years, which should be reviewed when they are five years old to determine whether they are still needed for current business and thus for further retention. Thereafter they should be reviewed every five years.

19. MONITORING AND REVIEW

19.1. The CFO will maintain oversight of the effectiveness of these arrangements. This policy and the implementation arrangements which underpin it will be reviewed every two years by the CFO. This document will also be updated in accordance with any legislative changes or changes to UK Government Procurement Policy.

20. SUPPORTING/RELATED DOCUMENTS

Procurement Procedure Contracts Procedure Anti-Bribery Policy Modern Slavery Statement Raising Purchase Orders in EBIS Procedure

Sustainability Statement

21. RELEVANT LEGISLATION

21.1. In all aspects of this policy the College will comply with the following legislation:

Public Contracts Regulations 2015 Concessions Contracts Regulations 2016 Public Procurement (Amendment etc) (EU Exit) Regulations 2022 UK guidance and Procurement Policy Notes (PPNs) Local Government legislation

APPENDIX 1

Sustainable Purchasing

Involves the consideration of environmental and associated factors when making purchasing decisions, looking at what products are made of, where they come from and who has made them. More fundamentally it is questioning whether the purchase needs to be made at all.

The College should always look for opportunities to reduce the negative environmental and social impacts of its purchasing choices.

Consideration for Sustainable Purchasing

- Use of non-renewable materials
- Manufacture and production methods
- Re-use, recycling and disposal options
- Delivery options
- · Reduction of landfill and carbon dioxide emissions
- · Suppliers approach to social and economic issues
- Reduction in energy/CO2 emissions

Budget holders should always consider:

- whether goods/services are required
- what the goods are made from
- how goods are transported
- who the supplier is
- methods of manufacturer
- disposal costs/disposal implications

Procurement from companies who promote environmental issues (larger suppliers maybe accredited to ISO14001 an internationally agreed standard that sets out the requirements for an environmental management system) should be encouraged and budget holders may specify environmental conditions.

Products with an Eco label – awarded to goods and services which meet strict criteria to minimise the impact of consumer products on the environment – are desirable providing they are fit for purpose.

All tenders must include environmental/sustainable factors as appropriate and the tenderers response to this must be scored as part of the overall evaluation.

APPENDIX 2

The threshold values at which public procurement opportunities are subject to the full suite of regulations governing public contracts are due to be updated.

They are revised every two years to take account of currency fluctuations, and to ensure the UK complies with its obligations under the World Trade Organisation's Agreement on Government Procurement (GPA).

Contract Type	Summary of Threshold Levels from 1 January 2022 (incl VAT)
Public Works Contract	£5,336,937
Supplies and Services (Sub-Central Contracting Authorities)	£213,477
'Light Touch Regime' Services	£663,540

APPENDIX 3

List of Purchasing Consortia (non-exhaustive)

- Crescent Purchasing Consortium
- Crown Commercial Services
- Yorkshire Purchasing Organisation
- Eastern Shires Purchasing Organisation
- North East Procurement Organisation
- North Eastern Universities Purchasing Organisation
- The Energy Consortium
- Yorbuild
- Fusion21
- LHC
- NFP (National Framework Partnership