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Children's  
Support  
Service

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## PROCUREMENT POLICY

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The Policy was formally adopted by the Governing Body on	Date: 22 September 2022
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# INDEX

1. Introduction.....	3
2. Operational Procedures Manual .....	3
3. Scheme of Delegation .....	3
4. Register of business interests (pecuniary interests).....	4
5. Written records relating to procurement.....	4
6. Value for money and procedures.....	4
7. Spending for the 'purposes of the school'.....	6
8. Earmarked/Grant Funds .....	6
9. Reviews .....	7
Appendix A - Procurement Flow Chart .....	8

**Confirmation that the Procurement Policy in respect of Children's Support Service has been discussed and formally adopted by the Governing Body**

## 1. Introduction

The Governing Body will ensure that our school has access to the best contracts, materials and resources to support education by operating under best value principles (see separate policy) and constantly striving for improvements in efficiency.

By following the basic rules of procurement, we aim to ensure that public funds are spent openly and fairly, maximising the funds available for education, whilst protecting against legal challenges, financial penalties and damage to the school's reputation.

The governors understand that in order to achieve sustainable financial efficiency the school must strive to obtain savings on all expenditure whilst also obtaining Value for Money (VFM), ensuring the right balance between quality and cost.

All governors, members of the school's senior leadership team, budget holders, and staff involved in finance will have access to this policy and will be reminded of its importance at the start of each academic year; they will have regard for:

- the school's own Financial Regulations and Scheme of Delegation
- the provisions of the Local Management of Schools (LMS) Finance Regulations and DfE guidance
- the school's Procurement and Best Value policies
- the school's procurement / Operational Procedures Manual.

The school will maintain written records of all matters relating to procurement. As a Local Authority Maintained school, we will comply with the basic accounting principles and practices as set out in the Local Authority Finance Regulations and keep up to date with any specific procurement advice issued by the Local Authority and the DfE.

Governors expect all staff (including budget holders) to comply with current requirements set out in the school's own Finance Regulations and LA documents.

## 2. Operational Procedures Manual

- 2.1 School staff will maintain an up-to-date Operational Procedures Manual which sets out the day-to-day practices to be followed by school staff, together with a list of useful contacts, providing continuity in the event of absence of key individuals.
- 2.2 Procurement queries from staff (including budget holders) will be referred to the headteacher or SBM. The SBM will obtain specialist advice from the LA Procurement Service, the Education Finance Support Helpline or DfE guidance as appropriate and advise the member of staff accordingly. A written record of the advice obtained will be maintained and the Operational Procedures Manual updated as appropriate.

## 3. Scheme of Delegation

- 3.1 The Scheme of Delegation records the authorisation limits set by the full governing body and forms part of the school's own Financial Regulations. All school staff (including senior leaders and budget holders) must operate within these limits, including obtaining the relevant approval before orders are placed or contracts are signed.
- 3.2 The following action is to be taken where time is of the essence and approval for purchasing and contracts over the quotation thresholds cannot be held over until the next Finance, Premises and Personnel Committee meeting:
  - the headteacher (or senior leader in their absence) must obtain permission from the chair of the Finance Premises and Personnel Committee meeting (under chairs urgency action powers)

- a full, written account of the circumstances, actions taken and outcomes must be reported to the whole governing body at their next meeting.

3.3 The SBM will ensure that appropriate written documentation is circulated prior to meetings to allow adequate time for governors to be prepared to scrutinise and challenge contract awards and purchasing choices at meetings before decisions are reached. Details of the discussions and subsequent decisions made must be recorded in the minutes of the meetings.

3.4 The Scheme of Delegation will be updated annually in the Summer term (and at other times if circumstances change) and approved by the full governing body.

## 4. Register of business interests (pecuniary interests)

4.1 The SBM will maintain a register of the business interests of each member of the governing body, the headteacher and all school staff which includes any member of their immediate family or other relatives and individuals who may exert influence.

4.2 New staff and governors will be asked to complete the standard declaration form provided by the school when first joining. This register will be continually updated whenever a change is declared, but existing staff and governors will be asked to update their record on an annual basis. The complete register will also be reviewed annually by the full governing body.

4.3 The register will be available for inspection by governors, staff, parents, the LA and auditors.

4.4 Staff and governors will be given an opportunity to declare an interest in any item on the agenda at the start of every meeting and must withdraw from the meeting for those relevant agenda items and will not be permitted to vote on those items.

## 5. Written records relating to procurement

5.1 Any and all advice received from procurement advisors must be recorded in writing and updated by the SBM for all resulting actions taken in response to the advice. With regard to verbal communications, the school will request confirmation in writing. However, where this is not possible the school staff must promptly make a written record of the advice for future reference.

5.2 The Finance Officer will maintain a file of all active contracts containing clear renewal deadlines. The SBM will ensure that appropriate quotations are obtained in time to allow for governors to discuss renewal before the notification deadlines.

5.3 The governors will conduct an overall review of contracts in line with the timetable they set out as detailed in the Operational Procedures Manual.

5.4 The school's financial records are to be complete, correct and unambiguous with full audit trails maintained for all procurement activities, including maintaining records relating to quotations and management decisions. It is the Finance Manager's responsibility to maintain these records, which will be available for inspection by the governing body upon request.

5.5 The school will use a robust accounting system that provides a full audit trail and delivers accurate reports.

5.6 Governors will ensure that the clerk adequately minutes procurement discussions and decisions taking place during committee and full governing body meetings.

## 6. Value for money and procedures

6.1 Staff will operate in accordance with the school's Best Value Statement. Where possible, staff will take advantage of the local authority's procurement service for maintained schools (if one exists) and purchasing frameworks offered through the Crown Commercial Services, as recommended by the DfE, as

the market testing has already taken place and negates the requirement for the school to obtain competitive quotes.

6.2 Where procurement is made independently, the following conditions will be met in each case before orders are placed and commitments made:

- the Scheme of Delegation and school's own Financial Regulations apply in all cases; where the supply is of a repetitive nature, the annual value of the supply will be considered as a total across the whole life term of the contract – known as the 'whole life cost' of goods and services
- outside consultancy services managing procurement on behalf of the school will comply with the conditions set out in the school's Financial Regulations, Scheme of Delegation Best Value Statement and this Procurement Policy (as set out in their terms of engagement)
- the procurement will comply with UK and EU procurement regulations.
- evidence of operating value for money principles will be documented and retained, including:
  - consideration of the aggregated expenditure for individual suppliers in the current year
  - whole life cost comparisons, including after-sales support
- suppliers, including on-line suppliers, are bona-fide, reputable and reliable; especially where purchases require after-sales support
- suppliers are not individuals who should be paid through the payroll system. (IR35 regulations apply). The school will not make payments to individuals outside the payroll system to ensure that the school operates within the guidance set out by Her Majesty's Revenue and Customs (HMRC)
- all small print contained within suppliers' terms and conditions will be examined carefully and like-for-like comparisons made
- early termination penalties and requirements to give notice of termination, even where an expiry date has been specified, will have been discussed fully at a meeting of the Finance Premises and Personnel Committee
- gestures of goodwill and/or sales incentives offered by suppliers will be assessed as part of the lifetime value of the procurement in order to avoid undue influence. No individual, governor or staff member may personally benefit from gestures of goodwill, sales incentives, gifts or hospitality offered to them personally or to the school. Any such offers must be dealt with in accordance with the school's Gifts and Hospitality policy
- the health and safety competence of contractors is adequate and contractor's insurance cover for third party liabilities meets or exceeds Health & Safety minimum requirements
- procurement of IT solutions including broadband and internet access will provide adequate levels of security and network performance and connectivity appropriate for school settings, including compliance with current data protection regulations
- all lease contracts are operating leases. (Note: finance leases are prohibited under current legislation)
- orders will only be made by issuing an official order generated by SIMS FMS
- Where a contract requires a tender process, the tendering procedures detailed in the school's financial regulations and current legislative guidelines will be followed.

6.3 For existing suppliers, the finance manager will assess the aggregated expenditure in the current financial year (as recorded on finance accounting system) prior to raising further orders with the supplier. The headteacher will be informed if the further orders would take the annual aggregated expenditure above the Scheme of Delegation's quotation threshold and subsequent actions will follow in order to demonstrate value for money.

- 6.4 The governors will not permit the school to enter into any finance leases or credit arrangements as these are classified as borrowing and require the written permission of the Local Authority.
- 6.5 Budget holders will ensure that all orders are placed through the headteacher in the manner set out in the Financial Regulations and Operational Procedures Manual and in line with the limits set out in the Scheme of Delegation. Budget holders wishing to form a contract with a sales representative will follow the procurement procedures set out in the Operational Procedures Manual only with the authority of the headteacher.
  - 6.6 The finance manager will ensure that orders are raised on the finance accounting system promptly, in order to ensure that financial reports include up-to-date commitments.
  - 6.7 Non-budget holders must not commit the school budget to a purchase (either on or off-site) and:
    - will not sign company order forms
    - will not respond to e-mail/fax correspondence that could form a contract
    - will not form a verbal contract
    - sales representatives will be told that teachers may not have authority to issue official orders.
  - 6.8 All suppliers will be provided with access to terms and conditions in addition to an official order form at the time of placing the order.
  - 6.9 The SBM will be informed of any invoice being received where an official order has not been raised in advance and the Finance Premises and Personnel Committee will monitor the level of non-compliance with the requirement to raise official orders on a termly basis.
  - 7. Spending for the 'purposes of the school'
    - 7.1 The budget will only be spent for the purposes of the school, and in accordance with the provisions of the scheme for the financing of schools, which includes expenditure on:
      - employment of staff and their continuing professional development
      - upkeep and improvement of premises, including the cost of equipment and repairs and maintenance
      - provision of the curriculum
      - general duties and responsibilities relating to the management and government of the school.
    - 7.2 'The purposes of the school' have been extended by the secretary of state to include spending on community facilities and services and spending on pupils who are on the roll of other maintained schools.
    - 7.3 Orders will not be raised on behalf of, or for the benefit of, private individuals including governors, members of staff, or any of their relatives, or organisations which are not part of the school.
  - 8. Earmarked/Grant Funds
    - 8.1 The school may receive earmarked/grant funds from the LA and/or the DfE in the form of allocations, which are additional to, and separate from, the schools' budget share i.e. Pupil Premium.
    - 8.2 The allocations may be subject to conditions setting out the purpose or purposes for which the funds may be used and, as a general rule, virement of funds allocated on an earmarked basis will not be allowed.
    - 8.3 The school may be required to account for the use of the funds at a later stage therefore the finance manager will ensure that appropriate accounting mechanisms are in place in order to be able to demonstrate that expenditure has been incurred only for the purpose intended.
- 8.4 The SBM will provide termly reports to governors on the progress of spending of earmarked/grant funds.

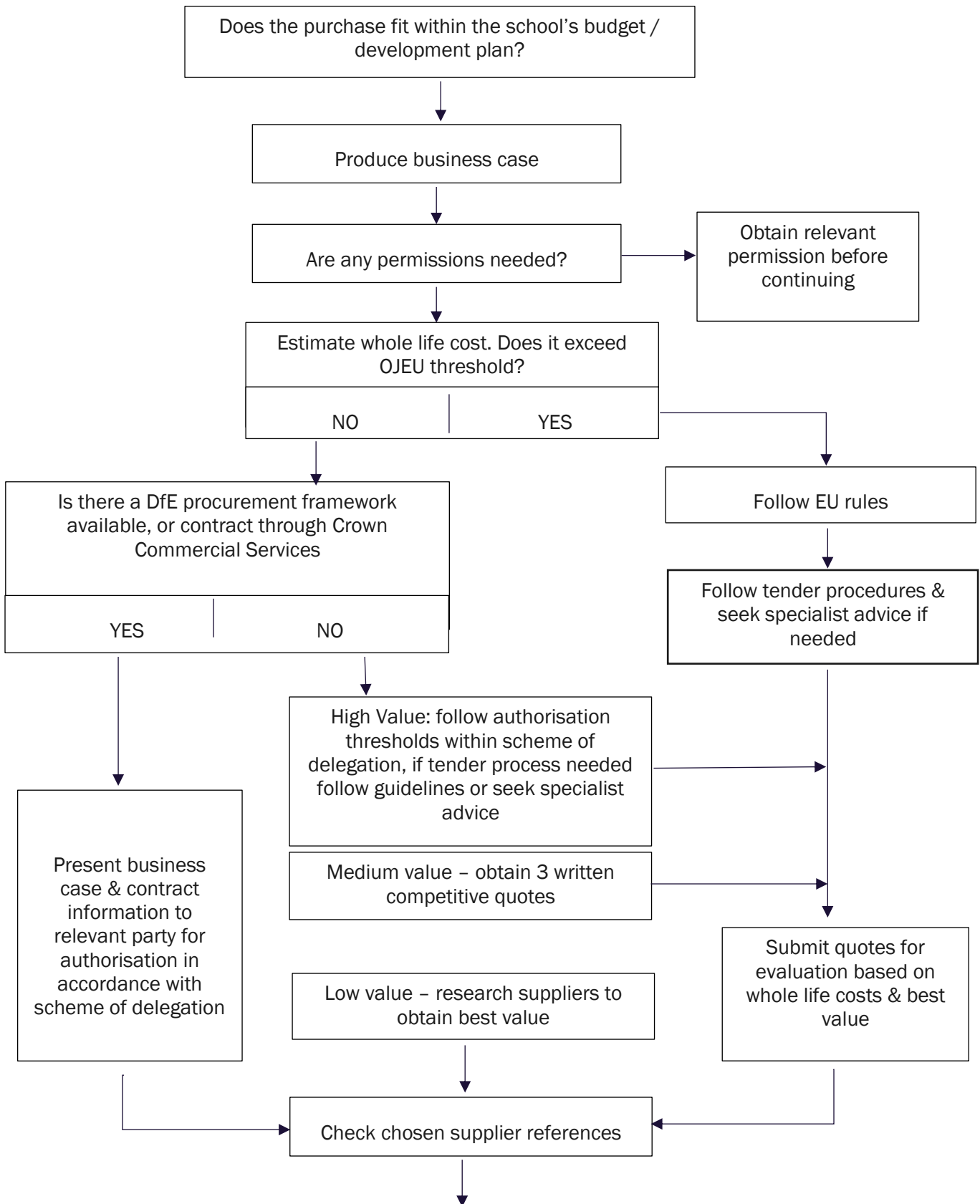
- 8.5 The Finance Premises and Personnel Committee will ensure that adequate provision is included in the new budget where unspent funds have been permitted to be carried forward at year-end.

## 9. Reviews

This policy will be reviewed as part of the annual overall review of governors' policies.

The headteacher will keep internal operational arrangements under review on an ongoing basis; any recommendations for changes to this policy prior to the annual review will be taken to the Finance Premises and Personnel Committee for initial consideration before submitting to the full governing body for final ratification.

## Appendix A - Procurement Flow Chart





Place order