

# COMPETITIVE TENDERING POLICY

Learning Academies Trust

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## CHANGES

Policy date	Summary of change	Author	Version	Review date
12/07/2022	Policy has been created.	Kay Mabin, CFO	1.0	31/08/2023
01/12/2022	Policy revised – capitalisation limit increased from £1,000 to £5,000	Kay Mabin, CFO	2.0	31/08/2023
01/09/2023	Policy reviewed.	Kay Mabin, CFO	2.1	31/08/2024

## 1. AIMS/PRINCIPLES

This Policy applies to any contract for services, supplies or works which results in a payment being made by the Trust (including by an Academy).

**Value-for-money** - The basic principle is that procurement should deliver value for money to the Trust. The Trust wants to achieve the best value for money from all purchases and at all times. This means purchases need to be in the correct quality, quantity and completed within the appropriate timeframe and at the best price possible.

**Planning** - The procurement process should be considered before any purchase is made. Not all purchasing will require a competitive procurement process and more detailed rules apply for higher value contracts.

**Leasing** - There are specific rules under the Academy Trust Handbook in relation to borrowing, some types of leasing arrangements and novel/contentious transactions which require Secretary of State consent. Leases are outside of the scope of this Policy and you should seek guidance from the Trust's CFO. Trusts should seek advice from their professional adviser and/or external auditor if they are in doubt over whether a lease involves borrowing.

**Equality** - All suppliers in a competition should be treated in a way which ensures equality of treatment, non-discrimination and transparency, for example:

- All bidders must be given the same information at the same time, and no bidder should be treated more favourably than another and
- There must be clear and transparent timescales, requirements, specifications and deadlines to comply with any competition.

**Sustainable and ethical procurement** – sustainability in supply chain management generally refers to continuous accountability for risk and negative impact caused by a range of actions along the supply chain. Sustainability efforts are also aimed at enhancing fairness and positive benefits for suppliers, workers, customers, end-users and any other stakeholders.

- Sustainable procurement takes a wider view and incorporates the net benefits for both the Trust and the wider world. It considers the impact of environmental, economic and social factors along with price and quality. This is important in terms of how the Trust conducts its relationship with suppliers, including contract negotiation especially when sourcing globally with unfamiliar work cultures. The Trust has a duty to lookout for signs of unacceptable practices in the supply chain such as fraud, corruption, modern-day slavery (see below), human trafficking and wider issues such as child labour.
- Ethical supply chain management is recognised by the Trust as important due to the changing nature of the business environment. Ethical issues have gained particular importance following publication of cases of unethical business practices and poor working conditions in developing countries. Public awareness on the issues of child labour is increasing pressure on all organisations to take care of the worker welfare at home and across entire supply chains.

The Trust is committed to ensuring sustainability in its contracts and will include relevant sustainability and ethical criteria in contracts where applicable. You should check with the CFO or Purchasing team if you are unsure.

**Modern-day slavery** - the Trust is required to comply with the UK Modern Slavery Act 2015. Service providers should provide positive confirmation that to the best of their knowledge slavery and human trafficking is not occurring in their own institution or in any of their supply chain.

**Legality** - the Trust is committed to the fair and effective application of laws and regulations throughout its supply chain. There is a positive duty on the Trust to report and refer any and all reasonably founded suspicions of illegal activity (for example, attempts at corruption, evidence of anti-competitive or cartel-like activity, breaches of employment or environment law, breaches of data protection regulations (GDPR)).

This policy is consistent with the Trust's policy to support, protect and where possible preserve the anonymity of 'whistleblowers', inside or outside of our organisation, who act in good faith, even if their suspicions should subsequently prove to be unfounded. The Trust will give full co-operation to legitimate authorities investigating such claims. That specifically includes the duty to ensure that any conceivably relevant documentation is preserved and made available, even if such documents could be construed adversely to the interests of the Trust. Please refer to the Trust Whistleblowing policy (Finance) for additional guidance.

### **Dealing with conflicts of interest**

The Academy Trust Handbook puts strict obligations on the Trust to ensure that conflicts of interest in procurement are managed. It must be clear that there is no private gain in the Trust's contractual relationships

- Any interest which may affect the outcome of a procurement process must be declared. This includes all Members, Trustees, governors as well as members of the Academy's senior leadership team, finance team and budget holders.
- All Members, Trustees, Governors, members of the Academy's senior leadership team, finance team and all budget holders must complete the register of business interests and keep this updated at least once per year. You should speak to the Trust's Governance Officer if you are unsure.
- There are rules in the Academy Trust Handbook in relation to payments to individuals/organisations which are 'related' or 'connected' to a member or trustee. In any such case the CFO must be informed before such expenditure is incurred. Any transactions with related parties must be reported for scrutiny as per the Academy Trust Handbook.
- A record of all such declared conflicts of interest must be sent to the CFO without delay who will determine what if any action can be taken to seek to remedy any such conflict of interest.
- A record must be signed by all those present at the tender opening which confirms that they held no pecuniary interests with any firms tendering.
- No gifts or hospitality should be accepted by any service provider as an inducement to award a contract to that supplier. This may be an offence under the provisions of the Bribery Act 2010. This includes free IT equipment. You must inform the CFO immediately on becoming aware of any such gifts or hospitality. Staff must make themselves aware of the Trust's gifts and hospitality policy and ensure it is complied with at all times.

### **Accountability and record-keeping**

The Trust is accountable for its expenditure and the conduct of its affairs.

- Documented procurement and authorisation must be obtained prior to ordering (and payment) in accordance with this policy and the Trust's Scheme of Financial Delegation.

- Orders should be raised using the Trust-approved ordering process and PS Purchasing.
- All suppliers must be checked and verified in advance by the Trust Purchasing team.
- The coding such that it is clear how the purchase is to be accounted for and funded
- Invoices must be of an appropriate standard to ensure clear identification of the amount and value of goods and services being purchased.
- Contracts, business cases, quotations and supporting tender documentation (as applicable) should be recorded on the Trust contract register 'Every' for auditing purposes.

## 2. LEGISLATION AND GUIDANCE

This policy sets out the rules by which Learning Academies Trust (the "Trust") spends money and explains the Trust's approach to the purchase of goods, works and services for its schools.

The Trust is obliged to comply with:

- the Academy Trust Handbook
- Funding Agreements with the Department for Education (DfE)
- any DfE guidance including "Effective Buying for your School"
- the Public Contracts Regulations 2015 (the Regulations) and government Procurement Policy Notes (PPN's). The Government's Procurement Policy Notes (PPN) are actual policies that highlight the new changes to public procurement from when the UK exited the EU. The latest four that highlight new changes to public procurement in light of Brexit are notes 10/20, 11/20, 01/21 and 02/21. Under our Funding Agreements and as a charity, the Trust's board of Trustees have specific obligations to ensure value for money.

It is important to note that the Trust is the sole legal entity which can enter into contracts for itself and any Academies. The Academies themselves are not separate legal entities and any contracts awarded by individual Academies will be binding on the Trust. All spend is recorded by the Trust to comply with DfE requirements as set out in this policy.

- UK Modern Slavery Act 2015
- Public Contracts Regulations 2015
- Concession Contracts Regulations 2016
- Utilities Contracts Regulations 2016
- Bribery Act 2010
- The Public Procurement (Agreement on Government Procurement) (Thresholds) (Amendment) Regulations 2021

## 3. DEFINITIONS

Term	Definitions
<b>DfE</b>	Department for Education
<b>PCR</b>	Public Contracts Regulations
<b>PPN</b>	Procurement Policy Notes
<b>WTO</b>	World Trade Organisation
<b>GPA</b>	Government Procurement Agreement

<b>OJEU/TED</b>	Official Journal of the European Union/Tenders Electronic Daily
<b>FTS</b>	Find a Tender Service

## 4. WHO CAN PURCHASE GOODS & SERVICES?

Not all employees of the Trust can place orders or authorise transactions for the Trust. The details of the individuals authorised to enter into contracts for the Trust are set out in the Trust Scheme of Financial Delegation which can be found within the Financial Procedures Manual & Finance Policy.

Spend/approval limits are also listed in this policy.

**No contracts should be entered into at individual school level.**

## 5. EXEMPTIONS TO THIS POLICY

This Policy must be followed in all but exceptional circumstances. Non-compliance may lead to disciplinary procedures.

In such exceptional circumstances, the Trust's Senior Management Team may request aspects of the policy are waived. Exceptional circumstances include, but are not limited to:

- **Disaster recovery** and a reasonable period of time prior to operating normally
- **Use of specialists.** On occasion, it may be preferable to contract a specific supplier given their technical expertise, specific prior experience working with the Trust and/or monopoly of a particular supply.
- **Time constraints.** If an issue emerges that requires a rapid response that could not be met if adhering to standard procurement rules.

Any exemptions should only be relied upon with express consent from the CEO (up to £30k in value), CFO (up to £20k in value) or the Finance Committee (over £30k in value), via e-mail if necessary.

You should always check with the CFO or Trust Purchasing team if you are unsure about any procurement and before you place any orders/sign any contracts.

## 6. PRE-PURCHASE CHECKLIST

1. Check the value of the planned procurement and the appropriate procurement rules (see below).
2. Check with the central finance team or IT/Estates Lead whether any other Academies or departments in the Trust need to make the same or similar purchase. If so, the spend should be included within the same contract.
3. Consider how the purchase is going to be sourced. Can the Trust use an existing framework agreement, or can another school provide the requirement? Does a preferred supplier exist for Low-Value transactions?
4. Has funding been identified to pay for the transaction? If budget does not exist, is a virement required?
5. Is the proposed purchase in line with specific funding criteria (e.g. Pupil Premium, Sports Premium)?
6. As a minimum requirement, you must set out clearly what you want to buy. This means knowing in advance what you want the goods, works or services to do, together with the quantity, maximum cost and delivery / completion requirements.
7. Check with the Trust's central finance team what the appropriate ordering process is for what you want to buy.

## 7. FRAMEWORKS

In accordance with the Academy Trust Handbook and DfE policy, wherever possible, the Trust should avoid running its own procurement processes and instead use an existing framework arrangement.

Examples of existing procurement frameworks include those set up by Crown Commercial Services, Eastern Shires Purchasing Organisation, Crescent Purchasing Consortium, Schools Buying Club and Yorkshire Purchasing Organisation and cover a wide range of areas.

The benefits of frameworks are that they have already been through a competitive tender process, appropriate legal and regulatory checks have been undertaken, and they have favourable terms and conditions. In addition, the framework provider may offer advice and support.

From time to time, the Trust may also set up its own framework agreements which can be used by all schools. Such frameworks will be notified to schools from time to time.

In each case, it is important that:

- the Trust is entitled to call off from the arrangement. You should check in each case:
  - the specification and the contract terms are suitable for your particular needs. The terms and conditions from frameworks are generally set in advance and cannot be changed beyond the mechanism set out in the framework; and
  - you must follow the framework's guidance, particularly about how orders should be placed.

## 8. EXTENDING OR VARYING EXISTING CONTRACTS

You may be considering extending an existing contract or using an existing Trust contract for your spend. You must contact the central finance team or relevant lead e.g. Estates or ICT before agreeing to any such extension or variation.

A requisition must also be raised in PS Purchasing following standard purchasing procedures and any approved extension recorded in the Trust contract register/ approved Contract Administration Software 'Every'.

Existing contracts are presented to the Finance Committee as part of the annual budget-setting process.

All contract extensions or variations (planned and actual) must be reported to the Finance Committee on a regular (termly) basis by the CFO.

## 9. SCHEME OF FINANCIAL DELEGATION

Different rules apply depending on the value of the purchase being made. The Trust's current spend thresholds are set out below and in the associated Scheme of Financial Delegation which can be found in **Appendix A of the Trust's Finance Policy & Financial Procedures Manual**.

Threshold	Category of procurement	Authority to <b>approve</b> (exclusive of VAT)
Up to £5,000	Low value	Up to £9,999 – DCFO/AT Up to £19,999 – CFO Up to £29,999 – CEO
£5,001 to £50,000	Medium value	Above £30,000 – FC/Trust Board
£50,001 and above	High value	Finance Committee/Trust Board

Please refer to the Financial Procedures Manual/Finance Policy for specific limits e.g. staff training which still apply.

Budget Holder – as listed in the Financial Procedures Manual/Finance Policy.

The CFO reserves the right to suspend a budget holder from their finance duties if Trust purchasing procedures are not adhered to.

The specific procurement rules for each category of procurement are set out below.

Authority to approve assumes there is sufficient budget remaining to enable the transaction to proceed and there will not be any detriment on potential future expenditure.

If sufficient budget is not readily identifiable, a proposal for virement of funds may be appropriate (see section 10) and/or a request for funding from alternative sources or Trust reserves.

Any new request for funding from Trust reserves must be pre-approved in accordance with the Trust's Reserves policy.

## 10.0 VIREMENT OF FUNDS

Where insufficient funds exist within a budget to cover the cost of a proposed transaction, a budget holder may seek approval from the central finance team to move funds from another budget to meet the shortfall.

Approval for the virement of funds must be submitted to the school's finance team for review.

Where insufficient approved budget exists to fund a transaction and virement has not been approved the central finance team/CFO reserve the right to reject the order.



## 11.0 VALUING YOUR PROCUREMENT

It is important that any procurement is properly assessed for value.

In particular, you must not deliberately divide one contract into smaller contracts or artificially reduce the value of a planned purchase with the effect of avoiding the procurement rules.

The contract value is based on the total value of the spend **over the life of the contract** which is the subject of the procurement. Where possible, all schools' needs should be combined into one procurement if they are the same or similar.

**This is a reason why the Trust has an oversight role and leads in procurement.**

If you do not know what your exact spend is going to be over the life of the contract, you should calculate the 'reasonably foreseeable' spend taking an average annual spend and multiply by the estimated duration of the contract (including any known extensions or options to renew).

### Regular Service Contracts

In the case of regular service contracts which are intended to be renewed, the value is either:

1. The total actual value of the successive contracts over the last 12 months adjusted to take account of likely changes in quantity over the following 12 months or
2. The total estimated value of the successive contracts over the 12 months from the first delivery.

If the service contract has a fixed-term of less than or equal to 48 months, the value should be adjusted for the estimated total value for the full term. If the service contract has no fixed-term or a term greater than 48 months, the value is calculated by multiplying the estimated amount it is expected will be paid each month by 48.

You should check with the central finance team/CFO, relevant Lead e.g. Estates or ICT if you are unsure about how to calculate contract value.

For the purpose of calculating contract values, all amounts should be taken as net of VAT, where applicable.

## 12.0 LOW VALUE TRANSACTIONS (UP TO £5,000 EXCL. VAT)

For all transactions with a total value of **less than or equal to £5,000** exclusive of VAT, competitive quotes are not needed but Value for Money checks must be undertaken before a purchase order can be issued.

When liaising with suppliers, the terms and conditions of the purchase will often be found on the purchase order. You should read these carefully before signing.

All orders **MUST** be approved by an authorised member of staff and within the limits contained within the financial scheme of delegation.

Confirmation must always be obtained that there is sufficient budget remaining to enable the transaction to proceed and there will not be any detriment on potential future expenditure. If sufficient budget is not available, virement of funds may be considered (see below).

## Preferred Suppliers

From time-to-time the central finance team will confer a 'preferred supplier' status on an existing supplier for low-value transactions. Preferred supplier status will be based on a range of factors including provision of reliable, consistent service and delivery of low-cost, good-value products. Preferred supplier status is reviewed on a regular basis (at a minimum – annually).

Budget holders should consult with the central finance team to check, before ordering, if a relevant preferred supplier exists in the Trust's finance system. If not, the budget holder is responsible for identifying an appropriate supplier and setting them up in accordance with the Trust purchasing processes.

## 13.0 MEDIUM VALUE TRANSACTIONS (£5,001 TO £50,000)

For Medium Value Transactions, where the cost is between **£5,001 and £10,000** the rationale for the purchase should be discussed with the central finance team/IT/Estates Lead for review prior to placing an order.

Where the total order value falls between **£10,000 and £50,000** a written business case is required via email to the central finance team & CEO/CFO.

The e-mail rationale or business case must include as a minimum:

- The estimated impact on pupil outcomes where it is a curriculum spend with reference to the School Development Plan
- Where the expense relates to administration costs evidence that the Trust/school is required to incur such costs and attempts to minimise the expenditure has been considered
- Confirmation there is sufficient budget remaining to enable the transaction to proceed and there will not be any detriment on potential future expenditure. If sufficient budget is not readily identifiable, a proposal for virement of funds may be appropriate (see below) and/or a request for funding from alternative sources or Trust reserves

### The proposed approach.

There are two approaches for all medium value transactions:

**Overall best value only** - at least three written quotations must be obtained before a purchase order is approved by the central finance team and issued to the supplier.

You must provide a specification of the purchase in advance (copy cc'd to your allocated School Finance Officer) and by uploading the supporting documentation into the PO within PS Purchasing) which must include as a minimum:

- a description of the requirement
- the quantity needed
- the timescale for the provision or completion and
- the deadline for submission of the quotation.

Address for submitting the quotation – [po@learningat.uk](mailto:po@learningat.uk)

Should less than 3 quotations be returned, evidence of Value for Money (VfM) must be provided before acceptance. The contract will be awarded to the supplier that provides the best overall value in terms of price, service and quality of work/goods.

## Price and quality

At least three written quotations must be obtained before a purchase order is approved and contract issued. You must provide a specification of the purchase in advance (copy cc'd to your allocated School Finance Officer) and by uploading the supporting documentation into the PO within PS Purchasing) which must include as a minimum:

a statement setting out what the Trust or school wants to achieve from the purchase

- the evaluation criteria which will be used to evaluate the quotations received, including disclosure of the criteria, sub criteria and weightings that will be applied to select the best bidder(s). This is a complex area and you should check with the central finance team/Estates/IT team if you are unsure
- a description of the requirement
- the quantity needed
- the timescale for provision or completion
- a draft set of terms and conditions. The supplier may provide a draft contract and you should check with the central finance team/Estates/IT team if you are unsure about particular contract terms.
- Details of the framework agreement to be used or suppliers to be approached and the reason for their selection.

Address for submitting the quotation – [po@learningat.uk](mailto:po@learningat.uk)

In the event the goods or services are exclusively available from only one or two suppliers this should be noted in the rationale or business case email.

**Again, should less than 3 quotations be returned, evidence of Value for Money (VfM) must be provided before acceptance.**

## 14.0 HIGH VALUE TRANSACTIONS (£50,001 AND OVER)

Prior to undertaking any High Value transaction, you must produce a detailed business case for the spend, to the CEO via email.

The business case will be considered by the CEO or a person nominated by the CEO and must include the following as a minimum:

1. The estimated impact on pupil outcomes where it is a curriculum spend, with reference to the School Development Plan.
2. Where the expense relates to administration costs evidence that the school is required to incur such costs and attempts to minimise the expenditure has been considered.
3. Confirmation the expense was included as part of the budget prepared at the start of the academic year and that there is sufficient budget remaining to enable the transaction to proceed and there will not be any detriment on potential future expenditure. If sufficient budget is not readily identifiable, a proposal for virement of funds may be appropriate and/or a request for funding from alternative sources or Trust reserves.
4. Notes on discussions held with the CFO to confirm the purchase of the goods or services will not result in any cash flow issues.

The Trust will send emails to seek expressions of interest from interested bidders, generally utilising a government-approved procurement framework. The decision about where to advertise must be taken on a case-by-case basis and should be proportionate and reasonable. The appropriate advertising medium depends on the likely level of

interest in the procurement. The more interest that there is likely to be and the greater the value of the contract, the wider the coverage must be.

Bidders must be allowed suitable time to respond to the advertisement. This should be clearly set out together with any submission requirements.

Bidders requesting more information should be sent a tender pack. This should contain the information about the requirement and needs, together with the information required from bidders. This will need to be bespoke in each case but could include, for example:

- details of pricing
- details of method statements
- details of product characteristics
- the evaluation criteria which will be used to evaluate the tenders received, including disclosure of the criteria, sub criteria and weightings that will be applied to select the best bidder(s).
- a draft set of terms and conditions.

This is a complex area and you should check with the CFO, relevant Lead e.g. Estates or ICT or central finance team if you are unsure.

## 15.0 UPPER THRESHOLD (>£213,477)

### Background

Post-Brexit, the UK procurement thresholds were governed by the WTO's GPA. These thresholds were not subject to review or change until January 2022, so thresholds remained largely the same as the usual, EU figures at that time.

On the 1st of January 2021, OJEU/TED was replaced by a new e-tendering platform called 'Find a Tender' (FTS). Find a Tender Service (FTS) is the new UK e-notification service where notices for new procurements must now be published. If contract spend is over the current WTO GPA threshold, tenders legally need to be posted on Find a Tender. This switch is the most notable and important, immediate effect of Brexit on public procurement. The Cabinet Office introduced FTS in the first of two PPNs (08/20) – this sets out changes to procurement processes which now apply following the end of the transition period.

The Regulations must be followed whenever the total value of the contract exceeds the Upper Threshold.

This is a complex area and you should agree with the CFO whether any legal and/or financial support is required with the process. Under no circumstances should an Upper Threshold Contract be entered into without prior approval.

## 16.0 NEW PROCUREMENT THRESHOLDS FROM JANUARY 2022

The thresholds that apply to sub-central contracting authorities (e.g. Local Authorities & Housing Providers) are changing as of the 1st of January 2022.

The levels of expenditure above which the Public Contracts Regulations (PCR) apply for sub-central contracting authorities, based on the aggregate contract value, are as follows:

Type of Contract	Current Threshold	New Threshold (As of 1st Jan 2022)
Goods	£189,330	£213,477
Services	£189,330	£213,477

Works                                      £4,733,252                                      £5,336,937

Additionally, there are also changes to the thresholds associated with the Utilities Contracts Regulations, and the Concession Contracts Regulations.

For more information visit The Public Procurement (Agreement on Government Procurement) (Thresholds) (Amendment) Regulations 2021 ([legislation.gov.uk](https://legislation.gov.uk)):

[The Public Procurement \(Agreement on Government Procurement\) \(Thresholds\) \(Amendment\) Regulations 2021 \(legislation.gov.uk\)](https://legislation.gov.uk)

## 17.0 RULES ON OPENING TENDERS

Tenders for a Medium Value, High Value or Upper Threshold procurement **MUST** be provided in hard copy only.

**Tenders WILL NOT be accepted by email and will invalidate any hard copy submitted for consideration.**

Hard copy returns should be addressed FAO The Chief Finance Officer, Central Finance Team, Salisbury Road Primary School, Salisbury Road, Plymouth, PL4 8QZ.

The Trust or school must keep tenders secure until the time specified for all tenders to be opened.

All tenders submitted should be opened at the same time and the tender details should be recorded.

A minimum of two persons should be present for the opening of tenders:

- Chief Executive Officer (CEO)
- Chief Finance Officer (CFO)
- Deputy Chief Finance Officer (DCFO)
- Estates Lead
- ICT Lead

A separate record should be established to record the names of the companies submitting tenders and the amount tendered. This record must be signed by all those present at the tender opening.

All tender documentation should be scanned and recorded for future reference.

## 18.0 TENDER EVALUATION AND CONTRACT AWARD

For Low Value or Medium Value tenders, where written quotations are received, the contract will be awarded to the supplier that provides the best overall value in terms of price, service and quality of work/goods.

For Medium Value (Price and Quality), High Value and Upper Threshold procurements, a more complex assessment of the mix of price factors and non-price factors should be considered. The evaluation approach requires the use of evaluation criteria which:

- are pre-determined and listed in the invitation to tender
- are strictly followed at all stages through the process
- include price
- are relevant and proportionate to the subject matter of the contract
- are capable of objective assessment
- are weighted in accordance with the relative importance and weighting of the tenders
- avoid discrimination on the basis of the bidder's nationality or other discriminatory measure.

Where the approach set out above is used, any contract must be awarded to the bidder which achieves the highest score in the objective evaluation.

## 19.0 AUDIT TRAIL

The Trust's Accounting Officer must include a DfE value for money statement within the annual statutory accounts.

A clear audit trail should be kept for all purchases. The level of detail required will increase with the value of the procurement. The written record should include:

- who was responsible for making the decision to procure, and details of their decision-making process
- minutes of any meetings at which the procurement was discussed (if applicable)
- who was responsible for evaluation of tenders, and details of the evaluation (if applicable)
- details of the dialogue or negotiation stage, and the selection process (if applicable)
- details of the purchase itself, for example, what was purchased, from whom and for what price
- who was responsible for receiving and checking the goods or services and for authorising and making payment. Note that in all cases the person responsible for the decision to procure must not be the same person who authorises payment.

For auditing purposes, all contracts and associated business cases must be uploaded to the approved Contract Administration Software, 'Every' for future reference.

For Medium Value transactions, copies of quotations and any relevant assessment documentation must also be uploaded to the approved Contract Administration Software, 'Every'.

For High Value and Upper Threshold transactions, tender documents, tender assessments and any relevant meeting minutes must also be uploaded to the approved Contract Administration Software, 'Every'.

For Upper Threshold procurements (except for framework agreement call offs) a written report should be kept as the procurement is undertaken. As a minimum, this should include:

- the name and address of the Trust
- the subject-matter
- value of the contract

and where relevant:

- details as to how bidders have been shortlisted or selected to tender, including: the successful and unsuccessful bidder names
- the reasons for the deselection/selection and whether any tender was found to be abnormally low
- the name of the successful tenderer and the reasons why its tender was selected
- the share (if any) of the contract or framework agreement which the successful tenderer intends to subcontract to third parties
- the names of the main contractor's subcontractors (if any)
- the justification for using a particular procurement procedure (where needed)
- where applicable, the reasons why the Trust decided not to award a contract
- where applicable, the reasons why means of communication other than electronic means have been used for the submission of tenders
- where applicable, if conflicts of interests were detected and the subsequent measures taken.

## 20.0 OTHER REFERENCE DOCUMENTS

- This policy should be read in conjunction with the following other Trust policies and documents:
  - Scheme of Financial Delegation within the Financial Procedures Manual/Finance Policy
  - Staff Expenses policy
  - Purchasing cards
  - Anti-Fraud policy
  - Modern Slavery policy and statement
  - Conflict of interest and connected parties
  - Gifts and hospitality