

Scottish autism

WHERE AUTISTIC PEOPLE
ARE VALUED

Procurement Policy

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Date	December 2019
Version Number	4
Approved by	SLT
Review Date	November 2022

DOCUMENT HISTORY

Date	Author/Editor	Summary of Changes	Version No.
Jul 2012	Roy Aitken	New Document	1
Sep 2015	Roy Aitken	Compliance, organisational and other clarification	2
Sep 2019	Roy Aitken	3 yearly update, various organisational clarification and GDPR	3

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CONSULTATION AND RATIFICATION SCHEDULE

Name of Consultative Body	Date of Approval
Board	N/A
Senior Leadership Team (SLT)	11 th December 2019
Policy Group	3 rd October 2019

CROSS REFERENCE TO OTHER POLICIES/STRATEGIES

This policy should be read in conjunction with:	Detail
Policy 1	Schedule of Authorities
Policy 2	Financial Policies & Procedures
Policy 3	Health, Safety and Wellbeing Policy
Policy 4	Anti-Bribery Policy
Policy 5	Conflict of Interest Policy
Policy 6	Corporate Social Responsibility Policy
Procedures 1	Procurement Procedures
Strategy 1	Procurement Strategy

EQUALITY & PRIVACY IMPACT ASSESSMENTS

Log Number: 2019/30	Date completed: 23/09/2019
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KEYWORDS

Procurement: the action of obtaining, acquiring, buying or procuring something.

Tendering: the offer for something, formally seek offers for carrying out work for supplying goods or services at an agreed cost

Sourcing: obtaining good and services from a particular source, find out where something can be obtained

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1 INTRODUCTION & SCOPE

1.1 Introduction and Scope

The over-riding procurement policy requirement is that all Scottish Autism procurement must be based on value for money, defined as “the best mix of quality and effectiveness for the least outlay over the period of use of the goods or services procured”. This should be achieved through fair competition.

Scottish Autism Procurement Policy governs the operation, development, and review of all aspects of procurement by Scottish Autism. Procurement is defined as the purchase, whether under formal contract or otherwise, of goods, services and works from third parties by Scottish Autism. For the purposes of clarity the Procurement Policy and Procedures are not intended to be applicable in circumstances where Scottish Autism supports service users to make their own purchasing decisions using their own funds.

This document states Scottish Autism policies for the purchase of all goods and services with the objective of ensuring a cost effective and legally compliant approach to purchasing, which meets the requirements of a devolved budgetary system and departmental choice.

1.2 Procurement Objectives

Procurement shall always be undertaken with the over-riding objectives of:

- Securing maximum value for money
- Taking Whole Life cost into consideration
- Complying with all relevant legislation and minimise risk
- Consideration to environmental impact

In pursuing these objectives, Scottish Autism also requires that procedures and processes are in place to ensure that:

- The highest ethical standards are observed at all times
- Competitive bidding and tender processes are performed
- Suppliers are appropriately selected and authorised for use
- Sustainable development is promoted
- Goods and services are purchased only with proper authorisation
- Goods and services received are correctly recorded

Payments are only made for goods and services received and authorised

1.3 General Principles

The Procurement Policy recognises that a combination of centralised, centre-led and departmental purchasing is the most appropriate method to achieve the procurement objectives within Scottish Autism.

Departments and Cost Centres must use centrally negotiated contract agreements (where they exist) including Consortium contracts, in order to maximise purchasing power for Scottish Autism and to obtain optimum value for money.

In specialist areas, the technical knowledge of the Commercial Manager and/or Category Lead will determine the specification and the Commercial Manager or Category Lead will then help to arrange competitive quotes as appropriate, assisting departments to meet the terms of Scottish Autism's Financial Policy and the Procurement Policy and Procedures. The Commercial Manager should be notified of all spend over £5k whereby guidance and assistance can be provided.

2 RESPONSIBILITY FOR PROCUREMENT

2.1 CE, SLT, RM, Commercial Manager, Business Partners, Managers, Service Managers, Senior Autism Practitioners

Budget holders and managers have authority to incur expenditure on behalf of Scottish Autism; they have day-to-day responsibility and accountability for ensuring that the Purchasing Policies and Procedures are applied to all purchases of goods and services within their defined authority, as per the Schedule of Authorities. All staff should ensure:

- That best value is achieved at all times.
- The use of Preferred Suppliers where applicable.
- That where goods or services are required, appropriate quotes are obtained and considered fairly before an order or contract is placed with a supplier.
- Purchase Orders are completed and appropriately authorised for the purchase of all goods (subject to 3.5 below) and services prior to placing any order.
- That staff engaged in purchasing activities liaise with their own department and the Commercial Manager or Category Lead whilst conducting any pre- and post-tender negotiations.
- That staff engaged in purchasing activities have an understanding of Scottish Autism's objectives and adhere to Scottish Autism's Financial Policies, Procurement Policy & Procurement Procedures and have awareness of the Procurement Strategy.
- That purchasing is carried out in a professional manner and in accordance with the Procurement Procedures.
- That all staff are aware of the Procurement Procedures and that all orders are completed and approved on a timely basis.
- Involvement and guidance from the Commercial Manager in the procurement of goods and services.
- Involvement or guidance from other Managers/Category Leads (appropriate skill set) is sought where necessary in the procurement of items such as but not limited to: Technology & Communications, Human Resources for training & legal, Health & Safety, Property and Brand.
- That no procurement documentation, processes and/or procedures are modified in any way. All original documentation processes and procedures must be used at all times and only replaced or updated by the Commercial Manager.
- When delegating authority (e.g. when on annual leave) to individuals, that the Commercial Manager is notified of the names of said individuals and detailing the value up to which they are authorised to purchase if lower than standard authorisation levels.

2.2 Commercial Manager

The Commercial Manager's role is to support all areas of the business to facilitate good purchasing practice in line with the principles outline in section 1.

2.3 Category Lead

A Category Lead will assist and support both the Commercial Manager and Scottish Autism by taking the lead on specific categories, eg IT, Marketing, Fundraising identified and assigned to them by the Commercial Manager.

All personnel involved in purchasing should seek input from a Category Lead on all procurement that requires their specific skill set or categories assigned, thus minimising potential risk and unnecessary additional cost to Scottish Autism.

3 PROCUREMENT PRINCIPLES

3.1 Competition

Fair competition shall be used and encouraged at all times consistent with the principle of:

- 1) Securing maximum Value for Money for all Scottish Autism purchases.
- 2) Compliance with UK Procurement law and EU directive.

3.2 Preferred Supplier

Where the Commercial Manager/service has identified a preferred supplier (usually following a formal tender/mini-competition), this supplier becomes Scottish Autism's contracted preferred core supplier and must be used in preference to any other supplier.

3.3 Sourcing

Where a requirement for goods or services is identified and cannot be met from an existing contract, it is essential to identify as many potential sources of supply as possible (subject to 3.4 below) in order to excite an appropriate level of competition and to achieve Best Value. Guidance from the Commercial Manager should be taken.

3.4 Quotations and Tendering

The following table summarises the requirements Scottish Autisms Policy around tenders and quotes

Please see Section 2.6 Tenders and Quotations of the Procurement Procedures

£500 or less	1 written quote is required
£501-£5000	Minimum 3 written quotes are required
£5001-£25000	Discuss with Commercial Manager may involve mini tender exercise.
£25000 upwards	Formal Tender with Commercial Manager

The Commercial Manager will lead on all Scottish Autism tendering requirements over the value of £5,000. The degree/extent of effort put into the competition itself should reflect the likely expenditure that will be incurred under the contract.

3.5 Purchase Orders

A Purchase Order must be raised and authorised for all requirements prior to the purchase with the exception of the following:

- Purchasing Credit Card, A purchase order will be required for all orders over £100
- Petty Cash Card, A purchase order will be required for all orders over £100 with the exception of food shopping
- Extreme emergency situation and then should be raised as soon as feasibly possible (next day). Examples of emergency: break-in, flood, heating and/or electrical failure that are out of hours.

These are subject to auditing by finance and or Commercial Manager

3.6 Supplier Management

To ensure that competitively sourced suppliers are available to Scottish Autism and that risks associated with purchase from particular suppliers (financial and other) are minimised, the Commercial Manager will authorise all new suppliers to Scottish Autism. New suppliers cannot be used unless prior authorised by the Commercial Manager.

3.7 Call off Contracts

Scottish Autism has the option to procure but not be obligated to an agreed quantity of goods/services over a set period of time at an agreed price where a premium may have been agreed. Where a Call Off contract exists for the supply of goods and services, the contract will already have been subject to the necessary level of competition and shall therefore always be used in preference to any other supply arrangement.

3.8 Confidentiality

Details provided by or agreed with suppliers (including those relating to tenders, contracts and pricing) are confidential to Scottish Autism and those suppliers and must not be disclosed to others.

Confidentiality is a prerequisite of Scottish Autism's contract arrangements. Product information and costs of a supplier must not be disclosed to a competitor or used as the basis for a one-off purchase. Although in the short term such negotiation may be advantageous, in the long term it can create a loss of confidence and inhibit future benefits, i.e. it may directly affect the level of future competition.

Information about perceived opportunities to improve pricing for contracts for the provision of goods and services should be discussed with / notified to the Commercial Manager.

4 CONDITIONS OF CONTRACT

Scottish Autism Standard Terms and Conditions of Contract (T&Cs) must be used when entering into contracts for the supply of goods or services where a centrally negotiated contract does not exist, these can be found attached to a purchase order. These T&Cs are written to protect the interests of Scottish Autism in the case of dispute regarding the contract and to ensure that legal requirements are met and obligations appropriately discharged.

By law, a verbal order, person-to-person, by telephone or email constitutes a binding contract in Scotland to the same extent as a formal Scottish Autism Purchase Order and situations like these (where a contract is created other than by a Purchase Order) are to be avoided. Only in the event of an emergency can a commitment be made other than by a Purchase Order (see section 5 below). Any verbal orders must be confirmed to the supplier with a completed Purchase Order along with Scottish Autism's T&Cs.

Suppliers may still seek to impose their own Conditions of Contract. These are often very one-sided, in particular those governing rental or lease contracts. All third party contracts must be reviewed by the Commercial Manager where further advice is required the Commercial Manager will consult with our legal team.

5 MAKING A PURCHASE

Scottish Autism Procurement Procedures must be followed for all purchases of goods and services from funds administered by Scottish Autism. This applies regardless of the source of those funds. Scottish Autism's Procurement Procedures document contains and includes:

- Roles and Responsibilities
- Methods of Purchase
- Tender Procedures
- Mandatory Requirements
- Ethical Standards and conflicts of interest
- Authorisation Levels
- Methods of Payment
- Suppliers
- Purchasing Best Practices
- Procurement Cycle

Payments in advance of delivery should not be made (Pro Forma) and if requested by a supplier, should be referred to the Commercial Manager.

5.1 Ethics, Standards and Conflict of Interest

Financial Regulations and Scottish Autism Procurement Policy and Procedures regarding Business Ethics set out the framework within which all business activity of Scottish Autism takes place. All Scottish Autism employees involved in any way in the procurement process shall act ethically and in particular should have regard to:

- Conflicts of Interest

- Confidentiality and Accuracy of Information
- Competition
- Business Gifts
- Hospitality
- Inducements - Employees of Scottish Autism must not accept inducements in any form from suppliers of goods and services. Inducements include special offers where the inference is that free items may be made available on a personal as opposed to business use basis. The Commercial Manager must be informed in writing immediately when an inducement is offered.
- Bribery Act 2010

5.2 Record Keeping

The budget holder and all procurement personnel are responsible for ensuring that records and systems are appropriately maintained and administered for all purchases, as specified in the Procurement Procedures.

Regular period end reviews of all departmental open purchase orders should be made and prompt actions taken to resolve/close them.

5.3 Legislative Requirements

All employees involved in purchasing on behalf of Scottish Autism must comply with the requirements of all relevant and applicable legislation.

5.4 Leasing

Leasing may only be used as a method of purchasing following prior consultation with and agreement from Director of Finance & Corporate Affairs and Commercial Manager.

All property leases must be agreed and authorised by the Chief Executive (CE).

5.5 Authorised Purchase

Authorised purchases are commitments to purchases made by an employee of Scottish Autism to whom authority has been delegated by Commercial Manager subject to the Schedule of Authorities.

All procurement should be well thought through, clear and transparent and best practices should always be applied with priority given to cost. Should your business requirement be for your use, then prior consultation giving rationale and authorised signature will be required by your line manager. An employee cannot authorise their own purchase.

The production of a valid Purchase Order or the use of a Purchasing Credit Card are the only authorised methods of making a commitment to purchase. Purchase Credit Card Procedures must be observed as appropriate.

5.6 Split Orders

Requirements must not be split in such a manner as to avoid Financial Policies and Procedures or Procurement Procedures (authorisation levels).









Any breach or failure to comply with Scottish Autism Procurement Policies and Procedures may result in disciplinary action and/or withdrawal of authority to procure and authorise.

6 EQUALITY IN PROCUREMENT

To comply with its duty under the Equality Act 2010, Scottish Autism must take equality into account when procuring goods, works or services from external providers. (See Procurement Strategy and Procurement Procedures).

7 ENVIRONMENTAL CONSIDERATIONS

In accordance with Scottish Autism Corporate Social Responsibility Policy, environmental factors should be considered when making a purchase.

- Does the product include recycled materials? 
- Does the product carry an eco-label? 
- Does the equipment have low energy/emission rating? 
- Is there a way of reducing packaging? 
- Is it Fair Trade, Rainforest Alliance, Organic? 
- How will the product be disposed of (WEEE Directive)? 
- Is the supplier ISO 14001 or EMAS accredited? 
- Is there any government funding available? 

(WEEE Directive- Waste Electrical and Electronic Equipment Directive. ISO 14001- International Organisation Standardisation for Environmental Management System. EMAS- Eco-Management and Audit Scheme).

8 PERSONAL PURCHASES

No personal purchases may be made for any staff through Scottish Autism purchasing channels; this is without exception and any breach may be subject to disciplinary proceedings.

9 MONITORING AND REPORTING

Scottish Autism recognises the need to monitor the effectiveness of this and associated policies and procedures for statistical and consistency purposes. Compliance and effective implementation of this policy will be monitored by the Commercial Manager, Category Leads and Finance function.

This policy will be reviewed every three years or earlier if appropriate by the Commercial Manager. Scottish Autism will ensure that all individuals to whom this policy applies are informed of and have access to it.

10 HEALTH AND SAFETY

10.1 Scottish Autism Responsibilities

The Health and Safety at Work Act places a general duty on organisations to ensure that plant, equipment and substances used at work are safe and without risks to the health and safety of employees.

The Management of Health and Safety at Work Regulations require organisations to ensure that by effective planning, risks are controlled by careful selection and design of plant, equipment, and substances.

It is the responsibility of all managers authorising the purchase to ensure that goods and services are selected which are suitably safe and without risks to health. The manner in which all areas of Scottish Autism intend to employ the goods or service will be subject to a risk assessment where appropriate.

The specification of the goods or service must then be in accordance with the assessment. If they are in any doubt about health and safety legislation or responsibilities, departments should consult their Area Health and Safety Representative, Health and Safety Partner or Commercial Manager.

11 DATA PROTECTION (GDPR)

11.1 Scottish Autism Responsibilities

The appropriate consideration should be taken to include the new data protection legislation which came into force during 2018- both the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

Consideration should be given throughout the supply chain to:

- Controllers and Processors
- Contract Liabilities

The appropriate documentation must be completed and sent to the Commercial Manager for sign off and consideration taken around the responsibilities of personal data. Please refer to the Data Protection and Freedom of Information Policy and the guidance for engaging data processors on Source. It is extremely important to note that non-compliance may result in Scottish Autism receiving a significant fine.