

Introduction

The purpose of this policy is to provide guidance on the procedures which will be followed when purchasing goods and services. The policy aims to give effect to and comply with **S135 of the Local Government Act 1972 and the Public Contracts Regulations 2015 (Which will be replaced by the Procurement Act in 2025).**

Every contract shall comply with this **Procurement Policy, the Council's adopted Standing Orders and Financial Regulations.** These regulations cover, amongst other things: **the number of quotations to be sought and the tendering procedure.**

A **contract** is an agreement between the Council and an individual or organisation, for the individual or organisation to provide works, goods or services (including the engagement of consultants) in exchange for payment by the Council. The following contracts are exempt from the requirements of these rules:

- Contracts relating solely to disposal or acquisition of land
- Employment contracts
- Individual agency contracts for the provision of temporary staff.

The Council strives to attain best value for the goods, materials and services that it purchases. Best value is defined as a balance of price, quality of product and local supplier services. Before commencing a procurement, it is essential that the authorised person leading the procurement (the RFO), has identified the need and fully assessed the options for meeting those needs. The best use of purchasing power shall be sought by bulk purchases wherever possible.

Exceptions from any of the following provisions of these Contract Procurement Rules may be made under the direction of the Council, in consultation with the RFO, where they are satisfied that the exception is justified in special circumstances. Every exception and reason therefore shall be recorded by a resolution of Council.

The RFO and Members, must be mindful of avoiding conflicts of interest when obtaining quotations, and awarding tenders. **Quotations cannot be obtained by Members without prior approval of the RFO.**

Purpose

Glapwell Parish Council's Procurement Policy has **four main purposes:**

1 To obtain **best value** in the way that the Council spends money, so that it may in turn, offer better and more cost-effective services to the public.

2 To support the ability of the Council to **procure and manage goods, services and suppliers effectively**, including informing all Council staff of the appropriate procedures and responsibilities.

3 To enable the Council to comply with **legal obligations** that govern the spending of public money.

4 To contribute to the Council's duty towards **biodiversity and environmental** aims.

Local contractors preferred

The Council recognises the benefits to the economy of using local businesses and will seek out local contractors and suppliers, wherever possible.

Competence of contractors and due diligence

The Council shall only enter into a contract with a supplier if it is satisfied as to the supplier's suitability, eligibility, financial standing and technical capacity to undertake the contract by carrying out appropriate due diligence.

All contractors and suppliers working on Council sites and/or projects will be required to comply with the Council's **Health & Safety Policy** and any rules specific to the site of operation. Provision of suitable **Risk Assessments** and safe working **Method Statements** will be a condition of all such contracts. The Council requires all contractors working on Council sites and projects to maintain adequate **Insurance, including but not limited to, Public Liability insurance for £10 million.**

All procurement will be in accordance with the Council's **Equality Diversity & Inclusion Policy** and in line with legal obligations under the **Equalities Act 2010**, which makes it generally unlawful to discriminate on the grounds of colour, race, nationality, ethnic or national origins, sex or marital status, disability and on the grounds of age.

Equality and sustainability

The Council recognises the importance of sustainability and will take into account the Environmental, Social and Economic impacts of its purchasing decisions.

The Council recognises its duty to protect biodiversity under **Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006**. To meet this duty, the Council will, wherever possible, purchase products that follow the Council's **Biodiversity Policy**.

The Council will encourage the purchase of locally sourced products and, where possible, ensure that products and materials originate from sustainable sources and accredited sustainable companies, in order to:

- Minimise waste and maximise efficiency
- Minimise travel
- Minimise energy consumption
- Promote greater use of new sustainable technologies
- Keep material consumption to a minimum.

The Council will, wherever possible:

- Purchase goods that meet international Fairtrade Standards (or similar).
- Consider the ‘whole life’ cost of products when selecting a supplier (Energy efficient products). For example, products often have an increased capital cost that is more than offset over time by the reduced operational cost.
- Never buy products that are harmful to the environment if a less damaging alternative is available. (For example, never use tropical hardwood that is not independently certified as being from a sustainable forest).
- Always specify goods, products and materials that cause minimum damage to the environment, including the impact of their manufacture, distribution, use and disposal.
- Aim to promote sustainability within all its contract and tendering documentation, and promote awareness amongst Members and staff.
- Continually review the purchasing of goods and services through contract specifications, with the intention of decreasing the Council’s environmental impact, and increasing its positive impacts on society, the local economy and producers.
- Aim to draw the sustainable elements of its Procurement Policy to the attention of key suppliers, and communicate it as widely as is practicable to the potential supply market.

Prompt payment of invoices

The Council understands the importance of paying suppliers promptly and will wherever possible settle accounts within a maximum of 30 days, or earlier, by agreement. In order to comply with current legislation, all payments are made by BACS transfer, Direct Debit or cheque.

Community Engagement

Where relevant, the Council will consult with residents and service users to better understand what is needed, who will use it, and what the essential requirements are for an item of capital expenditure.

Pre-approval of contractors

In respect of contracts that may be exempt from the Public Contracts Regulations 2015, the Council may require access to pre-approved contractors to supply routine services (or who can be called on to provide emergency services) including, but not limited to:

- Electricians
- General builders
- Glaziers
- HR advice
- IT support

- Legal advice
- Locksmiths
- Plant hirers
- Play equipment repairers
- Plumbing and heating engineers
- Sextons
- Tree surgeons
- Vehicle and machinery service engineers

Provision of the Council's internal audit services are reviewed annually. A decision has to be made in time for the next financial year.

Best value

Normally the Council will accept the quota on, estimate, or tender that provides best value for money. However, in accordance with Financial Regulations, the Council is not obliged to accept the lowest of any tender, quotation or estimate.

Purchases on account

All purchases on Council accounts may only be made by the RFO, who must be provided with a receipt. Formal minuted approval shall be issued for all work, goods and services above £500, excluding VAT, unless a formal contract is to be prepared, or an official order would be inappropriate. Limits will be set on each account on the maximum value of individual purchases and the overall balance on the account. Expenditure over these limits must be authorised in advance.

Specifications for tender process

Tendering processes ensure fair competition, achieve value for money, and avoid **anti-competitive behaviour**. The tender process is detailed in the Council's adopted Financial Regulations.

Contracts

For contracts estimated to **exceed £50,000 including VAT**, the RFO shall advertise an open invitation for tenders in compliance with Appendix 1.

For contracts estimated to be **over £30,000 including VAT**, the council must comply with any requirements of the legislation (*) regarding the advertising of contract opportunities and the publication of notices about the awarding of contracts.

(*) The regulations require councils to use the Contracts Finder website if they advertise contract opportunities and also to publicise the awarding of contracts over £30,000 including VAT, regardless of whether they were advertised.

For contracts **greater than £5,000 excluding VAT** the Clerk shall try to seek at least 3 fixed-price quotes.

Where the value is **between £500 and £5,000 excluding VAT**, the Clerk shall try to obtain 3 estimates which might include evidence of online prices, or recent prices from regular suppliers.

For smaller purchases, the Clerk/RFO shall seek to achieve value for money.

Contracts must not be split into smaller lots to avoid compliance with these rules.

Individual purchases within an agreed budget for that type of expenditure may be authorised by:

- the Clerk, under delegated authority, for any **items below £3,000 excluding VAT**.
- the Clerk, in consultation with the Chair of the Council, **for any items below £5,000 excluding VAT**.

Contract variations

Any necessary instructions to vary a contract shall be made in writing by the RFO. Where a variation occurs during the currency of the contract that is material and cannot be met from within the original contract sum, an immediate report shall be made to the Council who shall decide what further action is necessary.

Termination of contracts

Council reserves the right to terminate any contract immediately where a supplier commits a material breach of the agreement to deliver services, or fails to deliver agreed services, in the agreed timeframe without a plan to address the failings.

Compliance with other relevant legislation In cases where any law, statutory instrument of Government regulation is found to be at variance with any section of this policy, then that shall be applied, and this document shall be amended accordingly.

Adopted on the 9th March 2026. Minute No:
Review Date May 2027.