

# **JOHN TAYLOR MULTI ACADEMY TRUST**



## **Procurement Policy**

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Appendix 2 Templates are available on JT MAT Vault along with further information

## **POLICY STATEMENT:**

John Taylor Multi Academy Trust (JTMAT) strives to achieve the best value for money from all its purchases. This means getting what is needed in the correct quality, quantity, and time at the best price possible. A large proportion of purchases will be paid for with public funds and therefore we need to maintain the integrity of these funds by following the general principles of:

- **Probity**, it must be demonstrable that highest levels of integrity are adopted when undertaking procurement and there is no corruption or private gain involved in the contractual relationships of the academy.
- **Accountability**, the academy is publicly accountable for its expenditure and the conduct of its affairs.
- **Confidentiality**, Schools/the Trust must ensure confidentiality is maintained throughout procurement activity at all times, both in relation to information belonging to the School/Trust and that belonging to the supplier/bidder, and in relation to any aspect of the procurement process.
- **Value for money** - the achievement of value for money underpins the appropriate use of public funds. It is usually defined as economy, efficiency, and effectiveness where:
  - economy is minimising the costs of resources used having regard to appropriate quality.
  - efficiency is the relationship between the output (however measured) and the resources used to generate that output.
  - effectiveness is the extent to which the objectives are achieved and the relationship between the actual and the intended outputs from an activity.

In applying funds to purchase decisions, JTMAT Trust and Local Governing Bodies must have regard to value for money considerations. From the definitions given above it should be evident that this does not necessarily mean the cheapest on offer. Consideration also needs to be given to factors including quality, suitability, availability, reliability of the supplier, terms available and other factors deemed pertinent for the item in question.

JTMAT is opposed to any form of slavery and human trafficking within its business and activities and will continue to demonstrate commitment to acting ethically and with integrity in all business relationships. We will implement effective controls and use all reasonable endeavours to ensure that slavery and human trafficking are not taking place in our supply chain.

### **Regulatory Framework**

The Procurement Act 2023, and the Procurement Regulations 2024 (hereafter collectively known as PA2023) provides the new regulatory framework under which the Trust's procurement will be undertaken. This Act replaces the Public Contracts Regulations 2015, focusing upon simplifying processes and ensuring efficient procurement outcomes. When procurement exceeds certain thresholds for supplies, services, or works for public sector

entities, including academy trusts, the procedures set out in PA2023 must be adhered to when undertaking procurement.

## **Procurement Process**

This Policy addresses the lifecycle of procurement, including planning, market research, tendering, contract award, and contract management, and provides appropriate rules, advice, and guidance at each stage to deliver efficient, effective and value for money supplies, services and works.

### Defining the Value of a Procurement

Before commencing a procurement, it is important that contract value is properly assessed so that the correct procurement routes and procedures can be adopted. To do so, the School/Trust must estimate the expenditure over the full life of the contract, i.e. estimating the annual expenditure and thereafter multiplying it over the intended contract term, including any potential contract extensions.

Having determined the estimated total value of the contract, the procurement route should be determined in accordance with this Policy.

Please note, contracts should not be disaggregated into smaller contracts to reduce the estimated value and thus avoid the use of a particular procurement route.

If during the contract term, the contract's financial threshold is reached or exceeds its procured threshold a new procurement should be undertaken to ensure on-going compliance with legislation.

### Pre-Market Engagement

Pre-market engagement is the process where a buyer communicates with the market to gather information and feedback upon their intended specification/procurement before confirming their specification and commencing a formal procurement process. Pre-market engagement is essential to help the School/Trust understand market capabilities and options, help shape requirements and specifications and therefore develop its procurement strategy. It also helps suppliers understand the Trust's intentions and enables them to prepare accordingly, thus increasing the chances of a successful procurement that meets the School/Trust's requirements.

It is good practice for the School/Trust to provide suppliers with an overview of their requirements and to seek input from them in this regard. This can be in the form of a pre-market engagement brief and/or a questionnaire focusing upon the key aspects of the intended procurement. Pre-market engagement should be conducted with a number of suppliers to ensure a wide range of inputs are considered.

Whereas pre-market engagement is advised before commencing procurement activity, it should be proportionate to the value, complexity and strategic importance of the procurement. For example, it may be appropriate to have little or no pre-market engagement for low value and simple procurements, with a more structured and formal pre-market engagement being undertaken for higher value procurements especially those subject to tender procedures.

Schools/the Trust should note that Pre-Market Engagement is a formal part of the legal processes underpinning post PA2023 spend threshold tender activity and therefore specialist advice must be sought before commencing this activity.

The Trust's Pre-Market Engagement Template document can be used to support Pre-Market Engagement activity (**Appendix 2 - Document A**)

### Specifications

The two main types of specifications within procurement are input and output. Input (or technical/design) specifications provide detailed instructions on how a product or service must be produced, leaving little room for supplier innovation, whereas Output (outcome) specifications define the desired outcomes, giving suppliers flexibility in how to achieve them.

An "input specification" is a detailed document that dictates the exact materials, processes, components, or attributes required for a product, service or works, rather than just the desired outcome. It is a prescriptive and traditional type of specification, commonly used where a specific result is needed and the school prefers to have a high degree of control over the inputs to ensure a certain standard (s) is met, e.g. the exact cleaning methods and frequencies to be used for the school.

Input specifications can be beneficial where the school has a greater level of product/service knowledge and understanding. They are also often easier to evaluate as the specification details are prescribed and compliance easier to determine from one supplier bid to another.

An output specification defines the required results and performance standards of a project, the supplies, services or works without prescribing how to achieve them. Instead of detailing specific methods or materials (like an input specification), it focuses on the desired outputs or outcomes, such as a building that can accommodate a certain number of people or a system that performs a specific function. This approach allows suppliers to propose innovative solutions to meet the client's objectives, promoting efficiency and value.

Output specifications can be beneficial where the supplier market has the greater degree of product/service knowledge. They can however be difficult to evaluate output specification tenders, as the constituent details are often determined by the supplier and can vary from one supplier bid to another.

When determining the specification Schools/the Trust should consider both input and output specifications and draft that which best meets their requirements. It should be noted that specifications can consist of both input and output elements.

It is also essential when compiling specifications to consult with stakeholders to obtain their views, opinions, and requirements, thus ensuring the specification, and resulting contract meets the need of the Trust.

To ensure supplier performance and thus value for money, it is also important that Schools/the Trust include within their specifications measures to monitor and ensure a supplier's performance and delivery to specification. In this regard it is important to identify the most important aspects of the specification and proactively review performance against these requirements.

When drafting a specification Schools/the Trust may wish to consider the following areas:

#### Specification - Technical/Suitability

- Qualifications of the supplier
- Relevant experience of the supplier
- Compliance to the specification – both technical and non-technical
- Descriptions of technical and service facilities
- Certificates of quality/conformity with standards (or equivalents)
- Safeguarding practices
- Quality control procedures
- Administrative requirements
- Sustainability
- Social value
- After sales service
- Use of local suppliers and small and medium-sized enterprises(where possible and permissible by law)
- Financial status of the supplier. Suppliers in financial difficulty may have problems completing contracts and in the provision of after sales service. It may be appropriate to have an accountant or similarly qualified person examine audited accounts etc.

#### Sustainability

Sustainable procurement is a process of purchasing goods, services and works that seeks to minimise environmental damage whilst maximising social and economic benefits. It considers environmental, social, and governance factors alongside traditional costs and quality, involving considering the full lifecycle impact of a purchase to minimize environmental damage and maximize benefits for the Trust, society, and the economy. Examples include choosing carbon reduction, renewable energy suppliers, vetting suppliers for ethical practices, and opting for reused or recycled materials.

The Trust wishes to support sustainability through its procurement activity and Schools/the Trust should consider sustainability when determining specifications and procuring supplies, services and works. Taking steps towards reducing environmental impact by considering what it buys (and whether it buys) is as important as how the Trust can buy it from a sustainability perspective. The Trust and our suppliers should always consider whether the same objective can be achieved by buying differently or buying less.

Schools/the Trust should consider sustainability when drafting their specifications.

#### Social Value

Social Value in procurement is the practice of using the Trust's buying power to create positive economic, social, and environmental benefits to its community beyond the direct supplies, services or works being purchased. Social Value benefits can be either Economic, Social or Environmental and can be delivered in many forms such as supporting local businesses, creating jobs and apprenticeships, reducing carbon emissions, and promoting health and social well-being, supporting community projects, and supporting sustainability.

The Social Value Act came into force on 31 January 2013. It requires the staff to consider how wider social, economic, and environmental benefits can be secured through the procurement process and the Trust should seek to secure additional Social Value benefits through its procurement activities.

Social Value is particularly relevant when conducting higher value procurement, i.e. those procurements subject to tender processes. Suppliers' Social Value credentials should be evaluated based on their responses to Social Value questions within a tender submission, and the Trust's standard Tender Template provides example questions in this regard.

Staff should note that Social Value is a formal part of the legal processes underpinning post PA2023 threshold tender activity and therefore specialist advice must be sought before commencing this activity.

#### Modern Slavery Act

Tenders for the supply of goods and services should include compliance with the Modern Slavery Act as a condition or criterion in the invitation to tender document. During the tender process there must be checks on the supplier's ethical trading policies and codes of conduct where there is a risk of modern slavery (for example in technology and school uniform supply chains).

#### Small and Medium Enterprises (SMEs) and Local Suppliers

The Trust supports the use of SME's and local suppliers. Schools/the Trust are encouraged to engage SME's and local suppliers where possible, and permissible, throughout the procurement process.

#### Evaluation – Methodology, Weighting and Scoring

Tender/quotation evaluation is the process where the School/Trust assesses the bids it receives from suppliers in respect of its request for quotation or issuing of an invitation to tender. Its purpose is to identify the bid that offers the Most Advantageous Tender (MAT) in the context of the published specification and requirements. This involves evaluating both the quality and price of aspects of each submission, using a weighted scoring system, ensuring the winning bid aligns with the School's/Trust's needs.

The process must be objective, fair, and transparent and undertaken in accordance with the Evaluation Methodology published within the request for quotation/invitation to tender. All evaluations must be undertaken by an Evaluation Team consisting of a minimum of two people, with all team members engaged in every aspect of the evaluation.

#### **Key steps and considerations:**

##### **Step 1** - Define the evaluation criteria

Establish clear, objective evaluation criteria based upon the specification and requirements outlined in the request for quotation or invitation to tender. For example, the specification may request supplier Account Management to take the form of a dedicated account manager and regular monthly contract review meetings. Account Management would be an objective evaluation criterion with supplier's bids being objectively assessed in terms of their ability to provide a dedicated account manager and a programme of regular monthly account reviews.

##### **Step 2** - Form an evaluation team

Assemble a team with the necessary expertise, such as financial, technical, and legal experts. Please note this must be a minimum of two people.

### Step 3 - Set weightings

Assign weightings to each objective evaluation criterion to reflect its relative importance as compared to all other evaluation criteria, where those criteria that are more important to the decision are assigned a high percentage weighting and those of lesser importance receive a lower percentage weighting.

The weighting system should work upon the distribution of 100 weighting points, with the 100 weighting points initially allocated at a high level to price and quality, e.g. 60% quality and 40% price. Thereafter the respective price and quality weighting point totals will be allocated to their respective sub-criteria reflecting the relative importance of each. For example, the 60% quality could be allocated as follows:

- Account Management 5%
- Maintenance 20%
- Implementation 10%
- Customer Service 5%
- Supply Specification 20%

### Step 4 - Scoring Methodology

In addition to determining the objective evaluation criteria as detailed above, the School/Trust must utilise the following scoring system, to recognise the extent to which a supplier's bid response to a particular requirement/question meets the School's/Trust's expectations/needs.

Supplier responses should be scored using the scoring mechanism detailed below. Schools/the Trust should select the score that best reflects the extent to which the supplier's bid responses meets the desired requirement. For example, where the Supplier's response to a requirement/question is wholly relevant and excellent overall, they will be awarded a score of 4.

<b>Score Awarded</b>	<b>Score Categorisation</b>	<b>Score Definition</b>
<b>0</b>	<b>Unacceptable</b>	Nil or inadequate response. Fails to demonstrate an ability to meet the requirement.
<b>1</b>	<b>Poor</b>	Response is poor. The response addresses limited elements of the requirement but contains insufficient detail or explanation to demonstrate how the requirement will be fulfilled.
<b>2</b>	<b>Satisfactory</b>	Response is partially relevant. The response demonstrates a satisfactory understanding of the requirement but lacks details on how the requirement will be fulfilled in certain areas.
<b>3</b>	<b>Good</b>	Response is relevant and good. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements will be fulfilled.

<b>4</b>	<b>Excellent</b>	Response is wholly relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement and provides details of how the requirement will be met in full.
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Having determined a score for each particular requirement/question, the score is applied to the allocated weighting for that particular requirement/question to calculate a weighted score for the requirement/question. For example, where a supplier achieves a score of 4 in respect of the requirement/question they will receive the entire weighting mark for that requirement/question. Those scoring a 3 will receive 3/4 's of the weighting mark for the requirement/question, and so on, e.g., a score of 3 out of 4 against a question with a 10% weighting will result in the award of a 7.5% weighted score, .i.e.,  $3/4 \times 10 = 7.5$ .

**Step 5** - Compile the Evaluation Model

An Evaluation Model should be compiled to support the operation and application of the evaluation methodology. The Evaluation Model should detail the requirements/questions being asked of suppliers and provide scope for the recording of a supplier's score against each requirement/question and the reasons for the awarding each score to the supplier in respect of the requirements/questions.

The Trust's standard Evaluation Model templates should be utilised in this regard (**Appendix 2 – Documents B and C**).

**Step 6** - Publish the Evaluation Methodology

Having determined the objective evaluation criteria and assigned the weightings reflecting relative importance of each evaluation criteria, full details must be contained within your request for quotation or invitation to tender documentation.

**Step 7** - Evaluate objectively

Upon receipt of bid submissions, each submission must be assessed against the published criteria only, not against other bid submissions. Clarifications can be sought to resolve ambiguities, but suppliers cannot improve their bid submissions during this stage.

The School/Trust therefore determines the "most advantageous tender" (MAT) by combining the scores from the quality and price evaluations, with the winning bid being the supplier with the highest total weighted score.

**Step 8** - Award the contract

The contract is awarded to the qualified supplier whose bid has been determined to be the most advantageous tender or the lowest-priced, as per the evaluation methodology.

## **Required Quotation and Tendering Rules**

### 1. Routine Purchasing

#### **1.1 Purchases up to £10,000 (excluding VAT)**

Routine purchases can be placed directly using approved suppliers from the Trust Purchase Ledger. The Finance Office of each school can advise regarding Trust registered and competent suppliers, however, if the purchaser considers that better value for money can be obtained by ordering from a supplier not currently registered by the Trust then this must be discussed and agreed with the appropriate Finance Officer before forwarding to the Trust for ratification and entry onto the Trust's finance system purchase ledger. This **must** be actioned before an order is placed.

#### **1.2 Purchases between £10,001 and £30,000 (excluding VAT)**

Purchases between £10,001 and £30,000 can be requested and authorised by budget holder and the Senior Finance Officer in the school in question as per the financial scheme of delegation. Such orders can also be approved by the respective Head Teacher. A minimum of two quotations must always be obtained before any order is placed between £10,001 and £30,000 (excluding VAT) and must be retained for audit purposes utilising the school's Request For Quotation Register.

All orders must be made, directly onto the Trust's finance system by authorised personnel. Orders must be approved by the member of staff requesting the order and the budget holder who must ensure adequate budgetary provision exists before the order is placed.

#### **1.3 Purchases between £30,001 and £50,000 (excluding VAT)**

Routine purchases between £30,001 and £50,000 must be referred to the respective Headteacher where the school is a secondary school or JTMAT COO. A minimum of three written quotations must be obtained and retained for audit purposes utilising the school's Request For Quotation Register.

All orders must be made directly onto the Trust's finance system by authorised personnel. Orders must be approved by the member of staff requesting the order and countersigned by the budget holder who must ensure adequate budgetary provision exists before the order is placed.

See Appendix 1 for a Summary of Financial Authorisation Levels and the procedures to be followed for ordering goods up to the value of £50,000 (excluding VAT).

## 2. Tendering

All supplies/services ordered with a value over £50,001 (excluding VAT) must be subject to formal tendering procedures.

### **2.1 Procurements Above Procurement Act 2023 Thresholds**

Procurements above the prevailing PA2023 thresholds for the supply of goods, services or works are subject to the PA2023 and associated regulations and these procurements must be undertaken in compliance with this legislation including advertising to the new enhanced Central Digital Platform "Find a Tender" service. [www.find-tender.service.gov.uk](http://www.find-tender.service.gov.uk) or facilitated through a compliant Framework agreements, Dynamic Purchasing System or Dynamic Market. At the time of the publication of this document, the respective procurement value thresholds are:

Supplies and Services	£173,100 excluding VAT / £207,720 including VAT
Works:	£4,327,500 excluding VAT / 5,193,000 including VAT

Whereby:

Supplies are the tangible goods (products, materials, equipment) purchased by the School/Trust for its operations or public service.

Services are generally everything that the School/Trust requires, that isn't a physical good or works, i.e. activities, expertise, or labour (not goods or works) provided for payment, often detailed by specific categories like legal, catering, or IT, and defined by regulations.

Works refers to construction, building, and civil engineering projects, encompassing the execution or design and execution of physical constructions or related activities.

When conducting procurements above these thresholds Schools/the Trust must seek specialist advice and guidance from the Trust Chief Operating Officer before engaging in any such procurement.

### **2.2 Procurements above £50,001(excluding VAT) but less than the PA2023 Thresholds**

Ordering supplies, services or works which may potentially be over £50,000 must be discussed with the Senior Finance Officer and/or Headteacher in the School prior to the commencement of any procurement exercise and the communication with suppliers. This is to ensure correct procedures are followed from the outset.

Orders between £50,001 and £100,000(excluding VAT) will be subject to approval by JTMAT CEO and reported to the appropriate LGB Managing and Organising Committee, whereas orders above £100,000(excluding VAT) but below the prevailing PA2023 Threshold will be subject to approval by JTMAT Board.

See Appendix 1 for a Summary of Financial Authorisation Levels and the procedures to be followed for ordering goods up to the value of £50,001. (**Appendix 2 - Document D**).

## **Tendering Procedures - below PA2023 Thresholds**

There are three forms of tender procedure for procurements below the PA2023 Thresholds: open, restricted, and negotiated. The circumstances in which each procedure should be used are described below:

- **Open Tender:** This is where all potential suppliers are invited to tender. The budget holder must discuss and agree with the Senior Finance Officer how best to advertise for suppliers, e.g. general press, trade journals or to identify all potential suppliers and contact directly if practical. This is the preferred method of tendering, as it is most conducive to competition and the propriety of public funds.
- **Restricted Tender:** This is where suppliers are specifically invited to tender. Restricted tenders are appropriate where:
  - there is a need to maintain a balance between the contract value and administrative costs.
  - a large number of suppliers would come forward or because of the nature of the supplies/services are such that only specific suppliers can be expected to supply the School's requirements.
  - the costs of publicity and advertising are likely to outweigh the potential benefits of open tendering.
- **Negotiated Tender:** The terms of the contract may be negotiated with one or more chosen suppliers. This is appropriate in specific circumstances:
  - the above methods have resulted in either no or unacceptable tenders.
  - only one or very few suppliers are available.
  - extreme urgency exists.
  - additional deliveries by the existing supplier are justified.

No negotiated tender procurements should be undertaken without the express approval of the Trust Chief Operating Officer.

Details of suppliers engaged via the negotiated tender route, must be reported to JTMAT board at the earliest possible opportunity.

## **Tendering Procedures - above PA 2023 Thresholds**

Tendering above the PA2023 threshold will either be conducted as a further competition under an existing compliant framework, Dynamic Market or Dynamic Purchasing System, or as a standalone tender activity in compliance with PA2023.

Further Competitions conducted within a framework, dynamic market or dynamic purchasing system will follow the framework, Dynamic Purchasing System or Dynamic Market guidance, which will ordinarily be detailed within the User Guide. In the first instance the School/Trust should consider utilising compliant frameworks, Dynamic Purchasing Systems or Dynamic Markets established by individual public sector contracting authorities and public sector buying organisations and utilise them where they provide an appropriate solution for their requirements. Where an existing compliant framework, Dynamic Purchasing System or Dynamic Market is not a suitable option, professional

procurement advice must be sought from the Trust CFO upon the process and procedure to be followed.

For procurements above the PA2023 threshold a Procurement Project Scoping document, utilising the Trust's Procurement Project Scoping document template, identifying the requirement, procurement process and associated timescales, key tasks and responsibilities and resource requirements authorisation routes must be approved by the Board of Trustees before the procurement commences, and progress will be monitored and reported to Trustees throughout the process.

### **Preparation for Tender**

An invitation to tender must be issued in respect of all tender processes regardless of the Form of Tender.

An invitation to tender should include the following:

- Introduction/background to the project
- Scope and objectives of the project
- How to Tender, including tender timescales
- Evaluation Methodology
- Specification
  - technical and non-technical specification requirements
  - health and safety arrangements
  - administrative requirements
  - sustainability requirements
  
- Social Value
- Implementation of the project
- Terms and conditions of tender
- Form of response.

### **Aspects to Consider**

#### Introduction, Background and Context

The invitation to tender documentation should include statements detailing an introduction to the Trust and its requirement. Included within this should be details of background of the procurement in question and its context within wider Trust activities and policies.

#### Scope and Objectives

The documentation should proceed to provide details of the scope of objectives of the procurement including summary details of any existing current contract and the Trust's future requirements.

#### How to Tender

Full details of how suppliers should engage in the tender process must be detailed within the invitation to tender, e.g. how to complete the tender, clarifications, how to return the tender, tender timetable etc.

### Supplier Capability

If conducting an above Threshold tender, the basic supplier capability requirements are included within the government standard Procurement Specific Questionnaire, which is utilised as part of an above threshold tender process. If conducting a below threshold tender, the School may wish to include within their tender aspects that assess the supplier's capability including financial capability, references, insurances etc.

When assessing financial capability, the School may wish to request copies of the suppliers' financial accounts or similar statements. With regards to references, they may wish to seek several references demonstrating similar relevant provision to the specification being tendered, and with regard to insurances, the School may wish to assess the suppliers' relevant insurances provision in respect of the supplies, services or works being procured, e.g. Employers, Public, Product and Professional Indemnity Insurances.

### Specification

Both technical and non-technical aspects of the specification should be clearly detailed within the invitation to tender documentation. The School/Trust should also give consideration to the inclusion of any related health and safety arrangements, administrative requirements, and sustainability expectations.

In addition, the School/Trust should include within their specifications measures to monitor and ensure a supplier's performance and delivery to specification. In this regard it is important to identify the most important aspects of the specification and proactively review performance against these requirements.

### Social Value

When conducting a tender, due consideration should be given to the additional Social Value benefits that the procurement could deliver to the Trust and/or its community over and above those directly related to the specification. Such benefits could be social economic or environmental, and where possible, staff should seek to deliver additional Social Value through the tender process. See the Social Value section above for further guidance in this regard.

### Implementation of the Project

The School/Trust should provide details of their required implementation expectations and parameters within the Invitation to Tender documentation, including where applicable dates, stages, phased payments etc.

### Terms and Conditions of Contract

Most procurements will be contracted on the basis of the supplier's own terms and conditions of contract. Should specific contract terms and/or a specified set of contract terms and conditions be appropriate for the procurement in question, they should be detailed within the Invitation to Tender documentation.

The Trust's Invitation to Tender Template documents should be used when compiling your tender documentation suite (**Appendix 2 – Documents E, F, G H and I**).

## **Tender Issuing, Receipt and Acceptance Procedures**

The invitation to tender documentation should state the date and time by which the completed tender document should be received by the School/Trust. All tenders must be issued electronically by email, with all tenders being dispatched to suppliers at the same time. Tenders must be submitted electronically to [tender@jtmat.co.uk](mailto:tender@jtmat.co.uk), and should be in the form of an email clearly stipulating within the subject line of all emails the name of the procurement and the appropriate tender reference number. Tenders received after the submission deadline must not be accepted.

Electronic tenders shall comply with the following requirements:

- a specific contract file shall be created in the central e-mail address for the tender which will be named by the contract number and a brief description of the tender.
- All emailed tenders will have the same subject line requirements.
- Any forms of tender or pricing documentation shall be a PDF scan of a hard copy document suitably signed by the tenderer.
- All received tenders should be moved unread to the contract file by somebody not directly involved with the Tender.
- All tender submissions are to be forwarded to the person who is carrying out the tender after the due date and time of the submission.
- Where tenders are required to be opened in the presence of senior Trust staff, tenders will be opened from the location of the e-mail file with submissions being recorded on a tender register.
- The date and time of the tender being received to the e-mail account will be recorded on the tender register.
- Tenders received after the submission deadline will not be accepted.

## **Tendering Opening Procedures**

All tenders submitted should be opened at the same time and the tender details should be recorded. A minimum of two persons must be present for the opening of tenders as follows:

- For contracts up to £50,000 (excluding VAT) but less than the procurement thresholds stated in section 2.1 above two persons from: the budget holder/Headteacher/JTMAT Chief Operating Officer (COO) and the Chief Executive Officer (CEO).
- For contracts above the procurement thresholds stated in section 2.1 above, the JTMAT COO, CEO plus a member of the Trust Board.
- A separate record should be established to record the names of the firms submitting tenders and the amount tendered. This record must be signed by all people present at the tender opening.

## **Tendering Evaluation Procedures**

Tender evaluation should be undertaken in accordance with the Evaluation – Methodology, Weighting and Scoring section above.

The evaluation process must involve at least two people. Those involved should disclose all interests, business and otherwise, that might impact upon their objectivity. If there is a potential conflict of interest, then that person must withdraw from the tendering process. Once commenced, the evaluation team must conclude the evaluation process without substitution.

Those involved in making a decision must not accept gifts or hospitality from potential suppliers that could compromise, or be seen to compromise, their independence.

Full records should be kept of all criteria used for evaluation, including the evaluation criteria, evaluation weighting, the weighting scores achieved by suppliers in respect of their tender submissions and the reasons for such scores .

For contracts over £50,001(excluding VAT) a report should be prepared for the LGB Managing and Organising Committee, highlighting the evaluation process undertaken, the evaluation results, relevant issues, and the award recommendation. For contracts above the procurement thresholds detailed in section 2.1 above the full particulars of the evaluation and the award recommendation should be reported by the Managing and Organising Committee to the Trust Board for approval.

The accepted tender should be the one that is the most advantageous to the School/Trust, i.e. the supplier who achieves the highest weighting score in the context of the evaluation methodology and criteria.

Once approval has been given, all suppliers who engaged in the tender process must be informed of the outcome of the tender process. The Trust's Tender Award Template documents should be used to communicate the outcome of the tender process (**Appendix 2 – Documents J, K L and M**).

## **Request to waiver Trust procurement procedures**

The Trust recognises that occasionally works and services may need to be procured outside of the normal process for procurement, for example where a School/Trust is unable to comply with the provisions stated above. Reference should be made to the requirements for such requests within section 12.1A and 12.1B of the JTMAT Financial Control Handbook. For the avoidance of doubt, no waiver can be granted in respect of procurements where the anticipated value is in excess of the PA2023 thresholds detailed in Section 2.1.

## **Use of Public Sector Framework, Dynamic Purchasing System (DPS), and Dynamic Market (DM) Procurement**

The Trust recognises that public sector framework agreements, DPS and DM provide a selection of pre-qualified suppliers where the buyer selects suppliers and compliantly sets out terms and prices for a period in advance, in accordance with the public contracts regulations.

Framework routes to market offer a general term for agreements that set out terms and conditions for making specific purchases (call-offs). The procurement of supplies, services or works offered by framework agreements, DPS, DM are already vetted and evaluated

through a specific tender and evaluation process and are often time limited. Framework providers may offer specific requirements for users including the type, value and quantities of purchases, for example, most Framework, DPS and DM providers will allow for “further competitions”, and some Framework providers also allow for “direct award” without further competition within the framework agreement offering choice and value to customers using the framework.

The Trust allows the use of Public Sector Framework, DPS and DM. Procurement Purchasing managers will need to ensure:

- That the Trust or School has a signed current access agreement entitling the use of the framework, DPS or DM.
- Best value considerations are maintained in using frameworks, DPS or DMs.
- Levels of expenditure are in accordance with any rules or regulations of the framework, DPS or DM.
- The rules governing use of the framework DPS and DM are complied with including those that apply to the undertaking of further competitions and, in the case of some frameworks, direct awards without further competition.

### **Contract Registers**

Schools/the Trust must maintain a contract register, outlining when all contracts are expiring and when procurement processes need to commence. This will ensure that procurement activity is identifiable in advance of contract end dates, and that appropriate procurement plans can be put in place to ensure procurements activity can be appropriately structured to deliver maximum efficiency and value for money and to ensure procurements run to schedule.

Schools/the Trust should utilise the Trust’s standard Contract Register Template when compiling and keeping their Contract Registers (**Appendix 2 – Document N**).

The Trust will compile a Trust wide Contract Register to ensure Trust wide visibility of contracting activity.

### **Forward Procurement Plans**

This is a list of the Trust’s planned procurement activity. Using their Contract Register - specifically the respective contract end dates, annual budget plans and other strategic plans, Schools/the Trust should produce an annual Forward Procurement Plan, providing details of the procurement activity they need to undertake in each academic/financial year. The Forward Procurement Plan should be compiled utilising the Trust’s Forward Procurement Plan Template document (**Appendix 2 – Document O**).

The Forward Procurement Plan will allow the Trust to plan resources and procurement processes to effectively and efficiently deliver its procurement requirements. The Trust will hold a Trust wide Forward Procurement Plan, with each School maintaining its own local annual Forward Procurement Plan.

Schools/the Trust should utilise their experience of current contracts, including supplier performance, when planning future procurement activity to ensure that lessons are learned and specifications enhanced/amended to ensure continuous improvement and value for money.

## **Contract and Supplier Relationship Management**

Contract management is important to ensure that all parties to a contract meet their obligations, maximise performance, minimise risk, and adhere to agreed terms and conditions. This involves the School monitoring a supplier's compliance, performance, and obligations to ensure the contract remains beneficial to the Trust and delivers to the Trust's requirements and specification.

The process continues throughout the contract term, including to the point of contract renewal or termination, e.g. deciding whether to either extend a contract or end it at the completion of its term.

It is important that the School/Trust proactively engage with their chosen suppliers throughout their contracts to ensure the Trust receives the supplies, services, and works it has procured and contracted to receive. Contracts of a higher value and/or of a higher operational or strategic importance require closer and more frequent engagement with the chosen supplier, with lower value, less strategically important contracts receiving lighter touch supplier engagement.

It is important that contracts have an appropriate structured contract management regime in place to facilitate the receipt of value for money and to ensure the Trust receives the supplies, services, and works it has procured. This may take many forms but as a minimum the School/Trust should consider a programme of regular contract management review meetings, e.g. quarterly, the regular monitoring of performance, and an understanding and utilisation of supplier key contact points and systems e.g. the supplier Key Account Manager and/or Customer Support Service team.

To assist in the managing of contracts, the School/Trust should utilise the performance indicators detailed within their specification to monitor and assess the supplier's performance. This may require the School/Trust to either monitor and record the supplier's activities internally and/or seek performance management information and data from your supplier. It is important any failure by a supplier to deliver to the required performance and/or specification must be addressed with the supplier promptly to ensure the Trust continues to receive the required contractual performance and value for money.

## Appendix 1 - Summary of Financial Authorisation Levels

<b>Delegated Duty</b>	<b>Value</b>	<b>Delegated Authority</b>	<b>Method</b>
Ordering Goods and Services (raising requisitions)	Up to £10,000 (excluding VAT)	Budget Holder/Finance Officer (Primary and Secondary schools) and JTMAT Central Finance staff)	Select approved supplier from the Trust Finance system Purchase Ledger
	£10,001 to £30,000 (excluding VAT)	Primary Headteacher/ Secondary school Budget Holder/Business Manager and JTMAT COO	Two quotes required
	£30,001 to £50,000 (excluding VAT)	Secondary Headteacher and JTMAT COO	Three quotes required
	£50,001 to £100,000 (excluding VAT)	JTMAT CEO plus report to LGB Managing and Organising Committee	Formal tendering process, including those falling into the threshold for the Find a Tender platform
	Over £100,000 (excluding VAT)	As above plus report to JTMAT Board	
	Authority to accept other than lowest quotation or tender	Over £100,000 (excluding VAT) - JTMAT Board	
	Authority to approve a formal request to waiver Trust normal procurement procedures	JTMAT CEO and reporting to JTMAT Board	All requests above £10,000 (excluding VAT)
Purchasing from Public Framework provision	As per limits set out in Framework agreement	As per the delegated limits specified above	Direct Award or further competition within the rules of the framework.  <i>NB: formal written approval for the use of Framework must be sought and valid</i>
Signatories for cheques, BACS payment authorisations and other bank transfers	Any	Two signatures from a minimum of three in accordance with the bank mandate for the Trust	
Signatories for DFE grant claims and DFE returns	Any	Two signatories (or as required by DFE) from: - JTMAT COO - JTMAT CEO - Nominated Trustee	
Disposal of assets where the original purchase price was:	Up to £10,000 (excluding VAT)	Managing and Organising Committee	
	£10,001 to £20,000 (excluding VAT)	M&O plus JTMAT Board	
	Over £20,000 (excluding VAT)	JTMAT Board plus DFE approval required for disposal of assets funded with more than £20,000 of DFE grant, or transferred from an LA at nominal consideration	

Write-off of bad debts	Up to £5,000	Managing and Organising Committee	
	£5,001 - £44,999	M&O plus Trust Board	
	Over £45,000	M&O, Trust Board plus DFE approval	
Raising invoices to collect income	Up to £10,000 (excluding VAT)	Business Manager/ Senior Finance Officer (Secondary and Primary) and JTMAT Central Finance staff)	
	£10,001 to £50,000 (excluding VAT)	Headteacher or JTMAT COO	
	£50,001 to £100,000 (excluding VAT)	Managing and Organising Committee/JTMAT Board	
	Over £100,000 (excluding VAT)	JTMAT Board	
Purchase or sale of any freehold property	Any	DFE approval required	
Granting or take up of any leasehold or tenancy agreement exceeding three years	Any	DFE approval required	