



## PROCUREMENT POLICY

Date Approved	Proposed Review Date
June 2021	June 2022
Chair Person/Office Bearers Signature:	

CASSILTOUN GROUP  
59 Machrie Road, Castlemilk, Glasgow G45 0AZ

**Cassiltoun Housing Association is a recognised Scottish Charity SC 035544**

# PROCUREMENT POLICY

## 1.0 Introduction

- 1.1 Cassiltoun Group (Cassiltoun Trust, Cassiltoun Housing Association, Cassiltoun Nursery) seeks to procure services in a manner that not only complies with current legislation and best practice but also works creatively and collaboratively to support the local economy in Castlemilk.
- 1.2 This policy describes how Cassiltoun Group and its subsidiaries will purchase, or 'procure', goods and services.
- 1.3 The term 'procurement' as used in this policy covers the process of purchasing the full range of goods and services we require, ranging from small items purchased from the petty cash float to large development and planned maintenance contracts awarded following a full tendering process.
- 1.4 This policy should be read in conjunction with CHA's Procurement Strategy and Contractor and Supplier Management Strategy.

## 2.0 Purpose

- 2.1 This Policy establishes how the Board of Management expects procurement related activity to be undertaken by the organisation.

## 3.0 Legislation and Good Practice

- 3.1 This policy relates to the Cassiltoun Group as a whole but specifically supports the Housing Association in meeting its statutory obligations under the Procurement Reform (Scotland) Act 2014<sup>1</sup> and the Public Contracts (Scotland) Regulations 2015 and the Procurement (Scotland) Regulations 2016
- 3.2 Further, this policy supports the Housing Association in meeting particular aspects of the Scottish Housing Regulator's Regulatory Standards of Governance and Financial Management

Standard	Guidance
<b>Standard 3:</b> The RSL manages its resources to ensure its financial well-being	The RSL has effective financial and treasury management controls and procedures, to achieve the right balance between costs and outcomes. The RSL ensures security of assets, the proper use of public and private funds, and access to sufficient liquidity at all times. (Guidance 3.1)
<b>Standard 4:</b> The governing body bases its decisions on good quality information and advice and identifies and	The governing body identifies risks that might prevent it from achieving the RSL's purpose and has effective strategies and systems for risk

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<sup>1</sup> Cassiltoun HA is deemed to be a 'public contracting authority' and is therefore bound by the requirements of this legislation

mitigates risks to the organisation's purpose	management and mitigation, internal control and audit. (Guidance 4.3)
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#### **4.0 Bribery Act 2010**

**4.1** Cassiltoun Group acknowledges the provisions of the Bribery Act 2010 and aims to maintain compliance with this as part of its everyday business. This is particularly relevant when procuring works and services.

**4.2** Cassiltoun Group will always carry out its business transparently and fairly and will operate a zero tolerance policy towards bribery by its employees, committee members, contractors, agents and other associated persons.

#### **5.0 Procurement activities**

**5.1** The main goods and services that will require to be procured by the Group are as follows:

- Small items of office supplies or other consumable products
- All office printing, stationery, postage and other materials
- Trade materials used by the Handyperson/Estate Caretaker
- Office furniture and equipment
- ICT equipment and 'back-up' services
- Maintenance contracts related to office-based equipment or services, e.g. ICT equipment, fire and security alarm systems
- Professional services including internal auditors, external auditors, solicitors, bankers, insurance brokers, architects, design consultants, and management consultants employed on specific projects
- Contractors covering the full range of trades and professions including new build housing
- Specific items or services that are linked to externally funded projects
- Food for Stables Nursery

#### **6.0 Value for Money**

**6.1** In all our procurement activities we will aim to achieve the best 'value for money' in a sustainable manner by ensuring that, whenever appropriate, we assess quality, cost and sustainability. We recognise that the lowest cost will not necessarily be the best value in the longer term, particularly when the contract being procured has a high degree of service delivery.

**6.2** We recognise the importance of sustainable procurement, and our duty to demonstrate that we are procuring in a manner that improves the economic, social and environmental wellbeing (this includes reduction of inequality) of the communities in which we operate.

**6.3** Sustainable procurement should be balanced with value for money and quality and needs to be proportionate to the risk involved in each individual procurement.

- 6.4 We will ensure that our procurement processes are fair and comply with legal requirements.
- 6.5 The specific procurement approach adopted will be based on the nature, scale and value of the contract being awarded.
- 6.6 Where it is appropriate or mandatory to consider tenders on a basis other than purely price, a scoring matrix will be developed. The factors scored will vary depending on the nature of the goods or service being procured, with the weighting of the different factors considered and determined in advance. A variety of factors may be considered when selecting, such as environmental, social and governance factors along with applicants' past experience, matters relating to business probity and financial standing, and applicants' approach to service delivery and contract management.
- 6.7 To ensure transparency, the scoring criteria will be provided to all companies as part of the tender packs being issued.
- 6.8 In making procurement decisions we will also seek to contribute to maintaining and improving the environment, both by purchasing recycled or 'environmentally friendly' fair and ethically traded goods and items whenever possible and/or by supporting suppliers or contractors whose values and production processes are environmentally positive.
- 6.9 Where economies can be achieved, we will consider joint procurement with other organisations.

## **7.0 Financial Limits**

- 7.1 Legislative thresholds exist in relation to the methods of procuring goods and services of different values.
- 7.2 The Association has set its own thresholds that ensure they operate well within those set by current legislation. These are detailed in the summary table in Appendix One.
- 7.3 The Board of Management will review these financial limits annually or earlier if the business requires it, to ensure that they remain appropriate for effective governance.

## **8.0 Obtaining prices, quotations and tenders**

**8.1** The summary table in Appendix One also sets out the different methods of obtaining prices, quotations and tenders that must be followed when procuring goods and services. These methods are based on the value of the procurement and show the acceptable procurement method and the necessary level of approval.

### ***Prices***

**8.2** For items under the current cost limit which do not require quotations or tenders, the authorised member of staff will, where appropriate and/or possible, seek to check at least two alternative prices either by telephone, by accessing a current catalogue or price list, or by requesting details by e-mail.

### ***Quotations***

**8.3** Quotations may be requested either verbally or in writing. In either case, the authorised member of staff will ensure that sufficient detail is provided to those invited to quote to enable accurate, comparable quotes to be received.

### ***Tenders***

**8.4** Following the development of the appropriate tender documentation, suppliers will be invited to tender.

**8.5** Reports on tenders and recommendations will be presented to the Board of Management for approval prior to contracts being awarded.

**8.6** If there are time constraints, the Board of Management may consider delegating authority to the Chief Executive to approve contracts up to a pre-approved level with a retrospective report presented to the Committee at the next available meeting.

**8.7** As outlined above some goods and services may be procured on a basis other than purely price e.g. price, quality and/or sustainability. Where this is the case, appropriate criteria and ratios will be agreed in advance and be clearly set out for tenderers in advance.

**8.8** 'Regulated contracts' i.e. those that fall within the scope of the Scottish procurement legislation and regulations, specifically cannot be awarded purely on the basis of price alone. Most Economically Advantageous Tender ('MEAT') must be the basis for any award. The criteria used to determine MEAT will be disclosed in the initial briefing documents and/or PCS advert as part of the Association's transparent approach to procurement.

**8.9** There may be occasions where non-regulated procurements<sup>2</sup> produce the lowest price from a new firm, but where an existing supplier with a good record in service delivery is only marginally more expensive. In such cases, scope will be given to staff to consider appointing the slightly more expensive company, but in such cases the procurement must be signed off by the CEO.

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<sup>2</sup> procurements that fall below the thresholds triggered by legislation

### ***Negotiation***

- 8.10** Where it is proposed that contracts are procured through negotiation, there must be clear justification for doing so and the decision to enter into contracts based on negotiation must be approved at the appropriate level of authority.

### ***Contracts and Service agreements***

- 8.11** We will procure certain services through contracts or service agreements for periods of one year or longer, where appropriate. Examples are contracts for the provision of lift maintenance, agreements for the servicing of office equipment, fire and security alarms. Threshold levels for the life of the contract as per Appendix 1 will apply.

- 8.12** The results of tendering exercises for service contracts or agreements will be reported to the next meeting of the Board of Management for approval prior to contracts awarded.

### ***Specialist Suppliers or contractors***

- 8.13** Where there is only one specialist supplier or contractor for a particular item or service, we will seek to negotiate the most advantageous price and terms prior to placing an order or signing an agreement. Details of the discussions held and the reasons for the final recommendation will be fully recorded and reported to the Board for approval should financial limits dictate that Board approval is required.

### ***Use of Frameworks***

- 8.14** The Association will consider the use of Frameworks, previously tendered via OJEU/PCS, where appropriate and where Cassiltoun is entitled to make direct call offs/ carry out mini- competitions. Examples are the Link Group Framework, SPA Framework and Northern Housing Consortium.

### ***Other Methods of Procurement***

- 8.15** We will continually review our methods of procurement in order to achieve best value for money, meet our duty of sustainable procurement and to comply with current statutory regulations, Scottish Housing Regulator guidance and 'good practice'.

- 8.16** We will seek to develop mutually beneficial customer/supplier relationships, particularly with those local contractors and suppliers with which we wish to develop medium to long-term arrangements for the benefit of Cassiltoun Group.

## **9.0 Fair Work Practices**

- 9.1** Before undertaking a procurement exercise consideration will be given as to whether it is relevant and proportionate to include a question on fair work practices as part of the competition.<sup>3</sup>

## **10.0 Community Benefits**

- 10.1** The Group will consider inclusion of contractual clauses relating to community benefits as appropriate to ensure our community can benefit through training and work opportunities as a result of the expenditure that we undertake.

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<sup>3</sup> <https://www.gov.scot/policies/public-sector-procurement/fair-work-in-procurement/>

## **11.0 Payment of contractors**

- 11.1** The Group will ensure not only timely payment to contractors but will also make it a contractual requirement that main contractors who sub-contract any elements of their work also provide evidence of timely payment to their sub-contractors.

## **12.0 Repeat and Extended Contracts**

- 12.1** Cassiltoun Group is conscious of the time and cost that is involved in the procurement process, both from the organisation's point of view and that of prospective tenderers. As a result, it seeks where feasible and within the boundaries of current procurement legislation and good practice, to develop a partnership approach with contractors and consultants. In this respect, successful completion of specific pieces of work may lead to the offer of further negotiated packages of work in the coming years.

- 12.2** The possibility, and maximum duration, of any such extension should be indicated in the original procurement process.

- 12.3** In general, contract extensions should only be proposed where the cost lift is at or below sector inflation.

## **13.0 Register of Contracts**

- 13.1** A register of advertised contracts is maintained on the Public Contracts Scotland portal.

## **14.0 Monitoring and review**

- 14.1** The Chief Executive is responsible for ensuring that this policy, and the policies and procedures which support it, are followed by all Board Members and members of staff involved in the procurement process.

- 14.2** The Chief Executive is responsible for ensuring that staff implement this policy and the relevant procedures, when procuring goods and services.

- 14.3** On an annual basis, we will review the anticipated value of contracts that will be placed in the coming year to establish if an Annual Procurement Strategy and a Procurement Report are required. This will also be an opportunity to establish if there is scope and benefit to developing a framework for suppliers and to ensure compliance with our sustainable procurement duty.

- 14.4** This policy will be reviewed annually. The appendices will be revised depending on the review cycle and will be updated if required.

**APPENDIX 1**

**Procurement Summary**

<b>Value (exc VAT)</b>	<b>Primary procurement methods</b>	<b>Secondary procurement methods</b>	<b>Approval</b>
<b>&lt; £1,000</b>	Relevant suppliers schedule of rates / price lists	Quote from relevant suppliers	Budget holder
<b>£1,001-£5,000</b>	Suppliers' schedule of rates / price lists	Three quotes from approved or relevant suppliers e.g. via Quick Quote function on PCS	Budget holder Senior Management Team
<b>£5,001-£10,000</b>	Three quotes from approved/specialist suppliers e.g. via Quick Quote function on Public Contracts Scotland (PCS)	Tender via Public Contracts Scotland advert	Senior Management Team
<b>£10,001-£30,000</b>	Minimum of four quotes from approved /specialist suppliers e.g. via Quick Quote function on PCS	Tender via Public Contracts Scotland advert	Chief Executive
<b>&gt;£30,000 but less than £189,330 (Services)/ £4,733,252 (Works)</b>	Tender via Public Contracts Scotland advert	N/A	Management Board
<b>Services and Supplies &gt;£189,330<sup>4</sup></b>	Tender via Find a Tender (FTS)/ Public Contracts Scotland advert	N/A	Management Board
<b>Works &gt;£4,733,252<sup>5</sup></b>	Tender via FTS/ Public Contracts Scotland advert	N/A	Management Board

*These values are Cassiltoun's in-house policy. So, for example, full PCS tendering level has been set at £30,000 even though legislation only requires this for >£50k*

*In all cases, a 'call off' from an appropriate frameworks to which Cassiltoun has access is acceptable.*

<sup>4</sup> Crown Commercial Service (Information Note PPN 06/19 November 2019) [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/850566/PPN\\_for\\_New\\_Thresholds\\_2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/850566/PPN_for_New_Thresholds_2020.pdf).

<sup>5</sup> Crown Commercial Service (Information Note PPN 06/19 November 2019) [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/850566/PPN\\_for\\_New\\_Thresholds\\_2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/850566/PPN_for_New_Thresholds_2020.pdf).



## EQUALITY IMPACT ASSESSMENT

### Pre – EIA Questionnaire

This questionnaire is designed to identify if an Equality Impact Assessment is required. If the answer is “yes” to any of the question, generally an EIA will be required.

<b>TITLE OF POLICY:</b>	<b>PROCUREMENT POLICY</b>
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Does the policy affect service users, employees or the wider community, and therefore potentially have a significant effect in terms of equality?	NO
Is it a major policy, significantly affecting how functions are delivered in terms of equality?	NO
Does it relate to policy areas or issues that previous consultation or involvement activities have identified as being important to particular protected groups?	NO
Does it relate to an area of where the association has identified a need to improve equality outcomes?	NO
Does it relate to an area where there are known inequalities?	NO
Does it relate to a policy where there is significant potential for reducing inequalities or improving outcomes?	NO
Is further action required?	NO
If so, what action is required?	N/A
Is the action achievable?	N/A
Timescale for action?	N/A