

# Procurement Process for Schools

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# Pre-procurement stage – Procurement Guide for Schools

- Intended to inform Schools about the rules and procedures in place for procuring goods, works and services, and
- raising awareness of the need to comply with this practice
- identify channels of support – such as SLA contacts in CBS/IT etc
- The guide is split into the following five sections –
  1. Introduction to Procurement
  2. Procurement Process
  3. Waivers
  4. Frequently Asked Questions

# Contract Terms & Conditions

- Under UK public procurement legislation Schools are considered as 'discrete operational units' and this means that for contractual purposes, each individual School is treated as a separate entity.
- A contract with a total value of more than the amounts listed below may be subject to UK Public Contracts Regulations 2015 and for example the school would be required to advertise the contract opportunity on the UK's Find a Tender Service. **The thresholds are reviewed every two years, so please check with Procurement if in doubt.**

| Extract / Thresholds / Type of Contract  | Threshold  |
|--|--|
| Service & Supply (includes supply, lease, rental or hire purchase of goods, provision of relief staff) | £213,477 (inclusive of the applicable rate of VAT) |
| Works (including subsidised works contracts)   | £5,336,937 (VAT as above)                          |

# Contract Terms & Conditions

- With regard to Works (building / road repairs / ground works etc) contracts the School should utilise the NEC 3 Short Form Engineering Contract following consultation with Facilities Management or the Category Manager for Construction (Maz Ward). The NEC 3 short form forms the terms and conditions used on works contracts. A Landlords Building Consent form **must be completed** by the school prior to any building or construction works commencing.
- If you are considering embarking on a construction or external works project, including all-weather pitches, there guidance notes to assist you with the landlord consent application process, and this can be found here: <https://www.swansea.gov.uk/schoollandlordconsent>
- Schools are advised to engage with the authority via the landlord consent process at an early stage to gain initial advice that may avoid abortive costs and work.

# Contract Terms & Conditions

- All services and goods contracts shall be entered into using the school's standard terms and conditions for the supply of goods and services, which are available / embedded below. If you are seeking consultants or a construction contract then different terms will apply and so please contact the Procurement Team.
- All of the relevant contracts are embedded in the Procurement Guide for Schools along with other important tender documents, such as GDPR documents that should be utilised.

## Important Note

- ALL - Contracts between £10,000 to £140,000 shall be signed by the Chair of Governors and Head Teacher.
- ALL - Contacts £140,001 and above, shall be made under the Common Seal of the Council (via the Council's Legal department)

# Transparency

- Procurement activity below the threshold values on the previous slide does not need to comply with statutory procedures but must comply **with the Schools Guide for Procurement** which embeds the principles of *open competition, transparency, equity (equality), and proportionality*. It is therefore important that when entering into contracts that the appropriate procurement process is followed, to avoid claims of unfairness from unsuccessful suppliers.
- Transparency of spending is required from the public purse.
- The Freedom of Information Act is all about the right of access to information held by public authorities (including schools). Schools should be aware that how they spend their money can go into the public domain through FOI requests.

# Potential Risk

- Not following the correct Procurement processes may bring risk to the school and the authority
- There may be a risk of duplication of spend as the guide details how to check if there is already a contract in place as Schools *may* have the option to buy through a pre-existing corporate contracts or framework agreements
- Challenges from unsuccessful suppliers, or suppliers who think that contracts or work may have been unfairly awarded
- ***Please note if you enter into a contract on a supplier's terms and conditions there could be unexpected consequences. For instance, unfair termination provisions, yearly cost increases and possible additional unforeseen charges.***
- Not covered by insurances Public/Employers Liability

# Contact Corporate Procurement

You can contact our procurement team for help and advice on all aspects of procurement.

If have a general query, then you can email [procurement@swansea.gov.uk](mailto:procurement@swansea.gov.uk). For queries relating to a category or role please contact the Procurement Officer directly using the details below. We can also provide advice to staff who are organising their own contracts.

| Name             | Position                         | Email  | Tel          |
|------------------|----------------------------------|--|--------------|
| Chris Williams   | Head of Commercial Services      | <a href="mailto:Chris.williams4@swansea.gov.uk">Chris.williams4@swansea.gov.uk</a>   | 01792 637267 |
| Claire Chambers  | Category Manager                 | <a href="mailto:Claire.chambers@swansea.gov.uk">Claire.chambers@swansea.gov.uk</a>   | 07966 231322 |
| Maz Ward         | Category Manager                 | <a href="mailto:Maz.ward@swansea.gov.uk">Maz.ward@swansea.gov.uk</a>                 | 07976 898875 |
| Paul Lenihan     | Category Manager                 | <a href="mailto:Paul.lenihan@swansea.gov.uk">Paul.lenihan@swansea.gov.uk</a>         | 07880 182757 |
| James Beynon     | Category Manager                 | <a href="mailto:James.beynon@swansea.gov.uk">James.beynon@swansea.gov.uk</a>         | 07966 231329 |
| Sam Wilkes       | Senior Commercial Officer        | <a href="mailto:Sam.wilkes@swansea.gov.uk">Sam.wilkes@swansea.gov.uk</a>             | 07718 612872 |
| Rhian Rowlands   | Procurement Officer              | <a href="mailto:Rhian.rowlands@swansea.gov.uk">Rhian.rowlands@swansea.gov.uk</a>     | 07976 898397 |
| Lisa Evans       | Procurement Officer              | <a href="mailto:Lisa.evans5@swansea.gov.uk">Lisa.evans5@swansea.gov.uk</a>           | 07966 230649 |
| Natalie Phillips | Procurement Officer              | <a href="mailto:Natalie.phillips@swansea.gov.uk">Natalie.phillips@swansea.gov.uk</a> |              |
| Fran James       | Commercial & Procurement Officer | <a href="mailto:Fran.james@swansea.gov.uk">Fran.james@swansea.gov.uk</a>             |              |



# Thank you

Any questions?



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