LAUGHTON PARISH COUNCIL

Laughton Parish Council
Procurement Policy

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 and the Procurement Act 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 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 Clerk, 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 Clerk and officers 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 Clerk.

Purpose

Laughton 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's officers 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 and these are to supplied to the Council before commencement of work. 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. A copy of the insurance policy must be supplied as part of the procurement process and no works will be confirmed without sight of this.

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 (apart from petty cash 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
- Play equipment repairers
- Plumbing and heating engineers
- Tree surgeons

Provision of the Council's internal audit services is reviewed every three years. A decision has to be made in time for the next financial year.

Best value

Normally the Council will accept the quotation, 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.

Specifications for tender process and seeking quotes

Tendering processes ensure fair competition, achieve value for money and avoid anti-competitive behaviour. The tender process is detailed in Appendix 1 of this Policy.

Contracts

For contracts estimated to exceed £25,000 including VAT, the Clerk shall advertise an open invitation for tenders/quoting in compliance with Appendix 1.

For contracts estimated to be over £25,000 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 award of contracts.

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

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

For smaller purchases, the Clerk 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 £500 excluding VAT.
- the Clerk, in consultation with the Chair of the Council or Chair of the appropriate committee, for any items exceeding £500 and below £2,000 excluding VAT.
- the council for all items over £2,000 (such authorisation must be supported by a minute (in the case of council or committee decisions) or other auditable evidence trail.

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

Contract variations

Any necessary instructions to vary a contract shall be made in writing by the Clerk or persons responsible for supervising the contract. 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

The 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.

Conflicts of Interest

Councillors and staff involved in procurement must declare any personal or financial interests in potential suppliers. Individuals with a conflict of interest must not participate in the procurement process for the relevant contract. All declarations and actions must be transparently recorded in the Council's minutes.

Ethical and Sustainable Procurement

The Council will seek to purchase environmentally sustainable products and services where practical and cost-effective. Suppliers will be encouraged to minimise packaging, reduce waste, and use sustainable materials. The Council will not knowingly enter contracts with suppliers who contravene UK Modern Slavery legislation or other ethical standards.

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.

Action	Date	Resolution Number
Adopted		
Reviewed		

Appendix 1 – Tender process

- Any invitation to tender or provide a quote shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases.
- The Council will advertise the opportunity on its website and on social media and will invite known contractors to provide a quote.
- The invitation to tender/quote must include a complete specification of the work to be undertaken that has been agreed by Full Council.
- The invitation shall in addition state that tenders/quotes must be addressed to the Clerk by email.
- Where a postal process is used, each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- Where an electronic tendering process is used, the council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.
- All quotes/tenders submitted must be in accordance with the Tender Specification.
- Meeting bidders – the Clerk may meet with Bidders to provide clarity on the site/location of the works. Any questions asked will be noted and answers t these questions will be supplied to all parties interested in bidding.
- No quote or tender will be considered unless details of public liability insurance (and Street Works Accreditation if applicable) is attached.
- Where the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

Example of an Invitation to Quote/Tender

Works at XXXXXXX

Overview

The Parish Council are inviting quotations from suitably qualified contractors for the supply and installation of the following works:

Area

- Work to be done, *eg installation of 1 picnic table*

Area

- Installation of 1 picnic table
- Installation of approximately 45 metres of Birdsmouth fencing

Scope of Work

- Collection of picnic tables and fencing from **xxxxx** and transport to the respective sites.
- Installation of two picnic tables (with extended legs to be securely sunk into the ground).
- Installation of approximately 45 metres of Birdsmouth fencing (up to 30 fence posts; bands will be provided).
- Removal and disposal of all rubbish and debris upon completion.

[as much detail as possible to be included such as securely fixed to the ground/quality & specification of materials used/precise location/waste removal and management etc]

Compliance

All contractors are required to have £xxMillion public liability insurance (a copy is to be supplied with the tender/quote submission together with [any documents/insurance/qualifications/certifications relevant to the tender/quote].

Tender Submission

Quotations must be submitted by the following method:

- **By Email** (marked *Confidential*): clerk@

Deadline for submission: 5:00 PM on date
Late submissions will not be considered.
The successful contractor will be notified promptly after the closing date.

Project Timeline

Work is expected to commence as soon as possible following order delivery and must begin **no later than four weeks from the date of delivery**.

Payment Terms
Payment will be made via cheque or bank transfer upon receipt of a valid invoice.

Further Information
For any enquiries or clarifications, please contact the Parish Clerk:

clerk@