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PROCUREMENT POLICY

1. Legal Context

This policy aims to give effect to and comply with:

- Section 135 of the Local Government Act 1972;
- the Procurement Act 2023;
- the Procurement Regulations 2024;
- the Accounts and Audit Regulations;
- the Council's Financial Regulations and Standing Orders; and
- any superseding legislation or statutory guidance.

The Council is guided by relevant guidance issued by:

- the National Association of Local Councils (NALC); and
- the Joint Panel on Accountability and Governance (JPAG).

The procurement thresholds within this policy are internal governance thresholds adopted by the Council for procurement control purposes and operate in addition to any statutory procurement obligations imposed by procurement legislation.

2. Purpose of this Policy

2.1 The purpose of this policy is to provide guidance on the procurement of goods, works and services on behalf of the Council.

2.2 The Council shall seek to:

- obtain value for money;
- act fairly and transparently;
- comply with all legal obligations;
- support effective governance and accountability; and
- minimise procurement risk.

2.3 Every contract entered into by the Council or by any person acting on its behalf must comply with:

- this Procurement Policy;
- the Council's Financial Regulations;
- the Council's Standing Orders; and
- relevant procurement legislation.

3. General Principles

3.1 At the start of any procurement exercise, the authorised officer shall:

- identify the requirement;
- assess the available options;
- consider whole-life costs and value for money;
- assess procurement risks; and
- ensure sufficient budget provision exists.

3.2 A contract is an agreement between the Council and an individual or organisation for the supply of goods, services or works in return for payment or other consideration.

3.3 Officers and councillors involved in procurement must ensure:

- impartiality;
- fairness;
- transparency;
- proper record keeping; and
- avoidance of conflicts of interest.

3.4 No councillor may:

- issue an official order;
 - instruct a contractor; or
 - commit the Council to expenditure,
- unless authorised by resolution of the Council or under delegated authority.

3.5 All quotations and tenders must be submitted to the Clerk.

3.6 Contracts must not be artificially separated or divided into smaller contracts to avoid:

- procurement legislation;
- Financial Regulations;
- Standing Orders; or
- this Policy.

4. Exemptions

4.1 The following contracts are exempt from the requirements of this policy where permitted by law:

- contracts relating solely to the acquisition or disposal of land;
- employment contracts;
- temporary staffing or locum arrangements;
- specialist legal or professional services where only one provider is appropriate;
- emergency works required to protect life, property or services.

4.2 Any exemption from this policy must:

- be justified;
- be recorded in writing; and
- be reported to Council.

5. Approved and Preferred Suppliers

5.1 The Council may maintain a list of approved or preferred suppliers for routine operational services.

5.2 Use of preferred suppliers does not remove the requirement to comply with procurement thresholds or Financial Regulations.

5.3 Preferred suppliers may include:

- electricians;
- plumbers;
- builders;
- grounds maintenance contractors;
- playground repair contractors;
- office suppliers;
- vehicle service engineers;
- cleaning contractors; and
- other routine maintenance providers.

6. Procurement Thresholds

The value of a contract shall be calculated over the full duration of the contract, including any extensions, and quotation values shall exclude VAT unless stated otherwise.

6.1 Contracts and Purchases Below £500

The Clerk shall seek to achieve value for money and retain evidence of price checking where practicable.

6.2 Contracts and Purchases Between £500 and £5,000

At least three estimates or price comparisons should be obtained where practicable. Evidence may include:

- written quotations;
- catalogue pricing;
- framework pricing; or
- online pricing.

6.3 Contracts and Purchases Between £5,000 and £30,000

A minimum of three written fixed-price quotations shall be obtained from suitable suppliers or contractors.

6.4 Contracts and Purchases Between £30,000 and £60,000

The Council shall undertake a formal quotation or tender exercise and comply with any applicable transparency and publication requirements under procurement legislation.

6.5 Contracts and Purchases Above £60,000

Formal tenders shall be invited in accordance with this policy and the Council's Financial Regulations.

6.6 Contracts Above Statutory Procurement Thresholds

Where the estimated value of a contract exceeds the relevant statutory procurement threshold set by Parliament, the Council shall comply fully with:

- the Procurement Act 2023;
- the Procurement Regulations 2024; and
- any applicable statutory guidance.

7. Procurement Process

7.1 An issue or requirement shall first be identified.

7.2 The matter may be considered by:

- the Council;
- a committee; or
- a working group.

7.3 Specifications shall be prepared where appropriate.

7.4 Indicative costs shall be obtained before budget approval is sought.

7.5 Once budget approval is confirmed, formal quotations or tenders may be sought.

7.6 Final contract approval shall be given:

- by the Clerk under delegated authority where permitted;
- by committee where delegated authority exists; or
- by full Council.

7.7 A purchase order or written instruction shall be issued for all approved contracts where appropriate.

8. Tender Procedure for Contracts Above £60,000

8.1 Invitations to tender shall:

- describe the nature of the contract;
- include specifications;
- state the submission deadline; and

- explain the evaluation process.
- 8.2 Tenders must be addressed only to the Clerk and not directly to councillors.
- 8.3 The Council may use:
- sealed postal tenders; or
 - secure electronic tendering systems.
- 8.4 Tenders shall remain confidential until the submission deadline has passed.
- 8.5 Tenders shall be opened by the Clerk in the presence of at least one councillor.
- 8.6 All tenders shall be evaluated against predetermined criteria.
- 8.7 The Council is not obliged to accept the lowest tender.
- 8.8 Any negotiations shall:
- be properly authorised;
 - not distort competition; and
 - be fully documented.

9. Evaluation of Quotations and Tenders

9.1 Quotations and tenders should be evaluated against criteria including:

- cost;
- quality;
- experience;
- technical capability;
- financial stability;
- delivery timescales;
- sustainability;
- references; and
- compliance with specifications.

9.2 Evaluation criteria should be proportionate to the value and complexity of the procurement.

9.3 The basis of evaluation should be stated within tender documentation where appropriate.

10. Contract Award and Records

10.1 Successful quotations and tenders shall be confirmed in writing by the Clerk.

10.2 The Council shall maintain records of:

- quotations;
- tenders;
- evaluation documents;
- awarded contracts; and
- procurement decisions.

10.3 A record of contracts over £30,000 shall be maintained and published where required by law.

10.4 Contract records should include:

- contractor name;
- description of works or services;
- contract value;
- contract duration; and
- date awarded.

11. Contract Management

11.1 Appropriate arrangements shall be made for managing contracts.

11.2 For larger or more complex projects, suitably qualified personnel or consultants may be appointed.

11.3 Variations to contracts must:

- be authorised in writing; and
- remain within approved budgets unless further approval is obtained.

11.4 Significant variations shall be reported to Council.

12. Insurance and Guarantees

12.1 Appropriate insurance requirements shall be considered for all contracts.

12.2 For high-value procurements, the Council may require:

- performance bonds;
- parent company guarantees; or
- evidence of financial standing.

13. Prompt Payment

13.1 The Council recognises the importance of paying suppliers promptly.

13.2 Payments shall be made in accordance with:

- agreed contract terms;
- Financial Regulations; and
- approved payment procedures.

14. Termination of Contracts

14.1 The Council reserves the right to terminate a contract:

- for breach of contract;
- non-performance;
- insolvency;
- misconduct; or
- any other lawful reason.

15. Review of Policy

15.1 This policy shall be reviewed:

- every two years; or
- earlier if required by changes in legislation, guidance or operational need.

15.2 Any amendments shall be approved by full Council.

Table 1 – Procurement Thresholds

Contract Value (excluding VAT)	Requirement
Up to £500	Best value and reasonable price checks
£500 to £5,000	Three estimates or price comparisons where practicable
£5,000 to £30,000	Minimum of three written quotations
£30,000 to £60,000	Formal quotation or tender process
Over £60,000	Formal tender procedure
Above statutory thresholds	Full compliance with procurement legislation