Cyngor Tref Trallwng — Welshpool Town Council

Draft Procurement Policy

1. Purpose

This Procurement Policy sets out the principles, procedures and responsibilities governing the acquisition of goods, services and works by Welshpool Town Council ("the Council").

The policy supports the Council's Financial Regulations and Standing Orders and is intended to ensure that all procurement:

- is lawful, transparent and auditable;
- achieves best value for money;
- manages risk and prevents fraud;
- supports the local economy where appropriate; and
- contributes to environmental and social wellbeing.

This policy applies to all Members, officers and authorised purchasing officers involved in procurement.

2. Legislative and regulatory framework

All procurement activity shall comply with:

- the Council's Financial Regulations and Standing Orders;
- the Procurement Act 2023 and the Procurement (Wales) Regulations 2024 (or any superseding legislation);
- the Bribery Act 2010;
- health and safety, equality and employment legislation; and
- proper practices as set out in the Governance and Accountability for Local Councils in Wales – Practitioners' Guide.

Where statutory procurement requirements apply, they shall take precedence over this policy.

3. Core procurement principles

The Council adopts the following principles:

- Best value – achieving the optimum combination of whole-life cost, quality and fitness for purpose.
- Transparency and fairness – clear processes, objective criteria and auditable decisions.
- Proportionality – procurement procedures appropriate to risk, value and complexity.

- Local and social value – where lawful and compatible with best value, the Council will seek to maximise benefit to Welshpool and the wider Powys economy, including social, environmental and community outcomes.
- Accountability – clear officer/member responsibilities and proper records.
- Sustainability – consideration of environmental impacts, ethical sourcing and carbon reduction where relevant.

4. Scope

This policy covers all procurement of goods, services and works, including consultancy and contracted services.

This policy does not apply to:
- direct employment of staff;
- statutory payments (e.g. PAYE, National Insurance, pensions);
- acquisition or disposal of land and buildings (which are subject to separate legal and financial controls).

5. Roles and responsibilities

Council
- Approves this policy and any amendments.
- Authorises major procurement decisions in line with Financial Regulations.
- Approves tenders and contracts over the delegated limits.

Committees
- Exercise delegated procurement powers within their Terms of Reference.
- Consider procurement reports, tender evaluations and waivers where authorised.
- Where no delegation exists, to recommend these to Council for approval.

Town Clerk & RFO
- Has overall responsibility for ensuring compliance.
- Verifies legality, financial provision and risk management.
- Oversees tendering processes and contract management arrangements.

Authorised Purchasing Officers
- May procure within delegated limits.
- Must follow this policy and Financial Regulations.
- Must maintain appropriate records.

6. Aggregation and planning

The estimated value of a contract shall be the total anticipated value over its full term, including extensions.

Contracts must not be split to avoid thresholds.

Where significant expenditure is anticipated, officers should consider:

- early market engagement;
- whole-life costing;
- budget provision;
- internal capacity to manage the contract.

7. Procurement thresholds and procedures

Unless a permitted exemption applies, the following minimum standards shall be followed (values are excluding VAT, unless stated):

Under £100

- Officers shall seek best value, for example by checking online prices, catalogues or recent comparable purchases.
- A brief note should be retained where practicable.

£100 to £1,000

- Officers shall try to obtain three estimates, which may include online prices or recent supplier evidence.
- Records of estimates and the reason for selection must be retained using the Council's Management Systems.

Over £1,000 but under £30,000

- Officers shall try to obtain at least three written fixed-price quotations. These records to be retained using the Council's Management Systems.
- A written specification and basic evaluation record shall be prepared.

Over £30,000

- A formal tender process must be undertaken.
- Where required, the opportunity and award shall be advertised/notified in accordance with legislation (including Sell2Wales and any national portals).
- Tendering shall follow the Council's tender procedure (as set out in Financial Regulations / Appendix 1).

The Council is not obliged to accept the lowest or any quotation or tender, but decisions must be objectively justified and recorded.

All authorisations must comply with the delegation limits and approval requirements in the Financial Regulations.

8. Exemptions and waivers

The requirement to obtain competitive prices may be waived only where permitted by the Financial Regulations, for example:

- specialist or professional services;
- compatibility or extension of an existing contract;
- repairs to existing machinery or equipment;
- genuine sole supplier situations or fixed-price regimes.

All waivers must:

- be justified in writing;
- demonstrate why competition is not reasonably practicable; and
- be approved and recorded in accordance with Financial Regulations.

Avoidance of competition is not a valid reason, nor is the convenience of using the same supplier which the Council has always used.

9. Specifications and evaluation

All procurements above £100 shall be supported by a proportionate written specification.

Evaluation shall normally consider:
- price and whole-life cost;
- quality and technical merit;
- capacity and experience;
- health and safety compliance;
- environmental and social value where relevant.

For formal tenders clear evaluation criteria and weightings shall be set in advance.

10. Local, social and environmental value

Where lawful and compatible with best value, the Council will seek to:
- encourage local and regional suppliers to participate;
- support small and medium sized businesses and social enterprises;
- promote local employment and training;
- reduced environmental impact and carbon footprint.

Social and environmental considerations may be built into specifications and award criteria, provided they are relevant and proportionate.

11. Contract award and documentation

All contracts must be supported by:
- written acceptance or contract documentation;
- clear scope, price and deliverables;
- defined payment terms;
- appropriate insurances;
- termination and dispute provisions.

No work shall commence until authority is in place and contractual documentation is complete.

12. Contract management

Officers shall actively manage contracts to ensure performance against specifications, compliance with health and safety, value for money and proper authorisation of variations. Significant variations or overspends must be reported and approved in accordance with Financial Regulations.

13. Ethics and conflicts of interest

All procurement activity must comply with the Council's Code of Conduct and declarations of interest regime. This also applies to officers by virtue Section 82 of the Local Government Act 2000 and the Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001.

No member or officer shall seek to improperly influence procurement decisions and all tendering must be compliant with the Bribery Act 2010.

14. Records and audit

The Clerk, RFO and purchasing officers shall ensure that adequate procurement records are maintained, including:

- estimates/quotes/tenders;
- evaluation records;
- approvals;
- contracts;
- waivers and variations.

Records must be retained in accordance with data and audit requirements and failure to follow this section shall be deemed as employee misconduct.

15. Review and testing

This policy shall be reviewed at least every three years or following changes to legislation or Financial Regulations.

Council committees responsible for finance and audit may test specified and selected purchases to ensure compliance with this Policy.