

**Contract Standing Orders  
Council rules for the Purchase of  
Goods, Works and Services**

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## Introduction

### 1. Purpose

- 1.1. These Contract Standing Orders (CSOs) form part of the Council's constitution. They set out the processes and governance that the Council must follow when conducting procurements and/or entering contracts for the supply of goods, services and/or works including consultants.
- 1.2. The term contract also includes arrangements where the Council is supplying goods, services and/or works to a separate legal entity.
- 1.3. The CSOs are intended to support the Council's corporate aims and policies, promote good procurement practice, public accountability, prevent corruption and protect against allegations of impropriety.

### 2. Scope

- 2.1. The below are types of contracts which are covered by separate legislation and/or policies:

Type of Contract	Policy/ Law which covers Contracts out of scope
Contracts of employment, which makes an individual an employee of the Council (permanent) or in scope of IR35 (fixed term);	HR / Recruitment policies
Agreements for the acquisition, disposal, or transfer of land	As per the Council Constitution
Loans to or from banks or other financial institutions;	Not subject to competition due to their nature
Provision of emergency accommodation as required	Homelessness Act
Local Government Audit services	Appointed persons for the purpose of Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015
Subscriptions to magazines / publications / online resources / professional journals / professional memberships.	Not subject to competition due to their nature
Works orders placed with statutory undertakers	Not subject to competition due to their nature
Grants being given by the Council	Governed by Grant Funding – Service Level Agreements
Contracts entered into by or on behalf of Legal Services for the appointment of <del>Council</del> and/or External Solicitors and/or Experts (such as expert witnesses, independent investigators, arbitrators, facilitators and/or mediators).	Procurement Act 2023 Schedule 2, Part 1 Regulation 14

### **3. General Requirements**

- 3.1. These Orders are based on the following key principals, in line with the objectives of the Procurement Act 2023:
- Ensure that the Council meets its statutory duty to deliver value for money
  - Maximise public benefit
  - Sharing information for the purpose of allowing Suppliers and others to understand the authority's procurement policies and decisions
  - Acting, and being seen to act, with integrity.
- 3.2. Under the Procurement Act 2023, the Council must have regard to the National Procurement Policy Statement (NPPS) as amended by the Cabinet Office.
- 3.3. Statutory Requirements
- All purchasing and resulting Contracts made by or on behalf of the Council must be made in writing and comply with:
- The Procurement Act 2023, the Procurement Regulations 2024 and any subsequent legislation;
  - The Public Services (Social Value) Act 2012;
  - Modern Slavery Act 2015;
  - Local Government Act 1999 with due regard to Best Value;
  - all other applicable statutory provisions and regulations;
  - the Council's Constitution, Financial Regulations, Scheme of Delegation, Authorised Signatory List and Code of Conduct; and
  - all other relevant Council policies and guidance.
- 3.4. The CSOs apply to all Officers and any other Consultants that are working on a procurement process on behalf of the Council.
- 3.5. These CSOs should be read in conjunction with the Procurement Toolkit that sets out operational guidance as well as templates for use during a procurement process.
- 3.6. In the event of any conflict between these CSOs and relevant legislation, legislation will always take precedence over the CSOs.
- 3.7. Officers must comply with these CSOs unless a Waiver from CSOs is granted, in accordance with CSO 10. Where there is evidence of deliberate non-compliance with the CSOs, disciplinary action may be taken.
- 3.8. The CSOs apply to all contracts awarded by the Council, regardless of the source of funding (e.g. capital, revenue, sponsorship, donations or grant monies from a third party).

### **4. Transparency**

- 4.1. Officers must ensure that, where required, opportunities and resulting awards are properly advertised and that they comply with all legislation. A list of notices required under the Procurement Act are detailed in Appendix 3.
- 4.2. Where disclosures are required under the Freedom of Information Act 2000, the Bidder/Supplier should be given the opportunity to provide justification as to why information contained within their bid should be withheld.

## **5. E-Sourcing**

- 5.1. All procurements above Threshold 2 must be published via the Council's E-Sourcing system. This ensures that the Council provides free access to tender documents.
- 5.2. All communication during the procurement process must be carried out via the E-Sourcing system.
- 5.3. Following a procurement process, the details of the contract must be added to the Contracts Register.

## **6. Contracts Register**

- 6.1. The Local Government Transparency Code 2015 requires Local Authorities to publish details of all contracts with a value that exceeds £5,000.
- 6.2. This information is held on the E-Sourcing system. Please see Procurement Toolkit for further details.

## **Pre-Tender Preparations**

### **7. Valuation**

- 7.1. Before beginning any procurement, the Total Value of the Contract (excluding VAT) should be calculated by reference to the following (where one or more apply, use the higher value):
  - a) for fixed term Contracts the total amount payable during the whole of the Contract period, including possible extensions. For example, if the Contract is a fixed term for three years it will be the estimated annual value times by 3; if however the Contract allows for a possible extension of 2 years, the Contract value shall be the annual value times 5 regardless of whether the extension will be utilised or not;
  - b) if the Contract involves a series of separate transactions for the same type of item, the 'Total Value of the Contract' is the expected aggregate value of all those known upcoming transactions;
  - c) for preliminary work, which may then result in a larger piece of work, it is the value of the scheme in its entirety;
  - d) where the Contract period is uncertain, multiply the price expected to be paid each month by 48;
  - e) where the value cannot be estimated for whatever reason, the contract should be treated as above the relevant UK procurement threshold.
- 7.2. A Contract should not be divided into smaller value Contracts (disaggregated) with the intention to avoid the Procurement Act 2023 or particular CSOs. Where contracts are divided into Lots, the total value for all of the Contracts must be taken into account in assessing the Total Contract Value.

### **8. Engaging The Corporate Procurement Team**

- 8.1. Before beginning a procurement exercise, Officers must:
  - 8.1.1. assess the need for the expenditure;

- 8.1.2. define the objectives of the procurement;
- 8.1.3. calculate the total value of the Contract;
- 8.1.4. ensure sufficient resources will be available (i.e. people with sufficient skills and capacity to manage the Contract once it has been let), and
- 8.1.5. ensure that the appropriate authority is in place to start the process and that the budget covers the whole-life financial commitment being made (including any Consultant's or other external charges or fees).

8.2. Contract Managers in collaboration with the Corporate Procurement Team must:

- 8.2.1. where no suitable existing Council contracts are available, carry out an options appraisal to decide the best way to achieve the objective, including internal delivery or external sourcing, partnering, and collaborative procurement arrangements with another public authority or government department;
- 8.2.2. consult users where appropriate.

## **9. Authorisation**

9.1. Sourcing Plans for Contracts with a total value above £25,000 must be approved by the Procurement Board prior to Committee approval (if required).

9.1.1. For procurements with a value in excess of £100,000.00:

9.1.1.1. Contract Managers must seek approval from Procurement Board and the relevant Committee for the procurement to commence;

9.1.1.2. If, after evaluation of tender responses, the actual Contract value is greater than that agreed for the procurement, Contract Managers must request approval of the variation at the relevant Committee prior to Contract award notification. The Committee approval must include a supplementary budget estimate to cover any additional ongoing costs, if necessary, in line with existing Financial Regulations.

## **10. Waiver to Contract Standing Orders**

10.1. Subject to any legal requirements, any requirement of these CSOs may be waived in exceptional circumstances. The e-form to request a Waiver can be requested from the Corporate Procurement Team. The Corporate Procurement Team will keep a log of all requests.

10.2. All Waivers will be reviewed by the Procurement Board, who will approve or reject the request.

10.3. No Waiver will be approved if:

- A retrospective start date is requested
- The value is above the UK Procurement threshold
- There has been a clear lack of planning to procure the goods, works and/or services in adequate time

10.4. Following approval of a Waiver requests, Contracts over £5,000 must be entered onto the Contracts Register.

10.5. Where an exemption from competition requirements is necessary because of an unforeseeable emergency involving immediate risk to persons, property or serious disruption to Council services., The relevant Officer must report as soon as practical following the event to the Corporate Procurement Team ([corporateprocurement@spelthorne.gov.uk](mailto:corporateprocurement@spelthorne.gov.uk)) and one of the following: the Chief Executive, Deputy Chief Executive & S151 or the Group Head Corporate Governance. Any Contract entered into for these purposes should be the minimum required to remove the immediate risk to persons or property or to reduce the disruption to Council services to a manageable level.

## **11. Declaration Of Conflicts of Interest (Col)**

11.1. Prior to and for the duration of the procurement process, Officers should confirm that there are no actual, potential or perceived conflicts of interest by completing the Col form (within Procurement Toolkit) . Where Officers become aware of a conflict, they must immediately notify the Corporate Procurement Team.

11.2. Where a consultant or external party is involved in a procurement for the Council, either inputting into the tender documents or being involved in the tender evaluations. They must first complete and submit a Col prior to the procurement process and for the duration of their involvement.

## **12. Considerations**

12.1. Existing Contractual Arrangements

12.1.1. Prior to any procurement, Officers should ensure that there is not an existing Council contract that can be utilised by contacting the Corporate Procurement Team.

12.1.2. Where there is a contract in place, Officers must ensure that their requirements are in scope of the contract and that the value of new requirements would not cause the contract value to exceed its acceptable tolerances.

12.2. Council Wide Requirements

12.2.1. When procuring, Officers should consider if the goods, works and/or services could be used by other Service Areas within the Council, to ensure that spend can be aggregated and to mitigate against having multiple contracts for similar provisions.

12.3. Pre-Tender Market Engagement

12.3.1. Prior to commencing a procurement, Officers should ensure that they have an understanding of the market conditions in which they are procuring.

12.3.2. Where an Officer is not familiar with the market or the goods, works and/or services, they should ensure that they conduct appropriate market engagement that can be used to inform but not bias their procurement approach, this should be done in conjunction with the Corporate

Procurement Team.

12.3.3. Contract Managers may seek advice on the preparation of a specification from anyone who may have an interest in tendering for the Contract. This must not distort competition or prejudice the equal treatment of all potential bidders. Records must be kept of this consultation until the expiry of the Contract.

#### 12.4. TUPE Implications

12.4.1. Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) may apply when an employee of the Council or of a Supplier providing a service to the Council may be affected by any staff transfer arrangement because of a change in the service provider.

12.4.2. Officers should consult the Procurement Toolkit for further information or contact the Corporate Procurement Team.

### 13. Collaborative And Partnership Arrangements

13.1. In order to secure value for money the Council may enter into collaborative procurement arrangements with other local authorities. Approval to do so must be sought from the Procurement Board.

13.2. In these situations, the contract will be procured in accordance with the constitution of the lead authority. However, normal due diligence, Council authorisation and sign-off processes as detailed with these CSOs will still apply.

## Tender Process

### 14. Selection / Award Criteria

14.1. For all opportunities the criteria must be stipulated within the tender documents, this includes:

- 14.1.1. The selection / award criteria;
- 14.1.2. The scoring methodology and weighting to be applied;
- 14.1.3. The minimum scores to be achieved (where appropriate).

#### 14.2. Selection Criteria

14.2.1. Selection Criteria should be used to reduce the number of bidders at a certain stage. It should be proportionate to the contract value and based on financial standing and past experience of delivering comparable goods, works and/or services.

14.2.2. For contracts over the UK Procurement Threshold, this should also include Conditions of Participation. Suppliers that are on the Debarment List may be excluded or can be considered to be an excludable Supplier at the Council's discretion. Please see further information within in Procurement Toolkit.

#### 14.3. Award Criteria

14.3.1. When determining the award criteria, there are a number of options available. These should be discussed with the Corporate Procurement Team and will be agreed on a case-by-case basis. Further details can be found in the Procurement Toolkit.

14.3.2. Quality evaluation - determined by any number of qualitative questions.

Questions must be relevant, proportionate and specific to the requirement.

- 14.3.3. Price evaluation – consideration must be given to whole life costs e.g. initial capital expenditure, servicing/support and maintenance, operating costs, consumables, disposal and recycling costs and any other relevant costs.

## **15. Social Value**

- 15.1. The Public Services (Social Value) Act 2012 places a requirement on people who commission, or buy, public services to consider securing added economic, social or environmental benefits for their local area.
- 15.2. The Act currently applies only to goods and service Contracts over the Public Procurement threshold but should be considered in all procurements where applicable.
- 15.3. Social value should form part of a Bidder's commitments at quote/tender stage and should be tailored to the subject nature of the contract being awarded.
- 15.4. Further details can be found on the Corporate Procurement Staff Pages.

## **16. Modern Slavery**

- 16.1. The Modern Slavery Act 2015 was introduced to tackle modern slavery, defined in the act as slavery, servitude, forced or compulsory labour, human trafficking and exploitation.
- 16.2. Further details can be found in the Procurement Toolkit.

## **17. Insurance**

- 17.1. Bidders must have or be willing to obtain prior to the contract start date the relevant insurances. Further details can be found in the Procurement Toolkit.

## 18. Thresholds Details

						Requirements if procured via a Framework or Open Framework	
Threshold	1	2	3	4	5	2-4	5
<b>Value</b>	£0 - £5,000	£5,001 - £25,000	£25,001 - £100,000	£100,001 – UK Procurement threshold	Above UK Procurement threshold (detailed in Appendix 2)	£5,001 - UK Procurement Threshold	Above UK Procurement Threshold (detailed in Appendix 2)
<b>Sourcing Plan required?</b>	No	No	Yes	Yes	Yes	Yes, if over £25,001	Yes
<b>Receipt of quotes/tenders</b>	Email	E-Sourcing system	E-Sourcing system	E-Sourcing system	E-Sourcing system	E-Sourcing system	E-Sourcing system
<b>Procurement Process</b>	Minimum of one quote sought (local Suppliers should be used where appropriate)	Minimum of 5 bidders to be invited to quote. Alternatively, open process.	Minimum of 5 bidders to be invited to quote. Alternatively, open process.	Open tender	Open tender or Competitive Flexible Procedure	Mini competition or Direct Award	Mini competition or Direct Award
<b>Advertising requirements</b>	None	None, if inviting quotes. If open, advertise via E-Sourcing system.	None, if inviting tenders. If open, advertise via Find a Tender.	Find a Tender	Find a Tender	None	None
<b>Procurement lead</b>	Service Area	Service Area	Service Area	Corporate Procurement Team	Corporate Procurement Team	Under £100,000 Service Area. Over £100,000, Corporate Procurement Team	Corporate Procurement Team
<b>Financial assessment required</b>	No	No	Yes	Yes	Yes	Yes, if over £25,001	Yes
<b>Award Process</b>	Budget Manager to approve	Budget Manager to approve	Award report to be approved.	Award report to be approved.	Award report to be approved.	Under £25,000 Budget manager to approve	Award report to be approved.
<b>Contract Award notice required</b>	No	No	Yes	Yes	Yes	No	Yes
<b>Type of Contract</b>	Purchase Order Terms and Conditions	Legal to advise on appropriate form of contract	Legal to advise on appropriate form of contract	Legal to advise on appropriate form of contract	Legal to advise on appropriate form of contract	As per framework guidance	As per framework guidance
<b>Who can authorise / sign the contract</b>	Group Head	Group Head	Legal to action in accordance with the Council's constitution	Legal to action in accordance with the Council's constitution	Legal to action in accordance with the Council's constitution	Legal to action in accordance with the Council's constitution	Legal to action in accordance with the Council's constitution

## **19. Threshold 1 - £0 - £5,000**

- 19.1. All procurements valued within this threshold must as a minimum, seek a single quote via email. Local Suppliers who can meet the Council's requirements should be sought in the first instance. Whilst the requirement is a single quote, good practice suggests that multiple quotes should be sought where appropriate.
- 19.2. Please see table above for other requirements.

## **20. Threshold 2 - £5,001 - £25,000**

- 20.1. All procurements valued within this threshold must as a minimum invite 5 Suppliers to submit a quote. If 5 Suppliers cannot be identified, then an open process should be followed.
- 20.2. Please see table above for other requirements.

## **21. Threshold 3 - £25,001 - £100,000**

- 21.1. All procurements valued within this threshold must as a minimum invite 5 Suppliers to submit a quote. If 5 Suppliers cannot be identified, then an open process should be followed.
- 21.2. Please see table above for other requirements.

## **22. Threshold 4 - £100,001 – UK Public Procurement Threshold**

- 22.1. All procurements valued within this threshold will be managed by the Corporate Procurement Team in conjunction with the Service Area.
- 22.2. Procurements within this threshold must be advertised as an open tender.
- 22.3. Please see table above for other requirements.

## **23. Threshold 5 – Over UK Public Procurement Threshold**

- 23.1. All procurements in threshold 5 will be managed by the Corporate Procurement Team in conjunction with the Service Area.
- 23.2. A procedure compliant with the relevant regulations must be conducted.
- 23.3. Please see table above for other requirements.

## **24. Frameworks, Open Frameworks, Dynamic Purchasing Systems and Dynamic Markets**

- 24.1. There are a number of other ways to secure a Supplier, in addition to a full tender, these include Frameworks, Open Frameworks, Dynamic Purchasing Systems and Dynamic Markets. These offer a compliant route to market, the Corporate Procurement Team can provide advice on options and should be contacted for more information.
- 24.2. The thresholds within CSO 20 – 22 apply where a Contract is sourced via a Framework, Open Framework or Dynamic Market. However, the minimum number of quotes/tenders that must be sought does not apply.
- 24.3. Officers should follow the guidance of the Framework, Open Framework or Dynamic Market for further information.
- 24.4. Establishing a new Framework, Open Framework or Dynamic Market

24.4.1. Where Officers are looking to establish one of the above, approval must be sought from Procurement Board by submitting a Sourcing Plan prior to any procurement commencing.

## **25. Quote/Tender Submission**

- 25.1. Bidders must be given an adequate period in which to prepare and submit a tender, consistent with the complexity of the requirement.
- 25.2. All tenders estimated to be worth £5,000.00 or more must be returned in accordance with the system requirements of the E-Sourcing system. Any tender received outside of the E-Sourcing system must be rejected and excluded from evaluation, subject to 25.3 below.
- 25.3. If any tender could not be submitted due to a system error, this will need to be demonstrated and approved by the Head of Procurement.

## **26. Evaluation and Due Diligence**

- 26.1. Contract Managers are responsible for ensuring that all Bidders for a Contract are suitably assessed in accordance with the criteria provided in the tender documentation. The assessment process shall establish that all potential Bidders have sound economic and financial standing and sufficient technical ability and capacity to fulfil the requirements of the Council.
- 26.2. All contracts valued in excess of £25,000.00 must have a financial assessment conducted as part of the due diligence, prior to entering into a contract. If required, adequate financial security and/or a performance bond must be required for all Contracts within Threshold 4 and above in value or where considered necessary by the S151 Officer.

## **Award Of Contract**

### **27. Debriefing Bidders**

- 27.1. Officers must ensure that all Bidders who submitted a response are informed of the outcome and provided feedback as required. Please refer to the Procurement Toolkit for relevant Award Letter templates.
- 27.2. Apart from the debriefing required or permitted by these CSOs, the confidentiality of tenders and the identity of Bidders must be preserved at all times and confidential or commercial information about one Bidders response must not be given to another during the process.
- 27.3. If an unsuccessful Bidder is requesting further information regarding the award decision, then the Contract Manager shall immediately contact the Corporate Procurement Team and seek the advice of the Group Head Corporate Governance.

### **28. Contract Sign Off / Scheme of Delegation**

- 28.1. Where a Purchase Order is used as the Contract using the Council's Terms and Conditions, the authoriser of the Purchase Order must have the required delegated authority for the Contract value as required by the Financial Regulations.
- 28.2. All Contracts shall be executed by the Council in accordance with the Council, Committee and Administrative Standing Orders.
- 28.3. The Council's Legal Services are responsible for execution of the Contract.
- 28.4. A Contract should be sealed where:
  - 28.4.1. the Council wishes to enforce the Contract more than six years after its end;

28.4.2. there is no consideration or the price paid or received under the Contract is nominal and does not reflect the value of the goods, works and/or services.

28.5. Following award of any Contract, in excess of £5,000 the Contract Manager is responsible to ensure:

- the details of the contract are entered on the Contracts Register available on the E-Sourcing system.
- A copy of the contract is uploaded on the E-Sourcing system.

28.6. Record Keeping:

28.6.1. Contract Managers shall ensure that the following records are kept in accordance with the Council's record retention and disposal schedule.

## **29. The Council as a Supplier**

29.1. Where the council is contemplating providing works, goods or services to external organisations, the Deputy Chief Executive & S151 and the Group Head Corporate Governance must be consulted.

29.2. Contract Managers shall produce robust business cases for the council acting as a supplier which fully takes into account the costs to the council of delivering the goods, works or services concerned. The financial viability of such business cases must be approved by the Chief Executive and Deputy Chief Executive & S151 Officer.

29.3. Contract Managers shall liaise with the council's Insurance Officer to ensure any potential liabilities are sufficiently covered by the council's insurance policies.

29.4. Where the proposed Contract is likely to require new expenditure to support the provision of the goods, works and/or services and is to be funded by a supplementary estimate outside of the annual planning cycle, before tenders are prepared, the Chief Executive, Deputy Chief Executive & S151 and the Group Head Corporate Governance must jointly approve the business case (unless the Chief Executive Officer has expressly agreed that no Business case is required) including:

- 29.4.1. confirming the council can legally enter into the Contract;
- 29.4.2. accepting the legality of the charging arrangements; and
- 29.4.3. approving the terms and conditions of the proposed Contract.

## **Contract Management**

### **30. Management**

30.1. It is the Contract Managers responsibility to ensure that there is a robust Contract management plan in place that is proportionate to the scale and scope of the Contract. Refer to the Contract Management Toolkit for further information.

### **31. Extension**

31.1. All contracts must be extended in line with the provisions of the contract.

31.2. All extensions must be determined in advance of them being actioned and be completed in conjunction with the Legal department.

31.3. Any extensions to a Contract where there is no provision for them may only be made in accordance with CSO 10.

## **32. Modification to Contracts**

- 32.1. There is always the possibility that additional goods, works and/or services which could not have been reasonably foreseen at the point of tendering may be required.
- 32.2. In the case of Thresholds 1 – 4 this is permitted up to an additional 50% of the original contract value, only where;
- there is sufficient budget; and
  - would not change the overall nature of the contract and additional services are needed.
- 32.3. Where a modification is required to a contract that is valued within Threshold 5, the Procurement Act 2023 must be followed.
- 32.4. Any modification to a contract within Threshold 3 – 5 must be approved by the Procurement Board.

## Appendix 1 - Definitions

Award Criteria	The criteria on which the award of a Contract is based following an evaluation of Contract tenders in a procurement procedure. Award criteria must be focused on the tender and not the Bidder (which will already have been assessed for suitability at the qualification step against the relevant Selection Criteria).
Award Process	The procedure for awarding a Contract.
Bidder	Any person/company who submits a quote or tender.
Code of Conduct	The "Code of Conduct for Staff" (See Part 5 Council's Constitution).
Consultant	Someone engaged for a specific length of time to work to a defined project brief with clear outcomes to be delivered, and who brings specialist skills or knowledge to the role.
Contract	In this context, means an agreement between parties for the supply of goods, works and/or services on terms and conditions, which are intended to be enforceable through law.
Contract Managers	Those Officers authorised to carry out the day to day activities required to manage a Contract.
Due diligence	Checks on Supplier to review financial stability and policies (such as insurance policies).
Framework Agreement	A framework agreement is an 'umbrella agreement' that sets out the terms (particularly relating to price, quality and quantity) under which individual Contracts (call-offs) can be made throughout the period of the agreement.
E-Sourcing System	The council's E-Sourcing system which must be used for all procurement exercises with a value of £5,000.00 excluding VAT or more.
UK Procurement Threshold	The Contract value at which the UK Procurement Procedure must be applied.
Purchase Order	A document sent from the council as a Buyer to a Supplier with a request for an order, indicating types, quantities and agreed prices for products, services or works. Once the order is accepted by the Supplier it becomes a Contract binding on both parties. The council's Terms and Conditions will govern the terms of the supply of goods and services ordered under a Purchase Order unless a standard form or bespoke Contract has been entered into prior to the issuing of the Purchase Order.
Selection Criteria	The criteria by which Bidders are chosen to be invited to submit quotes or tenders.
Sourcing Plan	A document to be completed by all Officers who wish to buy anything with a value of £25,000.00 or more which will identify the correct route to market for the exercise. The document must be submitted to the Procurement Team for review and sign off by Procurement Board prior to commencing a procurement exercise.
Quote/Tender	A Bidder's proposal.

Total Contract Value	The amount payable under the Contract to be used to select the procurement procedure; including VAT.
TUPE" Transfer of Undertakings (Protection of Employment) Regulations	Subject to certain conditions, these regulations apply where responsibility for the delivery of works or services for the Council are transferred from one organisation (e.g. private Suppliers, local authority in-house team) to another (e.g. following a competitive tendering process) and where the individuals involved in carrying out the work or service are transferred to the new employer. These regulations seek to protect the rights of employees in such transfers, enabling them to enjoy the same terms and conditions, with continuity of employment, as existed with their former employer. Broadly, TUPE regulations ensure that the rights of employees are transferred along with the business.

## Appendix 2 - UK Procurement Thresholds

These are typically updated bi-annually, the last update was in January 2026.

Type of Contracting Authority	Type of contract	New thresholds (for procurements commenced on 0 or after 1st January 2026)
Sub-central authorities	Services or Goods	£207,720 (inc. VAT)
	Works	£5,193,000 (inc. VAT)
	Light touch regime	£663,540 (inc. VAT)

Procurement Specific Questionnaires may only be used for the award of contracts where the value equals or exceeds the Services threshold (currently £207,720).

# Appendix 3 – Flowchart of notices under the Procurement Act

## Transparency notices: publication flowchart

This flowchart demonstrates the notices and other information that you may publish throughout the end-to-end procurement lifecycle (depending on the procurement procedure followed, the nature of the contract and / or the contracting authority). This is for illustrative purposes only.

