



# Code of Practice for the Governance of NCCA

Procurement policy

# Introduction

The purpose of this document is to establish a framework for a common approach to purchasing in the National Council for Curriculum and Assessment (NCCA) and to document the objectives and principles of procurement.

‘Procurement’ is the term used to describe the acquisition, whether under formal contract or not, of works, supplies and services by public bodies. It ranges from the purchase of routine supplies or services to formal tendering and placing contracts for large infrastructural projects by a wide and diverse range of contracting authorities.

Arrangements for the procurement of goods and services by NCCA are made in accordance with guidelines produced by the Department of Public Expenditure and Reform on public procurement.

This policy covers all non-pay expenditure under the management of the Council. It is essential that all Council employees who are responsible for spending Council funds are familiar with this document along with the procedures for tendering for goods and services.

## Objectives of the policy

The objectives of the procurement policy are as follows:

- to ensure that value for money is achieved in all purchasing activity
- to ensure that the Council’s policies and procedures comply with statutory requirements including Irish and EU public procurement regulations and to ensure that staff members are familiar with and observe all public procurement guidelines and regulations as applicable to their role
- to streamline, consolidate and, where possible, improve on purchasing practices
- to provide support to staff members in purchasing
- to enable corporate services to match invoices against orders and deliveries and therefore to streamline the invoicing process.

## Procurement support

The Head of Corporate Services and accounts personnel within the Corporate Services Team will support staff involved in purchasing to achieve value for money in respect of all goods and services.

This support includes:

- advice on compliance with Council procedures and Irish and EU regulations
- ongoing supplier and contract management
- advice on specific purchasing activities.

While purchasing activities will continue to be devolved to individual staff members, the Head of Corporate Services is available to examine tender documents and contracts prior to issuing, to ensure that they comply with relevant policies and procedures.

## Procurement principles

This policy operates on the following principles:

- staff members involved in procurement must abide by all statutory procurement requirements applying including Irish and EU legislation and the financial policies and procedures of the Council
- centralised contracts put in place by the Office of Government Procurement (OGP) must be used unless justified by value for money considerations
- staff members are obliged to use organisation-wide contracts where they are in place
- all expenditure on procurement must be assigned a project code
- purchase orders must be authorised before orders are placed and purchase order numbers should be used for all relevant orders
- the staff of the Office of the Comptroller and Auditor General (C&AG) or his nominees and the Council's internal auditors have full, free and unrestricted access to all procurement records
- staff members should ensure that complete records are maintained for inspection at all times
- the authority for spending allocated budgets lies with the project leaders specified in the Plan of Work
- the Council will comply with the terms of the Prompt Payments of Account Act; the standard payment terms for the Council is 15 days
- the procurement of goods online must comply with the normal procurement procedures

- purchasers should seek and use opportunities for recycling, reusing, reducing consumption, reducing packaging of products or in purchasing alternative products that have less environmental impact
- purchasers should take account of the needs of those with disabilities.

## Purchasing procedures

### Thresholds

Staff members must adhere to the following thresholds in relation to all purchases. These thresholds are mandatory and represent minimum requirements. Under no circumstances should requirements be split to bring purchases below a particular threshold.

#### **Supplies and services below €1,000**

At least one verbal quotation required. Ideally supported by e-mail or hard copy confirmation from supplier.

#### **Supplies and services below €5,000**

It is sufficient to obtain three verbal quotes for purchases of supplies and services below €5,000; at least one written quotation must be sought when requesting a purchase order. Depending on the nature of the requirement, it may be appropriate to seek more quotations.

#### **Supplies and services between €5,000 and €25,000**

Supplies or services contracts between €5,000 and €25,000 in value may be awarded on the basis of responses to written specifications sent to at least three suppliers or service providers. At least three written quotations must be sought except in the case of booking hotels for accommodation or conference purposes which only requires one written quotation. It may, however, be appropriate to use formal tendering to ensure greater competition and improved value for money. For example, it is normal practice in NCCA to tender for research and other services such as cleaning and financial services falling within this monetary threshold.

#### **Supplies and services in excess of €25,000**

All purchases of goods and services in excess of €25,000 must be advertised on [www.etenders.gov.ie](http://www.etenders.gov.ie). The award of contracts over €50,000 must be approved in advance by Council.

## **Supplies and services in excess of the EU Threshold**

All supplies and services in excess of the EU Threshold must be advertised in the Official Journal of the European Union (OJEU). The thresholds are revised every two years. Full and up-to-date thresholds can be checked on <http://www.etenders.gov.ie/>. These limits also apply to the cumulative value of contracts (e.g. NCCA would have to advertise in OJEU if the total worth of an ongoing contract with the same supplier exceeded this amount over the life of the contract).

## **Tendering**

Guidelines on tendering are available from the website of the Office of Government Procurement (OGP) <http://ogp.gov.ie/>. The type of tender process can vary depending on the size and characteristics of the contract to be awarded and the nature of the contracting authority. In brief, each tender exercise should follow the following stages:

### **Draft and issue RFT (Request for tender)**

Care should be given to drafting the specification for the work and drafting clear and objectively measurable evaluation criteria.

### **Evaluation**

All tenders must be evaluated against the criteria in a consistent and transparent way. There is no obligation to accept the lowest quotation and the award may be made on the basis of the **Most Economically Advantageous Tender (MEAT)**. The rationale for the award must be put in writing and backed up with a completed marking scheme signed by all involved in the evaluation process. All back-up documentation must be kept on file.

### **Notify result**

All tenderers should be notified of the result at the same time. The successful bidder should be informed, without prejudice, that they appear to have presented the most economically advantageous bid for this project.

### **Award contract**

No contract can be awarded until the expiry of a 14-day cooling off period.

### **Provide feedback**

The unsuccessful bidders should be offered feedback on their proposal.

## **Long term arrangement with suppliers**

While bearing in mind the advantages to the Council of maintaining a continuing relationship with a supplier, any arrangement which might, in the long term, prevent the effective operation of fair competition should be avoided. It is good practice to tender for ongoing services every three to five years.

## **Sole source tendering**

On rare occasions, there may be only one supplier or sole source of a particular item or service and no alternative is available. Sole source tendering may be allowed in exceptional circumstances where:

- there is only one suitably qualified specialist available to provide the goods or services
- there is an overriding urgency to use the sole supplier
- the sole supplier has completed prior work in the area and there is an overriding need for continuity.

Certain public service bodies may also be contracted without tendering e.g. the Institute of Public Administration.

If any of the foregoing occurs, the purchaser should make a full written justification for approval by the Chief Executive for the decision not to seek competitive bids. Such approvals must be kept on file.

## **Project codes**

All NCCA expenditure is assigned a project code from the annual plan of work within each of the high level objectives as outlined in the strategic plan.

## Purchase orders

A purchase order and number must be raised for the purchase of all goods and services in excess of €250 in advance of the order being placed except in the case of:

1. Expenditure on pay and commissions
2. Travel and subsistence expenditure
3. Purchases using petty cash
4. Orders for couriers, taxis (on account via a preferred supplier only)
5. Continuous purchases on the accommodation or services budget
6. Stationery, catering and other supplies less than €250.

Purchase orders will be requisitioned by the purchaser and signed off at the appropriate level. The purchase order number must be supplied or quoted in all orders for goods and services. A copy of the purchase order will be provided to the purchaser for issue to the supplier.

Purchase orders must clearly indicate the nature and quantity of the goods or services required and contract, conditions of use, quotation or agreed price. If exact pricing is not possible, then estimated costs must be indicated unless there are good reasons for not doing so (the reasons for which must be recorded and forwarded to the Head of Corporate services).

Once a purchase order has been issued, the order may be placed with the supplier verbally. However, the order must be confirmed in writing and the supplier provided with a written copy of the purchase order as soon as possible after the verbal order has been placed.

Purchase orders of €20K or more must be published on the NCCA website

### **Orders placed without purchase orders**

No order may be placed without a written purchase order number except in cases as follows. An explanation must be provided for any failure to raise a purchase order in accordance with this policy.

### **Verbal Orders**

Verbal orders may only be placed without a purchase order when placing a small order (less than €250) with an approved supplier for catering, courier or taxi services. In this case, it is not necessary to follow the verbal order with a written purchase order to the supplier

### **Emergency orders**

Emergency orders should normally be placed only outside normal working hours or when away from the office and unable to contact the Corporate Services Team to raise a purchase order. Where emergency orders are necessarily placed without an official order number, a purchase order number must be raised as soon as possible afterwards and a written explanation provided to the Head of Corporate Services outlining the reasons for the emergency order being placed.

### **Discretionary orders/purchases**

Where circumstances arise, staff members may – subject to a limit of €300 in any one transaction – place a discretionary order or make a discretionary purchase in order to avail of discounts, preferential rates, product availability, etc. A purchase order is not required in this case but a written explanation must be provided to the Head of Corporate Services outlining the reasons for the discretionary order/purchase being placed.

### **Credit and debit card orders**

Orders placed using NCCA credit and debit cards must follow the normal procurement procedure and must not be placed without a written purchase order except in the case of travel and subsistence payments. The purchaser should make a specific request for the card number and expiry date for each purchase.

### **Online orders**

Orders made online must follow the normal procurement procedure and must not be placed without a written purchase order. All usage of the internet to place orders must comply with the Email and Internet Acceptable Usage Policy.

### **Blank value purchase orders**

Blank value purchase orders, i.e. purchase order numbers with no monetary value attached will only be provided in exceptional circumstances and with the authorisation of the Head of Corporate Services. Where a blank purchase order has been issued, a written quotation must be provided to the Head of Corporate Services as soon as possible so that full details can be entered into the existing purchase order.



### **Authorisation of orders**

While purchase orders may be requested by any employee of the Council, the purchase must be authorised at the appropriate level before the purchase order number is given to the purchaser. Each project leader is ultimately responsible for purchase orders made on his/her budget.

### **Tax clearance**

A Tax Clearance Certificate (TCC) is written confirmation from the Revenue Commissioners that a supplier's tax affairs are in order at the date of issue of the certificate. A TCC is required from all suppliers, including non-resident suppliers, providing goods or services in excess of €10,000 (including VAT) in the course of any calendar year. Tax clearance is also required from those in receipt of grants from NCCA. Grant payments or payments above this threshold are conditional on the supplier being in possession of a current TCC.

### **Invoicing**

All invoices received must first be referred to accounts. The invoice must be signed off by the person who placed the order and the payment must be authorised at the appropriate level. All invoices for amounts above €250 must quote an official purchase order number. When an invoice is received without an official order number, the purchaser will be required to explain or justify the circumstances of the purchase.

### **Delivery dockets**

All delivery dockets must be forwarded to the Accounts so that they can be kept on file.

## Payment and contract authorisation thresholds

The thresholds for authorising payments and signing contracts are as follows:

<b>Threshold</b>	<b>Payment to be authorised or contract signed by:</b>	<b>Payment by electronic funds transfer to be co-authorised by:</b>
Amounts up to and including €5,000	Any postholder of the grade of Executive Officer or above	Any two postholders in the following grades: Executive Officer Higher Executive Officer Assistant Principal Deputy Chief Executive Chief Executive
Amounts up to and including €10,000	Any postholder of the grade of Higher Executive Officer or above	Any two postholders in the following grades: Executive Officer Higher Executive Officer Assistant Principal Deputy Chief Executive Chief Executive
Amounts up to and including €30,000	Any postholder of the grade of Assistant Principal or above	Any two postholders in the following grades: Assistant Principal Deputy Chief Executive Chief Executive
Amounts up to and including €50,000	Any postholder of the grade of Deputy Chief Executive or above	Any two postholders in the following grades: Deputy Chief Executive Chief Executive
Amounts in excess of €50,000	Chief Executive	Any two postholders in the following grades: Deputy Chief Executive Chief Executive

# Code of ethics

NCCA Staff members are governed by the civil service code of standards and behaviour and the highest standards of ethical behaviour and integrity are expected of those involved in purchasing. In particular staff members should note the following:

## **Personal interest**

Any personal interest which may impinge or might reasonably be deemed by others to impinge upon impartiality in any matter relevant to purchasing duties should be declared to the Chief Executive.

## **Confidentiality**

The confidentiality of information received in the course of duty should be respected and specific details of suppliers' offers must not be divulged to competitors.

## **Accuracy of information**

Information given in the course of duty should be true and fair, and never designed to mislead and should never be used for personal gain.

## **Acceptance of gifts**

Gifts, other than items of very small intrinsic value should not be accepted. Items for personal use should be declined. Modest hospitality is an accepted courtesy of a business relationship; however, the recipients should not allow a position to be reached whereby they might be or might be deemed by others to have been influenced in making a business decision as a consequence of accepting such hospitality. The frequency and scale of hospitality should not be considered before being accepted. Advice may be sought from the Head of Corporate Services in relation to what is and is not acceptable in terms of gifts and hospitality.

## **Personal Inducements**

Personal inducements in any form from suppliers of goods and services to employees are forbidden. Any instances of such inducements must be advised immediately to the Head of Corporate Services. Suppliers who attempt to provide inducements over above that which would be considered acceptable will be removed from all future tender lists.

### **Purchasing from family members or close associates**

While business arrangements involving a family member or close associate of an employee of the Council are not disallowed, it is important that there is no impropriety or perception of impropriety in such an arrangement. Where such a situation arises or may potentially arise, the Head of Corporate Services must be notified and, where possible, the Council employee must withdraw from the process.

### **Personal purchases**

It may occur that an employee of the Council may wish to make a personal purchase from an approved supplier of the Council, availing of discounts or other arrangements which have been negotiated by the Council with that supplier. While such a transaction is not disallowed, this is a private arrangement between the employee and the supplier for which the Council takes no responsibility. The employee must (a) make it clear to the supplier that this is a private transaction between himself/herself and that supplier, (b) negotiate privately with the supplier as to whether he/she may utilise the Council discounts, etc., (c) arrange for delivery and (d) pay for all goods/services and/or delivery costs directly to the supplier. The Council must not be invoiced for these goods/services and/or delivery costs.