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Fakenham Town Council

PROCUREMENT POLICY

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1. Introduction

This Procurement Policy provides guidance on the procedures to be followed when purchasing goods, services, or works, ensuring compliance with Section 135 of the Local Government Act 1972, the Procurement Act 2023, the Procurement Regulations 2024, and the Council's adopted Standing Orders and Financial Regulations.

The policy aims to support the efficient, effective, and economic delivery of the Town Council's services, aligned with its strategic objectives. It ensures transparency, accountability, and best value — defined as a balance of cost, quality, and service, with consideration given to local suppliers where appropriate.

All contracts must comply with this policy, except for those relating solely to land transactions or employment contracts, and any other contracts that are exempt from the applicable procurement legislation. Fair and open competition will be used wherever practicable, and both internal and external providers will be considered. Sustainability, continual improvement, and avoiding conflicts of interest are central to this policy.

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 and/or RFO, 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.
No exception under this policy shall override any applicable statutory procurement requirement.

The Clerk, RFO and officers must be mindful of avoiding conflicts of interest when obtaining quotations and awarding tenders. Quotations should not be obtained by Members without prior approval of the Clerk.

This policy should be read in conjunction with the Council's Standing Orders and Financial Regulations, which together form the complete framework for the Council's financial and procurement procedures. Reference should also be made to the Council's Biodiversity, Health & Safety, and Equality & Diversity Policies, which are relevant to and referred to within this Procurement Policy.

2. Scope

Every individual involved in procurement and contract management processes within Fakenham Town Council (the 'Council') falls within the scope of this policy.

The Clerk and/or RFO will co-ordinate all procurement practices to ensure compliance with this policy, as well as being responsible for providing all associated advice.

The policy governs the procurement of goods, services and works required by the Council to deliver its services, together with the associated contract management processes.

3. Purpose

The Council's Procurement Policy has five main purposes:

1. To obtain best value in the way 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 support the delivery of the Council's Biodiversity Policy and contribute to the Council's duty towards sustainability and environmental aims.
5. Wherever feasible and cost-effective, prioritise the procurement of goods and services from local suppliers within the Fakenham area to support the local economy.

4. Procurement principles

When procuring goods and services, the Council, where possible, will aim to meet the following principles:

a) 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.

b) The Council recognises the benefits to the economy of using local businesses and will seek out local contractors and suppliers, wherever possible, practicable and financially viable.

c) 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.

d) 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.

e) All procurement will be in accordance with the Council's Equality & Diversity Policy and applicable legal obligations, including the Equality Act 2010 and its provisions relating to protected characteristics.

f) The Council recognises the importance of sustainability and will take into account the environmental, social and economic impacts of its purchasing decisions.
The Council recognises its duty to protect biodiversity under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006. To meet this duty the Council will, wherever possible, purchase products that follow the Council's Biodiversity Policy.
The Council will encourage the purchase of locally sourced products and, where possible, ensure that products and materials originate from sustainable sources and accredited sustainable companies. In order to:
- minimise waste and maximise efficiency
- minimise travel
- minimise energy consumption
- promote greater use of new sustainable technologies
- keep material consumption to a minimum.

The Council will:
- wherever possible, purchase goods that meet international Fairtrade standards (or similar)
- consider the whole life cost of products when selecting a supplier (energy efficient products for example often have an increased capital cost that is more than offset over time by the reduced operational cost)
- not buy products that are harmful to the environment if a less damaging alternative is available (for example not use tropical hardwood that is not independently certified as being from a sustainable forest)
- continually review the purchasing of goods and services through contract specifications, with the intention of decreasing the Council's environmental impact and increasing its positive impacts on society, the local economy and producers.

g) 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. Payments, other than petty cash payments, will be made by BACS transfer or Direct Debit in accordance with the Council's financial procedures.

5. Register of approved contractors

In respect of contracts that may be exempt from the Procurement Act 2023 and the Procurement Regulations 2024, the Council may have access to pre-approved (preferred) contractors to supply routine services (or who can be called on to provide emergency services) including but not limited to:

- Electricians
- General builders
- Glaziers
- Grass and hedge cutting contractors
- Grave diggers
- Groundworkers
- Memorial masons
- HR advice

- IT support
- Legal advice
- Locksmiths
- Plant hirers
- Play equipment repairers
- Plumbing and heating engineers
- Tree surgeons
- Vehicle and machinery service engineers

Provision of the Council's internal audit services is reviewed every three years, with a decision required ahead of the upcoming financial year.

Contractors wishing to be included on the Council's register of approved contractors will be required to complete a registration form (see Appendix A). The register of approved contractors will be periodically reviewed.

Inclusion on the Council's register of approved contractors does not, in itself, exempt a procurement from any applicable statutory requirements or the Council's Financial Regulations. Any departure from the usual quotation procedure must be justified and authorised in accordance with the Council's adopted procedures.

6. 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.

7. Purchases on account

The Council maintains monthly accounts with suppliers of regular purchases. All purchases on Council accounts may only be made by authorised Council officers who must be provided with a receipt. An official purchase order shall be issued for all work, goods and services above £500 excluding VAT unless a formal contract is to be prepared or an official order would be inappropriate.

8. Specifications for tender process

Tendering processes ensure fair competition, achieve value for money and avoid anti-competitive behaviour. The tender process is detailed in Appendix 1 of the Council's adopted Financial Regulations.

9. Contracts & Purchases

The following outlines the procedures the Council will follow when entering into contracts for the supply of goods, materials, execution of works, or provision of specialist services, depending on the level of financial commitment involved. These procedures must be read in conjunction with the Council's Financial Regulations, which provide full details, including any exceptions and specific requirements.

For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Procurement Act 2023 and The Procurement

Regulations 2024 or any superseding legislation ("the Legislation"), must be followed in respect of the tendering, award and notification of that contract.

For contracts estimated to exceed £60,000 including VAT, the Clerk shall seek formal tenders from at least three suppliers agreed by the council. Tenders shall be invited in accordance with Appendix 1 of the Financial Regulations.

For contracts with an estimated value of £30,000 or more including VAT, the council shall comply with the applicable notice requirements under the Procurement Act 2023 and the Procurement Regulations 2024. Where a contract opportunity is advertised publicly, the required below-threshold tender notice must be published on the Central Digital Platform (Find a Tender) before the opportunity is advertised elsewhere.

Following award, a contract details notice must be published as soon as reasonably practicable, regardless of whether they were advertised.

The Council shall also comply with the Local Government Transparency Code 2015, including the requirement to publish details of contracts exceeding £5,000. For contracts below £30,000, this information may be published on the Council's website without using Find a Tender.

For contracts with an estimated value of over £5,000 excluding VAT, the Clerk or RFO shall seek at least 3 fixed-price quotes unless the proposed works fall within the scope of an approved preferred contractor.

For purchases with an estimated value of £500 to £5,000 excluding VAT, the Clerk or RFO shall obtain 3 estimates where possible which might include evidence of online prices, or recent prices from regular suppliers.

For smaller purchases, the Clerk or RFO shall seek to achieve value for money.

Contracts must not be split 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 £1,500 excluding VAT.
• the Clerk, in consultation with the Chair of the Council or Chair of the appropriate committee, for any items below £2,500 excluding VAT.
• a duly delegated committee of the council for all items of expenditure within their delegated budgets for items under £8,000 excluding VAT.
• the council for all items over £8,000.

10. Contract variations

Any necessary instructions to vary a contract shall be made in writing by the Clerk or RFO. Where a variation occurs during the currency of the contract that is material and cannot be met from within the original contract sum a report shall be made to the appropriate committee or Council, as appropriate, who shall decide what further action is necessary.

Any additional expenditure arising from a contract variation must be authorised in accordance with the Council's Financial Regulations and scheme of delegation before the Council commits to that expenditure.

11. Termination of contracts

Council reserves the right to terminate a contract in accordance with its terms where a supplier commits a material breach of the agreement or fails to deliver the agreed services within the specified timeframe and does not adequately address the failure.

12. 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.

Reviewed and ratified at Full Council 28th October 2026
Due for review October 2027

Appendix A: Application Form

Application form for contractors wishing to be included on the Council's register of approved contractors:

Business Name:	
Business Address:	
Contact Name:	
Position:	
Telephone:	
Email:	
Business Category:	
Description of Services:	
Membership of professional bodies / accreditations / qualifications:	
I confirm that I currently hold, or understand that if my application is successful, I will be required by the Council to hold, Public Liability Insurance with a minimum cover of £10 million.	YES/NO
I confirm that I am aware of, and understand that I am required to comply with, the Council's Health & Safety Policy.	YES/NO
I confirm that I am aware that I may be required to provide suitable risk assessments and/or method statements.	YES/NO
I confirm that I am aware of, and understand that I am required to comply with, the Council's Biodiversity Policy	YES/NO
I confirm that I am aware of the Council's Equality & Diversity Policy and the legal obligations under the Equality Act 2010. Please provide a copy of any supporting policies your organisation has in place.	YES/NO

I confirm that I am aware Fakenham Town Council is required to undertake due diligence in line with its Procurement Policy. I understand the Council may carry out reasonable and relevant enquiries to assess the organisation's suitability, eligibility, financial standing, and technical capacity prior to awarding a contract.

Signed: _____ **Name (Print):** _____

Date: _____ **Position in Company:** _____

🔒 **Privacy Notice**

Fakenham Town Council is committed to protecting your privacy. The information provided as part of this procurement application will be used solely for the purposes of assessing suitability to supply goods or services to the Council.

Although we are primarily collecting information about organisations, some data may relate to individuals (e.g., sole traders or named contacts). Where this is the case, the Council processes this information under the lawful basis of **public task** or **legitimate interests**, as defined in the UK General Data Protection Regulation (UK GDPR).

We will:

- Keep your data secure and confidential.
- Use it only for procurement-related decision-making.
- Retain it only for as long as necessary in accordance with our retention schedule.

You have rights under the UK GDPR, including the right to access and correct your data. For more information or to exercise your rights, contact us at **info@fakenhamtowncouncil.gov.uk** or see our full Privacy Policy at **www.fakenhamtowncouncil.gov.uk**.