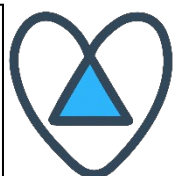


This policy can be made available in different formats, for example, in larger print, Braille or audio-format. It may also be made available in other languages as appropriate.



blue triangle

Procurement Policy

12th February 2025

Our Mission Statement

“To empower people to thrive.”

Revision history

Rev No.	Rev. Date	Consultation Requirements	Lead Officer	Committee	Approved by COM	Review Due:
0	26 Sept 2019	New Policy	FS	COM	26 Sept 2019	
1	Feb 2023	Updated Policy	JL	FIA Approved 18/05/23	17 August 2023	Feb 2024
2	Feb 2025	Update – Roles and Responsibilities/Job Titles Inclusion of flowchart	LMcE	FIA Approved 20/02/25	-	Feb 2026

Chairperson

Signed:

Dated: 20th February 2025

Chief Executive Officer

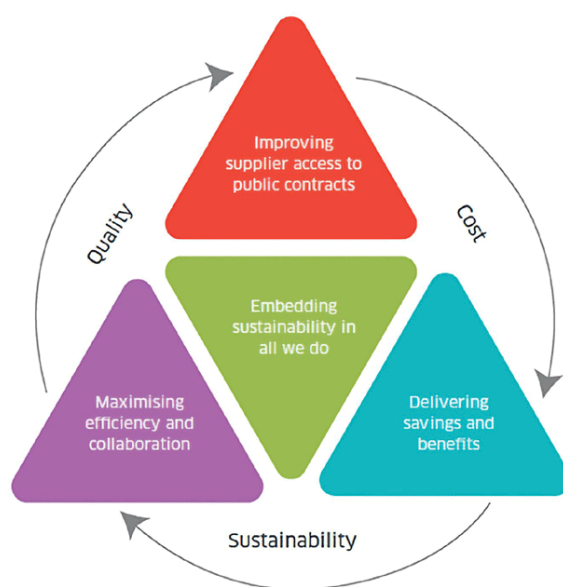
Signed:

Dated: 20th February 2025

This policy is designed to ensure that Blue Triangle comply with the relevant legislation, regulations and guidance which regulate our procurement activities. This will ensure that we obtain value for money in procurement, quality of product and services and also demonstrating transparency and accountability in the use of public funds.

The Procurement Policy operates alongside our Standing Orders, Scheme of Delegation, Authority to Spend policy and Financial Regulations, to create a robust system of internal control. The policy applies equally to the procurement of works, goods and services, the appointment of contractors and consultants and the purchase of office supplies. In our procurement activities we will ensure that we facilitate the involvement of small and medium sized enterprises, third sector bodies and supported businesses in line with our values and also supporting businesses in the communities in which our projects are located and in line with the Scottish model of Procurement (Scottish Government).

The Scottish Model of Procurement



Legal Framework

As we are a Registered Social Landlord, we are governed by public law for the purposes of procurement. The Public Procurement Public Contract Scotland Regulation (currently 2015) defines the complete legal framework that Blue Triangle is required to comply with regarding procurement including which contracts are excluded from the legislation. EU directives relating to procurement was transposed into both UK legislation and Scottish legislation. The Public Procurement (Scotland) Regulations 2016 also apply.

Procurement legislative requirements (as per the Procurement Reform (Scotland) Act (currently) 2014 distinguish between regulated and unregulated contracts.

The threshold for regulated contracts is:

Greater or equal to £50,000 for goods and services
Greater or equal to £2,000,000 for works contracts

In calculating the threshold spend is either calculated over the life of the contract or three years total spend on an area, exclusive of VAT.

If Blue Triangle spends over £5 million (excluding VAT) in total regulated procurement costs per annum it is required under the legislation to prepare and publish a procurement strategy.

Our Procurement processes are fit for purpose to ensure we meet the requirements set out by the Scottish Housing Regulator¹, OSCR (Office of the Scottish Charity Regulator)², and The Scottish Social Housing Charter requirement for value for money.

Principles governing procurement

- ▲ to ensure that Blue Triangle obtains the best quality and value for money in all its procurement activities
- ▲ to manage procurement and purchasing activities in a transparent way, ensuring the highest standards of accountability and probity
- ▲ to ensure Blue Triangle complies at all times with its legal obligations and regulatory requirements
- ▲ to support the effective and efficient delivery of Blue Triangle's services and the management of its overall business
- ▲ to ensure equal treatment of all suppliers
- ▲ to ensure that all suppliers appointed to Blue Triangle are sufficiently competent, have sufficient resources and are committed to improving their services

Management of procurement activities

Regulated procurements

All regulated procurements equal to or above the thresholds as stated in this policy on [page 5](#) will be awarded through a Framework Agreement or advertised on the Public Contracts Scotland website.

Regulated contracts of higher values (Jan 24-Dec 25 Values) of over £179,087 excluding VAT (services) and £4,477,174 excluding VAT (works) and all notices must be published through [Find a Tender Service](#) (FTS) which replaced the requirement, as of January 2021, to advertise through the Official Journal of European Union (OJEU). These contracts will be advertised through the Public Sector Scotland portal.

Framework Agreements for regulated procurement

Framework Agreements are generally used for purchases where there is a repeat need but exact quantities or timings are unknown. A Framework Agreement is, therefore, a general term for an agreement between a supplier or suppliers and a contracting authority like Blue Triangle. The Framework Agreement sets out the terms and conditions under which Blue Triangle can access services or goods. The Framework Agreements does not bind Blue Triangle to purchase goods, services or works. Blue Triangle will only use the framework if it represents good value for money.

¹ **Regulatory standard 4:** The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose

Regulatory standard 2: The RSL is open and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, supported people and stakeholders. Its primary focus is the sustainable achievement of these priorities

² acting in the interests of the charity and its purposes| acting with due care and diligence| reporting to OSCR| financial records and management| providing information to the public

Frameworks are a way to minimise costs to Blue Triangle of having to undertake full tendering exercises. Public Procurement framework agreements (such as Scotland Excel) aim to comply with all legislative requirements including Scottish legislation, Procurement Directives and with contracting thresholds. The frameworks take full account of value for money, community benefits and environmental issues and the requirements for openness and transparency in the appointment process.

Frameworks can involve a single supplier or multi suppliers.

Blue Triangle will use either frameworks established by Procurement for Housing Scotland, Scottish Government or Scotland Excel (a not-for-profit organisation established originally for Scottish local authorities) or the Public Contracts Scotland portal. Scotland Excel provide a range of regional specific frameworks whereas Public Contracts Scotland operate national procurement frameworks.

Community benefits

If we are procuring a regulated contract worth more than £100,000 we will consider whether to include a requirement to provide a community benefit for our client group to enable them to sustain independent living. We will include this in the contract notice.

Circumstances where a regulated contract can be awarded without competition

There are certain circumstances where a contract can be awarded without competition and which are defined in the Public Procurement (Scotland) Regulations 2016, Part 3, no 6 which are:

- a) there are no tenders, no suitable tenders, no requests to participate or no suitable requests to participate have been submitted in response to a contract notice
- b) where the works, supplies or services can be supplied only by a particular economic operator because competition is absent for technical reasons, the aim of the procurement is the creation of acquisition of a unique work of art or performance, the requirement to protect exclusive rights such as intellectual property rights

Grounds a) and b) can only be done where there is no reasonable alternative or substitute and the absence of competition is not the result of an artificial narrowing down of the parameters of procurement.

Where for reasons of extreme urgency brought about by events which are unforeseen, the contracting authority considers that it must proceed to award a contract without delay

Where it is for new works, services or both, consisting of similar works or services to that which the supplier was awarded the original contract for, they relate to the project for which the original contract was awarded and where no more than 3 years has elapsed since the original contract has been signed

Blue Triangle will use procurement waivers covering the above four grounds and which are signed off by any of the two of the following:

- ▲ Chief Executive Officer
- ▲ Head of Corporate Services; and or
- ▲ Head of Service Delivery

Tender categories for un-regulated contracts

Small works for Works, Goods and Services (i.e., those below the thresholds stated) are not regulated and can be awarded on the basis of price only or price and quality as determined at the initiation of the procurement. In most cases where the contract value exceeds £10,000 the Quick Quote facility will be used on the Public Contracts Scotland portal. Where Blue Triangle does not use a Framework agreement, the following rules apply:

Contract Value (exc. VAT)	No of Quotes	Method of attainment	Notes
<£2,000	1 quote in writing	By invite	Approved by Manager
£2,000 - £9,999	2 quotes requested and received in writing	By invite	Approved by Manager & Head of Corporate Services
£10,000 - £49,999	Competitive tender	Quick Quote or advertised in SFHA Newsletter or other means or invite to up to 3 reliable contractors	Approved by Manager and Head of Corporate Services

Contract Value (exc. VAT)	No of Quotes	Method of attainment	Notes
£50,000 - £2,000,000	Use same process as Regulated contracts	Use framework or advertise through PCS portal. In addition, use SFHA website and other sources of tendering opportunities to maximise awareness	Use of appropriate tender documentation required

See [appendix 1: Flowchart](#) for process for each spend level.

Procurement strategy

As part of budget preparations, an assessment will be made as to categories of spend over the next year based on expenditure incurred in the previous financial year and review the overall planned programme of procurement.

Contracts Register

As a contracting authority we must keep and maintain a register of contracts we have entered into because of regulated procurement. The register will contain:

- ▲ The date of the award
- ▲ The subject matter/contract name
- ▲ The name of the contractor
- ▲ The estimated value
- ▲ The contract start date
- ▲ The contract end date
- ▲ Any extension to the contract

This register is maintained by the Governance and Corporate Manager who should be updated of any changes to renewal value or for the addition of any new agreement entered into by Blue Triangle with contractual spend obligations.

Roles and Responsibilities

The majority of spend that falls under the remit of the Procurement Policy rules will be conducted through Central Support.

Where a staff member has a spend requiring approval this should go in the first instance to their Line Manager for authorisation to proceed with quotations.

Any quotations received for spend from **£2,000-£9,999** must be provided to the Governance and Corporate Manager prior to the acceptance of the preferred provider to ensure the documentation is retained in the procurement file.

For spend over **£10k**, the request must come to the Governance and Corporate Manager with all details on the requirement to allow a quick quote via Public Contracts Scotland (PCS), or quotation by three preferred suppliers to be carried out. This will also give opportunity for a check as to whether a framework is in place which we can engage with as an organisation to make the required purchase. The Governance and Corporate Manager will work with the Maintenance Administrator to process property purchases via these routes.

Purchase requests which fall into spend over **£50k** must be approved by the Head of Corporate Services and will be taken to the Finance, Investment and Audit Committee (FIA) for approval prior to spend. The exception to this is for core services which require re-tender, e.g. audit provision, and this will be retendered as required with FIA input on approval of provider following receipt of submissions. Where this spend relates to Property works and repairs, the Maintenance Administrator can process the competitive tender on PCS.

In the absence of the Head of Corporate Services, another member of SLT can approve spend in discussion with the Financial Controller to ensure the value is within acceptable levels outwith budget.

As part of our review of contractual spend, reports will be extracted from SDM to highlight cumulative spend to ensure procurement exercises are carried out where this spend approaches our spend rule values. This report will be shared with the Finance, Investment and Audit committee annually at year end, but will be reviewed internally on a quarterly basis.

Appendix 1: Flowchart

