

PROCUREMENT POLICY

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SECTION 1 - OVERVIEW

1.1 Introduction

- 1.1.1 This policy applies to all employees of the University and its subsidiary companies, including temporary staff, contractors and consultants involved in the procurement process. It relates to the management and control of all non-pay spend, in respect of the acquisition of goods, services and works in all Departments and applies irrespective of the source of funding for a purchase.
- 1.1.2 The Policy complies with the University's Financial Regulations and Procedures <http://www.reading.ac.uk/internal/finance/formsguidesandpolicies/fcs-financialregulations.aspx>
It supports and is consistent with the Procurement Strategy and Procedures which outline both the University and the Procurement Departments aims and objectives.
- 1.1.3 The Procurement Policy document and all relating documents are reviewed and endorsed by the Procurement Board, Policy Group and if required the University Executive Board Any questions concerning this policy should, in the first instance, be referred to the Director of Procurement.
- 1.1.4 All procurement for goods/services and works purchased across the University shall be carried out in accordance with the legal requirements, financial regulations, and this procurement policy. This also applies to funding obtained through research grants and other specific grants.
- 1.1.5 Procurement is undertaken following a number of commercial procurement principles as listed in Appendix 1.

1.2 Procurement Essential Requirements

- 1.2.1 All non-pay spend with a third party for goods/services and works should not be committed without a valid Purchase Order being issued to the supplier, unless payment is made by a Purchase Card.
- 1.2.2 A University Purchase Order incorporates the standard University's Terms and Conditions and no other terms and conditions can be accepted unless otherwise agreed via Procurement.
- 1.2.3 All Contracts/Agreements with a third-party supplier that are not based on University's terms and conditions should be forwarded to the Procurement Department for review and signature and/or other acceptance (i.e. on a website) immaterial of the value, and even if a Purchase Order has been raised. No employee can approve or accept contracts/terms and conditions if they have not been given delegated authority to do so. This includes free trials or pilot schemes.
- 1.2.4 It is not permissible to raise two or more lower value Purchase Orders or to phase the issue of Purchase Orders to purposely evade the procurement thresholds.

- 1.2.5 No employee can approve expenditure if they have not been given delegated authority to do so, this is managed by Finance.
- 1.2.6 No employee is authorised to commit the University without first ensuring that sufficient funds are available to meet the commitment.
- 1.2.7 All requisitions must be raised using the purchase ordering system and it is a mandatory requirement that all users undertake the required training prior to using the system.
- 1.2.8 New suppliers are only added to the purchase ordering system after appropriate due diligence. Please refer to section 18 (page 16).

SECTION 2 – GOVERNANCE

2.1 Procurement Board

The Procurement Board is accountable for the overall guidance and strategic direction of procurement and cross the University and all its subsidiaries.

2.2 Conflict of Interest

2.2.1 All staff in the Procurement Department who are closely involved in procurement will complete an annual declaration of outside interest form.

2.2.2 Any staff must declare to the University, via their line manager, any conflict of interest whether it is actual or perceived in relation to any contract being awarded. Please refer to Appendix 2, Section 14.5 for further guidance.

2.2.3 All conflicts of interest in respect of procurement and contract management are managed by the completion of a declaration of outside interest form. This also includes the use of external consultants, or third-party suppliers who are assisting in any part of a tender exercise.

2.3 Internal and External Appraisal of the University's Procurement Activities

2.3.1 The Procurement Department takes part in the annual Procurement Value survey (PVS). The survey's Procurement Practice Indicators (PPI's) provide English Higher Education Institutions with a uniform way of reporting and benchmarking efficiencies.

2.3.2 Every four years the Procurement Department will undertake the Procurement Maturity Assessment. This is an independent detailed assessment which provides a bespoke action plan for improvement, a baseline to measure improvements as well as benchmark scores against similar institutions.

2.3.3 The University's internal Audit function reviews Procurement activities every three years as part of the 3-year rolling internal Audit Plan. The Plan is approved by the Audit Committee each year.

2.4 Reports, Statistics and Key Performance Indicators

2.4.1 Monthly statistics and, where appropriate, key performance indicators will be captured and recorded. A number of the statistics monitored will be used to provide details to the Higher Education sector and both internal and external auditors.

2.4.2 The Procurement Department shall measure itself against the procurement practice indicators set out by the HE sectors and any required by the University. This will be reported to the Procurement Board on an annual basis.

2.5 Spending Funds

- 2.5.1 When spending any University's funds irrespective of the source of funds whether that be Research Councils, private sponsor or any other source then a high level of care, prudence and control is always exercised .
- 2.5.2 An audit trail must be evident for all purchases regardless of the method of acquisition whether that be a Purchase Order, Purchasing Card or a Call off Order.

2.6 Procurement Training

- 2.6.1 The University provides training to all staff associated with procurement and the buying of goods/services and works. This includes training related to any legislative and contractual compliance.
- 2.6.2 Training on the ordering systems such as requisitions and purchase cards is mandatory. A number of training courses are carried out online and can be found via the Procurement Website.
- 2.6.3 All users of the purchasing ordering system have access to interactive eLearning simulations covering end to end process and transactional system tasks for the following areas:
- Basic Navigation
 - Requisitioning
 - Approval / Rejection of Requisitions
 - Goods Receipting
 - Accounts Payable
 - Reporting
 - Supplier Management.

2.7 Payments to suppliers

The University complies with the statutory guidance as detailed in the Public Contract Regulations 2015, in that all undisputed and valid invoices will be paid within 30 days.

2.8 Payment in Advance

- 2.8.1 Payment in advance is strongly discouraged, except by Purchasing Card, as this represents an unacceptable risk to funds.
- 2.8.2 All requests must be sent to the Procurement Department for approval by the Director of Procurement. If agreed, further approval will be required from the Director of Finance.
- 2.8.3 All contracts which stipulate that payment is to be made via Direct Debits are sent to Finance for checking and approval prior to any signing of the contract. This method of payment is not standard practice and Procurement will only agree to it in exceptional circumstances.

2.9 Retention of Documents

2.9.1 The Procurement Department, Schools and Functions will retain documents in line with the Information and Management Policy Services (MPS) Retention Policy.

2.9.2 Please refer to Appendix 7 for further information.

2.10 Information Security

All suppliers or third parties that require access to the University information systems or process personal data on behalf of the University as part of the services they provide must comply with the University of Reading Information Security Policies.

Further information can be found at

<http://www.reading.ac.uk/internal/imps/policiesdocs/imps-policies.aspx>

2.11 Failure to comply with the Procurement Policy

May result in:

- the purchase of the goods/services and works not being approved;
- invoices not being paid;
- withdrawal of any delegated authority; and/or
- disciplinary action.

SECTION 3 – PROCUREMENT PROCESS

3.1 Thresholds

¹ Goods/ Services and Works Value	Route to Market	Process and or Exceptions	Payment Mechanism
Less than £25,000	<ul style="list-style-type: none"> Contracted Supplier where an appropriate pre-competed contract already exists. Schools/Functions to obtain value for money quotations based on the University's standard terms and conditions 	<p>Procurement will approve <u>all</u> requisitions which relate to any of the following:</p> <ul style="list-style-type: none"> a sole trader (self-employed individual) or personal service company with a total aggregated spend over £833; a Contract which is not subject to the University's standard terms and conditions; any Software or Systems purchases over £5K; 	<ul style="list-style-type: none"> Purchase Card Purchase Order Invoice
£25,000 and over	<ul style="list-style-type: none"> Contracted Supplier where an appropriate pre-competed contract already exists. Competitive tender 	<ul style="list-style-type: none"> Procurement to undertake a competitive tender process; Consortia/National framework; University Purchase Order based on the University's standard terms and conditions; Single Action Waiver (SAW). 	<ul style="list-style-type: none"> Purchase Card Purchase Order Invoice

Further information regarding the procurement processes relating to the above thresholds and when the Procurement Department are involved in the purchase order approval process is detailed in Appendix 2.

¹ VAT is excluded from the threshold values, although budget holders must ensure that funds are available to cover the VAT element.

SECTION 4 - APPENDICES

APPENDIX 1: PROCUREMENT PRINCIPLES

Procurement operates in accordance with the following principles:

- 1.1 All procurement complies with all relevant UK and EU legislation, as listed in Appendix 3.
- 1.2 Procurement strategically manages spend categories to identify opportunities for savings through consolidation, securing maximum Value for Money (VfM) and increasing opportunities for collaborative procurement.
- 1.3 PO's under £25,000 are reviewed and monitored for disaggregation of spend and opportunities for aggregation of spend are identified where appropriate.
- 1.4 Risk in both a compliant and effective manner are managed, taking due consideration of the level of risk.
- 1.5 The Most Economically Advantageous Tendering (MEAT) approach is adopted, which takes account of the total lifecycle costing and value in supplier selection, rather than price in isolation. Value for money is attained by ensuring that the procurement process delivers the most economically advantageous results in terms of cost, quality and student benefits.
- 1.6 The University supports the benefits of collaborative purchasing ensuring best value and practice is achieved and is a member of the Southern Universities Purchasing Consortium (SUPC).
- 1.7 Equal treatment, non-discrimination, transparency and proportionality is considered in all purchasing decisions.
- 1.8 Procurement will undertake a market analysis on requirements for goods, services and works where appropriate further details can be found in Appendix 2, Section 7.
- 1.9 Sustainability and equality/diversity issues are considered in all purchasing decisions along with the University's commitment to its Corporate Social Responsibilities. Further details can be found in Appendix 5.
- 1.10 Compliance with all Health and Safety legislation and codes of practice. Further details can be found in Appendix 4.
- 1.11 Suppliers who contract with the University are required to follow Procurement's Code of Conduct, further details can be found in Appendix 2, Section 18.
- 1.12 Environmental criteria, where appropriate is used in the award of contracts.

APPENDIX 2: PROCUREMENT PROCESSES

1 Thresholds

- 1.1 Where the total monetary value of any goods, services and works over the duration of the Contract is less than £25,000 (exc VAT) and the requirement cannot be met by an appropriate existing contracted supplier then Schools and Functions are encouraged to obtain quotations (2 or more written quotes) for requirements to help demonstrate competitiveness and value for money.
- 1.2 Where the total monetary value of any goods, services and works over the duration of the Contract is greater than £25,000 (exc VAT) and the requirement cannot be met by an appropriate existing contracted supplier, or where a contract is due to expire or terminate then a formal tender has to be undertaken via the Procurement Department. Procurement must be contacted prior to any verbal or written order being placed with any suppliers.
- 1.3 Procurement will approve all requisitions which relate to any one of the following:
 - a Contract which is not subject to the University's standard terms and conditions;
 - any Software or Systems purchases over £5K;
 - a sole trader (self-employed individual) or personal service company with a total aggregated spend over £833. (An Employment Status Questionnaire must always be completed to determine the employment/tax status and an appropriate contract issued).
- 1.4 All Contracts not based on the University's standard terms and conditions that require a signature must be forwarded to Procurement for signature and all contracts/terms and conditions that require acceptance (e.g. on a website, by email acknowledgement, by a course of conduct) must be forwarded to Procurement for approval before they are accepted.
- 1.5 Where the total value of any goods, services and works is over the thresholds of the EU Procurement Directives these are subject to the procedural rules in the EU Procurement Directives and must comply with the relevant principles of the EU Treaty.

2 Single Action Waivers (SAW's)

- 2.1 Single Action Waivers are required to be completed for all goods/services and works over £25,000 (exc VAT) where there are genuine reasons why a competitive tender exercise cannot be undertaken. These are only agreed exceptionally and are not required if the requirement can be procured using an existing appropriate contracted supplier, via a Consortia/National or University frameworks.
- 2.2 All single action waivers must be forwarded to the Procurement Department

once they have been signed off by the budget holder for approval as follows:

SAW Value	Number of approval signatures required	Approval route
£25,000 - £50,000	1	Procurement Department
£50,000 - OJEU threshold	2	Procurement Department Director of Procurement
Greater than OJEU threshold	3	Procurement Department Director of Procurement Chief Financial Officer

2.3 Any justification for a Single Action Waiver may be rejected if it would not be permitted under Procurement Legislation.

3 Terms & Conditions of Contract

3.1 The University has a standard set of terms and conditions which can be found at <https://www.reading.ac.uk/procurement/proc-termsandconditions.aspx>

3.2 Where deemed necessary, the Procurement Department in consultation with the Legal Services Department may:

- amend the University of Reading terms and conditions where these relate to a specific category/contract;
- adopt industry and or external framework standard terms and conditions; or
- review and amend the supplier's terms and condition where it is agreed that these are more appropriate.

4 Contracted Suppliers

4.1 There are contracted suppliers in place for a wide range of goods services and works.

4.2 Contracted Suppliers have been awarded a contract to supply particular goods, services and works through a formal tendering process undertaken either by the University, Purchasing Consortiums or other public sector organisation.

4.3 Contracted Suppliers should always be used if the goods, services or works procured under the existing current contract meet the requirement.

4.4 If there are no Contracted Suppliers in place to use and the requirement is over £25,000 then the Procurement Department must be contacted.

5 Purchasing Cards

5.1 Purchasing Cards are used for low value, high volume goods and services

and one-off purchases except where a Contracted supplier is available.

- 5.2 There are stringent controls attached to the use of the Purchasing Card and Card use may be restricted to certain categories of commodity or service.
- 5.3 Each application for a Purchasing Card must be supported by the Head of School or Function.
- 5.4 The card holder must receive training on the use of the Purchasing Card and must comply with the terms and conditions of the Purchasing card manual. Failure to comply may result in disciplinary action including termination of employment.
- 5.5 Details on the Purchasing Card application process are available from the Procurement website.
<https://www.reading.ac.uk/closed/procurement/Information-for-employees/how-do-i-pay/proc-p-cards.aspx>

6 Approval of Purchase Requisitions

Procurement staff at the appropriate spend levels and categories will be part of the requisition approval process, as follows:

Requisition value/category	Procurement approval Yes/No
Under £25,000	No
Over £25,000	Yes
Contracted Suppliers value over £25,000	Yes
Contracted Suppliers value under £25,000 (except those detailed in 1.3 above)	No
Sole Traders (self-employed) and Personal Services Companies value over £833.00	Yes
Software/Systems – Over £5,000	Yes (IT and Procurement)

7 Market Intelligence and Analysis

- 7.1 For goods, services and works with a total value of over £25K the University where appropriate will undertake at the start of a project and before the call for competition, direct engagement with the market to establish how best to structure the specification and the procurement strategy. Procurement must be included as part of this process as underpins the procurement process and route to market.
- 7.2 Procurement will consider all relevant legislation, policy and process, review available frameworks which meet the requirements and any related risks (both reputational and detrimental impact on the University's ability to provide services to students or other related third parties).

8 Determining the Contract Value

- 8.1 The length of a contract must be considered when calculating the total contract value (net of VAT) to ensure it is applied to the correct spend threshold.
- 8.2 A contract can be made up of a single one-off transaction or multiple purchases over a number of months/years.
- 8.3 All elements of the purchase need to be considered as part of the contract, for example; product/service training, servicing, any possible extension of the contract, and these should not be disaggregated to avoid threshold requirements.

9 Frameworks

- 9.1 Where possible a pre-existing framework agreement set up by the University or a third party (this can be Government, or Consortia), should be considered. These framework agreements provide an economic and efficient means of purchasing, since all suppliers have passed assessment and the agreements have been competitively tendered through EU procedures.
- 9.2 The Procurement Department will advise on the agreements available for a particular requirement including the process of how to call off the agreement.

10 Spend Analysis

The Procurement Department undertakes spend analysis on the historical purchasing data across the University, to help establish visibility of spend, compliance and control. This data informs procurement strategies that assist in demonstrating value for money opportunities.

11 Category Management

- 11.1 The Procurement Department follows the principles of Category Management.
- 11.2 Procurement proactively identifies value for money opportunities in its purchasing activities and implements plans to deliver benefits. This can involve aggregation of category spend across Functions/Schools to deliver efficiencies through consolidation of suppliers and savings through volume /and leverage along with process improvements.
- 11.3 Procurement will complete a Category Strategy document to evidence the current contract, market research, supplier development, spend analysis, sustainability impacts and recommendations for the procurement process. Category strategies are reviewed and approved by the Procurement Board.

12 Tender Specification Documentation

- 12.1 A specification must clearly, accurately and completely describe in detail what the University wishes to purchase and must be developed prior to tendering activity. This is the foundation of any purchase of goods, services and works, and ensures the best chance of getting what is required at the right time and right price.
- 12.2 Whether the purchase is for a small, simple item or a large, complex item, the specification needs to clearly outline the requirements of the goods, services and works required.
- 12.3 The development of the specification is the responsibility of the stakeholder along with the support from the Procurement Department. This may include Scope of Works, Technical and Functional specifications describing materials, services, drawings, workmanship and performance standards (constructions and life cycle maintenance) and Non-Functional specifications, as well as timescales, milestones and performance management mechanisms such as KPIs.
- 12.4 Specifications typically must not reference specific products, brands, marks or part numbers. International or European standards must be referenced where appropriate.

13 Procurement Opportunities

- 13.1 The University will publish all applicable procurement opportunities and contract awards over £25,000 using the University's e-tendering system.
- 13.2 Procurement will publish an advertisement:
 - on the University's procurement e-tendering portal;
 - on Contracts Finder; and
 - any other portals required by the Public Contracts Regulations 2015.

14 Tendering Process

- 14.1 It is the responsibility of the Procurement Department to undertake tenders for goods, services and works on behalf of the University with a value greater than £25K.
- 14.2 Any post tender bid clarification and communications with suppliers will be coordinated by the Procurement Department through the e-tendering system.
- 14.3 Any communication with the suppliers involved in the tender process will be facilitated by the Procurement Department. Other stakeholders are not permitted to communicate with suppliers/bidders during the tender process and any contact by suppliers/bidders must be referred to the Procurement Department without further comment.

- 14.4 Only the assigned Procurement Officer or an officially delegated representative from the client department may open a tender via the e-Tendering system. This provides an independent system driven audit trail of the opening ceremony. The required people are:

Procurement Process	Value	Opening Ceremony
Supplier Questionnaire	No limit	1 x Procurement person
Invitation to Tender (Second stage)	Below OJEU threshold	2 x People (must include 1 person from Procurement)
Invitation to Tender (Second stage)	Above OJEU threshold	3 x people (one person must be external from the Procurement team and 1 from Procurement)

- 14.5 Guidance will be provided for all stakeholders involved in the procurement process. (Reference to Section 2, paragraph 2.2 - Conflict of Interest).

15 Tender Report

- 15.1 For all tenders under the EU thresholds an evaluation report must be signed of prior to award of contract by the relevant stakeholder.
- 15.2 Where the tender is above the EU Procurement Directives thresholds Procurement will complete a tender report on conclusion of the tender process. The report will be written and submitted for sign off by the relevant stakeholders or Board prior to any award being made and will be saved as part of the audit trail.

16 Risk Management

- 16.1 All procurement activity is undertaken in a way that does not expose the University to unacceptable levels of risk. Risks are managed, reduced and or mitigated where appropriate. This includes but not limited to ensuring:
- acceptable and appropriate terms and conditions are in place;
 - compliance with the University's Financial Regulations, procedures and relevant procurement legislation; and
 - the University's procurement activity does not disadvantage suppliers.
- 16.2 The Director of Procurement monitors procurement risk in line with University policy and reports it appropriately.

17 Due Diligence

Procurement undertakes due diligence on the suppliers it uses. This includes but is not limited to investigating that:

- 17.1 all suppliers have the necessary insurances in place to cover their obligations,

as set out in the University's terms and conditions, unless expressly agreed by the Procurement Department;

- 17.2 modern slavery and human trafficking are not taking place anywhere in its business or in any of its supply chains. Further details can be found in Appendix 6;
- 17.3 all suppliers that the University contracts with are honest, credible, reliable and financially stable (checks are conducted in line with procurement regulations that guarantee fair access to opportunities for all suppliers and equal treatment during selection processes);
- 17.4 supplier financial checks and monitoring are undertaken on all UK Limited Company suppliers where it deems necessary; and
- 17.5 all suppliers or third parties that require access to the University information systems as part of the service they provide must comply with the University of Reading Information Security Policies.

18 Supplier Code of Conduct

- 18.1 The Procurement Department has its own Supplier Code of Conduct, which sets out the behaviors that is required from all its suppliers who are contracting with the University.
- 18.2 The principles of the code are that suppliers must abide by all the required legislation and regulations that relate to the relevant jurisdiction in which the suppliers operate and/or supply.
- 18.3 All the University's suppliers should uphold the highest standards of integrity, transparency and governance.
- 18.4 Further guidance and information can be found at [https://www.reading.ac.uk/web/files/procurement-supplier-info/Supplier Code of Conduct rev 1.pdf](https://www.reading.ac.uk/web/files/procurement-supplier-info/Supplier%20Code%20of%20Conduct%20rev%201.pdf)

19 Contract and Supplier Management

- 19.1 Contract Management is led by the Category Manager who liaises with the key stakeholders to have regular discussions with the suppliers to ensure that the suppliers are complying with their agreed contractual obligations.
- 19.2 Effective contract management will begin at the initial project planning stage and is captured in the specification and other contract documents to help maximise operational and financial performance.
- 19.3 Operationally the contracts are managed by the key stakeholders, however business review/contract review meetings are held at intervals suited to the nature of the contract and will involve the Category Manager.
- 19.4 Where required Procurement will work with the key stakeholders to establish

roles, responsibilities and accountability as part of the on-going contract/supplier management.

- 19.5 Where the contract allows, suppliers will be continually measured on their performance against pre-agreed KPIs in line with the specification and the terms of the contract.

20 Sale and Disposal of University Goods

- 20.1 The sale or disposal of goods must comply with the Financial Regulations.
- 20.2 The University's Re-use Policy expands on the University's Environmental & Energy Policy to provide a framework for waste minimization through the re-use of resources. The Re-use Policy sets out a hierarchy of re-use which should be followed by Schools and Functions. Further information can be found at <https://sites.reading.ac.uk/sustainability/policies-and-strategies/>
- 20.3 No items can be donated or sold to staff, students or outside organisations except in exceptional circumstances (see 21.5 below), and in consultation with the Director of Procurement. Health and Safety implications will need to be considered. All requests for disposal, irrespective of the value, must be approved by the Head of School/Function.
- 20.4 Prior to requesting disposal via processes coordinated by Sustainability Services, Schools/Functions should offer any unwanted item to other users within the University, to ensure full use has been made of the asset (<https://sites.reading.ac.uk/sustainability/recycling/re-use/> gives further details).
- 20.5 Certain types of items that are not re-used after a period of time may be donated or sold to staff, students or external charities and local organisations by Schools/Functions, in consultation with Sustainability Services and Procurement. People or organisations acquiring items through this route will need to complete certain documentation, which may include a formal consent form or a contract. This is not the case for data-holding items, hazardous waste, or items covered under Waste Electrical and Electronic Equipment (WEEE) regulations, which must be disposed of securely via disposal processes coordinated by Sustainability Services.

APPENDIX 3: LEGISLATIVE AND CONTRACTUAL COMPLIANCE

The Procurement Department must ensure that the University complies with all applicable legislation. This will include (but is not limited to) the following:

Public Contracts Regulations 2015

<https://www.legislation.gov.uk/uksi/2015/102/contents>

EU Procurement Directives

<https://www.gov.uk/guidance/transposing-eu-procurement-directives>

The Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018

www.legislation.gov.uk/uksi/2018/852/contents/made

The Bribery Act 2010

<http://www.legislation.gov.uk/ukpga/2010/23/contents>

Modern Slavery Act 2015

<http://www.legislation.gov.uk/ukpga/2015/30/contents>

The Freedom of Information Act 2000

<https://www.legislation.gov.uk/ukpga/2000/36/contents>

Public Services (Social Value) Act 2012

<http://www.legislation.gov.uk/ukpga/2012/3/notes/division/1>

Health & Safety at Work Act

<http://www.legislation.gov.uk/ukpga/1974/37>

Criminal Finance Act 2017

<http://www.legislation.gov.uk/ukpga/2017/22/contents/enacted>

Counter Terrorism and Security Act 2015

<http://www.legislation.gov.uk/ukpga/2015/6/contents/enacted>

The General Data Protection Regulation 2016/679

<https://eugdpr.org/>

The Data Protection Act 2018

<http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>

The Payment Card Industry Data Security Standard

https://pcicompliance.stanford.edu/sites/g/files/sbiybj7706/f/pci_dss_v3-2.pdf

Public sector off-payroll working for clients

<https://www.gov.uk/topic/business-tax/ir35>

Sale of Goods Act 1979, as amended by the Sale of Supply of Goods Act 1994

<https://www.legislation.gov.uk/ukpga/1979/54>

Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE)

<http://www.legislation.gov.uk/uksi/2006/246/contents/made>

Waste Electrical and Electronic Equipment (WEEE) Regulations 2013

<http://www.legislation.gov.uk/uksi/2013/3113/contents/made>

Equality Act 2010

<http://www.legislation.gov.uk/ukpga/2010/15/notes/contents>

Fraud Act 2006

<http://www.legislation.gov.uk/ukpga/2006/35/contents>

APPENDIX 4: HEALTH & SAFETY

1 University Responsibilities

- 1.1 The Health and Safety at Work Act places a general duty on the University to ensure that plant, articles and substances used at work are safe and without risks to health.
- 1.2 If applicable the Estates Department will be consulted prior to any purchase of any goods, works and services that would affect the building or building services.
- 1.3 The Management of Health and Safety at Work Regulations require the University to ensure that by effective planning, risks are controlled by careful selection and design of equipment, articles and substances.
- 1.4 Further guidance and information can be obtained from Health & Safety Services
www.reading.ac.uk/internal/health-and-safety/

2 School/Function Responsibilities

- 2.1 It is the responsibility of the Head of School or Function authorising the purchase to ensure that goods and services are selected that which are suitably safe and without risks to health.
- 2.2 The way in which the School or Function intends to use the goods/services will be subject to a risk assessment. The specification of the goods/services must then be in accordance with the assessment.
- 2.3 Schools/Functions should seek advice from their Health & Safety Co-Ordinator or the Health and Safety Services Director if they are in any doubt about the Health and Safety legislation or their responsibilities.

3 Specific Legal Requirements

Outlined below are some of the main health and safety requirements which relate to the purchasing of equipment and substances. Heads of School or Function must ensure that these requirements are met. This list is not an exhaustive list.

3.1 Work Equipment

- 3.1.1 The Provision and Use of Work Equipment Regulations and the Supply of Machinery Regulations require the University to select equipment that has been designed and constructed to comply with any EC Essential Safety Requirements relating to that equipment.
- 3.1.2 All equipment purchased (or acquired second hand) must be safe to

use, maintained and must be suitable in terms of its initial integrity, the place where it will be used and the purpose for which it will be used.

- 3.1.3 Before new equipment is put into use, a risk assessment must be carried out to determine its suitability. When selecting work equipment, departments must take account of ergonomic factors and should select the least hazardous type of equipment that can adequately perform the task. For example, preference should be given to equipment that reduces health and safety risks to users to as low as is reasonably practicable.
- 3.1.4 Safety features such as the following, should be selected whenever possible:
- low noise or vibration levels;
 - low voltage electrical equipment;
 - lightweight (reducing manual handling risks);
 - Adjustable dimensions (improving ergonomic fit).

Written instructions provided by the supplier must be made available to those using the equipment and spare copies should be kept.

3.2 Display Screen Equipment (DSE)

- 3.2.1 The Health and Safety (Display Screen Equipment) Regulations require the University to ensure that Display Screen Equipment (DSE) used by DSE users meets the requirements laid down in the Schedule to the Regulations.
- 3.2.2 Further guidance on the suitability of DSE equipment can be obtained from the Procurement Department or Health & Safety Services. Guidance is also contained in 'University Safety Code of Practice 13 – Display Screen Equipment'.

3.3 Furniture and Furnishings

- 3.3.1 The Furniture and Furnishings (Fire) (Safety) Regulations require the University to purchase furniture and furnishings which are flame retardant, comply with the relevant British Standards and are labelled accordingly.
- 3.3.2 Further guidance is contained in 'University Safety Code of Practice 34 – Fire Safety Management'.

3.4 Hazardous Substances

- 3.4.1 The Control of Substances Hazardous to Health Regulations prohibits the University from carrying out work with hazardous substances unless a suitable and sufficient assessment of the health risks from exposure to that substance has first been undertaken.

3.4.2 Information, in the form of material safety data sheets, regarding the hazard(s) of the substances proposed to be used, must be obtained from the supplier and considered as part of the COSHH assessment. As far as is reasonably practicable, the least hazardous substance, or form of the substance, should be selected. Disposal of hazardous substances should also be considered, prior to making the purchase.

3.5 Personal Protective Equipment (PPE)

3.5.1 The Personal Protective Equipment at Work Regulations require the University to select and provide suitable personal protective equipment (PPE) in accordance with the findings of the risk assessment for the activity in question. Such PPE must be provided to employees free of charge.

3.5.2 PPE purchased must comply with the appropriate European Standards (BS EN) and should be CE-marked accordingly. Further guidance is contained in 'University Safety Code of Practice 27 – Personal Protective Equipment'.

3.6 Radioactive Materials

3.6.1 Radioactive materials must be ordered, used and disposed of as described in 'University Safety Code of Practice 16 'Radiation Safety Management System' and associated Safety codes of Practice. Copies of these are available from the Health & Safety Services.

APPENDIX 5: SUSTAINABLE PROCUREMENT

- 1 The University acknowledges its responsibilities in carrying out all procurement activities in an environmentally responsible and sustainable manner.
- 2 The Procurement Department will embed sustainable procurement actions and work collaboratively with all stakeholders to ensure compliance with all relevant environmental legislation taking into consideration the following actions:
 - 2.1 Ensure that all procurement decisions are taken:
 - i) with regard to the University Energy & Environmental Policy;
 - ii) in accordance with the University environmental/energy management system (EMS/EnMS);
 - iii) assess the impact of on-going spend relating to environmental aspects;
 - iv) where appropriate incorporate social benefits into all procurement activities;
 - v) ensure that life cycle cost and carbon footprint are considered prior to procurement decisions and given the appropriate weightings. Three areas which should be considered when establishing life cycle costs are; i) Maintenance costs, ii) yearly running costs and iii) disposal costs.
 - 2.2 Work with suppliers to:
 - i) make them aware of the University's Energy & Environmental Policies, EMS/EnMS;
 - ii) explore opportunities for recycling of materials as appropriate;
 - iii) help them understand the University sustainability objectives and find lower impact alternatives;
 - iv) spread sustainability improvements throughout the supply chain;
 - v) deliver environmentally products and services through a low carbon and environmentally sustainable supply chain;
 - vi) encourage the University's Contracted Suppliers to include SMEs and local suppliers in their supply chain.
 - 2.3 Work with internal customers to:
 - i) review their consumption of, utilities, goods and materials, in order to reduce usage and adopt more environmentally sound products, including the use of sustainable products as appropriate;
 - ii) specify, wherever possible and reasonably practicable, the use of environmentally sound materials and products. Ensure opportunities are given for the inclusion within all specifications for suppliers to submit offers for environmentally sound alternatives;
 - iii) address any obstacles which could restrict SMEs and local suppliers to bid for any goods/services or works.

- 3 Further guidance and information can be obtained from the Sustainability Services:
<https://sites.reading.ac.uk/sustainability/>

APPENDIX 6: MODERN SLAVERY AND HUMAN TRAFFICKING

- 1 Modern slavery and human trafficking are crimes and constitute a violation of fundamental human rights. They take various forms, such as slavery, servitude, forced and compulsory labour and human trafficking, all of which have in common the deprivation of a person's liberty by another in order to exploit them for personnel or commercial gain.
- 2 The University has a zero-tolerance approach to modern slavery and human trafficking. It is committed to acting ethically and with integrity in all its business dealings and relationships. It seeks to ensure modern slavery and human trafficking are not taking place anywhere within the organisation or in any of its supply chains.
- 4 The University is also committed in taking reasonable steps to ensure there is transparency across the business and in its approach to tackling modern slavery and human trafficking throughout its supply chains, which is consistent with the disclosure obligations under the Modern Slavery Act 2015. The same high standards are expected from all its contractors, suppliers (and their supply chains), and other business partners and as part of the contracting processes specific prohibitions against the forced, compulsory or trafficked labour or anyone held in slavery or servitude, whether adults or children.
- 4 Concerns about any issue or suspicion of modern slavery and human trafficking in any parts of the business or supply chains of any supplier should be raised at the earliest possible stage to the Director of Procurement or, if a member of staff, via the University's Whistleblowing procedure.
- 5 The University of Reading's Anti-slavery statement can be found at <http://www.reading.ac.uk/>

APPENDIX 7: RETENTION OF DOCUMENTS

The Procurement Department and the relevant Schools/Functions should retain the documents detailed in the table below for the required retention periods.

Type of document	Responsibility for retention	Period of retention
Original copies of all signed contracts not under seal ¹	Procurement Department	At least 6 years from expiry of the contract
Original copies of all signed contracts executed under seal	Procurement Department	At least 12 years from expiry of the contract
Copy orders	These will be held electronically in the finance system.	At least 6 years from expiry of the contract
Delivery notes	Schools, Functions and Halls	At least 6 years from expiry of the contract
Copies of tender documentation	Schools, Functions and Halls	During the tender process
Pre-procurement advice, OJEU Notice, specification and contract development documentation, SQ & ITT	Procurement Department (held electronically in the e-procurement system)	Contracts not under seal – 6 years from expiry of contract Contracts under seal – 12 years from expiry of contract
SQ and ITT submissions and quotation from successful applicants/tenderers	Procurement Department (held electronically in the e-procurement system)	Contracts not under seal – 6 years from expiry of contract Contracts under seal – 12 years from expiry of contract
SQ and ITT submissions and quotations from unsuccessful applicants/tenderers	Procurement Department (held electronically in the e-procurement system)	At least 12 months after commencement of contract

¹ Due to requirements by other funders, it might be required to retain documents for longer periods. This will be documented in the tender file.