

# London Borough of Waltham Forest – Procurement Policy

## *Introduction*

Procurement plays a crucial role in our drive to deliver innovative and effective services, working with our suppliers and providers, and developing effective partnerships to reduce costs and improve services. There are ever growing demands for our existing services and there are new responsibilities that we have to meet. At the same time our resources in real terms will continue to reduce. The focus on our commercial arrangements, procurement, supplier and contract management is therefore key.

This policy and the supporting strategy and sustainable procurement policy support the priorities of the Council's Corporate Strategy, namely:

- Keep Waltham Forest Clean and Safe
- Ensure a decent roof over resident's heads
- Improve residents life chances

In particular the Council's procurement of contracts aligns with the key principles of the Corporate Strategy by ensuring that we get the best return on investment from our resources, services are designed so that they are people focussed and we are commercially minded in our dealings with suppliers. In particular we will seek to drive key policies through our contracts such as London living Wage, Modern Slavery and social Value.

## *Ethics and behaviour*

Council procurement will be transparent, conducted via the Council's e-tendering system and all suppliers treated fairly and consistently in accordance with Council's Contract Procedure Rules and the Public Contracts Regulations 2015 (as amended).

The Procurement Team comply with the CIPS Code of Ethics (<https://www.cips.org/cips-forbusiness/supply-assurance/corporate-ethical-procurement-and-supply/corporate-code-ofethics/#tabs-1>) when conducting procurement and all council staff must comply with the Council's Code of Conduct for Employees, in particular the following sections:

- 4.3 – Relationships with Contractors
- 7 – Personal interests
- 8 – Equalities
- 9 – Separation of roles in tendering
- 10 – Corruption
- 11 – Use of financial Resources
- 12 – Gifts and Hospitality
- 13 – Sponsorship – Giving and Receiving

Similarly all suppliers to the Council must take steps to eliminate all forms of corruption and avoid potential conflict of interests for our employees, comply with legislation and regulations in terms of labour laws and employment of workers with the requisite residence and work permits, do not use child labour or any form of forced or compulsory labour.

The Council's Whistleblowing Policy is a vital element of our governance arrangements and is designed to allow those employed by the Council and/or those contractors working for the Council on its premises, for example, agency staff, consultants, and external contractors to raise both concerns and allegations of wrongdoing in confidence. The Council is committed to the highest possible standards of honesty, openness and accountability and expects that its suppliers, service providers and contractors are committed to and have in place a similar policy for its employees and subcontractors which seeks to protect those individuals who make certain disclosures with regard to any instance of malpractice or wrongdoing and to investigate them in the public interest.

## ***Tenders and contracts***

All council procurement is carried out electronically on the Council's e-tendering system, [www.londontenders.org](http://www.londontenders.org), which also acts as the Council's contract register. This system is free for suppliers to use.

All procurement is carried out in accordance with the Council's Contract Procedure Rules and complies with the Public Contracts Regulations 2015 (as amended).

All Council procurement activity must take into account the Council's Sustainable Procurement Policy to ensure that our contracts have a positive impact environmentally, economically and socially.

The Council operates a Contract Management Framework to ensure that contracts are managed effectively.

## ***Payment of Suppliers***

The Council's standard payment terms are 30 days from receipt of a valid invoice, and for local SMEs 10 days from receipt of a valid invoice. Suppliers must also pay their subcontractors within 30 days from the receipt of a valid invoice.

The Council operates a No Purchase Order, No Payment policy. This means that no invoice will be paid without reference to a valid purchase order number.

## ***Intellectual property***

Background and Third Party Intellectual Property will remain the property of the party that owned them prior to the agreement.

Intellectual Property generated as a result of a contract will in most cases be owned by the Council, unless there is a negotiated commercial agreement to exploit the IP for the benefit of both parties.

## ***Sustainability and Social Value***

The Council's Sustainable Procurement Policy details the measures taken to ensure that we have a positive impact on the local economy, environment and socially through the way we procure.

To support local businesses the Council has mandated that:

- all contracts for goods and services with a value exceeding £50,000, and all contracts for works with a value exceeding £500,000, are openly advertised
- when obtaining quotes for contracts below these thresholds, at least one must be from a local company, where possible

Suppliers should also note that for contracts ~~above~~subject to the Public Contracts Regulations, EU thresholds 10% of the evaluation criteria will be attributed to social value. We will therefore be seeking proposals for added social value in tenders. This includes, but is not limited to:

- apprenticeship opportunities, work experience and volunteering opportunities
- apprenticeships, employment and training opportunities for local residents, including people with disabilities
- source/set up supply chains within Waltham Forest area to support local economy

### ***London Living wage***

The Council is a London Living wage employer and is committed to paying its staff the applicable rate. Similarly the Council encourages its suppliers to pay the London Living Wage to their staff and we will make it clear where it must be paid on certain contracts.

### ***Modern Slavery***

The Council is committed to preventing slavery and human trafficking in its corporate activities and to ensuring that its supply chains are free from slavery and human trafficking. The Council requires that all direct suppliers, service providers and contractors to the Council are absolutely committed themselves to preventing Slavery within their own activities and through their supply chain which includes manufacturers, and producers.

### ***Equality in Procurement***

All procurement activity should pay due regard to the needs of communities covered by the protected characteristics defined in the Equality Act 2010 in order to eliminate discrimination, promote equality of opportunity and foster good relations where relevant and proportionate. Addressing equality issues in procurement will help authorities provide public services that are tailored to the needs of diverse users and communities. Public services that are tailored to individual needs equate to better quality public services and often better value-for-money.

Suppliers shall not unlawfully discriminate within the meaning and scope of any Law (whether in age, race, gender, religion, disability, sex orientation or otherwise in employment) including but not limited to the Equality Act 2010 or other relevant or equivalent legislation, or any statutory modification or re-enactment thereof.