



PROCUREMENT POLICY

November 2025

Revision History

Date Approved/reviewed	Approved by	Review date
Implemented November 2022	Management Committee	November 2025
November 2025	Management Committee	November 2028

Note: Policy may be reviewed at earlier dates due to changes in law, regulation, best practice or requirements of the Association.

CONTENTS

- 1.0** Introduction and objectives
- 2.0** Legal Framework
- 3.0** Governance and Financial Management
- 4.0** Procurement activities
- 5.0** Value for money
- 6.0** Selection, exclusion of Tenderers and feedback
- 7.0** Contract register and Management
- 8.0** Procurement challenges
- 9.0** Community Benefits
- 10.0** Policy review

1.0 Introduction and objectives

1.1 Purpose

This Policy outlines how Williamsburgh Housing Association will manage its procurement activities to ensure value for money, transparency, fairness and compliance with all relevant legislation. As a Registered Social landlord in Scotland, we are committed to delivering high quality services to our tenants and factored owners while making effective use of funds and resources.

In order to conduct our business efficiently and effectively we must ensure that we have sound procurement systems and practices in place and that these are familiar to the staff involved and are adhered to.

1.2 Scope

This Policy applies to all procurement activities undertaken by Williamsburgh Housing Association, including the purchase of all goods, services and works.

Compliance with the procurement rules is compulsory for all staff, consultants employed and Committee Members connected with the Association. It is the responsibility of the Senior Management Team to ensure that staff and any consultants employed by the Association are made aware of the existence and content of this policy.

The Association will aim to ensure that the policy is sustainable and can be adapted to suit the changing environment in which we work, whilst remaining the key control document for the Association's procurement activities. This will be done by ongoing review of the policy in the context of the procurement environment and dialogue within the Senior Management Team in respect of its effectiveness and operation and the authorisation of any required amendments by Committee.

1.3 Objectives

- To obtain the best quality and value of works, goods and services for all procurement activities.
- Manage procurement and purchasing activities transparently, ensuring accountability, probity, Governance and Assurance.
- Comply with all legal obligations and regulatory requirements.
- Support the effective and efficient delivery of services and overall business management relating to financial activities.
- Promote fairness and equal opportunities for suppliers, including local businesses, small and medium enterprises (SME's), social enterprises and supported businesses where appropriate.
- Support sustainability by considering economic, social and environmental impacts, adhering to Fair Work First principles and Scotland's net-zero regulations.

- Facilitate innovation in procurement by exploring the use of Frameworks, Dynamic Purchasing Systems and other established systems to deliver better outcomes for our communities.

The Policy will be delivered by appropriately trained and authorised staff in order to minimise the risk of legal challenge to Williamsburgh Housing Association.

2.0 Legal Framework

2.1 Compliance

As a Registered Social Landlord (RSL), Williamsburgh Housing Association is governed by Public Law for procurement purposes. We comply with UK Legislation and Scottish Government Legislation, treating suppliers of works, goods and services equally, transparently and without discrimination.

2.2 Regulations

Our procurement activities will comply with the following:

- Procurement Reform (Scotland) Act 2014 – for regulated procurements above specified thresholds. [Procurement Reform \(Scotland\) Act 2014](#)
- Public Contracts (Scotland) Regulations 2015 – Where applicable to higher value Contracts. [Public Contracts \(Scotland\) Regulations 2015](#)
- Procurement (Scotland) Regulations 2016 [Procurement \(Scotland\) Regulations 2016](#)
- Construction Design and Management Regulations 2015 [Construction \(Design and Management\) Regulations 2015](#)
- Scottish Housing Regulator Standards – Ensuring Governance and Financial Management align with Regulatory expectations.
- Equality Act 2010 - Promoting fairness and eliminating discrimination in procurement processes.
- Climate Change (Scotland) Act 2009 – Supporting Scotland's net-zero targets through sustainable procurement practices.
- All other relevant Scottish or UK Government Legislation.

3.0 Governance and Financial Management

All procurement activities will be carried out in line with our systems of internal controls and Governance, ensuring all actions are appropriately authorised, executed and monitored.

- ### **3.1**
- All activities relating to procurement will be facilitated by suitable trained staff, with award of Contracts made in line with Williamsburgh Housing Association Scheme of Delegation and Financial Regulation limits.

3.2 Annual procurement Plan

An Annual Procurement Plan will be presented to the Management Committee to outline tender exercises to be undertaken for all works, goods and services Contracts during the following financial year above a total Contract value of £50K (Excl. VAT). The total Contract value will include any potential extensions of time.

The Annual Procurement Plan will outline the following:

- Works/goods or services Contracts to be procured during the financial year.
- Agreed budget spend as presented in the annual budgets in February.
- Proposed tender routes in line with the Procurement Policy and Legislation.
- Contract details, length of contract and anticipated total contract spend.

Note: Tenders relating to New Build Projects are exempt from the Plan.

3.3 Financial Management

The Procurement Policy and Annual Procurement Plan are supported by the following:

- Williamsburgh Housing Association Scheme of Delegation
[Scheme of Delegation - 26Nov25.docx](#)
- Williamsburgh Housing Association Financial Regulations
[Financial Regulations Policy - 26Nov25.docx](#)
- Annual Budgets approved by Management Committee

All contract awards will be approved as per the Scheme of Delegation and Financial Regulations, ensuring effective authorisation and compliance with internal control measures.

3.4 VAT exclusion for Scottish Legislation

For procurements governed by the Procurement Reform (Scotland) Act 2014, the estimated contract value remains exclusive of VAT.

3.5 Governance

To support robust Governance and Assurance in relation to procurement, the following reporting mechanisms will be delivered:

- Annual Procurement Plan will be presented to Management Committee for approval annually.
- An update on the current status of the Plan would be presented for Information to the Finance, Audit and Corporate Services Sub-Committee Quarterly, detailing progress during the financial year.
- An annual update on the previous year's Annual Procurement Plan will be presented to Management Committee at the start of the next financial year.

4.0 Procurement activities

4.1 It is Williamsburgh Housing Association policy that goods, services and works must be awarded through genuine and effective competition unless there are convincing reasons to the contrary (see section 4.6). Third party frameworks can be accessed in line with procurement legislation and individual framework rules utilised relating to direct call-off contracts and mini-competitions.

4.2 Before commencing a new competition, the availability of existing contracts and framework agreements awarded must be considered. New competitions should normally only be launched where the requirement cannot be met through an existing contract or framework agreement.

4.3 All purchases up to the value of £5,000 (excluding VAT that are not on an existing contract), may be progressed based on a single written quotation from a suitable supplier.

4.4 Regulated procurement activities

Procurements of £50,000 (excluding VAT) or more for good and services contracts, and £2M (excluding VAT) or more for works contracts are above regulated spend. Regulated contracts must be advertised on the Public Contracts Scotland (PCS) advertising portal or secured through an established Framework or Dynamic Purchasing System (DPS).

Activities exceeding £50,000 or more are identified in the Annual Procurement Plan, supported by the approved annual budgets. The value of the contract is the total amount, net of VAT, which the Association expects to pay over the full duration of the contract (including any options to extend).

4.5 Regulated and non-regulated tender exercises will be undertaken in line with the following guidance:

Supply of goods and services - Refer to the [Procurement Journey](#) for guidance relating to Contract value, procurement route and specification requirements.

Lower value	Upper value	Process	Documents	Route
£5k	£10k	3 Quotes	Specification and price/or price only	Route 1
£10k	£50k	3 Quotes/PCS Quick Quotes	Specification and price/or price only	Route 1
£50k	£213,477	Regulated	PCS issue of SPD and quality / price. A framework contract may be utilised.	Route 2
£213,477	unlimited	Regulated	PCS issue of SPD and quality/ price. A framework contract may be utilised.	Route 3

Construction works/Planned works Contracts

Lower value	Upper value	Process	Documents
£5k	£10k	3 Quotes	Specification and quality/price documents/or price only
£10k	£50k	PCS Quick Quotes. A framework contract may be utilised.	Specification and quality/price documents/or price only
£50k	£2m	PCS Quick Quotes with SPD. A framework contract may be utilised.	SPD, quality/price and specification documents.
£50k	£2m	PCS with SPD. A framework contract may be utilised.	Restricted/Open Tender process including SPD, quality / price and specification documents.
£2.0m	£4,104,394	Regulated. PCS with SPD. A framework contract may be utilised.	Restricted/Open Tender process including SPD, quality / price and specification documents.
£4,104,394	unlimited	Regulated. PCS with SPD. A framework contract may be utilised.	Restricted/Open Tender process including SPD, quality / price and specification documents.

4.6 Non-Competitive Action (NCA)

It is Williamsburgh Housing Association Policy that goods, services and works must be purchased by genuine and effective competition. Non-Competitive Action (NCA) can only be adopted in exceptional circumstances. It is strictly limited to situations where competition is deemed to be inappropriate. NCA's may be deemed appropriate in the following circumstances where there is a strong Business Case:

- Emergency works are required, for example, stock demolition for Health and Safety reasons.
- Significant lack of potential service providers to provide a competitive element.
- Change or delay in securing a service provider would result in significant financial costs to The Association or disruption in essential services (for example, energy suppliers or in situations where IT Networks or systems fail).
- Specialist services are identified which meet the needs of The Business.

NCA approval will be authorised by the Chief Executive and reported to the Management Committee retrospectively. Approval to award a Contract through an NCA does not exempt the process from potential challenge by another supplier.

5.0 Value for money (VFM)

- 5.1** VFM is defined as the optimum combination of whole life costs and quality (or fitness for purpose) to meet the customer's requirements. Depending on the nature of the contract, whole life cost may include implementation costs, ongoing operating costs and end-of-life disposal.

The Scottish Model of Procurement promotes VFM as being an appropriate balance between cost or price, quality and sustainability. In delivering VFM, cost or price, quality and sustainability are all factors which should be considered, when establishing contract award criteria. Awards will be based on the Most Economically Advantageous Tender (MEAT).

It is Williamsburgh Housing Association policy that contracts must be awarded on the basis of VFM. In general terms, low risk / high value contracts will be assessed on a higher weighted price score, while high risk / lower value contracts should be assessed based on a higher weighted quality score.

- 5.2** Tender evaluation is undertaken by competent staff, using a pre-agreed price/quality matrix which supports the tender documentation price/quality evaluation criteria. The matrix will be available to all Tenderers upon contract award.

Price/quality ratios will vary depending on the procurement route, contract value and in relation to the works/services being delivered:

- Route 1: Typically, a higher weighting on price due to the lower value and risk. Works contracts may result in higher quality weighting due to requirements to meet the contract specification relating to methodology and compliance.
- Route 2: Balanced weightings between quality and price, often around 60/70% quality and 30/40% price.
- Route 3: Emphasis on quality due to nature and value of contract. Flexibility is allowed based on the specific requirements and importance of the contract. To provide the best outcome for the Association.

Note: Service Contracts may be tendered based on price only, dependant on the nature of the service being delivered. For example, specialist Consultancy services, IT provision or in situations where there are a minimum of available service providers.

6.0 Selection, Exclusion of Tenderers and feedback

6.1 Feedback

We will provide feedback within 15 working days upon request to any tenderers excluded at any stage from a regulated tender process. Feedback will be provided in writing and via the PCS portal to ensure transparency and provide an audit trail. Feedback will include:

- The names of the tenderers who have been excluded
- Criteria used to exclude the tenderer

Following contract award, we will provide all tenderers with the following:

- Scoring of price/quality as per tender document criteria
- Name of successful tenderer
- Successful price bid (subject to other tenderers submitting a reasonable Freedom of Information exclusion request).

6.2 Mandatory exclusion criteria

Certain offences and circumstance require mandatory exclusion of bidders from procurement processes. These include the following and are supported by the Scottish Procurement Document (SPD) criteria:

- Criminal convictions: Offences such as money laundering, corruption, bribery, fraud and theft.
- Non-payment of Taxes or Social Security Contributions: If the Tenderer has not fulfilled their obligations regarding HMRC requirements.
- Blacklisting: Practices that involve unfairly excluding individuals or groups from employment.
- Environmental, Social, Labour Law breaches: Violations of laws relating to environmental protection, social responsibility and labour rights.
- Bankruptcy and Insolvency.
- Grave professional misconduct.
- Conflict of Interests where the Tenderer has not declared any potential conflicts during the tender process.
- Distortion of competition by acting in ways to unfairly distort other tenderers during the procurement process.
- Contract deficiencies: Documented previous failures to meet contractual obligations.
- Misrepresentation of information during the procurement process.
- Undue influence: Attempts to unduly influence the procurement process.

6.3 Discretionary exclusion criteria

In addition to mandatory exclusions, discretionary exclusions may be applied based on relevance and proportionality to the Contract. These include:

- Past performance: Evaluating the tenderers past performance on similar contracts which has been documented and addressed within the previous Contract term. Previous contract must have been delivered within a reasonable historic period and exclusion supported by documented evidence by the Association.
- Financial capability: Assessment of the current financial stability of the Tenderer.
- Technical capability: Ensuring by reasonable means that the tenderer has the technical capability to deliver the required contract.

7.0 Contract register and Management

7.1 Williamsburgh Housing Association will publish a contract register on the website to include the following information:

- Contract award date and term of contracts.
- Supplier of works/goods/services.
- Total contract cost.
- Potential extensions of time included in the contract award.

7.2 The Contract Manager will be responsible for the following:

- Monitoring Contractor performance against Contract KPI's, including delivery of Community benefits
- Ensuring compliance with contract terms, legislation and regulatory requirements
- Regular reviews to ensure the delivery of required outcomes
- Identify and mitigate risks, such as failure to deliver contract terms and specifications, non-completion of services/works and failure to meet all aspects of compliance and legislation

7.3 Contract extensions will be awarded based on the following criteria:

- The potential contract extension has been included in the Tender specification
- All KPI's have been met through Contract Management processes
- Uplift in Contract costs are agreed within reasonable parameters

8.0 Procurement challenges

8.1 Formal challenges and complaints may be brought against Williamsburgh Housing Association alleging a breach of Procurement Legislation. The consequences of a successful challenge may, depending on the nature of the breach, result in the Association being fined, award of damages against the Association and/or reputational damage to the Association.

If the Association should receive notification of any formal challenges (or become aware of any potential challenges), appropriate legal advice must be sought immediately and any challenge received must be brought to the attention of the Association's Chief Executive and Management Committee. Any correspondence from legal advisors challenging the procurement process or contract award decision must be made available.

Staff must also be aware that any such challenge may constitute a "Notifiable Event", as determined by the Scottish Housing Regulator. As such, on receipt of notice of any challenge, the Association's Senior Management Team must consider the terms of such challenge and determine whether the challenge merits consideration as a Notifiable Event, requiring to be notified to the Scottish Housing Regulator.

9.0 Community Benefits

9.1 Community benefits clauses are contractual requirements which deliver social, economic and environmental benefits in addition to the primary objectives of the contract. Williamsburgh Housing Association Development and Maintenance contracts will be utilised, where appropriate and proportionate, to deliver Community benefits.

Williamsburgh Housing Association takes its social responsibility very seriously and is committed to delivering Community Benefits through its Development and

Maintenance procurement activity. The Association's Contractors and their supply chain will be required to support the Association's aspirations and requirements relating to skills development, training and employment initiatives and other opportunities which connect to social economic and environmental considerations.

Development and Maintenance contractors are required to deliver proportionate benefits, as outlined in each tender specification document for the proposed contract. This can vary from a financial contribution in line with a percentage of the overall contract cost, to practical benefits to Community Groups. The Association has no requirement to deliver community benefits for contracts of less than £100,000 in value, although any opportunities to deliver such benefit on contracts with a value falling below £100,000 can be pursued, as and when appropriate.

10.0 Policy review

This Policy will be reviewed every 3 years, or earlier in line with changes in Legislation, Regulation or best practice.
