

People and Resources Committee

Meeting Date	12 June 2025
Title	Procurement policy
Author(s)	Alan Keshtmand, Head of Finance Ife Ojo, Commercial Business Partnering Manager
Executive Sponsor	Alastair Bridges, Executive Director of Resources
Executive Summary Overview <p>The new procurement policy outlines the principles and procedures to follow under the Procurement Act 2023, which came into effect in February 2025. It governs all procurement activities undertaken from this date onwards. Contracts signed before February 2025 will still follow the Public Contracts Regulations (PCR) 2015.</p> Purpose <p>The procurement policy sets out the principles and procedures for acquiring goods and services in a fair and value-driven manner by incorporating the requirements of the Procurement Act 2023, ensuring that all new procurements comply with updated legal and regulatory standards.</p> <p>The policy aims to:</p> <ul style="list-style-type: none"> • promote open and effective competition; • ensure value for money and responsible public spending; • strengthen transparency and accountability in procurement processes; and • align with strategic goals, including sustainability and social value. Key Sections 1. Structural Changes <p>The updated procurement policy is now a standalone document, separating high-level procurement principles and governance from operational procedures. This replaces the previous approach where the policy and manual were combined, which led to complexity and overlapping information. The new structure promotes clarity, with a focus on delivering value for money, meeting legal requirements and defining roles, responsibilities and ethical conduct in procurement.</p>	

2. Content Focus

While the former policy contained both rules and procedural detail, the revised policy concentrates on governance, legal compliance and high-level responsibilities. This includes areas such as data protection, cyber security and ethical procurement. Detailed processes and step-by-step guidance have been intentionally excluded and will be provided in a separate Procurement Manual, scheduled for development in Q2 2025-26.

3. Benchmarking

The policy has been benchmarked against other UK health and care regulators, including the Nursing and Midwifery Council (NMC), General Pharmaceutical Council (GPhC), General Medical Council (GMC) and General Dental Council (GDC), to ensure it reflects current best practices within the sector.

4. Procurement Thresholds

The new policy introduces more proportionate procurement thresholds, enabling greater focus on high-value contracts. Previously, a formal tender was required for contracts over £25,000. Under the updated policy, this threshold has been raised to £100,000, allowing more flexibility for lower-value procurements while concentrating resources on larger, strategically significant contracts.

5. Key Differences: PCR 2015 vs The Procurement Act 2023

Area	Public Contracts Regulations 2015	Procurement Act 2023	Relevance to the HCPC
Focus	EU-aligned compliance model	UK-specific, outcomes-based framework	Enables tailoring procurement for value, not just compliance
Procedural complexity	Highly prescriptive, complex procedures	Simplified, streamlined processes	Reduces administrative burden
Transparency and reporting	Rigid publication and procedural requirements	Greater use of a single digital platform for transparency	Easier reporting and contract visibility
Award criteria	Focused on Most Economically Advantageous Tender (MEAT)	Emphasises public benefit, value for money and innovation	Supports ethical and value-led procurement goals
Exemptions and flexibility	Limited flexibility and broad use of exemptions	More targeted exemptions and increased flexibility	Better accommodates niche or specialist procurements

Conclusion and recommendations

The Committee is asked to recommend the updated procurement policy to the Council for approval.

Action required	The Committee is asked to consider and recommend the proposal or recommendation
Previous consideration	The last procurement policy was approved by the Council in September 2021. This updated version is due to be considered by the Audit and Risk Assurance Committee at its meeting on 11 June 2025.

Next steps	The policy is due to be submitted to the Council meeting on 17 July 2025 for approval. Following Council approval, the updated procurement policy will be implemented across the organisation.
Financial and resource implications	Ensuring the procurement policy is adhered to by the organisation and external stakeholders.
Associated strategic priority/priorities	Build a resilient, healthy, capable and sustainable organisation
Associated strategic risk(s)	5.a The resources we require to achieve our strategy are not in place or are not sustainable
Risk appetite	Financial - measured
Communication and engagement	The Heads of IT and Facilities Management were involved in providing input to the procurement policy.
Equality, diversity and inclusion (EDI) impact and Welsh language standards	The equality impacts were considered when updating the procurement policy.
Other impact assessments	Not applicable
Reason for consideration in the private session of the meeting (if applicable)	Not applicable

PROCUREMENT POLICY

Summary	Policy on how we procure contracts with suppliers for goods and services. Provides overview of key roles and responsibilities.
Approval	3 June 2025 – Executive Leadership Team
Policy owners	Head of Finance & Commercial Commercial Business Partnering Manager
Review date	3 June 2025

Version Control

Version	Date	Approval
HCPC Procurement Policy v1	3 June 2025	Executive Leadership Team
HCPC Procurement Policy v1	12 June 2025	People and Resources Committee (TBC)

1.	Policy overview	3
2.	Value for money	4
3.	Legal and regulatory framework for public procurement.....	4
4.	Roles, responsibilities and ethical conduct in procurement	5
	Budget holders	5
	Procurement team	5
	Tender panel members.....	6
	Commercial business partnering manager	6
5.	Procurement thresholds and routes to market.....	7
	Contract value less than £10,000	7
	Contract value between £10,001 and £30,000	8
	Contract value between £30,001 and £100,000	8
	Contract value between £100,001 and £214,904	9
	Contract value greater than £214,904	9
6.	Procurement planning, frameworks and alternative approaches	10
	Contract planning and budgeting.....	10
	Determining aggregate contract value.....	10
	In-house vs outsourcing decisions	11
	Framework agreements and dynamic purchasing systems (DPS)	11
	Alternative procurement approaches.....	11
	Contracts and legal considerations	12
	Contract Management.....	12
7.	Vendor records and procurement ethics	13
8.	Commitment to sustainable procurement	14
9.	Data protection and information security	15
10.	Compliance and exceptions.....	16
11.	Support and raising concerns	17
12.	Appendices.....	18
	Appendix 1 – Procurement thresholds	19
	Appendix 2 – Procurement-exempt contracts.....	20
	Appendix 3 – Data protection and security in procurement	21
	Appendix 4 – Key Differences: PCR 2015 vs The Procurement Act 2023.....	22

1. Policy overview

- 1.1.** Procurement at the HCPC is a statutory requirement because, as a public and contracting authority, the overriding requirement is the need for us to demonstrate that any supplies and services purchased, represent value for money. The policy applies to all HCPC employees, committee members and also any contractors or consultants who may be involved in procurement on our behalf.
- 1.2.** The policy sets out our approach to the procurement of goods and services, which will be reviewed every three years or sooner, if significant changes in procurement regulations or organisational priorities occur. The policy covers expenditure on all types of goods and services delivered by external suppliers and details the following:
 - Roles and responsibilities of budget holders, the procurement team, tender panel members and others involved in procurement campaigns.
 - Procurement routes and the threshold values where different requirements would apply. The thresholds are intended to ensure that our procurement approaches are both compliant and proportionate.
 - Our position on matters such as collaboration and direct award tenders.
- 1.3.** HCPC employees are supported in applying the policy with guidance material published on the HCPC intranet. The procurement policy should be read alongside the financial regulations.
- 1.4.** The HCPC adopts the following principles outlined in the Procurement Act 2023:
 - Delivering value for money: ensure the best combination of cost, quality and sustainability.
 - Maximising public benefits: consider the wider social, economic and environmental impact.
 - Transparency: sharing information for the purpose of allowing suppliers and others to understand the HCPC's procurement policies and decisions. Publish procurement data and award decisions openly where required.
 - Acting and being seen to act, with integrity: Conduct procurement ethically and prevent conflicts of interest.
 - Fair treatment of suppliers: all suppliers should be treated equally and without discrimination. Procurement procedures must ensure that all bidders have fair access and that decisions are based on merit.
 - Non-discrimination: contracting authorities must not discriminate against suppliers based on their location (within the UK or from countries with which the UK has trade agreements).

2. Value for money

- 2.1.** In line with our financial strategy and financial regulations¹, the primary objective of our procurement function is to achieve value for money. Value for money is defined as the optimum combination of whole-life cost and quality (fitness for purpose) to meet the user's requirements. In procurement terms, this means getting our specifications right, finding the right market and choosing the supplier that achieves the best combination of quality, cost and sustainability over the lifecycle of the goods or services.
- 2.2.** We are a public body, funded by registrant fees paid by our health and care professionals, which makes it essential for us to achieve value for money. We spend approximately 56% of our income per year (£23 million) with our suppliers, on a wide range of goods and services.

3. Legal and regulatory framework for public procurement

- 3.1.** The primary legislation governing public procurement in the UK is the Procurement Act 2023², which came into effect on 24 February 2025. This would relate to any procurements officially commenced on or after 24 February 2025. Procurements prior to 24 February 2025 will be covered under the Public Contracts Regulations 2015³ (includes contract amendments and reporting).
- 3.2.** As of the 24 February 2025, when undertaking a procurement, the HCPC is obliged to consider and have regard to the National Procurement Policy Statement (NPPS)⁴.
- 3.3.** A procurement is officially commenced when a tender notice has been published or an invitation to tender has been issued to bidders or a contract awarded.
- 3.4.** As we are a public sector organisation, we must comply with all legal requirements covering public sector procurement including, but not limited to:
- bribery and corruption⁵
 - data protection⁶
 - freedom of information⁷
 - equality and diversity⁸
 - modern slavery⁹
 - environmental sustainability¹⁰
- 3.5.** Public procurement law is evolving and this policy will be updated as needed to reflect changes under the Procurement Act 2023. The HCPC must comply with all

¹ [HCPC Financial Regulations](#)

² [The Procurement Act 2023](#)

³ [Public Contracts Regulations 2015](#)

⁴ [National Procurement Policy Statement](#)

⁵ [The Bribery Act 2010](#)

⁶ [The Data Protection Act 2018 \(including General Data Protection Regulation\)](#)

⁷ [The Freedom of Information Act 2000](#)

⁸ [The Equality Act 2010](#)

⁹ [The Modern Slavery Act 2015](#)

¹⁰ [The Environment Act 2015](#)

current and future procurement regulations, ensuring fair, transparent and non-discriminatory practices in line with legal and ethical standards.

4. Roles, responsibilities and ethical conduct in procurement

- 4.1.** All individuals involved in procurement must follow this policy and act with integrity. Anti-bribery and conflict-of-interest declarations are mandatory before engaging in any procurement activity. Internal controls, such as checks for duplicate bank accounts, are in place to reduce fraud risk. Confidentiality must be maintained and no unauthorised commitments made. Breaches of this policy may be treated as misconduct or gross misconduct. Anyone unsure about applying the policy should consult the procurement team.
- 4.2.** Procurement thresholds are detailed in Appendix 1.

Budget holders

- 4.3.** Budget holders must ensure they are familiar with this policy and the related procedures. Where procurement responsibilities are delegated to team members or others, budget holders remain accountable for ensuring those individuals also understand and adhere to the policy and processes.
- 4.4.** They are responsible for planning the procurement of both new and existing services, including defining service specifications and deciding whether delivery should be in-house or outsourced. This planning should be aligned with the HCPC's procure-to-pay process and financial regulations, including approved spending thresholds.
- 4.5.** Procurement activities such as setting up new suppliers, raising requisitions and managing contracts must ensure that suppliers deliver in accordance with agreed terms. Where procurement involves collaboration with another public body or the use of a direct award, budget holders must consult the procurement team and obtain approval from the Commercial Business Partnering Manager.

Procurement team

- 4.6.** The Procurement team provide strategic oversight and governance to ensure all purchasing activities across the organisation are compliant and aligned with HCPC's objectives. This includes developing procurement policies, supporting budget holders and maintaining a structured framework for informed decision-making.
- 4.7.** Procurement is responsible for ensuring regulatory compliance, managing strategic supplier relationships and providing guidance and training to staff involved in procurement. The team also monitors and audits procurement activity to manage risk, handles high-value or complex tenders and uses data analysis to support cost-effective, evidence-based decisions.

- 4.8.** Contract management is a joint responsibility between procurement and budget holders, ensuring obligations are met, renewals are planned and value is maintained throughout the contract lifecycle.
- 4.9.** Working collaboratively across departments, procurement advises key stakeholders to ensure procurement practices support organisational goals. Accurate documentation of procurement decisions is maintained to ensure transparency and audit readiness.

Tender panel members

- 4.10.** Tender panels are composed of a mix of employees, typically including the procurement team, the budget holder and other nominated staff from across the business. For high-value or strategically important procurements, the panel should also include a member of the Executive Leadership Team and may include external experts or committee members where appropriate.
- 4.11.** To ensure objectivity, individuals who have been involved in managing the incumbent supplier may need to be excluded. Panel members must familiarise themselves with the procurement policy, related procedures and the evaluation framework set out in the procurement manual¹¹.
- 4.12.** Panel members are responsible for conducting fair, unbiased evaluations based on predefined criteria, ensuring compliance with public procurement laws. They must maintain confidentiality, declare any conflicts of interest and make decisions that are ethical and aligned with the HCPC's commitment to value for money, quality and sustainability. The panel's collective scores determine the successful supplier and clear documentation must support the final decision.

Commercial business partnering manager

- 4.13.** The Commercial Business Partnering Manager leads the procurement team and is responsible for managing the procurement work plan, ensuring activities align with organisational priorities and procurement policy.
- 4.14.** They act as the primary escalation point for procurement-related issues, providing guidance and resolving disputes concerning procurement routes, tender evaluations and moderation.
- 4.15.** Additionally, they commission legal advice, when required, to ensure the HCPC's procurement practices remain legally sound. They also ensure that procurement policies and related manuals are regularly reviewed and updated to reflect best practice and evolving regulatory requirements.

¹¹ [HCPC procurement manual](#)

5. Procurement thresholds and routes to market

- 5.1. The HCPC sets its own contract value limits and procurement processes for spend below the thresholds set by the Procurement Act 2023, based on the organisation's spend profile (see table below). While such spend is not legally bound by the Procurement Act 2023, the HCPC is expected to follow its principles.

Contract Value	Procurement Route	Process
Less than £10,000	Direct award or competitive quotes	<ul style="list-style-type: none"> Obtain at least one written quote. It is recommended to seek multiple quotes for cost comparison and alternative solutions. Ensure documentation of the process.
£10,001 - £30,000	Competitive quotes	<ul style="list-style-type: none"> Budget holders are required to obtain a minimum of three written quotes, ensuring a fair and transparent evaluation based on a balance of price and quality. Engage the procurement team for guidance. Notify both successful and unsuccessful bidders. Maintain procurement records.
£30,001 - £100,000	Various routes (RFQ, RFP, mini tender, framework)	<ul style="list-style-type: none"> Budget holders lead the procurement, selecting the best approach with the Procurement team. Possible routes: Request for quote (RFQ) or proposal (RFP), mini tender or framework agreement (further competition among suppliers). Ensure necessary approvals for awarding the contract. Keep complete and accurate records, submitting copies to Procurement team upon completion.
£100,001 - £214,904	Public tender or framework	<ul style="list-style-type: none"> The procurement team manages the process. Identify the best route: Competitive public tender, public framework agreement or dynamic purchasing system (DPS). The budget holder prepares the specification and evaluation criteria, while the procurement team will prepare and the evaluation & scoring sheet, awarding letters and the draft contract, reflecting the specification. Conduct formal tender evaluation, ensuring compliance with procurement regulations.
Greater than £214,904	Formal public tender or framework	<ul style="list-style-type: none"> Follow the Procurement Act 2023. Tenders over this value must be advertised on the Find a Tender Service (FATS) unless using a framework agreement. Engage the Procurement team 6-12 months in advance to plan and execute the process. The Procurement Team runs a compliant tender and prepares all the documents in collaboration with the Budget holder. A Tender Panel will evaluate all bids and awards the contract. Final contract award decisions must align with procurement law and evaluation criteria. Contract signatory depends on value and financial regulations.

Contract value less than £10,000

- 5.2. If the estimated aggregate contract value is less than £10,000 including VAT:
- Obtain a minimum of one written quote.
 - It is recommended to obtain more than one quote as it is recognised good practice, allowing for a comparison of costs and/or alternative solutions.

Contract value between £10,001 and £30,000

5.3. If the estimated aggregate contract value is between £10,001 but less than £30,000 including VAT:

- Budget holders are responsible for tendering all contract(s) values between £10,001 but less than £30,000 including VAT.
- Key requirements for these contracts are to apply the principles of this policy and obtain written quotes that are evaluated in a fair and transparent manner, based on an appropriately balanced split between price and quality.
- Engage the procurement team to provide support and guidance throughout the process, from inception to tender award and obtaining contract signatures.
- Obtain a minimum of three written quotes, evaluating quotes, selecting the successful bidder and informing the unsuccessful bidders.

Contract value between £30,001 and £100,000

5.4. For all procurement activity between £30,001 and £100,000 including VAT, budget holders are responsible for tendering all contract(s). There are numerous ways to source the requirements, i.e. routes to market. The procurement team can recommend the best route for your requirements including support on the below:

- Request for quote (RFQ) or request for proposal (RFP) from potential suppliers.
- Running a mini-tender process.
- Use a suitable accessible framework agreement from which to run a further competition between suppliers who are on it (no need to publish this opportunity).
- Procurement approach to take, which will depend on the value and level of risk and complexity associated with your requirements.
- Making sure necessary approvals are obtained for award of contract and appropriate forms of contract are created and signed (refer to appendix 1 – Procurement Thresholds).
- Keeping complete and accurate records of the procurement process.

Contract value between £100,001 and £214,904

5.5. For all procurement activity between £100,001 and £214,904 including VAT, the procurement team is responsible for tendering, which includes:

- Supporting the budget holder in selecting the most appropriate procurement route, typically through a competitive tender, a public framework agreement or a dynamic purchasing system (DPS). Before proceeding, the procurement team will check for any existing contracts or suitable frameworks that may already meet the requirements.
- If no suitable framework or DPS exists, due to the unique or niche nature of the requirement, a compliant direct tender under the Procurement Act 2023 may be necessary. In such cases, collaboration with other health and care regulators should be considered if they have similar needs.
- The procurement team and the budget holder will jointly prepare the tender documentation. The budget holder is responsible for drafting the specification and evaluation criteria, including service levels and key performance indicators (KPIs), where applicable. The procurement team will develop the evaluation and scoring templates, draft contract and award letters, ensuring alignment with the specification.

Contract value greater than £214,904

5.6. If the estimated aggregate contract value is greater than £214,904 including VAT:

- For contracts above the UK public procurement threshold (£214,904 including VAT), it is strongly recommended to use either a compliant public tender or an existing framework agreement under the Procurement Act 2023.
- Tenders above this threshold must follow strict legal procedures and timescales. This includes publishing an Invitation to Tender (ITT) on the Find a Tender Service (FATS) or conducting a further competition within a framework (which does not require FATS publication).
- To ensure timely delivery, the procurement team should be contacted well in advance, typically 6 to 12 months prior to the expected service start date. A procurement business partner will be assigned to provide expert guidance, run the tender process and ensure full compliance with procurement regulations.
- The procurement team will support the end-to-end process, including choosing the appropriate route, drafting and issuing tender documents, managing evaluations and awarding the contract.

- A tender panel will evaluate submissions. This typically includes the procurement business partner, the budget holder and an executive director. For particularly high-value or strategic procurements, the panel may also include independent experts, external advisers or committee members where appropriate.
- The contract award decision lies with the appropriate authority (budget holder, ELT member, Chief Executive or nominee) based on contract value (see Appendix 1 – Procurement thresholds). However, the award can only be made to the winning bidder, based strictly on the agreed evaluation criteria and valid scoring outcomes. Arbitrary decisions to overturn panel scores or award to another bidder are prohibited under UK procurement law. If issues arise with the process, these must be resolved before proceeding, potentially requiring suspension or retendering.
- The contract signatory, usually the budget holder, an ELT member or the Chief Executive, must be determined in line with financial regulations. The procurement team will confirm that the process met all compliance standards before the contract is formally executed.

6. Procurement planning, frameworks and alternative approaches

Contract planning and budgeting

- 6.1.** At the start of each financial year, as part of the budgeting process, the procurement team will:
- Provide a list of anticipated contracts (new, renewed, varied, or extended) with a total expected lifetime value exceeding £100,000 including VAT.
 - Prompt budget holders and contract owners to identify upcoming procurement needs or changes for Council notification.

Determining aggregate contract value

- 6.2.** The aggregate contract value must be calculated pre-tender and include all years of the contract, any extension options and VAT.
- 6.3.** Budget holders are responsible for estimating this value. It determines the procurement route (refer to Appendix 1 – Procurement thresholds).
- 6.4.** Artificially lowering the value to avoid policy or the Procurement Act 2023 obligations is prohibited.

In-house vs outsourcing decisions

- 6.5.** The procurement team will support budget holders in deciding whether services should be delivered in-house or outsourced.
- 6.6.** For contracts over £100,000 (including VAT), the procurement team will guide the evaluation of procurement routes.

Framework agreements and dynamic purchasing systems (DPS)

- 6.7.** Use of frameworks:
 - HCPC prefers national framework agreements and DPS for all procurements, including low-value contracts.
 - Frameworks are pre-procured agreements compliant with the Procurement Act 2023 and established by public sector bodies (e.g. Crown Commercial Services).
 - They offer goods/services at pre-agreed prices and terms, often across multiple suppliers.
- 6.8.** Framework agreement benefits:
 - Better pricing due to public sector buying power.
 - Standardised, favourable terms and conditions.
 - Reduced legal risk and quicker procurement timelines.
 - Assurance of supplier capability and consistent service quality.
- 6.9.** Dynamic purchasing systems (DPS):
 - Similar to frameworks, but allow new suppliers to join at any time.
 - Promote SME participation and typically last longer than frameworks.

Alternative procurement approaches

- 6.10.** Collaborative procurement:
 - HCPC encourages joint procurements with other regulators or public bodies to improve value.
 - Budget holders should engage the procurement team early if collaboration is considered.
 - Approval from the Commercial Business Partnering Manager is required for participation in joint tenders.
- 6.11.** Direct award (single source request) are only permitted in exceptional cases, such as:
 - Urgent, unforeseen requirements
 - Sole supplier situations

- Cost/risk of change outweighs benefits
- Specialised services only available from one provider

6.12. Direct award process:

- Budget holders must initiate a Single Source Request (SSR) for contracts >£10,000 including VAT.
- SSR must justify the direct award and include supporting evidence (e.g., market research).
- Approval is required from:
 - Commercial Business Partnering Manager or Head of Finance & Commercial (mid-value contracts)
 - ELT member (higher thresholds)
 - Chief Executive (high-value contracts per Appendix 1)
- The Procurement team will:
 - Review compliance with the Procurement Act 2023
 - Ensure transparency and documentation
 - Publish notices (e.g., contract award on FATS) where applicable

6.13. Direct award monitoring:

- All direct award documentation must be retained.
- Direct awards are reviewed by the Audit and Risk Assurance Committee.
- Internal audit will assess policy adherence periodically.

Contracts and legal considerations

- 6.14.** Contracts >£10,000 (including VAT) must be formalised in writing and signed. Below this threshold, a purchase order with terms may suffice.
- 6.15.** Use the HCPC's standard terms unless supplier terms are reviewed and approved by the procurement team.
- 6.16.** Legal advice may be commissioned by the Commercial Business Partnering Manager where necessary.
- 6.17.** Contracts must be signed electronically and by the vendor first.

Contract Management

- 6.18.** Contract owners are responsible for supplier performance and outcome delivery. They may delegate to a designated contract manager.
- 6.19.** Procurement provides a contract management framework and training.
- 6.20.** Management responsibilities must be confirmed during the procurement process.

6.21. Contracts must align with HCPC financial regulations and include clear KPIs and relevant social, environmental or innovation-related provisions, directly linked to the contract subject and stated in tender documents.

6.22. Contract changes may be permitted if:

- There are clear, precise review clauses in the original contract.
- Additional services/supplies are needed due to unforeseen events or supplier replacement, capped at a 50% value increase.
- Amendments are non-substantive and occur due to supplier insolvency or genuine restructuring.

7. Vendor records and procurement ethics

7.1. The procurement policy ensures that vendor records remain accurate, secure and relevant throughout the lifecycle of the contract. It also sets expectations for ethical procurement behaviours in alignment with the HCPC's values and the Procurement Act 2023.

7.2. Vendor due diligence and performance monitoring:

- The HCPC must maintain comprehensive and accurate records of all vendors engaged through the procurement process. This includes documenting evidence of background checks conducted during evaluation and selection, such as financial stability assessments, legal compliance checks, references and any other relevant due diligence measures.
- Following contract award, vendors will be regularly evaluated to ensure they meet their contractual obligations. This includes performance monitoring against key performance indicators (KPIs), conducting health and safety assessments and addressing any non-compliance issues in a timely manner.

7.3. Record accuracy, security and retention:

- All vendor records must be accurate, up to date and reliable for audit and compliance purposes. These records will be securely stored in line with the HCPC's data protection policies, ensuring confidentiality and adherence to applicable legal and regulatory requirements, including GDPR.
- Records will be retained for the duration of the contract. At the time of any extension or renewal, records must be reviewed and verified to ensure continued accuracy and relevance. Everyone involved in procurement and contract management is responsible for maintaining good documentation practices throughout the process.

7.4. Record-keeping responsibilities by contract value:

- For contracts valued below £100,000 (inclusive of VAT), the budget holder is responsible for maintaining all relevant documentation. This includes correspondence with bidders, requests for quotes, received quotes, evaluations and the signed contract. The signed contract must be submitted to the procurement team for record purposes.
- For contracts valued at £100,000 or above, the procurement team will retain full documentation of the procurement process and contract. Tender panel members must document and retain the rationale for their scoring decisions. The contract awarder and signatory must ensure sufficient evidence is available to support their decisions, typically recorded on a contract signatory request form.

7.5. Ethical standards, values and supplier expectations:

- All procurement activity must be carried out in accordance with the HCPC's organisational values: fairness, compassion, inclusivity and entrepreneurship. The HCPC expects suppliers to uphold equivalent values and behaviours in their service delivery.
- Suppliers must also have robust policies covering equality, diversity and inclusion, anti-modern slavery, anti-bribery and corruption and, where relevant, safeguarding and protecting people. In safeguarding matters, suppliers must understand HCPC's policy and know how to recognise, respond to, report and record concerns regarding harm to others.
- The HCPC actively supports small and medium-sized enterprises (SMEs), local businesses and the delivery of social value through its supply chain, wherever compatible with achieving value for money and legal procurement requirements.
- The HCPC is committed to fair and timely treatment of its suppliers. It does not withhold payments to create cash flow advantages. Suppliers will be paid as soon as practicable, once goods or services have been satisfactorily received and confirmed by the relevant budget holder. Payment is made within 30 days of invoice receipt, subject to internal approval processes.

8. Commitment to sustainable procurement

8.1. The HCPC is committed to minimising the environmental impact of its procurement activities and promoting sustainability in line with UK public procurement principles. This includes reducing waste, conserving resources and supporting ethical and environmentally responsible practices across our supply chain. Sustainable procurement is integral to achieving long-term value for money and public benefit.

8.2. Environmental responsibility:

- Procurement decisions will prioritise options that reduce carbon emissions, minimise waste and limit resource consumption. Goods and services must align with sustainable development goals and support environmentally sound practices.
- Suppliers are encouraged to use renewable energy, reduce packaging and deliver innovative, low-impact solutions that promote environmental stewardship. Preference may be given to suppliers holding relevant environmental certifications (e.g. ISO 14001).

8.3. Ethical and fair-trade standards:

- The HCPC supports the use of fairly traded goods and works only with suppliers that adhere to ethical trading practices. This includes ensuring fair wages, safe working environments and respect for workers' rights.
- Where appropriate, procurement specifications will include mandatory or preferred requirements for fairly traded products and socially responsible sourcing.

8.4. Alignment with national policy and social value

- Our procurement activities are aligned with key UK government initiatives such as the Social Value Act, the Net Zero Strategy and the Greening Government Commitments. These frameworks guide us to deliver broader economic, social and environmental benefits through our contracts.

8.5. Supplier collaboration and innovation

- The HCPC engages with suppliers to embed sustainable practices throughout their operations. We encourage collaborative approaches and innovation that enhance environmental, social and economic outcomes.
- Where appropriate, preference will be given to suppliers who demonstrate a clear commitment to sustainability through certifications, fair trade accreditation or comparable credentials.

9. Data protection and information security

- ### **9.1.**
- The HCPC ensures that all suppliers handling personal data comply with data protection laws, including UK GDPR. Suppliers must demonstrate appropriate security measures before engagement and throughout the contract lifecycle. All contracts involving personal data require clear data protection terms and may require a Data Protection Impact Assessment (DPIA), which must be approved by the Data Protection Officer before procurement proceeds.

- 9.2.** New IT procurements must meet recognised security standards (e.g. ISO 27001:2022, Cyber Essentials Plus). Existing contracts involving personal data are periodically reviewed and reassessed to maintain compliance.
- 9.3.** Prior to engaging new suppliers, a security assessment is conducted to verify adherence to HCPC's information governance standards.
- 9.4.** Further detailed information is available in Appendix 4 - Data protection and security in procurement.

10. Compliance and exceptions

- 10.1.** All employees, Council and Executive Leadership Team members involved in procurement must comply fully with this policy to ensure value for money and legal compliance as a public body. Exceptions to the policy are rare and require formal approval.
- 10.2.** Exceptions process:
 - Direct Award/Single Source Request (SSR): For non-competitive contract awards or contract changes not covered by existing contracts.
 - Waiver Request: For all other exceptions to the policy.
 - Approvals for SSRs and waivers must be obtained promptly from the Commercial Business Partnering Manager, Executive Director of Resources and Chief Executive (for contracts over £100,000) before any supplier commitment.
- 10.3.** Competitive tendering:
 - Competitive tendering is required for all contracts above £10,000, including direct awards under framework agreements, as frameworks are themselves competitively procured.
- 10.4.** Procurement Act 2023 compliance:
 - Exceptions are considered case-by-case in line with the Procurement Act 2023. Poor planning is not a valid reason for exceptions. All exceptions are reported to the Audit and Risk Assurance Committee and subject to internal audit review.
- 10.5.** Emergency situations:
 - In rare cases of major incidents affecting business continuity (e.g. building or IT emergencies), the policy may be suspended temporarily, as per Schedule 5 of the Act, emergency direct awards must be proportionate and documented, with a transparency notice published before contract award.

10.6. Non-compliance with the Procurement Act 2023 and this policy exposes HCPC to risks including:

- Supplier challenges via the Public Procurement Review Service (PPRS), which can review procurement processes from the last two years.
- Investigations and sanctions by Procurement Compliance Services with public reporting of findings.
- Potential outcomes such as fines, claims for damages, suspension of contract awards, substantial legal costs and reputational damage.

11. Support and raising concerns

11.1. The procurement team is available to assist with any procurement-related questions and can be contacted at procurement@hcpc-uk.org. Additionally, the procurement intranet pages provide access to templates and detailed guidance to support successful procurement activities.

11.2. If you have concerns about supplier performance, behaviour or procurement conduct, these should initially be raised with the Commercial Business Partnering Manager or your line manager. If you feel unable to do so or, if concerns are not properly addressed, the HCPC's Speaking Up (whistleblowing) policy allows you to escalate issues to the Speak Up Guardians, Chief Executive or Chair of the Audit and Risk Committee.

12. Appendices

Appendix 1 – Procurement thresholds

Aggregate Contract Value (incl. VAT)	Route to market	Who runs the tender? (incl. evaluation and supplier debriefing)	Should opportunity be formally advertised?	Type of agreement required?	Who must approve the contract award?	Who signs the contract?		Contract award notice needed?	Time needed to conduct process?	What to do with the contract?	Who is responsible for contract management?
						Contract listed within budget?	Method of acceptance / commitment authorisation				
£0 to £10,000	One written formal quote	Budget holder or nominated person	Not required	Only Purchase Order Terms	Budget Holder	N/A ¹²	Budget Holder	N/A	Allow 2 weeks	N/A	Budget holders in collaboration with Procurement
£10,001 – £30,000	Three formal written quotes	Budget holder or nominated person in collaboration with Procurement	Optional	If the contract value is greater than £10K (incl. VAT), a signed contract agreement is mandatory		Yes	Contract signed by Budget Holder		Allow 4-8 weeks		
						No	Contract signed by Executive Director				
£30,001 – £100,000	RFQ or RFP or mini tender process				Yes – Contracts Finder (or Find a Tender Service) or contact Procurement	Based on contract value (ELT Member or Tender Panel)	Yes	Contract signed by Executive Director	Yes – Contracts Finder (or Find a Tender Service) or contact Procurement	Allow 8-10 weeks	
£100,001 – £214,904	Competitive public tender or use of public framework agreement	Must align with Financial Regulations and financial approval thresholds.	Yes	Contract signed by CEO	Allow 10-12 weeks	Hard copies to Commercial Business Partnering Manager or electronic copies to procurement@hcpc-uk.org					
			No	Contract signed by CEO , after approval from the Chair							
Above £214,904	Use of framework agreement or formal written public tender in compliance with the Procurement Act 2023	Procurement in collaboration with budget holder		N/A ¹³	Contract signed by CEO , after approval from the Chair	Allow 6-12 months depending on complexity of requirement					

¹² £0 to £10,000: due to low value of contract, it is unlikely to be itemised as part of annual budgeting exercise. Even if it is listed, the method of acceptance would remain as is.

¹³ Above £214,904: regardless of whether this is listed within the budget, as it is above the UK public procurement threshold for goods and services, the method of acceptance would remain as is.

Appendix 2 – Procurement-exempt contracts

Certain contracts are exempt from the rules of the Procurement Act 2023, as listed in Schedule 2 of the Act. These exemptions apply where the standard procurement rules would be inappropriate or impractical, allowing greater flexibility for specific types of purchases.

If your requirement falls into one of these exempt categories, it is not subject to the usual procurement procedures outlined in this policy.

Area	Exempt Contract Types
Employment	<ul style="list-style-type: none">• Employment Contracts including contract with individual appointed to a public office
Facilities	<ul style="list-style-type: none">• Contracts relating to the acquisition, including rental of building or land and building• Utilities contracts for the purchase of water or energy or fuel for the production of energy, by utilities carrying out a relevant utility activity.
Finance	<ul style="list-style-type: none">• Loans or financial services• Investment services or activity or for an ancillary service in relation to financial instruments where the services or activity is provided by an investment firm or a qualifying credit institution• Contract for services by the Bank of England (i.e. near risk-free wholesale sterling facilities)
Legal	<ul style="list-style-type: none">• Legal services that are exempted are those relating to judicial or other dispute resolution proceedings, notary services and services that must be carried out by a particular person under an order of a court, tribunal or enactment, e.g. legal services provided by appointed guardians.

Appendix 3 – Data protection and security in procurement

- 1 The HCPC takes its responsibilities under data protection legislation seriously and ensures that any personal data shared with or processed by suppliers is handled in compliance with applicable laws, including the UK GDPR. We must verify upfront that all engaged suppliers can demonstrate appropriate technical and organisational measures to safeguard individual rights and effectively implement data protection principles.
- 2 This requirement applies throughout the entire lifecycle of any contract or service agreement, regardless of contract value, procurement route or service type. Wherever personal data processing is involved, the HCPC Data Protection Officer (DPO) will assess suppliers' information security and data protection compliance arrangements, which may include conducting a Data Protection Impact Assessment (DPIA) to evaluate risks to individuals' rights and freedoms.
- 3 All contracts involving personal data must include explicit data protection clauses, clearly outlining the nature and scope of the data processing to be undertaken. When supplier staff are involved, the procurement team, in coordination with HR, will advise whether individual contracts between supplier staff and the HCPC are required.
- 4 For all new procurements involving personally identifiable information (PII), a DPIA is mandatory. This three-stage assessment process ensures that potential impacts on data subjects are thoroughly evaluated. The HCPC requires that data be stored within the UK or European Economic Area (EEA), where information rights protections are deemed adequate. New IT-related procurements are expected to be certified to recognised standards such as ISO 27001:2022, Cyber Essentials Plus or equivalent certifications approved by the Information Governance team.
- 5 The DPIA must be formally approved by the DPO before procurement proceeds. Should there be any changes during implementation affecting data processing, these must be reviewed and accepted by the DPO prior to going live.
- 6 Existing contracts that involve PII are subject to periodic reassessment in line with guidance from the Information Commissioner's Office (ICO). Any significant developments altering how data is stored, used, or shared require a new DPIA. If no changes occur within three years, a fresh DPIA must be undertaken by the service user and submitted for review.
- 7 Before engaging any new supplier handling HCPC information, a security assessment will be conducted. The Information Governance team provides the latest assessment questionnaires, which the relevant department completes based on existing supplier documentation. The responses are then evaluated by the Chief Information Security and Risk Officer (CISRO) and IT department to ensure compliance with HCPC's security standards.

Appendix 4 – Key Differences: PCR 2015 vs The Procurement Act 2023

Area	Public Contracts Regulations 2015	Procurement Act 2023	Relevance to the HCPC
Focus	EU-aligned compliance model	UK-specific, outcomes-based framework	Enables tailoring procurement for value, not just compliance
Procedural complexity	Highly prescriptive, complex procedures	Simplified, streamlined processes	Reduces administrative burden
Transparency and reporting	Rigid publication and procedural requirements	Greater use of a single digital platform for transparency	Easier reporting and contract visibility
Award criteria	Focused on Most Economically Advantageous Tender (MEAT)	Emphasises public benefit, value for money and innovation	Supports ethical and value-led procurement goals
Exemptions and flexibility	Limited flexibility and broad use of exemptions	More targeted exemptions and increased flexibility	Better accommodates niche or specialist procurements