

Responsible Procurement Policy			
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<p><i>Note: All policies must be read in conjunction with all other SOAS policy, procedure and guidance documents. Printed copies of policies may not be the most up to date, therefore please refer to the policy pages on the SOAS external website or intranet for the latest version.</i></p>			

## 1. Introduction / Purpose

- 1.1. The purpose of this Responsible Procurement Policy is to set out the requirements that must be followed when procuring goods, services and works on behalf of SOAS.
- 1.2. The policy is intended to provide a clear governance framework that supports consistent, proportionate and well managed procurement activity across the institution.
- 1.3. In doing so, it helps ensure that procurement is undertaken in a way that secures value for money, supports transparency, promotes fairness and equal treatment and ensures accountability.
- 1.4. The Procurement Procedures are available on MySOAS. Any queries should be directed to [procurement@soas.ac.uk](mailto:procurement@soas.ac.uk)
- 1.5. Whilst every attempt has been made to ensure this document is comprehensive there may be situations which it does not cover. In these situations, any queries should be directed to the Deputy Director: Procurement and Insurance.

## 2. Scope of Policy

- 2.1. This policy applies to all persons purchasing goods and/or services on behalf of the University.
- 2.2. This Policy does not apply to expenses incurred by university staff through the course of their work. Please refer to the SOAS Expenses policy.
- 2.3. Breach of this policy and its associated procedures may be investigated in accordance with the University's disciplinary procedure.

### 3. Definitions

- **Contract Management Plan** means a formal template which details how the contract should work and how it will be managed proactively during its life. It includes meeting dates, expected levels of service, key milestones, payment dates and serves as a record of performance.
- **Data** means any information which relates to the company, its operations or its staff or students.
- **Enterprise Systems** means mission critical, organisation wide digital platforms or applications that:
  - Support core institutional functions (e.g. finance, HR, payroll, student records, research management, CRM, or core IT infrastructure)
  - Require significant configuration, customisation, integration with multiple systems, and/or data migration
  - Have high switching costs, including operational disruption, retraining requirements, data transition risks, and implementation lead times typically exceeding 12 months
- **Financial Regulations** means the SOAS financial regulations owned by the Chief Financial Officer
- **Framework Agreement** means a contract between a purchasing consortium and one or many suppliers which may be utilised by SOAS to award a procurement in a cost effective and risk averse manner
- **Financial check** means the formal checking of the financial status of a supplier or suppliers to ensure the organisation is stable and will be undertaken by the central procurement team.
- **Goods and Services** means products or services provided by an individual or company. Includes maintenance work, soft and hard facilities management, does not include construction or demolition services.
- **InTend** means the electronic purchasing software used by SOAS.
- **IR35 (Off payroll working)** means the legislation that requires workers, who would have been an employee if they were providing their services directly to the University, pay the same tax through their own limited company or another type of intermediary to the client.
- **Missed Opportunities** means occasions where a purchase has been made without following the correct procurement process, and the STA rules do not apply.
- **Mixed Procurement** means where a SOAS requirement includes the provision of Works and Goods or Services
- **Procurement** means the acquisition of Goods, Services or Works in return for payment
- **Public Contracts Regulations** means the Procurement Act 2023. These regulations set out the legal requirements which must be adhered to by Contracting Authorities.
- **Purchasing Consortium** is a membership organisation responsible for delivering Framework Agreements. Examples are Government Commercial Agency and the London Universities Purchasing Consortium. These organisations are collectively known as Consortia.
- **Responsible Procurement** is Procurement that considers and seeks to maximise positive social, ethical, and economic impacts.
- **Single Tender Action** means, where very specific situations apply, the process which may be followed to award a contract without following the usual competitive process.
- **Social Value** means the wider social, economic, and environmental benefits that can be delivered through procurement, including fair work, diversity, and community benefit.

- **Thresholds** mean the monetary values associated with the requirement at which a specific procurement process applies.  
**Works** means construction or demolition services including electrical wiring, insulation work, plumbing and gas, heating and ventilation, building completion (plastering, flooring, joinery, wall coverings, internal or external painting and glazing). Includes major renovation projects, does not include routine maintenance or decoration (soft and hard facilities management).

#### 4. Roles and Responsibilities

- 4.1. All persons responsible for or involved in the procurement of Goods, Services and Works must adhere to this policy.
- 4.2. All procurement processes must follow the below steps as a minimum:
  - Be aware of existing contractual obligations
  - Understand and clearly specify in writing SOAS requirements
  - Follow the correct procurement process in accordance with the thresholds table and the university procurement procedures
  - Formally contract with the supplier in writing
  - Raise a purchase order (this may be our contract for smaller requirements)
  - Receive goods/services
  - Check invoices
  - Pay the supplier on time
  - Contract manage the agreement (for all contracts longer than one year)
  - Retender requirements every four years or the end of the contract term whichever comes first
- 4.3. Not planning effectively enough in advance for requirements is not a reason for a process to be absent of appropriate competition.
- 4.4. Payments to suppliers will always be made in arrears, and usually to 30 day payment terms. Any exceptions should be discussed with the Deputy Director; Procurement and Insurance.

#### 5. Main Content

- 5.1. An appropriate commercial process, relative to the size, risk and complexity of requirements must be undertaken for all procurement at SOAS.
- 5.2. In this section, information is provided on the different routes to market based on value only.
- 5.3. If a requirement to purchase is considered high risk, for example it is a time sensitive or a vital product or service, where there is a reputational, security or sensitivity consideration, or another identified concern, a more or lesser involved process may be required. In these instances, please contact the Deputy Director: Procurement and Insurance for advice.
- 5.4. Procurement of Enterprise Systems will take place less frequently than every four years.

- 5.5. Contracts for Enterprise Systems must be subject to formal review annually, including performance, cost, and strategic fit. Exit planning, data portability, and future market testing must be actively maintained.
- 5.6. A full procurement exercise must be undertaken at an appropriate point where the system is reaching end of life, business requirements have materially changed, or value for money can no longer be demonstrated.

#### 5.7. Authority

- 5.7.1. Budget, for any requirement must be agreed in writing with the budget holder prior to entering into discussions with any suppliers.
- 5.7.2. Approval to enter into any contractual arrangement must be sought and approved in line with the Financial Authorities.
- 5.7.3. Procurement activity is decentralised to department level, operating according to the procurement policy and procedures. The central procurement team are available to provide professional advice at all other times.
- 5.7.4. The procurement team however do not generate purchase requests in Unit 4, that is the responsibility of budget holders or their delegates.

#### 5.8. Thresholds.

- 5.8.1. The Thresholds below detail the procurement procedure which should be followed. There may be exceptions however these must be discussed with the Procurement team.
- 5.8.2. Values should be considered inclusive of VAT over a 4-year period. If more than one contract is to be let to the same supplier, the cumulative value of the requirements must be considered.
- 5.8.3. Framework Agreements should be considered for all procurement requirements below £200,000 for Goods and Services, or below £1,000,000 for Works. The specific Framework Agreement Buyers Guide must be understood in order to use the agreement compliantly.
- 5.8.4. Please contact [procurement@soas.ac.uk](mailto:procurement@soas.ac.uk) for advice or see guidance on the Procurement pages of MySOAS.

5.8.5. Please refer to the definitions of Goods, Services and Works to ensure you use the correct thresholds table below.

Estimated value of requirement <b>Goods and Services</b> including VAT over a 4-year period	Procedure	Detail	Procurement involvement
<£10,000	No competitive process required.	See guidance. Ask supplier to send information, no SOAS templates required. Use SOAS Standard purchase order Terms and Conditions. Consider Framework Agreements.	No
£10,000 to £25,000	3 Light Touch Quotes	Use SOAS light touch template. Use SOAS Standard Terms and Conditions or supplier terms. Consider Framework Agreements	No
£25,000 to £50,000	3 Formal Quotes	Use SOAS Formal Quote Template and appropriate terms and conditions (relevant to the requirement) available on MySOAS. Consider Framework Agreements.	Seek advice if required.
£50,000 to £200,000	3 Formal Tenders	Use SOAS Formal Tender Template and appropriate terms and conditions (relevant to the requirement) available on MySOAS. Use Intend to run the procurement process. Consider Framework Agreements	Yes
£200,000 +	Formal Tender with Central Procurement Team support	Consult Procurement for appropriate terms and conditions. Use Intend to run the procurement process (Mandatory) Consider Framework Agreements	Yes Mandatory

Estimated value of requirement <b>Works</b>	Procedure	Procurement Route	Procurement Involvement
<£25,000	No competitive process required.	See guidance. Ask supplier to send information, no SOAS templates required. Use SOAS Standard purchase order Terms and Conditions. Consider Framework Agreements.	No
£25,000 to £200,000	3 Light Touch Quotes	Use SOAS light touch template and appropriate terms and conditions (relevant to the requirement) available on MySOAS. Use Intend to run the procurement process. Consider Framework Agreements	No
£200,000 to £500,000	3 Formal Quotes	Use SOAS Formal quote template and appropriate terms and conditions (relevant to the requirement) available on MySOAS. Use Intend to run the procurement process. Consider Framework Agreements	Yes
>£500,000	3 Formal Tenders	Consult Procurement for appropriate legal documents. Use SOAS formal tender template and appropriate terms and conditions (relevant to the requirement) available on MySOAS. Use Intend to run the procurement process. Consider Framework Agreements. .	Yes

- 5.8.6. Mixed procurement. Where the requirement is a mix of Goods, Services and Works, the proportion of the requirement which is of the highest estimated monetary value takes precedence over the categorisation of the requirement. i.e. if Works requirements value is £30k and Goods requirement is £70k the contract would be categorised as a Goods and Services contract.
- 5.8.7. The acquisition and disposal of buildings and land, both leasehold and freehold, and lease renewals or the acquisition or disposal of space via short term licence agreements are subject to the approval of the Director of Estates.

## 5.9. Single Tender Action (STA) and Missed Opportunities

- 5.9.1. A Single Tender Action may be used only on occasions where a competitive process is genuinely not possible in line with the circumstances detailed below.
- 5.9.2. A formal contract detailing our requirements and how the supplier will deliver those, as well as the costs to be incurred must still be agreed.
- a. A genuine emergency, when immediate action is necessary to:
- Prevent significant loss to SOAS
  - Prevent danger, injury or hardship
  - Comply with legislation
- This reason is not to be used simply because the planning for procurement has not been considered far enough in advance.
- b. Only one supplier is able to provide the requirement and no satisfactory alternative is available because of:
- Technical or artistic exclusive rights reasons
  - The requirement is for branded items which are sold at a single fixed price
- c. Addition or extension to an existing or previous contract where it would be inappropriate to offer the additional work to a competitor due to technical or copyright reasons
- d. When “spot-purchase” demonstrably provides better value for money than longer term contract arrangements for example at Auction.
- 5.9.3. STA’s cannot be requested retrospectively.
- 5.9.4. For Grant funded procurements, where an individual is named and the funding conditions have been met, an STA form is not required for requirements below £25k.
- 5.9.5. Where a procurement process hasn’t taken place and the specific criteria to allow for an STA hasn’t been met, the purchase will be recorded as a Missed Opportunity.
- 5.9.6. STA’s and Missed Opportunities are reported to Audit Committee

## 5.10. Documentation and Specification

- 5.10.1. The use of the relevant SOAS quote and tender documentation is mandatory.
- 5.10.2. Where low value and low risk purchases are made (under £50k) supplier Terms & Conditions may be used (if checked and appropriate) as an alternative to SOAS Terms and Conditions . For requirements above £50k, SOAS standard Terms and Conditions must be used unless the requirement is of a unique or specialist nature, on these occasions, the procurement team must be consulted.

5.10.3. Specifications must be clear, accurate, and include proportionate responsible procurement criteria (e.g. recycled content, energy efficiency, end of life disposal). Brand names should be avoided unless essential.

#### 5.11. Digital and Data Assurance

5.11.1. Where any procurement and resulting contract will include the need for a supplier to process, store or manage SOAS Data, the IT Business Change team must be consulted prior to making any contractual commitment.

#### 5.12. Contracting with Individuals

5.12.1. When contracting with individuals, the HMRC IR35 Off Payroll regulations legally require SOAS to demonstrate that we have checked if the person is providing services for which they will pay their own tax and National Insurance or if we should manage this for them through Pay As You Earn (PAYE). You must understand the role requirements to assess whether the regulations will apply (before you request an individual be added to Unit 4) and you must complete this CEST form: <https://www.gov.uk/guidance/check-employment-status-for-tax> prior to signing any contract documentation

5.12.2. Full information is available from the HR and Procurement pages on MySoas.

5.12.3. Recruitment of temporary staff or permanent staff through an agency, must follow the procedures detailed on the HR pages of MySoas.

#### 5.13. Responsible Procurement Principles

5.13.1. SOAS is committed to:

- Minimising environmental impact (e.g., reducing waste, carbon emissions, and pollution)
- Promoting social value (e.g., supporting local businesses, fair work, equality, diversity, and inclusion)
- Ensuring ethical sourcing (e.g. eradicating modern slavery, upholding human rights)
- Engaging suppliers with robust sustainability credentials and transparent reporting
- Encouraging innovation and continuous improvement in responsible procurement

5.13.2. All suppliers being awarded contracts above £50k must sign the SOAS Supply Chain Code of Conduct.

5.13.3. Quotation or tender documents should include relevant and proportionate questions for the supplier regarding environmental (including reduction, waste and pollution), social (including EDI and Modern Slavery), and economic (including value for money, risk and impacts) sustainability.

5.13.4. In depth advice is available from the procurement team, a bank of questions is also available by referring to the Sustainable Procurement Guidance on MySOAS

#### 5.14. Conflict of Interest (COI)

5.14.1. All actual, potential or perceived Conflicts of Interest must be declared in line with the Conflict of Interest Policy. Examples (non exhaustive) of common COI categories include:

- Financial conflicts: personal financial benefit, consultancy income, paid directorships, Intellectual Property /licensing interests, research funding tied to personal gain.
- Non-financial conflicts: personal relationships, allegiance to external bodies, academic competition, reputational interests, time commitments that compromise impartiality.
- Family and close personal relationships: involvement in decisions affecting relatives, partners, close friends, or household members.
- Gifts and hospitality: benefits that could influence, or appear to influence, a decision.

#### 5.15. Record Keeping

5.15.1. Those responsible for the procurement must ensure that clear and accurate records are stored of the competition process, the outcome and the contract itself.

5.15.2. A signed copy of all contracts for procurement over £50k (Goods and Services) and £200k (Works) must be sent to the Deputy Director; Procurement and Insurance for central storage.

5.15.3. A Contract Management Plan must be completed, and regular review meetings on supplier performance, sustainability and social value commitments must take place for all agreements which span more than 12 months in length.

#### 5.16. The Procurement Act 2023

5.16.1. SOAS is not legally required to comply with the Procurement Act 2023 however, there are a small number of occasions where funding bodies, especially grant providers, will request that the legislation is followed.

5.16.2. Where a procurement is linked to a grant, persons must ensure they check the terms and conditions for the appropriate process required and seek support from Procurement to ensure the regulations are adhered to compliantly.

### 6. Further Information

6.1.1. Detailed guidance and advice for each procedure, including templates, can be accessed on the [My SOAS procurement pages](#).

6.1.2. Advice and guidance can be sought from the Procurement Team [Procurement@soas.ac.uk](mailto:Procurement@soas.ac.uk)

### 7. Review

This document will be reviewed every three years. Should there be significant changes in legislation or best practice, the review will take place sooner.