

Buying collaboratively

For school leaders, school business managers, back office staff and governing bodies in all schools

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Summary

About this departmental advice

This is advice from the Department for Education. This advice is non-statutory, and has been produced to help schools understand how buying together or collaboratively may achieve efficiencies as well as having an impact on teaching and learning, saving teachers time and engaging pupils.

Expiry or review date

This advice will next be reviewed following the introduction of the Public Contracts Regulations 2015.

Who is this advice for?

This advice is for school leaders, school business managers, bursars, non-educational staff and governing bodies in all maintained, free schools and academies.

Key points

A high percentage of schools' expenditure is on staff costs. This is often the first place schools look to reduce when faced with tighter budgets and consider their non-pay spend too small to influence. However, schools collectively spend approximately £9.2bn on non-pay spend including energy, catering and back office requirements.

The Review of efficiency in the schools system (the review) published by the department in June 2013 stated that geographical restrictions make collaboration more challenging, but that, where schools can work together, they benefit from economies of scale; sharing skills and expertise, staff and good practice. Schools working collaboratively report that they have gained knowledge as an intelligent customer. There is less effort but greater return as working as a team puts pressure on suppliers to give them the best deal. There is no mandate for schools to buy collaboratively but with reducing budgets it makes sense to achieve greater efficiencies.

Withernsea primary school in East Riding is a large primary school. It has a highly experienced business manager and specialist leader of education for a teaching school. As well as being a key member of Withernsea's specialist leadership team, she has also provided business management support to five smaller primaries in the area that would not otherwise have had access to such expertise. By June 2013 the partnership had generated savings of £37,000 across the five smaller schools in the cluster.

Collaboration is a defining feature of the academies programme. As academies have been freed from local authority control they are leading a developing system of school-to-school support: sharing expertise, providing challenge and improving standards across the education sector.

All schools should be focussed on being as efficient as possible, undertaking strategic financial management and procurement to deliver savings which can be re-invested into the school. Partnerships between primary and secondary schools and academies and feeder primaries have been found to deliver savings that can be returned to the education of pupils. Collaboration may create new choices and collaborative working may offer a service from a qualified internal source that is no longer provided by the local authority. Under the current public contracts regulations any Authority (which includes schools) can declare themselves as a Central Purchasing Body (CPB). There is no need to set up a separate purchasing body if your group does not want to. One or more schools can take the lead purchasing role.

Northampton Primary Academy Trust

The Northampton Primary Academy Trust (NPAT) formed in November 2012 when Abington Vale, joined with 4 other local primaries: Ecton Brook; Headlands; Lings; and Weston Favell to form a multi academy trust (MAT).

These schools, an outstanding primary, an improving primary, a large split site primary, a Church of England primary and a foundation school, all joined the trust from very different backgrounds.

Being part of an academy chain has allowed the schools to work much more closely together to streamline their back office operations. The business managers from the five schools have worked together to get the best deals for shared services, such as new HR and payroll providers, which now provide better value for money and provide a higher quality service.

This document highlights:

- Tips for collaborative procurement;
- Further considerations;
- Example memorandum of understanding (MOU);
- Example terms of reference for a project board.

¹ The current EU Procurement Directives were made in 2004; implemented by the UK as the Public Contracts Regulations 2006. It is anticipated that the 2013 EU Procurement Directives will become the UK Public Contracts Regulations 2015 at the end of 2014.

What is collaborative procurement?

Collaborative procurement involves public bodies working together to jointly purchase goods and services. By joining forces, it enables the public sector including schools to achieve economies of scale and get better deals from suppliers. This presents opportunities to make genuine efficiencies and financial savings as well as offering suppliers more sustainable and formal contracts of appropriate duration. For schools this will enable funding to be released for other more important areas. Collaborative procurement can follow a number of models. Buying from compliant competitively tendered public sector frameworks (known as deals) is in itself a form of collaboration (see The Crown Commercial Service deals, Pro5 and the Crescent Purchasing Consortium (CPC) for contracts and deals available for all schools to use). Contracts and control stay with the collaborating group and the participating schools agree amongst themselves which areas to work on.

Why consider working in collaboration?

The review found that being efficient is getting the most out of the money available to give children the best quality of education. A sample of schools reviewed in May and June 2013 were found to have high attainment and low spend. All the schools were involved in some form of clustering, working together with other schools, such as:

- Regular contacts and exchange visits with other schools;
- Taking advantage of and, in some cases establishing, networking opportunities with other head teachers and business managers to share best practice;
- Sharing benchmarking data with neighbouring schools, whether facilitated by the local authority or the schools themselves. This may prevent schools paying several times more than the lowest prices for common goods like laptops and computer monitors; and
- Sharing business manager expertise with neighbouring schools that do not have the capacity.

Where schools can collaborate they benefit from economies of scale; sharing skills, staff and good practice. A focussed group of people working together can explore opportunities and issues. Becoming a creative team could bring energy to a project. Partnerships between schools may deliver savings that can be returned to the education of pupils.

Conversion to academy status is not proving to be a barrier to collaboration. A study by The Schools Network² published in March 2012 found that almost all schools (95%) maintained or improved their relationships with other schools since becoming an academy. Academies, by virtue of their funding agreement, have to ensure that the school will be at the heart of its community, collaborating and sharing facilities with other schools and the wider community.

In 2011 seven schools in Gloucester were converting to Academy status. In order to meet transfer deadlines the School Business Managers met, divided up essential tasks, shared needs and procured for all the schools. An example of practical collaboration!

Consider the following:

- Are you getting the most from your non pay spend?
- Are you getting the best deals for your school?
- Do your existing contracts give value for money in achieving the best possible educational and wider societal outcomes through the economic, efficient and effective use of all the resources in the school's charge?
- In school forums are you hearing that the same suppliers are being used and schools paying different prices despite hard negotiation?
- Consider who else might be doing this or something similar so you can join up;
- Would you like the opportunity to share resources and build on business management opportunities?
- Ad hoc and one off contracts are time consuming and expensive. It is important to
 consider not just the cost of a purchase (e.g. the cost of an item) but also the cost
 of purchasing (the process costs attributable to each individual involved in both the
 purchase and the payment). Working collaboratively may provide the necessary
 leverage to consolidate and reduce the high number of low value invoices.

Risk

Your buying or project team needs to consider how attractive are you or the group of schools you represent to the supplier against the relative value of the schools. It is particularly important for you to fully understand the key links in the supply chain. This is because many of the risks associated with the purchase could be further along the

² Plan A+: Unleashing the potential of academies, The Schools Network/Reform, March 2012. A self-selecting survey with responses from 478 Academies (around one third of those then open)

supply chain and may not be immediately obvious. For a high value procurement you should analyse suppliers and products and plot the major steps in the supply chain, right back to the point of production, with the assistance of suppliers and/or stakeholders with appropriate knowledge. Once this has been done, risks can be identified at each stage.

As a team ask:

- If we accepted a higher level of risk, could that give us a better range of options?
- What is the project appetite for different risks (e.g. financial, reputational, operational, and political)?
- Are we able to identify and track the strategic risks involved without micromanaging them?
- Could we manage a higher level of risk and how could relevant experts help us?
- What might be the implications of a higher level of risk for the organisation?

Example

An IT supplier bids to provide a service for £100,000 per year and guarantees 98% system availability. Another supplier can offer 99.5% availability for an extra £50,000 per year.

What would be the impact if the system went down? Is 98% good enough?

Risk analysis

For a high value high saving collaborative procurement having undertaken a full Supply Chain analysis, the project team needs to carry out a risk analysis.

The project team need to identify potential suppliers so that plans are in place if the supplier goes into liquidation or stops trading. More information on financial assurance is available on GOV.UK.

Keep it simple with our top tips

1. Identify who you might collaborate with

Are there local schools that have procured together before that you might join? Multi-academy trusts may already have a procurement lead buying on behalf of all their academies. Could you extend this to local primary schools? Use the Schools Performance Tables, Schools Benchmarking pages to find schools of similar size and spend per pupil.

Higham Academy, Redmarley Academy and Staunton and Corse Academy: an example of collaboration

These three primary schools are located within six miles of each other in Gloucestershire. Kathy James the Head Teacher at Redmarley says "Now we can negotiate outside of the constraints of our local authority and work to get better services, based on what we know works for our schools. We have noticed that our local authority has raised the bar and has come in more competitively themselves in offering services, so all round everyone is raising the game. We are very positive about that."

2. Take time to plan

Identify schools in your area who are planning to buy similar products or services so that you can collaborate and combine your spend. You could get better prices and service levels from suppliers. Ensure you have an agreed and approved business case to ensure clarity between all participating schools. Senior board members or the leadership team will need an overview of the project and expected outcomes. The detail is for the buying or project team to know.

Hold an introductory meeting to outline the objectives set out by the project team for colleagues from all the collaborating schools. This will allow the opportunity to meet each other and gain a better understanding of how the finance functions within the individual schools operate, what current requirements are and current costs paid and processes used for the order to pay cycle. Better planning and understanding at the start will make the rest of the process quicker, more efficient and secure, with fewer legal risks. Agree what success will look like and how you will communicate with your supplier. Ensure you have clarified which members of staff you will need to approach for strategy, assurance and sign off. You may find it useful to have a Memorandum of Understanding (MOU) or collaboration agreement between the schools. An example is given at Annex A.

3. Keep in mind the 3 E's

Economy - Are you buying goods and services of the appropriate quality at the right price?

Efficiency - How well do you convert what you buy into in achieving the best possible educational and wider societal outcomes?

Effectiveness - How well are the results achieving the desired outcome of improving the attainment of all children?

4. Comparing prices

Team up with neighbouring schools to achieve greater leverage. You may find it useful to use the schools performance tables and schools financial benchmarking website to compare your spend with that of similar schools. When comparing prices you are aiming to find the best possible approach to identifying and comparing the pricing of commodities and services between schools. For example at regional finance meetings is there the opportunity to bring an invoice for regularly bought items by all schools and plot highest and lowest price paid. In this instance comparing prices is the regular systematic measuring of the prices you are paying against those of other schools. Comparing prices or benchmarking can help schools access comparable and critical information on costs, prices and contracts. Future meetings might include opportunities to explore and prioritise what items or services to benchmark.

A quick price comparison of a low value low risk requirement from several suppliers could result in substantial savings. Being better informed and knowing as much as your suppliers will help achieve better deals. Benchmarking can act as an incentive to drive improvements in the competitive positioning of all educational suppliers.

Have some key objectives in mind. For example you could:

- Identify and compare the pricing that is available for schools buying a range of commodities and services;
- Identify and compare pricing across all types of schools;
- Compare pricing across a wide range of scenarios from the requirements of schools with basic needs to those who are more complex. This is particularly relevant for telephony, mobile and broadband services; and
- Identify a basket of goods as well as single items. Collaborative procurement offers the opportunity for volume purchasing;

- Identify and compare additional fees and delivery charges. Collaboration may be the leverage to remove these;
- Include something about processes e.g. consolidated invoicing;
- Try it out on something small first.

Collaboration can start with a simple requirement which would not require a lot of time and where there are lots of suppliers in the market. You may like to try a group stationery or paper buy. Achieving savings in this area may provide inspiration to collaborate on more strategic procurements when the process is established.

5. How do we agree our requirement?

Take time to do some fact finding and ask questions. Reviewing past invoices may help you to establish your requirements:

- Who are your current suppliers?
- What are you buying from them?
- When are you buying is it planned or reacting to demand? There are certain
 times in the year when all schools tend to purchase the same type of commodities
 and services. You will need to look at the end dates of current contracts and bring
 into line with each other. The project or buying team will need to think about why a
 particular supplier or product is used;
- How was a supplier selected previously?
- You may decide to hold a meet the buyer session with all interested suppliers to tell
 them your specific needs. If you don't ask, the market doesn't know how to create
 and innovate. You should make it clear that all pre-contract discussions are
 'without commitment'; and
- Use your leverage and influence to get better deals;
- Understand what works well and what needs to be improved on your current agreement, to help understand what you require from a new agreement.

The Mosley Academy: an example of using influence to get better deals

Mosley Primary School converted to academy status on 1 November 2011, becoming The Mosley Academy. It is a small, high performing village primary school of 125 children in Burton upon Trent.

To act as a cushion over conversion, Mosley has initially stayed with many local authority services such as HR, payroll and finance. They have, however, found that they have more influence as an academy with the local authority and have been able to negotiate a lower price for their finance package (saving £4,000).

The school is getting a better service from an outside contractor for their grounds maintenance and have withdrawn from school library services so they can spend the money on resources which will stay with the school. They have also invested in tablets for classroom use. This is already having a big impact on teaching and learning, saving teachers time and engaging pupils.

6. A good specification

A good specification will ensure that you obtain a good outcome that meets your needs and is fit for purpose. Do you need specialist staff and possibly student representative input? By spending time and agreeing a specification you will be able to achieve good value for money. Further information is available on GOV.UK and <a href="Developing a statement of requirements.

7. How do we procure it?

Have a look at <u>BuyWays</u> which will take you through the public sector procurement cycle and <u>GOV.UK</u> for examples on how to carry out procurement. If you can make your EU-qualifying purchase through a pre – existing public sector deal then the hard work has been done for you. Frameworks or deals aggregate requirements across the wider public sector and or Government in order to harness collective buying power. Schools can collaborate to buy through a framework so no matter what size your requirement you can use the buying power of all the public sector to negotiate deals and drive down prices. Public sector deals satisfy concerns of quality control, continuity of supply and the commitment to sustainable procurement and represent a route to best value for the public purse. For public procurement policy and EU thresholds see <u>GOV.UK.</u>

ICT Services Framework uses the leverage of schools buying ICT equipment and services including infrastructure, connectivity and service integrators. This is being used extensively within the academy community, has contracts worth over £180m already committed through it and has become the default procurement mechanism for the Free Schools ICT capital programme. (A specific 'Lite' version of this Framework's terms and conditions is available for single school or Academy use). Groups of schools may collaborate and use the framework.

8. Evaluation and selection

Don't forget to look at the whole life costs – pre-purchase, tender, operating, maintenance, end of life costs (including disposal) and exit strategy. The higher the value the more you need to take care. Note your decisions for rejecting suppliers. You must have a selection of suppliers who are capable of fulfilling the requirement. Look at their track record. Suppliers must demonstrate that they have the experience, capacity and capability to provide the goods or services. This is how the suppliers have stated in their tender response that they will deliver the solution being offered. Did the supplier state how they will achieve your performance measures? The contract award must be on the basis of the award criteria. Further information is available on BuyWays and GOV.UK.

9. Sign off, approve and award

Award the contract to one supplier only. Collaboration does not work if every school wants a different supplier. Keep a note of the process from start to finish. Not only is this necessary for audit purposes but it will be useful in future procurements to identify where things went well and not so well. Refer back to your agreed business case at each stage of the procurement process. Further information is available on BuyWays and GOV.UK.

10. Contract management

Contract management is the critical step in the procurement cycle that ensures the delivery and benefits of the procurement process are achieved and secured. You can run a faultless tender, identify the best-value supplier, and sign a contract with them that includes all the information needed to secure the outcome you want i.e. what you're paying this supplier to deliver.

But unless you take the basic steps to manage that contract over its life, you will be unable to guarantee that outcome, or ensure you're getting the best value for your money. Further information is available on BuyWays that will take you through the basics of contract management. This will help you to make the very best of your whole procurement process including managing your suppliers, contract variation, breaches of contract, resolving disputes and managing key suppliers.

11. Working together

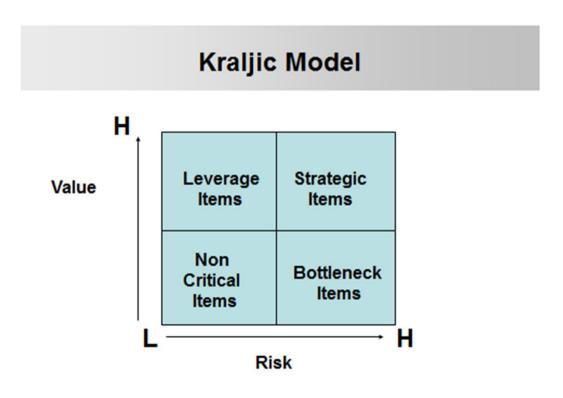
Schools may work with any school that has similar purchasing requirements to them and is keen to collaborate. Working together means aggregating your requirement and will increase the estimated overall value which may reach the EU threshold which for schools and colleges is £172,514. For further information see <u>GOV.UK</u>.

The Diocese of Gloucester Academies Trust supports a group of academy school business managers. They began a discussion on the cost of a ream of A4 paper with a simple show of hands. Hands dropped as the price paid by other schools got lower. When they found the lowest price paid in the room, they had established a benchmark and formed a collaborative group to go out to tender to better that price.

12. Review the market

A good understanding of the market is vital for effective procurement. This means that competition between good sources of supply can be developed. There are a number of tools which can be used to help the project team understand how supply markets work.

One of these is to list all the goods and services which need to be purchased and plot on a four box matrix. The purpose is to help the buyers focus their resource on the most important areas of spend, develop key supplier relationships, maximize supply security and reduce costs, by making the most of their purchasing power and move procurement to a strategic activity.



Supply risk is high when the item is a scarce or difficult to get hold of e.g. when delivery logistics are difficult and could easily be disrupted, or when there are few suppliers.

Impact is high when the item adds significant value to the schools output. This could be because it makes up a high proportion of the output (for example, data modules for the school's management information system) or because it has a high impact on quality (for example, broadband access for staff/students).

Then mark each item in the appropriate place on the matrix. Once this is done we recommend the following purchasing approaches for each of the four quadrants:

- Strategic items (high impact, high supply risk) These items should have the most attention. Options include developing long-term supply relationships, analysing and managing risks regularly and planning for contingencies, if appropriate;
- Leverage items (high impact, low supply risk) Purchasing approaches to consider here include using your full purchasing power, substituting products or suppliers, and placing high-volume orders;
- Bottleneck items (low impact, high supply risk) Useful approaches here include over-ordering when the item is available (lack of reliable availability is one of the most common reasons that supply is unreliable), and looking for ways to control suppliers;
- Non-critical items (low impact, low supply risk) Purchasing approaches for these items include using standardised products, monitoring and/or optimising order volume, and optimising inventory levels.

13. Consider your steps to procurement

There are many issues to consider including public procurement contract regulations and EU thresholds referred to in section 7 of our top tips. Every requirement must have a robust procurement and support strategy agreed at the appropriate level. The procurement strategy will include a commercial and contracting strategy and the buying team must involve the appropriate people at the earliest possible stage in its production e.g. legal.

Every aspect of the procurement including **affordability**, **allocation and management of risk**, **delivery**, **support** and **disposal** of a requirement must be covered – how the requirement is to be met, assessing all procurement options and the risks involved, and proposing a specific route to contract. The prime objective of developing the procurement strategy is to ensure the business case demonstrates that the contract will secure best

whole life value and meet the specified needs of the project. More information on how to appraise proposals before committing funds to a project can be found on <u>GOV.UK</u>.

Further considerations

Advertising

Advertising is the communication of information in the form of contract notices to draw the attention of potential suppliers (and the wider public) to our acquisition requirements. Advertising gives industry the opportunity to show interest in bidding for contracts thereby encouraging competition and supporting best value for money. For further information and deciding on your procurement approach see BuyWays.

Tendering

Contract documentation issued by public sector organisations will need to comply with the tendering procedures of the EU Procurement Directives, and it would be necessary for the project team to be familiar with those Directives.

Use existing deals

Significant sums can be saved by harnessing the public sector buying power through using corporate contracts and frameworks. These contracts have been negotiated from a public sector wide best value for money perspective. See The Crown Commercial
Service deals, Pro5 and <a href="the the Crescent Purchasing Consortium (CPC) for contracts and frameworks available for all schools to use. They include negotiated discounts (some volume and value based) and benefits which may not be immediately apparent. These contracts exploit the negotiated benefits such as continuity of supply, suitability for purpose and support. They are professionally negotiated to ensure quality of the goods and/or services received and getting value-added services such as training.

Minor considerations may include storage before planning a bulk resource purchase e.g. copier paper. Talk to the framework category lead. Discuss whether the category strategy or equivalent for the goods or services in question includes any specific problems faced by schools, how competition will be maintained; the effect on smaller and local businesses and how the strategy will meet local needs. For help on Crown Commercial Service deals for schools contact education@ccs.gsi.gov.uk.

Accountability issues

The 2014 <u>Academies Financial Handbook</u> (AFH) outlines accountability requirements for academies. Specific considerations may include:

• Buying from connected bodies – the need to ensure such goods/services are provided 'at cost' and need to properly disclose any related party transactions. See the AFH for more details (Section 3.2 of the AFH refers). Also note a de minimis limit applies below which the 'at cost' arrangements do not apply;

The <u>Academies Accounts Direction</u> (updated annually). Academies and Free Schools are required to submit independently audited financial statements. This includes the regularity statements highlighting any transactions which have not met the higher standards.

Section 2.10 of the <u>schemes for financing schools</u> outlines requirements for maintained schools

Propriety and regularity – all schools should consider things that auditors may consider when giving their regularity conclusion including lines/limits of delegation, EU thresholds, contracts and policies.

Further sources of information

Associated resources

- Crown Commercial Service (CCS)
- NASBM National Association of School Business Management
- ASCL Association of School and College Leaders

Other departmental advice and guidance you may be interested in

Academies Finance Handbook

BuyWays – no cost procurement eLearning for the schools workforce.

Advice for effective buying for your school

Could you help other schools by promoting your collaboration? You could volunteer to talk about your project at your local schools business management meetings and forums, or send us a case study that we can share. Contact CG.Communications@education.gsi.gov.uk.

Annex A: Example template for a Memorandum of Understanding (MOU)

MOU between "INSERT NAME of LEAD SCHOOL" and "		
Our aims (Example)		
To ensure that each school is supported fairly and equally to reach agreement on a joint specification encompassing all our requirements and expectations.		
The collaborative procurement strategy and business case will be signed off and approved by school governing bodies.		
The collaborative group works to an agreed timetable taking into account public sector procurement timescales.		
To produce a communications plan and hold regular meetings.		
To provide our schools with the best compliant and value for money outcome.		
To work in a confidential, ethical and professional manner.		
Our expectations/ requirement (Example):		
 That all schools participating in this service will work together in a flexible and supportive way; 		
 That the participating schools will work collaboratively to develop the requirement and evaluate the proposals; 		
Names of contacts: (Example)		
Date will start, Date will end and how parties can terminate.		
This MOU is not legally binding but is to reflect the spirit of collaboration and good faith between the participating schools.		
Signed: Name and Position,		
Date:		

Annex B: Example terms of reference for XXX Project Board

Purpose

[The [XXXX] Project Board acts as an executive Board to oversee the overall goal of the Project which is to XXXX].

Owner

[XXXX Project Senior Responsible Officer – XXXX].

Remit

- The Project Board provides overall direction and management of the project. The Board is accountable for the success of the project and has responsibility and authority for the project;
- The Project Board approves all major plans and authorises any major deviation from agreed plans. It is the authority that signs off the completion of each phase as well as authorising the start of the next phase;
- The Project Board ensures that required resources are committed and arbitrates on any conflicts within the project;
- Project Board meetings will be hosted by the lead school, unless otherwise agreed.
 Meetings will be scheduled approximately every XX weeks.

Governance

- The XXXX Project Board is chaired by the XXXX. The Project manager is XXXX.
- The XX Project Board receives reports from the project manager.

Membership

The members on the board are:

Invitee	Team	Role

Scope for discussion

Monitoring local delivery effectiveness [optional heading]

Escalation of risks and issues at project-level. The Project Board is accountable for mitigation of risks and issues identified as being at project level.

Periodic Review of Other Project Components [optional heading]

Project Support

Support to the board is provided by XXX in producing agendas and minutes, coordinating papers, managing the risk register, milestone charts, stakeholder dashboard and other logistical requirements.

Frequency

- The board will meet every XX weeks and will be scheduled for X hour;
- Papers will be circulated a week in advance of the board.

Notes and actions will be circulated within 5 working days following the Board Meeting.



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