



# Corporate procurement plan 2020 – 2022

## Document history

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## 1. Introduction

The Code of Practice for the Governance of State Bodies 2016 (the Code) requires State bodies to prepare a Corporate Procurement Plan as set out in section 8.20 of the Code.

### 8.20 Corporate Procurement Plan

The OGP policy framework requires that all non-commercial State bodies complete a Corporate Procurement Plan. This plan is underpinned by analysis of expenditure on procurement and the procurement and purchasing structures in the organisation. The plan should set practical and strategic aims, objectives for improved procurement outcomes and appropriate measures to achieve these aims should be implemented.

The Chairperson should affirm adherence to the relevant procurement policy and procedures and the development and implementation of the Corporate Procurement Plan in the comprehensive report to the Minister.

The Authority's Statement of Strategy 2016 to 2020 identifies good corporate governance and controls as a key enabler for achievement of the organisation's strategic objectives and that a key outcome is to ensure full compliance with the Code of practice for State bodies. This plan sets out how the Authority undertakes its procurement functions in compliance with section 8.20 of the codes of practice.

## 2. Objective of the plan

The objective of this plan is to ensure the Authority's ongoing compliance with EU and national procurement legislation, circulars and guidelines (see Appendix 1).

## 3. Procurement expenditure analysis

Annual expenditure and budgets are set by the Senior Management Team (SMT) and reviewed by the Audit and Risk Committee (ARC) who in turn recommend them to the board of the Authority for approval.

Appendix 2 provides an analysis of the Authority's expenditure which is subject to, and not subject to, procurement (based on 2019 actual accounts).

The Authority publishes a full set of accounts in its annual report.

## 4. Implementation of the plan

An overview of the implementation of this plan is set out under the headings below.

### 4.1. Management of procurement

The Operations Unit has responsibility for the procurement functions in the Authority which includes:

- ensuring that all procurement meets EU and national legislation, circulars and guidance requirements,



- management of the procurement plan, policy, procedures and associated records,
- management of finance and purchase management systems and procedures,
- training for staff on procurement policies and procedures,
- final approval for payment of all expenditure, and
- support to staff on procurement which includes assistance with identifying appropriate procurement methods, the preparation of RFTs and contracts, conducting evaluations, and providing feedback.

## **4.2. Procurement policy and procedures**

The Authority's procurement policy and procedures comprise the following elements:

- Procurement policy: this outlines the principles that govern the Authority's procurement activities and is published on the Authority's website.
- Procurement procedures manual: this provides guidance on approval procedures, threshold levels, use of frameworks templates and contracts, purchase management and contract management.
- Corporate procurement register: this records the Authority's procurement activity.

## **4.3. Oversight of the Authority's procurement**

To ensure appropriate oversight of the Authority's procurement, the following corporate governance is in place:

- The Authority conducts monthly reviews of the corporate procurement register to ensure that all contracts are renewed or replaced on time.
- Annual expenditure and budgets are set by the SMT and reviewed by the ARC who in turn recommend them to the board of the Authority for approval.
- Approval by the board of the Authority is required for the award of any one contract or expenditure over €100,000 (ex VAT).
- Ministerial approval is required for any expenditure above €55,000 (ex VAT) on consultants or advisers in accordance with Section 12 of the Pensions Act.
- The SMT and the ARC review the management accounts on a quarterly basis. Part of this process is to report on any budget variances and comment on any procurement issues that arise and raise any concerns where relevant with the board of the Authority.

- End of year draft accounts are submitted to the Department of Employment Affairs and Social Protection and the Department of Finance.
- Annual independent internal and Comptroller and Auditor General audits are conducted.

#### **4.4. Procurement templates**

The Authority will use Office of Government Procurement (OGP) frameworks where available and appropriate. Where an OGP framework is not available, the Authority will procure goods and services in accordance with OGP guidelines.

For the procurement of services, the Authority will use its own suite of templates for RFTs (requests for tender) and contracts that are based on OGP templates.

For the procurement of ICT goods and services, the Authority will prepare RFTs and contracts on a case-by-case basis as recommended by the OGP.

#### **4.5. Procurement action plan 2020 to 2022**

The Procurement action plan sets out practical, time limited measures the Authority will undertake to improve routine procurement procedures. The Procurement action plan is set out in Appendix 3.

#### **4.6. Procurement activity in 2021**

The table in Appendix 4 provides an overview of significant procurement activity that is planned for 2021.

## Appendix 1 – Procurement legislation and guidance

Included here is a list of relevant legislation and guidance that applies to procurement by the Authority.

Name	Source	Description	Links
<b>EU Directives</b>			
EU Directive on public procurement	EU Directive and Irish regulations	The current EU directive on public procurement is implemented in Ireland via SI 284 of 2016 (as amended).	<a href="#">SI 284 of 2016</a> and <a href="#">Directive 2014/24/EU</a>
EU Directive on procedures concerning the award of public contracts (the “Remedies Regulations”)	EU Directive and Irish regulations	The Remedies Regulations (as amended) apply to all contracts above the EU threshold and oblige contracting authorities to provide minimum information to unsuccessful tenderers and to allow for a “standstill period” of 14 days before execution of contracts. Under these Regulations, suppliers may challenge contract award decisions in the High Court.	<a href="#">SI 130 of 2010</a> and <a href="#">Directive 2007/66/EC</a>
<b>OGP guidance</b>			
National Public Procurement Policy Framework	OGP	This document sets out the overarching policy framework for public procurement in Ireland.	<a href="#">National Public Procurement Policy Framework</a> (November 2019)
Template RFTs and Contracts for Goods and Services	OGP	OGP templates designed for tenders for low to medium risk goods and services that are above the EU threshold.	<a href="#">OGP Templates for Goods and General Services</a>



Name	Source	Description	Links
Public Procurement Guidelines for Goods and Services	OGP	This document provides comprehensive guidance on procurement processes for contracts, frameworks, above and below EU thresholds.	<a href="#">Public Procurement Guidelines for Goods and Services</a> (January 2019)
OGP Information Notes	OGP	These notes issued by the OGP provide guidance on specific matters such as Covid-19, Brexit, GDPR etc.	<a href="#">OGP Information Notes</a> (ongoing)
Ethics in Public Procurement	OGP	This document provides information to assist public sector buyers to conduct purchasing in a way that satisfies probity and accountability requirements.	<a href="#">Ethics in Public Procurement</a> (2005)
<b>Irish government circulars and guidance</b>			
Code of Practice for the Governance of State Bodies	DPER	Sections 8.16 to 8.21 set out requirements for the Board and Chairperson in relation to procurement governance including: <ul style="list-style-type: none"><li>• procurement policies and procedures</li><li>• corporate procurement plan</li><li>• contracts database</li><li>• procedures to detect non-compliance</li><li>• obligation on Chairperson to report non-compliance.</li></ul>	<a href="#">Code of Practice for the Governance of State Bodies</a> (August 2016)
The Public Spending Code	DPER	All Irish public bodies are obliged to treat public funds with care, and to ensure that the best possible value for money is obtained whenever public money is being spent or invested. The Public Spending Code is the set of rules and procedures that ensure that these standards are upheld across the Irish public service.	<a href="#">Public Spending Code</a>



Name	Source	Description	Links
Freedom of Information Model Publication Scheme	DPER – FOI Central Policy Unit	This document includes the requirements to publish procurement information under the FOI Act, 2014.	<a href="#">Freedom of Information Model Publication Scheme</a> (July 2016)
Determining Insurance Requirements for Goods & Services RFTs & Contracts	State Claims Agency	This document provides guidance on the appropriate types and levels of insurance cover for contractors in the performance of public contracts for goods and services.	<a href="#">SIG 02: Determining Insurance Requirements for Goods &amp; Services RFTs &amp; Contracts</a>
Promoting the use of Environmental and Social Considerations in Public Procurement	DPER	The purpose of this Circular is to promote the wider use of environmental and social considerations in public procurement with specific regard to the Climate Action Plan 2019	<a href="#">Circular 20/19</a>
Arrangements for digital and ICT-related expenditure in the Civil and Public Service	DPER	The purpose of this Circular is to simplify the arrangements for approval and oversight of ICT expenditure through greater alignment with the Estimates Process, relevant strategies and strategic objectives. This circular supersedes previous circulars 02/09 and 02/11.	<a href="#">Circular 02/16</a>
Initiatives to assist SMEs in Public Procurement	DPER	This Circular sets out measures to assist SMEs in public procurement including the obligation to advertise on etenders all contracts for goods and services over €25,000 (€50,000 for Works).	<a href="#">Circular 10/14</a>
Arrangements concerning the use of central contracts put in place by the OGP.	DPER	This Circular concerns the use of central contracts and frameworks put in place by the OGP. Where public bodies do not utilise central procurement frameworks they should be in a position to provide a value for money justification. Value for money justifications should take into account the full costs of running a public procurement competition.	<a href="#">Circular 16/13</a>



Name	Source	Description	Links
Procurement of Legal Services and Managing Legal Costs	DPER	This Circular reminds public bodies of their obligations to ensure that their procurement of legal services complies with the rules and guidelines on public procurement. It also outlines appropriate competitive procedures that can be used in the engagement of legal services and sets out a number of approaches and tools for public bodies to use in managing legal costs.	<a href="#">Circular 05/13</a>
Tax Clearance Procedures for Public Contracts	Dept. of Finance	This Circular sets out the requirement that public contracts may not be awarded, nor payments be made, unless the contractor holds a current Tax Clearance Certificate from the Irish Revenue Commissioners.	<a href="#">Circular 43/06</a>

## Appendix 2 – Budgets and analysis of expenditure

**Table 1 - Income and expenditure analysis for 2019**

Item	Total in millions	Description
Income	€7,389,030	Authority income comes from occupational pension scheme and PRSA fees
Expenditure	€7,443,445	Salaries, rent, professional fees, capital expenditure, etc.

**Table 2 - Expenditure 2019 – identified by expenditure not subject, and subject, to procurement**

Item	Total	%	Description
Expenditure not subject to procurement	€5,857,964	79%	Predominantly relates to salaries, accommodation costs and corporate subscriptions.
Expenditure subject to procurement	€1,585,481	21%	Further details in table 3.
<b>Total expenditure 2019</b>	<b>€7,443,445</b>	<b>100%</b>	

**Table 3 - 2019 expenditure subject to procurement segmented into categories**

Item	Total	%	Description
General administration	€471,423	30%	IT support and maintenance contracts, insurance, stationery, phones, travel.
Professional fees	€598,651	38%	IT, legal, research and project work.
Information and publicity	€189,822	12%	Website, advertising and printing.
Training and education	€185,217	11%	Staff training in-house and external
Depreciation on capital expenditure	€140,368	9%	Software systems development, computer and office equipment, and leasehold improvements.
<b>Total expenditure subject to procurement</b>	<b>€1,585,481</b>	<b>100%</b>	

## Appendix 3 – Procurement action plan 2020 - 2022

The Procurement action plan sets out practical, time limited measures the Authority will undertake to improve routine procurement processes.

No.	Action	Output/result	Timeframe
1	<p>Review the Corporate procurement register on a monthly basis to ensure:</p> <ul style="list-style-type: none"> <li>plans are in place for any upcoming contract renewals (to be commenced at least six months before the end of the contract term), and</li> <li>expenditure under contracts are in line with estimates.</li> </ul>	<ul style="list-style-type: none"> <li>Contracts are extended or re-tendered in a timely manner.</li> <li>Expenditure under a contract does not exceed the estimated value of the contract or breach thresholds</li> </ul>	Monthly
2	Conduct a quarterly review with each Unit in the Authority to identify procurement requirements for the next twelve months	Contracts will be put in place in a timely manner.	Quarterly
3	Publish a list of all contracts awarded with a value over €25,000 on website with associated details	Increased transparency and compliance with the Freedom of Information Model Publication Scheme.	Quarterly
4	Publish a list of all purchase orders over €20,000 on website with associated details	Increased transparency and compliance with the Public Sector Reform Plan.	Quarterly
5	Publish award notices for Authority tenders on eTenders	<ul style="list-style-type: none"> <li>Publication of award notices for all Authority tenders are up to date.</li> <li>Tenders are closed as appropriate.</li> </ul>	Ongoing
6	Review the Corporate Procurement Plan	The Corporate Procurement Plan published to the Authority's website is up to date.	Annually by end Q4
7	Review the Authority's Procurement policy	The Authority's Procurement policy published to the Authority's website is up to date.	Annually by end Q4
8	Review the Authority's Procurement procedures manual	The Authority's procurement procedures manual published to the Authority's intranet is up to date.	Annually by end Q4



## Appendix 4 – Procurement activity in 2021

The following list provides an overview of significant procurement activity that is planned for 2021:

- Deciding on whether to extend the term for the following contracts which will reach the end of their initial two-year term during 2021:
  - ICT External Resources
  - ICT Consultancy
  - ICT Managed Support.
  
- Putting in place new contracts for:
  - Website design, hosting, support and development
  - HR training
  - Internal finance and pensions administration support
  - Various low value contracts (e.g. mobile phones, employee assistance programmes and records management services).
  
- Value for money review audits for existing contracts.