

Wheatley Group Procurement Policy



We can produce information on request in large print, Braille, tape and on disk. It is also available in other languages. If you need information in any of these formats please contact us on Freephone 0800 479 7979.

如果你向我們提出要求，我們可以為你提供本資訊的其他語言的版本，或者是盲文或磁帶。如果你需要本資訊的任何一種這些版式的版本，請聯繫我們，電話號碼是 0800 479 7979.

Si vous nous le demandez, nous pouvons vous remettre ces informations en d'autres langues, en braille ou sur cassette. Si vous souhaitez que ces informations vous soient fournies sous l'un de ces formats, contactez-nous en composant le 0800 479 7979.

چنانچه مایل باشید می‌توانید این مطالب را به فارسی یا زبان‌های دیگر و همچنین بریل و یا بر روی نوار کاست دریافت دارید. در صورت نیاز خواهشمندیم با شماره تلفن 0800 479 7979 با ما تماس بگیرید.

ਜੇ ਤੁਸੀਂ ਸਾਨੂੰ ਬੇਨਤੀ ਕਰੋ ਤਾਂ ਅਸੀਂ ਤੁਹਾਨੂੰ ਇਹ ਜਾਣਕਾਰੀ ਹੋਰ ਭਾਸ਼ਾਵਾਂ, ਬ੍ਰੇਲ (ਨੋਤੁਹੀਲਾ ਲਈ ਭਾਸ਼ਾ) ਵਿੱਚ, ਜਾਂ ਟੇਪ ਉੱਪਰ ਦੇ ਸਕਦੇ ਹਾਂ। ਜੇ ਤੁਹਾਨੂੰ ਇਨ੍ਹਾਂ ਵਿੱਚੋਂ ਕਿਸੇ ਰੂਪ ਵਿੱਚ ਚਾਹੀਦੀ ਹੋਵੇ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ 0800 479 7979 ਨੰਬਰ ਤੇ ਸੰਪਰਕ ਕਰੋ।

Na Pana/Pani życzenie możemy zapewnić te informacje w innych językach, alfabetem Braille'a lub na kasecie. Jeśli chciał(a)by Pan(i) uzyskać te informacje w którejś z tych form, prosimy skontaktować się z nami pod numerem telefonu 0800 479 7979.

Haddii aad na weydiisato waxaanu warbixintan kugu siin karaa iyadoo ku qoran luuqad kale, farta ay dadka indhaha la' akhriyaan ama cajalad ku duuban. Haddii aad jeclaan lahayd in warbixintan lagugu siiyo mid ka mid ah qaababkaas, fadlan nagala soo xidhiidh telefoonka 0800 479 7979.

По вашей просьбе данная информация может быть предоставлена на других языках, шрифтом Брайля или в аудиозаписи. Если вам требуется информация в одном из этих форматов, позвоните нам по номеру 0800 479 7979.

Name of Policy	Group Procurement Policy
Responsible Officer	Group Procurement Manager
Date approved by Wheatley Board	Feb 2018
Date of next formal review	Feb 2020

The Wheatley Group will provide this policy on request at no cost, in large print, in Braille, on tape or in other non-written format, and in a variety of languages.

Application of this Policy to all Wheatley Group Staff

Mandatory	x
Variation possible	
Framework only	
Local policy required	



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Section 1 Introduction

The Wheatley Group Ltd ('The Group') is Scotland's leading housing, care and property management group. We are a dynamic and growing organisation which currently comprises six Registered Social Landlords, two Care Partners, a repair Division and two commercial subsidiaries. The Group currently spans 15 Local Authority areas across Central Scotland.

Our Group partners are:

- Glasgow Housing Association
- Dunedin Canmore Housing Association
- Cube Housing Association
- Loretto Housing Association
- West Lothian Housing Partnership
- Barony Housing Association
- Loretto Care
- YourPlace Property Management
- Lowther Homes
- *City Building Glasgow

*The recently acquired, shared 50/50 split Joint Venture with Glasgow City Council & Wheatley Group, now confirms City Building Glasgow as a Partner Organisation within the Wheatley Group. City Building Glasgow still complete their own Procurement processes for the supply of all goods and services required to undertake their contractual obligations.

This Procurement Policy applies to and binds all employees of the Group and its subsidiaries in any situation where they are involved in a purchasing process. 'Purchasing' includes all procurement activities including leasing and hiring, and may where appropriate include other activities accompanying the life cycle of goods (or service contracts) and the end-of-life disposal of goods which have been procured (whether or not they remain in our ownership). Adherence to the Procurement Policy is both an individual and a corporate responsibility; failure to comply may result in disciplinary action.

The purpose of the Procurement Policy is to set out the general operating principles covering the activities and objectives of Procurement within the Group. The document seeks to explain in broad terms the principles under which Procurement throughout the Group will be undertaken and proactively managed such that the stakeholders' requirements for supplies, works and services are efficiently and effectively sourced at the lowest sustainable 'total' cost whilst delivering best value for money.

The Procurement Team is responsible for managing procurement on behalf of the Group ethically and in compliance with both domestic and EU Legislation. It is responsible for providing guidance and support across the Group and to support staff who procure on behalf of their subsidiary. Should you require any assistance or guidance with any procurement matter please contact procurement@wheatley-group.com.

Wheatley Housing Group / City Building (Glasgow) Joint Working Principles

In April 2017 the Group entered into a joint venture with Glasgow City Council. The Group became the 50/50 joint owner of City Building (Glasgow) which will deliver repairs and general maintenance work within the Group's Registered Social Landlords in the west of Scotland (including Glasgow Housing Association, Cube and Loretto), the Group's commercial housing subsidiary Lowther Homes and its property management company YourPlace.

We are working to develop a collaborative approach to managing procurement across the Group with CBG. This will be developed and agreed in line with the Group's compliance and legislation principles, reflecting best value and sustainability through the supply chain, determining the most effective route to market, jointly supporting SMEs, effectively benefiting the customer through the efficient management of Community Benefits and the Wheatley Pledge and ultimately promoting excellence in procurement.

Section 2

Principles, Aims and Objectives

Procurement activities must comply with all applicable UK and European laws and regulations. In particular all procurement must comply with the Public Contracts (Scotland) Regulations 2015, The Procurement (Scotland) Regulations 2016, Procurement Reform (Scotland) Act 2014 and the Housing (Scotland) Act 2001. In addition the Group will comply, where relevant with international laws, agreements and treaties to which the UK Government is a party.

All Procurement activity aims to achieve Best Value for the Group. Best Value includes not only the initial purchase price, but also continuing costs throughout the life cycle of equipment, materials works and services, such as financing and depreciation, maintenance requirements and energy usage. Best value also includes the quality and reliability of the supplies, works or services and the punctuality and reliability of their execution.

The Group will work collaboratively with suppliers wherever possible to create relationships within which the Procurement Team can learn how to make it easier for suppliers to meet stakeholder requirements and to further encourage suppliers to improve their products, prices, quality and service level delivery.

The Group will work with Government bodies and other public sector organisations to utilise collaborative procurement arrangements where they offer value for money. In addition the Group will consider including collaborative arrangements within its contracts to enable other public sector bodies to benefit from its rates, lean methods and scope of work.

All Procurement for supplies, works and services that the Group undertakes and the methods' it uses to procure them, must not infringe existing laws applicable at the time of the procurement, and must conform to the highest ethical, social and environmental standards.

Section 3

Equal Opportunities

We are committed to providing fair and equal treatment for all of our stakeholders and in the way we conduct business by positively promoting equal rights for all. The Group is committed to ensuring that no-one is excluded or discriminated against on the grounds of religion, belief, age, gender, gender reassignment, sexual orientation, marriage or civil partnership, family circumstances, pregnancy and maternity, employment status and/or disability. We positively endeavor to achieve fair outcomes for all. Through our procurement processes we will challenge our suppliers to not only confirm compliance with legislation but to reflect our aspirations for equality and diversity in their working practices.

The Group carries out Equality Impact Assessments on all our procurements activities to ensure that there are no negative equality and diversity implications. We take appropriate action to address inequalities likely to result or resulting from the implementation of the policy and procedures.

Section 4 Data Protection

The Group holds a wide range of sensitive information, both of a personal and a commercial nature. We have a duty to protect this information and ensure it is not seen or accessed by people (whether internal or external to the Group) without the legal authority to do so.

The Group's policy position in respect of data protection is reflected in the Group's Data Protection Policy.

The Group is subject to the General Data Protection Regulation (EU) 2016/679 (the GDPR) and the Data Protection Act 2018 (the Data Protection Act) (the Data Protection Legislation). This means that, where a service is being procured which will involve the processing of personal data by the contractor on behalf of the Group, the Group must also ensure that the requirements of the Data Protection Legislation are complied with.

The Group will undertake an audit of our data protection activities and carry out a Data Privacy Impact Assessment (DPIA) on all activities which involve personal data or the exchange of personal data to help us identify the most effective way to comply with our data protection obligations and meet individuals' expectations of privacy.

The GDPR requires us to undertake DPIAs in circumstances where:

- a project involves the use of new technologies; and
- the processing of personal data is likely to result in a high risk to the rights and freedom of individuals.

DPIAs help the Group to identify and reduce the privacy risks of a project. The purpose of a DPIA is to ensure that privacy risks are minimised while allowing the aims of the project to be met wherever possible. The Group also has a duty to be accountable under the GDPR and requires DPIAs to be retained and updated where appropriate for audit and compliance purposes.

Where a service is being procured which will involve the processing of personal data by a contractor on behalf of the Group, the Group will ensure that the requirements of the Data Protection Legislation are complied with. These include (but are not limited to) the following:

(i) where necessary, carrying out a DPIA

(ii) ensuring, in line with Article 28 of the GDPR, that a contractor meets the requirements of the GDPR and protects the rights of the data subjects; and

(iii) seeking the advice from the Group's Data Protection Officer, as appropriate. It is a standard condition of all our contracts that our suppliers and sub-contractors will comply with all Data Protection Legislation, when enacted, and all guidance and Codes of Practice published by the Information Commissioner's Office.

The requirement for DPIA will be considered within all relevant future procurement activity.

Section 5

Ethical, Social and Environmental Responsibility

Fair and Equal Treatment of Suppliers

All Procurement will be conducted such that all suppliers with the necessary abilities have a fair and equal opportunity to secure Group business including maximising support for Small-medium sized enterprises (SMEs). The Group is committed to improving access to our contracts and empowering staff to buy locally for low risk, low value purchases thus contributing to our local communities.

We shall appropriately review and evaluate all larger contracts, considering the geographical location and the option of splitting them into smaller Lots as defined in the Scottish Procurement Construction Policy Note (CPN) 3/2017 publishing guidance on the use of frameworks, which may encourage SME participation. This will not be appropriate in every circumstance and we retain our discretion not to Lot or retain larger value contracts as one Lot, determined by whichever is in the best interests of the Group.

In particular, the Group will promote local economic development and regeneration by actively encouraging fair and open competition across a varied supply base thus making it easier for all suppliers regardless of size to bid for contracts.

Prior to commencing a procurement exercise we may seek to carry out market testing. In order to be open and transparent in our dealings we will only do this by going out to the market using the appropriate PIN on the Public Contract Scotland procurement portal, as applicable to above, below, slice and OJEU compliance. Any improper approaches, whether in the form of inducements or threats from suppliers, must be reported to line managers, even if they are sufficiently ambiguous to allow for an innocent interpretation.

To ensure transparency and equal treatment of all suppliers during the tendering process and in compliance with the formal procurement process, all communication with suppliers will be carried out through the Public Contract Scotland portal and in accordance with arrangements set out in the Procurement Guidance section on Holmes which staff must follow.

Ethical Standards of Staff

The Group insists on suppliers adhering to strict ethical standards and behaviour, in return the Group will also demonstrate the highest level of ethical standards. The Group will be fair, honest and transparent in all dealings with suppliers and avoid any conduct which is capable of being adversely interpreted.

Persons engaged in any aspect of Procurement on behalf of the Group will not use their authority for personal gain. Adhering to this policy will also help ensure that we comply with the requirements of The Bribery Act 2010, which makes it an offence to:

- Bribe another person (e.g. offer, promise, or give financial or other advantage to induce or reward improper performance of a function);
- Receive bribes from another person (e.g. agreeing to receive or accept a financial or other advantage for improper performance of a function);
- Bribe foreign officials; and
- Fail to prevent bribery.

Social and Environmental Responsibility

Effective procurement will complement our goals for maintaining awareness of sustainability issues amongst staff and customers. We expect our suppliers to meet our standards for sustainability as set out in our Sustainability Strategy.

The Group is committed to compliance with the Health and Safety at Work etc Act 1974 and all related provisions and we expect all of our suppliers to comply with the legislation and promote good working practices throughout the supply chain.

Gifts and Hospitality

All staff involved in procurement must comply with the Group's policy on Gifts, Hospitality, Payments and Benefits which sets out guiding principles for employees and Board Members to follow to ensure that we meet legal and regulatory requirements. This serves to protect our integrity and avoid the potential for any perception that our procurement processes can be unduly influenced.

All staff has a duty to act with honesty and integrity and must never accept a gift, favourable treatment or incentive in exchange for acting in a certain way.

Conflicts of Interest

The Group contributes to the economies of the areas we work in and has commercial and business relationships with many different companies, contractors, suppliers and service providers. In order to comply with Regulation 25 Public Contracts (Scotland) Regulations 2015 we are required to take appropriate measures to prevent, identify and remedy conflicts of interest arising in the conduct of procurement procedures so as to avoid any distortion of competition and to ensure equal treatment of all economic operators. All staff must report connections as outlined in the Group's Gifts, Hospitality, Payments and Benefits Policy to their direct Line Manager and complete the relevant Declaration of Interest form. For the avoidance of doubt this includes any situation where an employee or Board Member has directly, or indirectly a financial, economic or other personal interest which might be perceived to compromise their impartiality and independence in the context of the procurement procedure.

Any Employee or Board Member involved in a decision making process in respect of any matter covered by this policy shall be required to ensure that, to the best of their knowledge, there has been no conflict of interest and the decision making process has been open and transparent. Alternatively, they shall be required to declare a conflict of interest immediately upon becoming aware of such an interest and will be removed from the decision making process.

In order to protect our reputation and demonstrate that we conduct our affairs with openness, honesty and integrity we maintain a Register of Interests. As a matter of good practice, all Board Members and Senior Managers are required to complete a Registration of Interests form annually. All other Employees are required to exercise their discretion and complete such a form if they consider themselves to have a registrable interest. All forms should be passed to the Company Secretary who has the responsibility for maintaining and auditing the register. They can be emailed to anthony.allison@wheatley-group.com.

Such connections will not necessarily prevent the Group trading with the supplier concerned, but in the interests of ensuring the decision making process is open and transparent, such declarations of interest must be made and retained by the Lead Procurement Officer.

Group employees should avoid as far as possible dealings with Group suppliers in their private affairs, particularly if this is likely to put them under some obligation to the supplier. Where such arrangements are unavoidable, it is essential that they are not offered any deal, which could be construed as a reward for actions taken in the course of their employment.

It is the responsibility of Employees and Board Members to manage conflicts of interest that arise between their own personal or business interests and their duties to us, in accordance with the employee and governing body Codes of Conduct. Employees and Board Members give a written undertaking to act in accordance at all times with the Employee or Board Member Code of Conduct, which exemplify good governance and reflect relevant legal and regulatory requirements.

Further information can be found in our Group Whistleblowing Policy.

Criminal Convictions and Serious and Organised Crime

We view criminal conduct of our suppliers very seriously and work closely with Police Scotland with whom we have an Information Sharing Protocol. All suppliers are required, as a standard term of contract to complete a Declaration of Non-Involvement in Serious and Organised Crime.

In compliance with the Procurement Reform (Scotland) Act 2014 and Public Contracts (Scotland) Regulations 2015 we are required to exclude a business from bidding if it, or someone who holds a senior position within it, has been convicted of specific offences as detailed in the 2015 Regulations unless there are exceptional circumstances.

We are also entitled to exclude bidders should they attempt to distort competition. All staff should be aware of the potential for bidders that appear to be acting together in order to fix market prices. Any such arrangement is illegal. Staff may also become aware of potentially fraudulent activity throughout the life of any procurement. Any such suspicions must be reported in writing (together with any supporting evidence) to the Lead Procurement Officer who will investigate and pass to the appropriate department for further investigation if necessary. All reporting of anti-competitive behaviour and fraud will be dealt with in accordance with the Group's Whistleblowing Policy.

Slavery & Human Trafficking

We are committed to the highest ethical standards of business, and ensuring there is no slavery or human trafficking in any part of our Business or Supply Chain.

We are committed to developing the economies of the areas we work in and build strong relationships with local Suppliers. We operate solely within Scotland and do not have a large global Supply Chain.

The Group is committed to compliance of the Modern Slavery Act 2015 and all related provisions as reflected in the Anti-Fraud Corruption and bribery policy. We expect all of our Suppliers to comply with the legislation and promote good working practices throughout the Supply Chain.

Section 6

Business Continuity and Disaster Recovery

As part of continuity management, the Group has identified essential activities. These essential activities have been identified through assessment against the following criteria:

- whether it is a life and limb service;
- the financial impact should the service be disrupted;
- whether it is a legislative requirement; and
- the reputational damage should the service be disrupted.

The loss of a Supplier is identified by the Group as a key risk as the ability to maintain these essential activities may depend on the continuation of suppliers, services and products. Further identified risks for our Supply Chain include loss of premises, loss of ICT, fuel shortage, severe weather, loss of key staff and disruption to critical infrastructure.

If a supplier is unable to provide its contracted service or product to the Group, this may have an impact on the Group's delivery of its own services. Therefore, ensuring that these Suppliers have their own effective business continuity arrangements (details of which must be included within their Service Level Agreement) in place is an important step in helping to ensure that they have considered incidents which could impact their service provision and have put contingencies in place to mitigate any potential disruption. Suppliers should also confirm their plan exercise programme that demonstrates that their plans have been tested and what the results of those tests are. The Group may invite key suppliers to take part in the testing of the Group's own plans, and we may also request to take part in the supplier's exercise of their plans. In addition, suppliers will be asked to confirm what help they may be able to offer the Group in the event of disruption to the Group's business as it relates to the supplier.

Section 7

Route to Market, Payment Approval and Delegated Authority

Route to Market

All Group procurements should be carried out in line with the authority as detailed in the table below. Procurements deemed to be of high business risk political or reputational nature must be reported to ET as a minimum.

Financial Value	Process	No. of Suppliers	Responsibility	Authorisation
Below £25,000	Guidance on Holmes that must be followed to achieve best value	N/A	Business with advice from Procurement	Budget Holder
£25,000-£50,000	Quick Quote process via PCS (quality / price)	3 - 5	Business with advice from Procurement	Budget Holder
£50,000 – below OJEU thresholds	Tender process via PCS – quality / price	As per specific procurement route. Seek advice	Procurement	Budget Holder / Business Leader / ET
Slice: £2m-EU threshold (works)	Tender process via PCS – quality / price	As per specific procurement route. Seek advice	Procurement	Budget Holder / Business Leader / ET
Over OJEU thresholds	OJEU process via PCS – quality / price	As per specific procurement route. Seek advice	Procurement	Budget Holder / Business Leader / ET
Not applicable	Waiver Approval Form	Single Supplier	Business with advice from Procurement	Budget Holder / Business Leader / ET

Contracts with a value of less than £50,000 that are of a low complexity in line with Scottish Government Guidance do not require to be publicly advertised. Below this threshold staff will be offered training and support including an introduction to the Group's 'Passport to Procurement' program to use the 'Quick Quote' process via Public Contracts Scotland as good practice to achieve value for money.

The Quick Quote process is operated through the Public Contract Scotland Quick Quote facility and requires a minimum of 3 quotes from suppliers, who are independently invited to quote. Staff should be mindful when completing the Quick Quote process that they should not simply revert to previous suppliers. Furthermore, staff must ensure that the chosen supplier is appropriate and that due diligence has been carried out in terms of financial standing and references and the procurement is carried out in line with Group Standing Orders and guidance relating to spend under £50,000.

The EU procedures will also apply where the aggregate value of goods or services exceeds the EU thresholds. This can be reached by the Group having requirements with several suppliers for goods or services with similar characteristics which in total exceed the threshold or from the Group having requirements with the same supplier over a period of time which exceed the threshold.

Contracts with a value in excess of £50,000 or where it is considered that advertising would be advantageous in terms of obtaining value for money all contracts shall be advertised on the Public Contracts Scotland Portal. All contracts above the OJEU thresholds shall be advertised in accordance with the OJEU procedures utilizing the Public Contract Scotland portal. The OJEU Thresholds (current from January 2016):

Supplies: £164,176
Services: £164,176
Slice: £2m-EU threshold (works)
Works: £4,104,394

Slice is the new regime (below EU Regime) for Regulated Contracts for Works as legislated under the Procurement Reform (Scotland) Act 2014 and contracts of this value & nature must be advertised on Public Contracts Scotland using a contract notice or PIN and in order to comply with S.23 of the Act.

Procurements for any value can be undertaken by the Waiver process, these types of procurements are for goods, services & works where a contract is awarded to a single supplier which is deemed to be in the 'Best interests of the Group' and the Waiver Approval Form sets out the full background and justification to support the approval process, including any associated risks.

Payment Approval

Payments to suppliers will be made in accordance with the terms of the particular contract. Our standard payment terms are within 30 days of receipt of a completed and valid invoice. Staff should note that payment terms will vary depending on the commodity being procured and in particular construction contracts must include for the new legislation as set out in the Scottish Procurement Construction Policy Note (CPN) 3/2017. In order to ensure payments throughout the supply chain are made in accordance with the 2015 Regulations, contractual obligations contained within the terms and conditions of engagement will be monitored and reported via KPIs.

Statutory Reporting

In order to comply with S.18 Procurement Reform (Scotland) Act 2014, the Group will publish an annual report concerning the Group's regulated Procurement activities of the previous financial year. The Group shall notify the Scottish Ministers of the completion of the report and said report shall be published on the Group's website. The Procurement Team shall be responsible for completing the required annual report.

Contract Register

In order to comply with S.35 Procurement Reform (Scotland) Act 2014, the Group will publish our Contracts Register on our website. The Register is a live document and is updated on a regular basis.

Delegated Authority to Procure

All procurement will be undertaken in accordance with the procedures set out within this Procurement Policy and read in conjunction with Group Standing Orders.

Staff may undertake the Group's 'Quick Quote' for procurement below £50,000 once they have completed the Group's 'Passport to Procurement' program. Where staff wish to procure goods, services or works above £50,000 but below the OJEU threshold, they must refer to the Procurement Team for tendering purposes. With the exception of the Waiver process, the Procurement Team shall be responsible for managing all procurement above OJEU thresholds. Staff should refer to the table above outlining appropriate delegation of responsibility.

Contract Approval

Approval to award contracts for goods, services and works will be in accordance with the Scheme of Financial Delegation and the Procurement Policy.

Collaborative Procurement

The Group shall seek out opportunities to use collaborative contracts established by other organisations where it offers us better value for money than conducting our own procurement and meets our business needs.

As a result of the Groups size and scale we will use our leverage in the market to procure on behalf of other organisations in the housing sectors where value for money can be offered through collaborative procurements. We will use our strength to assist in the development of the Group by identifying opportunities to consolidate suppliers to gain economies of scale and to support transition for new procurement on contract expiry. We will seek to establish and develop Group wide frameworks, in accordance with the Scottish Procurement Construction Policy Note (CPN) 3/2017 guidance on frameworks, where appropriate.

Plans for PCIP and internal audit in 2018/19

The Group Assurance function provides an internal appraisal service that reviews internal control systems in place across the Group's operations (e.g. Procurement), including the effectiveness of risk management processes. Internal Audit activity is aligned to the risk profile of the Group, and provides assurance over the design and operating effectiveness of the controls put in place by management to manage known risk. A Procurement Risk Register is in place and is monitored regularly by management to ensure it continues to reflect the current procurement risk profile.

Procurement is a Group Wide function which is subject to regular internal audit activity. An internal audit review of the Group Procurement function was completed in 2016/17, with a further audit included in the Strategic Assurance Plan for 2019/20. In the interim period, the Assurance function will monitor the implementation of agreed Procurement audit actions and review its planned activity in response to any changes in the Procurement risk profile.

External accreditation is sought on an annual basis via Scotland Excel PCIP external audit.

Section 8

Policy Review

This policy shall be reviewed annually however regular reviews will be considered where, for example, there is a need to respond to new legislation/policy guidance. Reviews will consider legislative, performance standard and good practice changes.

We will publish this policy on our website at www.wheatley-group.com and it is also available on request. Customers may also request a copy of the policy in other formats and community languages.

Section 9 Customer Service

Confidentiality

Confidentiality is not only a basis of trust in business relationships, but also impacts on the protection of the Group's own interests in terms of retaining competitive advantage. It is the responsibility of any member of staff conducting procurement on behalf of the Group to ensure that third party information, which is of a commercially sensitive and confidential nature, is properly safeguarded. This may require that the supplier or agent of the Group signs a confidentiality agreement.

All personal information given by customers and suppliers in relation to this policy will be treated in accordance with data protection legislation.

The Group complies with the Environmental Information (Scotland) Regulations 2004 (the EIRs) and the Freedom of Information (Scotland) Act 2002 (FOISA). This means that we respond to any request for information in accordance with the requirements of the EIRs and FOISA. It is a standard condition of all our contracts that suppliers will assist the Group in complying with its obligations in terms the EIRs and FOISA.

Suppliers must be aware that tender evaluation and contract award documentation can be made available, if requested, under FOISA or the EIRs. If a tenderer considers that the information they are providing to the Group for the purposes of the tender would attract one or more of the exemptions in FOISA or the exceptions in the EIRs, the tenderer must alert the Group to this fact when the information is provided, detailing the information in question, the exemption(s) or exceptions(s) which the tenderer considers applies and why. Any information appearing in the tender which is not marked as possibly attracting one or more of the exemptions in FOISA or exception(s) in the EIRs will likely be disclosed in the event that an information request made under FOISA or the EIRs is received by the Group.

Even where it is agreed to accept information in confidence, that information may still be disclosed if, in the view of the Group, at the date of the request the disclosure would no longer meet the requirements of the relevant exemption or exception.

For more information, please see the Group's [\[FOI policy\]](#) or Data Protection policy which can be found on our staff intranet, WE Connect, and on our website. A hard copy is also available on request. Customers may also request a copy of the policy in other formats and community languages.

Complaints Policy

Our aim is to get it right first time. However, if you are dissatisfied with this policy, its operation or otherwise wish to raise a complaint the Group has a Complaints Policy. A copy of the complaints policy can be found on the intranet or a copy can be requested by contacting the Wheatley Group on 0800 479 79 79. As with all our policies, a copy can be made available on tape, in Braille, in large print or in translation.

Where a complaint relates to the conduct of procurement under The Public Contracts (Scotland) Regulations 2015 the procedures outlined in the Regulations will be followed. The complaint will also be logged in accordance with the Group's Complaints Policy.

A Single Point of Enquiry (SPoE) has been established at the Scottish Government Procurement Directorate to which suppliers can address concerns about public funded procurement practices. Further information can be found at: <http://www.gov.scot/Topics/Government/Procurement/Selling/supplier-enquiries>

As set out on the website the supplier is expected to liaise with the contracting authority in the first instance to seek resolution or clarification.

Section 10

Relationship to other policies

This policy should be read in conjunction with the following documents which can be found on the staff intranet:

Procurement Guidance Page;
Procurement Strategy;
Scheme of Financial Delegation;
Group Standing Orders;
Gifts, Hospitality, Payments and Benefits Policy;
Sustainability Policy;
Whistleblowing Policy;
Code of Conduct;
Anti-Fraud Corruption and Bribery Policy;
Data Protection Policy; and
[Group FOI Policy].

Would you like more information?

Freephone 0800 479 7979

Visit: <http://www.wheatley-group.com/>

Email: procurement@wheatley-group.com

Wheatley Housing Group Limited is a company limited by guarantee and registered in Scotland under the Companies Acts, having its registered office at Wheatley House, 25 Cochrane Street, Glasgow, G1 1HL. It is registered with The Scottish Housing Regulator as a registered social landlord. Company registration no. SC426094 Social Landlord no. 363

