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Date: 1st October 2024

Dear Colleague

PROCUREMENT ACT 2023

The Procurement Act 2023 is set to come into force on 24th February 2025. The new Act means changes to procurement regulations and practices.

Schools undertaking **above threshold** procurements are contracting authorities therefore, The Procurement Act will apply. The provisions related to below-threshold contracts within The Procurement Act 2023 do not apply to schools.

The key changes introduced by the Procurement Act 2023 are

- Increased flexibility in procurement procedures.
- Enhanced transparency and notices - The new act brings an increase in notices that are required to be published, bringing better transparency to the market.
- Under Procurement Contract Regulations 2015 (PCR 2015), the award criteria were designed to assess the Most Economically Advantageous Tender (MEAT). Under the new Act the tender should be assessed on the Most Advantageous Tender (MAT). Price is still an important factor and should be evaluated however, MAT allows you to widen your evaluation criteria allowing you to consider other areas that would add value to your contract.
- Centralised digital platform – The platform will be an enhanced version of Find a Tender. With a new supplier information system. This will be a single platform for all public sector contracts and suppliers.
- A new centralised debarment list will be created and published to identify suppliers that excluded or excludable.
- For contracts with an estimated value of more than £5m.
 - A copy of the contract must be published, all commercially sensitive information must be redacted.
 - At least three key performance indicators need to be included in the contract and reported on annually.

- Standstill period for contract award decisions has changed from 10 days to a minimum of 8 working days.

Current threshold values

- Supplies and services: £214,904 (including VAT)
- Light Touch Regime: £663,540 (including VAT)
- Works: £5,372,609 (including VAT)

Any tender issued prior to 24th February 2025 will continue to follow the current 2015 Public Contracts Regulations. Any call off contracts issued from existing framework agreements, established prior to 24th February 2025 will be subject to the 2015 Public Contracts Regulations.

Yours faithfully

Nic Brown
Schools Procurement Team