

Concern Purchasing Policy

1. Concern aims to achieve best value for money (price/quality ratio) in procuring the goods, works and services that will best meet organisational and beneficiary needs.
2. Concern recognises the safety, health, environmental and ethical impacts of all supply decisions, and will involve our suppliers in addressing issues that may arise and expect them to assist us in minimising any negative effects.
3. To support the economies of our countries of operation, Concern gives preference to goods and services originating in-country (i.e. local purchase), provided they are of acceptable quality and are available at a competitive price and in a timely manner.
4. In non-emergency situations, Concern strives to ensure that our supply requirements are specified in sufficient time to allow the market to respond to our demand and to ensure that maximum value for money is achieved.
5. Concern will not engage in any activities with suppliers or service providers, which might be deemed to be anti-competitive.
6. Concern guarantees that payments for supply of goods, works and services are made in accordance with terms agreed at the time the contract is finalised, subject to adequate fulfillment of this contract. Concern strives to abide by agreed terms of payment at all times.
7. Concern guarantees that all procurement activities are fully and transparently documented. Documentation will be completed fully and accurately in every case. All purchasing documentation will be retained for a minimum period of seven years from the *completion date of the project*. For multi annual projects, this will inevitably result in documentation being held for a period longer than seven years. Donor or local statutes of limitation must be considered and may require that documentation must be held for a longer period of time.
8. Concern strives to ensure that all procurement activities are fully transparent to all stakeholders in the process such as suppliers, donors and beneficiaries. Transparency can be defined as openness and visibility in all procurement transactions and information availability relating to procurement processes, procedures and opportunities.
9. Where funder or donor procurement guidelines are stricter or significantly different to Concern guidelines, funder/donor guidelines take precedence unless agreement in writing has been obtained from the funder or donor allowing the use of Concern guidelines.
10. Concern insists that all employees involved in procurement will comply in all respects with laws that apply to their purchasing activities. All Concern employees will comply with both the letter and the spirit of the law of the countries in which they operate and with which Concern deals and in all contractual obligations incurred by or on behalf of Concern.
11. Concern strives to obtain goods and services of acceptable quality and adheres to minimum standards and specifications where these have been set and accepted as the norm.

12. Concern guarantees confidentiality of the procurement process in terms of the supplier buyer relationship while ensuring that transparency is maintained within the process.
13. Concern complies with the principle of proportionality between the procedures followed for awarding contracts and the value of the contracts. Contracts of a higher financial thresholds should therefore undergo more stringent 'checks and balances' than contracts of lower financial values.
14. Concern ensures equal treatment and non-discrimination of potential contractors who are afforded equal opportunity and equitable treatment on the basis of their financial, technical and commercial capacity.
15. Concern strives to ensure that where possible, all goods in-transit above a total value of €1,000 will be adequately insured. Additionally, having taken the operational context in to consideration Concern will ensure that assets will be adequately insured where possible. Goods held in stores should be insured where possible and practical.
16. Concern supplies goods on a needs driven basis in response to specified requests for supply. Under no circumstances will supply of goods be undertaken for the sole reason that they are available.
17. In case of any corrupt, fraudulent, collusive and/or coercive practices by suppliers that affect or may affect Concern's donor/funder's financial interests, the relevant donor should be informed immediately. In such cases, proposals/bids/quotes will be rejected and Contracts/Purchase Orders terminated.
18. Regardless of who the donor is, suppliers / service providers should be considered ineligible and therefore excluded on the grounds of Articles 93 and 94 of the European Commission Financial Regulation which Concern endorses and adopts and which are summarised as follows;
 - a. Suppliers must not be engaged in any corrupt, fraudulent, collusive or coercive practices
 - b. Suppliers must not be bankrupt or being wound up, or having their affairs administered by the courts, have not entered into an arrangement with creditors, have not suspended business activities, are not the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations
 - c. Suppliers must not have been convicted of an offence concerning professional conduct by a judgment which has the force of res judicata
 - d. Suppliers must not have been guilty of grave professional misconduct proven by any justifiable means
 - e. Suppliers must have fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or those of the country where the contract is to be performed
 - f. Suppliers must not have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organization or any

other illegal activity detrimental to the European Communities financial interests

- g. Suppliers must not be subject to an administrative penalty referred to in Article 96(1) of the European Commission Financial Regulation
- h. Suppliers must not be subject to a conflict of interest in accordance with Article 94(a) of the European Commission Financial Regulation

19. Concern is committed to the humanitarian imperative and principles of impartiality, accountability, transparency and independence/neutrality. [Ref: Concern's Approaches to Emergencies paper]

20. Concern is committed to ethical transportation principles and does not procure cargo services from known traffickers of arms, drugs or other illegal substances.

Ethical Procurement

All Concern staff that are involved in procurement on behalf of Concern Worldwide will not use their position for personal gain. They will maintain an impeccable standard of honesty in all their business relationships and reject any business practice which might be considered improper. Concern staff will observe the law of the countries in which they operate and with which Concern deals. Concern staff will not accept any personal gifts or other incentives which may or may not be regarded as being designed to influence the purchasing decisions.

Concern will seek alternative sources where the conduct of suppliers demonstrably violates anyone's basic human rights. Concern will also seek alternative sources where companies in the supply chain are involved in the manufacture of arms or the sale of arms to governments which systematically violate the human rights of their citizens.

Concern seeks to purchase goods and services which:

- Are produced and delivered under conditions that do not involve the abuse or exploitation of any persons.
- Have the least negative impact on the environment.

3.1 Concern Code of Conduct and Associated Policies

Concern is aware that the goods and services provided through our relief and development programmes can create a power differential between those who are employed by Concern and other programme participants¹. We acknowledge that there is potential for this power imbalance to be exploited by Concern staff to request bribes, payments, gifts, or favours (including sexual favours). Concern's Code of Conduct and associated policies (Programme

¹ 'Programme participant' refers to any individual associated with Concern's programmes and includes: i) beneficiaries of programmes delivered by Concern or its partners; ii) people engaged by Concern, whether national or international, full or part time, consultants, interns, contractors or volunteers and any person actively involved in the Concern programme; iii) Concern's partner organisations, their staff and anyone working on their behalf.

Participant Protection Policy, Child Safeguarding Policy and Anti-Trafficking in Persons Policy) have been developed to ensure the maximum protection of programme participants, especially beneficiaries, from abuse and exploitation, and to clarify the responsibilities of Concern staff, partner organisations and anyone engaged by Concern or visiting our programmes, and the standards of behaviour expected of them.

While the Concern Code of Conduct Policy itself is written specifically for Concern staff, the other associated policies, that is the Programme Participant Protection Policy, Child Safeguarding Policy and Anti-Trafficking in Persons Policy, are relevant to suppliers, contractors and service providers and they must understand, agree with and adhere to these policies. These safeguarding policies are attached as appendix 1 to this manual.

3.2 Concern Supplier/Contractor Conduct

The conduct to which Concern expects all of its suppliers/contractors to adhere to is as per the following statements. These are referenced when using Concern Request for Quotation Forms, Purchase Orders, Contracts and Tender Dossiers via Concern's Standard Terms and Conditions document (appendix 22).

As mentioned, suppliers, service providers and contractors must confirm that they have read and understand the Concern safeguarding policies and agree to abide by the terms of these policies in all of their activities under a Concern supply or service contract. Additionally they must ensure that -

- They adhere to International Labour Organisation (ILO) labour conventions, particularly international labour standards, social protection and work opportunities for all.
- Employment is freely chosen.
- The rights of staff to freedom of association and to collective bargaining are respected.
- Working conditions are safe and hygienic.
- No exploitation of children is tolerated.
- Wages paid are adequate to cover the cost of a reasonable living.
- Working hours are not excessive.
- No discrimination is practiced.
- Regular employment is provided.
- No harsh or inhumane treatment of staff is tolerated.
- Local labour laws are complied with.
- Social rights are respected

Environmental Standards

Suppliers should as a minimum, comply with all statutory and other legal requirements relating to environmental impacts of their business. Areas which should be considered are:

- Waste Management.
- Packaging and Paper
- Conservation
- Energy Use
- Sustainability