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## Adoption Authority of Ireland Corporate Procurement Plan 2021 - 2023

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ÚDARÁS UCHTÁLA na hÉIREANN  
THE ADOPTION AUTHORITY of IRELAND

**ADOPTION AUTHORITY OF IRELAND  
CORPORATE PROCUREMENT PLAN  
2021-2023**

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## Version

Version #	Approver	Date
Version 1	Risk and Audit Committee	17/12/2020
	Board of the Adoption Authority	12/01/2021

## Preamble

The Adoption Authority of Ireland was established with effect from 1 November 2010, in accordance with The Adoption Act 2010. The AAI is funded by the Department of Children and Youth Affairs. The Adoption Authority of Ireland is responsible for deciding on all adoptions in Ireland and for making adoption orders.

The main functions of the Authority are set out in Section 96 of the Adoption Act 2010. These include functions of an operational, judicial, and quasi-judicial nature in relation to the adoption process itself, as provided for under the Act, but also relating to the Authority's designation as the Central Authority for the 1993 Hague Convention on the Protection of Children and Co-operation in Respect of Inter-Country Adoption. In addition, the Authority has registration and regulatory functions. Finally, there are reporting, policy advice and research functions set out. These statutory functions form the legal backdrop to each of the strategic goals, objectives and planned activities for the period of this plan.

The AAI is governed by the Authority, appointed by the Minister for Children and Youth Affairs. An executive staff at the AAI offices in Dublin supports the work of the Authority. Our main operating units are:

- Board of the Adoption Authority;
- Chief Executive Officer;
- Director of Operations & Board Secretary;
- Head of HR and Staff Development
- Head of Compliance;
- Social Work Team;
- Domestic Adoption Unit;
- Intercountry Adoption Unit;
- Information & Tracing Unit;
- Corporate Services & Accreditation Unit;
- Digitisation Unit.

## 1. Introduction

This Corporate Procurement Plan (CPP) sets out the key procurement objectives and strategies for the Adoption Authority of Ireland (AAI) for 2021-2023. The AAI is committed to delivering excellent quality services. It is recognised within the organisation that a strategic approach to procurement plays a central role in achieving such services. This CPP sets out the Authority's objectives to improve its procurement performance over the next three years. The plan will assist the Authority in supporting the national procurement model.

This CPP, and subsequent Annual Procurement Plans, will describe where the organisation is at that moment in terms of best practice and where it would like to be in the period 2021 -2023. The overriding objective is to increase the effectiveness and efficiency of the procurement system and to ensure the successful application of best practice and value for money across the organisation.

### 1.1. Background

Public Procurement can be defined as the acquisition, whether under formal contract or not, of works, supplies and services by public bodies. It ranges from the purchase of routine supplies or services to formal tendering and the placing of contracts

The National Public Procurement Policy Framework issued by the Department of Finance requires that all non-commercial State Bodies develop a Corporate Procurement Plan which seeks to improve the way the organisation acquires and pays for goods and services. 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 Code of Practice for the Governance of State Bodies (revised 2016) also highlights the need for a Corporate Procurement Plan and states that the Chief Executive Officer should, in the annual report to the Minister, affirm adherence to the relevant procurement policy and procedures and the development and implementation of a Corporate Procurement Plan.

The Authority's Corporate Plan 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 CPP has been prepared in accordance with the policy framework, which is summarised as follows:

1. Analyse past procurement activities and procedures;
2. Review existing procurement structure, policies and capabilities;

3. Identify improvements to procurement policy, procedures and practices, where appropriate;
4. Establish targets for value-for-money improvements;
5. Introduce a measurement mechanism to establish if changes in processes and procedures have achieved the value-for-money improvements anticipated;

In addition, the following considerations were taken into account:

1. Compliance with Irish and EU procurement regulations;
2. Effective assessment and management of all procurement related risks;
3. Delivery of best value-for-money.

The information relating to the analysis of goods and services purchased by the Adoption Authority and the manner in which procurement currently operated within the organisation was collated from computed records, financial system reports, consultants' reports and audit reports.

## 1.2. Requirement to have a Corporate Procurement Plan

The Adoption Authority of Ireland has a responsibility to implement good corporate governance, of which a Corporate Procurement Plan is an important component. The completion of these plans will assist contracting authorities in this and in managing their public procurement activities. Publication of a CPP is another element of good governance and will assist the OGP and other CPBs in supporting procurement requirements across the public service.

Frameworks considered for preparation of CPP

- Code of Practice for the Governance of State Bodies
- Public Spending Code
- National Public Procurement Policy Framework
- Freedom of Information Act 2014 and the FOI Model Publications Scheme
- Circular 40/2002

## 1.3. Mission, Vision and Principles

In developing this Corporate Procurement Plan, care was taken to ensure that the objectives and strategies identified aligned with the corporate objectives of the organisation. In this regard, the Adoption Authority of Ireland's mission and vision statements and the principles and beliefs which underpin them was considered. These are set out in Appendix 1.

#### 1.4. Scope

Over the period of 2021-2023 a number of contracts will be extended or retendered including our legal advice services, internal audit services and a number of ICT service contracts.

#### 1.5. Approval and Implementation of Plan

The Board of the Authority approved this plan at its meeting on 12/02/2021 and the Head of Compliance has been assigned responsibility for its implementation. Reports on progress will be made on a quarterly basis to the senior management team and on a bi-annual basis to the Risk and Audit Committee and Board of the Authority.

## 2. **Critical appraisal of current procurement practices**

### 2.1. The Regulatory Environment Governing Procurement

As a body governed by public law, the Adoption Authority is subject to compliance with National and European public procurement rules. At European level, the key legislation governing procurement applicable to the AAI is:

- The Public Sector Procurement Directive
  - i) Directive 2014/24/EU on public procurement, and
  - ii) Directive 2014/25/EU on procurement by entities operating in the water, energy, transport and postal services sectors.
- The Remedies Directive – Directive 89/665/EEC, Amending Directive 2007/66/EC as implemented by Irish Regulation SI130 of 2010.

At National level, a number of circulars issued by the Department of Public Expenditure and Reform also impact on the procurement activities of the AAI, these include:

- Guidance on Supplies and Services (2004) relating to Competitive Tendering.
- Circular 10/14 relating to initiatives to assist SMEs in Public Procurement.
- Circular 02/09 and 02/11 relating to ICT Procurement.
- Circular 16/13 relating to use of centrally established frameworks set up by the Office of Government Procurement and other central purchasing bodies.
- Circular 05/13 Procurement of legal Services and Managing Legal Costs OK
- Circular 01/16 relating to construction procurement.
- Circular 02/16 relating to arrangements for digital and ICT related expenditure in the civil and public service.
- Guidelines and model contracts for Construction and Engineering Services (as available at [www.constructionprocurement.gov.ie](http://www.constructionprocurement.gov.ie)).

- Circular 13/2013: The Public Spending Code: Expenditure Planning, Appraisal & Evaluation in the Irish Public Service - Standard Rules & Procedures
- Circular 18/2019 PSC Central Technical References and Economic Appraisal Parameters Circular
- Circular 20/2019: Promoting the use of Environmental and Social Considerations in Public Procurement
- 24/2019 Update of the Public Spending Code (PSC), Guidelines for the Use of Public Private Partnerships (PPPs) and related rules.

The OGP provide detailed information on all EU and national legislation, guidance and circulars relevant to procurement in the [National Public Procurement Policy Framework](#). Responsibility for dissemination and compliance with these rules lies with the Corporate Services Unit and in particular, the Head of Compliance and Resources. This is delivered through:

- The development and adoption of the Procurement Policy which was first approved in 2016.
- The development and implementation of this Corporate Procurement Policy and associated Annual Procurement Plans.
- The requirement in the Procurement Policy that all procurements exceeding €25,000 must be publicly tendered and prepared by the Corporate Services Unit in conjunction with CEO and Chair.
- The distribution of procurement updates briefings by email to all relevant staff.

## 2.2. The Systems Supporting the Procurement Function

The Adoption Authority of Ireland is committed to aligning its procurement with the national procurement model which is focused around the operations of the Office of Government Procurement (OGP). The OGP put in place framework agreements and contracts which the Authority will utilise to as great an extent as possible. The AAI will support the national procurement model through the adoption of all suitable central framework agreements and drawdown arrangements. Where such arrangements are not available, it will strive to ensure that its own tender processes comply with public procurement guidelines.

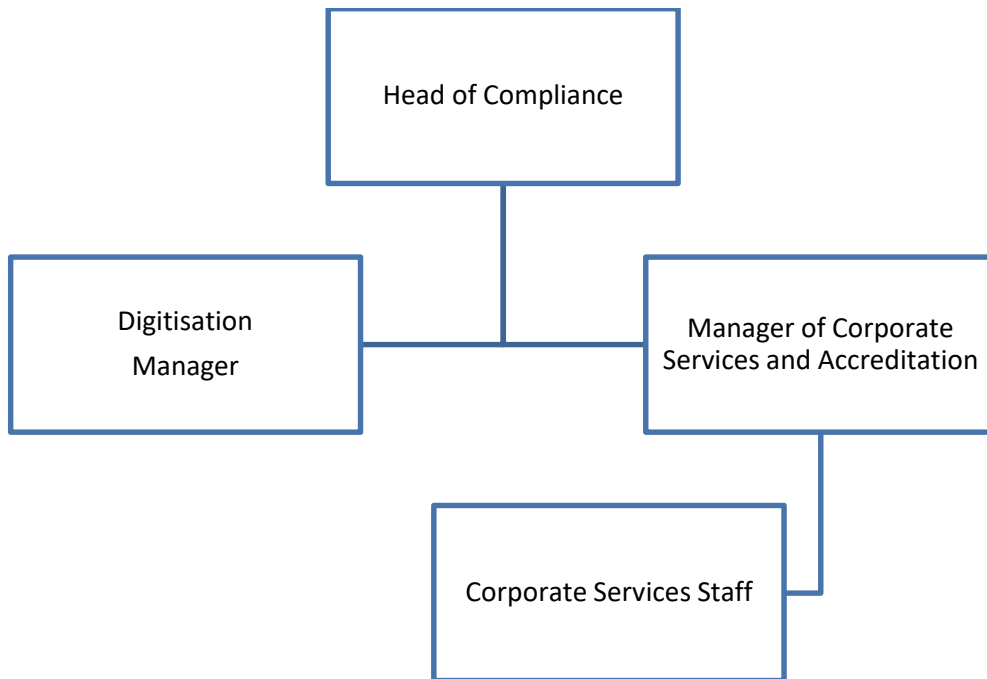
### 2.2.1. Management and Operational Structure

The AAI currently operates a centralised procurement structure, with the Head of Compliance responsible for all of the procurement. It is recognised that the centralised procurement structure is the most appropriate structure given the size and scale of the AAI procurement profile and the staffing resources available.

The main advantages of a centralised structure compared to a decentralised system can be summarised as follows:

- The cost of order processing is cheaper and takes advantage of bulk buying;
- Avoids the duplication of efforts in administrative work;
- The receiving of large supply through consolidated orders reduces the transport cost per unit;
- It enables the development and maintenance of good relations with the suppliers;
- Fixation of responsibility allows for one operating unit to be held responsible for all purchases.

The following chart outlines how procurement is managed across the AAI.



The AAI's Head of Compliance reports directly to the Director of Operations. The role of Head of Compliance is to:

- Provide best procurement advice and best practice to the staff of the AAI.
- Put in place strategic measures, procedures, protocols and controls to deliver AAI's procurement function and meet procurement compliance.
- Liaise and engage with central procurement bodies e.g. the Office of Government Procurement (OGP).
- Streamline procurement practices, identify opportunities for savings and utilise central collaborative procurement arrangements (where possible).

The Manager of Corporate Services and Accreditation and the Digitisation Manager are persons at a senior grade within the AAI, reflecting the responsibility and authority required. Their duties and responsibilities are to:

- Undertake training in procurement, and participate in refresher training from time to time

- Be the 'go-to' resource/expertise for their section, guiding and supporting others in the section who are doing procurement
- Take a proactive role in creating and maintaining a consistent standard for good procurement practices
- Prepare or sign off on tenders prepared
- Upload tenders to eTenders
- Work closely with the Head of Compliance

Corporate Service staff ensure that the correct procurement files are kept. Their duties and responsibilities are to:

- Undertake training in procurement, and participate in refresher training from time to time
- Provide administrative support in all aspects of procurement
- Take full responsibility for ensuring that correct procurement files are kept and that all essential items are on file for each procurement
- Issue correspondence in conjunction with the Manager of Corporate Services and Accreditation
- Work closely with and take instructions from the Manager of Corporate Services and Accreditation

The systems in place which supports the procurement activity have been analysed and summarised as follows:

- Accounts Package
  - Sage 50 Accounts is the system used for the recording and processing of invoices and discharge of payments. Invoices are validated by the Manager of Corporate Services and Accreditation Unit/ Head of Compliance/CEO/Chair subject to value of invoice. Purchase orders are not currently issued via the Sage package as our purchases are primarily service-based and due to the low volume of product based purchases and low level of transactions, it has not been deemed appropriate.
- Government Procurement Portal – [www.etenders.gov.ie](http://www.etenders.gov.ie)
  - All contracts in excess of €25,000 are advertised on the Irish Government procurement portal [www.etenders.gov.ie](http://www.etenders.gov.ie). This system is used to issue tender documents to the market and advertise nationally and at EU level.
  - This system is used for all tenders and is managed by the Corporate Services Unit.
- Procurement folder. The Shared Folder – available to Corporate Service staff only and contains:
  - I&T Procurement
  - Procurement Guidelines and Templates
  - Procurement Projects and Procurement Plans

### 2.2.2. Procurement of Goods and Services

The basic principle of public procurement is that there should be a competitive process. The type of process will depend on the value and nature of the requirement. All public monies expended by the Authority on goods and services must be procured in accordance with competitive tendering rules. The type of competitive process can vary depending on the size and characteristics of the contract to be awarded.

#### **Procurement of goods or services less than €5,000**

For supplies or services with a value of less than €5,000 it is recommended that three verbal quotes are obtained from competitive suppliers.

#### **Over €5,000 but less than €25,000**

For supplies or services greater than €5,000 and less than €25,000, written specifications must be prepared.

#### **Information and Communications Technology**

For ICT procurement a threshold of €10,000 shall apply to the above rather than

€25,000. The Authority is closely linked with Department of Health as they host the ICT network. In some instances, for ICT procurement the Authority can draw down from contracts already in place in DOH.

**Over 25,000** \*\*\*Contracts of over €25,000 shall be subject to advertising as part of a formal tendering process using eTenders. For any spend at €25,000 or over the CEO and Head of Compliance are required to submit a memo to the Chair of the Board and obtain written authorisation to proceed with the procurement process.

### 2.3 Expenditure Analysis Past

The budget of the Adoption Authority of Ireland is allocated through the DCYA. In 2019, the financial allocation of the Adoption authority was €4.462 million. In order to understand the scale of procurement within the AAI, a detailed analysis of expenditure was undertaken. An analysis was conducted of the AAI's 2019 expenditure on goods and services.

<b>Expenditure Category</b>		<b>Total 2019</b>	<b>%</b>
1.	Legal Fees	€1,558,041	78%
2.	Financial Services/Audit/Internal Audit Fees	€140,671	7%
3.	Information Communication Technologies	€72,050	4%
4.	Research	€49,135	2%
5.	Telephone & Internet	€31,219	2%
6.	Training/Education/CPD Fees	€30,096	2%
7.	Contract Cleaning/Hygiene	€29,270	1%
8.	Heat, Power & Light	€21,416	1%
9.	Medical Advice	€20,795	1%
10.	Stationary & Office Supplies	€12,896	1%
11.	Recruitment	€12,378	1%

12.	Stenography	€11,112	1%
13.	Translation	€10,550	1%

### Expenditure Analysis Future

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

No	Goods and Services (CPV)	Estimated cost	%	Procurement Method	Contract duration
1.	Corporate plan and HR strategy	20,000	7%	Three written tenders	1 year
2.	Printing	10,000	3%	OGP framework	3 years
3.	Data security and cyber security assessment	15,000	5%	Three written tenders	1 year
4.	Files storage and office refurbishment	250,000	85%	In conjunction with OPW	2 years

#### 2.4 Procurement supply and risk

The Adoption Authority of Ireland has taken steps in identifying procurement related risks. These risks and the relevant mitigating controls are detailed in the Authority's Risk Registers.

### **3. Procurement Principles and High-Level Objectives**

#### 3.1. Introduction

The AAI is committed to meeting its obligations under the National Public Procurement Policy Framework (June 2018). This involves ensuring that procurement activities are focused on delivering value-for-money outcomes through analysis-based purchasing strategies that are consistent with EU and national procurement law. The organisation undertakes to improve procurement processes and expertise on an on-going basis, ensuring that purchasing practices are professional and procurement staff have the necessary capabilities to operate in line with best practice and our declared principles (see Appendix 1).

#### 3.2. Key Principles

The procurement process employed for all the Adoption Authority purchases will ensure that the following principles are respected:

1. Procedure used is consistent with EU Directives and National procurement guidelines;
2. Decisions are commercially focused and aimed at ensuring best value-for-money, while meeting end-user requirements;

3. All suppliers and tenderers are treated in an open, fair, transparent and objective manner.

### 3.3. High-Level Objectives

#### Objective 1 Corporate Commitment to Continuous Improvement on Procurement

While the Adoption Authority is clearly committed to ensuring that contract award procedures are conducted to the highest standards and in accordance with best practice, there is an ongoing need to pro-actively seek out greater value-for-money and increased efficiencies on an ongoing basis.

Objective 1 will be progressed through the following activities:

1. Secure executive endorsement for this Procurement Plan;
2. Make implementation of the plan and general ongoing procurement reform the overall responsibility of the Head of Compliance;
3. Ensure senior managers are implementing the AAI Procurement Policy and aligning this to the Business Plan;
4. Mandate senior management to take a clear lead and give a strong commitment to the introduction of best practice procurement.

#### Objective 2 Devise and Implement an Annual Procurement Plan

While much of the expenditure of the AAI is concentrated around a small number of procurement areas, annual analysis and monitoring of expenditure in addition to coordination of projects linked to the Adoption Authority's Annual Business Plans will ensure that the majority spend is captured in an Annual Procurement Plan and subject to competitive and compliant procurement.

Objective 2 will be progressed through the following activities:

1. Annual expenditure analysis, identify the key procurements for the forthcoming 12 months;
2. Identifying procurement projects resulting from the approved Annual Business Plan and Corporate Plan;
3. Devising and seeking approval of the Annual Procurement Plan;
4. Management of the Annual Procurement Plan to ensure the activity is delivered within the appropriate timescale.

### Objective 3 Monitor and Measure Procurement Performance

The Adoption Authority will review the procurement function with a view to ensuring compliance with EU Directives as well as the consistent application of public procurement guidelines and the National Public Procurement Policy Framework and the overriding requirement to achieve value-for-money. The Procurement Action Plan 2021 – 2023 includes Key Performance Indicators (KPI's) to ensure the actions detailed in this plan are delivered. The KPI's will be used to assess how well AAI is meeting its procurement objectives annually over the lifetime of this plan. The Head of Compliance will be responsible for gathering the information relevant to each action and producing an annual progress report regarding the status and measure for delivery. All staff will be required to cooperate and provide any necessary information if requested. Support at management team level in relation to procurement is essential in order for the implementation of the plan to be a success.

Objective 3 will be progressed through the following activities:

1. Review the objectives in the Corporate Procurement Plan annually;
2. Report on compliance with Annual Procurement Plan on a quarterly basis to the senior management team; Risk and Audit Committee and Board;
3. Agree targets on an annual basis relating to the contracts to be initiated and awarded;
4. Develop a value-for-money review process to monitor and report on savings achieved or on any over-runs incurred on contracted expenditure.

### Objective 4 Ongoing Training and Up-Skilling of all staff involved in procurement

Ensure all staff are competent to undertake their relevant procurement activities. Procurement Function and relevant staff should be competent in the following:

- Developing specifications and other tender documents;
- Requesting tenders and quotations;
- Evaluating tenders and quotations;
- Awarding contracts;
- Managing contracts;
- Use of eTenders.

The aim is to develop procurement expertise in the Adoption Authority to allow people to be smarter buyers and achieve measurable savings and benefits.

Objective 4 will be progressed through the following activities:

1. Undertake / implement training programmes based on a needs analysis of the relevant staff. These programmes should be aimed at increasing the level of awareness of procurement best practice including:
  - The benefits that good procurement bring;
  - The importance of sound, transparent and objective procurement procedures;
  - Identification of procurement risks and how to manage them;
  - The use of world-class processes, e-procurement tools, templates, checklists and guidelines.
2. Provide staff with access to up-to-date procurements contracts and templates covering the following:
  - Tender documents;
  - Evaluation spreadsheets;
  - Notification letters;
  - Contract Terms and Conditions.

## Procurement Action Plan 2021 – 2023

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

No.	Action	Key Performance Indicator	Timeframe
1.	<p>Secure executive endorsement for this Corporate Procurement Plan</p> <ul style="list-style-type: none"> <li>• Mandate senior management to take a clear lead and give a strong commitment to the introduction of best practice procurement.</li> </ul>	<p>Clear governance and oversight. All relevant stakeholders notified of procurement structures, with duties &amp; responsibilities outlined.</p>	<p>December 2020</p>
2.	<p>Review the contract register on monthly basis to ensure:</p> <ul style="list-style-type: none"> <li>• Plans are in place for any upcoming contract renewals</li> <li>• Expenditure under contracts are in line with estimates.</li> </ul>	<p>Contracts are extended or re-tendered in a timely manner. Register maintained.</p> <p>Expenditure under a contract does not exceed the estimated value of the contract or breach thresholds.</p>	<p>Monthly</p>
3.	<p>Prepare an annual procurement activity plan</p> <ul style="list-style-type: none"> <li>• Ensure senior managers are implementing the Procurement Policy and aligning them to the Annual Business Plan.</li> <li>• Identify procurement projects resulting from approved Annual Business Plan and Corporate Plan.</li> <li>• Devise and seek approval from Risk and Audit Committee and from Board of the Annual Procurement Plan.</li> <li>• Review of the Annual Procurement Plan to ensure the activity is delivered within the appropriate timescale.</li> </ul>	<p>Planned tendering requirements for the next twelve months.</p> <p>Identification of estimated costs and proposed procurement methods.</p> <p>Actions required (e.g. decisions re extensions or procurement).</p>	<p>Q1 each year</p>

No.	Action	Key Performance Indicator	Timeframe
	<ul style="list-style-type: none"> <li>Report on compliance with Annual Procurement Plan to the Risk and Audit Committee.</li> </ul>	Identify person(s) responsible for each tendering requirement.  Filing structure for procurement files reviewed and updated.	
4.	Publish award notices for Authority tenders on eTenders	Publication of award notices for all Authority tenders are up to date.  Tenders are closed as appropriate.	Ongoing
5.	Ensure compliance with GDPR	Procurement documents are in accordance with GDPR requirements.	Ongoing
6.	Review the Corporate procurement plan	An up to date Corporate procurement plan published to the Authority's website.	Annually
7.	Review the Authority's procurement procedures in financial procedures manual	An up to date procurement procedures manual available on the Authority's shared drive.	Review Q1 each year
8.	Undertake / implement training programmes based on needs analysis of the relevant staff  <ul style="list-style-type: none"> <li>Provide corporate services staff with access to up-to-date procurement contracts and templates</li> </ul>	Improved practices.  Standard procurement documents are up to date.	Ongoing

## Appendix 1 AAI Mission, Vision & Principles

### Our Mission

“To ensure the provision of the highest possible standards of adoption related services, throughout the lifelong adoption process, with the best interest of children as the first and paramount objective”

### Our Vision

To be recognised as the centre of excellence and the principal authoritative source of information on all aspects of adoption and as a provider and regulator of high quality adoption services.

### Our Principles

The Authority identified four key principles which would guide its mission, its high-level goals, its objectives and the work that was to be carried out. By applying these principles, the Authority would ensure that all of its decisions had the welfare of the child as its first and paramount consideration, in accordance with Section 19 of the Adoption Act 2010. The four principles identified were:

- *Child - Centeredness*
- *Quality Services*
- *Accountability through Ethical Practice and Transparency*
- *Respect*