

GUIDELINES FOR COMPLETING SINGLE ACTION WAIVER (SAW)

It is important that you consult with Procurement at the earliest opportunity if you consider a Single Action Waiver to be necessary.

Purpose:

The Single Action Waiver (SAW) forms part of the University Procurement Policy and Financial Regulations and is required to meet the University's obligation to deliver value for money and provide clear accountability for all procurement decisions.

The SAW form should only be used under certain circumstances, but in any event any goods, services, works delivered prior to obtaining approval is a breach of University Financial Regulations and may ultimately result in disciplinary action and the withdrawal of authority to incur expenditure.

When and how to use the SAW form:

The SAW form relates to purchases that are £10k (including VAT) and above.

A SAW does **not** need to be completed for goods and services that have been tendered, or are on contract. If in doubt please contact Procurement via email:
category.management@bath.ac.uk

A SAW is **not** required where products or services are obtained from an internal service provider.

A SAW is **not** required where competitive quotations **have been sought** and only one supplier has responded.

A SAW is **not** required when a BED form has been completed. The two forms are mutually exclusive.

This form **must** however be completed for all other purchases / orders, where competitive (multiple) quotations or tenders **cannot** be obtained. This is likely to be where:

- Goods/Services are available ONLY from a particular supplier
- Technical reasons / capability
- Suppliers design capabilities / capacity / IPR
- The need for the goods, services or works are required in an emergency and the Head of Department is of the opinion that the time needed for tendering would be prejudicial to the University's interests (Note: failure to plan the work appropriately is not a justification).

You are required to clearly "justify" on the SAW form why the requirement will not be subject to a competition (competitively tendered or quoted). This will normally be for one or more of the reasons given above. Please note that all SAW forms are held centrally and audited periodically, therefore justification must contain sufficient detail to satisfy scrutiny. If not, your form may be rejected by Procurement and the purchase delayed/refused. Please note that Procurement cannot authorise a Single Action Waiver which breaches UK Procurement Regulations.

You must also clearly specify why you need to purchase the goods and/or services and detail the consequential impact to the University for not making the purchase.

Submitted the form:

After completion the form should be forwarded to the relevant Procurement Category Manager and/or Deputy/Head of Procurement, (www.bath.ac.uk/teams/procurement-team/) or to category.management@bath.ac.uk

Procurement will conduct an initial review of the SAW form and recommend approval/rejection of the justification as appropriate.

All SAW forms will automatically workflow within Agresso (via the requisition) for additional review by the Head of Procurement, Head of Management Accounting and the Director of Finance prior to conversion to a Purchase Order (PO) and a contractual commitment being made with the supplier.

A copy of the form will be returned to the original requester.

For any queries contact Procurement via email: category.management@bath.ac.uk

- ***PLEASE NOTE: that by signing the SAW form you confirm that this exercise has been conducted in line with the [University's Financial Regulations](#) and the [Procurement code of conduct](#) and that you are not aware of any conflicts of interest that may prevent or prejudice the decision of this procurement exercise.***

The following is taken from the University Financial Regulations with regard to conflicts of interest:

No member of the University nor employee shall take an active part in any discussions, negotiations or transactions involving the University in which they or their spouse, partner or any family member has an existing or potential, financial or other beneficial interest. If any circumstances arise where this may be the case, the member of staff shall be obliged to report to their Head of Department. They may proceed only with the approval in writing of the Vice-Chancellor.

No employee of the University shall, without the express written approval of the Vice-Chancellor take or hold any financial or any other beneficial interest in any commercial entity, whether incorporated or unincorporated, with which the University has, or may reasonably be expected to enter into, a commercial relationship. For the purposes of this regulation the term "entity" shall include a commercial activity by an individual acting as a sole trader. The term "interest" shall include any right or entitlement to share in the commercial profit/losses of such entity, other than by way of a shareholding in a public limited company listed on a recognised Stock Exchange.