

# Procurement Policy

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This Policy sets out the procurement process to be followed by those carrying out procurement on behalf of ClientEarth. A comprehensive procurement process follows from ClientEarth's legal and regulatory obligations. It is a risk management tool that allows ClientEarth to mitigate its liability, financial and reputational risks, and the probability that ClientEarth finds itself implicated in, among others, fraud, tax evasion, corruption, and money laundering.

Importantly, as a charitable organisation, ClientEarth also has an obligation to ensure its resources are used effectively to maximise its impact. As such, ClientEarth should make value-for-money spending decisions that balance economy with efficiency and effectiveness.

This Policy has been approved by ClientEarth's Executive Team, and reflects our values.

| Values                     | Application in this Policy                                                                                                                                                                |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Acting courageously        | <ul style="list-style-type: none"><li>We empower staff to make decisions and approve at levels aligned with our decision-making framework, escalating only high-value decisions</li></ul> |
| Prizing diverse experience | <ul style="list-style-type: none"><li>We implement a three-quotes approach that helps us increase the likelihood of achieving value-for-money and high-quality decisions</li></ul>        |
| Embracing collaboration    | <ul style="list-style-type: none"><li>We recognise the expertise and tools offered by the Procurement team to support staff in implementing the procedures in this Policy</li></ul>       |
| Learning continuously      | <ul style="list-style-type: none"><li>We recognise our core systems provide central data sources on Partners that help us learn from our past procurement experiences</li></ul>           |
| Opposing injustice         | <ul style="list-style-type: none"><li>We select Partners free from bias after objective and careful consideration</li></ul>                                                               |
| Focusing on impact         | <ul style="list-style-type: none"><li>We strive to use our resources effectively to maximise impact</li></ul>                                                                             |

## What is the Scope of this Policy?

This Policy applies to all ClientEarth entities and staff worldwide, including governance and management board members of all ClientEarth entities, who are expected to use best judgment in applying this Policy, and to play an active part in preventing non-compliance and promoting best practices.

This Policy will be especially relevant to those responsible for the purchasing of goods, work, space, or services from Partners – including the extension or the renewal of the same. This Policy also applies to funded strategic Partners (e.g., NGOs) and (legal) service providers, whereby these obligations are cascaded down.

## ClientEarth's Principles-Based Approach to Procurement

Principle 1: ClientEarth should abide by fair competition, treating all Partners fairly and ensuring that they all have the same level of information when preparing quotations and tenders

Principle 2: ClientEarth should verify for potential conflicts of interest and, where identified, should declare them in accordance with its Conflict of Interest Policy

Principle 3: ClientEarth should ensure value-for-money, evaluating quotations and tenders for price competitiveness, and the quality, track records, and fit for purpose nature of Partners

Principle 4: ClientEarth should act in a non-discriminatory manner, treating Partners equally, and not favouring one over another, or otherwise narrowing competition between them

Principle 5: ClientEarth should act in an environmentally responsible and sustainable manner, ensuring that its procurement decisions comply with and further the objectives of its Environmental Policy

Principle 6: ClientEarth should act transparently, ensuring information on procurement activity exceeding £100,000 (or local equivalent) is made available to interested parties in the public domain where legally permissible and complying with data protection as per its Information Security and Data Protection and Retention Policies

Principle 7: More stringent funder Procurement requirements (assets, Partner choice) take precedence

## Required Quotes and Approvals when submitting a purchase request

| Value (GBP or equivalent currency) | Number of quotes required | Delegated Authority and Decider in Decision-Making-Framework (Note 1)        |
|------------------------------------|---------------------------|------------------------------------------------------------------------------|
| Up to 5,000                        | Single Written Quote      | Fund owner (within agreed budget)                                            |
| Up to 25,000                       | Three Written Quotes      | Relevant Head who oversees budget                                            |
| Up to 50,000                       | Three Written Quotes      | Relevant Director                                                            |
| 50,001 to 99,999                   | Three Written Quotes      | Relevant Member of the Executive Team                                        |
| Above GBP 100,000                  | Open Tender               | Member of Executive Team. If over £250,000, Board approval is also required. |

- Note 1: Approval of purchases outside of budget require additional CFO approval.

**It is not permissible to raise two (2) or more lower value Purchase Orders in order to circumvent the financial threshold or approval levels.**

## Single Action Waiver

Where the purchaser is unable, or where it is inappropriate, to obtain the relevant number of quotes, a SAW should be requested. The request for a SAW should include justification and should be agreed by the responsible person indicated in the Delegated Authorities above and decided by the Global Director of Operations.

Brussels

Beijing

Berlin

London

Warsaw

Madrid

Los Angeles

Luxembourg

ClientEarth is an environmental law charity, a company limited by guarantee, registered in England and Wales, company number 02863827, registered charity number 1053988, registered office 10 Queen Street Place, London EC4R 1BE, a registered international non-profit organisation in Belgium, ClientEarth AISBL, enterprise number 0714.925.038, a non-profit limited liability company in Germany, ClientEarth gGmbH, HRB 202487 B, a registered foundation in Poland, Fundacja "ClientEarth Prawnicy dla Ziemi", KRS 0000364218, NIP 7010254208, a registered delegation in Spain, Fundación ClientEarth Delegación en España, NIF W0170741C, a registered 501(c)(3) organisation in the US, ClientEarth US, EIN 81-0722756, a registered subsidiary in China, ClientEarth Beijing Representative Office, Registration No. G1110000MA0095H836, a registered subsidiary in Japan, Ippan Shadan Hojin ClientEarth, corporate number 6010405022079, a registered subsidiary and company limited by guarantee in Australia, ClientEarth Oceania Limited, company number 664010655.