

Procurement and Purchasing sub-Committee Terms of Reference

1. Purpose

The Procurement and Purchasing sub-Committee (the “sub-Committee”) is a sub-Committee of the Finance Oversight, Planning and Resource Allocation Committee (FOPRAC) and is responsible for overseeing the University’s procurement and purchasing processes (including tendering) and those of Subsidiary Companies under the remit of the University, ensuring activities are fair, transparent, cost-effective compliant, and deliver value for money.

The sub-Committee is established to assist the Governing Authority (GA) in discharging its functions as set out in Section 18 of the Universities Act 1997 (as amended by the Higher Education Authority Act 2022).

The sub-Committee will operate in accordance with University policies and procedures Office of Government Procurement policies, EU Procurement Directives and national procurement regulations. It will support collaborative purchasing and green procurement and promote financially sustainable design of processes and acquisition of systems and resources.

2. Authority

The sub-Committee will advise and make recommendations to the FOPRAC on any matter within the scope or related to the purpose of the sub-Committee.

Decision making authority has been delegated by the GA within the thresholds outlined in section 4 below.

3. Membership and Roles

- Composition: Five members appointed by the GA (on recommendation of the GA Nominations Committee), competency-based; external appointments permitted where required under the Universities Act 1997 (as amended).
- Required membership:
 - (i) Two external members of the FOPRAC;
 - (ii) One internal member of the GA;
 - (iii) Two members, external to the University, with significant experience in public procurement or financial management.

Chair/Deputy Chair: Appointed by the GA from the two external members of the FOPRAC appointed to the sub-Committee.

Attendance expectation: Members are required to attend all meetings; a member may be replaced if they do not attend three consecutive meetings.

Non-members in attendance: The UCC Procurement Officer and the UCC Finance Officer will be invited to attend all meetings (not members). Other stakeholders may be invited for specific topics/ projects.

Diversity: Gender, age profile, ethnicity and experience should be considered; membership should not comprise of more than 60% of any one gender where possible.

4. Functions and Responsibilities

The sub-Committee will on behalf of, and under the delegated authority of, the GA:

4.1 Procurement approvals

- (a) Approve the UCC Procurement Plan on an annual basis.
- (b) Approve within delegated thresholds, ensuring compliance with governance, financial and procurement policies, the awarding of contracts/procurement of goods, services and works as outlined in Table 1 and Table 2 and noting the following;
 - The delegation thresholds outlined in Table 1 and 2 were approved by the Governing Authority, following consideration by the Procurement and Purchasing sub-Committee. All figures are cumulative and exclusive of VAT.
 - The approval process is based on the full potential duration of a contract.
 - Table 1 thresholds also apply to consent requests for repairs and maintenance, minor works and framework establishment for capital works.

Table 1: Procurement

Delegation Thresholds	P&P sub-Committee
Contracts >€750k, <€1.25m	Approve. Notify FOPRAC and GA that contracts were approved.
Contracts >€1.25m, <€2.25m	Recommend to FOPRAC. FOPRAC can approve and notify GA.
Contracts >€2.25m	Recommend to FOPRAC. FOPRAC can recommend to GA for approval.

Table 2: Tyndall Research Equipment

Delegation thresholds	P&P sub-Committee
Contracts >€2m, <€2.5m	Approve. Notify FOPRAC and GA that contracts were approved.
Contracts >€2.5m, <€3.5m	Recommend to FOPRAC. FOPRAC can approve and notify GA.
Contracts >€3.5m	Recommend to FOPRAC. FOPRAC can recommend to GA for approval.

4.2 Policy

- (a) Monitor the effectiveness and implementation of procurement and purchasing policies and procedures including spend thresholds.
- (b) Support communication of, and adherence to, procurement and purchasing policies and procedures including reporting of exceptions.
- (c) Monitor the implementation of the green procurement policy.

4.3 Compliance and Oversight

- (a) Monitor procurement and purchasing activity and associated risks, including expenditure data, suppliers used, and variances between estimated and final costs. Consider key metrics dashboard, as prepared by management.
- (b) Consider an annual report on non-competitive and non-compliant procurement, prior to the approval of the submission of the University Annual Governance Statement.
- (c) Monitor procurement strategies and forward planning by the University ULT for short- and long term requirements, including pre-tender oversight and strategic input.

5. Rights

The sub-Committee may procure specialist ad-hoc advice, subject to UCC's Purchasing Policy and with the approval of the GA.

The sub-Committee may request additional reporting/information from University staff/units and Subsidiary Companies under the remit of the University.

6. Conduct of Business

Meeting frequency: At least six meetings per year, with additional meetings as requested by the FOPRAC or the GA or convened by the Chairperson.

Quorum: Minimum of three members, including the Chairperson or Deputy Chairperson.

Chairing: Chairperson presides; if absent/ vacant, Deputy Chairperson presides.

Private Sessions: scheduled as a standing agenda item at the start or end of each meeting and utilised if requested by any sub-Committee member.

Secretariat: Provided by the Office of Corporate and Legal Affairs.

Confidentiality: All Committee members and attendees are expected to treat information (commercial or otherwise) as confidential. This obligation endures after a Committee member's term of appointment concludes.

Regulations: The Regulation on the Conduct of GA Business will apply to the conduct of business of the sub-Committee.

7. Information Requirements

The sub-Committee will be provided with timely information to enable it to discharge its duties and to ensure that recommendations are based on robust data.

8. Conflict of Interest

Members must declare potential conflicts of interest relating to agenda items or matters tabled. Where a conflict of interest arises, the member must inform the Chairperson and absent themselves from the relevant discussion/ decision. Relevant meeting

documentation should not be made available to the sub-Committee member once a potential conflict of interest has been declared.

Conflicts of interest and actions taken are to be recorded in the minutes of the sub-Committee meeting.

9. Terms of Office

The period of office for members of the sub-Committee will be determined at the time of appointment, but no member may serve more than two consecutive terms or a total of eight years, whichever is reached first.

10. Reporting and Review

Reporting line: The Chairperson will report to each meeting of the FOPRAC. The sub-Committee will meet other relevant GA committees as required on an annual basis.

Meeting reports: The Chairperson will report to each FOPRAC meeting including matters considered since the previous meeting of the FOPRAC and the basis for any recommendations.

Annual Report: The sub-Committee will also provide an annual report to the FOPRAC.

Review: The sub-Committee will review these terms of reference annually with recommended updates/ amendments submitted to the GA for approval.

The sub-Committee will review its own effectiveness on an annual basis and report on its findings to the GA.

11. Version History

Version	Summary of Substantive Changes	Date	Approved by
1.		18/04/2024	GA
2.	<ul style="list-style-type: none"> Clarified delegation thresholds Reflected observations from EY Procurement Consultancy Services Report 	Various	P&P Committee 11 June 2026 FOPRAC 16 June 2026 GA 23 June 2026