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## CIPS Scope and Influence of Procurement and Supply Sample Questions (Q34-Q39):

### NEW QUESTION # 34

Sarah has recently been hired as the new Head of Procurement at Alpha Ltd, a manufacturer of small electronics such as hairdryers and alarm clocks. Alpha Ltd has a large factory based in Birmingham where many of the products are manufactured. One of the large pieces of machinery in the factory has recently broken and Sarah has been charged with replacing it as quickly as possible. Sarah is considering using the Whole Life Costing approach to this procurement. What is meant by Whole Life Costing? (5 points). Discuss  
5 factors that Sarah should consider when buying new machinery (20 points).

**Answer:**

Explanation:

See the solution in Explanation part below.

Explanation:

How to approach this question

- I'd use clear headings with numbers for this one. It asks you for a definition and 5 factors. Number them.

Makes it easy for you to write and easy for the examiner to mark.

- Don't go over 5 - you won't get any extra points for this. So spend your time giving examples and explaining the 5 well, rather than naming more than 5.

Example Essay

As the new Head of Procurement at Alpha Ltd, Sarah faces the urgent task of replacing a critical piece of machinery in the company's Birmingham factory. Recognizing the complexity of the decision, Sarah contemplates utilizing the Whole Life Costing approach to ensure a comprehensive evaluation that goes beyond initial expenses. This essay explores the concept of Whole Life Costing and delves into five essential factors Sarah should consider when procuring new machinery.

Definition:

Whole Life Costing (WLC) is a procurement approach that considers the total cost associated with an asset throughout its entire lifecycle. Unlike traditional procurement methods that focus primarily on the initial purchase price, WLC evaluates all costs incurred from acquisition to disposal. This includes operational, maintenance, and disposal costs, providing a holistic perspective on the true financial impact of an asset over time.

Factors to Consider in Machinery Procurement

1) Initial Purchase Price:

While WLC looks beyond the initial cost, the purchase price remains a critical factor. Sarah should balance the upfront expense with the long-term costs to ensure the initial investment aligns with the overall financial strategy.

2) Operational Costs:

Sarah needs to analyze the ongoing operational costs associated with the new machinery. This includes energy consumption, routine maintenance, and potential repair expenses. Opting for energy-efficient and reliable equipment can contribute to substantial operational savings over the machine's lifespan, even though this may result in a higher up-front purchase price.

3) Training and Integration:

The cost of training employees to operate and maintain the new machinery is a significant consideration. Sarah should assess how easily the equipment integrates into existing workflows and whether additional training programs are required, impacting both immediate and long-term costs.

4) Downtime and Productivity:

Evaluating the potential downtime and its impact on productivity is crucial. Sarah should assess the reliability and historical performance of the machinery to gauge its potential contribution to sustained production levels and minimized disruptions, impacting the overall operational efficiency.

5) Technology Upgrades and Adaptability:

Sarah should consider the machinery's adaptability to technological advancements and potential upgrades.

Investing in equipment that allows for seamless integration with future technologies ensures that Alpha Ltd remains competitive and resilient in a rapidly evolving industry landscape.

In conclusion, adopting a Whole Life Costing approach empowers Sarah to make informed decisions that align with Alpha Ltd's strategic goals. By considering factors beyond the initial purchase price, such as operational costs, training, downtime, and technology adaptability, Sarah ensures that the replacement machinery not only meets immediate production needs but proves to be a cost-effective and efficient asset throughout its entire lifecycle. The WLC approach safeguards against unforeseen financial burdens, fostering sustainable and informed procurement practices in the dynamic manufacturing environment.

Tutor Notes

- Whole Life Costing is on p.28

- Total Life Cycle Costs, Total Cost of Ownership and Life Cycle Costs are all practically the same thing. The book says they're slightly different, but don't get yourself bogged down in trying to remember the differences.

Honestly, in the real world, people use this language interchangeably.

- Other factors you could have chosen to talk about include commissioning costs and disposal costs

- Don't worry if you feel CIPS breezed through this as a topic, they did. It's explained much better in L4M7.

You can read more about it here: [Whole Life Costing - What is Whole Life Costing | CIPS](#) and here [Whole-Life Cost: What it Means, How it Works](#) (investopedia.com)

## NEW QUESTION # 35

Discuss 3 areas of regulation relating to competition that a procurement professional should be aware of (25 points)

**Answer:**

Explanation:

See the solution in Explanation part below.

Explanation:

How to approach this question

- This question is very vague. Sometimes CIPS do this. It allows for you to be a bit more free in your response, but can also be quite stressful because you don't 100% know what they're after.
- For this question we're looking at competitions, so full tenders where lots of suppliers are invited to bid for an opportunity. This means the type of things we could be discussing include; IP, cartels, merger controls and monopolies.

#### Example Essay

Procurement professionals operate within a legal framework that regulates competition, aiming to ensure fair business practices and prevent anti-competitive behaviour. Three critical areas of regulation related to competition that procurement professionals should be aware of include intellectual property, cartels, and merger controls.

#### Intellectual Property (IP):

Intellectual property encompasses creations of the mind, such as inventions, designs, and brand names, protected by law. In the context of procurement, understanding intellectual property is essential when dealing with suppliers' products, technologies, or services that may involve intellectual property rights.

Procurement professionals must be aware of the intellectual property rights associated with the goods or services they are procuring. This includes respecting patents, trademarks, copyrights, and trade secrets owned by suppliers. Due diligence is crucial to ensure that the products or services being procured do not infringe on the intellectual property rights of others, requiring verification of legal ownership and legitimacy. An example of something procurement should look out for include ensuring goods are authentic and not counterfeit.

#### Cartels:

Cartels involve agreements between competitors to control prices, manipulate markets, or restrict competition.

For procurement professionals, it is imperative to be vigilant and avoid engaging in or unintentionally supporting cartel activities.

Procurement professionals should refrain from participating in anti-competitive behaviour, such as bid-rigging or price-fixing, which are common cartel activities. This involves not colluding with suppliers or competitors to manipulate procurement processes.

Maintaining open and fair competition is essential, ensuring that procurement processes remain transparent, competitive, and free from attempts to distort market dynamics, thereby preventing the formation of cartels and promoting a level playing field.

One notable example involved the construction industry in the UK. In 2019, the Competition and Markets Authority (CMA) fined three major suppliers to the construction industry for participating in a cartel. The companies, which supplied concrete drainage products, were found to have coordinated their behaviour to share markets, fix prices, and rig bids. The investigation revealed that these companies had breached competition law by engaging in anti-competitive practices that limited competition and negatively impacted customers. The fines imposed were part of the CMA's efforts to deter and penalize such cartel behaviour, emphasizing the importance of fair competition in procurement. The Directors of the companies have also been banned from undertaking the role of Director of any company for 12 years.

#### Merger Controls:

Merger controls are regulations overseeing the consolidation of companies, mergers, and acquisitions to prevent monopolistic practices and protect fair competition. Procurement professionals need to be aware of these regulations, especially when dealing with suppliers undergoing mergers or acquisitions.

Staying informed about mergers and acquisitions within the supplier base is crucial. If a key supplier undergoes such changes, it may impact the stability of the supply chain or alter market dynamics.

Procurement professionals need to be aware of potential changes in supplier relationships, pricing structures, or product/service availability resulting from mergers. Engaging in proactive risk management and contingency planning is necessary to mitigate any negative impacts on procurement operations.

Mergers are actively watched in the UK by the Competition and Markets Authority, and where rules are broken, the CMA can intervene and even prevent mergers from happening. A notable example of this was the attempted merger between JD Sports and Footasylum - the companies were fined millions of pounds for exchanging information and attempting to collude and distort the marketplace.

In conclusion, procurement professionals play a crucial role in navigating these regulatory landscapes effectively. Understanding intellectual property, avoiding cartel activities, and staying informed about merger controls contribute to fostering fair and transparent competition within the marketplace.

#### Tutor Notes

- The construction example of a cartel can be found here Supply of precast concrete drainage products: civil investigation - GOV.UK ([www.gov.uk](http://www.gov.uk)) but feel free to use your own!

- The JD/ Footasylum one is here: JD Sports and Footasylum fined £4.7m for competition breach - BBC News. Basically, the CMA got involved because the two firms were sharing private information and having secret meetings, with the intention that they could combine. The CMA thought it was super dodgy and that it would distort the trainer / footwear market in the UK so they fined the companies and told them to stop it.

- The study guide is a bit light on this topic, so I would do a bit of extra research and have an example in your back pocket for if you need it. P. 142 If you want an example of IP issues- Shein is a great company to look at- 'They took my world': fashion giant Shein accused of art theft | Art and design | The Guardian

Mo is the new Head of Procurement at Manufacturer X. Manufacturer X is a small organisation which creates bespoke robots for clients. Their supply chain is complex, sourcing many components from various suppliers.

Mo has joined the company at a pivotal time of growth. The company wishes to expand the procurement department and formalise its policies. Discuss 5 areas that Mo should consider when drafting the department's policies and manuals (25 points).

**Answer:**

Explanation:

See the solution in Explanation part below.

Explanation:

How to approach this question

- Remember as you're preparing an essay plan that this is a case study question, meaning everything has to relate back to Mo and Manufacturer X. So for the 5 areas- think about how this would be applicable for a robotics manufacturer. CIPS don't expect you to know anything about robotics so if you talk about KPIs for suppliers- just make them up- as long as they sound right-ish that's all that matters.

- Areas you could talk about include: competition, ethics, KPIs, quality, supplier appraisal, supplier evaluation, sustainability, transparency Example Essay Mo, stepping into the role of Head of Procurement at Manufacturer X during a pivotal period of growth, faces the task of expanding the department and formalizing its policies. In this intricate landscape of a small organization creating bespoke robots, five crucial areas demand Mo's careful consideration in the drafting of departmental policies and manuals: competition, ethics, quality, supplier evaluation, and sustainability.

Firstly, competition. As Manufacturer X navigates growth, Mo must establish transparent guidelines for competitive bidding processes. It is imperative to ensure fairness in supplier selection and implement strategies for cost competitiveness without compromising quality. Encouraging innovation and collaboration with suppliers becomes a strategic approach to gain a competitive edge in the market. Mo should be careful that his policies do not favour any suppliers over others and that consideration is given to allowing SMEs to bid for work.

Secondly, Ethics. Mo needs to develop an explicit code of ethics guiding procurement professionals in their interactions. This should emphasize honesty, integrity, and fair treatment. Additionally, establishing due diligence procedures to ensure suppliers adhere to ethical business practices, especially concerning labour and environmental standards is important. Moreover, whistleblower protection mechanisms should be put in place to encourage the reporting of ethical concerns without fear of reprisal.

Thirdly, Quality considerations. Given the bespoke nature of the robotics industry and the necessity of maintaining high standards for customer satisfaction, Mo must define and communicate stringent quality requirements to suppliers, emphasizing adherence to specifications and standards. The establishment of robust inspection and testing procedures at various stages of the supply chain is crucial, ensuring consistent component quality. Developing contingency plans and protocols for addressing quality issues promptly, including collaboration with suppliers for continuous improvement, should be integrated.

With the organization's growth, a systematic approach to supplier evaluation becomes paramount. Mo needs to develop a comprehensive evaluation framework, including criteria such as financial stability, reliability, and past performance. Implementing a supplier scorecard system is essential for tracking and assessing supplier performance over time. Moreover, fostering strategic relationships with key suppliers to promote collaboration, innovation, and long-term partnerships becomes a strategic imperative. Lastly, Mo should consider sustainability, in particular environmental awareness and the promotion of sustainable practices into the supply chain for long-term viability. Developing sustainability criteria for supplier selection, considering factors such as environmental impact, social responsibility, and ethical sourcing, is imperative. Encouraging suppliers to adopt environmentally friendly practices and certifications, such as ISO14001 or Fair Trade, becomes crucial. The integration of sustainability goals into procurement key performance indicators (KPIs) is essential for tracking progress and demonstrating the organization's commitment to corporate responsibility.

In conclusion, Mo's strategic focus on competition, ethics, quality, supplier evaluation, and sustainability is pivotal in laying the foundation for a procurement department that not only supports Manufacturer X's growth, but also aligns with its values and industry standards. This approach positions the organization for success in the dynamic landscape of bespoke robot manufacturing.

Tutor Notes

- This question is taken from P. 146 - note the question is on policies not strategy. These are slightly different concepts, but they do overlap. Policies are black and white- we do this and we don't do that. Strategies are about what the company wants to achieve. They're future orientated, where as a policy is about what we do now. So a policy may include sustainability, but strategy may talk about reducing pollution.

- CIPS could also ask you to talk about procurement strategies such as achieving cost reductions, environmental issues etc. These are also on p.146

**NEW QUESTION # 37**

Explain FIVE possible factors that influence procurement activities in third sector (not-for-profit) organisations that

Parvinder should research. (25 marks)

Parvinder Kaur works for a leading procurement consultancy, NHB. Her

clients are based all around the world with a diverse range of products and services. Parvinder specialises in providing procurement advice within the public sector but she also has two major clients in the private sector.

Before beginning procurement consultancy services with a new client, Parvinder likes to research the organisation and the sector in which it operates so that she can understand the type of challenges that the organisation may face. This work, ahead of the first meeting, has meant that Parvinder has built an excellent reputation for analysing a business quickly. It also means she has been able to establish insight into the aspects which may have a significant impact on the success of the procurement function in her clients.

NHB has recently won a significant contract to provide procurement consultancy service to a large third sector (not-for-profit) organisation.

This is an important new client for NHB and the board is keen to assign Parvinder as the key account manager, even though this is a new area for her. Parvinder is happy to take on the additional work as she is keen to develop a greater understanding of this sector.

**Answer:**

Explanation:

See the solution in Explanation part below.

Explanation:

Procurement in third sector (not-for-profit) organisations operates under distinct influences compared to public or private sectors. Understanding these factors is crucial for Parvinder to provide effective consultancy tailored to the sector's unique challenges and requirements. Below are five key factors that influence procurement activities in third sector organisations:

1. Funding Sources and Financial Constraints

\* Explanation: Third sector organisations typically rely on donations, grants, fundraising, and government funding rather than sales revenue. This creates tight budgetary controls and unpredictability in funding availability.

\* Impact on Procurement: Procurement activities must align closely with available funds, often requiring careful prioritisation, cost-effectiveness, and compliance with funders' conditions. Parvinder should research how the organisation manages fluctuating budgets and whether there are restrictions on how funds can be spent.

2. Regulatory and Compliance Requirements

\* Explanation: Not-for-profit organisations are often subject to specific regulatory frameworks and reporting standards, including charity laws, governance codes, and donor-imposed conditions.

\* Impact on Procurement: These regulations impact supplier selection, contract management, and transparency obligations. Procurement must ensure compliance with these rules to maintain legitimacy, donor confidence, and avoid legal penalties. Parvinder should assess the regulatory environment affecting procurement processes.

3. Social and Ethical Considerations

\* Explanation: Third sector organisations frequently have missions linked to social good, environmental sustainability, and ethical practices. Procurement decisions are influenced by these values and stakeholder expectations.

\* Impact on Procurement: Procurement must prioritise suppliers who meet ethical standards, support local communities, and minimize environmental impact. This may limit supplier options but aligns procurement with organisational values and public image. Parvinder should evaluate the organisation's sustainability and CSR policies.

4. Stakeholder Involvement and Governance

\* Explanation: Procurement decisions in not-for-profits often involve multiple stakeholders, including trustees, donors, beneficiaries, and volunteers, making the governance structure complex.

\* Impact on Procurement: This can lengthen decision-making processes, require additional approvals, and demand higher transparency and accountability. Parvinder should investigate who the key stakeholders are and how procurement decisions are governed and communicated.

5. Market and Supplier Availability

\* Explanation: Depending on the organisation's geographic location, niche requirements, and mission, there may be limited availability of suitable suppliers, especially those compliant with social and ethical standards.

\* Impact on Procurement: Limited supplier choice can increase costs and procurement risk.

Procurement strategies may need to focus on supplier development, collaboration, or partnerships to meet organisational needs.

Parvinder should research supplier markets and potential supply chain risks.

Conclusion:

To effectively advise the new third sector client, Parvinder must research and understand the impact of funding limitations, regulatory compliance, ethical imperatives, stakeholder complexity, and supplier availability on procurement activities. Recognising these factors will enable her to tailor procurement strategies that support the organisation's mission, ensure transparency, and optimise resource use-key to delivering value in the not-for-profit environment.

Bottom of Form

Top of Form

Sarah is thinking of setting up a charity in the UK which will look after animals that have been abandoned. What regulations and governing bodies should Sarah be aware of when setting up her charity? (25 Points)

**Answer:**

Explanation:

See the solution in Explanation part below.

Explanation:

How to approach this question

- Your essay should mention at least one regulation and one governing body particular to the charity section and I would recommend these be the Charities Act 2011 and the Charities Commission.

- If you don't know a lot about the sector you can bring up more generalised regulations and governing bodies, such as financial conduct and the Equalities Act, but make sure it's relevant to Sarah. Her charity is a small, local one, so things like Modern Slavery Act will not be appropriate to talk about.

Example Essay

When setting up a charity in the UK, particularly one focused on animal welfare, there are several regulations and governing bodies that Sarah should be aware of. These ensure that the charity operates legally, ethically, and effectively.

A charity's purpose involves raising awareness and helping someone or something, in Sarah's case this will be local animals and potentially their owners. A charity has to satisfy two aspects: The benefit aspect and The public aspect. In the UK, both aspects are regulated by the Charities Act 2011.

To satisfy a benefit aspect, a charity must have a purpose that must be beneficial to the community it works in - this must be in a way that is identifiable and capable of being proved by evidence. For Sarah this would be showing that her charity helps animals, potentially by taking them in off the street or removing them from dangerous homes and caring for them.

To satisfy a public aspect, a charity must benefit the public in general, or a sufficient section of the public. In Sarah's case the public benefit may be in removing stray dogs and cats from the streets where they can transport diseases and potentially attack people.

Most charities strive to satisfy both aspects but in some cases this is not possible.

All charities are regulated. Because charities are funded by donations from the public, businesses and sometimes from government, their conduct is regulated closely. Key regulatory bodies that Sarah will have to engage with include:

1. Charity Commission for England and Wales:

As the primary regulator for charities in England and Wales, the Charity Commission oversees the registration and regulation of charities. Sarah's organization must meet the legal definition of a charity and apply for registration if its income is over £5,000 per year.

The Commission ensures compliance with the Charities Act, offering guidance on charity governance, financial management, and reporting.

2. HM Revenue and Customs (HMRC):

Charities can apply to HMRC for recognition as a charity for tax purposes. This status allows for tax reliefs and exemptions, including Gift Aid on donations.

HMRC ensures compliance with tax obligations and scrutinizes the use of charity funds.

3. Data Protection:

Under the General Data Protection Regulation (GDPR) and the Data Protection Act 2018, any charity handling personal data must ensure its protection and comply with data privacy laws.

4. Health and Safety Executive (HSE):

The HSE provides guidelines for workplace safety, which are important if the charity has employees or volunteers.

In conclusion there are many regulations and bodies that Sarah should be aware of when setting up her charity. Sarah should consider seeking legal advice or consulting with charity advisory services to ensure full compliance with all relevant laws and regulations. Additionally, staying informed about changes in charity law and animal welfare legislation would be beneficial to the smooth operation of her charity.

Tutor Notes

- With case study questions you're not expected to know anything about the specific topic, in this case Animal Charities. If it happens to be something you know about, you can bring in some of your own knowledge, but this isn't a requirement to get a good score. You're not expected to know, for example about the Animal Welfare Act 2006, but if you happen to do so, it could be a nice little thing to add in. Just don't focus your essay on it. However you can make some sensible guesses on what Sarah will be doing, for example I talked about removing stray animals from the street.

- Charities comes up in LO 4.4 p.232

**NEW QUESTION # 39**

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You must hold an optimistic belief for your life. There always have solutions to the problems. We really hope that our L4M1 study materials will greatly boost your confidence. In fact, many people are confused about their future and have no specific aims. Then

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