
Report to Partnership & Performance Committee

Date of Meeting: 31 January 2019

Subject: Procurement Strategy Report

Report by: Strategic Director Partnership & Performance

1.0 Purpose

- 1.1. The Procurement Reform (Scotland) Act 2014 Section 18 States that the Council must prepare a procurement strategy by 31 December 2016.
- 1.2. Following on from the interim procurement strategy approved by Council on 15th December 2016, approval is sought from the Partnership & Performance Committee to adopt the procurement strategy to cover the period from March 2019 to March 2022 to comply with the requirements of the Procurement Reform (Scotland) Act.

2.0 Recommendations

- 2.1. It is recommended that Committee:
 - 2.1.1. agrees to adopt the Procurement Strategy as attached at Appendix A;
 - 2.1.2. notes that the Procurement Strategy will be subject to an annual review.

3.0 Considerations

- 3.1. This Strategy sets out how the Council will:
 - Make procurement more straightforward for suppliers and the Council alike
 - Increase the professionalism and commercial skill of those carrying out procurements for the Council
 - Provide opportunities to local and SME suppliers, including third sector organisations, to participate by increasing visibility of the Council's procurement plans and opportunities
 - Maximise innovation, sustainability and collaboration in procurement activities

- Work with the Integrated Joint Board(IJB) in the provision of Adult Social Care Services
- 3.2. The Procurement strategy provides a vision for procurement, identifies procurement principles and a work plan to deliver the 6 key themes. Its development followed on from the adoption of an interim strategy which committed to an engagement exercise being carried out with local stakeholders. The engagement exercise was widely promoted amongst stakeholder groups and the feedback is reported in Appendix 2. In total, 3 organisations responded.
- 3.3. Views from the all member briefing, meetings in partnership with the Council leaders, advice sought from senior management within Scotland Excel and comments from external audit has been obtained. Following on from this some changes have been made from the interim strategy to reflect these views namely:
- Spend analysis updated to reflect up to date financial information
 - Additional detail of spend by business sector locally.
 - A additional action considering any of the implications of Brexit across our procurement portfolio
 - A additional action to Increase local procurement expenditure by 2.5% per year from 14% to 21.5% or greater over the life of the strategy
- 3.4. The strategy will be reviewed annually to ensure ongoing alignment with corporate priorities.

4.0 Sustainability Implications

- 4.1. The strategy refers to support to encourage an effective local supplier market including the voluntary sector and the promotion of local social value in contracts
- 4.2. It also demonstrates how the Flexible Framework Self-Assessment Tool (FFSAT) will provide a Sustainable Action Plan to establish the performance level of sustainable procurement across the council and commits to establish systems to record the impact of procurement policies and practices in support of the council's climate change duties.

5.0 Resource Implications

5.1. Financial Details

- 5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes
- 5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes

5.4. Staffing

6.0 Exempt Reports

6.1. Is this report exempt? Yes (please detail the reasons for exemption below) No

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all	<input checked="" type="checkbox"/>
Our families; children and young people will have the best possible start in life	<input type="checkbox"/>
Women and girls will be confident and aspirational, and achieve their full potential	<input type="checkbox"/>
Our communities will be resilient and empowered so that they can thrive and flourish	<input checked="" type="checkbox"/>

(2) **Council Policies** (Please detail)

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes NA

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix A - Procurement Strategy

Appendix B – Procurement Consultation Report

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at

which the report is considered)

Yes (please list the documents below) No

Author(s)

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Approved by

NAME	DESIGNATION	SIGNATURE
Stuart Crickmar	Strategic Director Partnership & Performance	
Nikki Bridle	Chief Executive	



Procurement Strategy

2019–2022

Be the
FUTURE



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Appendices

A	Glossary of commonly used procurement terms and acronyms	
B	Links to Procurement Policies and Procedures	

Useful Contacts

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1 Introduction

This Strategy is aimed at promoting effective procurement across the Council.

This Strategy sets out how the Council will:

- make procurement easier for suppliers and the Council alike
- increase the professionalism and commercial skill of those carrying out procurements for the Council
- give opportunity to local and SME suppliers to participate by increasing visibility of the Council's procurement plans and opportunities
- maximise innovation, sustainability and collaboration in procurement activities

The Council developed an Interim Procurement Strategy covering the latter part of the 2016/17 financial year and the full 2017/18 financial year¹ to comply with the requirement to prepare and publish a procurement strategy by 31 December 2016.

During 2017/18 the Council undertook a consultation exercise in order to prepare the full procurement strategy. The Consultation was undertaken using the Council consultation hub and took place between August and September 2017.

Correspondence was also sent to a number of external stakeholders making them aware of the consultation and seeking views from their members and extended networks.

The purpose of the Consultation was to ensure that the Council's approach and procurement strategy takes account of stakeholders' views and those stakeholders had the opportunity to engage and contribute to development of the strategy.

The Council wanted to gain a better understanding of the needs of the area and tailor the strategy to reflect those needs. One of the key areas that the strategy addresses is the Council's policy on consulting and engaging with those affected by its procurements.

The Council aims to be flexible and to respond to the rapidly changing environment around public sector procurement and to learn from its own experience and the experiences of others. The rapidly changing environment is well illustrated by the pace of technological change currently associated with e-procurement.

The overarching purpose of the Strategy is to support the delivery of high quality public services that offer value for money and, in a sustainable way, take account of best practice and EU and Scottish procurement legislation.

¹ Statutory Guidance under the Procurement Reform (Scotland) Act 2014
<http://www.gov.scot/Topics/Government/Procurement/policy/ProcurementReform/ProcReformAct/statutoryguidance>

2 Background

There have been some significant changes in the last few years, in particular:

- The EU Procurement Directives which aim to ensure that public purchases are made in a transparent and fair manner.
- The Procurement Reform (Scotland) Act 2014 that provides a national legislative framework for sustainable public procurement that supports Scotland's economic growth through improved procurement practice.

As a whole, both the Act and the Directives provide the statutory foundations for the Scottish Model of Procurement illustrated in Figure 1.

Figure 1: Scottish Procurement Model

Scottish Procurement



Scottish Model of Procurement



These important changes to the rules on public procurement in Scotland resulted from:

- Procurement Reform (Scotland) Act 2014
- EU Procurement Directive on public procurement
- EU Procurement Directive on the award of concession contracts
- EU Procurement Directive on the award of contracts by entities operating in the water, energy, transport and postal services sectors
- EU Procurement Directive for electronic invoicing in public procurement

The Scottish Model of Procurement, simplifies, standardises and streamlines procedures for both businesses and public bodies. It places sustainable and socially responsible purchasing at the heart of the process. Some of these changes are mandatory. The Council's key procurement documents, the Procurement Journey, introduced in 2012 and Contract Standing Orders will align with the requirements of the Scottish Model.

3 Purpose of the Strategy

Historically the Council has spent approximately £60 million a year on procuring goods, works and services and it needs to maximise value from this expenditure. The next few years are likely to see further financial pressures so achieving and providing evidence of value for money is paramount.

This Strategy provides a high-level view about the Council's direction of travel, identifies the actions that the Council will take and the principles it will follow to maximise value from its procurement activity.

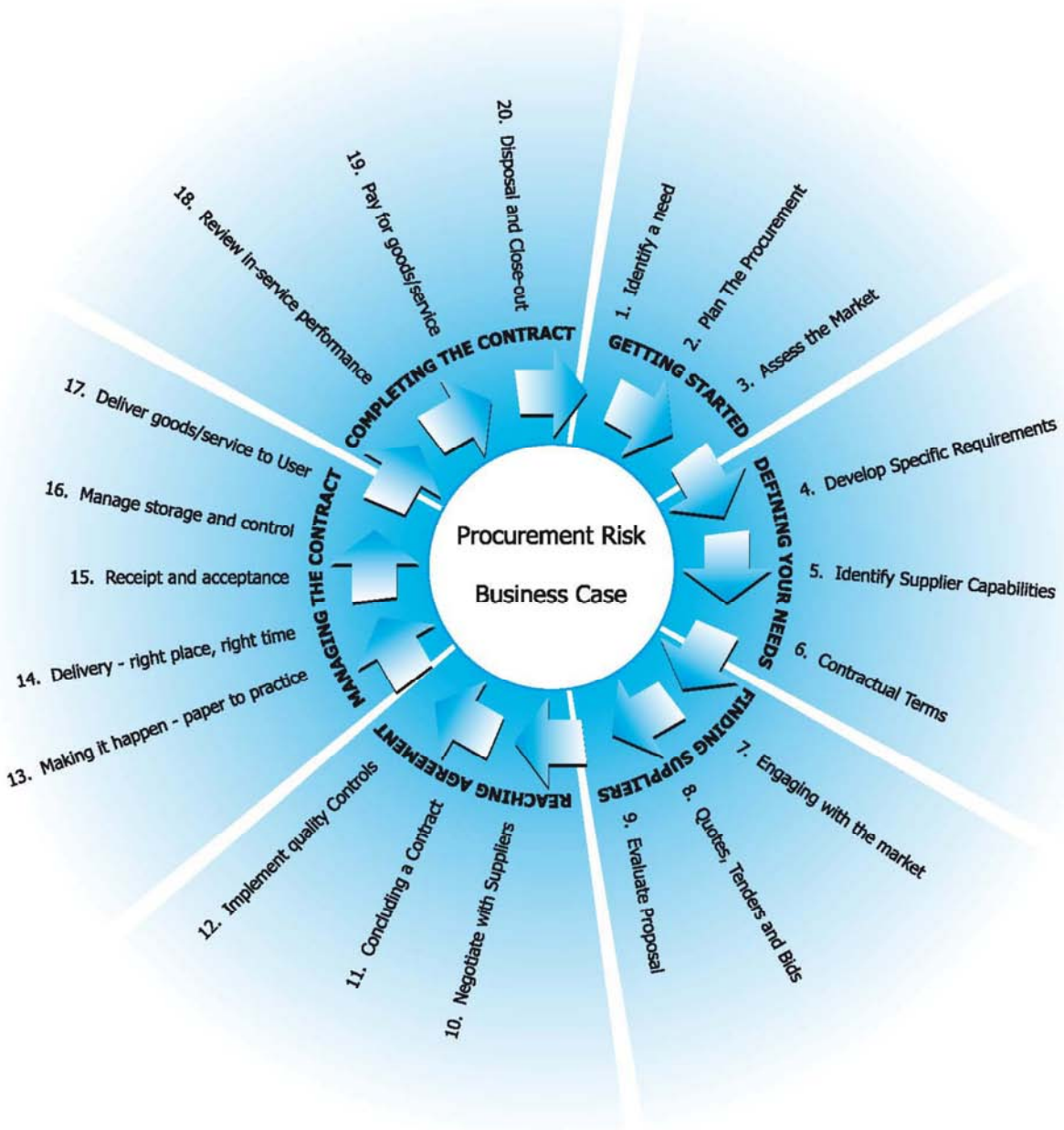
4 What is Procurement?

The Council directly provides some services from in house staff/ resources. Where it needs to acquire goods, services or works that cannot be provided in-house they are procured from external providers which may be a contractor, third sector supplier or another public sector body. Procurement is the process that is used to acquire such goods, services and works from those external providers.

Whilst responsibility for procurement resides in each Council service area, there is advice available from suitably qualified staff in the corporate centre to assist service areas with their procurement responsibilities and provide policy advice and training.

Procurement activity forms a cycle, illustrated in Figure 2, extending from recognising an unmet need right through to management of the end contract, and where appropriate will include authorisations and audit arrangements. Depending on the need being addressed, the procurement cycle may vary from a simple transactional process, such as the on-line ordering of stationery, to the complexity of a multi-year, multi million pound project such as the procurement of a design, build and ongoing facilities management solution for a school. Well-trained procurement practitioners add value to every stage of the procurement cycle, minimising costs and maximising value.

Figure 2 : The Procurement Cycle Source: A Guide to the Procurement Lifecycle in Clackmannanshire Council



5 The Vision for Procurement

The Procurement Strategy aligns with the Corporate Plan and outcomes as expressed in the Clackmannanshire Local Outcomes Improvement Plan

- Clackmannanshire will be attractive to businesses and people and ensure fair opportunities for all.
- Our families; children and young people will have the best possible start in life
- Women and girls will be confident and aspirational, and achieve their full potential.
- Our communities will be resilient and empowered so that they can thrive and flourish

In particular the strategy aims to support outcomes 1 and 4 by developing capability of businesses in Clackmannanshire to bid for public sector contracts and wherever possible, any opportunities for the Council to retain its procurement spend within Clackmannanshire and deliver wider community benefits will be maximised.

The Council will only procure what it needs to deliver the best services possible within its available resources.

To do this we have adopted the following Strategic Themes for the period covered by the Strategy.

Strategic Theme 1

Straightforward:

To make procurement as straightforward as possible for the Council and potential suppliers, in particular to improve access for local suppliers and SMEs and to eliminate anything that does not add value to the procurement

Strategic Theme 2

Professional:

To continue to embed professional procurement and contract management skills and support the growth of commercial acumen within the Council.

Strategic Theme 3

Maximise local opportunities:

To support and encourage an effective local supplier market including the voluntary sector and the promotion of local social value in contracts.

Strategic Theme 4

Strategic:

To use sound procurement practices and innovative solutions to promote sustainability and value for money, making use of clear and detailed procurement/purchasing data, collaboration and partnership opportunities where appropriate.

Strategic Theme 5

Fair:

To ensure that, where applicable, contractors comply with Living Wage and Blacklisting Policies and to ensure that account is taken of the possible impact that the Council's approach to major projects might have on different groups of people.

Strategic Theme 6

Compliance:

To ensure that all procurement activity across the Council is compliant with procurement regulations, Contract Standing Orders and Financial Regulations.

The actions that we will take to deliver these themes are set out in the work plan for the service at Section 8.

6 The Council's Procurement Principles

Fundamental to this strategy are Procurement Principles that will guide how the Council conducts and develops its procurement activities.

General

- 6.1 Throughout any procurement the Council will be clear about the outcomes and objectives it wants to achieve.
- 6.2 The Council's required outcomes from each procurement project will be properly assessed in relation to the Council's priorities, other statutory requirements and affordability.
- 6.3 The assessment of risk associated with each procurement project will aim to achieve a balance with commercial outcomes and placing risk where it is best managed.
- 6.4 Wherever possible requirements will be expressed in terms of outcome and performance to provide scope for bidder innovation.

Value for money

- 6.5 The Council will aim to increase value for money (defined as the best whole-life cost and quality ratio to fulfil the stated requirements) and reduce processing costs.
- 6.6 The Council will take a long-term strategic view of the procurement of its requirements, including the potential for innovative funding and the opportunity for working with other public authorities especially for goods and services which can be procured more cost-effectively in a collaborative group.

Sustainability

- 6.7 Any procurement decision will aim to minimise harm to the environment and to promote conservation of natural resources.

The local supplier base

- 6.8 The Council will support businesses local to Clackmannanshire through a range of initiatives including:
 - Making it simpler to do business with the Council;
 - Reduce where possible the bidding burden on suppliers;
 - Have regard to the impact on small/local firms in the way in which a procurement is structured; and
 - Providing clear information about selling to the Council on our website.
 - Where possible increase local procurement expenditure by 2.5% each year to 21.5%

Relationships with suppliers

- 6.9 In longer-term contracts, the Council will incorporate provisions for continuous improvement both within the contracted service and to the benefit of the community it is serving.

- 6.10 In higher value contracts the Council will challenge contractors to identify ways in which they can contribute to improving the economic, social and environmental well-being of Clackmannanshire.
- 6.11 In construction contracts the Council will ask potential contractors to self-declare that they have not been and will not be involved in blacklisting and where a potential contractor is unable to do this the Council will carry out a review in a proportionate and reasonable manner to conclude whether or not the organisation should be excluded from the competition.
- 6.12 The Procurement Reform (Scotland) Act 2014 has addressed and defined living wage in national legislation. It provides for Scottish Ministers to issue statutory guidance on how a company's approach to recruitment, remuneration (including living wage), and other terms of engagement should be considered when selecting bidders and awarding public contracts, where such matters will affect the quality of service that the bidder may provide.

Equality

- 6.13 Procurement processes and documentation will reflect the Council's Equalities and Diversity Policy in line with the Equality Act 2010.
- 6.14 Equality legislation places duties on the Council to promote equality through our actions and they must have due regard to whether the award and conditions of a contract should include considerations to enable better performance of the public sector equality duty. In addition human rights standards recognise the right of everyone to just and favourable working conditions; in particular fair and equal pay, safe and healthy working conditions and reasonable working hours.
- 6.15 Section 9 of the Procurement Reform (Scotland) Act 2014 places a sustainable procurement duty on the Council before carrying out a regulated procurement, to consider how in conducting the procurement process it can improve the economic, social, and environmental wellbeing of the Council area. Wellbeing of the Council area includes, in particular, reducing inequality in the area. The Council will contribute towards improving the social wellbeing element of its sustainable procurement duty by adopting a policy to promote fair work practices in relevant public contracts.

Conduct

- 6.16 In all our dealings in the procurement process, the Council will preserve the highest standards of honesty, integrity, impartiality and objectivity and shall comply with the Council's staff conduct policies at all times.
- 6.17 In selecting contractors the Council will evaluate offers received on the basis of the most economically advantageous tender and will take into account, where appropriate, whole life costing seeking an appropriate balance between cost and quality.
- 6.18 In any procurement the Council will ensure that its approach to the market is consistent with these principles.

Health and Social Care Procurement

- 6.19 Section 12 of the Procurement Reform (Scotland) Act provides for a contracting authority, such as the Council to award health and social care contracts or framework agreements between 50,000 GBP and 615,278 GBP without seeking offers in relation to the proposed contract. There are however provisions that still apply if the Council chooses to award a contract without advertising for example Section 23(2) of the Act: The Council must publicise a contract award notice on Public Contracts Scotland. Many health and social care contracts require special consideration because the quality or availability of these services can have a significant impact on the quality of life and health of people who might use these services as well as their carers. Also, services are becoming increasingly personalised to better meet people's needs which, in turn, has implications for how support is planned and purchased.
- 6.20 The Council also has to work with the Integrated Joint Board(IJB) in the provision of Adult Social Care. The IJB is responsible for producing a commissioning strategy but the IJB cannot, as an entity, contract with suppliers. It is for the Council along with the other IJB partners to manage the procurement. Services in regard to children and criminal justice services will also be expected to be procured within the context of a commissioning strategy.
- 6.21 The Council will exercise its responsibilities in compliance with the provisions in Section 12 in a responsible and proportionate way ensuring that the best interests of service users are accommodated within fair and transparent procurement practices.

7 Spend / Finance

This section details historical and projected spend information and spend analysis for the Council covering the financial year 2017/18. Greater detail is provided in the Annual Procurement report which is available on the Council's website.

Total spend with Trade Creditors	£60,230,989
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Suppliers (trade Creditors) used in 2017/18	2,190
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Top 20 suppliers by Trade Classification (Thomson)	Total Spend
Facilities Management	8,384,841
Nursing Homes	5,067,644
Home Care Services	4,095,002
Project Management	2,815,045
Residential Care Home	2,754,067
Civil Engineers	1,880,400
Adoption & Fostering	1,586,403
Construction Contractors - General	1,533,692
Pvc-u Products - Mnfrs & Suppliers	1,520,262
Social Services	1,338,056
Childcare Services	1,189,566
Electricity Companies	1,147,804
Building Refurbishment & Restoration Contractors	1,113,866
Disability & Special Needs - Services	999,537
Electrical Wholesalers	998,621
Waste Disposal Services	831,174
Insurance - Other	795,808
Property Maintenance & Repairs	754,767
Computer Systems & Software (development)	747,439
Car Dealers	718,891

Percentage Spend with Small to Medium Enterprises	66.44%
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Overall, spend is relatively evenly distributed amongst small and medium sized enterprises and performance compares favourably with other Local Authorities.

Percentage of spend by supplier size.

Supplier Size (Composite)	% Of Spend 16/17	% Of Spend 17/18
Large Company	37.38	33.56
Medium Company	34.23	33.75
Small Company	28.40	32.69
SME Total	62.62	66.44

Percentage Spend with Local Suppliers	14.01%
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Whilst the share of spend in the local area is relatively low, it is also recognised that there is a fairly limited local supplier base but work continues with local suppliers to provide opportunities to work with the Council.

The relatively small geographic areas covered by Clackmannanshire and small number of companies within the local area are likely to be key factors in the low share of spend.

Local spend by Clackmannanshire Council is dominated by Social Care & Services where spend is £5,947,282, followed by Travel & Accommodation £882,435, and Construction £595,220

The majority of Social Care & Services is spent on Adult Services £5,207,825 and for Travel & Accommodation the spend is only on Travel - School transport.

Spend Summary by Business Sector Locally.

vCode Business Sector	Total Spend 17/18	vCode Business Sector	Total Spend 16/17	Difference
Social Care & Services	5,947,282	Social Care & Services	4,714,918	£ 1,232,364
Travel & Accommodation	882,435	Travel & Accommodation	1,177,656	-£ 295,221
Construction	595,221	Construction	978,059	-£ 382,838
Waste & Environmental Services	121,898	Waste & Environmental Services	473,796	-£ 351,898
Facilities Management	97,794	Facilities Management	90,199	£ 7,595
Arts, Sport & Leisure	68,615	Arts, Sport & Leisure	132,286	-£ 63,671
Transport	36,921	Transport	26,264	£ 10,657
Animals & Farming	32,139	Animals & Farming	13,944	£ 18,195
Human Resources	30,218	Human Resources	43,322	-£ 13,104
Marketing & Media	25,525	Marketing & Media	49,134	-£ 23,609
Other Goods & Services	17,750	Other Goods & Services	80,228	-£ 62,478
Food, Beverage & Catering	15,245	Food, Beverage & Catering	93,667	-£ 78,421
Retail & Wholesale	12,084	Retail & Wholesale	63,916	-£ 51,833
Clothing	8,719	Clothing	27,697	-£ 18,978
Legal	7,114	Legal	52,990	-£ 45,876
Personal Care	6,000			£ 6,000
ICT	1,900	ICT	13,618	-£ 11,718
Financial Services	1,470	Financial Services	1,030	£ 440
		Vehicles	42,053	-£ 42,053
		Utilities & Energy	4,140	-£ 4,140
				£ -
	7,908,331		8,078,917	-£ 170,586

The Council will pay suppliers promptly, and includes a clause in its standard terms and conditions stating that undisputed invoices will be paid no later than 30 days from receipt.

The Council wish to ensure that this behaviour flows through the supply chain includes a clause stating that:

“where you sub-contract any work under the Contract, that sub-contract must contain a clause requiring you to pay your sub-contractor within 30 days of you receiving a valid invoice from your sub-contractor.”

8 Action Plan

The table below summarises the actions and initiatives planned over the Strategy period to achieve the outcomes set out in the Vision for Procurement at section 5.

A number of these are aspirational and priority will be given to statutory obligations.

Elements of the effectiveness of the procurement strategy will be measured via the [Procurement & Commercial Improvement Programme](#) (PCIP).

Definitions

Responsible	"The person or persons that will undertake the objective"
Accountable	"The person that is answerable and has liability for the objective"
Consult	"Prior to making a decision"
Inform	"After decision is made"

PROCUREMENT ACTION PLAN March 2019 – March 2022		
Strategic Theme 1 Straightforward Procurement		
To make procurement as straightforward as possible for the Council and potential suppliers, in particular to improve access for local suppliers and SMEs and to eliminate anything that does not add value to the procurement		
Action	Responsibility	Target Date
Deliver electronic procurement systems to satisfy new legislative requirements.	TechnologyOne Project Team	Reviewed on an annual basis
	Accountable	
	Chief Accountant	
	Consult	
	Procurement Manager	
Review impact of newly implemented EU Procurement Rules and UK legislation and make necessary changes to existing approaches.	Inform	A per Scottish Procurement policy notes which are published on an ad hoc basis to provide advice on current policy issues.
	Strategic Director (Partnership & Performance)	
	Responsibility	
	Procurement Manager	
	Accountable	
	Strategic Director (Partnership & Performance)	
	Consult	
	CMT	
	Inform	
	CMT	

Guidance produced for local/third sector suppliers and SMEs is clear concise and easy to follow, and includes a section with regard to local and national support bodies, and how they can improve access.	Responsibility	Reviewed on an annual basis
	Procurement Manager	
	Accountable	
	Strategic Director (Partnership & Performance)	
	Consult	
	CMT	
Continue to use Public Contract Scotland portal as our main advertising media for all regulated procurements.	Inform	Ongoing
	Elected members	
	Responsibility	
	All Purchasing staff	
	Accountable	
	Heads of Service	
	Consult	
	Procurement Manager	
	Inform	
	All Council staff	

PROCUREMENT ACTION PLAN March 2019 – March 2022

Strategic Theme 2 Embed procurement and contract management Skills

To continue to embed professional procurement and contract management skills across the Council. This goes hand in hand with moves to increase the commercial acumen of the Council

Action	Responsibility	Target Date
Provide strategic professional advice to the corporate review of how to transform the way the Council procures its works, services and supplies and to propose a new model for procurement and purchasing activities across the Council.	Procurement Manager	Ongoing
	Accountable	
	CMT	
	Consult	
	CMT	
	Inform	
Provide support and learning and development opportunities to staff, contractors, stakeholders, unions and elected members engaged in procurement processes to ensure they are able to deliver effectively and are empowered to deal with and understand the impact of any procurement decisions/ issues.	Responsibility	Reviewed on an Annual basis
	Procurement Manager	
	Accountable	
	CMT	
	Consult	
	Inform	
Review the role of the Procurement Matters Group and the terms of reference for the group. The procurement matters group is a management model where employees identified as having responsibility for procurement within their job role would have this aspect of their role managed by the Procurement Manager.	Responsibility	Sept. 2019
	Procurement Manager	
	Accountable	
	CMT	
	Consult	
	Inform	
Assist Clackmannanshire Third Sector Interface (CTSI) in the development and delivery of training with regard to 'Understanding Social Enterprise/Third Sector Legal Structures', and the impact/opportunities re Community Benefit Clauses	Responsibility	Dec. 2019
	Procurement Manager and CTSI	
	Accountable	
	Procurement Manager	
	Consult	
	Inform	

<p>Collaborate with CTSi on the production of a guide for analysing and measuring social value/impact in the assessment of bids.</p>	<p>Responsibility Procurement Manager and CTSI</p> <p>Accountable CTSI</p> <p>Consult CTSI</p> <p>Inform CMT</p>	<p>Dec. 2019</p>
<p>Brexit - Public Procurement Regulations have been implemented to UK law from four European Directives.</p> <p>The principles contained within the directives of equal treatment, non-discrimination, transparency and proportionality are enshrined within the Scottish Procurement Regulations and ultimately our procurement activity. Upon departure from the European Union it is unlikely that there would be any significant impact to procurement legislation and the way in which procurement activity is conducted</p> <p>However we will consider any of the implications of Brexit across our procurement portfolio, with focus on procurement regulations, trade, migrant labour workforce, and take all available practical steps. This will include working with the Scottish Government and Scotland Excel</p>	<p>Responsibility Purchasing staff</p> <p>Accountable Purchasing staff</p> <p>Consult Scottish Government & Scotland Excel</p> <p>Inform Purchasing Staff</p>	<p>April. 2019</p>

PROCUREMENT ACTION PLAN March 2019 – March 2022

Strategic Theme 3 Support and encourage the local supplier market

To support and encourage an effective local supplier market including the voluntary sector and the promotion of local social value in contracts.

Action	Responsibility	Target Date
Revise guidance on Council's website about selling to the Council.	Procurement Manager Accountable Procurement Manager Consult Procurement Matters Group Inform Strategic Director (Partnership & Performance)	Dec. 2019 There after on an annual basis
Refresh and publish online schedule of proposed procurements to promote future contract opportunities.	Responsibility Procurement Manager Accountable Heads of Service Consult All Services Inform All Stakeholders	As part of the procurement annual report and as per capital budget as agreed by Council February / March each year
Where possible, utilise the Public Contract regulations to enable Officers to place contracts with supported businesses more readily without having to resort to full tendering exercises, e.g. <ul style="list-style-type: none"> Identify third sector suppliers that meet 'Supported Business' criteria; and Identify opportunities to make use of reserved contracts for local supported businesses at monthly CTSI meetings. 	Responsibility Purchasing Staff Accountable Heads of Service Consult Procurement Manager Inform Procurement Matters group	Ongoing
For non regulated procurement exercises officers will purchase via local suppliers and will include at least one local supplier to tender where there is one available.	Responsibility Purchasing Staff Accountable Heads of Service Consult Procurement Manager Inform Procurement Matters group	Every procurement journey route 1 procurement

<p>Support businesses local to Clackmannanshire through a range of initiatives including:</p> <ul style="list-style-type: none"> • Making it simpler to do business with the Council; • Reduce to a minimum the bidding burden on suppliers; • Have regard to the impact on small/local firms of the way in which a procurement is structured and how they are paid; • Provide clear information about selling to the Council on the Council's website. • Production of a clear and concise guide for Third Sector suppliers that includes guidance with regard to partnership/consortia bids • Run a series of 'Meet the Supplier' events to encourage greater engagement from the third sector with the procurement process, and to create greater understanding of Third sector suppliers amongst council officers 	<p>Responsibility</p>	<p>Throughout each year and reported in the procurement annual report</p>
	<p>Procurement Manager Supplier Development programme CTSI</p>	
	<p>Accountable</p>	
	<p>Procurement Manager</p>	
	<p>Consult</p>	
	<p>All Stakeholders</p>	
	<p>Inform</p>	
<p>Elected Members</p>		
<p>Take in to account and align with the Council's Local Outcome Improvement Plan (LOIP) and that communication of its purpose, priorities and outcomes are better communicated across departments. Where possible align the procurement journey so that procurement exercises are attractive to local businesses and people and ensure fair opportunities for all.</p>	<p>Responsibility</p>	<p>Every procurement exercise</p>
	<p>Purchasing Staff</p>	
	<p>Accountable</p>	
	<p>Heads of Service</p>	
	<p>Consult</p>	
	<p>Procurement Manager</p>	
<p>Inform</p>		
<p>CMT</p>		
<p>Extend awareness of implications of Public Procurement Reform legislation through;</p> <ul style="list-style-type: none"> • Workshop discussions to brief third sector on Council procurement policy and changes in legislation; and • Establish monthly communication between Council procurement manager and CTSI. 	<p>Responsibility</p>	<p>Sept. 2020</p>
	<p>Procurement Manager CTSI</p>	
	<p>Accountable</p>	
	<p>Procurement Manager CTSI</p>	
	<p>Consult</p>	
	<p>Procurement Manager CTSI</p>	
<p>Inform</p>		
<p>Procurement Manager CTSI</p>		

<p>Better Align Service Level Agreements with Alliance Priorities by:</p> <ul style="list-style-type: none"> • Mapping grant-aid and commissioned spend from the Council to the local third sector; and • Initiating a review and appropriate changes to Service Level Agreements based on Alliance policy priorities. 	<p>Responsibility Purchasing staff</p> <p>Accountable Heads of service</p> <p>Consult CMT Elected members</p> <p>Inform All grant aid funded suppliers</p>	<p>October 2020</p>
<p>Advise and work in partnership with the Integration Joint Board (IJB) in line with The Public Bodies (Joint Working) (Scotland) Act 2014 as the IJB are not able to contract or hold contracts with third parties as contractual arrangements remain with the local authority.</p>	<p>Responsibility Social Services Commissioning IJB</p> <p>Accountable Social Services Commissioning IJB</p> <p>Consult Procurement Manager</p> <p>Inform CMT</p>	<p>Every adult commissioning exercise</p>
<p>Increase local procurement expenditure by 2.5% per year from 14% to 21.5% or greater over the life of the strategy</p>	<p>Responsibility Purchasing Staff</p> <p>Accountable Procurement Manager</p> <p>Consult All Stakeholders</p> <p>Inform Elected Members</p>	<p>21.5% spend with local suppliers by March 2022</p>

PROCUREMENT ACTION PLAN March 2019 – March 2022

Strategic Theme 4 Sound procurement practices and innovative solutions

To use sound procurement practices and innovative solutions to promote sustainability and value for money, making use of clear and detailed procurement/purchasing data, collaboration and partnership opportunities where this accords with the Council's Principles of partnership working.

Action	Responsibility	Target Date
Ensure that all regulated procurements comply with the sustainable procurement duty and in the case of commissioning ensure these are aligned to the Integration Joint Board joint strategic commissioning plans which pull together the forecast of overall need across the local authority area, together with the availability of services or resources to meet that need and makes recommendations following an option appraisal for how these should be met	Responsibility	All regulated procurement exercises
	Purchasing Officers Social services commissioning	
	Accountable	
	Heads of Service	
	Consult	
	Procurement Manager IJB	
	Inform	
Establish systems to record the impact of procurement policies and practices on the council's climate change duties.	Responsibility	March 2021
	Procurement Manger	
	Accountable	
	Heads of Service	
	Consult	
	CMT	
	Inform	
Review scope for and deliver further corporate contracts to consolidate spend.	Responsibility	Ongoing agenda item with the Procurement Matters Group
	Procurement Matters Group	
	Accountable	
	Heads of Service	
	Consult	
	CMT	
	Inform	
CMT		

Revise template documents and guidance with intention of promoting scope for innovation by the market in appropriate procurements.	Responsibility	Ongoing agenda item with the Procurement Matters Group
	Procurement Manager	
	Accountable	
	Procurement Manager	
	Consult	
	Procurement Matters Group	
When exploring outsourcing and private partnership solutions, these will not be procured in isolation and consultation with staff, service users, unions and stakeholders will be undertaken when market testing.	Responsibility	When required
	Heads of Service	
	Accountable	
	CMT	
	Consult	
	All Stakeholders	
Utilise the Scottish Government's sustainable prioritisation tool to identify and prioritise procurement activity.	Responsibility	March 2021
	Purchasing Staff	
	Accountable	
	Heads of Service	
	Consult	
	Procurement Manager	
Utilise the Flexible Framework Self-Assessment Tool (FFSAT) to provide a Sustainable Action Plan to establish the performance level of sustainable procurement across the council.	Responsibility	September 2010
	Purchasing Staff	
	Accountable	
	Heads of Service	
	Consult	
	Procurement Manager	
Create and manage a sustainable register to capture, monitor and report on the sustainable outcomes achieved via procurement activity, and link to related internal and external reporting requirements.	Responsibility	December 2021
	Procurement Manager	
	Accountable	
	Procurement Manager	
	Consult	
	All stakeholders	
Inform		
CMT		

Explore innovative solutions through greater collaborative approaches between the Council and the local Third sector	Responsibility	September 2020
	Purchasing Staff CTSI	
	Accountable	
	Purchasing Staff CTSI	
	Consult	
	Procurement Matters Group CTSI	
Explore the development of a subcontractor community benefit directory	Inform	December 2020
	CMT	
	Responsibility	
	CTSI	
	Accountable	
	CTSI	
	Consult	
	Procurement Manager	
	Inform	
	Procurement Matters Group	

PROCUREMENT ACTION PLAN March 2019 – March 2022

Strategic Theme 5 Fair procurement

To ensure that, contractors comply with our Living Wage and Blacklisting Policies and to ensure that we take account of the possible impact that our approach to major projects might have on different groups of people.

Action	Responsibility	Target Date
Ensure that all procurement follows the fundamental principles of (transparency, equal treatment and non-discrimination, proportionality and mutual recognition), the legal requirements of the Procurement Reform (Scotland) Act 2014, The Public Contracts (Scotland) Regulations 2015, The Procurement (Scotland) Regulations 2016, statutory guidance issued under the Act and Scottish public procurement policy generally and including the Scottish specific equality duty.	Purchasing Staff	Every Regulated procurement exercise
	Accountable	
	Heads of Service	
	Consult	
	Procurement Manager	
Establish simple methodology for assessing best value case for using the Living Wage requirement in service and works contracts,	Responsibility	December 2019
	Procurement Manager	
	Accountable	
	Procurement Manager	
	Consult	
Procurement will also foster and adopt the Fair Work directive where legally permissible by removing contractors who use Zero Hour Contracts and contractors who do not provide a minimum of pay in line with the living wage	Responsibility	Where Identified
	Procurement Manager	
	Accountable	
	Procurement Manger	
	Consult	
Embed Blacklisting protocols in procurement processes for construction contracts.	Responsibility	Ongoing
	Procurement Manager and Works purchasing officers	
	Accountable	
	Procurement Manger	
	Consult	
Procurement Matters group		
Inform		
Purchasing Staff		

Procurement will encourage, through the tender process and support to contractors, provision of apprenticeships and promote health and safety and utilise environmentally sustainable solutions	Responsibility	Every appropriate regulated procurement exercise
	Purchasing officers	
	Accountable	
	Purchasing officers	
	Consult	
	Procurement Manager	
Ensure that where appropriate EQIA's are completed for regulated procurements.	Inform	Every appropriate regulated procurement exercise
	Procurement Matters group	
	Responsibility	
	Purchasing officers	
	Accountable	
	Purchasing officers	
Consult		
Stakeholders		
Inform		
Procurement Manager		

PROCUREMENT ACTION PLAN March 2019 – March 2022

Strategic Theme 6 Compliance

Procurement will continue to identify, manage and control risk by developing policy and procedures which consider risk, and balance operational effectiveness and compliance.

Action	Responsibility	Target Date
Update Council Contract Standing Orders to support compliance with the new procurement rules and cascade changes to informed clients and key stakeholders.	Responsibility	December 2019
	Procurement Manager	
	Accountable	
	Strategic Director (Partnership & Performance)	
	Consult	
	Elected Members, CMT and procurement Matters group	
Adapt internal procedures, processes and documentation to reflect the required legislative changes.	Responsibility	On going
	Procurement Manager	
	Accountable	
	Procurement Manager	
	Consult	
	Procurement Matters group	
Produce a procurement workforce plan to consider what skills and development requirements will be necessary within the Council to comply with the procurement rules.	Responsibility	March 2020
	Procurement Manager	
	Accountable	
	Procurement Matters Group	
	Consult	
	Purchasing Officers OD Officer	
Inform		
	CMT	

Implement measures in conjunction with Internal Audit to ensure that the opportunity for procurement fraud is minimised	Responsibility	Ongoing
	Procurement Manager and Internal Audit	
	Accountable	
	Heads of Service	
	Consult	
	Heads of Service	
Produce an annual procurement report in line with legislative requirements as soon as possible after the financial year end.	Inform	Quarter 3 Annually
	CMT	
	Responsibility	
	Procurement Manager	
	Accountable	
	Strategic Director (Partnership & Performance)	
	Consult	
	CMT and Elected members	
	Inform	
	Scottish Government	

Appendix A

Glossary of commonly used procurement terms and Acronyms

This list includes some of the commonly used words, acronyms and phrases. It is not comprehensive and will be added to from time to time. If you think there is something that should be added to it please contact Derek Barr, whose contact details are given at the start of this Strategy.

Agreement Another word for “Contract”. The legally binding contract terms and conditions between the parties.
Category Management An approach to procurement within the Council that places projects of a particular type (e.g. construction, IT) with staff that are expert in procurements of that type.
Collaboration In this context, public sector organisations that engage in a joint procurement for works, services or supplies with the intention of obtaining better value for money through economies of scale and reduced tendering costs.
Commissioning The process of specifying, securing and monitoring services to meet people’s needs at a strategic level. It applies to all services, whether they are provided by the local authority, NHS, other public agencies, or by the private and voluntary sectors
Competitive Tendering Awarding contracts following a process to obtain competing tenders.
Contract A binding agreement between two or more parties that is enforceable in law.
Contract Officer An officer of the Council who has been nominated to manage the contract.
Contractor A firm or person who has entered into a contract with the Council to supply works, goods or services.
EU European Union.
ESPD European Single Procurement Document allow businesses to complete one document containing their basic selection and exclusion information and use this in competitions across Europe, building on the progress made in Scotland through the development of the standard pre-qualification questionnaire. Only used for EU procurements.
Evaluation A detailed assessment and comparison by the Council of offers made in response to a request for quotations or tenders in accordance with published criteria.
Framework Agreement An agreement with suppliers which sets out the terms and conditions (including maximum prices) under which specific orders can be made throughout the term of the agreement.
IJB The Integration Joint Board for Clackmannanshire and Stirling Health and Social Care Partnership is made up of representatives from Clackmannanshire Council, Stirling

<p>Council, NHS Forth Valley, Third Sector representatives, service users and carers. The Integration Joint Board*, through its Chief Officer, has the responsibility for the planning, resourcing and the operational oversight of a wide range of health and social care services.</p>
<p>Invitation to Tender A formal document inviting an organisation to tender to provide a service, supply goods or to carry out works for the Council. It will include the instructions for submitting a tender, the specification for the requirement, the criteria against which the tender will be assessed, the proposed terms and conditions for the contract and, in some cases, a business questionnaire.</p>
<p>ITT Invitation to Tender.</p>
<p>KPI Key Performance Indicator. KPIs are placed against certain elements of a contract or service level agreement and indicate the items that are to be measured to see if the contractor has achieved the required contract standard.</p>
<p>Life cycle costing The systematic consideration of all relevant costs and revenues associated with the acquisition and ownership of an asset.</p>
<p>Local Suppliers or Suppliers local to Clackmannanshire – Local suppliers are defined as suppliers based within the boundary of Clackmannanshire to reflect the type of procurement and the maturity of the supplier market within the County, Sub-region is defined as Forth valley</p>
<p>LOIP Local Outcome Improvement Plan</p>
<p>MEAT Most Economically Advantageous Tender</p>
<p>Method Statement A document used in the invitation to quote or to tender which sets out specific questions for the bidder to answer to explain to the Council how a service is to be delivered/works to be carried out. The answers will be evaluated and form a part of the contract.</p>
<p>Most Economically Advantageous Quotation/Tender The quotation or tender offering the Council the greatest benefit in terms of cost and quality.</p>
<p>OJEU Official Journal of the European Union. The on-line publication in which notices advertising Council tenders that fall within the EU thresholds must be placed at the start and end of the procurement.</p>
<p>PQQ Pre-Qualification Questionnaire. A document asking the tenderer to provide information about their business and experience. Used below EU level procurements.</p>
<p>Procurement The process of the acquisition by the Council of the goods, services and works that it needs to deliver its services.</p>
<p>PCS Public Contracts Scotland the Scottish Government advertising portal which local authorities are required to use for the publication of information about contract opportunities worth £50,000 or over.</p>
<p>Quotation An offer by a supplier to supply goods or services or to carry out works requested either</p>

orally or in writing.

Regulations

The Procurement Reform (Scotland) Act 2014
Public Contracts (Scotland) Regulations 2015
Procurement (Scotland) Regulations 2016
Concessions Contracts (Scotland) 2016

Small to Medium Enterprises (SME)

Small

Less than 50 employees, regardless of turnover, or, if the number of employees is unknown, then turnover of less than £5.6m will be taken as an indicator that it is a small enterprise.

Medium

Between 50 and 249 employees, regardless of turnover, or, if the number of employees is unknown, then turnover of greater than or equal to £5.6m and less than £22.8m will be taken as an indicator that it is a medium enterprise.

Large

Greater than or equal to 250 employees, regardless of turnover, or, if the number of employees is unknown, then turnover of greater than or equal to £22.8m will be taken as an indicator that it is a large enterprise.

Specification/Statement of Requirements

A description of the requirements for the service, supply or works to be provided.

Supported Business

Firstly, a supported business' primary aim is the social and professional integration of disabled or disadvantaged persons.

Secondly, at least 30% of the employees of those businesses should be disabled or disadvantaged. The precise proportion of staff may fluctuate over time. However this requirement is underpinned by the main aim of the business being the social and professional integration of disabled and disadvantaged people.

Supplier/Service Provider

Other words for "Contractor".

Tender

The offer submitted by the tenderer in response to the Invitation to Tender.

VFM

Value for money.

Appendix B

Links Procurement Policies and Procedures

- [Contract Standing Orders](#)
- [Corporate Procurement Process](#)
- [Terms and Conditions for Orders and Contracts](#)
- [Doing Business with Clackmannanshire Council - A Suppliers' Guide](#)
- [Procurement Annual Report](#)
- [Focus On Spend](#)
- [Contract Register](#)
- [Public Contracts Scotland](#)



**Clackmannanshire
Council**

www.clacksweb.org.uk

Clackmannanshire Council Procurement Strategy

Consultation response report



Overview

The Council developed an Interim Procurement Strategy to comply with the requirement to prepare and publish a procurement strategy by 31 December 2016. The first procurement strategy covered the remainder of the Council's 2016/17 financial year and its full 2017/18 financial year

We stated that during the 2017/18 period the Council would undertake relevant and proportionate consultation and engagement when preparing the full procurement strategy before approval by the Council

The Consultation was undertaken using the Council consultation hub and opened on 9th August 2017 and closed on 29th September 2017 seeking views on the interim Procurement Strategy and Action plan. Correspondence was also sent directly to a number external stakeholders making them aware of the consultation and seeking views from their members and extended networks

The council received two responses over this period and one comment after this period that has also been included within this report.

Responses received from:

UNISON

CTSI

NHS – Heath and Social Care Integration

Consultation Questions and Responses

Strategic Context

Question: Are there any strategic issues which the strategy has not considered? If yes please identify them below and give details of how the Procurement Strategy should address them.

Responses:

- 1 Clackmannanshire Council should focus on the local economy through a buy local procurement strategy which would increase the Council's overall sustainability by adding additional finance to the local economy. Environmentally, this will also increase the green credentials of the Council by reducing product delivery/contractors commute and reducing the overall contract delivery miles. Procurement can be used as a viable tool in fostering both economic and environmental goals and as a key policy and planning tool.
- 2 Procurement must also foster and adopt the Fair Work directive by removing contractors who use Zero Hour Contracts, who do not provide a minimum of pay in line with the living wage and who do not pay for travelling time and expenses. Procurement should also be weighted in favour of companies which provide apprenticeships, promote health and safety and utilise environmental sustainable policies.
- 3 Outsourcing and private partnerships have time and time again been shown to cost more in the long run when compared to keeping services and staff in house. For instance, PPP used to procure new schools; there are numerous examples in UK public sector of IT Services being outsourced only to be brought back in house due to spiralling costs or the outsourcer going bust. Don't procure in isolation; consult with staff, service users, unions and stakeholders prior to testing the market. Often business cases are blinkered and all the facts are not known until after contracts are awarded.
- 4 In the spirit and ethos of this procurement consultation process, there should be recognition of the fact that if procurement contracts have a high proportion of their costs coming from the revenue budget, this will directly impact the Council's ability to employ staff and thereby support the local economy. It is, therefore, in the spirit of this consultation to adopt a procurement strategy that favours Capital expense over Revenue.
- 5 Any outsourcing/framework companies should recognise Trade Unions, protect workers rights in line with the internal corporate policies and maintain pay awards at a minimum in line with local government awards. No employees should be disadvantaged through being out-sourced. When considering any out sourcing options, the contract should include an insolvency clause or Performance Bond in case the company becomes insolvent, ceases trading or is taken over.
- 6 UNISON has already submitted a procurement agreement covering a lot of these points and more, including consultation with stakeholders. We would ask that this paper should also be considered in formulating this strategy as well as being subject to further discussion with UNISON

On reading I found no reference to the Health and Social Care Partnership or the Integration Authority and that councils will require to procure services for the Partnership as

directed by the Integration Authority (Integration Joint Board). This is an important strategic development locally that should be referenced.

How Clackmannanshire Council Carries Out Procurement

Question: The Interim Procurement Strategy has been put in place to ensure the Council procures only what it needs to deliver the best services possible within its available resources

Are there any specific issues which relate to the way in which the Council carries out procurement which you would like to see covered by the new policy?

Responses.

1 Answered previously

Strategic Themes

Question: Six priority themes have been identified in the Strategy:

Straightforward:

Professional:

Maximise local opportunities:

Strategic:

Fair:

Compliance:

What are your views on the themes identified?

Responses.

1 This can't be answered until I have read your definitions provided on the next pages.

Question: Would you propose an additional or alternative theme(s)?

Responses.

1 Local Economy
Fair Work
Protecting Service Delivery
Safe Work
Protecting Futures
No to outsourcing"

Strategic Theme 1 Straightforward Procurement
To make procurement as straightforward as possible for the Council and potential suppliers, in particular to improve access for local suppliers and SMEs and to eliminate anything that does not add value to the procurement
Action
Deliver electronic procurement systems to satisfy new legislative requirements.
Review impact of newly implemented EU Procurement Rules and UK legislation and make necessary changes to existing approaches.

Question: Are these the right Actions for this theme? (Please tick Yes or No below.)

Response Yes:

Question: Do you have any views on the actions we have set for these themes?

Response

- 1 CTSi comment/recommendation: Any guidance produced for local/third sector suppliers and SMEs is clear concise and easy to follow, and includes a section with regard to local and national support bodies, and how they can improve access.

Strategic Theme 2 Embed professional and contract management Skills
To continue to embed professional procurement and contract management skills across the Council. This goes hand in hand with moves to increase the commercial acumen of the Council
Action
Provide strategic professional advice to the corporate review of how to transform the way the Council procures its works, services and supplies and to propose a new model for procurement and purchasing activities across the Council.
Provide support and learning and development opportunities to staff engaged in procurement processes to ensure they are able to deliver effectively and are empowered to deal with procurement issues.

Question: Are these the right Actions for this theme? (Please tick Yes or No below.)

Response Yes:

Question: Should we include any more actions (please detail).

Response

- 1 Don't look at procurement as they only training and development action.
- 2 Training and procurement need to involve the professionals in that service, stakeholders, unions, staff at the coal face, and elected officials to ascertain what the impact of any procurement decision will have. Do not procure in isolation.
- 3 CTSi comment/recommendation: The development and delivery of training with regard to 'Understanding Social Enterprise/Third Sector Legal Structures', and the impact/opportunities re Community Benefit Clauses could be offered via CTSi. CTSi and the Council could collaborate on the production of a guide for analysing and measuring social value/impact in the assessment of bids.

Question: Do you have any views on the actions we have set for these themes?

Response

- 1 Procurement must also foster and adopt the Fair Work directive by removing contractors who use Zero Hour Contracts, who do not provide a minimum of pay in line with the living wage and who do not pay for travelling time and expenses.
- 2 Procurement should also be weighted in favour of companies which provide apprenticeships, promote health and safety and utilise environmental sustainable policies

Strategic Theme 3 Support and encourage the local supplier market
To support and encourage an effective local supplier market including the voluntary sector and the promotion of local social value in contracts.
Action
Revise guidance on Council's website about selling to the Council.
Refresh and publish online schedule of proposed procurements to promote future contract opportunities.
Continue to use Public Contract Scotland portal as our main advertising media.
Where possible, utilise the Public Contract regulations to enable Officers to place contracts with supported businesses more readily without having to resort to full tendering exercises, e.g. <ul style="list-style-type: none"> • Identify third sector suppliers that meet 'Supported Business' criteria; and • Identify opportunities to make use of reserved contracts for local supported businesses at monthly CTSI meetings.
For non regulated procurement exercises officers will include at least one local supplier to tender where possible
Support businesses local to Clackmannanshire through a range of initiatives including: <ul style="list-style-type: none"> • Making it simpler to do business with the Council; • Reduce to a minimum the bidding burden on suppliers; • Have regard to the impact on small/local firms of the way in which a procurement is structured and how they are paid; and • Provide clear information about selling to the Council on the Council's website.
Extend awareness of implications of Public Procurement Reform legislation through; <ul style="list-style-type: none"> • Workshop discussions to brief third sector on Council procurement policy and changes in legislation; and • Establish monthly communication between Council procurement manager and CTSI.
Better Align Service Level Agreements with Alliance Priorities by: <ul style="list-style-type: none"> • Mapping grant-aid and commissioned spend from the Council to the local third sector; and • Initiating a review and appropriate changes to Service Level Agreements based on Alliance policy priorities.

Question: Are these the right Actions for this theme? (Please tick Yes or No below.)

Response No:

Question: Should we include any more actions (please detail).

1. Third sector should not be at the cost of Council Staff.
2. Procurement must also foster and adopt the Fair Work directive by removing contractors who use Zero Hour Contracts, who do not provide a minimum of pay in line with the living wage and who do not pay for travelling time and expenses.
3. Procurement should also be weighted in favour of companies which provide apprenticeships, promote health and safety and utilise environmental sustainable policies.

4. CTSi comment/recommendation: We would propose lowering the threshold to £5K with regard to tender exercises to meet the needs of smaller local Third Sector suppliers.
5. We would also recommend that the Procurement Strategy take in to account and align with the Council's Local Outcome Improvement Plan (LOIPs) and that communication of its purpose, priorities and outcomes are better communicated across departments.
6. Production of a clear and concise guide for Third Sector suppliers that includes guidance with regard to partnership/consortia bids.
7. CTSi is working towards mapping social enterprise trading activity within the county, with a view to producing a directory of social enterprise suppliers. We also feel it may be useful to run a series of 'Meet the Supplier' events to encourage greater engagement from the third sector with the procurement process, and to create greater understanding of Third sector suppliers amongst council officers

Question: Do you have any views on the actions we have set for these themes?

Response

- 1 Any outsourcing/framework companies should recognise Trade Unions, protect workers rights in line with the internal corporate policies and maintain pay awards at a minimum in line with local government awards. No employees should be disadvantaged through being out-sourced.
- 2 When considering any out sourcing options, the contract should include an insolvency clause or Performance Bond in case the company becomes insolvent, ceases trading or is taken over.

Strategic Theme 4 Sound procurement practices and innovative solutions
To use sound procurement practices and innovative solutions to promote sustainability and value for money, making use of clear and detailed procurement/purchasing data, collaboration and partnership opportunities where this accords with the Council's Principles of partnership working.
Action
Review scope for and deliver further corporate contracts to consolidate spend.
Revise template documents and guidance with intention of promoting scope for innovation by the market in appropriate procurements.
Utilise the Scottish Government's sustainable prioritisation tool to identify and prioritise procurement activity.
Utilise the Flexible Framework Self-Assessment Tool(FFSAT) to provide a Sustainable Action Plan to establish the performance level of sustainable procurement across the council.
Create and manage a sustainable register to capture, monitor and report on the sustainable outcomes achieved via procurement activity, and link to related internal and external reporting requirements.
Establish systems to record the impact of procurement policies and practices on the council's climate change duties.

Question: Are these the right Actions for this theme? (Please tick Yes or No below.)

Response Yes:

Question: Should we include any more actions (please detail).

Response

- 1 CTSi comment/recommendation: We believe that innovative solutions can be found through greater collaborative approaches between the Council and the local Third sector. Social Enterprises have long been a source of social and economic innovation, and opportunities exist to harness this locally, for example, the development of community benefit clause subcontracting to third sector organisations or consortia, and/or the development of a subcontractor community benefit directory.

Question: Do you have any views on the actions we have set for these themes?

Response No

Strategic Theme 5 Fair procurement
To ensure that, contractors comply with our Living Wage and Blacklisting Policies and to ensure that we take account of the possible impact that our approach to major projects might have on different groups of people.
Action
Establish simple methodology for assessing best value case for using the Living Wage requirement in service and works contracts,
Embed Blacklisting protocols in procurement processes for construction contracts.
Ensure that where appropriate EQIA's are completed for regulated procurements.

Question: Are these the right Actions for this theme? (Please tick Yes or No below.)

Response Yes:

Question: Should we include any more actions (please detail).

Response

- 1 Procurement must also foster and adopt the Fair Work directive by removing contractors who use Zero Hour Contracts, who do not provide a minimum of pay in line with the living wage and who do not pay for travelling time and expenses.
- 2 Procurement should also be weighted in favour of companies which provide apprenticeships, promote health and safety and utilise environmental sustainable policies.

Question: Do you have any views on the actions we have set for these themes?

Response No

Strategic Theme 6 Compliance
Procurement will continue to identify, manage and control risk by developing policy and procedures which consider risk, and balance operational effectiveness and compliance.
Action
Update Council Contract Standing Orders to support compliance with the new procurement rules and cascade changes to informed clients and key stakeholders.
Adapt internal procedures, processes and documentation to reflect the required legislative changes.
Produce a procurement workforce plan to consider what skills and development requirements will be necessary within the Council to comply with the new procurement rules.
Implement measures in conjunction with Internal Audit to ensure that the opportunity for procurement fraud is minimised
Produce an annual procurement report in line with legislative requirements as soon as possible after the financial year end.

Question: Are these the right Actions for this theme? (Please tick Yes or No below.)

Response Yes:

Question: Should we include any more actions (please detail).

Response No

Question: Do you have any views on the actions we have set for these themes?

Response No

Comments

Question: Are there any other comments you would like to make about the interim Strategy?

Response None