

Minute of Meeting Scotland Excel Joint Committee

Date	Time	Venue
Friday, 17 June 2022	09:30	Remotely by MS Teams,

Present

Councillor Brenda Durno (Angus Council); Councillor William Sinclair (Argyll and Bute Council); Councillor Carolyn Wilson (Dumfries and Galloway Council); Councillor Stephen Canning (East Ayrshire Council); Councillor John McMillan (East Lothian Council); Councillor Margaret Anslow (Falkirk Council); Councillor Altany Craik and Councillor Ross Vettraino (both Fife Council); Councillor Ruairi Kelly and Councillor Rashid Hussain (both Glasgow City Council); Councillor Douglas Bowen (Midlothian Council); Councillor Christina Larsen (North Ayrshire Council); Councillor Michael McPake and Councillor Gary Robinson (both North Lanarkshire Council); Councillor Sheila McCole (Perth and Kinross Council); Councillor John Shaw (Renfrewshire Council); Councillor Mark Rowley (Scottish Borders Council); Councillor Ryan Thomson (substitute for Councillor Dennis Leask) (Shetland Islands Council); Councillor Peter Henderson (South Ayrshire Council); Councillor Walter Brogan (South Lanarkshire Council); and Councillor Rachel Nunn (Stirling Council).

In Attendance

J Welsh, Director, S Brannagan, Head of Customer & Business Services, H Carr, Head of Strategic Procurement, L Campbell, Corporate Services Manager, M Robertson, Marketing and Communications Manager, E Hay, Strategic Procurement Manager, L Richard, Senior Procurement Manager, L Muir, Category Manager, Z Shankly, Customer Account Manager, K Forrest, Office Manager and N French, Customer Services Assistant (all Scotland Excel); and M Conaghan, Head of Corporate Governance (Clerk), C McCourt, Head of Finance & Business Services, K Festorazzi, Principal Accountant, E Currie, Senior Committee Services Officer and K O'Neill, Assistant Democratic Services Officer (all Renfrewshire Council); and M Ferris, Senior Audit Manager (Audit Scotland).

Apologies

Councillor Ellen Forson (Clackmannanshire Council); Councillor Kenny Macleod (Comhairle Nan Eilean Siar); Councillor Lynne Short (Dundee City Council); Councillor Calum Smith (East Dunbartonshire Council); Councillor Tony Buchanan (East Renfrewshire Council); Councillor Martin McCluskey (Inverclyde Council); Councillor Dennis Leask (Shetland Islands Council); Councillor Eileen Logan (South Lanarkshire Council); Councillor Daniel Lennie (West Dunbartonshire Council); and Councillor Anne McMillan (West Lothian Council).

Declarations of Interest

There were no declarations of interest intimated prior to the commencement of the meeting.

Prior to the start of the meeting the Clerk welcomed members to the first meeting of the Joint Committee following the local government elections in May 2022.

1 Appointment of Convener

The Clerk asked for nominations for the post of Convener.

Councillor Robinson, seconded by Councillor Henderson, moved that Councillor Shaw be appointed as Convener of the Joint Committee.

There being no further nominations it was agreed that Councillor Shaw be appointed as Convener of the Joint Committee.

DECIDED: That Councillor Shaw be appointed as Convener of the Joint Committee.

Chair

Councillor Shaw thereafter took the chair.

2 Appointment of Vice Convener

The Convener asked for nominations for the post of Vice Convener.

Councillor Shaw, seconded by Councillor McMillan, moved that Councillor Craik be appointed as Vice Convener of the Joint Committee.

There being no further nominations it was agreed that Councillor Craik be appointed as Vice Convener of the Joint Committee.

DECIDED: That Councillor Craik be appointed as Vice Convener of the Joint Committee.

3 Term of Office of Convener and Vice Convener

There was submitted a report by the Clerk relative to the term of office for the Convener and Vice Convener of the Joint Committee.

DECIDED: That the term of office of the Convener and Vice Convener of the Joint Committee be until the next local government elections in May 2027.

4 **Membership of Joint Committee**

There was submitted a report by the Clerk relative to the appointments by member authorities to the Scotland Excel Joint Committee. It was noted that an updated appendix detailing appointments was issued prior to the meeting.

DECIDED: That the appointments be noted.

5 **Membership of Executive Sub-committee**

There was submitted a report by the Clerk seeking approval for the continued appointment of the existing membership of the Scotland Excel Executive Sub-committee for a further period to June 2023.

The report intimated that in June 2017, the Joint Committee agreed to increase the number of members of the Sub-committee from 12 to 13 to include both the Convener and Vice Convener and the Procedural Standing Orders had been amended to reflect that change. However, the new arrangements remained subject to the requirement that where possible, the membership of the Executive Sub-committee should reflect the geographic diversity of the constituent authorities.

Councillor Shaw, seconded by Councillor McCole, moved, in terms of Standing Order 36, that Standing Order 35 be suspended to allow consideration of the membership of the Executive Sub-committee as detailed in Standing Order 40a. This was agreed unanimously.

After discussion Councillor Shaw, seconded by Councillor McCole, proposed that:

(a) Standing Order 40a be amended to read that “the Executive Sub-committee shall comprise a maximum of 14 members including the Convener and Vice Convener with the other members appointed by the Joint Committee. The Convener and Vice Convener of the Joint Committee shall be the Convener and Vice Convener of the Executive Sub-committee.”;

(b) That it be agreed that the Executive Sub-committee comprise elected members from Aberdeenshire Council, Angus Council, City of Edinburgh Council, Comhairle nan Eilean Siar, Dumfries & Galloway Council, Fife Council (Vice Convener), Glasgow City Council, Highland Council, North Ayrshire Council, North Lanarkshire Council, Renfrewshire Council (Convener), South Ayrshire Council, South Lanarkshire Council and Shetland Islands Council; and

(c) That the membership of the Executive Sub-committee be next reviewed at the meeting of the Joint Committee in December 2022.

This was agreed unanimously.

DECIDED:

(a) That Standing Order 40a be amended to read that “the Executive Sub-committee shall comprise a maximum of 14 members including the Convener and Vice Convener with the other members appointed by the Joint Committee. The Convener and Vice Convener of the Joint Committee shall be the Convener and Vice Convener of the

Executive Sub-committee.”;

(b) That it be agreed that the Executive Sub-committee comprise elected members from Aberdeenshire Council, Angus Council, City Of Edinburgh Council, Comhairle nan Eilean Siar, Dumfries & Galloway Council, Fife Council, Glasgow City Council, Highland Council, North Ayrshire Council, North Lanarkshire Council (Vice Convener), Renfrewshire Council (Convener), South Ayrshire Council, South Lanarkshire Council and Shetland Islands Council; and

(c) That the membership of the Executive Sub-committee be next reviewed at the meeting of the Joint Committee in December 2022.

6 Minute of Joint Committee

There was submitted the Minute of the meeting of the Joint Committee held on 10 December 2021.

DECIDED: That the Minute be approved.

7 Minutes of Executive Sub-committee

There were submitted the Minutes of the meetings of the Executive Sub-committee held on 10 December 2021, 28 January 2022, 18 February 2022 and 18 March 2022.

DECIDED: That the Minutes be approved.

Sederunt

Councillor Rowley joined the meeting during consideration of the following item of business.

8 Overview of Scotland Excel

The Chief Executive of Scotland Excel gave a presentation to members providing an overview of Scotland Excel’s governance and management structures; the budget process which included information on annual requisitions, the budget reported to the Joint Committee in December of each year, spend reviews and the reporting process; details of the organisations development journey from 2008 to present day; procurement and consultancy services; projects and partnerships; community wealth building; the opportunities offered by the Scotland Excel Academy; both the governance and benefits of associate membership; the framework portfolio which had a total value of circa £2 billion; additional commissioned projects in both adult social care and children and families; construction, transport and environment frameworks and the focus on supporting a Just Transition to Net Zero; corporate, education and ICT frameworks; supply chain disruption; delivering value; return on investment for both pre-2022 and 2022 and beyond; the income strategy which included information on rebates, consultancy, the Academy, new build and associates; environmental sustainability; and emerging priorities.

DECIDED: That the presentation be noted.

Sederunt

Councillor Vettraino left the meeting during consideration of the following item of business.

9 **Unaudited Annual Accounts 2021/22**

There was submitted a report by the Treasurer relative to Scotland Excel's unaudited annual accounts for 2021/22, a copy of which were attached to the report.

The report intimated that the accounts for the year ended 31 March 2022 would be submitted to Audit Scotland for audit in advance of the statutory deadline of 30 June 2022. The accounts indicated that Scotland Excel's core activities resulted in a small overspend of £3,217 in 2021/22 compared to a budgeted break-even position and that projects returned income of £326,488 over expenditure. This resulted in a combined underspend for the year of £323,271 which had been added to usable reserves, which were committed as outlined in note 3 to the accounts.

The management commentary within the accounts provided an overview of Scotland Excel's performance during 2021/22 along with risk information and its outlook for the future.

The report advised that the Local Authority Accounts (Scotland) Regulations 2014 required that Scotland Excel prepare and publish a set of accounts, including an annual governance statement, by 30 June each year. The unaudited accounts were then required to be formally considered by the Joint Committee no later than 31 August and the annual governance statement should be formally approved at this time.

Further, that in accordance with the Local Authority Accounts (Scotland) Regulations 2014, the unaudited annual accounts would then be signed by the Treasurer as proper officer. The accounts would then be subject to external audit by the Joint Committee's appointed auditor, Audit Scotland, by 30 September. Under the Coronavirus (Scotland) Act 2020, this had been extended to 30 November this year and the 2021/22 audited accounts were scheduled to be presented to the Executive Sub-committee on 18 November 2022 for approval and signing by the Convener, the Chief Executive of Scotland Excel and the Treasurer, in accordance with the regulations.

DECIDED:

(a) That the unaudited annual accounts for 2021/22 be noted; and

(b) That the annual governance statement be approved.

10 **Elected Member Engagement Plan**

There was submitted a report by the Chief Executive of Scotland Excel providing an overview of the engagement activity proposed for Joint Committee elected members.

The report advised that a member of Scotland Excel's Executive Team would request a meeting with all elected members on the Joint Committee at least once a year to provide a one-to-one opportunity to discuss the organisation's recent activities and forward plans and examine the value delivered for each council from its membership and would make contact with members twice per year to provide an opportunity for members to discuss any specific matters with staff; Scotland Excel's quarterly e-newsletter would be issued to members together with copies of corporate publications and briefing notes; members would receive invitations to online and in-person events and would be invited to Scotland Excel's biennial Supplier Awards in 2023 which would celebrate the role of suppliers in public procurement; the Scotland Excel Academy offered regular Introduction to Public Procurement courses which might be of interest

to members and that bespoke training could be arranged for members where there was sufficient demand; a dedicated Account Manager was assigned to each Council and that contact would be made with members to offer any support required; and that members could also make contact with the Executive Team or Senior Management Team at any time.

DECIDED: That the proposed elected member engagement plan be approved.

11 **Operating Plan for April 2022 – March 2023**

There was submitted a report by the Chief Executive of Scotland Excel presenting the organisation's operating plan for the period 1 April 2022 to 31 March 2023, a copy of which formed Appendix 1 to the report.

The report intimated that the plan covered the key activities being undertaken during the 2022/23 financial year to complete the delivery of the current five-year corporate strategy. It was noted that a new five-year strategy would be developed over the coming year in conjunction with local authority stakeholders and would be presented to the Joint Committee for approval in December 2022.

A copy of the performance report against the 2021/22 operating plan formed Appendix 2 to the report. This plan covered a 15-month period from 1 January 2021 to 31 March 2022 as a result to the changes to the planning process necessitated by the Covid-19 pandemic.

The report advised that Scotland Excel followed a robust process to develop its corporate strategy and operating plan as detailed in section 2 of the report. The 2022/23 operating plan had 34 commitments which reflected the key actions Scotland Excel would undertake this financial year to conclude the five-year strategy. These commitments were aligned to more than 100 specific actions which were cascaded to staff as part of Scotland Excel's performance review and development programme.

The report further advised that progress reports were produced to track Scotland Excel's performance against operating plan commitments and reported to the Executive Sub-committee at the end of each quarter with half-yearly and annual reports being submitted to Joint Committee meetings. These reports summarised the progress made against operating plan commitments and used a 'traffic light' symbol to provide a guide to the status of each activity.

It was noted that Scotland Excel performed well against the commitments set out in its 2021/22 operating plan with 27 commitments progressing in line with plans and indicated as green within the report; two commitments were indicated as amber within the report and would be completed in 2022/23; and one commitment was indicated as black within the report. It was noted that due to restrictions on holding national and regional events, the coaction project would now be implemented on a project-by-project basis.

DECIDED: That the content of the operating plan for 2022/23 and the performance against the 2021/22 operating plan be noted.

Sederunt

Councillor McMillan left the meeting prior to consideration of the following item of business and Councillor Henderson left the meeting during consideration of the following item of business.

12 **Annual Procurement Report**

There was submitted a report by the Chief Executive of Scotland Excel relative to Scotland Excel's annual procurement report, a copy of which was appended to the report.

The report intimated that the Procurement Reform (Scotland) Act 2014 (the Act) worked alongside procurement regulations to provide a national legislative framework for sustainable public procurement and supported Scotland's economic growth through improved procurement practice. The Act focussed on a small number of general duties on contracting authorities regarding their procurement activities and some specific measures aimed at promoting good, transparent and consistent practice.

The report advised that since the introduction of the Act, public bodies with an estimated procurement spend of £5 million or more required to publish an annual procurement strategy, or a published revision of the previous strategy, and an annual procurement report. The Act set out what, as a minimum, each annual procurement report must contain.

The report noted that annual procurement reports were expected to be published as soon as reasonably practicable after the end of the financial year, which for Scotland Excel was 31 March, and should be relevant and proportionate; provide transparency of purchasing activities; and address all matters contained in the organisations' procurement strategy.

It was noted that the Act required Scottish Ministers to publish an annual report on procurement activity in Scotland providing an overview of public procurement activity informed by the individual annual procurement reports published by contracting authorities in Scotland.

DECIDED:

(a) That the content of the annual procurement report, as appended to the report, be noted; and

(b) That publication of the annual procurement report on Scotland Excel's website be approved.

13 **Scotland Excel's Approach to Risk**

There was submitted a report by the Chief Executive of Scotland Excel providing an overview of Scotland Excel's approach to strategic risk management.

The report provided detail on how Scotland Excel intended to share risk assessments with local authority partners, the reporting regime to the Joint Committee and Executive Sub-committee and internal monitoring and assessment procedures. The report also summarised the current strategic risk identified within Scotland Excel's strategic risk register.

DECIDED: That the content of the report be noted.

14 **Date of Next Meeting**

DECIDED:

(a) That it be noted that the next meeting of the Joint Committee would be held at 10.45 am on 9 December 2022; and

(b) That the Clerk, in consultation with the Convener, consider arrangements for future meetings of the Joint Committee and advise members.