

## **Notice of Meeting and Agenda Scotland Excel Chief Executive Officers Management Group**

<b>Date</b>	<b>Time</b>	<b>Venue</b>
Wednesday, 28 August 2019	10:00	Scotland Excel Meeting Room 1, Renfrewshire House, Cotton Street, Paisley

KENNETH GRAHAM  
Clerk

### **Membership**

Angela Scott (Aberdeen City Council): Margo Williamson (Angus Council): Cleland Sneddon (Argyll & Bute Council): Steve Grimmond (Fife Council): Annemarie O'Donnell (City of Glasgow Council):

Sandra Black (Renfrewshire Council) - Chair

### **Video Conferencing**

Should any member wish to participate using video conferencing please contact Karen Forrest on 0141 618 7444.

### **Telephone Conferencing**

Should any member wish to participate using telephone conferencing please contact Karen Forrest on 0141 618 7444.

## **Further Information**

This is a meeting which is open to members of the public.

A copy of the agenda and reports for this meeting will be available for inspection prior to the meeting at the Customer Service Centre, Renfrewshire House, Cotton Street, Paisley and online at <http://renfrewshire.cmis.uk.com/renfrewshire/CouncilandBoards.aspx>

For further information, please either email [democratic-services@renfrewshire.gov.uk](mailto:democratic-services@renfrewshire.gov.uk) or telephone 0141 618 7112.

## **Members of the Press and Public**

Members of the press and public wishing to attend the meeting should report to the customer service centre where they will be met and directed to the meeting.

## Items of business

### Apologies

Apologies from members.

### Conflict of Interest

Members are asked to intimate any conflicts of interest in any item(s) on the agenda.

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|----------|--|----------------|
| <b>1</b> | <b>Minute</b>  | <b>5 - 8</b>   |
|          | Minute of meeting of the Chief Executive Officers Management Group held on 15 May 2019.  |                |
| <br>     |  |                |
| <b>2</b> | <b>Director's Update</b>   | <b>9 - 14</b>  |
|          | Report by Director of Scotland Excel.  |                |
| <br>     |  |                |
| <b>3</b> | <b>Demonstration: Business Intelligence</b>  |                |
| <br>     |  |                |
| <b>4</b> | <b>Presentation: New Build</b>   |                |
| <br>     |  |                |
| <b>5</b> | <b>Presentation: Economic Development</b>  |                |
| <br>     |  |                |
| <b>6</b> | <b>Care Homes Procurement Options</b>  | <b>15 - 18</b> |
|          | Report by Director of Scotland Excel.  |                |
| <br>     |  |                |
| <b>7</b> | <b>Date of Next Meeting</b>  |                |
|          | Note that the next meeting of the CEOMG will be held at 10.00 am on 27 November 2019 in Scotland Excel Meeting Room 1, Renfrewshire House, Cotton Street, Paisley. |                |





## Minute of Meeting Scotland Excel Chief Executive Officers Management Group

Date	Time	Venue
Wednesday, 15 May 2019	10:00	Scotland Excel Meeting Room 1, Renfrewshire House, Cotton Street, Paisley

### Present

Cleland Sneddon, Chief Executive (Argyll & Bute Council) and Sandra Black, Chief Executive (Renfrewshire Council).

### By Video Conference

Angela Scott, Chief Executive (Aberdeen City Council).

### By Teleconference

Margo Williamson, Chief Executive (Angus Council) and Steve Grimmond, Chief Executive (Fife Council).

### Chair

Sandra Black, Chair, presided.

### In Attendance

J Welsh, Director, H Carr Head of Strategic Procurement, S Brannagan, Head of Customer and Business Services, J McKerrall, Strategic Programme Manager, J Hud, Strategic Programme Manager and S Christie, Lead Account Manager (all Scotland Excel); and K Graham, Head of Corporate Governance (Clerk) and C MacDonald, Senior Committee Services Officer (both Renfrewshire Council).

### Apology

Annemarie O'Donnell, Chief Executive (Glasgow City Council).

## **Conflict of Interest**

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

### **1 Minute**

There was submitted the Minute of the meeting of the Chief Executive Officers Management Group (CEOMG) held on 27 February 2019.

**DECIDED:** That the Minute be approved.

### **2 Presentation: Care Update**

J McKerrall, Strategic Programme Manager gave a presentation on the Care and Support Services National Framework; the National Care Home Contract (NCHC); Secure Care and future Social Care services.

**DECIDED:**

(a) That the presentation be noted; and

(b) That the Director report back to the next meeting on care home options if negotiations failed to reach a conclusion.

### **3 Presentation/Discussion: Scotland-wide CMT Engagement**

J Hud, Strategic Programme Manager, S Christie, Lead Account Manager and the Head of Customer and Business Services gave a presentation on the Opportunity Assessment Tool which included information on the care commissioning workshops and project costing model.

**DECIDED:** That the presentation be noted.

### **4 Directors Update**

There was submitted a report by the Director of Scotland Excel providing an update on key developments within Scotland Excel since the meeting of the Group held on 27 February 2019.

The report provided information in relation to work with the Local Government Digital Office on the Social Care System; information gathering, collaboration with the Scottish Government; the Scottish Government projects on affordable housing, care and support services, care home services for older people, and early learning and childcare; the Scotland Excel Academy; together with updates on the contract plan and contracts approved since February 2019 and new associate members.

**DECIDED:** That the report be noted.

## **5 Date of Next Meeting**

**DECIDED:** That it be noted that the next meeting of the CEOMG would be held at 10.00 am on 28 August 2019 in Scotland Excel Meeting Room 1, Renfrewshire House, Cotton Street, Paisley.





## Scotland Excel

**To: Chief Executive Officers Management Group**

**On: 28<sup>th</sup> August 2019**

### Directors Update Report

#### 1. Introduction

The purpose of this report is to provide the group with an update on key developments within Scotland Excel since the last meeting of the Chief Executive Officers Management Group on 15<sup>th</sup> May 2019.

#### 2. Summary

Since the group last met there have been a number of new developments:

##### 2.1 Digital Office update

###### 2.1.1 Social Care Case Management System

The tender for the social care case management framework has been issued. Tenders are currently being evaluation with technical and practitioner input from colleagues across councils.

###### 2.1.2 Information Gathering

The purpose of this tool is to afford a comparison of spend across councils. A second round of contact with council's ICT and Transformation leads took place during June 2019, the rate of information submitted has since improved considerably.

This project will deliver

- A transparent real time view of the cost of systems support and maintenance in Scotland's councils and in total.
- An age profile of systems in use and information relating to capabilities passed to the Common Platforms project.
- Where appropriate a pre-procurement strategy for systems which might benefit from collaborative procurement.
- Sector based systems procurement to exploit market opportunities subject to prioritisation, approval and council participation.
- Embed key supplier management programmes to foster strategic relationships.

## 2.2 Scottish Government Funded projects

### 2.2.1 Care & Support

Work on a national flexible framework for Care & Support has continued with various parts of the framework being developed by a smaller technical group which was established to assist in the development of the procurement documents. This work is now completed, and the outputs were shared with the wider User Intelligence Group (UIG) on August 12<sup>th</sup>.

The Adult Care team are working to the following timeline:

Activity	Target date
Issue Framework Notice	20th September 2019
Provider tenders returned	Nov / 1 / 2019 (6 weeks)
Evaluation process	4/11/19 – 13/12/19 (6 weeks)
Scotland Excel Executive Sub Committee	24/01/2020
Award process	24/1/2020 – 6/2/2020
Framework goes live	17/2/2020
Mobilise framework	January – March 2020

### 2.2.2 Early Learning & Childcare

The guidance produced by Scotland Excel was published by Scottish Government and COSLA in April this year.

Three guidance documents were published covering:

- Guidance on Business Sustainability;
- Guidance for Setting Sustainable Rates from August 2020; and,
- Transition Options Guidance on Contracting.

In order to support local authorities to utilise the guidance, Scotland Excel will be offering a full day session for each Regional Improvement Collaborative (RIC) area.

Work is underway on model terms and conditions and template tender documentation for use in local authorities. This will be available from Autumn 2019.

### 2.2.3 Affordable Housing

Scotland Excel are working with Scottish Government to shape the future programme and will continue to support the PCIP requirements of the sector.

#### Summary highlights since the last report: -

- Scotland Excels contract for new build housing has been approved by the Executive Subcommittee and is currently in the standstill period. The team continues to engage with councils and housing associations to raise awareness of the new contract.

- Shettleston Housing Association are in the process of becoming an associate member in order to access the new build housing framework.

## 2.3 Care Services

### 2.3.1 Care Homes for Older People

Following operational responsibility of the National Care Home Contract (NCHC) transferring to Scotland Excel, Scotland Excel has consulted with councils / partnerships, and have set out a prioritised programme of work to revise and update the NCHC and all related documents. This work is scheduled to begin after the conclusion of settling the outstanding elements of the Care Cost Model©. The time scale for the reporting on the final Care Cost Model© discussions remains the end of September 2019.

### 2.3.2 Care Homes for Adults with Learning Disabilities Including Autism

The recommendations for this framework were approved by the Scotland Excel Executive Sub Committee on 26 August 2019. The renewal has been developed as a flexible framework agreement with 23 providers and 50 care homes recommended for award.

This framework aims to maximise collaboration and provide local authorities with a wide choice of high quality, person-centred services which focus on the best outcomes for adults with learning disabilities including autism.

Scotland Excel will undertake an extensive mobilisation of the Care Homes for Adults with Learning Disabilities Including Autism framework incorporating mobilisation events and guidance and template documents.

### 2.3.3 Children's Residential Care and Education with Short Breaks

This Flexible Framework Agreement allows new care providers to be added to the framework in years two and three. The process of inviting new providers to join the framework is due to commence in September 2019.

For existing provider, the terms of Flexible Framework Agreement allow for fee reviews to be submitted by 30 January 2020. Providers have reported concerns regarding the recent public sector and teachers pay increase and it is anticipated that this cost pressure will feature heavily during the fee review process.

Scotland Excel are carrying out individual local authority impact analysis modelling using the management information and will be engaging the User Intelligence Group in advance of January 2020 to seek an acceptable position.

### 2.3.4 Secure Care Service

The current contracts for secure care expire on 31 March 2020 and work is underway to agree the new contractual arrangement which will follow.

The Pathways and Standards workstream of the Secure Care Strategic Board<sup>1</sup> developed draft secure care standards for Scotland. The standards will fully align with national health and social care standards and it is planned that they will be implemented over the next 12-18 months.

<sup>1</sup> <https://www.gov.scot/groups/secure-care-strategic-board/>  
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The cost to providers to implement the standards, in addition to the public sector pay and teacher pay cost pressures is expected to feature in the renewal tender.

## 2.4 The Scotland Excel Academy

The Academy is delivering 3 procurement cohorts, 7 leadership & management cohorts and 3 project management cohorts with 206 active learners across 25 councils and 14 public-sector organisations.

A further 7 cohorts are scheduled and are being marketed to our community, including the launch of the new Business Analysis, Decision Making and Innovation programme in October 2019 – this programme strives to address a national shortage of business analysts.

The Academy is hosting **Coaction 2019** on 22 August bringing together 50 people from the learning & development, organisational development and procurement communities across the Scottish public-sector.

This is a co-branded Scottish Government/Academy event to scope how we can collaborate to address our national development needs, with the intention of sharing resources and expertise across collaborative pathways.

**Coaction 2019** is informed with outcomes from our public-sector research survey.

The Academy intends to apply to become a SCQF credit rating body. This will allow Scotland Excel to award nationally recognised qualifications to learners on bespoke programmes. These programmes will be aligned to the national development framework and therefore will support the development needs of the Scottish public sector.

## 2.5 New Build Housing

The recommendations for this framework were approved by the Scotland Excel Executive Sub Committee on 2 August 2019 and the contract is due to go live on 26 August 2019.

The framework was tendered under a restricted procedure. The first stage was released in December 2018; of the 30 bids received 28 were taken through to stage two. The second stage was released in March 2019 and 21 compliant bids were received and evaluated.

Nineteen suppliers will be awarded to the framework, 13 of whom are SMEs, across 5 lots and the 32 geographical council areas. Alongside benchmarked savings of 2.8%, a wide range of sustainability and social benefits have been incorporated into the arrangement including: a flexible specification based Housing for Varying Needs, carbon emission considerations, community benefits (based on employment and training to address specific gaps in the construction sector), fair work practice considerations and fair payment practices for sub-contractors. In addition, the framework will also support the use of project bank accounts. All contractors have committed to using social enterprises and supported businesses.

Scotland Excel will undertake an extensive mobilisation of the New Build Residential Construction framework incorporating local mobilisation events and numerous guidance and template documents.

## **2.6 Update on the Contract Plan and Contracts approved since May 2019**

There are 68 current frameworks in the Scotland Excel contract portfolio, with 6 of these frameworks to be renewed before 31 March 2020. It is also planned that a further 8 new frameworks will be added to the contract portfolio by 31 March 2020. Four of these new frameworks are being coordinated through the operational supplies and services team.

Sixteen of the frameworks on the current portfolio have extension options that are likely to be exercised in 2019/2020 with nine of these extensions already approved.

The overall efficiencies across the whole portfolio is running at 3.4% compared to the 2.5 % forecast range. This figure will continue to be monitored throughout 2019/ 2020

The following contracts have been approved at Executive Sub Committee since May 2019:

### **Bikeability Scotland Training Providers**

Bikeability Scotland is a cycle training programme, usually delivered in schools between P5 and S2, that teaches children to cycle safely, to learn how to deal with traffic and gets children excited about cycling. It's the modern-day form of cycling proficiency, This Dynamic Purchasing System enables the delivery Bikeability Scotland Training by a range of compliant service providers.

### **Asbestos related works and services**

This framework enables members to effectively manage planned, ad hoc and emergency asbestos related requirements in all council owned property such as housing stock and civic buildings.

### **Supply & Delivery of Alcoholic & Associated Beverages**

This framework provides a mechanism for local authorities to procure a range of alcoholic & associated beverages including, but not limited to, draught and packaged beer and cider, wines, spirits, ready to drink alcoholic beverages (RTD's) and soft drinks & mixers.

### **New Build Residential Construction**

This framework provides councils, housing associations and other associate members with a mechanism to procure a range of residential properties from contractors, including all enabling and ancillary works and services. It is primarily focused on the delivery of affordable houses, bungalows and flats, but also allows for the delivery of other residential properties such as sheltered housing, student accommodation and mixed tenure properties.

### **Care Homes for Adults with Learning Disabilities (CHALD)**

This framework seeks to encourage innovative approaches to promoting choice and control, increasing life choices and improving lifestyles for adults with learning disabilities. A key element includes supporting people to maintain or develop links with their preferred communities.

### **Community Meals**

This framework provides a wide variety of nutritionally balanced, good quality, affordable meals which will be delivered to people in their own homes, community venues and council premises.

**Fresh Bread and Rolls**

This framework provides a mechanism for local authorities to procure a range of fresh bread, rolls & bakery products, which includes but is not limited to, brown bread, white bread, pittas, wraps, potato scones, cakes, pastries and baguettes.

**2.7 General update****New Associate Members**

There have been five new associate members since the last CEOMG:

Glasgow West Housing Association  
Cornerstone Community Care  
Scottish Courts and Tribunal Service  
Scottish Police Authority  
Shettleston Housing

**Scotland Excel**

**To: Chief Executive Officer Management Group Meeting**

**On: 28<sup>th</sup> August 2019**

**Report  
by**

**Director of Scotland Excel**

**Care Homes Procurement Options****1. Purpose**

This paper sets out alternative arrangements if there is a failure to finalise the Care Home Cost Model and Scottish Care then advocates a shift from national to local arrangements for agreeing procurement of care home services across Scotland.

**2. Context**

Scotland Excel has been involved in the delivery of a national contract for the care home sector since 2009. Initially this involved providing technical information and advice to COSLA, and now Scotland Excel lead the operational management of the contract. This includes implementing national sourcing strategy recommendations, providing market intelligence reports and continued development of the Care Home Cost Model (CHCM), which underpins the national rate negotiation.

Finalisation of the cost model is dependent on reaching agreement on commercial return levels. For this, a deadline of 2nd September 2019 has been set to meet commitments made to both the Chief Executive Officers Management Group (CEOMG) and the Executive Sub Committee. This will also allow projection and budgeting of the national rate over the next 3 years in line with the potential 3-year funding settlement from Scottish Government to 2023.

**3. Alternatives to the current approach**

Repeated surveys have confirmed that the sector and partnerships prefer the current national approach, using a shared terms and conditions contract and a national rate averaged across all care homes, avoiding post code variations of

care home costs across Scotland. However, if the CHCM cannot be finalised by September 2019, the sector has previously intimated that local arrangements may be required. This will in effect end the national approach and undermine the pursuit of a national rate.

In this circumstance the following procurement approaches are open to Councils in line with their own Financial Regulations and Standing Orders relating to award of contracts –

- 1 Direct Award with advertising and mandatory exclusion checks – following the Scottish Government Procurement of Care and Support Services Guidance (March 2016);
- 2 Establishing a framework through competitive tender using one of the regulated procedures
- 3 Dynamic Purchasing System.

Given the current national model, for each of these options Councils would need to allocate resources not currently committed to securing a contracted position. Additionally, Councils would need to undertake mandatory exclusion checks per provider, complete insurance checks and establish financial and technical competence for each care home providing these services. This activity would be required in each of the 32 Councils, even for providers who deliver services across several council boundaries.

#### **4. Implementing the procurement approach**

Alternatives to the existing national approach to procuring care home services requires Councils to determine whether they wish to -

- 1 Undertake procurement activity as an individual Council;
- 2 Collaborate with other Councils;
- 3 Mandate Scotland Excel to undertake the procurement of care home services.

If the Cost Model cannot be agreed by 30 September 2019, Councils will need to discuss which approach they wish to adopt and develop a timeline to review the contract, advertise and undertake mandatory, insurance, technical and financial checks in advance of contract award from 1<sup>st</sup> April 2020. Option 3 above is closest to the current national arrangement – depending of course on how many Councils wish Scotland Excel to undertake this activity on their behalf.



## **5. Conclusion and recommendation**

Since 2009 Councils have relied on support from COSLA and Scotland Excel to agree terms and conditions, variations to contract and negotiation of a national rate underpinned by the CHCM. The shift to local arrangements would place additional burdens on Councils at a time when financial settlements still require service transformation to effect efficiencies.

It is also likely that the current national shared terms and conditions would alter in line with individual council standard contracts, impacting on cross border placements which currently do not require individual contract award.

The national rate underpinned by the CHCM, which has been important in evidencing a sustainable care home rate and acting as a benchmark to partly contain self-funding rates, may lead to a range of rates across Councils. This would have implications for providers delivering care home services across several Councils, and in effect would mean the end of the National Care Home Contract and Rate.

In these circumstances, it is recommended that if the sector moves to propose a shift to local arrangements, Scotland Excel surveys member Councils on their preferred procurement option and implementation approach.

CEOMG are requested to discuss and advise on their view.

