

Minute of Meeting Scotland Excel Executive Sub-committee

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

Present

Councillor David Keating (Aberdeenshire Council); Councillor Brenda Durno (Angus Council); Councillor Kenny Macleod (Comhairle Nan Eilean Siar); Councillor Carlyne Wilson (Dumfries & Galloway Council); Councillor Altany Craik (Fife Council); Councillor Derek Loudon (Highland Council); Councillor Gary Robinson (North Lanarkshire Council); Councillor John Shaw (Renfrewshire Council); Councillor Dennis Leask (Shetland Islands Council); Councillor Peter Henderson (South Ayrshire Council) and Councillor Walter Brogan (South Lanarkshire Council).

Chair

Councillor Shaw, Convener, presided.

In Attendance

J Welsh, Chief Executive, H Carr, Head of Strategic Procurement, S Brannagan, Head of Customer & Business Services, M Robertson, Marketing & Communications Manager, E Hay and M Mitchell, both Strategic Procurement Managers, L Campbell, Customer Services Manager, S Christie, Commercial Programme Manager, K Forrest, Office Manager, M Boyle, Senior Business Specialist and S Roberts, Projects & Accounts Manager (all Scotland Excel); and L Mitchell, Managing Solicitor (Contracts & Conveyancing) and E Currie, Senior Committee Services Officer (both Renfrewshire Council).

Apologies

Councillor Mandy Watt (City of Edinburgh Council); Councillor Ruairi Kelly (Glasgow City Council) and Councillor Christina Larsen (North Ayrshire Council).

Declarations of Interest

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

1 **Minute**

There was submitted the Minute of the meeting of the Executive Sub-committee held on 18 November 2022.

DECIDED: That the Minute be approved.

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Councillor Macleod and Councillor Wilson both joined the meeting during consideration of the following item of business.

2 **Contract for Approval: Social Care Agency Workers Flexible Framework Agreement**

Under reference to item 3(c) of the Minute of the meeting of this Sub-committee held on 21 October 2022, there was submitted a report by the Chief Executive of Scotland Excel relative to the flexible framework for social care agency workers for a period of two years from the commencement date, with an option to extend for up to two twelve-month periods.

The report intimated that following approval of this flexible framework at the meeting of the Executive Sub-committee held on 16 September 2022, an issue had been identified pertaining to one provider, and at the meeting of the Executive Sub-committee held on 21 October 2022, amended appendices had been approved.

The report further intimated that prior to tenderers being notified of any outcome, discrepancies had been identified in the information recorded in Appendix 3 of the previous report and that the full array of scores had now been reviewed and verified. Following this verification, some of the scores and relative positions of tenderers had changed from those previously presented to the Sub-committee. It was noted that the overall outcome for bidders had not changed and further information was detailed in section 5 of the report.

The report advised that the report had been brought back to the Executive Sub-committee for fresh approval of the validated scores and that this superseded any previous reports. Subject to this approval, the standstill period would be commenced with the framework commencing on or around 16 January 2023.

The report advised that agency workers were individuals who were supplied by a recruitment agency to work for a third party, which in this case, was councils and associate members of Scotland Excel and that there was a need for temporary agency workers to supplement purchasers' workforces at times to cover gaps. The key objectives of the flexible framework were detailed in the report.

The flexible framework aimed to provide the scope to meet the diverse needs of purchasers by allowing the addition of new suppliers throughout the duration of the agreement, where required, which would support the continued delivery of best value and service coverage across Scotland.

The report summarised the outcome of the procurement process for the framework which had been divided into three lots, as detailed in table 1 of the report. As detailed

in the tender documents, tenderers had been recommended for appointment to each lot of the flexible framework by reference to 17 geographical regional sub-lots, as detailed in table 2 of the report, with regional sub-lot five being split into two for mainland and islands as requested by Argyll and Bute Council.

The report advised that the value of the flexible framework was approximately £80 million over the maximum four-year period. It was noted that this spend could vary significantly depending on the requirement for agency staff. Appendix 1 to the report detailed the participation of councils and associate members.

Tender responses had been received from 36 suppliers across the three lots. Two tenderers had been rejected as non-compliant bids as one tenderer failed to submit a completed 'Schedule 7 – Financial Information' and one tenderer failed at qualification stage. A further bidder had been part successful, having been successful in their offer for lot 1 and non-compliant for their offer for lot 3 and Appendix 2 to the report provided a summary of the offers received. One tenderer submitted proposals to amend the framework terms and conditions and, in the interests of transparency and equal treatment of all tenderers, the amendments were not accepted as they represented substantial change to the published terms and conditions. The tenderer subsequently accepted the framework terms.

Based on the criteria and scoring methodology set out in the tender document, a full evaluation of the compliant offers had been carried out and subsequently validated prior to tenderers being advised of the outcome and Appendix 3 to the report confirmed the scoring achieved by each bidder for each service.

Based on the evaluation and validation exercise undertaken, and in line with the criteria and weightings set out in the report, it was recommended that 34 tenderers across the three lots be awarded to the flexible framework from its commencement, as outlined in Appendix 3 to the report.

Appendix 4 to the report detailed the approach taken by suppliers in relation to fair work practices and their position on the payment of the Real Living Wage.

The report intimated that, in accordance with Scotland Excel's established contract and supplier management programme, the framework had been classified as class C in terms of risk and spend, as detailed in Appendix 5 to the report.

DECIDED:

(a) That the award of the flexible framework for social care agency workers, as detailed in Appendix 3 to the report, be approved;

(b) That authority be delegated to the Chief Executive of Scotland Excel, or Head of Strategic Procurement in the Chief Executive's absence, to approve recommendations following the evaluation of offers received on the periodic reopening of the flexible framework, or following the consideration of formal requests from existing suppliers for the addition of new services; and

(c) That it be noted that the Executive Sub-committee would be updated on the appointment of any new suppliers to the flexible framework on an annual basis via incorporation to the annual performance report.

3 **Operating Plan Update 2022/23**

There was submitted a report by the Chief Executive of Scotland Excel relative to operating plan activity for the six-month period to 30 September 2022. A copy of the operating plan for 2022/23 was appended to the report.

The report intimated that a new operating plan, covering the period from 1 April 2022 to 31 March 2023, had been approved at the meeting of the Scotland Excel Joint Committee held on 10 December 2021.

The report highlighted that, as at the end of September 2022, 32 of the operating plan commitments were progressing in line with plans and were indicated as green; one commitment was indicated as amber; and one commitment was indicated as white.

The report noted that progress reports were produced quarterly to track Scotland Excel's activity against operating plan commitments and at the end of each quarter reports were submitted to the Executive Sub-committee with half-yearly and annual reports submitted to the Joint Committee.

The report advised that the next quarterly report, covering the period from 1 October to 31 December 2022, would be published in January 2023 and the report detailed some key activities that had taken place during this period by way of an interim update.

DECIDED: That Scotland Excel's progress in delivering the commitments contained within the operating plan 2022/23 be noted.

4 **Request for Associate Membership: Scottish Qualification Authority**

There was submitted a report by the Chief Executive of Scotland Excel advising that the Scottish Qualification Authority had submitted an application to become an associate member of Scotland Excel.

The report provided details of the organisation and the legislative position in relation to the application.

DECIDED: That the application by the Scottish Qualification Authority to become an associate member of Scotland Excel, with no annual membership fee, be approved, subject to completion and signing of the agreement documentation.

5 **Employee Supporting Attendance Report**

There was submitted a report by the Chief Executive of Scotland Excel highlighting the absence rate in the organisation and the support mechanisms implemented to support staff members.

The report intimated that the Joint Committee had agreed that Scotland Excel should work to an absence rate of below 4% and that this target aligned Scotland Excel with partner organisations, supported good practice in this area and demonstrated the ongoing commitment to absence management as a key efficiency target.

The report advised of the absence levels for the period ending 31 October 2022 and provided a breakdown of the current month, the last six months and 12 months absence figures, together with an illustration of 12 months in days and the last 12 months in percentages.

The report noted that the rate of absence across the organisation had generally been maintained at or below the 4% target. The rise in COVID-19 infections throughout the general population had been reflected in the organisation, which, together with some longer-term absences, resulted in a spike in the percentage rate to 3.5% in March 2022. The rolling six months and 12 months average absence rates had been maintained at or below 2.4%.

It was noted that, in addition to supporting members of staff absent through ill health, Scotland Excel continued to implement positive early intervention practices including working with occupational health and other support services to maintain employee attendance and to support members of staff who might be experiencing difficulties whilst remaining at work. Scotland Excel continued to support a range of interventions for staff including occupational health referral, confidential counselling services and Cognitive Behavioural Therapy and issued wellbeing emails with further information on health initiatives which could be accessed independently by all staff.

The report intimated that Scotland Excel recognised that positive mental health amongst staff members was an area that should be actively supported and encouraged and had 15 staff from across all operational areas and grades who had trained as accredited Mental Health First Aiders. A Mental Health at Work Commitment Action Plan had also been implemented and this was recognised as a comprehensive tool for adopting best practice in promoting and maintaining positive mental health within the organisation. Scotland Excel held a face-to-face staff event in September 2022 where guest speakers from external agencies presented on a number of topics designed to support staff wellbeing.

DECIDED: That the contents of the report be noted.

6 **Date of Next Meeting**

DECIDED: That it be noted that the next meeting of the Executive Sub-committee would be held remotely on MS teams at 9.30 am on 27 January 2023.