

Scotland Excel

To: Executive Sub-Committee

On: 23 April 2021

**Report by:
Chief Executive of Scotland Excel**

Chief Executive's Update Report to Chief Executive Officers Management Group (CEOMG) – March 2021

1. Summary

The purpose of this report is to share the Chief Executive's Update Report which was issued to Council Chief Executives at the CEOMG on 24th March 2021.

2. Background

The Scotland Excel CEOMG meets quarterly. As part of the regular governance process the Chief Executive provides an update on the work of Scotland Excel. Following discussions with the Scotland Excel Convener, it was agreed that this report – and any future reports – will be shared with members of the Scotland Excel Executive Subcommittee following the CEOMG meeting. The report shown at Appendix 1 provided an update to the CEOMG for the period between 18th November 2020 and 23rd March 2021.

3. Recommendations

Members are asked to note the report.

Scotland Excel

To: Chief Executive Officers Management Group

On: 24 March 2021

Chief Executive's 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 18 November 2020.

2. Summary

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

2.1 Contingency Planning

Previous reports in relation to Contingency Planning focused around the exit from the European Union and the COVID -19 Pandemic continuing to cause issues across the UK and Globally.

As the UK has now left the European Union, Scotland Excel continues to monitor the situation, specifically focusing on areas that could impact local authorities. To date, although there has been border disruption to UK suppliers exporting products there does not appear to have been a significant impact on imported products. Therefore, there has been less impact of potential disruption and product shortages than previously predicted. As the pandemic has caused a period of further lockdowns with school closures, food stocks and supplies appear to be plentiful within supply chain warehousing facilities.

Scotland Excel continues to work with colleagues across Scottish Government and other public sector bodies to ensure supplies of PPE continue to be well stocked. Recently, following discussions with colleagues within Health, we have facilitated the delivery of free masks and hand sanitisers to councils. To date, twenty-four local authorities have benefitted from this, resulting in 146 pallets of hand sanitiser and 183 pallets of masks being distributed across Scotland. This initiative is likely to continue over the coming months to ensure all stock within Scotland is utilised, therefore reducing pressure on council budgets.

2.2 Digital Office update

2.2.1 Social Care Case Management System

The social care case management system framework is being set up to provide councils and health and social care partnerships (HSCPs) with a mechanism to procure social care case management solutions to facilitate end-to-end case management for the delivery of social care services to children, adults and the Scottish Criminal Justice community. The framework seeks to support the sharing of case information between Scottish Integrated Joint Boards and their partners.

Following closure of the tender and evaluation of bids, the Scotland Excel Executive Sub-Committee approved the award to five service providers and the standstill period has ended.

2.2.2 Information Gathering

Councils in Scotland use multiple ICT software systems to support service delivery across all services. The acquisition, support and maintenance of these systems are a significant budgetary commitment for all local authorities. In partnership with the Scottish local Government Digital office (SLGDO), Scotland Excel identified that councils would benefit from a Scotland-wide analysis of existing ICT systems and associated contracts, and this is being collected through Scotland's Technical Asset Management Platform (STAMP). To date, over 60% of councils have provided updates, and further analysis of this will lead to the identification of short, medium and longer terms opportunities for collaborative procurement, contract management, community benefits and financial efficiencies.

2.2.3 Market Testing for Artificial Intelligence (AI)/Robotics Process Automation (RPA)

The project for Artificial Intelligence (AI)/ Robotics Process Automation is ongoing to review potential collaborative contracting areas of opportunity across the councils. Scotland Excel held an initial meeting in mid-January with the purpose of forming an appropriate User Intelligence Group (UIG) to take this forward for member councils. A survey has been sent to those in attendance asking current position, plans and budget commitment.

Other Digital Developments

(i) Digital Telecare

The project to develop a Dynamic Purchasing System (DPS) to support the delivery of digital telecare is underway. Key requirements include that the new contracts allow entry to new suppliers on a regular basis, and that products and services comply with standards agreed by the Digital Office and other stakeholders. The lot structure for the DPS has been agreed with stakeholders and the request for participation documents are in the process of being created for publication. It is anticipated that the DPS will be available for councils from late April.

(ii) Digital Booking System

Scotland Excel had been asked by SEEMiS to assist councils in procuring a solution to replace a module for Supply Teacher Bookings that they will be retiring in 2021. Subsequent to UIGs, the scope of the procurement was changed to be that of a more generic booking solution that might encompass a number of booking requirements.

A tender was issued on 25th January for the creation of a framework agreement with a go live date planned for April 2021.

2.3 Care Services

2.3.1 Care and Support

The care & support flexible framework was re-opened in late 2020 to enable participation from new providers. Submissions have been evaluated and post tender negotiations concluded with a positive outcome, particularly for councils preparing to use the framework from 1st April 2021. It is anticipated that 42 new providers will be added to the framework from April bringing the total number to 120, offering over 400 services.

The annual price review for care & support is underway. It was anticipated that the analysis including any clarifications and negotiation, would be completed in March 2021 with approved variations taking effect 1 April 2021.

On 16th February the Cabinet Secretary for Health & Sport announced a national approach to the living wage increase in adult social care for 2021/22. Scotland Excel is seeking guidance on the scope and plans for this to determine the impact on the framework negotiation processes. An update in relation to this will be shared with local authorities as soon as possible.

2.3.2 Care Homes for Older People

Scottish Care set out their opening position for the fee negotiation this year in a paper seeking increases of around 40% to the fees from increases to provider return & capital return and changes to both occupancy and efficiency levels. This proposal was rejected, and more recent discussions have focused on the workforce and areas for potential improvement in pay & conditions.

These discussions are complicated by national work which is ongoing in relation to fair work. This group has not yet concluded its recommendations in relation to areas highlighted by Scottish Care and therefore no formal policy has been agreed or funding made available.

Scotland Excel proposes to make an offer to the sector based on the agreed cost model and benchmarks for uplift, an approach which has been endorsed by COSLA Leaders, and which includes a living wage uplift for care workers. In relation to other fair work elements, there is scope for the offer to include an option to revisit the cost model and rate once the fair work group has concluded recommendations, should funding be made available.

2.3.3 Care Homes for Adults with Learning Disabilities (including Autism)

The fee variation process is underway with impact analysis being undertaken. This will be shared with the User Intelligence Group once concluded. The potential impact of the national approach to living wage is also being considered.

Future plans for this framework include a review of scope with a view to encompassing a larger range of specialist residential services for adults.

2.3.4 Children's Residential Care and Education with Short Breaks

The period for fee variation applications has closed with a significant number of variations sought. Providers note cost pressures in relation to a range of areas, but common themes include increased staffing costs. Clarifications and negotiation meetings are taking place as necessary.

Higher levels of increase are being sought from grant-aided schools as their central funding has been reduced by the Scottish Government and some report concerns about financial stability as a result of a historical inability to vary fees in line with market factors due to previous grant funding arrangements. The associated impact to local government is significant but not unexpected and is being discussed with COSLA.

2.3.5 Secure Care Service

Fee negotiation meetings have taken place with three secure providers seeking an increase to their fees for 2021/22. Discussions are ongoing with Scottish Government and COSLA in relation to funding for covid specific pressures from April onwards as all parties agree these should not be included in the core rate.

Discussions in relation to work needed to embed policy changes such as the new secure standards and the recommendations from 'The Promise' are ongoing.

2.3.6 Fostering and Continuing Care

The tender for the new generation framework is currently live with a deadline for responses in April. The framework is designed to build on the success of the current framework and support continuing care placements by providing structure and benchmark costs as a basis for the individual discussions which take place to agree these placements.

The new framework is scheduled to go live in July 2021.

2.3.7 Social Care Agency Workers

It is anticipated that the flexible framework will be re-opened later this year to enable participation from new providers. Scotland Excel is working with local authorities to determine the scope of the re-opening but it is expected that a targeted approach will be agreed with specific geographical lots advertised in response to local areas reporting difficulty in sourcing agency workers.

2.3.8 £500 Payment Project

Scotland Excel has been commissioned by Scottish Government to administer the application process for the £500 payment for social care staff in the independent and voluntary sector.

The process has now closed for applications with Scotland Excel validating submissions in line with Scottish Government guidelines. The validation process is scheduled to be complete to enable Scottish Government to transfer funds to local authorities by the end of March. Local authorities will make a single payment to each provider, as agreed by COSLA Leaders, to enable providers to make the £500 payment to their staff.

2.3.9 Independent Review of Adult Social Care

The report on the Independent Review of Adult Social Care was published in February. The review, chaired by Derek Feeley, makes 53 recommendations including the introduction of a National Care Service and a significant change in role and legal responsibilities of local authorities.

Scotland Excel is working with stakeholders to consider the longer-term implications for the role of Scotland Excel in social care.

Scotland Excel is also considering more immediate implications resulting from recommendations in relation to procurement & commissioning.

2.4 The Scotland Excel Academy

The Academy is engaging with approximately 50 different organisations across the wider public sector and the third sector. This is for a range of accredited and non-accredited programmes.

- 869 registered learners in The Academy
- 148 active learners engaged in accredited programmes across 7 cohorts
- 26 cohorts have now been completed
- 169 qualifications have been awarded
- 8 new cohorts are planned
- 469 learners have participated in non-accredited one-day development workshops
- 769 learners have participated in the Stay Connected one-hour online workshops
- 9 learners have been awarded Chartered Manager (CMgr), with 5 actively working on their CMgr submission

We have 7 active accredited programmes - 3 procurement, 1 leadership & management, 2 project management and 1 business analysis & innovation. The project management and business analysis & innovation programmes are addressing national skills shortages.

The procurement programmes have been on hold since 11 December 2020 due to staff illness and restarted on the 26 February 2021. Scotland Excel is now reviewing how to avoid this type of disruption to future learners.

8 new programmes are scheduled for 2021 - 1 procurement, 4 leadership & management, 2 project management and 1 business analysis & innovation. A new programme in supply change management will not progress at this time due to the indicated demand not being realised.

Building upon the success of the Stay Connected one-hour online workshops, video content has been created supporting self-directed online learning, currently nine videos are available on The Academy. Further online provision will be scoped to support a growing online learning provision.

2.5 Housing Update

The associate team at Scotland Excel continue to work closely with the Scottish Federation of Housing Associations (SFHA) by attending their virtual conferences and promoting membership to their members. Scotland Excel recently hosted a webinar to promote the new build construction framework and every attendee will be contacted to discuss associate membership.

Summary highlights since the last report: -

Seven new Housing Associations have recently become associate members of Scotland Excel in order to access the wider contract portfolio. Five of the new members are associations grouped in North West Glasgow and are using the Scotland Excel domestic gas maintenance contract to deliver best value for their tenants. Grampian Housing Association will be using the new build framework and Fairfield have recently converted from a co-operative and are keen to use Scotland Excel contracts in order to work in collaboration and deliver savings to tenants.

2.5.1 New Build Update

New Build Housing

Following delays of 9-12 months attributed to COVID-19, activity under this framework has increased significantly as the construction industry and our members have renewed their activity on new build housing projects. To date, five projects totalling £46 million for 244 homes have been awarded under the framework which cover a wide range of affordable homes including fully accessible homes, sheltered housing units, flats, bungalows and houses. In addition, a further 11 projects are currently out to tender with another four scheduled to commence procurement activities under the framework before the end of the financial year; these 15 projects represent around c.£200 million and 700 homes.

Scotland Excel has been primarily focused on supporting members using the framework. This has included providing tailored online guidance sessions so that individual members maximise the benefits from the framework, providing ad-hoc support and guidance, and ensuring members can access and utilise the comprehensive online tools and template documents available to effectively manage procurement through this framework. In addition, we have met with the framework contractors to discuss the Scotland Excel pipeline, their capacity for tendering and the effects of COVID and Brexit on their business and supply chain.

On the 2nd February 2021, Scotland Excel hosted a webinar promoting the framework to Housing Associations which had 60 attendees including representatives from 24 Housing Associations and nine councils. Partnering with the Scottish Federation of Housing Associations and the Construction Scotland Innovation Centre, the webinar focussed on the importance of innovation in delivering affordable homes. Delegates heard about how innovation can support the delivery of low carbon and sustainable housing and how the framework supports these objectives.

2.6 Update on the Contract Plan and Contracts approved since November 2020

There are 74 current frameworks in the Scotland Excel contract portfolio, with four of these frameworks to be renewed before 31 March 2021. It is also planned that a further two new frameworks will be added to the contract portfolio by 31 March 2021.

A total of 18 of the frameworks on the current portfolio have extension options that are likely to be exercised in 2020/2021 with seven of these extensions already approved.

The overall efficiencies across the whole portfolio for 2020/21 is running at 2.9% compared to the 2.5 % forecast range. This figure will continue to be monitored throughout 2020/2021.

The following contracts have been approved at Executive Sub Committee since November 2020:

Bitumen and Associated Products

This renewal is a fourth generation framework for bitumen and associated products and will provide councils and other participating bodies with a mechanism to procure a wide variety of bitumen related products ranging from bulk bitumen to reinstatement products, surface dressings, cementitious products and sundry bitumen related products. A total of 9 suppliers have been awarded a place on the framework. These 9 suppliers represent a mix of small, medium and large (SMEs) organisations, with 7 of the recommended suppliers classified as SMEs.

Social Work Care Case Management System

The project to consider a collaborative approach to procuring a renewed Social Care Case Management system was identified by the Scottish Local Government Digital Office in conjunction with Scotland Excel. This 1st generation framework provides national collaborative solutions which will drive value through the consolidation of spend, whilst alleviating the resource challenge associated with this type of procurement exercise for local authorities. All solutions offered are compliant with the National Cyber Security Centre's "Cloud Security Principles" to ensure maximum data information security and on-going protection. The five awarded service providers offer nationwide coverage under the framework with four being classed with the SME status of medium and one as small.

Engineering & Technical Consultancy

This framework will provide councils and other participating bodies a mechanism to procure a wide range of civil engineering and associated technical consultancy services. In doing so, it will provide efficiency to councils when both engaging consultants and forming construction contracts. 31 suppliers have been awarded on to the framework and offer nationwide coverage to account for any potential difficulties

that may arise from the implications of COVID-19 impacting the framework, and 11 of the recommended suppliers are classed as SMEs.

2.7 Update on Stakeholder Meetings

Scotland Excel continues to prioritise stakeholder engagement across the wider organisation. In several instances, the use of virtual meeting technology has supported this process. At a senior stakeholder level, engagement includes Elected Members, Chief Executives, Finance Directors, Corporate Procurement Managers, and other senior officers. A significant number of meetings have taken place since our last update.

2.8 Projects update

2.8.1 Fife Council

The Fife Council transformation programme was completed in September 2020, as planned, having achieved all aims and objectives required. The year two progress report was submitted in September 2020 and has now been approved and endorsed by the Fife Commercialisation Board in January 2021.

The Report recognised that both the targeted upskilling of the team and the financial targets had been met. In terms of upskilling, the team had experienced an improvement against twelve of the fourteen competencies. In regards to financial benefits the following extract from the Report refers “The desire was to achieve the identification of financial savings of £16m over a three-year period, with the current pipeline of opportunities in excess of £8,313m for in year savings and benefits delivered verified as £8,015m meaning the programme has achieved this target with a total of £16,346m within the first two years of the programme.”

In addition to these results a range of new processes were developed and existing processes improved as part of the two year programme. A lessons learned report has been created to enhance future Scotland Excel delivered programmes in support of its members.

2.8.2 East Lothian Council

The East Lothian Council Improvement Project is continuing to progress and a number of improvements have been implemented including; benefits tracking (now embedded in the procurement process and is a key part of procurement reporting), strategic procurement, collaborative working, sustainability and community wealth building.

Identifying and delivering benefits including cash savings is also a key part of the project. A number of benefits have been achieved along with £475k of savings delivered by the procurement team. Work continues to progress and identify further opportunities.

The new service aligned structure introduced late 2019 provided a solid platform for more productive cross-service collaboration and earlier procurement engagement. Along with the numerous community wealth building initiatives the procurement sustainability policy and charter has been positively received and approved by

Cabinet members and implementation is underway.

Digital transformation will remain one of the top Council priorities along with savings generation thus shifting the focus of the procurement team to in-depth systems review and the establishment of an automated P2P process. In addition to this, addressing the skills gap in strategic sourcing will be key to further improvements and to maximise the value of procurement intervention within the Council.

2.8.3 East Renfrewshire Council

The East Renfrewshire Programme is continuing to deliver across its inter-related projects for implementation. The Procurement team have undertaken a programme of focussed training and are currently progressing with the SQA Accredited PDA in Project Management.

A new process to support the identification and capture of Community Benefits has been rolled out incorporating a “wish list” to ensure local communities benefit from the Councils contractual relationships.

The Council has also been supported in its successful application to receive Living Wage accreditation and significant work is being undertaken to identify savings opportunities in a variety of areas across the Council through a Commissioning focus.

2.8.4 Tayside

Scotland Excel is working with three Councils in Tayside to deliver a programme of improvements. The councils involved in the programme are Angus, Dundee City and Perth and Kinross. The ultimate aim of the programme is to achieve savings, increase efficiency and bring greater value to the citizens of Tayside.

Scotland Excel have identified £9.9m of cashable savings opportunities. Further benefits from working better together and from supporting local economies have also been identified. This has been achieved by focusing on improving data management and analysis. Scotland Excel has provided clear information to help the governing Board make decisions on how to save money.

To access savings and benefits the most significant change required is a shift in how the partners work together to make decisions. Scotland Excel are now working with leaders to identify three areas for which a change in approach would have greatest impact.

The senior teams from each partner will come together on the 24 March to agree how these three areas will be taken forward. Scotland Excel will work with the Tayside Councils until June 2021 to help them make the necessary changes and to ensure maximum benefit is achieved.

Scotland Excel is also working with the 5 procurement teams of the partnership to foster closer working relationships. This is important as embedding new ways of working will ensure the targeted savings and benefits become a reality.

2.8.5 Stirling Council

Scotland Excel has recently been contracted by Stirling Council to provide a Head of Procurement for two years. A programme is in development with the new Head of Procurement and will include management of the corporate procurement team and review of the function, the creation of a community wealth building strategy, and a review and implementation of a procurement savings strategy across the organisation.

2.8.6 Midlothian Council

Scotland Excel has been engaged by Midlothian Council to undertake desktop analysis in relation to the direction of the Procurement function. A Report of the findings will be discussed with the senior team at Midlothian Council with the view to agreeing next steps and further engagement.

2.8.7 Early Learning & Childcare (ELC) provision for 1140 hours – setting the sustainable rate

All councils have a requirement to determine a sustainable hourly rate per child to be paid to their contracted ELC providers. Scotland Excel has been engaged by a number of councils to calculate this on their behalf.

Scotland Excel has identified this as an offering that can be provided to councils who still need to calculate the sustainable rate. A communication detailing this service offering was issued in December 2020 to the Chief Executives of those additional councils.

So far, 1 project has been completed, 1 is in progress and 3 are in development. There is also interest from a number of other councils.

2.8.8 Hosted Procurement

A growing number of councils and associate members are approaching Scotland Excel regarding the provision of tendering services and Scotland Excel now has a small team of dedicated resource to this activity known as the Hosted Procurement Team. The Team is funded from these specific services and activity is tailored to meet the local and specific needs of the customer.

The Service is particularly useful when local resource is not available or at times where capacity is an issue.

Tendering exercises are progressing well with Dumfries & Galloway Council and Glasgow Life (an Arm's Length Organisation (ALEO) of Glasgow City Council).

2.8.9 City Property Glasgow (Investments) LLP

Scotland Excel was engaged by City Property Glasgow (Investments) LLP in May 2019 to conduct a tender for from a mini competition within Crown Commercial Service's Estates Professional Services framework. Since then we have been working with City Property as their 'Procurement Partner' and subsequent projects have included sourcing of a Residential Letting Agent, Website Design, External Auditor and a number of Waste Management Services for their market location in Blochairn.

2.8.10 Zero Waste Scotland

Scotland Excel is providing Tender Support to Zero Waste Scotland for the provision of suitably qualified service providers to conduct waste composition analysis. The framework is intended primarily to assist in the construction of the most accurate and detailed national data set of local authority waste composition conducted within this country to date, whilst retaining the option for individual local authorities to refine to their own requirements and purpose.

2.8.11 Scottish Local Government Pension Scheme

The Scheme Advisory Board of the Scottish Local Government Pension Scheme has engaged Scotland Excel to provide support as they review options for reform of the scheme. The review will be led by an experienced senior commercial project manager, recruited and hosted by Scotland Excel for a period of up to 12 months.

2.9 Climate Change

Environmental considerations are already at the heart of the sustainable procurement duty but there is much still to do to make use of the provisions in the Procurement Reform (Scotland) Act 2014 and ensure that these considerations specifically address climate change and circular economy obligations. The main aim of the Procurement and Climate Change Forum is to provide leadership and direction to enable traction within climate change. A number of workstreams are underway to support the aims of the forum, and a number of councils, as well as Scotland Excel, are active participants.

Dependencies

While the Procurement Reform (Scotland) Act 2014 provides a flexible framework against which to work, it will be critical to recognise and influence other key dependencies which include:

- Understanding how success will be measured against the climate targets;
- The appetite, capacity and capability of commissioners, service delivery managers, and budget holders to consider climate when defining *what we buy*;
- The appetite of local organisations to implement supporting policies and local governance to help address *how much* we buy, reducing the demand or consumption of products and service and recognising that this entails some tough decisions and changes in behaviour.
- Clear direction from the top to help drive and enable change and a recognition of some of the tough choices or trade-offs involved.

Further updates will be given as the forum makes the necessary progress required.

3.0 General update

New Associate Members

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

University of Aberdeen

Construction Scotland Innovation Centre(CSiC)

Kingsridge Cleddans Housing Association Ltd

Pineview Housing Association Ltd

Kendoon Housing Association Ltd

Drumchapel Housing Association Ltd

Cernach Housing Association Ltd

Edinburgh Napier University

Grampian Housing Association Ltd

Fairfield Housing Association Ltd

Shetland's Transport Partnership (ZEtTrans)