

## **Minute of Meeting Scotland Excel Executive Sub-committee**

<b>Date</b>	<b>Time</b>	<b>Venue</b>
Friday, 16 September 2022	09:30	Remotely by MS Teams,

### **Present**

Councillor Dominic Lonchay (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 Ruairi Kelly (Glasgow City Council); Councillor Derek Loudon (Highland Council); Councillor Christina Larsen (North Ayrshire 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, L Campbell, Corporate Services Manager, L Richard, Senior Procurement Manager, A Toland, Senior Procurement Specialist, A McCluskie, Procurement Co-ordinator, S Nicolson, Project & Customer Account Manager, K Forrest, Office Manager, N French, Corporate Services Assistant, and L Mooney, Senior Communications Specialist (all Scotland Excel); and L Mitchell, Managing Solicitor (Contracts & Conveyancing) and E Gray, Senior Committee Services Officer (both Renfrewshire Council).

### **Apology**

Councillor Mandy Watt (City of Edinburgh Council).

## **Declarations of Interest**

Councillor Robinson declared an interest in item 3 of the agenda for the reason that he was previously employed by one of the bidding suppliers. Councillor Robertson indicated that as he had declared an interest, he would leave the online meeting during any discussion and voting on the item.

### **1 Minute**

There was submitted the Minute of the meeting of the Executive Sub-committee held on 19 August 2022.

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

### **2 Chief Executive's Update Report to Chief Executive Officers Management Group (CEOMG) - August 2022**

There was submitted a report by the Chief Executive of Scotland Excel relative to the Chief Executive's update report considered at the meeting of the Scotland Excel Chief Executive Officers Management Group (CEOMG) held on 17 August 2022.

The report intimated that the CEOMG met quarterly and that as part of the regular governance process, the Chief Executive of Scotland Excel provided an update on the work of Scotland Excel. Following discussions with the Convener, it had been agreed that future reports, be shared with members of the Scotland Excel Executive Sub-committee, following CEOMG meetings.

The report submitted to the CEOMG meeting held on 17 August 2022, which covered the period from June to August 2022, was appended to the report.

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

## **Declaration of Interest**

Councillor Robinson having previously declared an interest in the following item of business left the meeting and took no part in the discussion or voting thereon.

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

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 1 November 2022 until 31 October 2024, with an option to extend for up to two twelve-month periods.

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 and one tenderer failed to submit a completed 'Schedule 7 – Financial Information' and Appendix 2 to the report provided a summary of the offers received.

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 Appendix 3 to the report confirmed the scoring achieved by each bidder for each service.

Based on the evaluation undertaken, and in line with the criteria and weightings set out in the report, it was recommended that 34 suppliers 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.

## **Sederunt**

Councillor Robinson re-joined the meeting prior to consideration of the following item of business.

### **4(a) Request for Associate Membership: David MacBrayne Limited**

There was submitted a report by the Chief Executive of Scotland Excel advising that David MacBrayne Limited 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 David MacBrayne Limited to become an associate member of Scotland Excel, with no annual membership fee, be approved subject to completion and signing of the agreement documentation.

### **4(b) Request for Associate Membership: Ferguson Marine (Port Glasgow) Ltd**

There was submitted a report by the Chief Executive of Scotland Excel advising that Ferguson Marine (Port Glasgow) Ltd 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 Ferguson Marine (Port Glasgow) Ltd to become an associate member of Scotland Excel, with no annual membership fee, be approved subject to completion and signing of the agreement documentation.

### **4(c) Request for Associate Membership: Hebridean Housing Partnership Limited**

There was submitted a report by the Chief Executive of Scotland Excel advising that Hebridean Housing Partnership Limited 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 Hebridean Housing Partnership Limited to become an associate member of Scotland Excel, with an annual membership fee of £3,450, be approved subject to completion and signing of the agreement documentation.

4(d) **Request for Associate Membership: Provanhall Housing Association Limited**

There was submitted a report by the Chief Executive of Scotland Excel advising that Provanhall Housing Association Limited 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 Provanhall Housing Association Limited to become an associate member of Scotland Excel, with an annual membership fee of £776, be approved subject to completion and signing of the agreement documentation.

4(e) **Request for Associate Membership: Southside Housing Association Limited**

There was submitted a report by the Chief Executive of Scotland Excel advising that Southside Housing Association Limited 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 Southside Housing Association Limited to become an associate member of Scotland Excel, with an annual membership fee of £3,210, be approved subject to completion and signing of the agreement documentation.

5 **Update on the Contract Delivery Plan**

There was submitted a report by the Chief Executive of Scotland Excel providing an update on the 2022/23 contract delivery plan.

The Convener proposed that this report be withdrawn and this was agreed unanimously.

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

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 21 October 2022.