

Minute of Meeting Scotland Excel Executive Sub-committee

Date	Time	Venue
Friday, 20 August 2021	09:30	Remotely by MS teams,

Present

Councillor Charles Buchan (substitute for Provost Bill Howatson) (Aberdeenshire Council); Councillor Angus Macmillan Douglas (Angus Council); Provost Norman A Macdonald (Comhairle Nan Eilean Siar); Councillor Stephen Thompson (Dumfries & Galloway Council); Councillor Ian Cameron (substitute for Councillor Altany Craik) (Fife Council); Councillor Ruairi Kelly (Glasgow City Council); Councillor Joe Cullinane (North Ayrshire Council); Councillor Paul Di Mascio (North Lanarkshire Council); and Councillor John Shaw (Renfrewshire Council).

Chair

Councillor Shaw, Convener, presided.

In Attendance

J Welsh, Chief Executive, S Brannagan, Head of Customer and Business Services, N Howie, Assistant Procurement Specialist, L Richard, Strategic Procurement Manager, M Mitchell, Strategic Procurement Manager, B Murray, Procurement Development Manager, S Christie, Commercial Manager, R Bridgen, Senior Procurement Specialist, L McIntyre, Senior Communications Specialist and K Forrest, Office Manager (all Scotland Excel); and M Conaghan, Legal & Democratic Services Manager, C McCourt, Finance Business Partner, L Meikle, Senior Accountancy Assistant and E Currie, Senior Committee Services Officer (all Renfrewshire Council).

Apologies

Provost Bill Howatson (Aberdeenshire Council); Councillor Andrew Johnston (City of Edinburgh Council); Councillor Altany Craik (Fife Council); Councillor Amanda Hawick (Shetland Islands Council); and Councillor Josh Wilson (South Lanarkshire Council).

Declarations of Interest

Councillor Buchan declared a non-financial interest in item 5(c) of the agenda and indicated that he would remain in the meeting during consideration of the item.

1 Minute

There was submitted the Minute of the meeting of the Executive Sub-committee held on 18 June 2021.

DECIDED: That the Minute be approved.

2 Chief Executive's Update Report

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 29 June 2021, a copy of which was appended to the report.

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 this report, and any future reports, be shared with members of the Scotland Excel Executive Sub-committee, following CEOMG meetings.

The report submitted to the CEOMG on 29 June 2021 covered the period between March and June 2021 and provided information in relation to work in collaboration with the Digital Office; care services; the independent review of adult social care; the national care home contract; the £500 project; the Scotland Excel Academy; housing and new build housing; the contract plan and contracts approved since November 2020; projects with other local authorities and associate members; climate change; new associate members; the Scotland Excel annual conference; and community wealth building.

DECIDED: That the report be noted.

3 Revenue Budget Monitoring

There was submitted a joint revenue budget monitoring report by the Treasurer and the Chief Executive of Scotland Excel for the period 1 April to 23 July 2021.

The report intimated that at the end of period 4, Scotland Excel was projecting a £25,000 overspend by year-end in its core activities and a £110,000 drawdown from project reserves by year-end within projects. It was noted that both core and projects would be monitored closely in order to mitigate any projected overspends and as a result, Scotland Excel was confident it would deliver against its planned budget by year-end. Further detail was provided in section 3 of the report.

Appendix 1 to the report provided an analysis of the actual spend to date along with projected net expenditure for 2021/22 and included a summary of movement in the revenue reserve. Appendix 2 to the report provided an analysis of the actual spend to date along with projected net expenditure for 2021/22 and included a summary of movement in the project reserves.

DECIDED: That the report be noted and that the detailed budget adjustments for projects be approved.

4 **Contract for Approval: Dynamic Purchasing System (DPS) for Digital Telecare Goods**

There was submitted a report by the Chief Executive of Scotland Excel recommending a new Dynamic Purchasing System (DPS) for digital telecare goods, which the Chief Executive has elected to establish in terms of Scotland Excel's contract standing orders. The report also sought that delegated authority be awarded to the Chief Executive to appoint new entrants to the DPS during its lifetime, as detailed in the report.

The report intimated that this DPS would focus on the provision of digital telecare products that assisted the person and monitored the person's environment. Scotland Excel supported the Scottish Government's Technical Enabled Care (TEC) programme which focussed on citizen facing digital solutions where 'outcomes for individuals in home or community settings are improved through the application of technology as an integral part of quality, cost effective care and support to look after more people at home'. It was noted that all local authorities and associate members would be able to purchase through this agreement.

The DPS had been divided into three lots, as detailed in table 1 of the report, and had been advertised at an estimated value of £12 million over its ten-year life span. Appendix 1 to the report detailed those applicants requesting to be granted access to the DPS at its establishment. Of the 17 applicants received, 11 applicants had fully satisfied the requirements of selection and Appendix 2 to the report provided a summary of recommended participants.

A key outcome of the DPS route to market was a facility to allow new entrants throughout the lifetime of the arrangement and thereby not lock-out new providers who met the regulatory requirements. Following commencement of the DPS, a second contract notice would be issued inviting new entrants to complete the qualification process. This invitation would remain open throughout the lifetime of the DPS.

The Public Contracts (Scotland) Regulations 2015 required that applicants putting themselves forward to be granted access to the DPS must, ordinarily, be informed of their success or failure within a maximum of 10 days following completion and submission of qualification documents. In order to remain compliant with the statutory requirement, the report sought that the Chief Executive of Scotland Excel be granted the appropriate delegated authority to approve such decisions and that the Executive Sub-committee be updated on the status of available service providers on an annual basis via incorporation into the annual procurement report.

DECIDED:

(a) That delegated authority be granted to the Chief Executive, or the Head of Strategic Procurement in the Chief Executive's absence, to approve the evaluation outcome of initial respondents and any new entrants that completed the qualification process for entry to the DPS during its lifetime, ensuring compliance with the applicable procurement rules including the statutory period for evaluation and notification of outcome;

(b) That the Executive Sub-committee be updated on the status of available service providers on an annual basis through incorporation into the annual procurement report; and

(c) That the applicants, detailed in Appendix 2 to the report, be admitted to the DPS.

5(a) **Request for Associate Membership: Berwickshire Housing Association Limited**

There was submitted a report by the Chief Executive of Scotland Excel advising that Berwickshire 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 Berwickshire Housing Association Limited to become an associate member of Scotland Excel, with an annual membership fee of £2,882, be approved subject to completion and signing of the agreement documentation.

5(b) **Request for Associate Membership: Caledonian Maritime Assets Limited (CMAL)**

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

Declaration of Interest

Councillor Buchan having previously declared an interest in the following item remained in the meeting.

5(c) **Request for Associate Membership: Heriot-Watt University**

There was submitted a report by the Chief Executive of Scotland Excel advising that Heriot-Watt University 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 Heriot-Watt University 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(d) **Request for Associate Membership: Scottish Environment Protection Agency (SEPA)**

There was submitted a report by the Chief Executive of Scotland Excel advising that the Scottish Environment Protection Agency (SEPA) 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 Environment Protection Agency (SEPA) 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(e) **Request for Associate Membership: West Granton Housing Co-operative Limited**

There was submitted a report by the Chief Executive of Scotland Excel advising that West Granton Housing Co-operative 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 West Granton Housing Co-operative Limited to become an associate member of Scotland Excel, with an annual membership fee of £558, be approved subject to completion and signing of the agreement documentation.

6 **Contract Delivery Plan Update**

There was submitted a report by the Chief Executive of Scotland Excel providing a progress update on the 2021/22 contract delivery plan.

The report intimated that the contract delivery plan detailed new framework developments and renewals, framework extensions and frameworks with ongoing contract management only and appendices 1 to 4 to the report provided further details.

The report highlighted that there were 72 current frameworks in the Scotland Excel portfolio, with a further four new frameworks to be added and 30 frameworks to be renewed before 31 December 2022. Appendix 1 to the report detailed new or renewal contracts until December 2022; Appendix 2 to the report detailed the flexible contracts until December 2022; Appendix 3 to the report detailed contracts with extension options and contract management activity ongoing until December 2022; and Appendix 4 to the report detailed contracts with no renewal or extension activity and contract management activity ongoing until December 2022.

The estimated forecast value of the Scotland Excel framework portfolio by 31 March 2022 would be approximately £2 billion. It was noted that overall, efficiencies delivered to date in 2021/22 were 3.1%, which was slightly above the forecast range.

In addition to the activity detailed in appendices 1 to 4, Scotland Excel was exploring the benefits of further collaborative procurement across high spend, critical service areas in the construction, corporate, ICT and social care teams and further detail was provided in the report.

A summary of spend and forecast savings per council between April and March 2021 was detailed in Appendix 5 to the report, with an average forecast efficiency of circa 2.94%. Overall savings were estimated at £9.7 million which was lower than previous years, however, overall spend had reduced by 10% against the same period last year due to changes to spend patterns during the COVID-19 pandemic.

DECIDED: That the progress made to date be noted.

7 **Operating Plan Update 2021/22**

There was submitted a report by the Chief Executive of Scotland Excel providing an update on the progress made in the three months between April and June 2021 towards delivering the commitments contained in the operating plan 2021/22.

The report intimated that a new operating plan, covering the fifteen-month period from January 2021 to March 2022, had been approved at the meeting of the Scotland Excel Joint Committee held on 11 December 2020. To simplify reporting, the number of commitments in the plan had reduced from 68 detailed commitments to 30 broader commitments and these aligned to more than 120 specific actions cascaded to staff as part of Scotland Excel's Performance Review and Development Programme.

The report highlighted that 27 commitments were progressing in line with plans and were indicated as green; one commitment was indicated as amber; and one commitment had been completed and was indicated as black.

It was 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. Due to the continuing uncertainty in relation to COVID-19 and Brexit, reporting against key performance indicators was currently on hold pending a review of appropriate measures.

DECIDED: That Scotland Excel's progress in delivering the commitments contained within the operating plan 2021/22 be noted.

8 **Date of Next Meeting**

DECIDED: That it be noted that the next meeting of the Executive Sub-committee would be held at 9.30 am on 17 September 2021.