

Scotland Excel

To: Executive Sub-Committee

On: 27 November 2020

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

Request for Associate Membership of Scotland Excel by Construction Scotland Innovation Centre (Operating under Edinburgh Napier University)

1. Summary

- 1.1 In addition to the 32 local authorities which are full members of Scotland Excel, applications can be made for Associate Membership by organisations such as council arm's length organisations, community groups, charities, housing associations and voluntary organisations which are a public body or a body that engages in activities of a public nature.

Organisations apply to Scotland Excel for Associate Membership to allow them to access the frameworks for goods and services which we have in place for our full members. Associates do not have the opportunity to influence the future contract delivery schedule which is reserved for the full local authority members.

2. Recommendations

- 2.1 It is recommended to committee that Edinburgh Napier University acting as the administrative institution for Construction Scotland Innovation Centre application to join Scotland Excel as an associate member be approved, with no annual fee, subject to the agreement document. No fee will be charged based on the reciprocal agreement in place with the centre of procurement expertise for Colleges and Universities and a partnership agreement with the Innovation Centre.
- 2.2 Scotland Excel monitors all requests from arm's length and other organisations to become associate members to ensure that any legal requirements are met. In this case, Edinburgh Napier University (The Court of Edinburgh Napier University as the Administrative Higher Education Institution for Construction Scotland Innovation Centre) can be recommended for associate membership as a public authority or body on the basis of the Local Authorities (Goods and Services) Act 1970 section 1 (1B)(b). Namely, that it has functions that are public in nature or engages in activities of that nature so long as the purpose or effect of access to Scotland Excel's services is to facilitate its discharge of those functions or activities.

3. Background

- 3.1 Edinburgh Napier University are a higher education institution.
- 3.2 Hosted by Edinburgh Napier University, the Construction Scotland Innovation Centre links business, university experts and public sector to support a culture of innovation and build strong collaborative projects that tackle construction industry challenges, create jobs and stimulate economic growth.
- 3.3 Edinburgh Napier University/ Construction Scotland Innovation Centre is a real Living Wage employer.
- 3.4 To ensure the efficient and cost-effective delivery of these services Edinburgh Napier University/ Construction Scotland Innovation Centre has approached Scotland Excel and requested approval to become an associate member with access to Scotland Excel contracts.
- 3.5 Before any application is submitted for approval, a number of validation checks on the organisation are carried out. These include a review of the Memorandum & Articles of Association, the financial position and the type of contracts that the organisation is likely to access. It is confirmed that satisfactory validation checks have been completed in relation to this application.