

Minute of Meeting Scotland Excel Executive Sub-committee

Date	Time	Venue
Friday, 18 November 2022	09:30	Remotely by MS Teams,

Present

Councillor David Keating and Councillor Alastair Forsyth (Aberdeenshire Council); Councillor Brenda Durno (Angus Council); Councillor Mandy Watt (City of Edinburgh 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 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, S Brannagan, Head of Customer and Business Services, M Robertson, Marketing and Communications Manager, E Hay, Strategic Procurement Manager, L Campbell, Customer Services Manager, E Macluskie, Senior Procurement Specialist, S Christie, Commercial Programme Manager, P Barnes, Project and Account Manager, K Forrest, Office Manager, L Mooney, Senior Communications Specialist and C Kirkwood, Assistant Procurement Specialist (all Scotland Excel); M Ferris, A MacDonald and D Rigby (all Audit Scotland) and C McCourt, Head of Finance & Business Services, L Mitchell, Managing Solicitor (Contracts & Conveyancing), R Devine, Senior Committee Services Officer and K O'Neill, Assistant Democratic Services Officer (all Renfrewshire Council).

Apology

Councillor Ruairi Kelly (Glasgow City 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 21 October 2022.

DECIDED: That the Minute be approved.

2 Chief Executive's Update Report to Chief Executive Officers Management Group (CEOMG) - November 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 9 November 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 9 November 2022, which covered the period from August to October 2022, was appended to the report.

DECIDED: That the report be noted.

3 Draft Revenue Estimates 2023/24

There was submitted a report by the Treasurer and the Chief Executive of Scotland Excel relative to the revenue estimates of Scotland Excel including the requisition of the constituent authorities for the financial year 2023/24 along with indicative planning figures for 2024/25 and 2025/26.

The report provided information on the assumptions that the budget had been based on; income from projects; a financial overview for Scotland Excel; the Scotland Excel funding model and member authority requisitions for 2023/24.

Appendix 1 to the report detailed the revenue estimates of Scotland Excel for 2023/24 and Appendix 2 to the report detailed requisitions from constituent authorities in 2022/23 and 2023/24 and the savings achieved in 2021/22.

DECIDED:

(a) That the revenue estimates of Scotland Excel for the financial year 2023/24, as detailed in Appendix 1 to the report, be noted;

(b) That the requisitions from constituent authorities, as detailed in Appendix 2 to the report, be noted; and

(c) That the indicative estimates for 2024/25 and 2025/26 be noted.

Sederunt

Councillor Larsen joined the meeting prior to consideration of the following item of business.

4 Annual Audit Report on the Annual Accounts 2021/22

Under reference to item 9 of the Minute of the meeting of the Joint Committee held on 17 June 2022, there was submitted a report by the Treasurer relative to Audit Scotland's findings from the audit of Scotland Excel's financial statements for 2021/22.

The report intimated that The Local Authority Accounts (Scotland) Regulations 2014 required the audited accounts to be approved for signature no later than 30 September each year. For 2021/22, the Local Government Finance Circular 6/2022: Extension to Accounts Approval and Publication Dates for 2021/22 provided flexibility to this deadline, extending it to 30 November 2022. Section 10 of the Regulations required the relevant committee to consider any report made by the appointed auditor before deciding whether to sign the audited accounts.

Audit Scotland's annual audit report formed Appendix 1 to the report and included their opinion that the annual accounts were free from material misstatement and presented a true and fair view of Scotland Excel's financial position at 31 March 2022 as well as details of adjustments made to the accounts during the course of the audit.

A copy of the audited annual accounts 2021/22 was attached as Appendix 2 to the report.

Following approval, the audited accounts would be submitted to the Convener, Treasurer and Chief Executive of Scotland Excel for electronic signature.

DECIDED:

(a) That the findings of the 2021/22 audit as contained in the external auditor's (Audit Scotland) annual audit report, which formed Appendix 1 to the report, be noted; and

(b) That the Scotland Excel 2021/22 audited annual accounts, which formed Appendix 2 to the report, be approved for electronic signature.

5 Contract for Approval: Supply and Delivery of First Aid Materials

There was submitted a report by the Chief Executive of Scotland Excel relative to the flexible framework for supply and delivery of first aid materials for a period of three years from 9 January 2023 until 8 January 2026, with an option to extend for up to one 12 month period.

The report intimated that this framework would provide councils and other participating bodies with a mechanism to follow the Health and Safety (First-Aid) Regulations 1981 and to procure a range of first aid materials for the workplace and the community. The framework would include, but was not limited to, first aid kits, gloves, ice & heat packs, wipes & tissues, hand sanitiser & soap, dressings & plasters, and other associated products.

As detailed in Appendix 1, 32 councils had confirmed their intention to participate in this framework, with all councils included in the advertised contract notice. The framework was advertised at a total value of £1.5 million per annum, which equated to an estimated spend of £6 million over the maximum 4-year term of the framework. The tender document was downloaded by 31 organisations, with 8 tender responses received by the specified closing date and time. A summary of all offers received was provided in Appendix 2. Based on the criteria and scoring methodology set out in the tender document, a full evaluation of the compliant offers received was completed. Appendix 3 confirmed the scoring achieved by each bidder.

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 D in terms of risk and spend, as detailed in Appendix 5 to the report.

DECIDED: That the award of a multi-supplier framework arrangement to 3 suppliers across two lots, as outlined in Appendix 3 to the report, be approved.

6 Request for Associate Membership: Perth College UHI

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

Sederunt

Councillor Craik left the meeting during consideration of the following item of business.

7 Draft Corporate Strategy 2023/28

There was submitted a report by the Chief Executive of Scotland Excel relative to the Draft Corporate Strategy 2023/28.

The report intimated that in June 2018, the Scotland Excel Joint Committee approved a five-year corporate strategy for the organisation. As this strategy period would end on 31 March 2023, Scotland Excel had worked on the development of a new corporate strategy which would be presented to the Joint Committee in December 2022.

The purpose of the report was to provide the Executive Sub-Committee with an opportunity to review the proposed corporate strategy in advance of its submission to the Joint Committee.

The report advised that Scotland Excel followed a robust strategic planning process to develop its corporate strategy and operating plans which were illustrated within the report. The future vision of the organisation was supported by a mission statement based on business capabilities with five corporate goals developed to reflect the key

priorities of local authorities: journey towards a net zero Scotland; drive for efficiency to support the financial sustainability of public services; community wellbeing with equal access to services, economic development, and fair work jobs across Scotland; development of resilient supply chains that maximise opportunities for Scottish businesses and the third sector and advancement of skills to deliver Scotland's economic transformation.

The report noted that annual operating plans would be developed to provide more detailed information on the actions and activities that Scotland Excel would undertake each year to deliver the strategy. The new corporate strategy builds on the progress made by Scotland Excel over the past five years and was developed in close consultation with local authority stakeholders and Scotland Excel staff. It responded to financial challenges facing local government and the wider public sector, while recognising other key social, economic and environment drivers that were important nationally and locally.

Progress on the strategic and operating reports would be produced quarterly to track Scotland Excel's performance. Half yearly and annual reports would be submitted to Joint Committee meetings in December and June, with reports for the interim quarters submitted to the Executive Sub-committee. A set of Key Performance Indicators (KPIs) which measured performance against the five corporate goals would be developed and would be reported against these indicators on an annual basis.

DECIDED: That the proposed Corporate Strategy 2023/28 be noted prior to submission to the Joint Committee in December 2022.

8 **Draft Operating Plan for April 2023 to March 2024**

There was submitted a report by the Chief Executive of Scotland Excel which provided the Executive Sub-committee with an opportunity to review the proposed operating plan for 2023/24 in advance of its submission to the Joint Committee in December 2022.

The report intimated that Scotland Excel would submit a new five-year strategy to the Joint Committee in December 2022 for approval. The strategy plan 2023-28 was supported by the Annual Operating Plan April 2023 to March 2024, which provided more detailed information on the actions and activities that Scotland Excel would undertake each year to deliver the strategy.

DECIDED: That the Draft Operating Plan for April 2023 to March 2024 be noted prior to submission to the Joint Committee in December 2022.

9 **Care Services Update**

There was submitted a report by the Chief Executive of Scotland Excel which provided an update on key developments undertaken by Scotland Excel's Social Care Team in terms of Care Services.

The report advised that the redesign process for National Care Home Contract (NCHC) was underway and involved the Scottish Government, Local Government, COSLA, Provider Representatives, Trade Unions, Care Inspectorate, Healthcare Improvement Scotland, Carers Groups, Independent Advocacy, Care Home Providers and Care Workers.

Negotiations had resumed for the placement costs for 2023/24 after having been delayed due to pressures and an agreement was reached to focus on what the financial solutions could be. The main themes of the redesign had been to ensure that residents focus remained at the centre of the contract, with a model built around sustainability and workforce development and inclusion of the possibility to explore whether the regulatory boundaries of the sector can adapt sufficiently. All new guidance and proposed legislation were being included to ensure that the contract continued to meet the changing demands of this sector.

The report advised that the framework for Care Homes for Adults with Learning Disabilities Including Autism was due to expire on 16 September 2023 and the development of the new framework had begun.

An update was also provided on the following categories: Residential Rehabilitation, Care and Support, Social Care Agency Workers, Children's Residential Care and Education and the £500 Special Recognition Payment Project.

In terms of the National Care Service (NCS) Bill Consultation the report advised that following publication of the National Care Service Bill for the delivery of social care, social work and community health in Scotland on 20 June 2022, a call for views was initiated under Stage 1 of the parliamentary process for consideration by the Health, Social Care and Sport Committee, supported by other committees.

Scotland Excel submitted a response to this consultation on 31 August 2022, a link to the response was provided. The response confirmed Scotland Excel's support for the overarching aspirations of the Bill and its commitment to continuing to work in partnership to support improvement, and highlighted concerns that the context of the current commissioning landscape and the contribution of good commissioning and improvement activity had not been fully recognised.

Scotland Excel had attended the first NCS Forum on 3 October 2022 and would participate in the Stakeholder Register where appropriate and had been invited to participate in the Adult Social Care Working Group on Ethical Commissioning on 16 November 2022. Early conversations had taken place with Scottish Government to consider unique and specialist workstreams which Scotland Excel were best placed to review. An invitation to attend the Health, Social Care and Sport Committee Meeting to be held on 29 November 2022 had been accepted and planning was underway to prepare for questioning by the committee.

DECIDED: That progress made to date be noted.

10 **Meetings of Scotland Excel Executive Sub-committee in 2023**

There was submitted a report by the Clerk relative to proposed dates for meetings of the Executive Sub-committee during 2023.

DECIDED:

(a) That, if required, meetings of the Executive Sub-committee be held on 27 January, 17 February, 17 March, 21 April, 19 May, 18 August, 15 September, 20 October, and 17 November 2023 and that where these meetings were being held remotely, they commence at 9.30 am and where they were being held within a venue, they commence at 10.45 am;

(b) That, if required, meetings of the Executive Sub-committee be held on 16 June and 8 December 2023, prior to meetings of the Joint Committee and that where these meetings were being held remotely, they commence at 9.30 am and where they were being held within a venue they commence at 9.45 am; and

(c) That it be agreed that the Sub-committee continue to meet remotely.

11 **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 9 December 2022.