

Notice of Meeting and Agenda Scotland Excel Executive Sub-committee

Date	Time	Venue
Friday, 23 August 2019	10:45	Scotland Excel Meeting Room 1, Renfrewshire House, Cotton Street, Paisley

KENNETH GRAHAM
Clerk

Membership

Provost Bill Howatson (Aberdeenshire Council); Councillor Angus Macmillan Douglas (Angus Council); Councillor Graham Hutchison (City of Edinburgh Council); Provost Norman A Macdonald (Comhairle Nan Eilean Siar); Councillor Stephen Thompson (Dumfries and Galloway Council); Councillor Altany Craik (Fife Council); Bailie Norman MacLeod (Glasgow City Council); Councillor Alister Mackinnon (Highland Council); Councillor Donald L Reid (North Ayrshire Council); Councillor Paul Di Mascio (North Lanarkshire Council); Councillor John Shaw (Renfrewshire Council); Councillor Amanda Hawick (Shetland Islands Council) and Councillor Collette Stevenson (South Lanarkshire Council)

Councillor John Shaw (Convener): Councillor Paul Di Mascio (Vice Convener)

Video Conferencing

Should any member wish to participate using video conferencing please contact Karen Forrest on 0141 618 7444.

Further Information

This is a meeting which is open to members of the public.

A copy of the agenda and reports for this meeting will be available for inspection prior to the meeting at the Customer Service Centre, Renfrewshire House, Cotton Street, Paisley and online at <http://renfrewshire.cmis.uk.com/renfrewshire/CouncilandBoards.aspx>

For further information, please either email democratic-services@renfrewshire.gov.uk or telephone 0141 618 7112.

Members of the Press and Public

Members of the press and public wishing to attend the meeting should report to the customer service centre where they will be met and directed to the meeting.

Items of business

Apologies

Apologies from members.

Declarations of Interest

Members are asked to declare an interest in any item(s) on the agenda and to provide a brief explanation of the nature of the interest.

- | | | |
|-------------|---|----------------|
| 1 | Minute | 1 - 4 |
| | Minute of meeting of the Executive Sub-committee held on 2 August 2019. | |
| 2 | Revenue Budget Monitoring | 5 - 8 |
| | Joint report by Treasurer and Director of Scotland Excel. | |
| 3 | Social Care Flexible Frameworks Governance | 9 - 10 |
| | Report by Director of Scotland Excel. | |
| 4(a) | Contract for Approval: Care Homes for Adults with Learning Disabilities Including Autism (CHALD) | 11 - 30 |
| | Report by Director of Scotland Excel. | |
| 4(b) | Contract for Approval: Supply and Delivery of Community Meals | 31 - 46 |
| | Report by Director of Scotland Excel. | |
| 4(c) | Contract for Approval: Supply and Distribution of Fresh Bread, Rolls and Baking Products | 47 - 58 |
| | Report by Director of Scotland Excel. | |
| 5(a) | Request for Associate Membership of Scotland Excel by Cornerstone Community Care | 59 - 60 |
| | Report by Director of Scotland Excel. | |
| 5(b) | Request for Associate Membership of Scotland Excel by Scottish Courts and Tribunals Service | 61 - 62 |
| | Report by Director of Scotland Excel. | |
| 5(c) | Request for Associate Membership of Scotland Excel by Scottish Police Authority | 63 - 64 |
| | Report by Director of Scotland Excel. | |

5(d) Request for Associate Membership of Scotland Excel by Shettleston Housing Association Limited 65 - 66

Report by Director of Scotland Excel.

6 Date of Next Meeting

Note that the next meeting of the Executive Sub-committee will be held at 10.45 am on 20 September 2019 in Scotland Excel Meeting Room 1, Renfrewshire House, Cotton Street, Paisley.



Minute of Meeting Scotland Excel Executive Sub-committee

Date	Time	Venue
Friday, 02 August 2019	10:00	Scotland Excel Meeting Room 1, Renfrewshire House, Cotton Street, Paisley

Present

Councillor Graham Hutchison (City of Edinburgh Council); Provost Norman Macdonald (Comhairle Nan Eilean Siar); Councillor Altany Craik (Fife Council); Bailie Norman MacLeod (Glasgow City Council); Councillor Paul Di Mascio (North Lanarkshire Council); and Councillor John Shaw (Renfrewshire Council).

By Video Conference

Councillor Alister Mackinnon (Highland Council).

Chair

Councillor Shaw, Convener, presided.

In Attendance

J Welsh, Director; S Brannagan, Head of Customer & Business Services; J McKerrall, Strategic Procurement Manager; L Campbell, Corporate Services Manager; G McColl, Senior Communications Specialist and J Bowles, Category Manager (all Scotland Excel); M Conaghan, Legal & Democratic Services Manager, E Currie, Senior Committee Services Officer and K O'Neill, Assistant Democratic Services Officer (all Renfrewshire Council).

Apologies

Provost Bill Howatson (Aberdeenshire Council); Councillor Angus Macmillan Douglas (Angus Council); Councillor Stephen Thompson (Dumfries and Galloway Council); Councillor Donald L Reid (North Ayrshire Council); and Councillor Amanda Hawick (Shetland Council).

Declarations of Interest

There were no declarations of interest intimated prior to commencement of the meeting.

1 Minute

There was submitted the Minute of the meeting of the Executive Sub-committee held on 21 June 2019.

DECIDED: That the Minute be approved.

Sederunt

Councillors Craik and Di Mascio entered the meeting during consideration of the following item of business.

2 Contract for Approval: New Build Residential Construction

There was submitted a report by the Director of Scotland Excel relative to the award of a national collaborative framework for the construction of new build residential properties.

The report intimated that the development of this framework had been funded by 11 councils and would provide councils, housing associations and other associate members with a mechanism to procure a range of residential properties from contractors, including all enabling and ancillary works and services. The framework focused primarily on the delivery of affordable houses, bungalows and flats, but allowed for the delivery of other residential properties such as sheltered housing, student accommodation and mixed tenure properties.

The Scottish Government introduced the Affordable Housing Supply Programme (AHSP) to address the shortfall in affordable homes and fund the building of 50,000 homes by 2021. As such there was an increased demand from members for these services and this would continue beyond the period of the AHSP.

The new framework supported the delivery of Scotland's National Outcomes which included tackling inequalities in Scottish society; living in well-designed, sustainable places with access to amenities and services we need; improving life chances for children, young people and families at risk; and allowing people to maintain their independence as they get older. The framework specification encouraged delivery of properties which complied with Housing for Varying Needs and Secure by Design to maximise the adaptability of the delivered properties and the living standards of tenants.

The framework had been divided into five lots as detailed in table 1 of the report and would be effective initially for a period of 24 months from the award date with an option to extend for up to a further 24 months.

The framework had been advertised at £1.5 billion over the maximum period of four years and it was noted that 13 councils had confirmed their intention to participate in the framework from the start date. It was anticipated that a further nine councils would use the framework in future and the remaining 10 councils were not currently looking to participate in the framework as they either had no housing stock or were using their other framework arrangements. To allow for potential migration from existing

arrangements, all 32 councils were included in the contract notice for the framework. Cross sectoral discussions had been held with Advanced Procurement for Universities and Colleges and associate members, including housing associations, who had confirmed their intention to participate in the framework. Appendix 1 to the report detailed the participation and spend summary.

The report summarised the outcome of the procurement process for this national framework agreement. From the 26 candidates brought forward to the ITT stage, Scotland Excel received 22 offers before the closing date. One supplier failed to submit a complete commercial response and as such this bid was non-compliant and the supplier had been advised that they would not be considered further.

Based on the criteria and scoring methodology set out in the tender document, a full evaluation of the 21 compliant offers had been completed and Appendix 3 to the report detailed the scoring achieved by each tenderer in each lot and per council area.

Based on the evaluation undertaken, and in line with the criteria and weightings set out in the report and to secure best value, capacity and coverage, it was recommended that a multi-supplier framework be awarded to 19 suppliers across the 32 geographical areas and five lots, as outlined in Appendix 3 to the report.

Appendix 4 to the report detailed suppliers with Scottish Living Wage status at the point of tender.

It was noted that Scotland Excel would host a national launch event for this framework on 8 October 2019 bringing together key players across procurement, housing and policy, together with the awarded suppliers. An invitation to this national launch event would be issued to members of the Executive Sub-committee.

It was proposed that the Director of Scotland Excel provide members with information in relation to the awarded suppliers history in relation to blacklisting; and further that the Director of Scotland Excel submit regular reports to the Joint Committee on rebate income from the New Build Housing Framework and other income streams.

DECIDED:

(a) That the award of the framework agreement, as detailed in Appendix 3 to the report, be approved;

(b) That the Director of Scotland Excel provide members with information in relation to the awarded suppliers history in relation to blacklisting; and

(c) That the Director of Scotland Excel submit regular reports to the Joint Committee on rebate income from the New Build Housing Framework and other income streams.

3 Date of Next Meeting

DECIDED: That it be noted that the next meeting of the Executive Sub-committee would be held at 10.45 am on 23 August 2019 in Scotland Excel Meeting Room 1, Renfrewshire House, Cotton Street, Paisley.

Scotland Excel

To: Executive Sub-Committee

On: 23 August 2019

Report by:

Joint Report by the Treasurer and the Director

Heading:

Revenue Budget Monitoring Report to 19 July 2019

1. Summary

- 1.1 At the end of Period 4, Scotland Excel is projecting a break-even position in its Core activities and Projects are anticipated to contribute £173k to Core, as per the budget approved in December 2018. Further detail is provided at section 4.

2. Recommendations

- 2.1 It is recommended that members note the report.

3. Background

- 3.1 The 2019/20 budget was approved by the Joint Committee on 7 December 2018. This included a temporary drawdown from Project reserve balances carried forward of £120k to fund Supported Living / Care at Home activity.
- 3.2 The Scottish Government has now made grant funding of £150k available for this activity, which means that reserve funding is no longer required in 2019/20.
- 3.3 Budget adjustments between budget headings have been processed, in order to better align to the reporting structure; for example, Apprenticeship Levy is now charged to Transfer Payments when it was previously budgeted in Employee Costs; and staff travel and mileage now sit within Transport Costs when they too were budgeted in Employee Costs.

- 3.4 In addition, a £14k reserve drawdown is now budgeted to cover the further 0.5% pay inflation awarded in 2018/19, as approved (but not quantified) in the 2019/20 budget report.
- 3.5 At 19 July 2019, the year-to-date net expenditure for Core was £694k, comprising gross expenditure of £927k, less gross income of £233k.
- 3.6 The projection for the end of 2019/20 is a break-even position for Core. This is comprised of a projected overspend of £30k in Employee Costs owing to some staff backfill arrangements, offset by the additional £30k in income relating to Supported Living / Care at Home, as outlined above. Income and expenditure will continue to be monitored through the financial year and this projection will be kept under review.
- 3.7 The year-to-date net expenditure for Projects is £59k, comprising gross expenditure of £341k, less gross income of £282k. Projects are expected to contribute £173k funding to Core Operations during 2019/20, as per the approved budget.
- 3.8 The following table provides an analysis of the actual spend to date along with projected net expenditure for 2019/20 and includes a summary of movement in the Revenue Reserve, as well as a glossary of terms.

REVENUE BUDGET MONITORING STATEMENT 2019/20

1 April 2019 to 19 July 2019

Description	Agreed Budget 2019/20	Budget adjustments	Revised Budget 2019/20	Year to Date Actual 2019/20	Projected Full Year Actual 2019/20	Projected Full Year Variance 2019/20
£000s	£000s	£000s	£000s	£000s	£000s	£000s
Employee Costs	3,130	(22)	3,108	778	3,138	(30)
Premises Related Costs	218	(1)	217	0	217	0
Supplies and Services	248	7	255	41	255	0
Support Costs	221	0	221	63	221	0
Supported Living/Care at Home	169	0	169	38	169	0
Transfer Payments	6	5	11	4	11	0
Transport Costs	10	25	35	3	35	0
Gross Expenditure	4,002	14	4,016	927	4,046	(30)
Requisition Income	(3,554)	0	(3,554)	0	(3,554)	0
Income from Projects	(173)	0	(173)	0	(173)	0
Temporary Use of Project Balances	(120)	0	(120)	0	0	(120)
Other Income	(155)	0	(155)	(233)	(305)	150
Gross Income	(4,002)	0	(4,002)	(233)	(4,032)	30
Drawdown from Reserves	0	14	14	694	14	0

Summary of in-year Movement in Reserves	£000s	Project Summary				
Opening Revenue Reserve at 1 April 2019	(246)	Gross Expenditure	1,428	341	1,428	0
Budgeted Draw on Reserves	14	Gross Income	(1,601)	(282)	(1,601)	0
Year-end overspend	0		(173)	59	(173)	0
Closing Revenue Reserve at 31 March 2020	(232)					

Glossary

Employee Costs: Includes direct employee costs such as salary costs, overtime and indirect employee costs such as training, recruitment advertising

Premises Related Costs: Includes expenses directly related to the running of premises and land, eg rates, rents and leases, utilities, contract cleaning

Supplies and Services: Includes all supplies and service expenses, such as ICT costs, and administrative costs such as stationery, postages, printing and advertising

Support Costs: Includes central support charges e.g. Renfrewshire Council SLA and telephony recharges

Transfer Payments: Includes costs of payments for which no good or services are received in return e.g. Apprenticeship Levy

Transport Costs: Includes all costs associated with the provision, hire or use of transport, including travelling allowances, taxi and car hire costs and staff mileage



Scotland Excel

To: Executive Sub Committee

On: 23 August 2019

**Report
by
Director Scotland Excel**

Social Care Flexible Frameworks Governance

1. Introduction and Background

The regulations relating to the procurement of social care services allow for a more flexible approach to the procurement of these services, in comparison to other goods or services, known as the 'light-touch' regime. As such, Scotland Excel has more scope to choose the procurement methodology most suited to the market whilst fundamentally adhering to the EU Treaty principles of non-discrimination, equal treatment, transparency and proportionality.

In order to best meet the needs of children, young people and adults, social care frameworks must offer a wide range of services to enable choice and as such, the frameworks must offer flexibility. Utilising the flexibility of the light touch regime, Scotland Excel has responded to this requirement by developing 'Flexible Framework Agreements' which were advertised with specially drafted contract conditions to permit the addition of new providers during the duration of the framework term. They were approved for award by the Scotland Excel Executive Sub Committee on this basis.

The Flexible Framework Agreements adopted in social care are similar in many respects to a Dynamic Purchasing System (DPS) under the ordinary procurement regulations. These have been adopted by Scotland Excel where market conditions demand namely for waste and cycling proficiency services.

As the social care Flexible Framework Agreements are established under the 'light-touch' regime these are not subject to the same restrictions as a traditional DPS such as the requirement to run a further competition before awarding a contract or the strict timescales for responding to new applicants. Instead the operation of each Flexible Framework Agreement is varied to suit the specific market requirements and ultimately the needs of those utilising the services.

Scotland Excel currently has two Flexible Framework Agreements for social care services currently in operation. They are;

- Children's Residential Care and Education Services including Short Breaks (0517) which was approved by the Scotland Excel Executive Sub Committee at its meeting held on 23 March 2018 and commenced on 1 May 2018 and;

- Social Care Agency Workers (2017) which was approved by the Scotland Excel Executive Sub Committee at its meeting held on 29 June 2018 and commenced on 1 August 2018.

2. Addition of Providers to Existing Flexible Framework Agreements

The Children's Residential Care and Education Services including Short Breaks is the first Flexible Framework Agreement to admit new providers on the basis outlined above. As detailed within the Flexible Framework Agreement, new providers may be permitted to apply to be included for the third and fourth year of operation. It is anticipated that the process of adding providers for year three will commence in September 2019.

The Flexible Framework Agreement for Social Care Agency Workers also enables the addition of new providers to ensure sufficient service coverage across all geographical regions in Scotland. Scotland Excel can seek new providers to be added to certain lots or regions as required at a frequency as determined by the requirements of the purchasing authorities.

In order to ensure equal treatment of providers applying to join any Flexible Framework Agreement and to confirm that any new provider meets the required framework standards, Scotland Excel will replicate the initial procurement procedures at the point of application for new providers. This will ensure new providers are subject to the same minimum requirements and assessment as those who applied to participate in the framework from its commencement date.

Following evaluation of offers received, it is proposed that a report detailing the recommendation to award will be submitted to the Director of Scotland Excel (or Head of Strategic Procurement in the Director's absence) for approval.

In line with the agreed governance for existing DPS arrangements, it is proposed that the Executive Sub-Committee will be updated on the addition of providers to Flexible Framework Agreements on an annual basis via incorporation to the Annual Procurement Report.

3. Recommendation Summary

The Executive Sub Committee are requested to;

1. Grant Delegation of Authority to the Director of Scotland Excel (or Head of Strategic Procurement in the Director's absence) or their delegates to approve award recommendations for any new entrants for both the Children's Residential Care and Education Services including Short Breaks (05/17) and Social Care Agency Workers (20/17) Flexible Framework Agreements; and
2. Approve Scotland Excel's proposal that the Executive Sub-Committee be updated on the addition of providers to both Flexible Framework Agreements on an annual basis via incorporation to the Annual Procurement Report.



Scotland Excel

To: Executive Sub Committee

On: 23 August 2019

**Report
by
Director Scotland Excel**

Tender: Care Homes for Adults with Learning Disabilities Including Autism

Schedule: 1918

Period: 16 September 2019 to 15 September 2023

1. Introduction and Background

People with learning disabilities can include people who have a range of complex needs including autism spectrum disorder, physical disabilities, sensory impairment, complex health needs, restricted communication and behaviour which challenges services, mental health needs, offending behaviour or a combination of these, as defined in “The Keys to Life” strategy¹, the Scottish Government’s 10-year strategy for learning disability services

Recommendation 6 of The Keys to Life specifically recommended development of a national framework agreement to “improve the quality and consistency of support for people with learning disabilities who have a long-term need for specialist residential care”.

The first-generation framework was a direct response to this recommendation. As “The Keys to Life” strategy remains in place, and after consultation with stakeholders and consideration of alternative options, Scotland Excel progressed on the renewal of this framework.

This framework will seek to ensure there continues to be sufficient choice of quality and value for money provision with the capability and capacity to deliver suitable services, as required. Furthermore, the framework will seek to encourage innovative approaches to promoting choice and control, increasing life choices and improving lifestyles for adults with learning disabilities. A key element includes supporting people to maintain or develop links with their preferred communities.

¹ Scottish Government 2013, <http://www.scotland.gov.uk/Resource/0042/00424389.pdf>

This framework therefore needs to offer a sufficient choice of services to meet these requirements. Scotland Excel has responded to this by developing this renewal as a flexible framework agreement.

The framework aims to bring flexibility and scope to meet the future needs of adults with learning disabilities and local authorities by allowing the addition of new providers and/or services at up to three points during the framework period, aligned with the price uplift periods, to ensure fairness to all providers in regard to rates.

New entrants may apply to be admitted to the framework following an evaluation of the same criteria as the initial evaluation. This will ensure a consistent approach to quality of services on the framework.

Incumbent providers may apply to have new services admitted to the framework at these same points, but as these providers have already passed the qualification and quality evaluation process, this will be based on an abbreviated evaluation process.

For providers/services awarded a place on the framework at its commencement date the maximum period of award will be up to 48 months. For providers/services who are subsequently appointed to the framework, the following periods will apply:

- Joining Date of 1 April 2021 – Sept 2023 (29 months)
- Joining Date of 1 April 2022 – Sept 2023 (17 months)
- Joining Date of 1 April 2023 – Sept 2023 (5 months)

2. Scope, Participation and Spend

A user intelligence group (UIG) was formed of local authority representatives and the procurement strategy was discussed and endorsed at the UIG meeting on 1 November 2018. At this meeting discussions also included sharing of best practice and contribution towards the development of tender documentation, including the strategy, specification, tender evaluation methodology and management information templates.

A smaller professional advisory group, made up of local authority representatives who had experience in this area of care, assisted in further development of the tender evaluation methodology documents.

The structure of the new framework is based on the existing model, whilst encompassing changes to policy, guidance and legislation, including the Health and Social Care Standards, the new Care Inspectorate (CI) inspection framework and the refresh of the Keys to Life strategy. It continues to focus on clearly specified core service options, with the opportunity to include a wide range of additional services.

To date 24 Local Authorities have made placements or transferred existing placements through the current framework.

North Lanarkshire Council indicated that it did not wish to participate in the framework, in line with its policy of not purchasing adult residential care. The framework will be open to the remaining 31 Local Authorities, NHS organisations and integrated bodies. Local Authorities confirmed forecast spend and based on both

framework and non-framework spend, the framework was advertised at £106 million over the four-year term, £26.7 million per annum. A breakdown of the forecast can be seen in Appendix 2.

Spend may initially be low and increase quarter on quarter throughout the framework duration, in line with the current framework. This is due to the fact that the transfer of placements from the current framework is not automatic and requires to be mutually agreed between the purchaser and provider.

However, the appointment of a number of new providers and services to the framework – including newly developed services - may negate this and even out the low initial spend level experienced under the current framework.

3. Procurement Process

Scotland Excel also engaged with a range of other stakeholders to develop the framework at sessions held on 8 and 9 October 2018, in Glasgow and Edinburgh, respectively. Invitations were extended to providers (incumbent and non-incumbent), local authorities and other stakeholders, such as Convention of Scottish Local Authorities (COSLA), Coalition of Care and Support Providers in Scotland (CCPS) and Scottish Care.

Scotland Excel has also developed an Adult Social Care Strategic Steering Group, which will have sight of all work under the Adult Social Care Team portfolio. This is made up of a range of representatives, including both CCPS and Scottish Care, ensuring they have visibility of the work.

A meeting with incumbent providers took place on 24 October 2018, to review the existing framework, and resulted in feedback on information relating to the current framework - what was working well, what could be improved and providers' experiences in general – as well as ideas and suggestions for incorporation into the new framework.

A desktop analysis of inspection reports from the Care Inspectorate, covering services on the current framework, was undertaken to collate views of supported people and their families.

Scotland Excel recognises that earlier and consistent engagement is necessary to continually identify areas for improvement and other feedback, and therefore is working to develop a robust communication strategy for ongoing engagement with key stakeholders throughout the framework period.

The Public Contracts (Scotland) Regulations allow for a more flexible approach to the procurement of these services, known as the 'light-touch' regime. As such, Scotland Excel has more scope to choose the procurement methodology most suited to the market whilst fundamentally adhering to the EU Treaty principles of non-discrimination, equal treatment, transparency and proportionality.

Applying the light touch regime and considering the market for these services, this framework has been developed to be a flexible framework, permitting new entrants and changes to existing participants on the published tender conditions during the framework.

Under the light touch regime, a procedure similar to an open tender procedure was used whereby providers were evaluated against predetermined criteria. Stage one, Qualification, was conducted using the European Single Procurement Document (ESPD). Within the ESPD, tenderers were required to answer a number of qualification questions along with questions on insurance, financial standing and registration with appropriate regulatory bodies. Other mandatory criteria included a minimum grade of 4 from the Care Inspectorate for “Care and Support” – an increase from the previous requirement of 3.

The invitation to tender (ITT) was published on 4 April 2019 and the offers were evaluated against the following criteria:

Table 1: Evaluation Criteria

SECTION	Marks Available
QUALITY	70.00
Community Benefits	10.00
Fair Working Practices	10.00
Human Trafficking and Exploitation	unscored (Mandatory)
Scottish Living Wage	unscored (Mandatory)
Sustainability	5.00
Scenario Based Study	45.00
<i>Response to Scenario Based Study</i>	<i>40.00</i>
<i>Innovative Practices</i>	<i>5.00</i>
COMMERCIAL	30.00
Section A - Core Price	30.00
Section B - Additional Services Prices	unscored
Section C - Budget Fees	unscored (Mandatory)
Section D - Staffing Schedule	unscored (Mandatory)

Due to the variation in levels of support in each service, and the subsequent impact on rates, providers were asked to submit a weekly Core Rate (Section A) and to provide the ratios of staff members per supported person in the service (Section D). These responses allowed a banding of the services, dependent on the intensity of support offered in each setting. Services were then evaluated within their banded group, ensuring a fair comparison.

4. Report on Offers Received

A total number of 26 providers and 70 services tendered. One provider could not commit to implementing the insurance requirements and withdrew their two services. Another provider submitted a bid for a care home which did not meet the Care Inspectorate registration requirements and withdrew this upon clarification.

A further provider, who had submitted ten services, withdrew in the latter stages of evaluation.

Based on the criteria and scoring methodology set out in the tender documents, a full evaluation of the remaining compliant offers received was conducted and details of the overall scores are set out in Appendix 1.

5. Recommendations

In order to maximise the availability of support arrangements to local authorities to ensure continued choice for people who use the services, and based on the evaluation, it is recommended that participation on the framework be awarded (both immediate and deferred) to 24 providers and 57 care homes detailed in Appendix 1.

The terms of the framework require that providers hold at least a grade 4 for “Care and Support” criteria of a Care Inspectorate inspection, and this reflects the high quality of services tendered. There were a number of services which did not meet this requirement.

The care homes with grades lower than a four are recommended for a deferred award. This deferral will be valid for 12 months, whereby the provider must evidence sufficient improvement and inspection grades which do meet the requirement.

Those with outstanding details, due to finalisation of new registration, are also recommended for a deferred award and will have to evidence requirements have been met within 12 months, to reverse the deferred award.

The 24 providers recommended for award (both immediate and deferred) are a mix of small, medium and large organisations, with 14 being medium or small sized enterprises, including one sole trader, as outlined in Appendix 4. Six providers are charitable organisations.

In order to ensure equal treatment of providers applying to join the framework agreement and to confirm that any new provider meets the required framework standards, Scotland Excel will replicate the initial procurement procedures at the point of application for new providers. This will ensure new providers are subject to the same minimum requirements and assessment as those who applied to participate in the framework from its commencement date.

Following evaluation of offers received, it is proposed that a report detailing the recommendation to award will be submitted to the Director of Scotland Excel (or Head of Strategic Procurement in the Director’s absence) for approval.

It is proposed that the Executive Sub-Committee will be updated on the addition of providers to the framework on an annual basis via incorporation to the Annual Procurement Report.

6. Benefits

Price Stability

The providers have all agreed to hold their fees at least eighteen months, until 1 April 2021. Any subsequent request for a fee increase will only be considered in accordance with the contract terms and conditions, including timescales, and will be evaluated against prevailing market conditions.

Cost Impact

Following evaluation of the commercial submissions, Scotland Excel identified increases in the weekly rates from most incumbent suppliers and one decrease.

An increase in rates was anticipated, particularly from the organisations which had not applied for uplift throughout the duration of the current four-year framework and from those which had requests for significant increases declined.

The average increase to rates offered against current rates is approximately 8.23%, with changes varying between -3.06% to 30.64%. This highest increase was submitted by an incumbent provider who had previously requested a similar uplift but was rejected. Although this does represent a significant percentage increase, the service remains below the average of all rates offered.

A number of providers submitted rates which raised the overall average, and these will be discussed further with the relevant providers prior to the commencement date to determine where increases can be minimised. Scotland Excel reserves the right to negotiate post-tender, and will take this opportunity to help local authorities minimise the impact in this area.

Benchmarking on this type of framework does not offer a true reflection of future impact to local authorities due to the nature of the services, the terms of the framework, and the ability to agree rates reflective of the needs of the individual. Therefore, a figure of 0% has been included in the benchmarking impact column in Appendix 2.

Under the terms, placements will not automatically transfer over to the new framework, therefore comparing costs against existing placements gives a false forecast. Local authorities can continue with existing placements under current arrangements until such time that rates align.

The person-centred approach of commissioning these type of social care services means that previous spend is not an indicator of future spend. Services are purchased in response to people's needs and outcomes, so can vary greatly at any given time, including implementing additional services to ensure supported people receive the most appropriate support arrangements.

Furthermore, purchasers can use the framework rates as a ceiling rate and agree specific details with providers locally, reflective of the needs of each person, within the parameters of the framework. This approach has been successful throughout the duration of the current framework, and purchasers have received guidance on this approach in order to aid them in minimising the cost impact when securing support arrangements.

As noted previously, spend on the current framework increased year on year, and this is anticipated to continue, as more existing placements move over to the new framework. Therefore, details of the new rates have been issued to local authorities, with emphasis on services they have previously used.

However, as the new framework has been successful in increasing the number of care homes available, Scotland Excel will support all local authorities to explore best value placement decision making, whilst ensuring the needs of the individual continue to be met.

Sustainable Procurement Benefits

The sections which cover Community Benefits, Sustainability and Fair Working Practices were all derived from the Scottish Government's National Performance Framework, the National Indicators and Outcomes, and the Sustainable Development Goals linked to these. Each of the sections is underpinned by these and refer back to them in the questions set, the evaluation of the responses and measurement of these in the future.

After review of the outputs of the Scottish Government Sustainability Test a number of Indicators and Development Goals were determined to be the most appropriate to this sector. These included Employee Voice, Gender balance in organisations, loneliness, gender equality, good health and wellbeing and reduced inequalities.

Community Benefits

At the strategy UIG, the group developed and endorsed that community benefits attained would be delivered at a local level for each individual local authority. This is a different approach to that adopted on the current framework and should ensure that local authorities receive community benefits tailored to their spend levels and local authority area.

All tenderers confirmed their commitment to Scotland Excel's community benefits approach for this framework. Delivered benefits will be based on the annual spend thresholds provided for each individual local authority.

On an annual basis, Scotland Excel will calculate which annual spend thresholds have been met based on submitted management information and will provide this information to relevant providers and local authorities. Providers will report delivered community benefits to Scotland Excel on a six-monthly basis.

When Providers meet the minimum annual spend threshold with an individual local authority they will discuss with that local authority community benefits lead or other designated person to determine the specific benefits which will be offered under this framework.

Although these will be developed between the parties, in the published tender documents tenderers were given a list of indicative community benefits that could be agreed with local authorities, falling into Economic, Social and Environmental groups, and aligned to the National Performance Framework, and the Sustainable Development Goals. Examples included fundraising, sponsorship, recruitment of apprentices, work experience and training sessions within the community.

Sustainability

Again, in line with the National Performance Framework and through outputs generated via the Scottish Government Sustainability Test, tenderers were asked to respond to a question which sought to establish how their organisation would commit to promoting sustainability, focusing on areas which are particularly relevant to this sector:

- Energy from renewable sources
- Waste Generated
- Gender Equality
- Decent Work and Economic Growth
- Responsible Consumption and Production

Tenderers detailed a wide range of practices and policies which contribute to the Scottish Governments commitment to environmental justice and planetary preservation.

Tenderers gave examples of the of growing food, buying local produce, sustainable travel options, the use of energy efficient heating and lighting, reuse and recycle initiatives.

Practices which offered sustainability in regard to employment included staff training, payment of Scottish Living Wage, gender neutral recruitment, as well as gender balance in the workforce and managerial structures.

Fair Work Practices

Tenderers were asked to describe how they would commit to fair work practices for staff engaged in the delivery of this framework agreement. As well as the National Indicators, tenderers were invited to consider elements from the Fair Working Convention.

Good responses outlined areas such as:

- Fair and equal pay;
- Contractual Stability, flexible working;
- Eradication of zero-hour contracts;
- Improving the wider diversity of staff;

- Investment in skills development and training;
- Clear managerial responsibility; and
- Openness, transparency and tolerance of different viewpoints.

As part of the contract management process, Scotland Excel continues to monitor the Scottish Living Wage. At the time of tender, of the 24 recommended tenderers 23 pay the Scottish Living Wage or above to all employees (except volunteers, apprentices and interns). Further details of the responses received is included in Appendix 3, but in summary:

- three advised they are accredited Living Wage Employers;
- one is signed up to the Glasgow Living Wage;
- one has committed to gaining accreditation over the initial two-year period of the framework;
- one is currently undergoing the accreditation process.

The remaining provider did pay the Scottish Living Wage to all workforce until the latest update to the Scottish Living Wage. They are currently undergoing a review of internal budgets with the aim of returning themselves to this position.

Scotland Excel monitors Fair Work Practices, including Scottish Living Wage, within its contract and supplier management programme and will work with all remaining providers to encourage them to continue to pay all staff the Scottish Living Wage.

Other Benefits

Quality of Service and Improving Outcomes

The Care Inspectorate regulates and inspects care services in Scotland to make sure that they meet the standards required to provide a quality care service.

During tender development, it was ascertained that 95% of care homes on the current framework, and 91% of care homes throughout Scotland were graded 4-6 (good, very good or excellent) by the Care Inspectorate for “Care and Support” (or equivalent following the restructure of the Care Inspectorate Inspection framework).

In line with other frameworks in the Scotland Excel Social Care portfolio, and in agreement with the UIG, a requirement was set for a grade of 4 or above for care homes seeking inclusion in the framework – an increase from the previous requirement of 3. Tenderers were informed that grades below this would result in a deferred status on the framework, with a 12-month period to rectify this situation.

Within the terms of the framework, there is a defined process which addresses the process undertaken when services do not maintain the required grades. Scotland Excel will continue to monitor this and the quality of service, in collaboration with the Care Inspectorate and local authorities.

Increased Coverage

Throughout the current framework period, the number of care homes on the framework declined. A number of providers removed care homes which were not

fully aligned with the framework, as their models of care evolved; or proposed changes to their services to match the framework requirements did not materialise.

However, despite a decline in the number of care homes for adults with learning disabilities available in Scotland, coverage on the new framework has increased, bringing benefits to local authorities, particularly those wishing to consolidate spend in this sector. These benefits include clearer contract management and spend analysis, along with standard terms and conditions, as well as providing increased choice for those who use the services.

Management Information

On a quarterly basis, framework providers will submit management information. Scotland Excel will continue to use this information to create contract management reports. These contract management reports will provide a detailed account of spend and use by provider and local authority and relevant trend information.

New reporting mechanisms will collate information from a variety of sources, and will offer a responsive, searchable service directory, as well as the ability to review an up to date schedule of providers, cares, Care Inspectorate grades and local authority spend.

This has still to be fully developed in collaboration with local authorities, and will be available to participating Scotland Excel members via the Members Area of the website.

Management information and annual reports will continue to be developed by Scotland Excel to improve reporting to purchasers to enable them to understand their placement patterns in relation to the national picture.

7. Contract Mobilisation and Management

One request which arose from engagement sessions was for more frequent meeting of purchasers, both singularly and collectively. These will be convened on a regular basis throughout the period.

Scotland Excel will host mobilisation events for both providers and local authorities and will provide a mobilisation pack to commissioners which will contain details on the contract arrangements and other relevant documents such as the individual support arrangement agreement which they will complete for every placement.

As well as the information outlined above, management information includes a range of other data, such as individual placements, incidents/complaints, as well as staffing retention and levels. These additional areas will also be monitored and analysed by Scotland Excel and used in the creation of management information reports.

8. Summary

This framework aims to maximise collaboration and provide local authorities with a wide choice of high quality, person services which focus on the best outcomes for adults with learning disabilities including autism.

The Executive Sub Committee is requested to:

- Approve the recommendations to award this framework agreement as detailed in Appendix 1;
- Grant Delegation of Authority to the Director of Scotland Excel (or Head of Strategic Procurement in the Director's absence) or their delegates to approve award recommendations for any new entrants to the framework; and
- Approve Scotland Excel's proposal that the Executive Sub-Committee be updated on the addition of providers to the framework on an annual basis via incorporation to the Annual Procurement Report.

Appendix 1 - Scoring and Recommendations

Band 1 Services

Provider	Care Inspectorate Name	TECHNICAL SCORE	COMMERCIAL SCORE	TOTAL SCORE	Result
Enable, Glasgow Branch	Balshagray House	70.00	26.58	96.58	Successful - Award
Enable, Glasgow Branch	Esmond Street Advanced Support Service	70.00	23.60	93.60	Successful - Award
Capability Scotland	Lanarkshire Houses	68.75	16.27	85.02	Successful - Award
Capability Scotland	Wallace Court	68.75	14.75	83.50	Successful - Award
Capability Scotland	Upper Springland Annaty	68.75	14.64	83.39	Successful - Award
Capability Scotland	Upper Springland Tayview	68.75	14.64	83.39	Successful - Award
ARK Housing Association Ltd	ARK Grangemouth Care Home	55.75	27.02	82.77	Successful - Award
Voyage 1 Limited t/a Voyage Care	Treddinloch	69.00	13.07	82.07	Successful - Award
Voyage 1 Limited t/a Voyage Care	Beechmount	69.00	12.95	81.95	Successful - Award
Voyage 1 Limited t/a Voyage Care	Barrington House	69.00	12.52	81.52	Successful - Award
Capability Scotland	Upper Springland Rosiebank Tummel	68.75	12.50	81.25	Successful - Award
The Richmond Fellowship Scotland Limited	Plover Brae	67.50	12.11	79.61	Successful - Award
Voyage 1 Limited t/a Voyage Care	Mannering	69.00	8.29	77.29	Successful - Award
Community Integrated Care	Muir's Court	60.00	17.12	77.12	Successful - Award
Voyage 1 Limited t/a Voyage Care	Tweed Lodge	69.00	8.03	77.03	Successful - Award
The Mungo Foundation	Lanark Project	57.75	18.26	76.01	Successful - Award
The Mungo Foundation	Beacon House	57.75	17.86	75.61	Successful - Award
Community Integrated Care	Lismore House	60.00	14.96	74.96	Successful - Award
Community Integrated Care	Mill Road	60.00	14.86	74.86	Successful - Award
Stoneywood Care Services Limited	Stoneywood House & Villa	56.25	18.39	74.64	Successful - Award
Deanston House Limited	Deanston House Limited	64.00	10.00	74.00	Successful - Deferred
Scottish Autism	Scottish Autism - South West Area Services - Staikhill	59.00	14.22	73.22	Successful - Award
Scottish Autism	Parkside Court	59.00	13.62	72.62	Successful - Award
The Mungo Foundation	Mitre House	57.75	14.32	72.07	Successful - Award
Enhance Healthcare Ltd	Clyde Valley Care Home	55.25	16.80	72.05	Successful - Award
Enhance Healthcare Ltd	Harbour Care Home	55.25	16.80	72.05	Successful - Award
Enhance Healthcare Ltd	Lochside Manor	55.25	16.80	72.05	Successful - Deferred
Community Integrated Care	Colleonard Court	60.00	11.45	71.45	Successful - Award
Scottish Autism	Scottish Autism, Central Scotland Area Services - Supported Accommodation	59.00	12.37	71.37	Successful - Award
Garvald West Linton Ltd.	Garvald West Linton	54.50	16.46	70.96	Successful - Award
Sanctuary Care (Combined) Limited	Millport Care Centre	54.50	15.93	70.43	Successful - Award
Archway (Respite Care and Housing) Limited	Berryden Mills	52.00	15.98	67.98	Successful - Award
Real Life Options	Longcroft	56.00	9.96	65.96	Successful - Award
Cygnat Health Care Limited	Ellen Mhor	57.00	8.90	65.90	Successful - Award
Cygnat Health Care Limited	Ranaich House	57.00	8.90	65.90	Successful - Award
Cygnat Health Care Limited	Thistle Care Home	57.00	8.90	65.90	Successful - Award
Cygnat Health Care Limited	Trinity House	57.00	8.90	65.90	Successful - Award
Cygnat Health Care Limited	Caledonia House	57.00	8.90	65.90	Successful - Deferred
Cygnat Health Care Limited	Thistle House	57.00	8.90	65.90	Successful - Deferred

Band 1 Services (cont'd)

Provider	Care Inspectorate Name	TECHNICAL SCORE	COMMERCIAL SCORE	TOTAL SCORE	Result
Scottish Autism	Clannalba	59.00	5.43	64.43	Successful - Award
Scottish Autism	New Ridgepark	59.00	5.43	64.43	Successful - Award
Consensus Support Services Limited	Clare House	52.75	11.60	64.35	Successful - Award
Archway (Respite Care and Housing) Limited	153 Victoria Street	52.00	12.30	64.30	Successful - Award
Archway (Respite Care and Housing) Limited	31 Two Mile Cross	52.00	12.30	64.30	Successful - Award
Swanton Care & Community (Southfield Care Homes) Limited	Southfields	56.25	6.76	63.01	Successful - Deferred
Parkcare Homes (No.2) Limited	Dunvegan - Stenhousemuir	42.00	18.33	60.33	Successful - Award
Parkcare Homes (No.2) Limited	Kirklea	42.00	18.12	60.12	Successful - Award
Parkcare Homes (No.2) Limited	Newhouse	42.00	17.60	59.60	Successful - Deferred
Orems Care Services Limited	Orems Care Services Ltd - Eilean Gorm	52.25	6.91	59.16	Successful - Award
Anne Reynolds T/A Denovan Care	Denovan Care	27.25	30.00	57.25	Successful - Award
Parkcare Homes (No.2) Limited	Millburn Homes - adult care	42.00	8.46	50.46	Successful - Award
PHEW (Scotland)	Phew	27.25	15.16	42.41	Successful - Award
Caring Homes Healthcare Group Limited	Hillview Court	29.75	12.29	42.04	Successful - Award
Caring Homes Healthcare Group Limited	Marchglen Care Centre	29.75	11.48	41.23	Successful - Award

Band 2 Services

Provider	Care Inspectorate Name	TECHNICAL SCORE	COMMERCIAL SCORE	TOTAL SCORE	Result
Camphill (Blair Drummond Trust) Limited	Camphill Blair Drummond	57.75	24.98	82.73	Successful - Award
Archway (Respite Care and Housing) Limited	71 Westburn Road	52.00	30.00	82.00	Successful - Award
Parkcare Homes (No.2) Limited	Millburn Homes - shared	42.00	22.00	64.00	Successful - Award

Appendix 2 – Forecast Spend

Member Name	Participation in Contract	Participation Entry Date	Estimated Annual Spend (£)	Source of Spend Data	% Estimated Impact	Estimated Annual Impact (£)	Basis of Calculation
Aberdeen City Council	Yes	16 September 2019	£1,598,326	Spikes Cavell/Member validation			Reviewed against current contract
Aberdeenshire Council	Yes	16 September 2019	£1,836,846	Spikes Cavell/Member validation			Reviewed against current contract
Angus Council	Yes	16 September 2019	£340,206	Spikes Cavell/Member validation			Reviewed against current contract
Argyll & Bute Council	Yes	16 September 2019	£796,746	Spikes Cavell/Member validation			Reviewed against current contract
City of Edinburgh Council	Yes	16 September 2019	£153,600	Spikes Cavell/Member validation			Reviewed against current contract
Clackmannanshire Council	Yes	16 September 2019	£177,317	Spikes Cavell/Member validation			Reviewed against current contract
Comhairle nan Eilean Siar	Yes	16 September 2019	£1,235,495	Spikes Cavell/Management Information			Reviewed against current contract
Dumfries & Galloway Council	Yes	16 September 2019	£758,865	Spikes Cavell/Member validation			Reviewed against current contract
Dundee City Council	Yes	16 September 2019	£113,219	Spikes Cavell/Management Information			Reviewed against current contract
East Ayrshire Council	Yes	16 September 2019	£933,492	Spikes Cavell/Member validation			Reviewed against current contract
East Dunbartonshire Council	Yes	16 September 2019	£37,549	Spikes Cavell/Management Information			Reviewed against current contract
East Lothian Council	Yes	16 September 2019	£373,341	Spikes Cavell/Management Information			Reviewed against current contract
East Renfrewshire Council	Yes	16 September 2019	£0	Spikes Cavell/Management Information			Reviewed against current contract
Falkirk Council	Yes	16 September 2019	£3,914,729	Spikes Cavell/Member validation			Reviewed against current contract
Fife Council	Yes	16 September 2019	£0	Spikes Cavell/Member validation			Reviewed against current contract
Glasgow City Council	Yes	16 September 2019	£1,387,016	Spikes Cavell/Member validation			Reviewed against current contract
Highland Council	Yes	16 September 2019	£0	Spikes Cavell/Member validation			Reviewed against current contract
Inverclyde Council	Yes	16 September 2019	£998,110	Spikes Cavell/Member validation			Reviewed against current contract
Midlothian Council	Yes	16 September 2019	£15,982	Spikes Cavell/Member validation			Reviewed against current contract
Moray Council	Yes	16 September 2019	£0	Spikes Cavell/Management Information			Reviewed against current contract
North Ayrshire Council	Yes	16 September 2019	£0	Spikes Cavell/Management Information			Reviewed against current contract
North Lanarkshire Council	No	not applicable	£0	Member validation			not applicable
Orkney Islands Council	Yes	16 September 2019	£0	Spikes Cavell/Member validation			Reviewed against current contract
Perth & Kinross Council	Yes	16 September 2019	£12,836	Spikes Cavell/Management Information			Reviewed against current contract
Renfrewshire Council	Yes	16 September 2019	£262,674	Spikes Cavell/Member validation			Reviewed against current contract
Scottish Borders Council	Yes	16 September 2019	£948,145	Spikes Cavell/Management Information			Reviewed against current contract
Shetland Islands Council	Yes	16 September 2019	£0	Spikes Cavell/Member validation			Reviewed against current contract
South Ayrshire Council	Yes	16 September 2019	£0	Spikes Cavell/Management Information			Reviewed against current contract
South Lanarkshire Council	Yes	16 September 2019	£7,601,559	Spikes Cavell/Member validation			Reviewed against current contract
Stirling Council	Yes	16 September 2019	£225,336	Spikes Cavell/Member validation			Reviewed against current contract
West Dunbartonshire Council	Yes	16 September 2019	£620,452	Spikes Cavell/Member validation			Reviewed against current contract
West Lothian Council	Yes	16 September 2019	£2,335,002	Spikes Cavell/Member validation			Reviewed against current contract
Totals			£26,676,843		0.0%	£0	

Appendix 3 – Scottish Living Wage Position

Tenderer	Accredited	Currently progressing through Scottish Living Wage accreditation process	Pay Scottish Living Wage to all employees, and committed to gaining accreditation over the initial 2 years of framework	Pay Scottish Living Wage to all employees, but not accredited	Neither accredited nor paying Scottish Living Wage, but do commit to pay the Scottish Living Wage to all employees over the initial 2 years of the framework	Neither accredited nor paying Scottish Living Wage
Archway (Respite Care and Housing) Limited						Yes
ARK Housing Association Ltd				Yes		
Camphill Blair Drummond Trust Limited			Yes			
Capability Scotland				Yes		
Caring Homes Healthcare Group Limited				Yes		
Community Integrated Care				Yes		
Consensus Support Services Limited				Yes		
Parkcare Homes (No.2) Limited				Yes		
Cygnat Health Care Limited				Yes		
Anne Reynolds t/a Denovan Care				Yes		
Enable, Glasgow Branch				Yes		
Deanston House		Yes				
Enhance Healthcare Ltd				Yes		
Garvald West Linton Ltd.				Yes		
Orems Care Services Limited	Yes					
PHEW (Scotland)	Yes					
Real Life Options				Yes		
Sanctuary Care (Combined) Limited				Yes		
Scottish Autism				Yes		
Stoneywood Care Services Limited	Yes					
Swanton Care & Community (Southfield Care Homes) Limited				Yes		
The Mungo Foundation				Yes		
The Richmond Fellowship Scotland Limited				Yes		
Voyage 1 Limited t/a Voyage Care				Yes		

Appendix 4 - SME Status

Provider	Postal Town/City:	Organisation Size
Anne Reynolds T/A Denovan Care	Denny, Falkirk	Small
Archway (Respite Care and Housing) Limited	Aberdeen	Medium
ARK Housing Association Ltd	Edinburgh	Large
Camphill Blair Drummond Trust Limited	Stirling	Medium
Capability Scotland	Glasgow	Large
Caring Homes Healthcare Group Limited	Colchester	Large
Community Integrated Care	Widnes, Cheshire	Medium
Consensus Support Services Limited	Colchester	Large
Cygnat Health Care Limited	Sevenoaks	Large
Deanston House Limited	Doune, Stirling	Medium
Enable, Glasgow Branch	Glasgow	Medium
Enhance Healthcare Ltd	Hamilton	Medium
Garvald West Linton Ltd.	West Linton, Scottish Borders	Medium
Orems Care Services Limited	Glasgow	Small
Parkcare Homes (No.2) Limited	London	Large
PHEW (Scotland)	Motherwell	Small
Real Life Options	Knottingley, Wakefield	Large
Sanctuary Care (Combined) Limited	Worcester	Large
Scottish Autism	Alloa	Medium
Stoneywood Care Services Limited	Denny, Falkirk	Medium
Swanton Care & Community (Southfield Care Homes) Limited	Falkirk	Medium
The Mungo Foundation	Glasgow	Medium
The Richmond Fellowship Scotland Limited	Stepps	Large
Voyage 1 Limited t/a Voyage Care	Lichfield	Medium



Scotland Excel

To: Executive Sub Committee

On: 23 August 2019

Report by Director Scotland Excel

Tender: Supply and Delivery of Community Meals

Schedule: 20/18

Period: 1 September 2019 until 31 August 2022 with the option to extend for up to 12 months until 31 August 2023 (effective date 1 October 2019)

1. Introduction and Background

Following User Intelligence Group (UIG) discussions and based upon the high level of satisfaction with the current framework, it was agreed that a renewal framework should be established.

This framework will provide a wide variety of nutritionally balanced, good quality, affordable meals which will be delivered to people in their own homes, community venues and council premises.

The community meal service has the potential to reduce expenditure in health and social care by reducing admissions to hospital due to malnutrition and by enabling people to stay independently in their homes for longer. In addition, it can contribute to wellbeing and recovery after illness and assist in earlier discharge from hospital. The framework compliments the ongoing work being done by Scotland Excel for Care and Support Services. The community meals delivery service also provides a wellbeing and safety checks, which are crucial for those living alone.

2. Scope, Participation and Spend

There are a variety of ways of delivering social care and support services across Scotland which are complemented by community meals provision. Therefore, there is a need to have different purchasing requirements as well as varying approaches to customer payment contributions. As part of strategy development, the UIG approved the inclusion of three lots as summarised in Table 1. This lotting strategy recognises the current structure of the market place and was designed to align with council requirements.

Table 1: Lotting Structure

Lot No.	Description	Estimated % Spend through lot
1	Bulk Delivery to a Central Distribution Point. This enables the bulk purchase and delivery of frozen meals which can then be heated in council kitchens before in-house delivery.	34%
2	Frozen Delivery Service to Customers at Home/ Nominated Premises, where a batch of frozen meals directly to the customer to enable them to heat their meals as and when required.	43%
3	Daily Delivery of Hot Meals to Customers at Home/ Nominated premises, where the supplier delivers a daily two course hot meal directly to the customer in their home	23%

As detailed in Appendix 1, 16 councils have confirmed their intention to participate in this framework. The remaining councils have confirmed that they will not participate due to either having no requirement for community meals service or having their own arrangements in place. All member councils however are listed in the contract notice as potential participants so that they may access the framework in the future if required where an offer was received for them.

Based on the spend profile of council members, the framework has an advertised forecast spend of approximately £4 million per annum across all three lots.

3. Procurement Process

A User Intelligence Group (UIG) consisting of representatives from participating councils agreed the procurement strategy. In addition, a working group consisting of technical and procurement representatives was formed to review technical specifications and the core product list.

Engagement with the market was carried out via a Prior Information Notice (PIN) which was published on 15 October 2018 whereby suppliers were invited to meet with Scotland Excel. As part of standard contract management, Scotland Excel invited all incumbent suppliers to meet and discuss the development of the renewal framework.

This consultation process with the supply base resulted in the sharing of valuable information. This was in relation to market trends and volume banded pricing which was taken into consideration in preparation of this framework. The engagement process also confirmed that this market is limited in terms of supply.

To ensure maximum competition, the UIG agreed that an open tender process should be followed to establish the framework.

This framework was advertised in the Official Journal of the European Union (OJEU) and the Public Contracts Scotland (PCS) portal on the 18 March 2018. The tender process was conducted using the Public Contracts Scotland Tender (PCS-Tender) system.

The procurement process followed a two-stage procedure. At stage one bidders were required to answer a number of questions on financial, technical and professional capability as well as respond to business probity requirements conducted using the European Single Procurement Document (ESPD). Bidders were required to pass this stage to be eligible for award. At stage two, the technical and commercial sections were evaluated against the following criteria and weightings:

Lot 1 – Bulk Delivery to a Central Distribution Point

Technical 30%

Commercial 70%

Lot 2 – Frozen Delivery Service to Customers at Home/Nominated Premises

Technical 35%

Commercial 65%

Lot 3 – Daily Delivery of Hot Meals to Customers at Home/Nominated Premises

Technical 40%

Commercial 60%

The technical elements were evaluated in respect of community benefits, workforce matters and ability to transact with customers. This stage also included assessment of nutritional content in relation to National Association of Care Catering (NACC) guidelines. Tenderers were also required to complete method statements addressing areas such as food sustainability, contingency planning and framework distribution and service.

A vital element of the technical evaluation was the product tasting sessions consisting of volunteers who would normally be in receipt of a community meal, to get their views and preference in terms of each meal. Each session was scored, and the points included in the technical evaluation score. Score sheets were designed in the style of 'easy read' for those in attendance.

Three sessions took place and were held at locations in South Ayrshire Council, Renfrewshire Council and North Ayrshire Council. Service users attended each session and tasted a variety of soups, main meals and desserts. Each meal was scored against a set of questions which were concerned with the:

- quality and ease of opening of the packaging
- information and instructions contained on the label
- look and texture of the meal

- taste of the meal

The sessions were well received, and the volunteers reported that they enjoyed being part of the evaluation process and were pleased that their views were being considered.

In terms of the commercial elements, tenderers were required to provide a price for supply and delivery of meals. Tenderers had the ability to indicate which councils they wished to service per lot.

4. Report on Offers Received

Offers were received by two bidders. A summary of the offers received is provided in Appendix 2.

Based on the criteria and scoring methodology set out in the tender document, a full evaluation of the offers received was completed. Appendix 3 confirms the scoring achieved by each bidder.

The community meals marketplace is limited at present and the volume of bids received demonstrate this. Scotland Excel will continue to engage with SMEs to provide support and development to expand the marketplace and number of bidders who could provide these services in future.

5. Recommendations

Based on the evaluation undertaken, and in line with the criteria and weightings set out above, it is recommended that a multi-supplier framework arrangement is awarded to two suppliers as outlined in Appendix 3.

The recommended suppliers can meet operational requirements across all geographical areas who intend to participate the framework.

6. Benefits

Savings

Scotland Excel conducted a benchmarking exercise for each council comparing the current framework pricing against the overall best value supplier for each council for each lot.

During the development of this framework it was not anticipated that this framework would result in a cost saving. This is because it is a third-generation framework, with a very limited and consolidated marketplace. The ongoing uncertainty of Brexit with the potential introduction of import tariffs for food, and the contingency stockpiling of 'high risk' raw materials and meals as well as increasing storage space. Additionally, the fluctuations in exchange rates affecting prices submitted.

Based on the benchmarking, there is an estimated range of an increase of 5.77% to a saving of 9.95%. The overall estimated saving of the framework is approximately 1.4% per annum across the participating councils, based on current spend forecast.

The estimated annual spend, saving and on cost per Council based on the results of the benchmarking are detailed in Appendix 1 – Participation, Spend and Savings Summary.

Price Stability

The framework required fixed pricing periods of six months for all lots. In addition to the mandatory fixed pricing periods, one supplier offered an additional twelve months of fixed pricing. Thereafter, price reviews are permissible once every 12 months to accommodate market fluctuations. All requests for price increases will be evaluated against prevailing market conditions and supporting documentary evidence.

Sustainable Procurement Benefits

Within the technical section of the tender, the sustainability method statement assessed bidders in relation to fuel efficiency measures, implementation of recycling and re-use initiatives as well as steps bidders have taken to reduce waste to landfill in the last twelve months and how they will continue to reduce this during the framework contact.

A range of sustainable measures were outlined by suppliers, including reductions in emissions, packaging, water consumption, energy use and waste to landfill, the implementation of driver efficiency and fleet management measures and the introduction of reusable packaging and sustainable products.

Bidders were also required to complete a method statement which assessed bidders' approach to food sustainability. This method statement asked how bidders work within their supply chain to minimise food waste, food miles, and how food waste quantities are monitored. Additionally, details of any promotional material available for customers relating to the provenance of ingredients.

Bidders responded that they engage with their supply base to reduce food waste and assess their suppliers' approach on a regular basis, that a range of ingredients are sourced as locally as possible to reduce food miles, that zero food waste is sent to landfill and the waste is used to generate energy. A range of promotional materials are also available to customers providing details on ethical and sustainable sourcing of ingredients.

Community Benefits

Scotland Excel is committed to maximising community benefits. Both recommended suppliers have committed to delivering community benefits during the framework, which will improve the economic, social or environmental wellbeing of the specific council area.

This framework has adopted a new approach to community benefits and encourages suppliers to work collaboratively and innovatively to deliver local community benefits. The framework includes suggested community benefit outcomes such as jobs for long-term unemployed, supply chain development and modern apprenticeships. These outcomes are not exhaustive. Scotland Excel will work closely with awarded suppliers and our members to monitor the delivery of community benefits and share examples of best practice.

This approach will allow Scotland Excel to monitor management information and advise members and suppliers when spend thresholds have been reached and community benefit outcomes are required to be delivered.

Fair Work Practices including the Scottish Living Wage

Bidders were asked to describe how they would commit to Fair Work Practices for staff employed in the delivery of this framework. Responses indicated that policies on equality and diversity, programs for personal development of staff and fair and equal working practices were commonplace.

For information, bidders were also asked to confirm their Scottish Living Wage status which is set out in Appendix 4.

- One supplier has confirmed they are a Scottish Living Wage accredited employer.
- The other supplier has confirmed they are not a Scottish Living Wage accredited employer and do not currently pay the living wage to all staff, however, this supplier has confirmed they do pay the living wage to all employees in Scotland. This has been achieved through the renewal of this framework.

Scotland Excel will continue to monitor Fair Work Practices including the Living Wage status during contract and supplier management.

7. Contract Mobilisation and Management

Each supplier will be invited to a mobilisation meeting to outline the operation of the framework, including roles and responsibilities, management information and community benefits. Both suppliers and participating members will be issued with a mobilisation pack containing all required details to utilise the framework. A user guide and pricing schedules for participating councils will be available to download from the Scotland Excel website.

In accordance with Scotland Excel's established contract and supplier management programme, this framework has been classified as a level 2 arrangement in terms of both risk and spend requiring regular supplier and user group reviews as appropriate. This will ensure that the required service is monitored, maintained and where possible improved during the framework period. The framework will be monitored in line with Scotland Excel's food incident procedures to ensure that all food safety risks are recognised and carefully managed.

8. Summary

This framework for the supply and delivery of community meals aims to provide service users with high quality, appetising meals and will maximise collaboration and deliver best value in terms of price, quality and service.

A range of benefits will be achieved in relation to price stability and sustainable procurement, and to the people who use the community meals service.

The Executive Sub Committee is requested to approve the recommendations to award this framework agreement as detailed in Appendix 3.

Appendix 1 – Participation, Spend and Savings Summary

Community Meals 20/18

Member Name	Participation in Contract	Participation Entry Date	Estimated Annual Spend (£)	Source of Spend Data	Indexation (%)	% Estimated Forecast Savings	Estimated Annual Savings (£)	Basis of Savings Calculation
Aberdeen City Council	Yes	01 October 2019	£162,110	Validated by Council	2.0%	-3.97%	£0.00	Benchmarked Current Contract
Aberdeenshire Council	Yes	01 October 2019	£30,000	Validated by Council	2.0%	-4.48%	£0.00	Benchmarked Current Contract
Angus Council	Yes	01 October 2019	£128,262	Validated by Council	2.0%	-4.10%	£0.00	Benchmarked Current Contract
Argyll & Bute Council	No							
City of Edinburgh Council	No							
Clackmannanshire Council	No							
Comhairle nan Eilean Siar	No							
Dumfries & Galloway Council	No							
Dundee City Council	No							
East Ayrshire Council	Yes	01 October 2019	£125,000	Validated by Council	2.0%	-4.58%	£0.00	Benchmarked Current Contract
East Dunbartonshire Council	No							
East Lothian Council	Yes	01 October 2019	£200,000	Validated by Council	2.0%	-4.85%	£0.00	Benchmarked Current Contract
East Renfrewshire Council	No							
Falkirk Council	No							
Fife Council	Yes	01 October 2019	£320,000	Validated by Council	2.0%	-4.29%	£0.00	Benchmarked Current Contract
Glasgow City Council	Yes	01 October 2019	£360,000	Validated by Council	2.0%	9.95%	£43,264	Benchmarked Current Contract
Highland Council	No							
Inverclyde Council	No							
Midlothian Council	Yes	01 October 2019	£15,000	Based on Previous MI	2.0%	-4.55%	£0.00	Benchmarked Current Contract
Moray Council	No							
North Ayrshire Council	Yes	01 October 2019	£185,000	Validated by Council	2.0%	-4.88%	£0.00	Benchmarked Current Contract
North Lanarkshire Council	No							
Orkney Islands Council	No							
Perth & Kinross Council	Yes	01 October 2019	£50,000	Validated by Council	2.0%	-3.69%	£0.00	Benchmarked Current Contract
Renfrewshire Council	Yes	01 October 2019	£340,000	Validated by Council	2.0%	-3.72%	£0.00	Benchmarked Current Contract
Scottish Borders Council	Yes	01 October 2019	£280,000	Validated by Council	2.0%	-5.77%	£0.00	Benchmarked Current Contract
Shetland Islands Council	No							
South Ayrshire Council	Yes	01 October 2019	£606,203	Validated by Council	2.0%	-3.95%	£0.00	Benchmarked Current Contract
South Lanarkshire Council	Yes	01 October 2019	£120,000	Validated by Council	2.0%	-3.87%	£0.00	Benchmarked Current Contract
Stirling Council	Yes	01 October 2019	£22,000	Validated by Council	2.0%	-4.33%	£0.00	Benchmarked Current Contract
West Dunbartonshire Council	No							
West Lothian Council	Yes	01 October 2019	£73,000	Based on Previous MI	2.0%	-3.85%	£0.00	Benchmarked Current Contract
Tayside Contracts	No							
Totals			£3,016,575		2.00%	1.4%	£43,264	
Associate Members	No							
Totals			£3,016,575		2.00%	1.4%	£43,264	

*Indexation: this column indicates the comparison between relevant market indices and current contract pricing. For this contract, current contract pricing is presently 2.0% below the market

Appendix 2 – Summary of Offers Received

Tenderer's Name	SME Status	Location	Lots Tendered
Apetito Limited	Large	Wiltshire	1 & 2
I Care (GB) Limited	Large	Blackpool	2 & 3

Appendix 3 – Scoring and Recommendations

Lot 1: Bulk Delivery to a Central Distribution Point		
Tenderer	Score	Awarded
Apetito Limited	92.42	Yes

Lot 2: Frozen Delivery Service to Customers at Home/ Nominated Premises		
Tenderer	Score	Awarded
ICare (GB) Limited	93.32	Yes
Apetito Limited	92.50	Yes

Lot 3: Daily Delivery of Hot Meals to Customers at Home/ Nominated Premises		
Tenderer	Score	Awarded
ICare (GB) Limited	92.21	Yes

Appendix 4 – List of Recommended Suppliers with Living Wage Status

Supplier	Accredited	Currently progressing through Living Wage accreditation process	Committed to gaining accreditation over the first two years of framework	Pay Living Wage to all employees (except, volunteers, apprentices and interns) but not accredited	Committed to paying the Living Wage to all employees (except, volunteers, apprentices and interns) within first two years of framework.	Neither accredited nor paying Living Wage
Apetito Limited	YES					
ICare (GB) Limited						YES

Scotland Excel

To: Executive Sub Committee

On: 23 August 2019

**Report
by
Director Scotland Excel**

Tender: Supply & Distribution of Fresh Bread, Rolls & Bakery Products

Schedule: 04-19

Period: 01 October 2019 until 30 September 2022, with the option to extend for up to an additional 12-month period until 30 September 2023

1. Introduction and Background

This recommendation is for the award of a new framework for the Supply & Distribution of Fresh Bread, Rolls & Bakery Products which will operate from 01 October 2019 until 30 September 2022, with the option to extend for up to an additional 12-month period until 30 September 2023.

The requirement for this procurement has been identified through consultation with commodity User Intelligence Groups (UIGs) within the Corporate portfolio. Currently there are no national framework agreements in place to procure these requirements, with most local authorities utilising their own individual arrangements. This presents an opportunity for Scotland Excel to provide a national collaborative solution which will drive value through the consolidation of spend, whilst alleviating the resource challenge associated with this type of procurement exercise for local authorities.

The framework was advertised at a value of £6 million over the four-year period, and this report summarises the outcome of the procurement process.

2. Scope, Participation and Spend

As part of the strategy development and through consultation with the UIG, the inclusion of a single lot was endorsed.

This framework will provide a mechanism for local authorities to procure a range of fresh bread, rolls & bakery products, which will include but is not limited to, brown bread, white bread, pittas, wraps, potato scones, cakes, pastries and baguettes.

It is anticipated that these products will be predominately used by a number of local authority departments including schools, nurseries, care homes, leisure centres, cafes, and office units.

3. Procurement Process

A Prior Information Notice (PIN) was published on 06 February 2019 with 13 companies expressing an interest in the opportunity. Market engagement was conducted, resulting in 8 market surveys being completed and returned to Scotland Excel. These surveys helped to provide an understanding of the marketplace as well as current service requirements.

To ensure maximum competition, an open tender process was used, and this was advertised on the Official Journal of the European Union and the Public Contracts Scotland portal on 16 April 2019. The tender process was conducted using the Public Contracts Scotland Tender (PCS-T) system.

The procurement process followed a two-stage tendering procedure. Stage one, Qualification, was conducted using the European Single Procurement Document (ESPD). Within the ESPD, tenderers were required to answer a set of exclusionary questions along with providing details and/or acknowledgement of insurance, financial standing, quality management, health and safety, and environmental management policies and/or procedures.

At the second stage of the process, offers were evaluated against the following criteria and weightings for all lots:

Commercial	80%
Technical	20%

Tenderers were required to indicate which local authorities they had an ability to service.

Tenderers were invited to bid on the following basis;

- In the Commercial Section, tenderers were asked for a national price for each product within a Schedule of Offer, inclusive of delivery;
- In the Technical Section, as outlined in Figure 1, scored method statements on community benefits, customer service & contract management, servicing the contract, fair work practices and sustainability.

Figure 1: Technical Section Scoring Breakdown

Section	Question	Maximum Score Available
Commercial 80%		
Technical 20%	Community Benefits	4
	Customer Service & Contract Management	4
	Servicing the Contract	3
	Fair Work Practices	4
	Sustainability	5

4. Report on Offers Received

The tender document was accessed by 16 organisations with 8 of those submitting an offer. However, Express Bakery failed to upload their pricing schedule by the closing date and time, therefore they were deemed non-complaint.

The remaining 7 respondents all passed the first stage assessment. However, Taza Bake Ltd was non-compliant within the second stage commercial assessment as they failed to offer for a minimum percentage of 80% of the basket of goods required.

Despite engagement with the marketplace, no offer was received for the following regions:

- Aberdeenshire North (Banff, Turriff, Meldrum and Huntly areas)
- Aberdeenshire East (Peterhead, Fraserburgh, Ellon and Mintlaw areas)
- Aberdeenshire South (Mearns, Aboyne, Portlethen, Stonehaven and Banchory areas)
- Aberdeenshire West (Alford, Inverurie, Westhill and Kemnay areas)
- Inverclyde
- Moray
- Western Isles
- Orkney Islands
- Shetland Islands.

Scotland Excel will continue to liaise with these councils following award of the framework including offering assistance with any future local procurement processes.

Based on the criteria and scoring methodology set out in the tender document, a full evaluation of the compliant offers received was completed. Appendix 2 confirms the scoring achieved by each bidder.

5. Recommendations

Based on the evaluation undertaken in line with the criteria and weightings set out above, it is recommended that a multiple supplier framework agreement is awarded to the 6 tenderers as outlined in Appendix 2.

Of the 6 recommended suppliers, 5 are Small/Medium Enterprises (SMEs). Appendix 1 outlines the location of tenderers who submitted an offer, with all 6 of them being based in Scotland, supporting the Scottish economy.

For the recommended suppliers, Renfrewshire Council's Environmental Services, Scotland Excel's appointed service partner, has assessed self-audit documentation, as well as the latest audit reports from relevant Food Enforcement Authorities to ensure that they comply with the relevant legislation and have robust processes in place for managing this contract. All audit reports were considered satisfactory and compliant with requirements. It should be noted that this is an ongoing service, and Scotland Excel reserve the right to instruct unannounced audits at any time.

These suppliers provide the range of products and services required by local authorities, as well as representing best value and meeting all technical specifications.

6. Benefits

Savings

Accurate benchmarking is difficult to calculate due to a lack of spend information proceeding from local authorities at present. However, this has been forecast at 10.3% based on wider market analysis, and a comparison with the savings reports of other first-generation frameworks. This will be monitored on an ongoing basis, and individual benchmarking conducted when required for local authorities.

Price Stability

Tenderers have accepted as part of the terms & conditions of the framework that they will hold prices firm for the first 6 months of the framework.

After the initial 6 months, suppliers may submit a request for a price variance on a 6-monthly basis. Suppliers may submit a price decrease at any time throughout the duration of the framework.

Sustainable Procurement Benefits

Community Benefits

Tenderers were asked to detail community benefit initiatives that they would commit to deliver throughout the duration of the framework.

Community benefits that could be received as part of this new tender exercise include; sponsorship of local sports teams, community and/or fundraising events, donation of product vouchers, work experience placements and the recruitment of modern apprentices and/or staff members.

Fair Work Practices

Tenderers were also asked to confirm their approach to fair work practices and the Scottish Living Wage, details of which can be found in Appendix 3. Of the 6 recommended suppliers;

- 1 is currently an accredited Scottish Living Wage employer;
- 1 currently pays all staff the Scottish Living Wage but is not yet accredited;
- 2 currently do not pay the Scottish Living Wage to all employees; and
- 2 do not pay the Scottish Living Wage to all employees but have committed to doing so within the first two years of the framework.

Sustainability

Tenderers were asked to detail their approach to sustainability, and were asked how their organisations reduced waste, considered the environmental impact of transportation, and demonstrated that their products came from sustainable, reliable, and approved sources.

Offers included a range of recycling initiatives including the use of stackable plastic bread trays that can be uplifted from customers and reused, as well as reducing single use plastic on site as much as possible, by limiting the use of plastic cutlery and introducing paper carrier bags for products.

Tenderers also advised that they utilise route planning technologies to reduce mileage, as well as the increased adoption of Euro 6 standard vehicles within their fleets for the delivery of products.

7. Contract Mobilisation and Management

Both suppliers and participating members will be issued with a mobilisation pack containing information relating to the operation of the framework, roles

and responsibilities, management information requirements and community benefits commitments.

In accordance with Scotland Excel's established contract and supplier management programme, this framework has been classified as a level 3 arrangement in terms of both risk and spend. As such, Scotland Excel will review the framework with suppliers as appropriate, whilst monitoring management information and community benefits.

8. Summary

This framework for the Supply & Distribution of Fresh Bread, Rolls & Bakery Products aims to maximise collaboration, consolidate demand and deliver best value. A range of benefits can be reported in relation to savings, price stability, community benefits and sustainability.

The Executive Sub Committee is requested to approve the recommendation to award placings on this framework to the suppliers as detailed in Appendix 2.

Appendix 1 – Offers Received & Status

TENDERER	SME STATUS	LOCATION	LOTS TENDERED
Black of Dunoon (Bakers) Limited	Small	Dunoon, Argyll & Bute	1
D. McGhee & Sons Limited	Large	Glasgow, Glasgow City	1
Fergusons Bakers Limited	Small	Kilmarnock, East Ayrshire	1
George Anderson and Sons	Medium	Tranent, East Lothian	1
Scotbake Limited	Medium	Inverness, Highlands	1
Tower Bakery	Small	Perth, Perth & Kinross	1

Appendix 2 – Scoring and Recommendations

Tenderer	Combined Score	Awarded?
Tower Bakery	86.15	Y
D. McGhee & Sons Limited	80.70	Y
George Anderson and Sons	74.69	Y
Fergusons Bakers Limited	70.92	Y
Scotbake Limited	61.54	Y
Black of Dunoon (Bakers) Limited	60.80	Y
Taza Bake Ltd.	Non Compliant	N

Appendix 3 – List of Recommended Suppliers with Scottish Living Wage Status

Supplier	Accredited	Currently progressing through Scottish Living Wage accreditation process	Pay Scottish Living Wage to all employees, and committed to gaining accreditation over the initial 2 years of framework	Pay Scottish Living Wage to all employees, but not accredited	Neither accredited nor paying Scottish Living Wage, but do commit to pay the Scottish Living Wage to all employees over the initial 2 years of the framework	Neither accredited nor paying Scottish Living Wage
Black of Dunoon (Bakers) Limited			Yes			
D. McGhee & Sons Limited						Yes
Fergusons Bakers Limited					Yes	
George Anderson and Sons	Yes					
Scotbake Limited						Yes
Tower Bakery					Yes	

Scotland Excel

To: Executive Sub Committee

On: 23 August 2019

Report by Director Scotland Excel

Request for Associate Membership of Scotland Excel by Cornerstone Community Care

1 Introduction

In addition to the 32 local authorities who are full members of Scotland Excel, applications can be made for associate membership by organisations such as council arms-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 frameworks for goods and services. Associates do not have the opportunity to influence the future contract delivery schedule which is reserved for local authority members.

2 Application

Cornerstone Community Care is a registered charity, which provides a range of services to individuals with a variety of needs including learning disabilities, physical disabilities, autism and dementia. The organisation is award winning, and ensures the learning experience provided improves individual and organisational performance.

Cornerstone Community Care are a Scottish Living Wage employer.

To support the efficient and cost-effective delivery of these services, Cornerstone has approached Scotland Excel and requested approval to become an associate member.

3 Legislative Position

Before any application is submitted to committee for consideration checks are made into the organisation, including scrutiny of the Memorandum & Articles of Association, finances, and the type of contracts which the organisation wishes to access. Membership commences following Executive Subcommittee approval and a Membership Agreement between Scotland Excel and the organisation is signed.

Scotland Excel monitors all requests from arms-length and other organisations to become associate members, in order to ensure that any legal requirements are met. In this case, Cornerstone Community Care qualify for membership as they in accordance with the Local Authorities (Goods and Services) Act 1970, section 1(1B) (C), namely that the organisation is not a public body, but it has functions of a public nature or engages in activities of that nature and the purpose of accessing Scotland Excel's services is to facilitate the discharge of those functions and activities.

4 Recommendation

It is recommended to committee that Cornerstone Community Care application to join Scotland Excel as an associate member be approved, at a £500 annual fee, subject to completion and signing of the agreement document.

Scotland Excel

To: Executive Sub Committee

On: 23 August 2019

**Report
by
Director Scotland Excel**

**Request for Associate Membership of Scotland Excel by Scottish Courts and
Tribunal Service**

1 Introduction

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 full members. Associates do not have the opportunity to influence the future contract delivery schedule which is reserved for local authority members.

2 Application

The Scottish Courts and Tribunals Service (SCTS) is an independent body corporate established by the Judiciary and Courts (Scotland) Act 2008. Its function is to provide administrative support to Scottish courts and tribunals and to the judiciary of courts, including the High Court of Justiciary, Court of Session, sheriff courts and justice of the peace courts, and to the Office of the Public Guardian and Accountant of Court.

Scottish Courts and Tribunal Service pays the Scottish Living Wage and is an accredited Scottish Living Wage employer.

To ensure the efficient and cost-effective delivery of these services, SCTS approached Scotland Excel and requested approval to become an associate member.

3 Legislative Position

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.

Scotland Excel monitors all requests from arm's length and other organisations to become associate members in order to ensure that any legal requirements are met. In this case, Scottish Courts and Tribunal Service qualifies for membership in accordance with the Local Authorities (Goods and Services) Act 1970 section 1 (1B)(b) namely as a public authority or body.

4 Recommendation

It is recommended to committee that Scottish Courts and Tribunal Service application to join Scotland Excel as an associate member be approved, with no annual fee, subject to completion and signing of the agreement document.

Scotland Excel

To: Executive Sub Committee

On: 23 August 2019

**Report
by
Director Scotland Excel**

**Request for Associate Membership of Scotland Excel by Scottish Police
Authority**

1 Introduction

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. Associates do not have the opportunity to influence the future contract delivery schedule which is reserved for local authority members.

2 Application

The Police and Fire Reform (Scotland) Act 2012 created the Scottish Police Authority (SPA) and set out its five core functions:

- to maintain the Police Service;
- to promote the policing principles set out in the 2012 Act;
- to promote and support continuous improvement in the policing of Scotland;
- to keep under review the policing of Scotland; and
- to hold the Chief Constable to account for the policing of Scotland

For the purpose of awarding contracts from Scotland Excel frameworks, the body known as "Police Scotland" will contract on behalf of the Scottish Police Authority.

To ensure the efficient and cost-effective delivery of these services Police Scotland has requested approval to become an associate member.

Scottish Police Authority is in the process of reviewing its Scottish Living Wage status.

3 Legislative Position

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.

Scotland Excel monitors all requests from arm's length and other organisations to become associate members in order to ensure that any legal requirements are met. In this case, Scottish Police Authority qualifies for membership in accordance with the Local Authorities (Goods and Services) Act 1970, namely that the organisation is a public body under the Police and Fire Reform (Scotland) Act 2012.

4 Recommendation

It is recommended to committee that Scottish Police Authority application to join Scotland Excel as an associate member be approved, at a £5,000 annual fee, subject to completion and signing of the agreement document.

Scotland Excel

To: Executive Sub Committee

On: 23 August 2019

**Report
by
Director Scotland Excel**

Request for Associate Membership of Scotland Excel by Shettleston Housing Association Ltd

1 Introduction

In addition to the 32 local authorities who are full members of Scotland Excel, applications can be made for associate membership by organisations such as council arms-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 access to the frameworks for goods and services. Associates do not have the opportunity to influence the future contract delivery schedule which is reserved for local authority members.

2 Application

Following a review of procurement capability within the organisation, Shettleston Housing Association Ltd has applied to Scotland Excel for associate membership.

Shettleston Housing Association Ltd has 2314 properties across Scotland and is a registered charity.

Shettleston Housing Association are a Scottish Living Wage employer but not currently accredited.

To ensure the efficient and cost-effective delivery of these services it has approached Scotland Excel and requested approval to become an associate member.

3 Legislative Position

Before any application is submitted to committee for consideration checks are made into the organisation including scrutiny of the Memorandum & Articles of Association, finances and the type of contracts that the organisation wishes to access. Membership commences once committee has approved the application and a Membership Agreement between Scotland Excel and the organisation is signed.

Scotland Excel monitors all requests from arms-length and other organisations to become associate members to ensure that any legal requirements are met. In this case Shettleston Housing Association Ltd qualifies for membership as in accordance with the Local Authorities (Goods and Services) Act 1970 section 1 (1B)(c) namely that the organisation is a person who, not being a public body, has functions of a public nature or engages in activities of that nature and the purpose or effect of its access to Scotland Excel's services is to facilitate its discharge of those functions or activities.

4 Recommendation

It is recommended to committee that the Shettleston Housing Association Ltd application to join Scotland Excel as an associate member be approved, at a £3,471 annual fee, subject to completion and signing of the agreement document.