

# annual procurement report

2021 - 2022

Sustainable procurement - making a real difference



# CONTENTS

Introduction	3
Strategic Themes	4
Commercial & Commissioned Services Team Key Activities 2021/22	5
Covid Response	5
Contract & Supplier Management System Implementation	5
Fair Work First	6
Public Procurement Priorities	6
Payment Performance	7
Section 1 – Summary of Regulated Procurements Completed during the period	9
Section 2 – Review of Regulated Procurement Compliance	10
Overall Assessment	10
Section 3 – Community Benefit Summary	12
Section 4 – Supported Business and the Third Sector Summary	15
Section 5 – Future Regulated Procurements Summary	16
Glossary/Procurement Terminology	19
Appendix 1 - Sustainable Procurement Charter	20
Appendix 2 – Regulated Procurement	21
Category A Scottish Government Framework Agreements – Contract Award/Spend	21
Category B Scotland Excel Framework Agreements – Contract Awards/Spend	22
Category C Contract and Framework Awards	24
Social Care & Health Contracts	25
Appendix 3 - Contracts awarded during the period with Community Benefit Clauses	28
Annual Report Ownership	30

# INTRODUCTION

This annual procurement report has been prepared to meet the requirements of the Procurement Reform (Scotland) Act 2014, and throughout we will demonstrate how our performance and achievements during the period meet both the strategic direction set by the organisation and all relevant procurement legislation. This report covers the period 1st April 2021 to 31st March 2022.

In February 2022, an updated [Council Plan 2022-2023](#) was approved by Council. The new Plan takes account of significant developments over the last year, with the opportunity taken to re-evaluate priorities and align these with its strategic aims.

The Plan is based on six outcomes that aim to deliver for the Scottish Borders by improving the wellbeing of citizens and making the region a more sustainable and better place to live, work in and to visit, whilst also developing a Council that is as effective and efficient as it can be to help support those aims.

The Council Plan also identifies how the Council will respond to immediate challenges, including building for a clean, green future by tackling climate change and enhancing the local natural environment for the benefit of future generations. As set out in the new [Climate Change Route Map](#), reducing our carbon footprint by promoting more sustainable practices is a strategic priority to ensure the Scottish Borders meets a target of becoming 'net zero' by 2045.

The current [Commercial and Commissioned Services Strategy 2018-2023 \(CCSS\)](#) was put in place to achieve the strategic procurement ambitions of Scottish Borders Council. By embedding a sustainable approach into the strategy themes and objectives we aim to make a real difference and positively influence the outcome of our procurement activities while supporting the Council's corporate ambitions. During the current financial year, the existing procurement strategy will be updated and refreshed for the period 2023-2028. In the meantime, the CCS strategy has been reviewed to ensure the ongoing direction of procurement remains in line with the updated Council Plan.

# STRATEGIC THEMES

Our local strategy focuses on a number of key themes and objectives. As the Borders community and this organisation recovers from pandemic, these aims continued to underpin our team activities during 2021/22.

	Theme	Objective
1	Support our local market and the economy	to grow the Councils local supply base to increase the proportion of Council spend within the area
2	Deliver sustainable, flexible and innovative procurement	to capture opportunities while balancing priorities
3	Identify effective and efficient procurement policy improvements	to maximise the benefit from the investment in technology through the new ERP system
4	Deliver added value through savings and benefits	to make a positive and measurable impact through procurement opportunities
5	Develop commercial awareness across the organisation	to benefit from a commercial approach to key supplier and partner relationships

# COMMERCIAL & COMMISSIONED SERVICES TEAM KEY ACTIVITIES 2021/22

## Covid Response

During 2021/22 the team has continued to deliver an excellent service to colleagues and the community across many different areas of COVID support to businesses and individuals. As noted in last year's report, this work spanned Business Grants, Support Payments and a specific financial support scheme for Social Care Providers.

The Social Work Contracts team continued to provide financial support to local care providers with their additional costs resulting from the COVID-19 pandemic. To date, support exceeding £3million has been delivered to Scottish Borders providers.

## Contract & Supplier Management System Implementation

Contract management plays a vital role in the system of governance, risk management and control and is key to unlocking the supply chain value through which performance improvements and efficiency savings can be achieved.

As a result, a project team has been working right through the pandemic on implementing a new contract and supplier management framework across the Council. The identified benefits of this approach include;

- Ensuring we achieve value for money
- Creating a commercial focus
- Integration with existing activities
- Consistent risk management
- Delivering an enhanced skill set across organisation

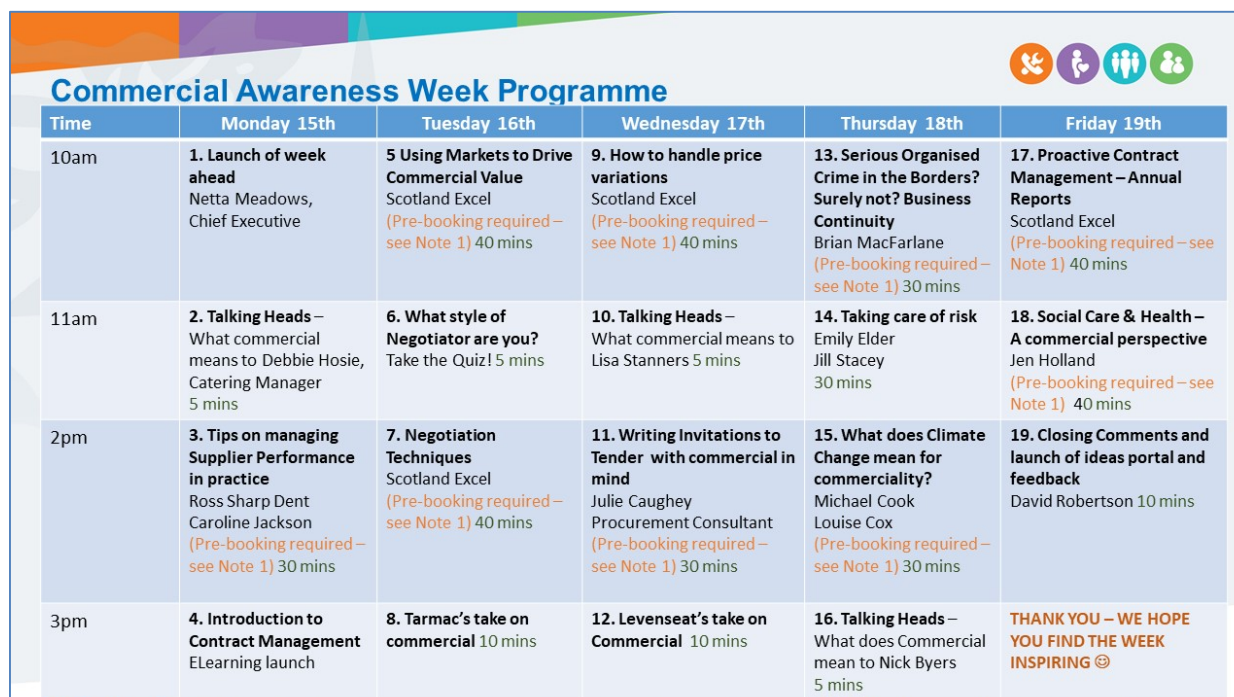
The new framework has now been rolled out across the organisation with all contract managers and contract owners provided with access to training materials and a login to the system.

## Commercial Awareness Week

During November 2021, the team delivered the Council's first Commercial Awareness Week. This was developed to support the launch of the new corporate Contract Management Framework mentioned above whilst also raising awareness of what we mean by commercial and why it is important.

Commercial activities affect the work of everyone and the services we provide to the community and this approach is aimed to initiate a whole council approach to commerciality while supporting the development of skills to improve commercial thinking and acumen.

It is more important than ever that the Council drives maximum value from every contract it puts in place. We need to be able to manage supplier performance, to ensure we are receiving the quality we expect at the price we agreed, the new platform and the improvement of skills and awareness across the Council will help us achieve that.



Time	Monday 15th	Tuesday 16th	Wednesday 17th	Thursday 18th	Friday 19th
10am	<b>1. Launch of week ahead</b> Netta Meadows, Chief Executive	<b>5 Using Markets to Drive Commercial Value</b> Scotland Excel (Pre-booking required – see Note 1) 40 mins	<b>9. How to handle price variations</b> Scotland Excel (Pre-booking required – see Note 1) 40 mins	<b>13. Serious Organised Crime in the Borders? Surely not? Business Continuity</b> Brian MacFarlane (Pre-booking required – see Note 1) 30 mins	<b>17. Proactive Contract Management – Annual Reports</b> Scotland Excel (Pre-booking required – see Note 1) 40 mins
11am	<b>2. Talking Heads –</b> What commercial means to Debbie Hosie, Catering Manager 5 mins	<b>6. What style of Negotiator are you?</b> Take the Quiz! 5 mins	<b>10. Talking Heads –</b> What commercial means to Lisa Stanners 5 mins	<b>14. Taking care of risk</b> Emily Elder Jill Stacey 30 mins	<b>18. Social Care &amp; Health – A commercial perspective</b> Jen Holland (Pre-booking required – see Note 1) 40 mins
2pm	<b>3. Tips on managing Supplier Performance in practice</b> Ross Sharp Dent Caroline Jackson (Pre-booking required – see Note 1) 30 mins	<b>7. Negotiation Techniques</b> Scotland Excel (Pre-booking required – see Note 1) 40 mins	<b>11. Writing Invitations to Tender with commercial in mind</b> Julie Caughey Procurement Consultant (Pre-booking required – see Note 1) 30 mins	<b>15. What does Climate Change mean for commerciality?</b> Michael Cook Louise Cox (Pre-booking required – see Note 1) 30 mins	<b>19. Closing Comments and launch of ideas portal and feedback</b> David Robertson 10 mins
3pm	<b>4. Introduction to Contract Management</b> Elearning launch	<b>8. Tarmac’s take on commercial</b> 10 mins	<b>12. Levenseat’s take on Commercial</b> 10 mins	<b>16. Talking Heads –</b> What does Commercial mean to Nick Byers 5 mins	<b>THANK YOU – WE HOPE YOU FIND THE WEEK INSPIRING ☺</b>

## Fair Work First

Through its own accreditation as a Living Wage employer, the Council recognises the benefits of fair work. Accordingly it has adopted the Fair Work First approach which aims to drive high quality and fair work across the labour market in Scotland by applying fair work criteria to its procured contracts, where it is relevant to do so. Fair Work First asks businesses bidding for a public contract to commit to adopting the following:

- appropriate channels for effective voice, such as trade union recognition
- investment in workforce development
- no inappropriate use of zero hours contracts
- action to tackle the gender pay gap and create a more diverse and inclusive workplace
- providing fair pay for workers (for example, payment of the Real Living Wage)
- offer flexible and family friendly working practices for all workers from day one of employment
- oppose the use of fire and rehire practices.

## Public Procurement Priorities

During 2021/2022, the Public Procurement Group for Scotland, a leadership group led by the Scottish Government and the Centre of Expertise (including Scotland Excel) set the strategic direction for public procurement in Scotland through the development of a set of public procurement priorities for all public sector procurement leaders.

These priorities can be found [here](#). Scottish Borders Council is making good progress across the majority of these indicators.

# PAYMENT PERFORMANCE

## Payment Performance

Despite the challenges and substantial increase in the volume of payments relating to the above, excellent levels of performance have been sustained during 2021/2022. The full year average of the two indicators is noted below:-

- 93% of invoices paid within 30 days
- 99% of invoices paid electronically

This level of performance compares very positively when reviewed against the Local Government Benchmarking Framework all Scotland average figure of 91.76% (latest available data comparison period 2020/21). Further analysis confirms that the Borders performance exceeds the family group average of 90.6%.

The Council intends to proportionately adopt the ambitions and recommendations of the recent Scottish Procurement Policy note relating to prompt payment.

## UK Team of the Year Award Success

The team was nominated in June for the Team of Year Award at the Purchase to Pay Network event. They were delighted to be awarded Finalist status – a fantastic achievement all round.

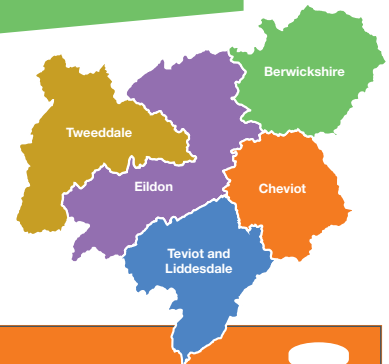
They were up against a substantial field of private companies and other public sector bodies but the judges were impressed with the way in which the team delivers support on such a significant scale to the organisation, with some examples of that below:

- the Procurement team procure and oversee the contract and supplier management of a contracts portfolio with a total value in excess of a billion pounds
- the Purchasing team oversee purchase order requisitions with a value circa £105m
- the Payment team manages over 140,000 transactions each year with a value of £287m



David Robertson, Service Director for Finance and Corporate Governance, said: "I'm immensely proud of the team and see this outcome as a real opportunity for them all to be acknowledged for their collaborative working practices delivering exceptional results during this very challenging period. Many congratulations and well done to everyone"

# SCOTTISH BORDERS PROFILE



## Key procurement Statistics 2021/2022



<b>COUNCIL SPEND</b> <b>£183,468,494</b>	<b>REGULATED CONTRACTS</b> <b>89</b>	<b>VALUE OF REGULATED CONTRACTS</b> <b>£85,720,878</b>
<b>MICRO/SMALL/MEDIUM SIZE ENTERPRISES</b> <b>£100,411,155</b>	<b>ACTIVE SUPPLIERS</b> <b>2,411</b>	<b>PURCHASE ORDER TRANSACTIONS</b> <b>38,244</b>

## Scottish Borders Council



### Frameworks

<b>£13.3m</b> Spend in the last 12 months	<b>£11k</b> Estimated savings in the last 12 months
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<b>4</b> Local suppliers on live frameworks	<b>£1.2m</b> Spend with local suppliers through our frameworks
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Participating in <b>57</b> frameworks	<b>69</b> Available frameworks	Amounts to <b>83%</b> participation
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The Scotland Excel Academy  
<https://academy.scotland-excel.org.uk/>  
 Learning and Development opportunities available

### Community Benefits

**£3.7k**

Charity/community initiatives



Framework information at Q4 2021/22; estimated savings figure does not include social care service frameworks; community benefits for 2021/22



# SECTION 1

## Summary of Regulated Procurements completed during the period

This section provides a record of the regulated procurement processes (any procurement with a value equal to or more than £50,000 for goods and services or £2M for works contracts) completed during 1st April 2021 – 31 March 2022. Regulated procurement activity is governed by the rules set out within the Procurement Reform (Scotland) Act 2014.

### Total Regulated Procurement Expenditure for period

Number of Contracts	Category A (Scottish Procurement)	Category B (sectoral)	Category C (Local)	Total Value
89	£7,510,967	£10,523,872,912	£67,686,039	£85,720,878

Full details relating to each contract is provided in **Appendix 2**. An example dataset is shown below

Reference	Supplier Name	Subject Matter	Start Date	End Date	Contact Value
SP-17-004	EDF Energy Ltd	Electricity	01/04/21	31/03/22	£2,602,311

## SECTION 2

# Review of Regulated Procurement Compliance

### Overall Assessment

In common with previous years, compliance of our regulated procurement activities remains in line with the CCS strategy aims and objectives and is achieved through the robust Council governance provided by Procurement and Contract Standing Orders and Financial Regulations.

Procurement services continue to be delivered by a centralised team, which facilitates and enables a strategic corporate approach to all requirements. The team applies our organisational values of fairness, equal treatment and openness to all that we do.

Each regulated procurement activity is reviewed to determine if and how it might contribute to the achievement of the Councils wider objectives. This review is carried out in full partnership with the contract owner through the development of a project procurement strategy. The detail contained in this document is used to develop and determine the most appropriate procurement route while considering sustainability and added value opportunities.

To meet the objectives of our strategy we actively utilise a variety of best practice tools, mechanisms and approaches. These are supported by operational process and procedures in line with corporate policy. A selection of these methods is noted below.

### The Procurement Journey/Public Contracts Scotland (PCS) /PCS-Tender

The use of this suite of national procurement tools facilitates best practice and consistency across all our activity by bringing together each of the steps involved in procurement.

### Sustainable Procurement Duty

The Council policy '*Adding Value to the Community through Procurement*' is embedded into the procurement strategy to ensure every procurement project is considered for additional opportunities such as community benefits. Section 3 of this report summarises the positive outcomes from this policy.

In line with the policy and other strategy commitments, we have developed a Sustainable Procurement Charter. This is provided at Appendix 1. The charter lays out each of our principles, standards and the expectations for suppliers who would like to work with us.

## Fair Working Practices

Scottish Borders Council is an accredited Living Wage employer. The accreditation recognises the Council's commitment to paying all directly employed and regular third-party contracted staff the real Living Wage.

## Contract Register

Our regularly updated contract register is available [here](#).

## Procurement & Commercial Improvement Programme

The most recent assessment of the Procurement & Commercial Improvement Programme (PCIP) resulted in a total score of 78%, placing us in the top F1 Band and ahead of the Scottish local authority average. Following the delays caused by the pandemic and a Scottish Government review of the PCIP process, the next assessment is likely to be during 2023.

## Collaborative Procurement

Collaborative frameworks are utilised wherever possible, particularly through our shared service Scotland Excel as can be noted from the image below. Other collaborative opportunities include Crown Commercial Services, ESPO and other public sector based organisations. Regional collaboration is undertaken with neighbouring authorities such as City of Edinburgh, Midlothian and East Lothian Councils.

## SECTION 3

# Community Benefit Summary

### Background

The Council has a well-established 'Adding Value to Communities through Procurement Policy'. This can be found on page 12 of the CCS strategy. Community Benefit Clauses (CBCs) are considered for every contract with an estimated value exceeding £50,000 with a clear process in place to ensure proportionate and appropriate application, particularly for regulated procurement activity.

Our CBCs include minimum requirements which are developed with consideration of the type, value and duration of the contract. Bidders must meet or, as appropriate, go further than the minimum requirements and explain how they intend to deliver the benefits they commit to. The quality and ambition of the proposed delivery plan is evaluated with the score making up a suitably weighted element of the final outcome.

In this reporting period 24 contracts included community benefit requirements covering a range of services including construction, health care, social care, legal services, specialist consultancy work, waste and catering.

### Summary of Community Benefits delivered during the reporting period

Type of Community Benefit	Number delivered
<b>Employment &amp; Skills Activity</b>	
a) Jobs Created / New Employment Opportunities	14
b) Apprentices – Starts	5
c) Apprentices – Existing	0
d) Apprentices – Completions	0
e) New Start – Graduates	4
<b>Training &amp; Work Experience</b>	
a) Work Experience Placements (16 plus years)	7
b) Work Experience Placements - Employability programmes	6.5
<b>Support Activities Education</b>	
a) Education No. of Participants	792
b) Education Support Activities - Schools	12
<b>Community Engagement Events/Activity</b>	
a) Engagement with Community Groups	104
b) Supporting Community Projects/Events	63
c) Sponsorship Activity	25
d) Donation of materials	15

## Climate Change Route Map

The Council, as an organisation, and for the Scottish Borders, as a region, has set out a clear plan of action to reduce our carbon emissions and other greenhouse gases. This document is known as the Climate Change Route Map.

The objective of the Route Map is to set the framework by which the Council and the region will pursue a path to net zero emissions of all greenhouse gases by 2045, while also putting in place measures to those changes which can no longer be pre-empted as result of changes to our climate.

The Route Map is based around 5 themes;

- Resilience
- Transport Use
- Nature Based Solutions
- Energy
- Waste Management

These five themes are the primary focus for our achievement of Net Zero. Within each theme, there are milestones and core actions against these milestones. The Route Map, in common with national and local governments round the world, will evolve, being populated with developing work streams and actions as we progress.

Our existing procurement strategy and the forthcoming refresh for the period 2023-2028 will work to support the delivery of these themes and their associated ambitions.

As is required by Scottish Government policy guidance, recently updated in [SPPN 3/2022](#), the Council will prioritise and take account of climate and circular economy in its procurement activity and will report ongoing progress against these commitments in our annual procurement reports, demonstrating how we are using procurement to support Scotland's response to the global climate emergency.

A positive example of this work during recent months is our local food supply chain project to adopt local butcher meat supplied by local butchers into our school kitchens.



Proud Suppliers To  
Earlston High School

Award Winning Traditional Butcher  
Finest Quality Meats  
Sourced from Local Farms

Supporting Local Farming  
Lowering Food Miles

[www.tendertaste.com](http://www.tendertaste.com)

A survey was undertaken with pupils and staff from Earlston High and Stow Primary Schools and we received some great feedback.

*'Tastes Better'*

*'The chicken was WAY better'!*


*'I had steak pie today and it tasted a lot nicer this week'*

*'It is thicker and the chicken and beef taste a lot fresher'*

*'It's great local suppliers are being used'*

*'Keep doing a great job! Thanks for making my school meals nicer'!*

*'It's good and a great idea'*



This project has significant opportunity to deliver multiple positive outcomes against many of the Council's key priorities along with the delivery of key national outcomes. These are noted below:

### Council Plan – Working Together – Improving Lives

Sustainable – clean, green future – tackling climate change by reducing carbon footprint/food miles

Empowered, vibrant communities – local businesses supporting local service delivery

Good health & wellbeing – improving the quality of school meals

Strong, inclusive economy – community wealth building

### Delivery of Key National Outcomes

Environment: We value, enjoy, protect and enhance our environment

Economy: We have a globally competitive, entrepreneurial, inclusive and sustainable economy

Fair Work & Business: We have thriving and innovative businesses, with quality jobs and fair work for everyone

Health: We are healthy and active – healthy nutritious meals

## SECTION 4

# Supported Business and the Third Sector Summary

The development of every contract strategy considers the involvement of supported business or social enterprise as a delivery option. As appropriate the Council utilise the Scottish Government Supported Business Framework or our local providers to consider innovative ways of ensuring supported business and social enterprises have the opportunity to work with us.

The Council works closely with Scottish Borders Social Enterprise Chamber (SBSEC) to encourage supported business and other third sector organisations to access Council contract opportunities.

The Council will continue to look for opportunities for supported businesses, investigating all procurement avenues to identify appropriate providers and matching them with our contract opportunities. Community benefit clauses provide an opportunity to direct our third party contractors/suppliers to consider local supported businesses in their supply chain.

During this reporting period the Council has engaged with the following supported businesses through both contract and grant award mechanisms:

- Borders Green Team £14,248
- The Borders Green Team Enterprises £1,820
- Lady Haig Poppy Factory £1,140

## SECTION 5

# Future Regulated Procurements Summary

The Procurement Reform (Scotland) Act 2014 states it is mandatory that this annual procurement report includes “a summary of the regulated procurements the authority expects to commence in the next two financial years.”

### 2022/2023

Contract/Framework Title or Subject Matter	Renewal or New	Estimated SBC Total Contract Value	Expected Contract Start Date
Fire Extinguisher Maintenance	Renewal	£60,000	16/10/2022
Supply & Fit of Tyres	Renewal	£300,000	20/06/2022
Textile Recycling	Renewal	tbc	01/07/2022
Supply of Road Surfacing Materials, Aggregates and Ready Mixed Concrete	Renewal	£15,000,000	01/07/2022
Wood Recycling	Renewal	£144,000	01/08/2022
Non Domestic Energy Efficiency Consultancy and Program Management	New	tbc	01/08/2022
Glass Recycling	Renewal	£225,000	01/09/2022
Repair and Maintenance Contract for Aids to Daily Living Equipment	New	£275,000	01/09/2022
Bridge General Inspections & Scour Assessments	New	£240,000	15/09/2022
Water System Risk Assessment & Water Hygiene Monitoring Services	Renewal	£535,000	01/10/2022
IT Consumables	Renewal	£565,000	01/10/2022
General Stationery and Office Paper	Renewal	£800,000	01/10/2022
PAT Testing	New	£600,000	01/10/2022
Lift Maintenance Service	New	£1,520,000	01/10/2022
Liquid Petroleum Gas	New	£75,000	01/10/2022
Washroom Solutions and Sanitary Products	Renewal	£60,000	01/10/2022



## 2022/2023 (cont'd)

Contract/Framework Title or Subject Matter	Renewal or New	Estimated SBC Total Contract Value	Expected Contract Start Date
Employment Skills Development Training (NOLB)	New	£1,200,000	01/10/2022
Various Playparks	New	£360,000	15/11/2022
Hawick Natural Flood Management Study	New	£150,000	01/12/2022
Telephone Calls and Line Rentals	Renewal	£518,000	14/12/2022
Two Residential Care Homes	New	£22,600,000	*15/01/2023
Janitorial Products	Renewal	£1,200,000	01/03/2023

\*Final date profile to be confirmed - the date shown above is indicative only

## 2023/2024

Contract/Framework Title or Subject Matter	Renewal or New	Estimated SBC Total Contract Value	Expected Contract Start Date
Supply of Electricity	Renewal	£16,200,000	01/04/2023
Natural Gas	Renewal	£2,220,000	01/04/2023
Liquid Fuels	Renewal	£6,000,000	01/04/2023
Water and Waste Water Billing Services including AMR services	Renewal	£2,620,000	01/04/2023
Learning Disabilities Day Services	New	£13,000,000	01/04/2023
Galashiels Academy - Loose Furnishings	New	£840,000	01/04/2023
Peebles High School - Loose Furnishings	New	£870,000	01/04/2023
Earlston Primary School - Loose Furnishings	New	tbc	01/04/2023
Eyemouth Primary School - Loose Furnishings	New	tbc	01/04/2023
Fresh Fruit & Vegetables, Bakery Products and Eggs	Renewal	£1,000,000	01/04/2023
Fresh Meats, Cooked Meats and Fresh Fish	Renewal	£620,000	01/04/2023
Legal Services	Renewal	£80,000	01/04/2023
Workflow 360 Enterprise Content Management (ECM) Solution	Renewal	£126,000	01/04/2023
IDOX Uniform, PA & DMS Licenses	Renewal	£400,000	01/04/2023
SXL Sheriff Officer and Debt Collection Services	Renewal	£840,000	01/04/2023

## 2023/2024 (cont'd)

Contract/Framework Title or Subject Matter	Renewal or New	Estimated SBC Total Contract Value	Expected Contract Start Date
Insurance Services	Renewal	£3,102,000	01/04/2023
Income Management Solution	Renewal	£400,000	01/04/2023
Fuel Cards	Renewal	£240,000	01/04/2023
Laboratory Services for Private Water Supply samples	Renewal	£132,000	01/04/2023
Alcohol and Drug Treatment Service	Renewal	£2,835,000	01/04/2023
On Line School Payments System	Renewal	£80,000	01/04/2023
Beach Life Guarding Services – Coldingham Bay	New	£80,000	01/05/2023
Hosted Case Management Software Solution	Renewal	£1,355,000	01/07/2023
PO Flip and Contract Management Modules	Renewal	£96,000	01/07/2023
Supplier Management Portal	Renewal	£152,000	01/07/2023
Repairs and Maintenance Trades Framework	Renewal	£18,000,000	01/07/2023
Various Playparks	New	£700,000	01/07/2023
Hire of Small Plant & Temporary Accommodation Framework Agreement	Renewal	£2,000,000	26/08/2023
Aids to Daily Living Equipment	Renewal	£500,000	01/01/2024
Water and Waste Water Billing Services including AMR services	Renewal	£16,200,000	01/04/2023

## GLOSSARY/PROCUREMENT TERMINOLOGY

Collaboration	Working with other partners to undertake joint or shared procurement activities with the intention of obtaining better value through the economies of scale and reduced procurement costs
Commissioning	This is the process used to assess the needs of people in the area, then to design and specify the appropriate services to deliver those needs in a cost effective and value for money way.
Community Benefits	These are contract requirements that deliver wider benefits in addition to the core purpose of the contract. These will create added value and will be social, economic or environmental benefits
Contract Management	This is the management of contracts with suppliers or partner. It includes the tasks and activities to ensure the contract is delivered as per the terms. Activity can include the mobilisation of the contract, delivery throughout the term of the contract to expiry and decommissioning. It will also include supplier relationship and performance management
Demand Management	This is a way to reduce costs by managing requirements through many different methods such as forecasting, reducing options, increasing flexibility or considering distribution methods and frequency
Flexible Framework Self-Assessment tool (FFSAT)	A tool used to assess and measure our level of performance of sustainable procurement and to build an action plan to build on that performance
Goods	Items that we buy include things such as catering provisions, office stationery and supplies, or the materials needed to build roads
KPI	Key Performance Indicators are measures out in place as part of the contract arrangements. These will be used to help manage delivery of the contract to a pre-agreed set of quality and quantity indicators
P2P	Procurement to Payment - electronic IT systems and processes used to manage the raising of purchase orders through to the payment of supplier invoices
PCIP	The Scottish Government led Procurement and Commercial Improvement Programme and its associated assessment programme
Procurement	This is process of acquiring goods, services and works
Purchasing	The transactional stages of placing orders for goods, services or works, using P2P systems to receipt goods, services or works received and then to pay for them
Regulations	Public Contracts (Scotland) Regulations 2015 Procurement (Scotland) Regulations 2016 The Procurement Reform (Scotland) Act 2014
Services	Services we buy might include care services, professional services to design works projects or repair and maintenance services
Small and Medium Enterprise (SME's)	Firms that employ less than 9 employees are classified as micro businesses, firms that employ less than 50 are classed as small and those employing less than 250 medium
Sustainable Procurement	A process where organisations meet their needs for goods, services and works in a way that achieves value for money on a whole life costs] basis and generates benefits, not only for the organisation but for society, the economy and the environment
Third Sector	The group name for a range of organisations such as community groups, charities, voluntary organisations, social enterprises or community interest companies. They may be everything inbetween small and local or large multinational companies or charities
Value for Money	Value for money is the optimum combination of whole life costs quality and sustainability to meet our requirements
Whole Life Costing	Whole life costing takes into account the total cost of a product or service over its lifetime, from concept to disposal and including purchase, hire or lease, maintenance, operation, utilities, training and end of life disposal. It is important to take all of these costs into consideration when making decisions as in some cases the purchase cost is only a small proportion of the cost of operating it

# Sustainable Procurement Charter

Scottish Borders Council aims to be a responsible purchaser of goods, services and works. We set standards to make sure we undertake our activities in an ethical, responsible and sustainable way. This charter lays out a number of important principles and policy requirements of the Council to which we expect our suppliers to comply.



## Achieving our Sustainable Procurement Duty

<p><b>Equalities</b></p> <p>We view the Scottish Borders as a place where everyone matters, where everyone should have equal opportunities and where everyone should be treated with dignity and respect. As a responsible employer the Council is committed to promoting equal opportunities to all of the Scottish Borders community, employees and suppliers alike. Consideration of equal opportunities is fully integrated into our procurement practices and is fully committed to the values and ethos of the Equality Act 2010.</p>	<p><b>Disability Confident Scheme</b></p> <p>The Council is an accredited Disability Confident employer. We are committed to the aims of Disability Confident and would encourage our partners, suppliers and providers to demonstrate their commitment to the scheme and also become accredited Disability Confident employers. As appropriate, contracts or framework agreements may include clear performance indicators relating to the positive benefits of such a scheme.</p>	<p><b>Facilitating SME's, third sector and supported businesses in the procurement process</b></p> <p>Our procurement strategy aims to achieve a mixed economy of suppliers to support and develop our local rural market, particularly micro, small and medium sized enterprises, Third Sector organisations and supported businesses. This approach includes simplified and standardised public sector procurement practices, consideration of lotting and a range of hands-on assistance to the local supply chain to help reduce any barriers to involvement in procurement opportunities.</p>	<p><b>Promoting Innovation</b></p> <p>Influencing the market towards innovative solutions can focus public spending on sustainable goods, services and works and create an important catalyst for local job creation, sustainable innovation and market development. Our procurement strategy notes the importance of innovation through procurement and we encourage all our suppliers to consider an innovative approach to the way goods and services are delivered.</p>
<p><b>Fair Work Practices</b></p> <p>As an accredited real Living Wage employer, the Council is committed to encouraging the wider adoption of the real Living Wage by suppliers. The Council has adopted the Scottish Government <i>Best Practice Guidance on Addressing Fair Work Practices, including the Real Living Wage, in Procurement</i> for relevant contracts. The real Living Wage is an hourly rate set by the Living Wage Foundation and is revised in November every year. The current rate is £9.90 (November 2021)</p>	<p><b>Consultation with Stakeholders</b></p> <p>Service User and, where appropriate, wider community consultation is an integral part of commissioning considerations. The strategic importance and complexity of required outcomes will mainly govern the level of consultation undertaken and the choice of the procurement route followed. The final decision on these matters will always be considered in light of what is likely to provide best value for the local community.</p>	<p><b>Health &amp; Safety Compliance</b></p> <p>The Council is committed to achieving a culture that ensures it complies with all current Health and Safety legislation and in so doing endeavours to provide safe places and safe systems of work. This principal extends to those employed to do contracted works for and on behalf of the Council. The Council will only employ contractors who are SSIP accredited.</p>	
<p><b>Fairly &amp; ethically traded goods</b></p> <p>The Council supports the Fair Trade initiative because it reflects our commitment to sustainable development and offers the prospect that marginalised producers across the world will receive fairer deals for their produce. The Council will promote the use of fair trade products across all its services and raise awareness of fair trade amongst its staff and customers. The Council will (to the extent permitted by EU procurement legislation) embed Fair Trade into contracts with suppliers where it has a direct bearing on the required goods, services and works.</p>	<p><b>Provision of Food</b></p> <p>The procurement of food considers the wider community focus of improving the health and wellbeing of young people and communities in the Borders. Promoting a sustainable food supply chain by (where possible) the use of Scottish produce through collaborative contracts supports the delivery of healthy choices to support healthy eating. Food security and ethics are of equal importance and the Council follows Scottish Government guidance to ensure consideration of the highest levels of animal welfare.</p>	<p><b>Prompt payment within 30 days</b></p> <p>The effect of late payment on SME's can be significant, impacting cash flow and the ability to trade. As direct support the Council has a prompt payment policy and related performance indicator which aims to make payment of invoices within 30 days of receipt of a valid invoice. To make sure this policy flows through all stages of the supply chain, our terms and conditions of contract obliges our contracted suppliers to make payment of valid invoices within a similar 30 day period.</p>	<p><b>Information/ Data Management/ Protection</b></p> <p>The Council regards information as a valuable corporate asset which must be obtained, processed and protected diligently, lawfully and ethically. The approach to information governance focuses on safeguarding customers, providing business transparency and ensuring legislative compliance. Relationships with 3rd parties who handle data on behalf of the Council, or with whom we share data are carefully managed. Contracts include information governance compliance conditions with these arrangements being documented and monitored. We will expect all suppliers to take the same robust approach to information management as we do, even after their contract has expired.</p>
<p><b>Environmental Impact and Climate Change</b></p> <p>The Council is committed to reducing its environmental impact, including carbon emissions, wherever possible. The Climate Change (Scotland) Act 2009 places duties on public bodies to deliver their services in a way which supports this, including both internal activities, such as energy saving within buildings, and its work with partners. The way that the Council procures goods and services can have a huge environmental impact, and by purchasing items which can demonstrate a reduced negative effect on wildlife, natural resources and carbon emissions, we can reduce our carbon footprint and support suppliers to do the same.</p>	<p><b>Improving the economic, social and environmental wellbeing of the area</b></p> <p>Adding Value to Communities through Community Benefits or 'social' requirements in public sector procurement is intended to ensure that wider local economic and social issues are considered when delivering construction works, service or supplies contracts. This is achieved through the inclusion of specific clauses within contracts known as community benefit clauses (CBCs).</p>	<p><b>Conflict of Interest</b></p> <p>Council Officers and Members conducting business on behalf of the organisation have a responsibility to do so in a manner that is objective and ethical. As such we require any individual whether employee or supplier to declare such an interest before any procurement activity commences as the best way to handle conflicts of interest is to avoid them entirely.</p>	<p><b>Modern Slavery Act 2015</b></p> <p>The Council adopts a zero tolerance approach to modern slavery and human trafficking. We expect all those who work for and with us to adhere to this approach. As appropriate we will address areas of concern in the tendering process through requiring minimum standards and contract management.</p>

## Category A Scottish Government Framework Agreements - Contract Awards/Spend

Scot. Gov. Ref.	Supplier Name	Subject Matter	Start Date	End Date	Contract Value
SP-17-004	EDF Energy Ltd	Electricity 2019	01.04.21	31.03.22	£2,602,311
SP-14-009	Lyreco UK Ltd	General Stationery and Office Paper (2016)	01.04.21	31.03.22	£74,637
SP-19-009-104	Highland Fuels	Liquid Fuel - Scotland South (2019)	01.04.21	31.03.22	£1,159,310
SP-19-009-104	Scottish Fuels	Liquid Fuel - Scotland South (2019)	01.04.21	31.03.22	£689,074
SP-19-009-103	Scottish Fuels	Liquid Fuel - Scotland Centra (2019)	01.04.21	31.03.22	£169,218 l
SP-17-031	Total Gas & Power Ltd	Natural Gas	01.04.21	31.03.22	£685,397
SP-15-014-1	Royal Mail Group	Postal Services - Ad-hoc and Hybrid Mail (2016)	01.04.21	31.03.22	£55,911
SP-19-035-1	Royal Mail Group	Postal Services - One Stop Shop (2020)	01.04.21	31.03.22	£110,844
SP-19-025	TMP (UK) Ltd	Recruitment Advertising & Public Information Notices (2020)	01.04.21	31.03.22	£80,106
SP-018-040	Business Stream	Water and Waste Water Services (2020)	01.04.21	31.03.22	£653,819
SP-19-013	XMA Limited	Web Based & Proprietary Client Devices 2019	01.04.21	31.03.22	£1,230,340
				<b>Total Value</b>	<b>£7,510,967</b>

## Category B Scotland Excel Framework Agreements - Contract Awards/Spend

SXL Schedule Number	Supplier Name	Subject Matter	Start Date	End Date	Contract Value
0618	SSUK	Ltd Audio Visual	01.04.21	31.03.22	£52,445
0320	Colas Ltd	Bitumen Products	01.04.21	31.03.22	£107,675
0320	Nynas UK	Bitumen Products	01.04.21	31.03.22	£314,451
0318	Jewsons	Building and Timber	01.04.21	31.03.22	£64,779
0517	Care Visions Group Limited	Children's Residential	01.04.21	31.03.22	£253,089
0517	Common Thread Limited	Children's Residential	01.04.21	31.03.22	£217,175
0517	Harmeny Education Trust Ltd	Children's Residential	01.04.21	31.03.22	£501,086
0517	Hillside School (aberdour) Limited	Children's Residential	01.04.21	31.03.22	£816,688
0517	Inspire Scotland Ltd	Children's Residential	01.04.21	31.03.22	£234,643
0517	Kibble Education & Care Centre	Children's Residential	01.04.21	31.03.22	£778,953
0517	Seamab	Children's Residential	01.04.21	31.03.22	£504,075
0517	Spark Of Genius (training) Limited	Children's Residential 0	01.04.21	31.03.22	£438,333
2018	Apetito Limited	Community Meals	01.04.21	31.03.22	£162,136
2018	ICare (GB) Limited	Community Meals	01.04.21	31.03.22	£120,226
2019	The Furnishing Service Limited	Domestic Furniture and Furnishings	01.04.21	31.03.22	£751,514
1220	Yorkshire Purchasing Organisation	Education Materials	01.04.21	31.03.22	£358,000
0620	Langstane Press Limited	Education and Office Furniture	01.04.21	31.03.22	£128,483
0919	City Electrical Factors Ltd	Electrical Materials	01.04.21	31.03.22	£147,316
0919	Edmundson Electrical Ltd	Electrical Materials	01.04.21	31.03.22	£206,559
0913	A.C. Whyte & Co. Ltd	Energy Efficiency Contractors	01.04.21	31.03.22	£316,212
0913	BCA Insulation Ltd	Energy Efficiency Contractors	01.04.21	31.03.22	£134,400
1120	Brake Bros Ltd	Frozen Foods	01.04.21	31.03.22	£521,883
1219	Brake Bros Ltd	Groceries & Provisions	01.04.21	31.03.22	£486,801
1218	Unico Limited	Janitorial Products	01.04.21	31.03.22	£232,853
1218	Alliance Disposables Ltd	Janitorial Products	01.04.21	31.03.22	£292,333
0118	Brake Bros Ltd	Meats - Fresh, Prepared & Cooked (incl. Fresh Fish)	01.04.21	31.03.22	£72,007
0118	Campbell Brothers Limited	Meats - Fresh, Prepared & Cooked (incl. Fresh Fish)	01.04.21	31.03.22	£142,260
0621	Arco Ltd	Personal Protective Equipment	01.04.21	31.03.22	£116,254

SXL Schedule Number	Supplier Name	Subject Matter	Start Date	End Date	Contract Value
3017	Saint-Gobain Building Distribution Limited	Road Maintenance Materials	01.04.21	31.03.22	£94,430
2917	ICL UK (Sales) Limited	Salt for Winter Maintenance	01.04.21	31.03.22	£669,991
0219	St Mary's Kenmure	Secure Care	01.04.21	31.03.22	£249,550
0619	George Walker & Co T/a Walker Love	Sheriff Officers	01.04.21	31.03.22	£209,131
2017	The Social Care Community Partnership Limited	Social Care Agency Workers	01.04.21	31.03.22	£119,447
2617	James M Anderson Ltd	Street Lighting Materials	01.04.21	31.03.22	£75,572
3117	Tunstall Healthcare (UK) Limited (T/A Tunstall Electronics)	Technology Enabled Care	01.04.21	31.03.22	£67,329
0121	Cooks Van Hire Limited	Vehicle & Plant Hire	01.04.21	31.03.22	£220,630
0720	A M Phillip Trucktech Ltd	Vehicle Parts	01.04.21	31.03.22	£60,744
0720	Dingbro Ltd	Vehicle Parts	01.04.21	31.03.22	£115,604
3217	Rentokil Initial Services Ltd T/a Initial Washroom Hygiene	Washroom Solutions and Sanitary Products	01.04.21	31.03.22	£168,814
<b>Total Value</b>					<b>£10,523,872</b>

## Category C Contract and Framework Awards

SBC Ref. Number	Supplier Name	Subject Matter	Award Date	Start Date	End Date	Ext.	Estimated Contract Value
SBC/CPS/2040	Allstar Business Solutions Ltd	Fuel Cards Call Off	01/04/2021	01/04/2021	31/03/2022	12 months	£240,000
SBC/CPS/1614	Various Transport DPS Participants	Awarded Contracts from Transport DPS	01/04/2021	01/04/2021	31/03/2022	0	£16,500,283
SBC/CPS/1812	Nottingham Rehab Limited	Health and Social Care - Aids to Daily Living Equipment	08/04/2021	01/04/202	31/03/2022	12 months	£494,000
2021 - 0852 & 0960	Macleane Moore Ltd	Transformation Consultancy and Programme Management Consultancy	11/04/2021	01/04/2021	31/03/2022	0	£150,000
SBC/CPS/2016	Civica	License and Support Agreement for APP Information Management and Fleet Management Software Solution	23/04/2021	01/04/2021	31/03/2023	0	£77,321
SBC/CPS/2031	Insight Direct (UK) Ltd	Corporate Microsoft Enterprise License Agreement	27/04/2021	01/05/2021	30/04/2024	0	£1,879,192
SBC/CPS/2017	Access UK Limited	Electronic Homecare	27/04/2021	01/06/2021	31/05/2022	0	£113,040
SBC/CPS/2025	Hennessy IT Consulting Limited	ERP System Consultancy and Support	30/04/2021	21/04/2021	01/04/2021	24 months	£151,500
SBC/CPS/2033	ESRI (UK)	License and Support Agreement for Esri GIS Mapping Software Solution	30/04/2021	01/04/2021	31/03/2024	0	£68,136
SBC/CPS/2035	Unit4 Business Software	License and Support Agreement for Unit 4 ERP Software Solution	04/06/2021	01/05/2021	31/03/2023	24	£704,000
SBC/CPS/2047	Turner and Townsend	Project & Cost Management Services for Earlston PS Stages 3-7	22/06/2021	22/06/2021	21/06/2024	0	£700,000



SBC Ref. Number	Supplier Name	Subject Matter	Award Date	Start Date	End Date	Ext.	Estimated Contract Value
SBC/CPS/2052	Stallan-Brand	Peebles HighSchool Consultancy Support	22/06/2021	22/06/2021	31/12/2024	0	£368,000
SBC/CPS/2051	ALD Automotive	Leased Vehicles x 20	16/07/2021	16/07/2021	15/07/2025	0	£214,419
SBC/CPS/1815	Various	Early Learning and Childcare Framework	01/08/2021	01/08/2021	31/07/2024	36 months	£15,039,675
2021 - 0891 & 0892	White Testing UK Ltd	Portable Appliance Testing (PAT) Testing	05/08/2021	01/04/2021	31/03/2022	0	£60,641
SBC/CPS/802	Brightwave Enterprises Limited	License and Support Agreement for eLearning System	17/08/2021	01/08/2021	31/07/2023	0	£51,738
SBC/CPS/1958	Class Networks	Network Mobile Voice and Data Services	02/09/2021	01/08/2021	31/07/2024	0	£371,259
2021 - 0906	Changeworks	Energy Efficiency Consultancy and Programme Management	03/09/2021	01/04/2021	31/05/2022	0	£249,993
SBC/CPS/1164	Various	Sub-contracting Services	06/09/2021	04/10/2021	03/10/2023	24 months	£20,000,000
SBC/CPS/2065	Mott MacDonald	Eddleston Water Water Path	28/09/2021	01/10/2021	30/04/2022	0	£53,000
SBC/CPS/2055	Various	Winter Maintenance Assistance Framework (Footways & Miscellaneous)	28/09/2021	01/11/2021	19/10/2024	0	£300,000
SBC/CPS/1975	Cyrenians	Housing First Service	01/10/2021	01/10/2021	30/09/2023	12 months	£228,249
SBC/CPS/2082	Turner and Townsend	Technical Advisor for Galashiels CC & Peebles HS	07/10/2021	01/06/2021	31/12/2025	0	£250,000
SBC/CPS/2046	Gray Macpherson Architects	Architect - Jedburgh High Street Corner Building	08/10/2021	08/10/2021	31/05/2023	0	£102,800
SBC/CPS/1792	Regen Waste Limited	Co-Mingled Recyclate Transport and Treatment Services	26/10/2021	22/11/2021	21/11/2024	48	£5,600,000

SBC Ref. Number	Supplier Name	Subject Matter	Award Date	Start Date	End Date	Ext.	Estimated Contract Value
SBC/CPS/1706k	XMA	Purchase of Web Based Client Devices and Accessories	19/11/2021	01/12/2021	31/03/2022	0	£114,000
SBC/CPS/2098	Scottish Historic Buildings Trust	Project Management Services for Hawick CARS	23/11/2021	23/11/2021	31/10/2022	0	£50,000
1000472	Yunex Limited	Traffic Equipment Maintenance & Ancillary Support Services	24/11/2021	24/11/2021	23/11/2024	12 months	£197,316
SBC/CPS/2057	Mott MacDonald Limited	EV Feasibility Study Consultant Master Planning	16/12/2021	20/12/2021	30/06/2022	0	£85,000
SBC/CPS/2057	Turner and Townsend	EV Charging Feasibility Project Manager	16/12/2021	20/12/2021	30/06/2022	0	£55,020
1000632	Atkins	Feasibility Study - Rail Travel	17/12/2021	08/11/2021	31/03/2022	0	£105,901
1000739	Insight Direct (UK) Ltd	Educational Enrolment License Agreement for Education Solutions	01/01/2022	01/01/2022	31/12/2026	0	£383,676
SBC/CPS/1280	Civica UK Limited	Integrated Housing Repairs and Maintenance Management Solution	27/01/2022	01/04/2022	31/03/2024	24 months	£99,206
1000884	JM Architects Limited	Architectural Services - Tweedbank Care Village	15/02/2022	15/02/2022	27/05/2024	0	£336,000
1000889	Strata Health UK Ltd	Resource Matching eReferral & Digital Flow Solution to Social Care, Community non-Acute NHS Services	25/03/2022	01/04/2022	31/03/2024	24 months	£474,400
1000888	People Asset Management Limited	Occupational Health Service	25/03/2022	01/04/2022	31/03/2025	12 months	£336,000

SBC Ref. Number	Supplier Name	Subject Matter	Award Date	Start Date	End Date	Ext.	Estimated Contract Value
1000887	Softcat Plc	Microsoft SQL License Agreement (Ref 1000887)	25/03/2022	01/04/2022	31/03/2025	0	£180,180
1000896	Civica	License and Support Agreement for the Provision of the	25/03/2022	01/04/2022	31/03/2024	24 months	£62,250
		Modern. Gov Committee, Meeting and Decisions Management Software Solution					
SBC/CPS/1976	Real Life Options	HCSS - Supported Living	30/08/2021	30.082021	31/08/2024	24 months	£1,239,840
<b>Total Value</b>							<b>£67,686,039</b>

## Social Care & Health Contracts

The Council uses a number of specialist providers across Adult and Children's Social Care & Health Services. These include Residential, Fostering, Educational and other specialist needs. The contracts for these services are put in place with multiple providers (both locally and out of the area) through existing framework agreements or via spot contracts. The use of the EU light touch regime ensures compliance with legislation.

After consideration it is believed that the individual nature of these arrangements creates a significant risk of a data breach occurring if they are publicised in more detail. These contracts are excluded from the above list.

## Appendix 3 – Contracts awarded during the period with Community Benefit Clauses

Contract Reference No.	Supplier Name	Subject Matter	Start Date	End Date	Contract Value
SBC/CPS/1614	Various Transport DPS Participants	Awarded Contracts from Transport DPS	01/04/2021	31/03/2022	£16,500,283
SBC/CPS/1812	Nottingham Rehab Limited	Health and Social Care - Aids to Daily Living Equipment	01/04/2021	31/03/2022	£494,000
2021 - 0906	Changeworks	EnergyEfficiency Consultancy and Programme Management	01/04/2021	31/05/2022	£249,993
SBC/CPS/1164	Various	Sub -contracting Services	04/10/2021	03/10/2023	£20,000,000
SBC/CPS/2065	Mott MacDonald Limited	Eddleston Water Path Consultancy Support	01/10/2021	30/04/2022	£53,000
SBC/CPS/2055	Various	Winter Maintenance Assistance Framework (Footways & Miscellaneous)	01/11/2021	19/10/2024	£300,000
SBC/CPS/1792	Regen Waste Limited	Co-Mingled Recyclate Transport And Treatment Services	22/11/2021	21/11/2024	£5,600,000
SBC/CPS/1706k	XMA	Purchase of Web Based Client Devices and Accessories	01/12/2021	31/03/2022	£114,000
1000889	Strata Health UK Ltd	Resource Matching eReferral & Digital Flow Solution to Social Care, Community non-Acute NHS Services	01/04/2021	31/03/2024	£474,400
1000888	People Asset Management	Occupational Health Service	01/04/2022	31/03/2025	£336,000
<b>Total Value</b>					<b>£44,121,676</b>



## Annual Report Ownership

	Further Information
Approval Process	Scottish Borders Council – Executive Committee September 2022
Led By	Mr David Robertson Acting Chief Executive <a href="mailto:david.robertson@scotborders.gov.uk">david.robertson@scotborders.gov.uk</a>
Delivered By	Mrs Suzy Douglas Financial Services Manager <a href="mailto:sdouglas@scotborders.gov.uk">sdouglas@scotborders.gov.uk</a>

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### PROCUREMENT SERVICES

Scottish Borders Council | Council Headquarters | Newtown St. Boswells | MELROSE | TD6 0SA  
tel: 01835 824000 | email: [procurement@scotborders.gov.uk](mailto:procurement@scotborders.gov.uk)

