



Inverclyde Council Annual Procurement Report

1 April 2022 - 31st March 2023



Contents

1 Introduction	3
2 Summary of Regulated Procurement	4
3 Review of Regulated Procurement Compliance	5
4 Community Benefit Summary	7
5 Fair Work and the Real Living Wage	8
6 Payment Performance	9
7 Supported Businesses Summary	10
8 Spend and Savings Summary	11
9 Future Regulated Procurements Summary	12
Appendix 1 - Full List of Regulated Procurements	13
Appendix 2 - Requirements of the Act	19
Appendix 3 - Community Benefit Outcomes	22
Appendix 4 - Future Procurements (From April 2023 to March 2025)	23
Appendix 5 - Purchase Card Spend Equating to more than £50,000	26
Appendix 6 - Glossary	27
Appendix 7- Key Statistics	29



1 Introduction

As required under section 15 of the Procurement Reform (Scotland) Act 2014 ("the Act"), a contracting authority must publish a Procurement Strategy by December 2016 and subsequently produce an Annual Procurement Report, required by section 18 of the Act. The Annual Procurement report monitors the authority's regulated procurement activities against delivery of its procurement strategy and should be published as soon as is reasonably practicable after the end of their financial year.

Inverclyde Council is pleased to publish our fourth Annual Procurement Report. The content of this Report covers all regulated procurements completed during the period 1st April 2022 to 31st March 2023 and details how those procurements supported the objectives included within the council's Procurement Strategy.

Key benefits in the delivery of the Procurement Strategy are:

- Updating process and procedures to comply with the requirements of the new procurement rules and regulations.
- Increasing time spent on strategic aspects of procurement activities.
- Supporting the council's overall savings targets.
- Embedding the council's community benefits approach into all relevant and proportionate contracts delivering a greater volume and increased variety of outcomes across a wider range of commodities.

- Transitioning to the Scottish Government Procurement Journey which standardised and aligned our processes and procedures and reduced risk and duplication.
- Ensuring Small and Medium-sized Enterprises (SMEs) are provided targeted opportunities as standard within our Quick Quote process (Goods and Services under £50,000, Works under £250,000).
- Fulfilment of our procurement work plans, including the delivery of tenders supporting special projects (e.g. The Glasgow City Region City Deal)

The Council was assessed as part of the national Procurement and Commercial Improvement Programme (PCIP), and achieved a score of 70% in 2018. The Council have agreed to participate in a pilot PCIP assessment and this is planned for 21st November 2023.



2 Summary of Regulated Procurement

Section 18(2) (a) of the Procurement Reform (Scotland) Act 2014 requires organisations to include: “a summary of the regulated procurements that have been completed during the year covered by the report”

Regulated procurement refers to any procurement above £50,000 for goods and services or £2,000,000 for works. A regulated procurement is completed when the award notice is published or where the procurement process otherwise comes to an end. Regulated procurements can refer to new contracts and framework agreements but also to mini-competitions and call offs from existing framework agreements.

In total the Council awarded 90 regulated contracts during the reporting period with a total award value of £39,216,031. The following table provides further detail of the type of awards:

Type	Number of Contracts	Value of Contracts	Unique Suppliers	Unique SME Suppliers
Total Council regulated contracts awarded	35	£14,292,586	29	13
Total Non-Council regulated contracts awarded	55	£24,923,445	50	25
Total regulated contracts awarded	90	£39,216,031	79	38

Appendix 1 Table 1 shows a full list of each individual procurement completed. Information on live contracts can also be found on Inverclyde Council's Contract Register on Public Contracts Scotland.

During the reporting period, the Council also utilised a number of legacy non council frameworks on a call off basis, meaning a large volume of low value orders were raised accumulating to more than £50,000. The 2022/23 spend is shown for each framework in Appendix 1 Table 2.

The Council also utilised the COSLA National Care Home Contract to make awards above regulated procurement with a total value of £17,092,470.

Contract values are based on the total value of the contract for all years that the contract could be in place and therefore includes possible extensions.

During the same period there were instances where alternative methods of procurement were used in line with the regulations and the Council Standing Orders Relating to Contracts (e.g. where there is only one potential supplier).



3 Review of Regulated Procurement Compliance

Section 17 of the Procurement Reform (Scotland) Act 2014 requires that regulated procurements be carried out in accordance with the organisation's procurement strategy, so far as reasonably practical. Section 18(2) states that an annual procurement report must include, at 18(2) (b), "a review of whether those procurements complied with the authority's procurement strategy" and, at 18(2) (c), "to the extent that any regulated procurements did not comply, a statement of how the authority intends to ensure that future regulated procurements do comply".

The Council's Procurement Strategy sets out how regulated procurement would be undertaken in compliance with the Act. This Strategy also set out objectives for improving the process and procedures relating to regulated procurements.

From the Strategy objectives we identified the following key compliance categories:

- Best Value
- Fairness and transparency (General Duties)
- Economic and social sustainability (community benefits)
- Environmental sustainability
- Fair work practices (including Living Wage)
- Purchase to pay efficiencies

Further information on the requirements of the Act can be seen in Appendix 2.

All regulated procurement in the Council is undertaken in accordance with a legal and procedural framework which ensures that each procurement is compliant with the Strategy. Legal requirements are set out in the Council Standing Orders Relating to Contracts. Procedural requirements are set out in Scottish Government Procurement Journey (for general procurement best practice) and the Corporate Procurement Manual.

Regulated procurement spend refers to any spend with suppliers above £50,000 for goods and services or £2,000,000 for works.

Based on an analysis of the financial year 2022/23 spend data, of the £82,574,100 regulated procurement spend, £77,686,841 (94.1%) was compliant with regulated procurements:

Spend Type	Total Regulated Spend	Compliant Regulated Spend	Non-Compliant Regulated Spend	Percentage Compliance
Goods	£10,543,562	£9,862,802	£680,760	93.5%
Services	£68,038,026	£63,831,527	£4,206,499	93.8%
Works	£3,992,512	£3,992,512	£0	100%
Total	£82,574,100	£77,686,841	£4,887,259	94.1%



Inverclyde Council Annual Procurement 1 April 2022 - 31 March 2023

Where there has been non-compliance with procedures, this may be due to previous partnership arrangements which now require a Direct Award or within Light Touch Regime arrangements, or the combined value of spend across various services may be more than the Financial Regulation limits.

Throughout the reporting period, our regulated procurements were monitored on an ongoing basis. This monitoring process consisted of reviewing the key supporting documents that underpin our legislative and procedural framework including sourcing strategies, project plans, procedural documentation, scoring calculators and approval reports. The monitoring process was supplemented by post project reviews, which are undertaken after a contract is awarded as well as at the end of the contract. In addition the best value aspect of our contracts is monitored regularly as part of a robust contract management process. These combined processes ensured that all regulated procurements were undertaken in compliance with the legal and procedural framework and, as a result, in compliance with the Strategy. The reviews have also allowed us to identify the following potential improvement areas:

- There are further opportunities to secure economic, environmental and social sustainability outcomes from Non-Council frameworks.
- Existing contract and frameworks can continue to be targeted in order to increase purchase to pay efficiencies.
- Continue to work with client teams on advance provision of work plans which will allow increased opportunity to deliver best value from our regulated procurements.

The Council is committed to ensuring that all suppliers who are awarded business are paid within 30 days. Prompt payment clauses requiring a 30 day payment term are embedded within our contractual terms and conditions. Suppliers are required to apply the same terms and conditions with their sub-contractors who are delivering and supporting the council contract.



4 Community Benefit Summary

Section 18(2) (d) of the Procurement Reform (Scotland) Act 2014 states that it is mandatory for an annual procurement report to include “a summary of any community benefit requirements imposed as part of a regulated procurement that were fulfilled during the year covered by the report”.

Section 25 of the Procurement Reform (Scotland) Act 2014 mandates that all contracting authorities “must consider whether to impose community benefit requirements as part of the procurement” when the estimated contract value is greater than or equal to £4,000,000.

The council's own policy and manual stipulates that community benefits must be considered for inclusion in all works contracts with an estimated value greater than £1,000,000 and give consideration to include in all goods and services contracts above £50,000.

Robust processes have been developed to ensure that community benefits are considered for inclusion in all relevant contracts in line with the requirements of both the Procurement Reform (Scotland) Act 2014 and the Council's own community benefits policy.

When initiating procurement activity, client departments are required to consider and highlight potential community benefits considerations for inclusion where relevant. Procurement staff then engage with key stakeholders and undertake market research and benchmarking activity to further explore potential opportunities and identify appropriate requirements for inclusion in the contract.

Key community benefits outcomes secured include:

Total number of Council regulated procurements awarded in 2022/23:	35
Total number of Council regulated procurements awarded which included community benefits in 2022/23:	15
Community Benefits secured for delivery in Financial Year 2022/23	23
Community Benefits delivered in Financial Year 2022/23	0

Appendix 3 provides full details of all outcomes secured for delivery during the reporting period.



5 Fair Work and the Real Living Wage

As an update to the requirements within the 2022/23 Procurement Annual Report, the Council is now also required to provide the following summary:

a) The number of Council regulated contracts awarded during the period that have included a scored Fair Work criterion.	22
b) Number of unique suppliers who have committed to pay the real Living Wage in the delivery of a Council regulated contract awarded during the period.	22
c) Number of unique suppliers who are accredited Living wage employers and were awarded a Council regulated contract during the period	8
d) Number of unique suppliers who have signed up to the Scottish Business Pledge and were awarded a Council regulated contract award during the period	4



6 Payment Performance

The table below provides a summary on payment performance:

a) Number of valid invoices for the period	40,263
b) Percentage of invoices paid on time for the period	96.15%
c) Number of Council regulated contracts awarded during the period containing a contract term requiring the prompt payment of invoices in public contract supply chains	35
d) Number of concerns raised by sub-contractors about the timely payment of invoices within the supply chain of public contracts	0

A summary of spend by supplier using a purchase card is provided in Appendix 5. Although this is not a requirement of the act this information serves as an extra level of transparency. All of these transactions involve legitimate expenses and have been fully scrutinised before being approved.



7 Supported Businesses Summary

Section 18(2)(e) of the Procurement Reform (Scotland) Act 2014 requires organisations to include “a summary of any steps taken to facilitate the involvement of supported businesses in regulated procurements during the year covered by the report”.

The council's Contract Standing Orders dictates that consideration be given to inclusion of supported businesses in all regulated procurements.

During the reporting period there were no regulated procurements awarded to supported businesses. The reason for this is that the goods, services or works associated with these procurements are not provided by existing supported businesses.

The council does have existing agreements in place with Lady Haigs Poppy Factory, spending £127.13 who are a registered Supported Business and continues to explore opportunities for other organisations to become a supported business.



8 Spend and Savings Summary

A further new requirement of this year's report is that the following summary of spend and savings is provided:

a) Total procurement spend for the period covered by the annual procurement report.	£99,874,946
b) Total procurement spend for the period on SMEs during the period covered by the annual procurement report.	£59,026,093
c) Total procurement spend with third sector bodies during the period covered by the report.	£23,809,811
d) Percentage of total procurement spend through collaborative contracts	42.06%
e) Total targeted cash savings for the period covered by the annual procurement report	£0
f) Total delivered cash savings for the period covered by the annual procurement report	£0
g) Total non-cash savings for the period covered by the annual procurement report	£0



9 Future Regulated Procurements Summary

Section 18(2)(f) of the Procurement Reform (Scotland) Act 2014 states it is mandatory that an annual procurement report must include “a summary of the regulated procurements the authority expects to commence in the next two financial years.” Future regulated procurements have been identified via the following means:

- Current contracts on the council tender work plan that will expire and need to be extended or re-let over the next two years.
- New procurements identified via future tender work plans provided by Council service teams and analysis of council spend.
- New procurements identified via anticipated work plans for special projects (e.g. The Glasgow City Region City Deal).

a) Total number of regulated procurements expected to commence in the next two financial years	59
b) Total estimated value of regulated procurements expected to commence in the next two financial years	£142,030,846

A full list of anticipated procurements in the next two years can be seen in Appendix 4.



Appendix 1 - full list of regulated procurements

Table 1 - Awards of New Council Frameworks and Contracts

Date of Award	Supplier	Subject Matter (Commodity)	Title	Contract Start Date	Contract End Date With extensions	Estimated Contract Value
1 01/04/2022	Alex M Adamson LLP	Finance	Sheriff Officer	01/04/2022	31/03/2026	£100,000
2 12/04/2022	Nathans Waste Savers	Waste	Textile and Footwear Recycling	12/04/2022	31/03/2026	£57,000
3 19/04/2022	Inverclyde Advice & Employment Rights Centre	Employability	Employability Services in Inverclyde – Employment Advice, Advocacy and Guidance	19/04/2022	31/03/2024	£142,000
4 11/05/2022	Enva Organics Recycling Limited	Waste	Treatment of Organic Waste	01/07/2022	30/06/26	£420,000
5 31/05/2022	Barnardo's	Education	Family Support Worker Service	01/07/2022	30/06/2024	£585,000
6 31/05/2022	OLM Systems Limited	Health & Social Care	Social Care Case Management System	01/06/2022	31/05/2032	£913,283
7 15/06/2022	Hillhouse Quarry Group Limited	Roads	Supply & Delivery of Coated Roadstone Materials	27/06/2022	31/03/2022	£741,748
8 27/06/2022	The Wise Group	Safer Inclusiv	Delivery Partner to deliver HEEPS:ABS Programme in Inverclyde 2022/2023	01/07/2022	30/06/2024	£1,462,261
9 01/07/2022	Angel Care Services (Scotland) Limited T/A Crown Care	Health & Social Care	The Provision of a Building Based Day Care and Outreach Service (Self Directed Support Option 2 and 4). Area A Inverclyde East and Area B Inverclyde West	01/07/2022	30/06/2024	£374,000
10 01/07/2022	Muirshiel Resource Centre	Health & Social Care	The Provision of a Building Based Day Care and Outreach Service (Self Directed Support Option 2 and 4). Area A Inverclyde East	01/07/2022	30/06/2024	£438,000



Inverclyde Council Annual Procurement

1 April 2022 - 31 March 2023

Date of Award	Supplier	Subject Matter (Commodity)	Title	Contract Start Date	Contract End Date With extensions	Estimated Contract Value
11 28/07/2022	Marchmont Care Centre	Health & Social Care	The Provision of an Interim Bed Service	01/08/2022	31/07/2023	£259,612
12 01/08/2022	Turning Point Scotland	Health & Social Care	Residential Rehabilitation Pathway Services	01/08/2022	31/07/2025	£297,000
13 01/08/2022	Halfords Ltd	Corporate	Cycle to Work Scheme	01/08/2022	31/07/2027	£150,000
14 04/08/2022	People Asset Management Ltd	Corporate	Occupational Health Service	01/10/2022	30/09/2027	£580,000
15 People Asset Management Ltd	Alzheimer Scotland	Health & Social Care	Provision of a Specialist Dementia Service to include Enhanced Day Care Services; Enhanced Sensory Day Care Services and Young Onset Dementia Service	01/07/2022	30/09/2022	£55,624
16 18/08/2022	Barnardo's	Education	Paths Programme	18/08/2022	17/08/2023	£85,000
17 25/08/2022	Trust Housing Association Limited	Health & Social Care	Provision of Care and Support at St Margaret's Court Greenock	01/01/2022	31/12/2026	£310,000
18 30/08/2022	Access UK Limited	Health & Social Care	CM – Electronic Care Monitoring, Management & Scheduling	01/08/2022	31/07/2023	£102,047
19 08/09/2022	Business Development Advisers Limited	Economic Development	Business Gateway Services in Inverclyde	16/09/2022	15/09/2023	£106,300
20 03/10/2022	CVS- Inverclyde	Health & Social Care	Provision of Funding for Warm Hands of Friendship	03/10/2022	31/03/2023	£94,000
21 18/10/2022	Mind of My Own	Health & Social Care	The Provision of an Integrated Children's Service	01/11/2022	31/10/2023	£240,900
22 30/10/2022	Scottish Association for Mental Health	Health & Social Care	Electronic App to Monitor Children & Young People's Views	19/09/2022	18/09/2025	£159,000
23 10/11/2022	Centregreat Limited	Health & Social Care	Provision of a Gateways Recovery Service	01/10/2022	30/09/2023	£286,000



Inverclyde Council Annual Procurement 1 April 2022 - 31 March 2023

Date of Award	Supplier	Subject Matter (Commodity)	Title	Contract Start Date	Contract End Date With extensions	Estimated Contract Value
24 11/11/2022	Centregreat Limited	Roads	Road Lighting and Traffic Sign Lighting Maintenance	11/11/2022	10/11/2026	£2,396,056
25 15/11/2022	Brodies LLP	Regeneration	Regeneration of Clune Park Estate Port Glasgow	15/11/2022	14/05/2023	£109,525
26 16/11/2022	Legrand Electric Limited	Health & Social Care	Supply & Delivery of Digital Alarm Units and Peripherals (Digital Telecare)	21/11/2022	31/12/2024	£531,626
27 09/12/2022	Inverclyde Carers Centre	Health & Social Care	Provision of a Carers Support Service	01/01/2023	30/04/2023	£97,966
28 21/12/2022	Alzheimer Scotland – Action on Dementia	Health & Social Care	Provision of a Building Based Day Care Service (Self-Directed Support Option 2 and 4) Area A Inverclyde East and Area B Inverclyde West	01/01/2023	31/12/2023	£229,500
29 24/01/2023	Hillhouse Quarry Group Limited	Roads	Supply and Delivery Road Stone Materials	01/02/2023	31/01/2025	£1,789,006
30 30/01/2023	Children 1st	Health & Social Care	Provision of an Early Intervention and Family Support	01/02/2022	31/01/2023	£195,712
31 01/03/2023	CVS Inverclyde	Health & Social Care	Cost of Living Support Funding	01/01/2023	31/03/2023	£100,000
32 30/03/2023	Financial Fitness Resource Team	Health & Social Care	Provision of a Financial Fitness Advice and Information Service	01/04/2023	31/03/2023	£121,260
33 30/03/2023	SME HCI Limited	Corporate	Shared Additional Voluntary Contributions (AVCs) and Lifestyle Savings Managed Schemes	01/06/2023	31/05/2028	£125,000
34 31/03/2023	Barnardo's	Health & Social Care	Provision of a Wellbeing Support Worker Service for Families – Children with ASN	01/04/2023	31/03/2024	£86,000
35 31/03/2023	Your Voice	Health & Social Care	Provision of Community Engagement including a Shopmobility and Digital Inclusion Service	01/04/2023	31/03/2027	£552,160
Total						£14,292,586



Table 2 - Orders with Non-Council Framework Suppliers amounting to more than £50,000 spend in 2022/23

	Supplier	Framework Owner	Framework Name	2021/22 Spend
1	Access UK Ltd	Crown Commercial Services	G Cloud 12	£104,318
2	Atkins Ltd	Scotland Excel	Engineering and Technical Consultancy	£147,007
3	Barnardo's	Scotland Excel	Fostering And Continuing Care	£184,777
4	Brake Bros Ltd	Scotland Excel	Groceries & Provisions	£528,388
5	Brake Bros Ltd	Scotland Excel	Supply Only And Supply & Delivery Of Frozen Foods	£370,773
6	Business Stream	Procurement Scotland	Water & Waste Services (2020)	£386,744
7	Care Visions Group Limited	Scotland Excel	Children's Residential Care And Education Inc Short Breaks	£112,537
8	Care Visions Group Limited	Scotland Excel	Children's Residential Care And Education Services	£107,839
9	Claremont Office Furniture Ltd	Scotland Excel	Education And Office Furniture	£52,775
10	Coeval Ltd	Scotland Excel	Supply & Delivery of Road Signage Materials	£365,627
11	Crossreach (the Operating Name For The Church Of Scotland Social Care Council)	Scotland Excel	Children's Residential Care And Education Inc Short Breaks	£286,092
12	Crossreach (the Operating Name For The Church Of Scotland Social Care Council)	Scotland Excel	Children's Residential Care And Education Services	£177,968
13	East Park School	Scotland Excel	Children's Residential Care And Education Services	£82,951
14	EDF Energy Ltd	Procurement Scotland	Electricity	£2,128,176
15	Edmundson Electrical Ltd	Scotland Excel	Supply And Delivery Of Electrical Materials	£108,308
16	Enable Scotland (leading The Way)	Scotland Excel	Care And Support	£368,775
17	Findel Education Limited T/a Hope Education	Scotland Excel	Education Materials	£71,968
18	Fostering People Scotland Limited	Scotland Excel	Fostering And Continuing Care	£67,246
19	Fosterplus (Fostercare) Ltd	Scotland Excel	Fostering And Continuing Care	£149,568
20	Hawthorn Heights Ltd	Scotland Excel	Outdoor Play And Sports Facilities	£80,068



Inverclyde Council Annual Procurement 1 April 2022 - 31 March 2023

Supplier	Framework Owner	Framework Name	2021/22 Spend
21 Hewlett Packard UK Ltd	Procurement Scotland	Mobile Client Devices	£625,657
22 Hillhouse Quarry Group Ltd	Scotland Excel	Supply And Delivery Of Roadstone Materials	£642,017
23 Hillside School (aberdour) Limited	Scotland Excel	Children's Residential Care And Education Services	£67,632
24 Inspire Scotland Ltd	Scotland Excel	Children's Residential Care And Education Services	£198,424
25 Inverclyde Association For Mental Health	Scotland Excel	Care And Support	£ 277,217
26 Key Housing Association Limited	Scotland Excel	Care And Support	£1,411,999
27 Kibble Education & Care Centre	Scotland Excel	Childrens Residential Care And Education Inc Short Breaks	£544,433
28 Kibble Education & Care Centre	Scotland Excel	Children's Residential Care And Education Services	£259,411
29 Konica Minolta Ltd	Procurement Scotland	Office Equipment - Multi-functional Devices & Services	£167,343
30 Lyreco UK Ltd	Procurement Scotland	General stationery and office paper	£146,169
31 McKay & Inglis	Procurement Scotland	Print And Associated Services 2019 - litho/ digital print services	£53,223
32 Mcconechy's tyre service Ltd	Scotland Excel	Supply And Fitment Of Tyres For Vehicles And Plant	£114,589
33 McLays Ltd	Scotland Excel	Fresh Meat, Cooked Meats & Fresh Fish	£83,883
34 Mitie Security Ltd	Scotland Excel	Security Services and Cash Collection	£150,747
35 Müller Uk & Ireland Group Llp T/a Müller Milk & Ingredients	Scotland Excel	Supply And Delivery Of Milk	£99,891
36 Quarriers	Scotland Excel	Care And Support	£2,231,326
37 Regen Waste Ltd	Scotland Excel	Treatment Of Recyclable & Residual Waste	£407,653
38 Rentokil Initial Services Limited T/a Initial Washroom Hygiene	Scotland Excel	Washroom Solutions and Sanitary Products	£62,878
39 Rentokil Initial Services Limited T/a Initial Washroom Hygiene	Scotland Excel	Washroom Solutions and Sanitary Products	£61,975
40 Salvation Army Trustee Company (the) T/a The Salvation Army	Scotland Excel	Care And Support	£238,011
41 Scottish Association For Mental Health	Scotland Excel	Care And Support	£141,441
42 Scottish Fuels	Procurement Scotland	Liquid Fuel - Scotland Central (2019)	£660,153



Inverclyde Council Annual Procurement

1 April 2022 - 31 March 2023

Supplier	Framework Owner	Framework Name	2021/22 Spend
43 Securigroup Limited	Scotland Excel	Security Services and Cash Collection	£103,867
44 Softcat	Procurement Scotland	Software - Value Added Reseller (VAR)	£410,741
45 Spark Of Genius (training) Limited	Scotland Excel	Children's Residential Care And Education Services	£300,942
46 The Double A Trading Company Limited	Scotland Excel	Grounds Maintenance Equipment	£176,186
47 The Furnishing Service Ltd	Scotland Excel	Domestic Furniture And Furnishings	£72,625
48 The Irish Salt Mining & Exploration Company (T/A Salt Sales Company)	Scotland Excel	Salt for Winter Maintenance	£127,916
49 The Richmond Fellowship Scotland Limited	Scotland Excel	Care And Support	£4,026,750
50 Total Gas & Power Ltd	Procurement Scotland	Natural Gas	£1,755,722
51 Turning Point Scotland Services Limited	Scotland Excel	Care And Support	£2,794,062
52 Unico Ltd	Scotland Excel	Janitorial Products	£248,875
53 Vodaphone	Procurement Scotland	Mobile Voice & Data Services (2020)	£57,106
54 Wm Hamilton & Sons Limited	Scotland Excel	Vehicle And Plant Hire	£228,914
55 Yorkshire Purchasing Organisation	Scotland Excel	Education Materials	£91,762
Total			£24,923,445



Appendix 2 - requirements of the act

Procurement Reform (Scotland) Act 2014 asp 12 Part 2 General duties
Section 8

8 General Duties

- (1) A contracting authority must, in carrying out a regulated procurement –
 - (a) treat relevant economic operators equally and without discrimination,
 - (b) act in a transparent and proportionate manner.
- (2) A contracting authority must also comply with the sustainable procurement duty.
- (3) However, a contracting authority must not do anything in pursuance of subsection (2) that would conflict with its duty under subsection (1).
- (4) A relevant economic operator is an economic operator who is a national of, or is established in –
 - (a) A member State, or
 - (b) Iceland, Liechtenstein or Norway.
- (5) Subsection (1) does not apply in relation to an EU-regulated procurement

9 Sustainable Procurement Duty

- (1) For the purposes of this Act, the sustainable procurement duty is the duty of a contracting authority –
 - (a) before carrying out a regulated procurement, to consider how in conducting the procurement process it can –
 - (i) improve the economic, social, and wellbeing of the authority's area,
 - (ii) facilitate the involvement of small and medium enterprises, third sector bodies and supported businesses in the process, and
 - (iii) promote innovation, and
 - (b) in carrying out the procurement, to act with a view to securing such improvements identified as a result of paragraph (a)(i).
- (2) The contracting authority must consider under subsection (1) only matters that are relevant to what is proposed to be procured and, in doing so, consider the extent to which it is proportionate in all the circumstances to take those matters into account.
- (3) In this section –
 - “small and medium enterprises” means businesses with not more than 250 employees
 - “third sector bodies” means organisations (other than bodies established under an enactment) that exist wholly or mainly to provide benefits for society or the environment.
- (4) In this section, references to the wellbeing of the authority's area include reducing inequality in the area. Procurement Reform (Scotland) Act 2014 asp 12 Part 2 Procurement strategy and annual report Section 15.



15 Procurement Strategy

- (1) A contracting authority which expects to have significant procurement expenditure in the next financial year must, before the start of that year –
 - (a) prepare a procurement strategy setting out how the authority intends to carry out regulated procurements, or
 - (b) review its procurement strategy for the current financial year and make such revisions to it as the authority considers appropriate.
- (2) Subsection (3) applies where a contracting authority –
 - (a) has not, in relation to a financial year, prepared or reviewed a strategy under subsection (1), and
 - (b) becomes aware of the likelihood of having significant procurement expenditure during that year.
- (3) The contracting authority must, as soon as practicable after it becomes aware of the likelihood of having significant procurement expenditure –
 - (a) prepare a procurement strategy setting out how the authority intends to carry out regulated procurements, or
 - (b) review its most recent procurement strategy and make such revisions to it as the authority considers appropriate.
- (4) An authority has significant procurement expenditure in a year if the sum of the estimated values of the contracts to which its regulated procurements in that year relate is equal to or greater than £5,000,000.

- (5) The procurement strategy must, in particular –
 - (a) set out how the authority intends to ensure that its regulated procurements will
 - (i) Contribute to the carrying out of its functions and the achievement of its purposes
 - (ii) deliver value for money, and
 - (iii) be carried out in compliance with its duties under section 8,
 - (b) include a statement of the authority's general policy on
 - (i) the use of community benefit requirements,
 - (ii) consulting and engaging with those affected by its procurements,
 - (iii) the payment of a living wage to persons involved in producing, providing or constructing the subject matter of regulated procurements,
 - (iv) promoting compliance by contractors and sub- contractors with the Health and Safety at Work etc. Act 1974 (c.37) and any provision made under that Act, and
 - (v) the procurement of fairly and ethically traded goods and services,
 - (c) [include a statement of the authority's general policy on how it intends its approach to regulated procurements involving the provision of food to –
 - (i) improve the health, wellbeing and education of communities in the authority's area, and
 - (ii) promote the highest standards of animal welfare,



- (d) set out how the authority intends to ensure that, so far as reasonably practicable, the following payments are made no later than 30 days after the invoice (or similar claim) relating to the payment is presented –
 - (i) payments due by the authority to a contractor,
 - (ii) payments due by a contractor to a sub-contractor,
 - (iii) payments due by a sub-contractor to a sub-contractor,
 - (e) address such other matters as the Scottish Ministers may by order specify.
- (6) The Scottish Ministers may by order modify subsection (4) so as to substitute for the figure specified there for the time being such other figure as they consider appropriate.
- (7) In subsection (5)(b)(iii), a “living wage” means remuneration which is sufficient to ensure an acceptable standard of living.



Appendix 3 - community benefit outcomes

Theme	Outcome	Number Secured	Number Delivered
Employability	Job for unemployed individual	1	0
Employability	Modern Apprenticeships	2	0
Skills & Training	Work Experience Placement for an individual 16+ years of age	6	0
Skills & Training	Work Experience Placement for an individual aged 14 to 16 years of age	3	0
Skills & Training	Qualifications S/NVQ	3	0
Skills & Training	Industry Awareness Events • Schools • Further Education	5	0
Supply Chain Development	Business advice/support to an SME /Social Enterprise/ Voluntary organisation	2	0
Community Engagement	Financial Support for a Community Project	1	0
Total			0



Appendix 4 - future regulated procurements (From April 2023 to March 2025)

Subject Matter (Commodity)	Title of Contract	Estimated Contract Start Date	Estimated Total Contract Value	Type
1 Business Development	Business Gateway Service in Inverclyde	15/09/2023	£160,000	Ongoing
2 Corporate	Physiotherapy Service	01/02/2024	£50,000	Ongoing
3 Corporate	Counselling Service	01/02/2024	£50,000	Ongoing
4 Corporate	Lone Worker	01/02/2024	£80,000	Ongoing
5 Education	Cashless Catering System	01/02/2024	£80,000	Ongoing
6 Education	After School Affordable Child Care	01/02/2024	£114,000	Ongoing
7 Finance	External Virtual Accountant (Riverside Inverclyde)	01/11/2023	£69,000	Ongoing
8 Finance	Provision of an Insurance & Claims Handling Service	01/11/2023	£4,250,000	Ongoing
9 Policy	Citizens Panel	20/11/2023	£50,000	Ongoing
10 Health & Social Care	Provision of an Electronic Call Monitoring System for Care and Support at Home	01/07/2023	£1,330,000	Ongoing
11 Health & Social Care	Supported Living Service	01/02/2024	£6,800,000	Ongoing
12 Health & Social Care	Support Recovery to Address Social Isolation	01/10/2023	£289,060	Ongoing
13 Health & Social Care	Therapeutic Rehabilitation Horticulture	01/11/2023	£100,000	Ongoing
14 Health & Social Care	Supported Living Service for Adults	26/07/2021	£240,000	Ongoing
15 Health & Social Care	Core Staff to Support Local Rehabilitation Pathway	01/11/2022	£100,000	Ongoing
16 Health & Social Care	Support for Early Onset Dementia	01/01/2024	£56,624	Ongoing
17 Health & Social Care	Information, Advice and Support Service, Respite Group, Holidays, Sitter Service and Short Breaks	01/05/2024	£293,986	Ongoing
18 Health & Social Care	Homecare	01/04/2024	£10,500,000	Ongoing
19 Health & Social Care	Children & Young People Advocacy	01/04/2024	£255,000	Ongoing



Inverclyde Council Annual Procurement

1 April 2022 - 31 March 2023

Subject Matter (Commodity)	Title of Contract	Estimated Contract Start Date	Estimated Total Contract Value	Type
20 Health & Social Care	Community Connectors	01/04/2024	£255,000	Ongoing
21 Health & Social Care	Women's Aid	01/11/2023	£525,656	Ongoing
22 Health & Social Care	In Work	01/03/2024	£197,560	Ongoing
23 Health & Social Care	Childrens Residential with Education	10/11/2023	£1,417,988	Ongoing
24 Health & Social Care	Children's Early Help Service	01/02/2024	£195,712	Ongoing
25 Health & Social Care	Daycare	01/07/2024	£1,600,000	Ongoing
26 Health & Social Care	Children & Young Peoples Short Breaks	05/11/2023	£70,000	Ongoing
27 Health & Social Care	The Provision of an Integrated Children's Service	01/11/2024	£230,000	Ongoing
28 Health & Social Care	School Aged Counselling Service	01/07/2024	£1,000,000	Ongoing
29 Health & Social Care	Financial Fitness Resource Team	01/04/2024	£121,260	Ongoing
30 Health & Social Care	Inverclyde Learning Disability Community Hub	TBC	£9,500,000	One Off
31 Property	CCTV Maintenance	01/11/2024	£50,000	Ongoing
32 Property	MTC Drain Cleaning Repairs	06/02/2024	£250,000	Ongoing
33 Property	MTC Intruder & Fire Alarm Maintenance	08/01/2024	£200,000	Ongoing
34 Property	MTC Roofing	01/06/2024	£220,000	Ongoing
35 Property	MTC Glazing Repairs	01/08/2024	£76,000	Ongoing
36 Property	Blacksmiths	01/12/2023	£516,000	Ongoing
37 Property	Handheld Fire Fighting Equipment Maintenance	20/06/2024	£50,000	Ongoing
38 Property	MTC General Builder Works	19/11/2024	£100,000	Ongoing
39 Property	Sprinkler Installations Maintenance	01/10/2024	£70,000	Ongoing
40 Property	Door Access Control Systems Maintenance	01/12/2024	£110,000	Ongoing
41 Property	Smoke vent and actuator PPM / maintenance	01/11/2024	£55,000	Ongoing
42 Roads	West Blackhall Street Regeneration Phase 1	01/09/2023	£3,238,000	One Off
43 Roads	West Blackhall Street Regeneration Phase 2	01/06/2024	£4,005,000	One Off
44 Roads	Inverkip junction improvements	01/05/2024	£3,800,000	One Off
45 Roads	Decriminalised Parking	15/10/2024	£80,000	Ongoing



Inverclyde Council Annual Procurement

1 April 2022 - 31 March 2023

46	Safer Inclusive	Care & Repair	01/04/2024	£390,000	Ongoing
47	Safer Inclusive	Delivery Partner to deliver the Energy Efficiency Scotland Programme Area Based Scheme (ABS) (HEEPS)	30/06/2024	£2,800,000	Ongoing
48	Workforce Development	Employability	01/04/2024	£1,100,000	Ongoing
49	Regeneration	Levelling Up – Consultancy Support	01/10/2023	£200,000	One Off
50	Regeneration	Levelling Up – Design & Build	01/06/2024	£21,000,000	One Off
51	Regeneration	Town Centre Action Plans	31/03/2024	£90,000	One Off
52	Regeneration	Employability School Leaver Training Programme	04/09/2023	£300,000	One Off
53	Economic Development	Improving your Business Skills	01/04/2024	£310,000	One Off
54	Waste	Residual & Bulky Waste	01/01/2023	£60,000,000	Ongoing
55	Waste	Gully Waste	01/01/2024	£250,000	Ongoing
56	Waste	Inert Waste & Rubble	01/10/2024	£75,000	Ongoing
57	Waste	Dry Mixed Recycling	18/10/2024	£2,500,000	Ongoing
58	Waste	Glass Recycling	05/07/2024	£150,000	Ongoing
59	Waste	Mixed Rigid Plastics	01/07/2024	£65,000	Ongoing
	TOTAL			£142,030,846	



Appendix 5 - purchase card spend equating to more than £50,000

Supplier		Spend
1	McConechys	£136,732.58
2	Amazon	£129,883.53
3	Electric Center	£124,719.99
4	Tesco	£88,104.69
5	Aspex Scotland Ltd	£66,448.60
6	Enterprise	£64,015.93
Total		£609,905.32



Appendix 6 - glossary

Best Value

An economic assessment by the public sector as to whether a project represents value for money; the optimum combination of cost and quality to provide the required service.

Community Benefits

Community benefits are requirements which deliver wider benefits in addition to the core purpose of a contract. These can relate to social, economic and or environmental benefits.

Commodity

A group of goods or services that have shared characteristics

Contract

An agreement concluded between the Council and the supplier that is legally binding, containing terms of the agreement, any schedules and appendices, the Tender Specification and any other specifications, drawings, official purchase order(s) and other documents which are relevant to the Contract.

COSLA

The Convention of Scottish Local Authorities, is the representative voice of Scottish local government, lobbying on behalf of member Councils. COSLA works directly with the Scottish Government and Parliament to influence public policy and practice, and to ensure that local government has the necessary resources to implement policy on behalf of its communities

Fair Work Practices

Employment practices that support wellbeing e.g. training and development, equality of opportunity.

Framework

An agreement or other arrangement between one or more contracting authorities and one or more economic operators which establishes the terms (in particular the terms as to price and, where appropriate, quantity) under which the economic operator will enter into one or more contracts with a contracting authority in the period during which the framework agreement applies.

Procurement Strategy

A document required as part of Scottish Procurement Regulations that sets out how the Council intends to carry out its regulated procurements i.e. procurements with an estimated value equal to or greater than £50k (excluding VAT) for goods & services (or £2,000,000 excluding VAT for a public works contract).

Public Contracts Scotland

The national advertising portal used to advertise all Scottish Government goods, services or works contract opportunities.

Public Contracts Scotland Tender

The national advertising portal used to tender all Scottish Government goods, services or works contract opportunities.



Inverclyde Council Annual Procurement 1 April 2022 - 31 March 2023

Real Living Wage

A wage rate per hour that is based on the cost of living and is currently voluntarily paid by UK organisations. The current rate per hour for Financial Year 2022/23 is minimum £10.90 across the UK and £11.95 in London, for ages 18 and older. Organisations can gain accreditation of this with the Living Wage Foundation.

Regulated Procurement

Contracts above the EU contract threshold values where the relevant EU regulations apply (above £50,000 for goods and services contracts and above £2,000,000 for works contracts).

Regulated Spend

Spend above the EU contract threshold values where the relevant EU regulations apply (above £50,000 for goods and services contracts and above £2,000,000 for works contracts).

Stakeholder

Any person or group who has a vested interest in the success of the procurement activity, i.e. either provides services to it, or receives services from it.

Supplier

An entity who supplies goods or services; often used synonymously with "vendor".

Supported Business

An organisation whose main aim is the social and professional integration of disabled or disadvantaged persons.

Small and Medium Enterprises (SME's)

Enterprises which employ fewer than 250 persons and which have an annual turnover not exceeding 50 million euro, and/or an annual balance sheet total not exceeding 43 million euro.

Third Sector

The part of an economy or society comprising non-governmental and non-profit-making organisations or associations.

Sustainable Procurement

A process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis and generates benefits, not only for the organisation but also to society, the economy and the environment.

Tender Work Plan

List of upcoming procurement activity including re-tenders, extensions, and new activity.



Appendix 7- key statistics

Key Statistics in relation to Regulated spend and procurement's (above £50,000 for goods and services or £2,000,000 for works).

Contracts	Suppliers	Community Benefits
		
35 Council Contracts Awarded	150 Suppliers Used	23 Community Benefits Secured
124 Contracted Suppliers		5 Workplace Visits and Careers Events
£14.29m of Council Contracts Awarded	107 Suppliers Used Based in Scotland	3 New Entrant Positions
58 Collaborative Frameworks Used	£60.03m Spend with Suppliers in Scotland	1 Community Engagement and Funding
21 Council Contracts Awarded with Commitments to <i>Fair Work First</i>	36 Suppliers Used Based in Inverclyde	9 Work Experience Placements
15 Council Contracts Awarded that contain Community Benefits	£20.45m Spend with Suppliers Based in Inverclyde	22 Supplier Awarded Council Contracts that as a Minimum Pay The Real Living Wage

