

ARGYLL AND BUTE COUNCIL



**PROCUREMENT STRATEGY 2016/17-2017/18 &
SUSTAINABLE PROCUREMENT POLICY 2016/17-
2017/18**

STAKEHOLDER CONSULTATION REPORT

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1 INTRODUCTION

Argyll and Bute Council's Procurement and Commissioning Team (PCT) would like to begin this report by thanking all stakeholders who took the time to respond to our consultation in relation to the Procurement and Commissioning Strategy 2016/17-2017/18 and the Sustainable Procurement Policy 2016/17-2017/18. It is important for us to ensure that our key documents and the priorities they contain reflect the concerns of our key stakeholder groups, both internal and external.

2 BACKGROUND

2.1 Procurement Strategy

The Argyll and Bute Council Procurement Strategy 2016/17-2017/18 sets out a framework which is designed to enable the Council to continue on its journey of change and innovation through:

- Building capacity and skills within the Council to continue to improve commissioning and procurement activity;
- Increasing the level of collaboration both internally, between service areas, and externally with other partner organisations;
- Engaging proactively with key suppliers through contract and supplier relationship management to ensure that we extract maximum value and innovation from our supply base;
- Focusing our commissioning and procurement activity on delivering improvements for the people and communities in Argyll and Bute;
- Working cooperatively in everything we do to support SMEs and the third sector.

2.2 Sustainable Procurement Policy

The Argyll and Bute Council Sustainable Procurement Policy 2016/17-2017/18 builds on existing sustainability practice. The policy covers the three strands of sustainability: environmental, social and economic and aims to meet the substantial challenges of balancing the complexities of sustainable procurement within today's economic climate and continued drive for best value.

The Council has a statutory requirement to update and publish both its Procurement Strategy and its Sustainable Procurement Policy on an annual basis following the key changes introduced by the Procurement Reform (Scotland) Act 2014 and the Procurement (Scotland) Regulations 2016.

2.3 Public bodies are required to produce their first procurement strategy by 31st December 2016. This strategy must cover, as a minimum, the remainder of that financial year, and the first full financial year starting after 31st December 2016.

2.4 The Council also has a requirement to consult with key stakeholder groups for both of these documents. The aims of the consultation were:

- To increase awareness of the Council's Procurement Strategy and Sustainable Procurement Policy and engage meaningfully with key stakeholder groups;
- To make sure the links between the strategy and policy and other relevant strategies and plans are clear; and
- To enable a diverse range of stakeholder groups to take part and thereby influence the strategy and policy.

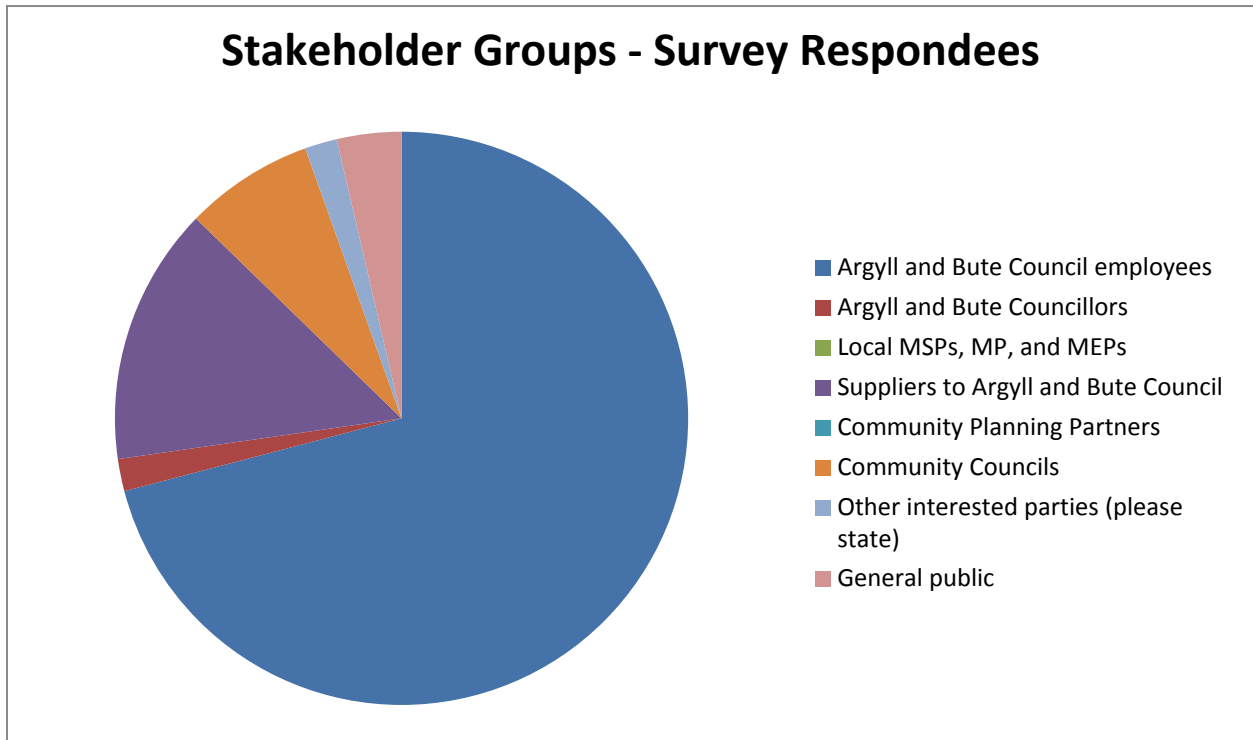
2.5 The consultation was completed in October 2016, via a web-based survey on the Council's website. The consultation was publicised via emails to key internal and external stakeholders, as well as being available to the general public through the consultations section on the Council's website.

3 SURVEY RESPONSES

55 responses were received to the consultation survey. An additional 4 items of feedback in relation to the documents were received via email.

1. Please advise which key stakeholder group(s) you belong to

Stakeholder Groups	%
Argyll and Bute Council employees	71
Argyll and Bute Councillors	2
Local MSPs, MP, and MEPs	0
Suppliers to Argyll and Bute Council	15
Community Planning Partners	0
Community Councils	7
Other interested parties	2
General public	4

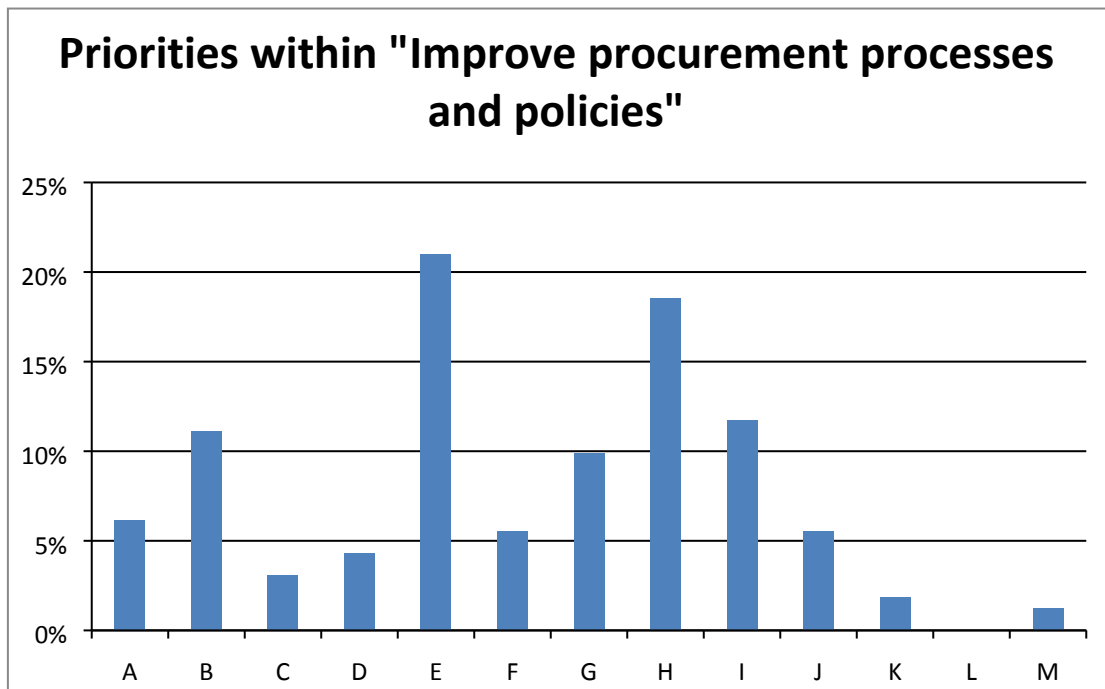


PROCUREMENT STRATEGY

2. The 3 key priorities that you consider to be most important under the following area “Improve procurement processes and policies”

Overall:

Priority	%
A	6
B	11
C	3
D	4
E	21
F	6
G	10
H	19
I	12
J	6
K	2
L	0
M	1



The response to this question indicates that the key priorities for our stakeholder groups for “Improve procurement processes and policies” are:

- Supporting local businesses and SMEs through closer working with Economic Development and by making our processes more streamlined and accessible;
 - Through the use of a Vendor Rating System to select distribution lists for capital works Quick Quotes, ensuring that where possible local suppliers are included within distribution lists;
 - Through the increase of the limit for works Quick Quotes to £2m, to increase opportunities for SMEs and local businesses;
 - Through including a mandatory sub-contracting clause in tenders where relevant and proportionate.
- Reducing bureaucracy – making the tender process standard, simple, transparent and ensuring consistency in procurement decision making
- Ensuring the Council has continuity of supply through supporting a mixed economy of provision and developing markets, particularly local/rural markets, Small and Medium Sized Enterprises (SMEs) and Third Sector organisations

When analysing the results for Internal and External stakeholders separately, the top 3 priorities for External stakeholders match the overall result. However, internal stakeholders have one different priority within their top 3:

- Improving contract and supplier relationship management across the Council to ensure that we are getting the most value and innovation from our contractual relationships;

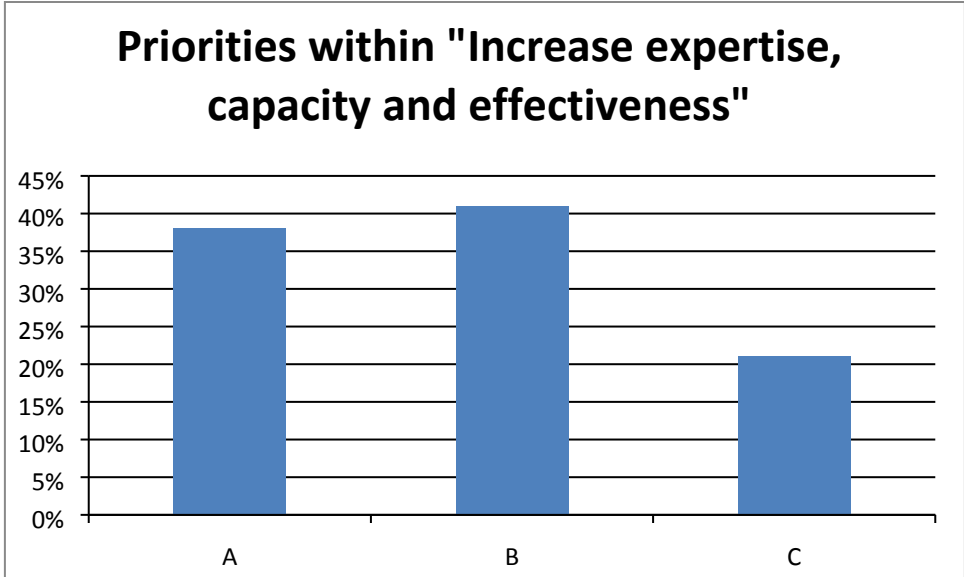
Replaces

- Ensuring the Council has continuity of supply through supporting a mixed economy of provision and developing markets, particularly local/rural markets, Small and Medium Sized Enterprises (SMEs) and Third Sector organisations

3. The 2 key priorities that you consider to be most important under the following area “Increase expertise, capacity and effectiveness”

Overall:

Priority	%
A	38
B	41
C	21



The response to this question indicates that the key priorities for our stakeholder groups for "Increase expertise, capacity and effectiveness" are:

- Developing and professionalising contract and supplier management practices and improving commercial awareness across the Council;
- Developing staff in Procurement and Commissioning through training, secondments and mentoring;

When analysing the results for Internal and External stakeholders separately, the top 3 priorities for both groups match the overall result.

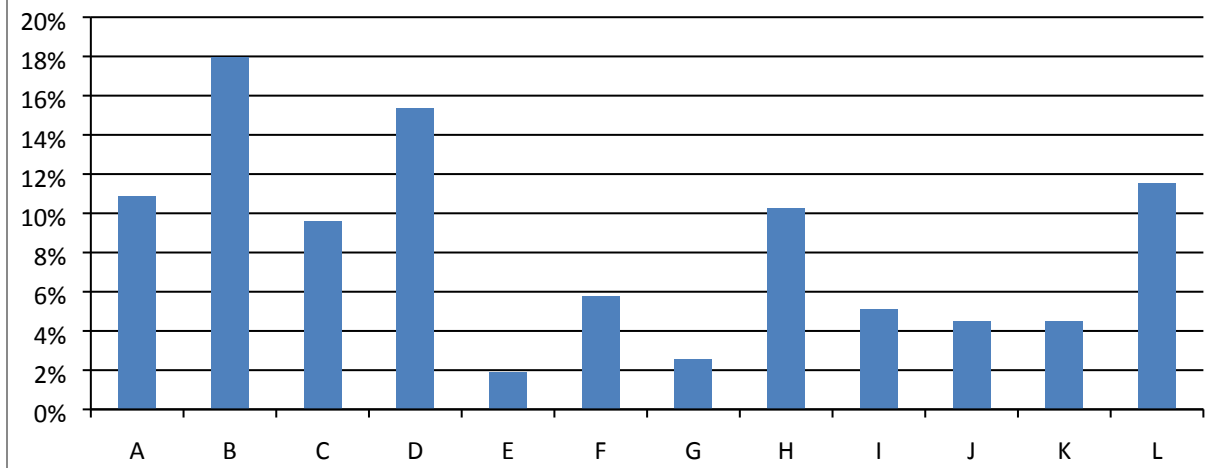
4. The 3 key priorities that you consider to be most important under the following area "Ensure compliance with complex European Union Procurement Legislation, and with Public Contracts (Scotland) Regulations 2015 and the Procurement Reform (Scotland) Act 2014 and associated mandatory guidance"

Overall:

Priority	%
A	11
B	18
C	10
D	15
E	2
F	6
G	3
H	10
I	5

J	4
K	4
L	12

Priorities within "Ensure compliance with complex European Union Procurement Legislation, and with Public Contracts (Scotland) Regulations 2015 and the Procurement Reform (Scotland) Act 2014 and associated mandatory guidance"



The response to this question indicates that the key priorities for our stakeholder groups for “Ensure compliance with complex European Union Procurement Legislation, and with Public Contracts (Scotland) Regulations 2015 and the Procurement Reform (Scotland) Act 2014 and associated mandatory guidance” are:

- Ensuring that the Council’s regulated procurements will deliver value for money.
- Ensuring that the Council’s regulated procurements will be carried out in compliance with its duty to act in a transparent and proportionate manner, at each stage of the procurement process, from initial sourcing strategy creation, communications throughout and contract award.
- Ensuring 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 Council to a contractor; (ii) payments due by a contractor to a sub-contractor; (iii) payments due by a sub-contractor to a sub-contractor.

When analysing the results for Internal and External stakeholders separately, Internal stakeholders have different priorities within their top 4 (as there is a tie for third place):

- Ensuring that the Council’s regulated procurements will contribute to the carrying out of its functions and achievement of its purposes.
- Complying with the statutory requirements on the payment of a living wage to persons involved in producing, providing or constructing the subject matter of regulated procurements

Replace

- Ensuring 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 Council to a contractor; (ii) payments due by a contractor to a sub-contractor; (iii) payments due by a sub-contractor to a sub-contractor.

External stakeholders have one different priority within their top 3:

- Ensuring that the Council’s regulated procurements will be carried out in compliance with its duty to treat relevant economic operators equally and without discrimination.

Replaces

- Ensuring that the Council’s regulated procurements will deliver value for money.

Please advise if there are any general procurement issues which have not been included in the previous lists, which you consider to be relevant to Argyll and Bute Council

Please advise if there are any general procurement issues which have not been included in the previous lists, which you consider to be relevant to Argyll and Bute Council	Procurement Comment
Need to consider social enterprises and what they can offer not just private sector and SMEs	Working with and consulting the third sector, which includes social enterprises; and encouraging these organisations to become involved in public sector procurement is included within various priorities within the Procurement Strategy and Sustainable Procurement Policy

<p>Updated more specific contracts with providers. Contracts very vague. More input information on recruitment to reduce waiting times of services.</p>	<p>Noted. The team will take this feedback into consideration separately when developing the Health and Social Care Partnership's commodity strategy on Care at Home Services, and look into the possibility of updating the current section of the Council's intranet regarding term contracts available for use by Council departments.</p>
<p>Ability to purchase using a range of suppliers to ensure best value for money and using online purchasing processes as required (and with professional integrity) to take advantage of competitive markets.</p>	<p>Noted. We can advise that currently where contracts are available via PECOS this should demonstrate best value as a competitive tendering process will have been undertaken, and this should reduce the amount of staff time required to place orders. When existing contracts and frameworks do not provide suitable products/services, the procurement team will assist departments to find the best value solution to the requirement.</p>
<p>Liaise with Community Councils more at the Planning stages and always have the planning approval meetings in the area that they apply to or directly affect. e.g. in Cowal for Cowal not Oban for Cowal, etc, as has been the case with controversial planning applications.</p>	<p>Noted. Individual departments within the Council have responsibility for the planning stages of projects and ensure that the appropriate consultation for new projects takes place.</p>
<p>Very little on need for Digital First Approach and maximising digital self service and keeping systems up to date with evolving digital technologies as part of core offering and not as a billable extra.</p>	<p>Noted. The Council has a separate Digital First Policy in relation to delivering services online that can be delivered online. Procurement exercises will assist the departments within the Council to achieve these aims, where appropriate.</p>
<p>Procurement must ensure that the tail does not wag the dog and that professionals are allowed to decide which resources will meet the needs of the service especially where the procurement framework does not provide suitable goods. At present best value is not always being provided.</p>	<p>Individual departments within the Council have the responsibility for creating specifications to meet their requirements. The procurement team assist with this process to ensure compliance with all relevant legislation and internal requirements. When existing contracts and frameworks do not provide suitable products/services, the procurement team will assist departments to find the best value solution to the requirement.</p>

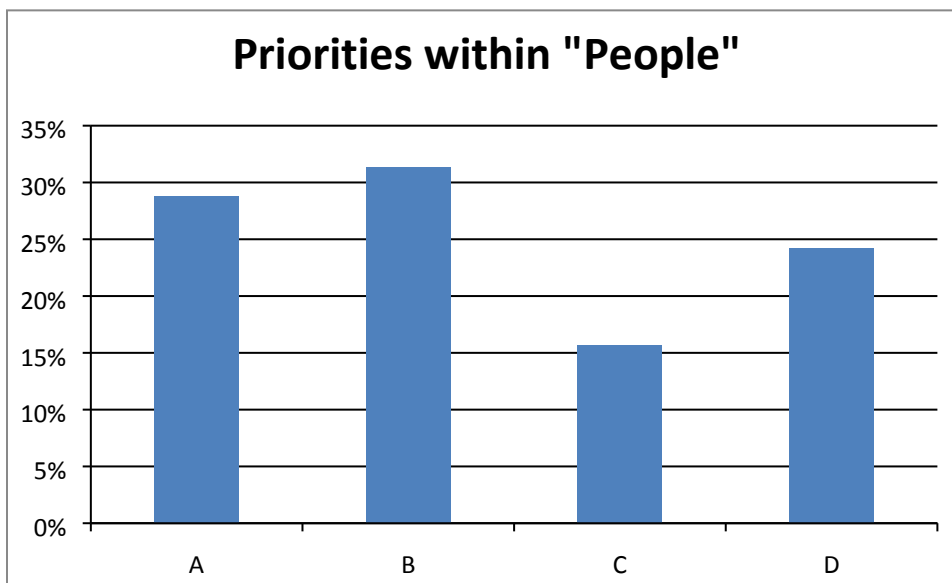
<p>A & B Council does a very bad job in putting out subsidised bus routes to tender. There is never any consultation with community councils about how to improve bus services without incurring extra costs. As a result of this, we get very bad value for money. On my community council we have experts on public transport operations but we are never consulted. Our opinion is that when it comes to tendering for subsidised buses A & B Council just hasn't a clue and does a very bad job.</p>	<p>Noted. The procurement team will update the Sourcing Strategy templates used at the start of the procurement process to encourage departments to consider wider consultation with stakeholder groups i.e. Community Councils where appropriate, with the involvement of the relevant department within the Council.</p> <p>It should be noted that the public bus services across Argyll and Bute, with the exception of the Lomond area which comes under the auspices of SPT, is built on the back of the legislative requirement to provide school transport, and that the savings of over £1.6m have been made from the budget in the last 5 years.</p>
<p>Put procurement at the front of project management to give a better view of critical timelines.</p> <p>Also educate members on the achievability of timelines where procurement is concerned</p>	<p>Staff in departments throughout the Council are encouraged to involve procurement staff at the earliest stages of planning for their requirements. Training on the procurement process has been provided to members, and other staff throughout the Council. The timescales involved for procurement processes are included in the Procurement Manual and a specific timescale is included within the Sourcing Strategy for each individual project.</p>
<p>The whole system is too complicated and non-consistent, streamlining and making it easier for staff to navigate would go a long way.</p>	<p>The procurement team have dedicated Category Management Officers as lead officers for departments within the Council to contact with any queries regarding procurement. There is a detailed Procurement Manual and associated guidance toolkits which are now available on the Council's intranet, which should assist departmental staff, alongside the Roles and Responsibilities document which outlines the main activities required to be undertaken. Training is routinely offered to departmental staff members involved with procurement.</p>

SUSTAINABLE PROCUREMENT POLICY

5. The 3 priorities that you consider to be most important under the following topic - People:

Overall:

Priority	%
A	29
B	31
C	16
D	24



The response to this question indicates that the key priorities for our stakeholder groups for People are:

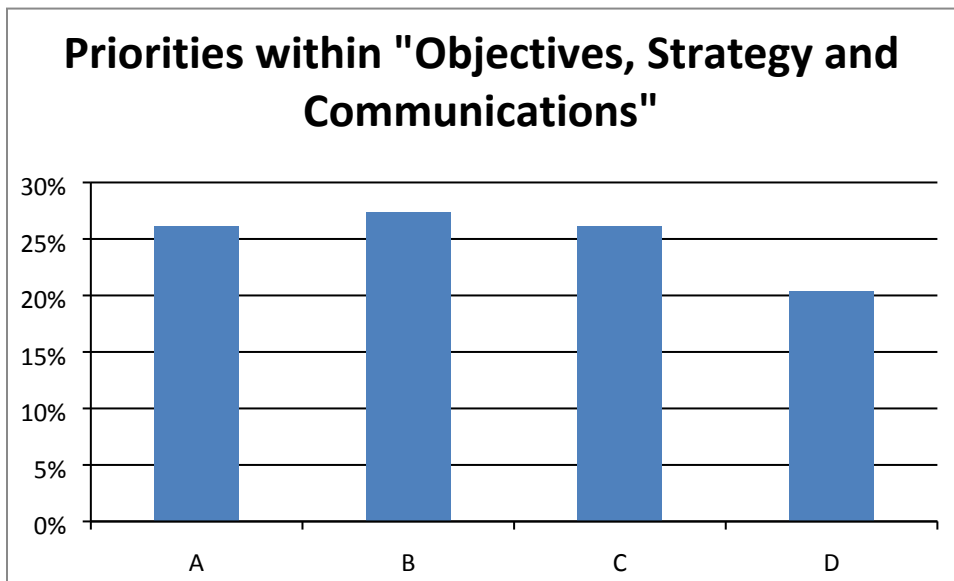
- We will use organisational development opportunities, and e-learning to share knowledge and ensure annual refresher training on the latest sustainable procurement principles for key procurement staff, to meet any knowledge gaps.
- We will establish clear leadership to drive the embedding and continuous improvement of sustainable procurement within the Council, through having a Sustainable Procurement Champion within the Council.
- We will continue to publicise our commitment and successes in Sustainable Procurement.

When analysing the results for Internal and External stakeholders separately, the top 3 priorities for both groups match the overall result.

6. The 3 priorities that you consider to be most important under the following topic – Objectives, Strategy and Communications:

Overall:

Priority	%
A	26
B	27
C	26
D	20



The response to this question indicates that the key priorities for our stakeholder groups for Objectives, Strategy and Communications are:

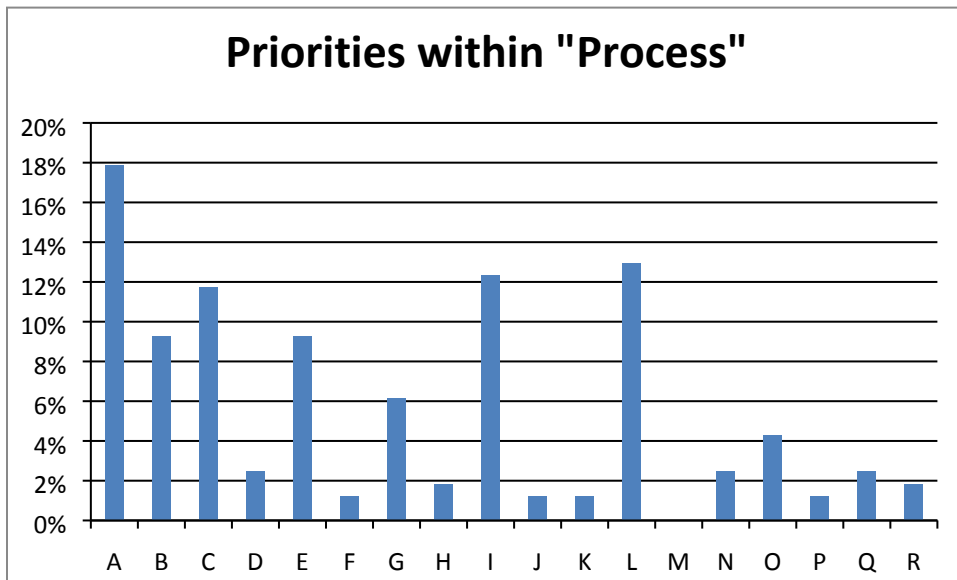
- We will carry out sustainable procurement whilst complying with national and EU procurement regulations that protect and encourage open and transparent public procurement.
- We will ensure our Sustainable Procurement Policy continues to meet all external requirements, as well as complementing the Council's internal Strategies.
- We will ensure relevant communications strategies are developed and actioned as required, in relation to Sustainable Procurement outcomes.

When analysing the results for Internal and External stakeholders separately, the top 3 priorities for both groups match the overall result.

7. The 3 priorities that you consider to be most important under the following topic - Process:

Overall:

Priority	%
A	18
B	9
C	12
D	2
E	9
F	1
G	6
H	2
I	12
J	1
K	1
L	13
M	0
N	2
O	4
P	1
Q	2
R	2



The response to this question indicates that the key priorities for our stakeholder groups for Process are:

- We will ensure that what we intend to purchase is necessary and that there is a business case for doing so. Specifying our requirements so

as to meet the needs of users and to avoid purchasing more than is needed.

- We will, where appropriate and where it is sustainable, purchase fewer new goods by re-using, repairing or refurbishing existing goods.
- We will continue lotting contracts to ensure that Small and Medium size companies are encouraged to bid for our contracts and ensure that tender documents are proportional to the requirement to remove unnecessary obstacles.
- We will deliver value for money by realistically assessing the whole life-cycle costs of our procurement where possible, and not simply considering the initial purchase price.

When analysing the results for Internal and External stakeholders separately, Internal stakeholders have one different priority within their top 3:

- We will make use of Community Benefits Clauses where appropriate:
 - Argyll and Bute Council's procurement processes shall give full consideration to the relevance and appropriateness of the use of community benefit clauses in supply of goods and services contracts which have a value in excess of £100,000, and works contracts which have a value in excess of £500,000.
 - The Sustainability Lead Officer will monitor and verify the impact of this policy in relation to the Council's objectives and shall report to the Council's Procurement Board in this respect on a quarterly basis.

Replaces

- We will deliver value for money by realistically assessing the whole life-cycle costs of our procurement where possible, and not simply considering the initial purchase price.

External stakeholders also have one different priority within their top 3:

- We will make use of Community Benefits Clauses where appropriate:
 - Argyll and Bute Council's procurement processes shall give full consideration to the relevance and appropriateness of the use of community benefit clauses in supply of goods and services contracts which have a value in excess of £100,000, and works contracts which have a value in excess of £500,000.
 - The Sustainability Lead Officer will monitor and verify the impact of this policy in relation to the Council's objectives and shall report to the Council's Procurement Board in this respect on a quarterly basis.

Replaces

- We will continue lotting contracts to ensure that Small and Medium size companies are encouraged to bid for our contracts and ensure that tender documents are proportional to the requirement to remove unnecessary obstacles.

8. The 3 priorities that you consider to be most important under the following topic – Stakeholders:

Overall:

Priority	%
A	11
B	28
C	27
D	13
E	21



The response to this question indicates that the key priorities for our stakeholder groups for Stakeholders are:

- We will engage with our suppliers and stakeholders to remove barriers to participation in procurement and maximise impact of sustainable opportunities.
- We will continue to support local and regional small and medium sized enterprises, voluntary and community groups, social enterprises, charities and cooperatives, black and ethnic minority enterprises and women and disability-owned businesses to participate in procurement opportunities; by sharing knowledge and participating in events aimed specifically at local SMEs (Small & Medium Enterprises) and Scottish suppliers, for example by publicising Supplier Development Programme events and providing assistance with the tender process through Business Gateway.

- Where appropriate, we will consult with the people whose needs we aim to meet through our procurement to ensure that we procure goods, services and works that actually meet their needs.

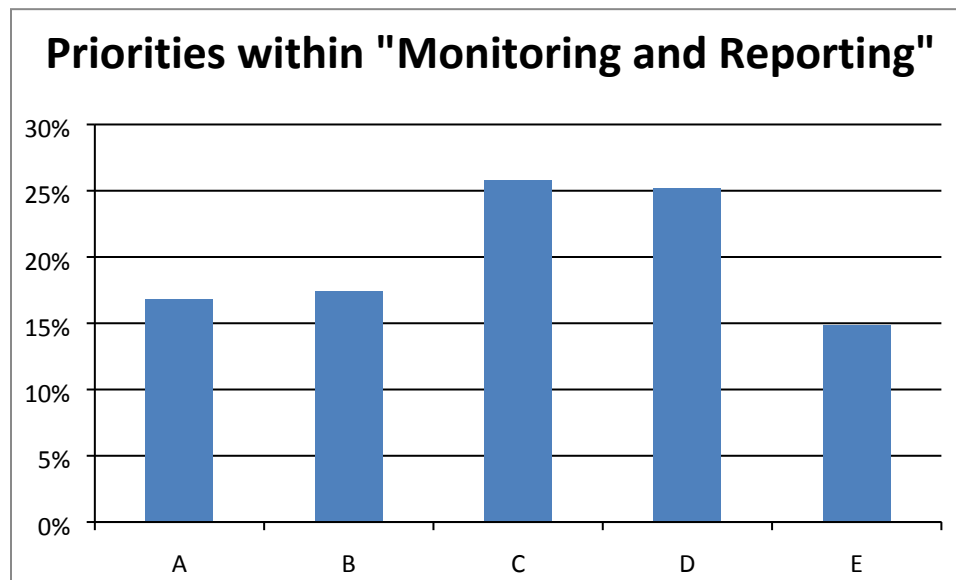
When analysing the results for Internal and External stakeholders separately, the top 3 priorities for Internal stakeholders match the overall result. However, External stakeholders have one additional priority within their top 4 (there is a tie for 3rd place):

- We will work with suppliers to educate them on sustainable procurement and our policy, to encourage them to use more sustainable goods, processes and working practices in their own business operations and encourage them to engage in sustainable procurement activities within their own supply chain.

9. The 3 priorities that you consider to be most important under the following topic – Monitoring and Reporting:

Overall

Priority	%
A	17
B	17
C	26
D	25
E	15



The response to this question indicates that the key priorities for our stakeholder groups for Monitoring and Reporting are:

- The Council's ongoing programme of reviewing and improving our procurement processes will seek to ensure they remain transparent and open to the whole of the supplier community.
- We will ensure suppliers comply with their commitments to the sustainability criteria within our specifications and their tender submissions by building in proportionate, effective monitoring and management into contract arrangements.
- We will measure and report on our progress in embedding and continuously improving sustainable procurement and its contribution to delivering sustainable development annually.

When analysing the results for Internal and External stakeholders separately, the top 3 priorities for Internal stakeholders match the overall result. However, External stakeholders have one different priority within their top 3:

- We will continue to ensure that reporting requirements relating to Sustainable Procurement are met, including Climate Change Reporting requirements, and internal reporting of Community Benefits achieved
- Replaces
- We will measure and report on our progress in embedding and continuously improving sustainable procurement and its contribution to delivering sustainable development annually

Please advise if there are any sustainable procurement issues which have not been included in the previous lists, which you consider to be relevant to Argyll and Bute Council

Please advise if there are any sustainable procurement issues which have not been included in the previous lists, which you consider to be relevant to Argyll and Bute Council:	Procurement Comment
<p>The focus has been on sustainability and the environment and there has been reference to harm to animals. What about contractors avoiding harm to workers and the Council monitoring contractors health and safety performance after contracts have been awarded which is when accidents are going to happen?</p>	<p>One of the priorities within the Sustainable Procurement Policy states that "We will seek to ensure that wherever appropriate, our contract terms will require suppliers and contractors to support the health, safety, welfare and rights of their employees and subsidiary companies. We will encourage suppliers to promote fair employment practices, employee welfare, equality of opportunity, and to improve workforce diversity so that it is representative of the communities they serve." Monitoring of Health and Safety performance during contract terms is included within the</p>

	Council's standard contract management process, which is the responsibility of individual departments to manage.
Try and ensure material used is of UK growth and manufacture.	There are legal limitations to the extent to which we can specify origin of products within our tender specifications. Where possible, we encourage local supply for Council requirements.
The need for communities to have some sort of say in the awarding of large scale contracts that have sustainability issues....akin to being able to comment on Planning Applications.	The appropriate stage for community consultation for sustainability issues in contracts is the initial planning stages of individual procurements, rather than the award stage. The procurement team will update the Sourcing Strategy templates used at the start of the procurement process to encourage departments to consider wider consultation with stakeholder groups i.e. Community Councils where appropriate, with the involvement of the relevant department within the Council.

Further comments

Further comments	Procurement Comment
I don't think it is helpful or informative to ask people to list their top 3 in each category. We should be more concerned to find out if they want additional items included, any excluded and any amended. The questions should be "Do you agree with the priorities stated?" "Are there any missing?" etc There is nowhere to include	This consultation was designed to allow us to identify which priorities are most important to our key stakeholders, and which areas may require us to raise awareness of their importance with various stakeholder groups. We will take all feedback on the format of the consultation into consideration when designing next year's consultation.
At present Islay hospital had items delivered to them through NHS Pecos that are a better product at a better price than I can purchase through the council Pecos system. Would be good if I could access what they have, this would reduce carriage as well as ensure that my budget is used more effectively.	This comment will be shared with our Health and Social Care colleagues who are currently working nationally to determine the most appropriate process staff can use and be compliant with financial regulations.
no comments at this stage but would appreciate view and our commenting on final draft before publication and implementation.	The consultation period has now closed, and any further feedback received will be noted, but no further amendments will be made to the

	documents.
We do not need another job created ...get it right first time and manage the process properly ..from the top ..	No additional jobs have been or will be created as a result of this consultation, or the Procurement Strategy and Sustainable Procurement Policy.
This survey has far too many choices and any data will be largely invalid as a result.	Due to the nature of the documents being consulted on, there are a large number of priorities in certain areas, we have tried to structure these lists to be as user-friendly as possible but will take this feedback into consideration when designing next year's consultation.
A & B Council does a very bad job in putting out subsidised bus routes to tender. There is never any consultation with community councils about how to improve bus services without incurring extra costs. As a result of this, we get very bad value for money. On my community council we have experts on public transport operations but we are never consulted. Our opinion is that when it comes to tendering for subsidised buses A & B Council just hasn't a clue and does a very bad job.	Noted. The procurement team will update the Sourcing Strategy templates used at the start of the procurement process to encourage departments to consider wider consultation with stakeholder groups i.e. Community Councils where appropriate, with the involvement of the relevant department within the Council. It should be noted that the public bus services across Argyll and Bute, with the exception of the Lomond area which comes under the auspices of SPT, is built on the back of the legislative requirement to provide school transport, and that the savings of over £1.6m have been made from the budget in the last 5 years.

Feedback

18 respondents requested feedback on the outcome of the consultation, and the final versions of the Procurement and Commissioning Strategy 2016/17-2017/18 and the Sustainable Procurement Policy 2016/17-2017/18. These respondents will be sent this report and the final documents once approved by Full Council.

4 CONCLUSION

- 4.1 The majority of responses to the open-ended questions were received from internal stakeholders, and the feedback provided covered issues not relevant to the current consultation, queries in relation to areas already covered in the documents, and feedback on the consultation process. Procurement comments on these responses have been provided, and the team will consider the application of improvements where relevant.
- 4.2 The responses outlined in Section 4, as well as the feedback received separately, have been taken into account through revisals to the draft documents in the following ways:
 - 4.2.1 The priorities in each of the lists have been re-ranked to reflect the importance of the individual items to our key stakeholders overall;
 - 4.2.2 No additional priorities have been added to the documents, however some of those already included have been expanded on to reflect feedback mainly received from colleagues within HR, and Health and Safety.
- 4.3 The Procurement Strategy and Sustainable Procurement Policy now reflect the feedback received from the consultation.
- 4.4 The Procurement and Commissioning team has also taken account of the outcomes of this consultation in the following ways:
 - 4.4.1 The process for future consultation exercises will be developed taking into consideration feedback received for this consultation, as well as the approached used by other local authorities. The team will aim for continuous improvement in this area to reflect best practice.
 - 4.4.2 The standard template documents will be reviewed to ensure they reflect the feedback received in this consultation, to meet the needs of all stakeholders.

5 APPENDIX - SURVEY QUESTIONS

1. Please advise which key stakeholder group(s) you belong to

- Argyll and Bute Council employees
- Argyll and Bute Councillors
- Local MSPs, MP and MEPs
- Suppliers to Argyll and Bute Council
- Community Planning Partners
- Community Councils
- Other interested parties
- General public

PROCUREMENT STRATEGY

2. Please select the 3 key priorities that you consider to be most important from the list below under the following area – “Improve procurement processes and policies”:

- A. Introducing regular reporting of procurement performance and compliance;
- B. Improving contract and supplier relationship management across the Council to ensure that we are getting the most value and innovation from our contractual relationships;
- C. Reviewing and improving our Purchase to Pay (P2P) processes with due consideration for local and national ICT Strategy requirements, existing budget constraints and the need to ensure best value, whilst reducing purchase to pay costs. The aim is to strengthen controls, increase efficiency and provide useful and up-to-date management information;
- D. Ensuring that there are standard templates in place for all procurement and contracting documentation and ensure that these are regularly reviewed in line with new legislation and best practice;
- E. Supporting local businesses and SMEs through closer working with Economic Development and by making our processes more streamlined and accessible;
 - 1. Through the use of a Vendor Rating System to select distribution lists for capital works Quick Quotes, ensuring that where possible local suppliers are included within distribution lists;
 - 2. Through the increase of the limit for works Quick Quotes to £2m, to increase opportunities for SMEs and local businesses;
 - 3. Through including a mandatory sub-contracting clause in tenders where relevant and proportionate.
- F. Categorise areas of spend to ensure we get the best balance of quality and price for our purchases;
- G. Protecting public spending – ensuring tax payers money is spent properly, ensuring integrity and accountability;
- H. Reducing bureaucracy – making the tender process standard, simple, transparent and ensuring consistency in procurement decision making;

- I. Ensuring the Council has continuity of supply through supporting a mixed economy of provision and developing markets, particularly local/rural markets, Small and Medium Sized Enterprises (SMEs) and Third Sector organisations;
- J. Working collaboratively with other public sector organisations;
- K. We will access national contracts and framework agreements where appropriate and arrange contracts and frameworks for local requirements as needed;
- L. We will report on Argyll and Bute Council's progress using the Scottish Government's Best Practice Indicators for procurement; and
- M. We will ensure that the potential for collaborating with NHS Highland is considered from the earliest stage in every procurement process.

3. Please select the 2 key priorities that you consider to be most important from the list below under the following area – “Increase expertise, capacity and effectiveness”:

- A. Developing staff in Procurement and Commissioning through training, secondments and mentoring;
- B. Developing and professionalising contract and supplier management practices and improving commercial awareness across the Council;
- C. Developing relationships with staff within NHS Highland to increase the potential for collaborative working that will benefit both organisations.

4. Please select the 3 key priorities that you consider to be most important from the list below under the following area – “Ensure compliance with complex European Union Procurement Legislation, and with Public Contracts (Scotland) Regulations 2015 and the Procurement Reform (Scotland) Act 2014 and associated mandatory guidance”:

- A. Ensuring that the Council's regulated procurements will contribute to the carrying out of its functions and achievement of its purposes.
- B. Ensuring that the Council's regulated procurements will deliver value for money.
- C. Ensuring that the Council's regulated procurements will be carried out in compliance with its duty to treat relevant economic operators equally and without discrimination.
- D. Ensuring that the Council's regulated procurements will be carried out in compliance with its duty to act in a transparent and proportionate manner, at each stage of the procurement process, from initial sourcing strategy creation, communications throughout and contract award.
- E. Ensuring that the Council's regulated procurements will be carried out in compliance with the sustainable procurement duty.
- F. Complying with the Council's Sustainable Procurement Policy (Appendix 4) in relation to the use of community benefit requirements.
- G. Following the Council's normal practice on consulting and engaging with those affected by its individual procurements.
- H. Complying with the statutory requirements on the payment of a living wage to persons involved in producing, providing or constructing the subject matter of regulated procurements.

- I. Complying with the Council's Corporate Health and Safety Policy on 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.
- J. Complying with the Council's Sustainable Procurement Policy (Appendix 4) in relation to the procurement of fairly and ethically traded goods and services.
- K. Complying with the statutory requirements 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.
- L. Ensuring 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 Council to a contractor; (ii) payments due by a contractor to a sub-contractor; (iii) payments due by a sub-contractor to a sub-contractor.

Please advise if there are any general procurement issues which have not been included in the previous lists, which you consider to be relevant to Argyll and Bute Council

SUSTAINABLE PROCUREMENT POLICY

5. Please select the 3 priorities that you consider to be most important from the list below under the following topic - People:

- A. We will establish clear leadership to drive the embedding and continuous improvement of sustainable procurement within the Council, through having a Sustainable Procurement Champion within the Council.
- B. We will use organisational development opportunities, and e-learning to share knowledge and ensure annual refresher training on the latest sustainable procurement principles for key procurement staff, to meet any knowledge gaps.
- C. We will continue with the appointment of a Council Representative within the National Community Benefit Champions Network.
- D. We will continue to publicise our commitment and successes in Sustainable Procurement.

6. Please select the 3 priorities that you consider to be most important from the list below under the following topic – Objectives, Strategy and Communications:

- A. We will ensure our Sustainable Procurement Policy continues to meet all external requirements, as well as complementing the Council's internal Strategies.
- B. We will carry out sustainable procurement whilst complying with national and EU procurement regulations that protect and encourage open and transparent public procurement.
- C. We will ensure relevant communications strategies are developed and actioned as required, in relation to Sustainable Procurement outcomes.

D. We will communicate this policy and accompanying guidance to all Council staff and elected members.

7. Please select the 3 priorities that you consider to be most important from the list below under the following topic - Process:

- A. We will ensure that what we intend to purchase is necessary and that there is a business case for doing so. Specifying our requirements so as to meet the needs of users and to avoid purchasing more than is needed.
- We will, where appropriate and where it is sustainable, purchase fewer new goods by re-using, repairing or refurbishing existing goods.
- B. We will consider sustainability issues in relation to the economic, social and environmental wellbeing of our area throughout the procurement process; when writing Sourcing Strategies, when creating Invitations to Tender, when evaluating tender submissions, and during contract management.
- C. We will make use of Community Benefits Clauses where appropriate:
- Argyll and Bute Council's procurement processes shall give full consideration to the relevance and appropriateness of the use of community benefit clauses in supply of goods and services contracts which have a value in excess of £100,000, and works contracts which have a value in excess of £500,000.
 - The Sustainability Lead Officer will monitor and verify the impact of this policy in relation to the Council's objectives and shall report to the Council's Procurement Board in this respect on a quarterly basis.
- D. We will make use of Sub-Contracting Clauses where appropriate.
- Clauses requiring a minimum percentage of the scope of the contract to be sub-contracted will be included in all contracts that are deemed to be proportionate and relevant.
- E. We will seek to ensure that wherever appropriate, our contract terms will require suppliers and contractors to support the welfare and rights of their employees and subsidiary companies. We will encourage suppliers to promote fair employment practices, employee welfare, equality of opportunity, and to improve workforce diversity so that it is representative of the communities they serve.
- F. We will appoint a Council Representative for Argyll and Bute Fair Trade; we will continue to promote fair trade options as a means of helping excluded and disadvantaged producers, including independent small farmers, to access international markets and receive a fair price for their products.
- G. We will, where practicable and where it is sustainable, specify fresh, seasonal, nutritious, and where possible, organic food.
- We will specify Protected Geographical Indication and Protected Designation of Origin standards where they are justified by menu requirements.
 - We will not knowingly purchase genetically modified food or food with genetically modified ingredients.
- H. We will consider animal welfare when making procurement decisions, and wherever possible, will not purchase goods which have been developed using animal testing.

- I. We will deliver value for money by realistically assessing the whole life-cycle costs of our procurement where possible, and not simply considering the initial purchase price.
- J. We will continue to promote the Supported Business Framework and award a minimum of two contracts annually through this Framework.
 - We will, where possible, reserve contracts for supported factories, supported businesses and supported employment programmes, where their prices and capacity to deliver is comparable to the rest of the market.
- K. We will continue to consider diversity issues i.e. accessibility needs, religious needs, differing diets etc.
- L. We will continue lotting contracts to ensure that Small and Medium size companies are encouraged to bid for our contracts and ensure that tender documents are proportional to the requirement to remove unnecessary obstacles.
- M. We will continue to minimise any negative impacts of procured goods/services/works on biodiversity.
- N. We will ensure that all relevant procurement contracts and tenders contain best practice standards and sustainable specifications as appropriate to the product or service being procured, using Government Buying Standards sustainable specifications where appropriate.
- O. We will specify minimum packaging, reusable packaging and packaging take-back.
- P. We will ensure that our procurement minimises its contribution to climate change and supports goods, services and works that are well-adapted to the consequences of a changing climate.
- Q. We will not intentionally discriminate against specific groups of people when undertaking our procurement activities. We will assess whether a full Equalities Impact Assessment is required at key points in commissioning and procurement cycles and report these through the appropriate management groups or committees.
- R. We will use recycled paper throughout Council locations where there are no issues with existing equipment.

8. Please select the 3 priorities that you consider to be most important from the list below under the following topic - Stakeholders:

- A. We will consult with stakeholders, including suppliers and Third Sector agencies, to ensure views are considered on sustainable outcomes sought.
- B. We will engage with our suppliers and stakeholders to remove barriers to participation in procurement and maximise impact of sustainable opportunities.
- C. We will continue to support local and regional small and medium sized enterprises, voluntary and community groups, social enterprises, charities and cooperatives, black and ethnic minority enterprises and women and disability-owned businesses to participate in procurement opportunities; by sharing knowledge and participating in events aimed specifically at local SMEs (Small & Medium Enterprises) and Scottish suppliers, for example by publicising Supplier

Development Programme events and providing assistance with the tender process through Business Gateway.

- D. We will work with suppliers to educate them on sustainable procurement and our policy, to encourage them to use more sustainable goods, processes and working practices in their own business operations and encourage them to engage in sustainable procurement activities within their own supply chain.
- E. Where appropriate, we will consult with the people whose needs we aim to meet through our procurement to ensure that we procure goods, services and works that actually meet their needs.

9. Please select the 3 priorities that you consider to be most important from the list below under the following topic - Monitoring and Reporting:

- A. We will continue to ensure that reporting requirements relating to Sustainable Procurement are met, including Climate Change Reporting requirements, and internal reporting of Community Benefits achieved
- B. We will measure and report on our progress in embedding and continuously improving sustainable procurement and its contribution to delivering sustainable development annually.
- C. The Council's ongoing programme of reviewing and improving our procurement processes will seek to ensure they remain transparent and open to the whole of the supplier community.
- D. We will ensure suppliers comply with their commitments to the sustainability criteria within our specifications and their tender submissions by building in proportionate, effective monitoring and management into contract arrangements.
- E. We will continue to self-assess the Council's progress against each theme of the Flexible Framework annually, and include this result in the publication of the procurement key performance indicators.

Please advise if there are any sustainable procurement issues which have not been included in the previous lists, which you consider to be relevant to Argyll and Bute Council

Further comments

You can read the full draft version of the [Procurement and Commissioning Strategy 2016/17-2017/18 here](#), which includes the Sustainable Procurement Policy 2016/17-2017/18 as an Appendix. We would appreciate any other feedback you would like to provide on this document.

Feedback

Please provide your contact details here if you would like to receive feedback on the outcome of this consultation exercise, and the final versions of the Procurement and Commissioning Strategy 2016/17-2017/18 and the Sustainable Procurement Policy 2016/17-2017/18