

AGENDA

#	Item	Purpose	Paper	Action
1.	Apologies			
2.	AOB			
3.	Minute of Previous Meeting – 02 November 22	Approval	Attached	
4.	Matters Arising			
5.	Procurement Update	Noting	Attached	EM
6.	Revision of Procurement Policy Manual	Approval	Attached	EM
7.	Elgin Works – Business Case	Approval	Attached	EM
8.	SCRA Internal Review	Noting	Attached	HE
9.	Internal Audit Tracker – Update	Noting		PA
10.	SCRA Board – Reports a) Agenda b) PR/CE Report c) Budget Monitoring d) Budget 2023/24 e) OPR f) SCRA Corporate & Business Plan g) Keeping the Promise Update h) Locality Performance Review Report i) Policy & Influencing Report j) Research Plans 2022/23 k) Annual Policy Review l) Strategic & Operational Risk Registers	Review	To follow Attached Attached To follow Attached Attached Attached To follow To follow Attached Attached	NH EM EM LB LB LB SOM's AH AH PA NH
Standing Items				
11.	Practice and Policy a) General Update b) Practice Team Proposal	Info	Verbal Attached	AH AH
12.	Information Governance a) General Update b) October 2022 Breach Report	Info Noting	Verbal Attached	AH AH
13.	Digital Programme a) Digital CAB update b) Digital Governance Review c) 2022-23 Development Model	Update Update Update	Attached Verbal Verbal	LMcD LMcD LMcD

#	Item	Purpose	Paper	Action
14.	Keeping the Promise a) Hearing System Working Group (HSWG) b) Keeping The Promise Programme Board	Update Update		LB LB
15.	New Risks			
16.	Forward Plan a) CELCIS Strategic Advisory Board 09/12 b) Health & Safety Committee 12/12 c) DCAB 12/12 d) SCRA Board 14/12 e) SCRA & CELCIS - CSR Research 14/12 f) Justice Board 15/12 g) SCRA/CHS Joint Board 20/12 h) SCRA Programme Board 21/12 i) SCRA/CHS Business Meeting 21/12			
	Date of Next meeting; Wednesday 11 January 2023, Bell Street, Glasgow			

Present

Neil Hunter (NH)	PR/CE, Chair
Alistair Hogg (AH)	Head of Practice & Policy
Helen Etchells	Senior Operational Manager (North & West)
Ed Morrison (EM)	Head of Finance & Resources
Lisa Bennett (LB)	Head of Strategy and OD
Susan Deery (SD)	Head of Human Resources (Minute)
Lawrie McDonald (LMcD)	Digital Programme Director
Paul Mulvanny (PM)	Senior Operational Manager (East & Central)
Pamela Armstrong (PA)	Governance Officer – Minute

	Item	Timescale	Action
1.	Apologies None		
2.	<p>AOB Workforce Planning Update 2022/23 SD introduced the report.</p> <p>Noted:</p> <ul style="list-style-type: none"> There are a number of workforce planning/resource issues that the senior team are required to consider over the next 6 months. Whilst some of these are due to be reviewed at the end of the current financial year, the anticipated difficult budget position in 2023/24 may force us to consider alternative approaches and we need to ensure that appropriate time is given to reviewing these positions. SCRA has taken the tough decision recently to implement a Vacancy Management Procedure, which has clear criteria to be followed whilst allowing some essential flexibility to help support organisational/operational priorities and pressures. It is important that the senior team approach the application of the vacancy management procedure in a consistent manner to ensure transparency, equity and fairness across the organisation. <p>Agreed:</p> <ul style="list-style-type: none"> EMT note the current position and priority to look at fixed term contracts. To agree to further discussion on non-fixed term core establishment. 		

	Item	Timescale	Action
	<ul style="list-style-type: none"> To approve the amended wording to the Vacancy Management Procedures and note the principles of applying the policy to ensure consistency of approach. The core group for decision making around vacancy management will be Operations, HR and Finance. 		
3.	Minute of Previous Meeting – 05 October 2022 Minute Approved		
4.	Matters Arising Covered within the agenda		
5.	SCRA Staff Pay Offer SD provided the following update <ul style="list-style-type: none"> SCRA have now received approval from the Scottish Government to commence negotiations with staff on pay. A meeting of the Joint Negotiating and Consultation Committee (JNCC) is scheduled for 3rd November 2022, following which it is anticipated that UNISON will ballot members on the proposal. A further update will be provided at the next meeting. 	Dec 22	SD
6.	Alloa Works EM introduced the report, recommending EMT provide approval for the increased spend required for the refurbishment of The Town Hall Lodge, Alloa. Noted: <ul style="list-style-type: none"> EMT approved the renewal of the lease of the Town Hall Lodge in 2021, and subsequently Scottish Government approval was received in August 2022. Under the terms of the existing lease arrangement, SCRA pays an “all inclusive” rent per annum. This lease expired on 4 December 2020, and SCRA have continued to lease the property under Tacit Relocation. The new lease arrangements are no longer “all inclusive” with SCRA liable for the additional costs of utilities, rates, cleaning and maintenance. A rent free period has been negotiated effectively reducing the rent by half. We are currently in the process of tendering the works, and it is intended to instruct the successful contractor as soon as possible, to allow the refurbishment work to commence and enable face-to-face hearings to recommence in Clackmannanshire as soon as possible. 		

	Item	Timescale	Action
	<ul style="list-style-type: none"> The completed project will provide a modernised hearing facility to the standard of the Hearing Room Improvement programme. <p>Agreed:</p> <ul style="list-style-type: none"> To provide approval for the increased spend required for the refurbishment of The Town Hall Lodge, Alloa. 		
7.	<p>Glasgow Training Facilities</p> <p>EM introduced the report, Asking the EMT to note the planned next steps, the scope of the proposed project and the arrangements that may need to be put in place for the management of these new office and training spaces.</p> <p>Noted:</p> <ul style="list-style-type: none"> With the assistance of Space Solutions, SCRA have carried out a review of our office space requirements in Bell Street to establish that all of our requirements can be accommodated with one less floor. Scottish Government have formally agreed that SCRA can conclude a new lease of the ground to L3 accommodation and the legal work is presently underway. There is a need to retain training facilities in Bell Street and they will need to be created and available prior to the expiry of the current lease. Provision is being made for this expenditure as a part of 2023/24 budget planning. The scope of the work to be carried out will be very narrowly focused on creating the replacement Training facilities (on either L2 or L3) and no additional alteration work will be carried out on either of the two floors. New furniture will be limited to the training facilities along with the replacement of desks on both office floors. 		
8.	<p>23/24 Budget update</p> <p>NH/EM provided the following verbal update.</p> <ul style="list-style-type: none"> A meeting to discuss the implications of the budget has been held with AG. Hard choices will need to be made but SCRA will continue to focus on the wellbeing of children and the safety of staff. EMT are asked to consider a number of budget scenarios. EM suggests a starting position of £4M shortfall. EM and the finance team are working on high-level scenarios for discussion at upcoming challenge and review sessions. 	Dec 22	All

	Item	Timescale	Action
9.	<p>Children’s Care and Justice Bill (CCJB) - Operational/Financial Impact analysis for SCRA</p> <p>NH introduced the report the paper, providing an update on the proposals for final submission to Scottish Government to inform the CCJB financial memorandum as it enters Parliament.</p> <p>Noted:</p> <ul style="list-style-type: none"> • SCRA fully supports the incorporation of the United Nations Convention on the Rights of the Child (UNCRC) into Scottish domestic law and the consequential broadening of the accepted definition of a child as being up to the age of 18 years. SCRA is fully engaged in the Hearing System Working Group, which will enable us and others to fully Keep the Promise. Many of the proposals of the planned Children’s Care and Justice Bill (the Bill) deal with the consequential implications of full UNCRC incorporation – such as the necessary and essential increase in the age of referral to the Children’s Reporter and potentially to the Children’s Hearing to ensure that all children, where it is required for their care and protection have full access to the law. • SCRA and its partners have come through some of the most challenging times in our history as part of the 2-year response to the COVID pandemic. We are now entering a further period of acute instability as a result of the global economic crisis and in light of the Scottish Government’s Resource Spending Review of 31 May 2022, which sets out a significant challenge to SCRA of potential flat cash settlements from the remainder of this Parliament (2026/7). • The need for investment to take on any additional duties as part of preparation for this forthcoming Bill is obvious and essential. The focus of any future investment should continue to build on capacity within and around the statutory role of the Reporter – including supporting roles such Assistant Reporters and Senior Practitioners in order that we can absorb this additional set of duties. The pressures currently being experienced by the service now, such as post pandemic adaptation to improved, but more labour-intensive court and hearing arrangement models, as well as experiencing severe limitations amongst partners is the backcloth for the need for a sufficient level of investment for the CCJB to be effectively and successfully introduced. 		

	Item	Timescale	Action
	<p>Issues arising during discussion:</p> <ul style="list-style-type: none"> • Consider the addition of a section identifying what has changed since 2014. • Item to be included on the SC/SCRA Accountability Meeting. • All data had been shared with CHS with an opportunity to share further across a number of groups and forums. 		
10.	<p>Programme Management Framework</p> <ul style="list-style-type: none"> • LB introduced the paper, asking the EMT to; <ol style="list-style-type: none"> 1. consider and discuss the proposals for the implementation of a Programme Management Framework (PMF) and governance structure to support delivery of the Business Plan(s) 22/24, 2. to approve the construction of a Programme Board, 3. to approve further development of the PMF, 4. to approve further development of the Programme 'Protect' – in parallel with the development of the framework to allow remit, roles, scope etc. to be identified and developed in preparation for Programme Board approval. 5. to note the recommendation for extension of seconded roles to support delivery. <p>Noted:</p> <ul style="list-style-type: none"> • To ensure the successful delivery of the 2021-24 Corporate Plan, SCRA recognises the need to put in place robust delivery and governance structure. It is proposed that a programme management framework and associated governance be developed to fit and flex to the ongoing requirements. • The shift towards Programme Management is motivated by a combination of factors; a workforce 'recovering' from the effects and changes brought about by the COVID pandemic to operational processes, the move to a new case management system, the benefits still to be realised through more effective ways of working, external change programmes that require SCRA to be bought in and ready to take on, and the need to be able to sequence, coordinate and synchronise activity to deliver in a complimentary and cohesive way. <p>Issues arising during discussion :</p> <ul style="list-style-type: none"> • The establishment of a Programme Board is critical. We require a strong commitment to do this work, which will allow the framework to evolve. 		

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	<p>This also aligns with the long-term commitment around managing change.</p> <ul style="list-style-type: none"> Next steps will be the development of the framework and the vision. <p>Agreed:</p> <ul style="list-style-type: none"> To approve the construction of a Programme Board. To approve further development of the PMF. 		
11.	<p>Business Continuity Plan PM introduced the updated plan developed by the BC group incorporating lessons learned from Covid, CSAS and the adoption of virtual hearings.</p> <p>Noted:</p> <ul style="list-style-type: none"> All key organisational functions: Operations, Practice, IT, HR, Finance and Property have updated the plan to include best practice for managing a number of business continuity scenarios. The Business Continuity Group have identified that additional work needs undertaking to develop organisational resilience around cyber issues, including attacks and major IT outages. A workshop originally planned for Nov 2022 has been rescheduled to next year to progress the development of contingency planning. Additional work to support inter-locality working needs developed to support some BC planning and recovery from any events that may result in operational backlogs. This can be incorporated as part of effective and efficient case processing project. <p>Agreed:</p> <ul style="list-style-type: none"> To approve the Business Continuity Plan which will be published on Connect in November. 		
12.	<p>Internal Audit EMT asked to update the internal audit tracker and provide associated evidence ahead of the December EMT meeting.</p>	Dec 22	EMT/PA
13.	<p>SCRA Complaints Report AH introduced the interim complaints report.</p> <p>Noted:</p> <ul style="list-style-type: none"> SCRA's Complaints Handling Procedure has been in place since 2011 and follows the Model Complaints Handling Procedures (MCHP) provided by the Scottish Public Services 		

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	<p>Ombudsman (SPSO), which was most recently updated in January 2020.</p> <ul style="list-style-type: none"> • SCRA has been working with Deaf Scotland to ensure that the complaints process is accessible for people who are deaf, or hard of hearing. Since August 2022, we have been trialling a text service, which allows individuals who are deaf or hard of hearing to contact SCRA about their complaint via text messaging. So far, there has no uptake of this service. • There were 19 complaints received during the six-month period from April to September 2022, which required further investigation. During the same period in 2021, 35 complaints were received. The decrease in the number of complaints is likely due to the relative stability SCRA has experienced over the last six months, following the operational challenges we faced in terms of the pandemic, hybrid working and becoming familiar with the new case management system. • Similar to previous years, SCRA has not received any complaints directly from children and young people. • SPSO guidance and SCRA's Complaints Procedure determines that where the matter can be resolved quickly and informally with little or no investigation, this should be done at the front line. • Where a complaint is not upheld or partly upheld, the complainant is advised that they may contact the SPSO. There were two referrals made to the SPSO during April to September 2022. SCRA partly upheld one of these complaints, and one was not upheld. In the two cases, the SPSO decided not to investigate. 		
14.	<p>SCRA Audit & Risk Committee EMT reviewed a number of draft reports ahead of the Audit and Risk Committee, which will be held on Thursday, 17th November. Finish reports are to be sent to EM/PA by Friday 04th November.</p>		All
15.	<p>SCRA Board Development Day EMT reviewed the proposed agenda for the SCRA Board development day, which will be held on 09th November.</p>		
STANDING ITEMS			
16.	<p>Practice and Policy AH Provided the following verbal update:</p> <ul style="list-style-type: none"> • UNCRC – outlook for reconsideration in Parliament in potentially February/March 2023 with immediate implementation expected thereafter. • Care & Justice Bill - draft bill expected by end of calendar year. There has been open and 		

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	<p>transparent engagement and consultation. Early thoughts have been shared with a potentially bigger expectation on us on the sharing of victim's information.</p> <ul style="list-style-type: none"> • Bairns' Hoose model and governance group - standards are out for consultation and will possibly be published around February with an outlook to implement the model of BH delivery across the country. 		
17.	<p>Information Governance AH provided the following verbal update:</p> <p>a) General Update</p> <ul style="list-style-type: none"> • A communication on non-disclosure work and CSAS development is being drafted. The expectation is this deployment will conclude end of November. 	Nov 22	AH
18.	<p>Digital Programme LMcD provided the following verbal update;</p> <ul style="list-style-type: none"> • The next meeting of the CAB will be 13th November. • There is an issue around understanding the governance around all programmes. We need to understand the organisations main challenges and keep a strong focus on environments • Decoupling discussions continue with CHS. • There are questions around potential gaps in migration activity. LMcD to advise if gap analysis has been concluded. • There is a plan to remove non-compliant business rules by December 2022. 		LMcD
19.	<p>Keeping the Promise</p> <ul style="list-style-type: none"> • LB advised The Promise Programme Manager would be issuing a report on the recent staff consultation. This will also be shared with CHS. 		
20.	<p>New Risks No new risks identified</p>		
21.	<p>Forward Plan The forward plan was reviewed.</p>		
	<p>Date of Next Meeting Wednesday 06 December, By Teams</p>		

SCOTTISH CHILDREN'S REPORTER ADMINISTRATION

REVISION OF PROCUREMENT POLICY MANUAL

Accountable Director: Head of Finance & Resources

Report Prepared By: Procurement Officer

Date: 14th November 2022

Recommendations:

1. To approve SCRA's revised Procurement Policy Manual in line with the Procurement Reform (Scotland) Act 2014 (the Act) which further aligns SCRA with Scottish Public Sector best practice.

Reason for Report: For approval

Resource Implications: Not applicable

Strategy: In accordance with approved Procurement Policy

Consultation: Scottish Procurement & Property Directorate (Scottish Procurement)

Equalities Duties: An equalities impact assessment has been completed and sent for review

Document Classification: Not protectively marked

1. Introduction

- 1.1 SCRA's current Procurement Policy was published in November 2016 and reviewed in March 2019. This has been further reviewed and updated to ensure compliance with latest best practice and is attached at Appendix 1.

2. Main Changes

- 2.1 The main changes to the Policy were:

- to include reference to Construction Policy Notes (Section 1)
- to update the list of general policies (Section 3)
- to update the Legal Framework following Brexit including reference to The World Trade Organisation Agreement on Government Procurement (WTO GPA) (Sections 4 and 6)
- to update links throughout Policy
- to update the Glossary (Annex A)

- 2.2 The Policy will also be emailed to all Budget Holders and Delegated Purchasers, and will be placed on the Procurement page of Connect and SCRA's website so that they are accessible to SCRA staff at all levels of the organisation and also to external readers and suppliers.

3. Continuous Improvement

- 3.1 The Procurement Officers will now carry out an annual review of the Policy to reflect future changes to legislation and best practice guidance.

4. Recommendation

- 4.1 To approve SCRA's revised Procurement Policy Manual in line with the Procurement Reform (Scotland) Act and Scottish Public Sector best practice.

**SCOTTISH CHILDREN'S REPORTER
ADMINISTRATION**

PROCUREMENT POLICY MANUAL

VERSION 3.0

Version:	3.0
Issue Date:	November 2022
Changes:	Bi-annual review of Policy
Prepared by:	Helen Mora, Procurement Officer
Approved by:	Executive Management Team
Next Review Date:	1 Year

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1. INTRODUCTION AND SCOPE

This manual provides guidance on the rules that apply to the Scottish Children's Reporter Administration (SCRA) staff who are involved in procurement activity and sets out the process that must be followed for each procurement exercise the organisation undertakes.

Adherence to the policies set out in this Manual is mandatory for all staff.

This manual should be read in conjunction with the [Scottish Procurement Policy Handbook](#) (applicable to the wider public sector, including the Scottish Government), the [Construction Procurement Manual](#) (managing or delivering construction/works projects), the [Procurement Journey](#) (a toolkit providing practical guidance on procurement procedures) and other guidance issued by [Scottish Procurement](#), including [Scottish Procurement Policy Notes \(SPPNs\)](#), which provide updates on legal and Procurement Policy developments and [Construction Policy Notes \(CPNs\)](#). Account must also be taken of the relevant legal framework and statutory guidance published under the Procurement Reform (Scotland) Act 2014.

The rules set out in the [Scottish Procurement Policy Handbook](#) and this manual are designed to ensure that procurement activity is:

- Focussed on the delivery of Value for Money (VfM) .
- Conducted to high professional standards and to relevant guidance and to the relevant legal requirements.
- Overseen by appropriately trained and authorised staff to minimise the risk of legal challenge to SCRA and its staff.

No member of staff may commit to a purchase, or award a contract, without written Delegated Purchasing Authority at the required level.

2. DEFINITION

'Procurement' is the process of buying goods, services and works from external suppliers. The procurement process begins when a need to buy something is identified and will generally end after the contract is awarded.

Contract management will be carried out throughout the duration of the contract. The role of Contract Manager is usually performed by the business area for whom the contract has been awarded (with support from SCRA's Procurement Team). Information on Contract Management is available in [SCRA - Contract Management Handbook V1.0 Final - March 21.pdf](#) and the [Procurement Journey](#).

3. KEY PRINCIPLES OF PROCUREMENT POLICY

EU Procurement Obligations and Principals

All procurement activity must comply with the European Treaty principles of:

- Transparency
- Equal treatment and non-discrimination
- Proportionality
- Mutual recognition

Legal Aspects

Contracts for the procurement of goods, services and works must be in writing and awarded by a Delegated Purchasing Officer (DPO) with relevant Delegated Purchasing Authority (DPA) ([see Section 4](#)).

Value for Money

Contracts should be awarded on the basis of VfM ([see Section 7](#)).

Competition & Advertising

Contracts must be awarded through genuine and effective competition unless there are exceptional reasons to the contrary ([see Section 6.6](#)).

However, where a contract does not exist and there is a need to buy low value/low risk goods and services operational areas can use their Government Procurement Card (GPC – also known as EPC) to purchase directly from the supplier.

Ethical Standards

DPO's must adhere to and apply the highest ethical standards in their procurement activity ([see Section 12](#)).

Buying Sustainably

DPOs must consider sustainability in their procurement activity ([see Section 8](#)).

Separation of Duties

The roles of Budget Holder/Customer and DPO should be kept separate ([see Section 6.4](#)).

Consultancy Services

The procurement of consultancy services must adhere to the [Scottish Government Consultancy Procedures \(see Section 10\)](#).

General Policies

In addition to the key principles, SCRA has the following general policies which should be followed:

- Use of Community Benefits
- Consulting & engaging with those affected by procurement
- Fair Work Practices in Procurement
- Health & Safety
- Fairly & ethically traded goods and services
- Prompt Payment Policy

4. LEGAL FRAMEWORK

The purchase of all goods, services and works by public bodies is subject to a legal framework designed to encourage free and open competition and deliver value for money, in line with internationally and nationally agreed obligations and regulations. The following are the key pieces of legislation relating to public procurement in Scotland:

- The [EU-UK Trade and Cooperation Agreement \(TCA\)](#)
- The [Public Procurement etc. \(EU Exit\)\(Scotland\) \(Amendment\) Regulations 2020](#)
- The [Public Contracts \(Scotland\) Regulations 2015](#) (The 2015 Regs)
- Procurement Reform (Scotland) Act 2014 (The Act)
- The [Procurement \(Scotland\) Regulations 2016](#) (The 2016 Regs)
- The [Concession Contracts \(Scotland\) Regulations 2016](#) (for contracts commenced on or after 18th April 2016)
- The [Utilities Contracts \(Scotland\) Regulations 2016](#) (for contracts commenced on or after 18th April 2016)

4.1 Regulated Procurement

For the purposes of the Procurement Reform (Scotland) Act 2014, a “regulated procurement” is any procedure carried out by a contracting authority in relation to the award of a proposed regulated contract, including, in particular, the seeking of offers in relation to the contract, the selection of economic operators and the award of a regulated contract by a contracting authority.

A contract is regulated if it is a public contract, the estimated value of the contract is equal to or greater than the contract threshold and the contract is not an excluded contract.

The contract thresholds are currently :

Goods and Services:	£50,000
Works:	£2,000,000

4.2 Formal Challenges

Formal challenges and complaints may be brought against SCRA alleging a breach of these rules. The consequences of a successful challenge may, depending on the nature of the breach, result in SCRA being fined; the duration of a contract being shortened; award of damages against SCRA; and reputational damage to SCRA.

Any challenges must be reported to the Procurement Team immediately and any correspondence from legal advisors challenging the procurement process or contract award decision must be forwarded to Procurement.

5. PROCUREMENT JOURNEY

The [Procurement Journey](#) provides a step by step guide to carrying out a procurement exercise and is intended to support all levels of procurement activities and to help manage the expectations of stakeholders, customers and suppliers alike. It facilitates best practice and consistency across the Scottish public sector.

The [Procurement Journey](#) is split into three different routes and includes a decision matrix to determine the route to be used. SCRA's Delegated Purchasing Officers (DPO's) must only use Route 1. Use of [Public Contracts Scotland](#) is mandatory for all procurements over £10k.

Where Route 1 is required for contracts above £10,000 or where Routes 2 or 3 are required, these competitions must be managed by SCRA's Procurement Officer(s), unless the appropriate level of purchasing authority is held.

6. PROCUREMENT ROLES/ RESPONSIBILITIES AND COMPLIANCE

This section outlines the roles, responsibilities and actions necessary for procurement compliance. The Head of Finance & Resources has been charged by the Principal Reporter/Chief Executive to determine best practice purchasing arrangements for SCRA and to seek to establish these consistently throughout.

6.1 Procurement Process

The SCRA adheres to Scottish Procurement's Procurement Journey below:

Route 1 Procurement Toolkit – for use by Delegated Purchasers



Routes 2 & 3 Procurement Toolkit – for use by Procurement Officers only

6.2 Delegated Purchasing Authority (DPA)

The Principal Reporter/Chief Executive is responsible for the scheme of Delegated Purchasing Authority (DPA) across SCRA and has delegated purchasing authority to the Procurement Officers for this purpose. This delegation allows for further delegation to suitable staff that have responsibility for low value low risk procurements.

The Procurement Officers will maintain a central Register of Delegated Purchasers to allow the dissemination of information and advice, the identification and development of a Procurement Training Programme and periodic reports on the number of non-procurement staff who are actively involved in the procurement process and have completed the appropriate levels of training.

DPA is the authority to enter into a contract for goods, services and works and in doing so, to take responsibility for overseeing the process leading up to, and including, the award of a contract and any subsequent changes to that contract.

DPA is:

- Required for competition of contracts where an existing contract/framework agreement does not already exist. It is also required for running mini competitions against an authorised Scottish Procurement framework agreement or for the modification of an existing contract.
- Granted to permanent SCRA staff, authorised in writing by the Procurement Officer. This will be based on the business need and training/experience of the staff concerned. It will specify the value of contracts (excluding VAT) that the individual will be authorised to award.
- Intended to allow Head Office/Locality Teams the opportunity to manage their appropriate purchasing requirements within their local business area.
- Personal to an individual only whilst occupying their current position unless they are seconded to another post within the organisation to carry out their procurement role in that post. DPA does not automatically transfer to their successor should they leave their current post nor does it transfer with them to another post. If DPA is to be withdrawn by the Procurement Officer for any reason this will be confirmed in writing.

DPA is not:

- To be confused with financial/budgetary authority which is detailed in SCRA's Scheme of Delegation (available on [Connect](#)).
- Required to purchase goods, services or works from single supplier framework agreements awarded or approved by the Procurement Team or Scottish Procurement.
- The authority to approve a contract without following a genuine and effective competition – this is known as a Non Competitive Action (NCA) ([see Section 9](#)).

Individuals with DPA are known as Delegated Purchasing Officers (DPO).

Details of existing [SCRA regulated Contracts and Frameworks](#) can be found on PCS. Further details can be obtained from the Procurement Officers.

Details of existing contracts and framework agreements that SCRA may use, which were awarded or approved by [Scottish Procurement](#) or [Crown Commercial Services](#) are available using the links above. Other framework agreements are available – please contact the Procurement Officers for further details.

6.3 Commitment of a Contract

A contract is a legally binding agreement between SCRA and one or more suppliers for the supply of specified goods, services or works. The contract sets out the details of what SCRA is buying, from whom and the rights and obligations of the parties.

All contracts except, as mentioned above, existing single supplier framework agreements, must be awarded by a DPO with the appropriate level of authority.

All SCRA low value/low risk contracts (below £20,000) awarded by DPO's must be in writing. A sample contract award letter is available in [Route 1](#) of the Procurement Journey, although legally contracts can be made by word of mouth, or implied by the action of the parties. Therefore in discussions with suppliers it is essential that staff take care to ensure that a contract is not unintentionally created.

Details of contracts awarded should be recorded by all DPO's and be readily available on request from the Procurement Officer.

All purchases made using the GPC must comply with SCRA's GPC procedures. The limit for a single transaction by GPC is £5k with a maximum monthly spend per card of £15k.

All contracts awarded by SCRA should normally be subject to Scots Law. This is provided in the SCRA Standard Terms and Conditions which have been designed for straightforward or routine purchases of goods or services. These Terms & Conditions can be found on [Connect](#).

Any proposed change, amendment or alternative form of conditions by the DPO or supplier should in the first instance be referred to the Procurement Officer for approval before agreeing to non-standard contract conditions.

6.4 Separation of Duties

In any procurement process, the key roles of Budget Holder and Purchaser should NOT be performed by the same individual.

The Budget Holder should have authority to commission goods, services or works and to provide financial authority for the expenditure. The Purchaser should have the relevant authority to commit the organisation to a contract for the purchase of the goods, services or works for the full term of the contract.

The Procurement Officer must be alerted to planned or possible procurements outwith the level of the DPO's authority, or if the purchase is novel or deemed to be high risk.

There are at least two defined roles in a procurement process:

- The internal stakeholder who perceives the need and prepares the Business Case, where necessary, to obtain any necessary approval to spend.
- The DPO who is responsible for ensuring that the procurement process fully complies with SCRA's Procurement Policy.

A DPO should not:

- Be responsible for any financial approvals connected with contracts that they have authority to approve.
- Act as Budget Holder.
- Be an approver on SCRA's Finance Process Manager (FPM) system.

These roles must be separated in order to protect the staff concerned from accusations of impropriety.

In the case of works contracts, roles and responsibilities are set out in the [Scottish Public Finance Manual \(SPFM\)](#) and the [Construction Procurement Manual](#).

6.5 Approvals

Prior to committing to a purchase, Delegated Purchasers must complete a New Supplier Form and send this by email to the Procurement Officer. If this involves a new supplier and meets the criteria on the form, the Procurement Officer will confirm their approval by forwarding the form to the Finance Team.

It is SCRA Policy that all procurements expected to be above £20,000 should have a Procurement Strategy completed by the Procurement Officer in conjunction with the internal customer. The Procurement Strategy should be approved by the Head of Finance & Resources before commencing with the competition.

A Capital Proposal should be prepared by the internal customer for all Capital expenditure expected to be between £1,000 and £25,000. This should be submitted to the Head of Finance & Resources for approval. A [template](#) is available on Connect.

A [Business Case](#) should be prepared by the Project Owner for all Capital or Revenue projects expected to be in excess of £25,000. Internal customers must consult with all relevant Teams, including Procurement, before submitting the Business Case for approval by the Executive Management Team (EMT).

6.6 Competition and Advertising

It is SCRA policy that goods, services and works must be awarded through genuine and effective competition unless there are convincing reasons to the contrary ([see section 9](#)). DPOs are responsible for identifying the most appropriate procurement process that is likely to offer the best VfM. Advice should be sought from the Procurement Officer(s).

Before commencing a new competition, the availability of existing [contracts and framework](#) agreements must be considered. New competitions should normally only be launched where the requirement cannot be met through an existing contract.

All purchases between £1k and £10k that are not on an existing contract must have three verbal quotations from different suppliers before making a decision on the basis of VfM. Details of the quotations should be recorded on file.

Procurement processes for each form of competition are outlined within the [Procurement Journey](#) and must be used for all procurements above £10k.

The [Procurement Reform \(Scotland\) Act 2014](#) requires all public bodies who are conducting a regulated procurement to publicise their intention to seek offers (contract notice) and the award of a contract or framework agreement (contract award notice) on [Public Contracts Scotland](#) (PCS). The PCS info centre contains further information on how public bodies can meet their publication obligation.

This means that all regulated contracts for goods and services with an anticipated value of £50,000 and above (excluding VAT) and for works contracts with an anticipated value of £2,000,000 and above (excluding VAT) must be advertised on the [Public Contracts Scotland](#) (PCS) advertising portal. The value of the contract is the total amount, net of VAT, which SCRA expects to pay over the full duration of the contract (including any options to extend).

- All contracts with an anticipated value of less than £50,000 (Goods & Services) and £250,000 (Works) but above £10,000 (excluding VAT) will require to be done by Quick Quote (an online competition process within PCS which allows staff to approach selected suppliers, who are registered on PCS). If not on PCS, Delegated Purchasers can contact the supplier and ask them to register.

Quick Quote must only be used where the DPO:

- Ensures that there is no existing contract/framework agreement which could be accessed.
- Satisfies themselves that using Quick Quote meets their obligations for adequate publicity
- Ensures that the procurement/mini-competition is for low value/low risk goods, services or works.

The thresholds for procurement activities within SCRA are outlined in the table below:

Estimated Value (ex VAT)	Procurement Journey Route	Procurement Lead	Minimum Standards
<£1,000	Not Required	DPO	Can be purchased via GPC cards. Alternatively, quotes can be sought following the Route 1 procedure below.
£1,000 - £10,000	Not Required (Route 1 can be used)	DPO	Minimum of three verbal/telephone quotes. Details to be recorded on file. Payment by GPC card. Recommend using Public Contracts Scotland (PCS) Quick Quote where possible.
£10,000 - £20,000	Route 1	DPO (if relevant level of authority held) or Procurement Officer	Not less than 3 quotations must be received. Use of PCS Quick Quote is mandatory for these competitions
£20,000 - £50,000 (Goods & Services) £250,000 (Works)	Route 1 or Route 2 Route CPR1 A for Works	Procurement Officer	Formal competitive tendering exercise, led by SCRA Procurement Officer. Use of PCS Quick Quote is mandatory. These may also be advertised via a full PCS national notice where deemed necessary.
£50,000 (Goods & Services) £250,000 (Works) – WTO GPA Threshold *	Route 2 Route CPR1 B for Works	Procurement Officer	Formal competitive tendering exercise, led by SCRA Procurement Officer, advertised via PCS and conducted in accordance with Procurement (Scotland) Regulations 2016
>WTO GPA Threshold	Route 3	Procurement Officer	Formal competitive tendering exercise, led by SCRA Procurement Officer, advertised via PCS and conducted in accordance with the Public Contracts (Scotland) Regulations 2015.

* The World Trade Organisation Agreement on Government Procurement (WTO GPA) thresholds change every two years. The next change will be applied from January 2024. For details of the thresholds please contact the Procurement Officer.

6.7 Works Contracts

It is recognised that for small works contracts (up to £10k) it is not always possible to obtain prior quotations or to use the GPC for Works contracts.

The Public Contracts (Scotland) Regulations 2015 sets out at Schedule 2 those activities that are defined as Works. These activities describe works that form the basis of the types of project undertaken by SCRA's Property Team.

The updated Construction Procurement Manual provides mandatory guidance in developing and delivering construction projects and how to take these procurements to market using the appropriate Construction Procurement Route (CPR).

Although the guidance recommends using CPR1 A for contracts below £500k, the Procurement Team recommend using this for contracts below £250k. This means they can be taken to market without advertising, for example by inviting selected suppliers to bid using the Quick Quote facility on Public Contracts Scotland. If an assessment of risk determines that they need wider marketing, CPR1 B will be used.

Where possible, SCRA will openly advertise contract opportunities between £250k and £500k on Public Contracts Scotland using CPR1 B..

6.8 Contract Documentation

It is SCRA Policy that documentation covering the key stages of the procurement of goods, services and works is retained on file. The DPO responsible for carrying out the procurement activity is responsible for ensuring that there is a file for each contract and for ensuring that key documents are filed timeously. A Contract Reference Number can be obtained from the Procurement Officer.

6.9 Contracts Register and Transparency

The Procurement Reform (Scotland) Act 2014 requires all public sector contracting organisations to keep and maintain a Contracts Register, and to provide an internet-based publicly viewable version of it to include all regulated procurements which commence on or after 18th April 2016. This Contract Register will be maintained and updated by the Procurement Team as a regulated contract is a public contract (for goods and services) with a value greater than £50,000.

It is, however, the responsibility of all DPOs to ensure that they maintain a record of all lower value contracts they award. The Procurement Team may periodically request details of contracts awarded.

7. VALUE FOR MONEY (VfM)

VfM is defined as the optimum combination of whole life costs and quality (or fitness for purpose) to meet the customer's requirements. Depending on the nature of the contract, whole life cost may include implementation costs, ongoing operating costs and end-of-life disposal.

The [Scottish Model of Procurement](#) promotes VfM as being an appropriate balance between cost or price, quality and sustainability. In addition, SCRA's Procurement Strategy sets a framework in which a contracting authority will work to ensure that its procurement activities deliver value for money, how it plans to meet its procurement obligations and how these targets are subsequently met. In delivering VfM, cost or price, quality and sustainability are all factors which should be taken into account when establishing contract award criteria.

It is SCRA policy that contracts must be awarded on the basis of VfM.

8. BUYING SUSTAINABLY

SCRA is committed to buying goods, services and works in a sustainable manner.

This is done in a way that:

- Achieves VfM on a whole life cost basis; and
- Delivers benefits not only for the organisation but for society, the economy and the environment.
- Encourages the procurement of low carbon options to support the development of a low carbon economy.

SCRA will derive the greatest benefits through ensuring that, where appropriate, sustainability is embedded and proportionately applied to all its procurement decisions and activities. At the heart of this process will be [The Sustainability Test](#).

[The Procurement Reform \(Scotland\) Act 2014](#) builds on the work achieved so far in the reform of public procurement in Scotland. It establishes laws about sustainable public procurement to maximise the social, environmental and economic benefits through effective and efficient procurement activity.

The Sustainable Procurement Duty encompasses these elements. Smart use of procurement can play a key role in promoting jobs and growth, encouraging innovation, boosting training and apprenticeship opportunities and helping small and medium enterprises (SME's), third sector organisations and supported businesses to compete effectively for contracts.

9. NON COMPETITIVE ACTION (NCA)

All goods, services and works must be bought by genuine and effective competition. NCA is only granted in **exceptional** circumstances. It is strictly limited to situations where competition is not deemed appropriate (further information is available on the [Procurement Journey](#)).

SCRA's Procurement Officer(s) must be consulted about any proposal to award a contract without competition before using the [NCA Template](#).

For NCA procurements up to £10,000 (excluding VAT), approval must be given by the Procurement Officer and for procurements over £10,000 approval must be given by the Principal Reporter/Chief Executive. The Procurement Officer must log all NCA's on the Contracts Register.

In all cases, the guiding principles are that NCA approval is by someone other than the DPO who will undertake the procurement, to ensure adequate separation of duties. The NCA justification and approval must be formally recorded on file.

10. CONSULTANCY SERVICES

Robust procedures must be followed for the engagement of consultancy services to ensure that these resources are used sparingly, appropriately and effectively.

Before any procurement process takes place, a Business Case (based on the amount that SCRA expects to pay for the requirement), must be prepared by the appropriate Budget Holder/customer and passed to the Procurement Officer(s) for completion of Section 4 before being submitted to EMT for approval.

The [Scottish Government Consultancy Procedures](#) provide guidance on the use of consultancy services.

11. CONTRACT MANAGEMENT

Contract Management is an essential part of the contracting process. Contract monitoring procedures are the essential key to ensuring that the contractor meets the service levels set out in the contract and to ensuring continuing value for money.

A Contract Manager should always be appointed to manage any contract for goods, services or works and recorded on the Contract Register. The Procurement Team are responsible for maintaining the Contract Register.

The Contract Manager within SCRA must ensure that Procurement are advised and consulted on all amendments, additions and/or deletions to a contract to ensure that the Register does not contain outdated or false information.

Contract management guidance, including change control requirements, is available on Connect [SCRA - Contract Management Handbook V1.0 Final - March 21.pdf](#) and in the [Contract Management | Procurement Journey](#)

12. ETHICAL STANDARDS

Staff must preserve the highest standards of honesty, integrity, impartiality and objectivity in all dealings with suppliers and potential suppliers as detailed in SCRA's [Staff Code of Conduct](#) and the [Scottish Procurement Policy Handbook](#).

DPOs and all other staff involved in procurement (including Line Managers) must read and familiarise themselves with this guidance and its associated documents.

13. FRAUD RESPONSE PROCEDURES

SCRA's policy on fraud/corruption is set out in the [Fraud Protection Policy](#) which is available on the intranet. The Policy sets out in more detail procedures for fraud prevention, detection and the investigating and reporting of fraud or corruption.

Glossary

- **Award Criteria**
The criteria (questions) used by the buyer to compare and score the merits of the specific bid for the contract. This must include quality and price.
- **Competition**
contracts must be awarded through genuine and effective competition unless there are convincing reasons to the contrary.
- **Contract**
is a legally binding agreement between SCRA and one or more suppliers for the supply of specified goods, services or works. The contract sets out the details of what SCRA is buying and being delivered with and the rights and obligations of both of the parties.
- **Contracting Authority**
A term used to describe the public sector buyer who has a procurement requirement.
- **Contract Award Notice**
A publication which confirms the details of a contract which has been awarded to a supplier.
- **Contract Notice**
A publication which advertises a procurement requirement.
- **Contract Management**
A publication which advertises a procurement requirement.
- **Contract register**
A published list of contracts put in place by a public sector organisation based in Scotland. This is a legislative requirement.
- **Contract Value**
This is an estimate of the value of a contract over the whole period of the contract e.g. if the contract is for £50k per year for 3 years the contract value is £150k. The contract value should include any extension periods.
- **Delegated Purchasing Authority (DPA)**
Is the authority given to an individual to sign-off contracts. It is not to be confused with Delegated Finance Authority as it is important that there is adequate separation of duties between the individual who has finance authority i.e. the budget holder and the individual with purchasing authority i.e. who places the contract.
- **Delegated Purchasing Officer (DPO)**
a permanent SCRA individual with Delegated Purchasing Authority.
- **Fair Work Practices**
Employment practices that support wellbeing e.g. training and development, equality of opportunity.

- **Framework agreement**
Is an agreement between SCRA and one or more suppliers for the supply of specified goods, services or works over a set period of time. The framework agreement has agreed terms and conditions and a pricing structure defined. The main difference between framework agreement and a contract is that a framework does not state the quantity of the goods, services or works, or when they will be bought. Individual contracts specifying the quantity and timescale are awarded under the terms of the framework agreement.
- **Government Procurement Card (GPC)**
is a corporate charge card used for low value, ad-hoc purchases that are not covered by existing contracts or framework agreements for transactions £5,000 (excluding VAT) or less.
- **Non Competitive Action (NCA)**
Procurement used in very exceptional circumstances when normal procurement rules cannot be followed.
- **Principles of Procurement**
Included within The Public Contracts (Scotland) Regulations 2015 for those undertaking a procurement to " treat economic operators equally and without discrimination and act in a transparent and proportionate manner".
- **Procurement**
is the process of buying goods, services or works from external suppliers.
- **Procurement Exercise**
Full end to end procurement exercise from strategy development to contract & supplier management.
- **Procurement Journey**
a toolkit providing practical guidance on procurement procedures.
- **Procurement Process**
A procurement procedure can be run in a number of ways (procurement processes) e.g. a Framework Agreement.
- **Procurement Strategy (also known as a Commodity Strategy)**
A Procurement or Commodity Strategy is different to the Corporate Procurement Strategy. A Procurement or Commodity Strategy is a document that a public sector buyer creates to detail and plan for a particular Procurement Exercise. This document should include: information on the team to be involved in the procurement exercise; market analysis; current contracts and spend; etc. This document will be reviewed and approved (or not) by the organisations procurement management to allow the procurement exercise to proceed to the next phase.
- **Prompt Payment**
Prime contractors (as well as sub-contractors and sub-sub contractors) in the supply chain for public sector contracts should be paid promptly i.e. within a maximum of 30 days from the date of receipt of a valid invoice.
- **Public Contracts Scotland (PCS)**
the national advertising portal used to advertise all SCRA goods, services or works contract opportunities.
- **Quick Quote**

is an online quotation facility using the Public Contracts Scotland portal which allows buyers to obtain competitive quotes electronically for low value requirements. Details of the QQ are created online and sent to a selected list of suppliers, who can then complete the required details and submit their quotation using the secure postbox. QQs are only distributed to the selected suppliers and are not made public on the website.

- **Regulated Procurement**
A procurement whose value is greater than £50,000 excluding VAT for goods and/or services for the full life of the contract or greater than £2,000,000 for Works.
- **Scottish Procurement Policy Notes (SPPN)**
guidance issued by Scottish Procurement providing updates on legal and procurement policy developments.
- **Scottish Public Finance Manual (SPFM)**
provides guidance to SCRA and other public bodies on the proper handling and reporting of public funds.
- **Sustainability**
a process whereby SCRA meet its needs for goods, services, works in a way that achieves VfM on a whole life basis and generates benefits not only to SCRA, but also to society, the economy and the environment.
- **Value for Money (VfM)**
the optimum combination of whole life costs and quality to meet the customer's requirement.