

ANGUS COUNCIL

POLICY AND RESOURCES COMMITTEE – 8 MARCH 2022

ANNUAL PROCUREMENT REPORT

REPORT BY JACKIE BUCHANAN, DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT

This report presents the Council's statutory annual procurement report under the Procurement Reform (Scotland) Act 2014 and recommends that the Annual Report is now published, and the necessary return made to Scottish Ministers.

1. RECOMMENDATION(S)

It is recommended that the Committee:

- (i) notes the Angus Council Procurement Annual Report 2020/21 which is annexed as Appendix 1 to this report;
- (ii) authorises the Director of Legal and Democratic Services to publish the Annual Report on the Council's website and to provide the necessary return on the Annual Report to Scottish Ministers in line with Section 15 of the Procurement Reform (Scotland) Act 2014;
- (iii) notes the current position in terms of staff recruitment and future key targets for procurement;
- (iv) delegates authority to the Director of Legal and Democratic Services, following consultation with the Leader of the Council and the Leader of the Non-Administration, to submit a return covering the period 2018-19 to the Scottish Government as soon as reasonably practicable; and
- (v) notes that the return covering the period 2018-19 to be submitted to the Scottish Government will be provided by way of an Information Report to elected members.

2. ALIGNMENT TO THE COUNCIL PLAN

This report contributes to the following priorities contained in the Angus Council Plan: -

- That Angus is 'go to' area for businesses
- That Angus Council is efficient and effective

3. BACKGROUND

3.1 Section 15 of the Procurement Reform (Scotland) Act 2014 (the "2014 Act") requires any public organisation, which has an estimated total value of regulated procurement spend of £5million or more (excluding VAT) in a financial year, to prepare and publish a procurement strategy and to publish an annual report on its procurement performance against that strategy. This report presents that Annual Report for 2020-21.

3.2 The statutory requirement is for the annual report to be published "as soon as reasonably practicable" after the relevant year end and ideally within five months. This has not been possible for 2020-21 due to a number of factors including staff shortages due to vacancies in the Procurement and Commissioning team, in particular the departure of the Manager - Procurement and Commissioning in Autumn last year, difficulties in obtaining certain figures relevant for the report and the volume of work and diversion of staff to the Key Supplier Support Scheme. Staff have now been recruited to the team and a new Manager – Procurement and Commissioning is due to start this month. Systems have been put in place to ensure that data is collected continuously and is therefore available when required. All of these improvements

will ensure that the team is operating in a more efficient manner and that the Annual Report for 2021-22 is submitted timeously.

- 3.3 The last Annual Procurement Report was reported to Policy and Resources Committee on 26 November 2019 in respect of the period from 1 April 2018 – 31 March 2019 (Report No. 396/19 refers). A return was not submitted to the Scottish Government for the period 1 April 2019 – 31 March 2020 due to staff shortages and the volume of work created by the Covid-19 pandemic and the Key Supplier Support Scheme. Approval is therefore sought for the Director of Legal and Democratic Services, following consultation with the Leader of the Council and the Leader of the Non-Administration, to submit a return for the period 2019-20 to the Scottish Government as soon as reasonably practicable.

4. CURRENT POSITION

- 4.1 The Angus Council Annual Procurement Report 2020-21 is annexed to this report as Appendix 1. The function of the Council's annual procurement report is to: -

- aid stakeholder (citizen and government) visibility of procurement activities;
- be a mechanism for conveying how the Council is meeting legislative procurement requirements;
- outline how the Council's procurement activity is contributing to the delivery of its broader aims and objectives; and
- address all of the commitments contained in the Council's procurement strategy and support the annual review of the strategy.

- 4.2 Some key themes emerge from the Annual Report for 2020-21 and will be further developed in the coming months:

- The Council's local spend has risen to over 40% which is a great achievement for a local authority of Angus' size and geographical location. This has been achieved through working with Economic Development colleagues and other colleagues across the Council, supporting and driving the ambition to spend locally in a compliant manner.
- As members will be aware, Angus Procurement has been part of a wider Shared Service review with Perth & Kinross Council and Dundee City Council under the project management of Scotland Excel. A huge amount of work was undertaken on this and, whilst the decision was taken not to pursue a shared service at this time, the comprehensive review undertaken of procurement within Angus identified key targets for 2022/23, namely Compliance, Forward Planning, Cost Saving, Training and Community Wealth Building. These targets will form the basis of a refreshed Procurement Strategy.
- During the review process, several posts in the Angus Procurement and Commissioning Team were not recruited to, pending the outcome of the review. Since the review concluded, these posts have now been recruited to and the team is now in a better position as regards staff resources and to progress with the ambitions detailed above.
- As well as recruiting to the vacant posts, there has recently been committee approval for the following temporary posts which will assist in meeting the strategic objectives. The LG10 post and LG6 post are being recruited as part of the Enterprising Angus initiative so will also provide support to other projects, with a view to ensuring council-wide a more commercial approach to service delivery: -

- 1 LG9 Community Benefits Officer x two years
- 1 LG10 Spend Analyst x two years
- 1 LG 6 Project Assistant (working under the Spend Analyst) x two years

The recruitment of two temporary posts to carry out spend analysis work, and one temporary Community Benefits Officer will support and embed benefits realisation, cost reduction, cost avoidance and community wealth building. This will support our goal of having spend efficiencies woven throughout all projects and tenders.

5. PROPOSALS

It is proposed that Committee notes the Angus Council Annual Procurement Report 2020/21 and agrees that the report will be published on the Council's website and the necessary return on the Annual Report will be notified to the Scottish Ministers in line with the Council's duties under Section 15 of the Procurement Reform (Scotland) Act 2014. It is also proposed that the Committee note the current position in terms of staff recruitment and future key targets for procurement. Committee is also asked to delegate authority to the Director of Legal and Democratic Services, following consultation with the Leader of the Council and the Leader of the Non-Administration, to submit a return covering the period 2018-19 to the Scottish Government as soon as reasonably practicable. It is proposed that the return covering the period 2018-19 to be submitted to the Scottish Government will be provided by way of an Information Report to elected members.

6. FINANCIAL IMPLICATIONS

There are no financial implications for the Council arising directly from approval of the recommendations set out in this report.

7. EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment is not required

NOTE: No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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List of Appendices:

Appendix 1 - Angus Council, Annual Procurement Report 2020-21



Equality Impact/Fairer Scotland Duty Assessment Form

(To be completed with reference to Guidance Notes)

Step 1

Name of Proposal (includes e. g. budget savings, committee reports, strategies, policies, procedures, service reviews, functions):

Step 2

Is this only a **screening** Equality Impact Assessment Yes/~~No~~

(A) If Yes, please choose from the following options **all** reasons why a full EIA/FSD is not required:

(i) It does not impact on people Yes/~~No~~

(ii) It is a percentage increase in fees which has no differential impact on protected characteristics
~~Yes~~/No

(iii) It is for information only Yes/~~No~~

(iv) It is reflective e.g. of budget spend over a financial year Yes/~~No~~

(v) It is technical ~~Yes~~/No

If you have answered yes to any of points above, please go to **Step 16**, and sign off the Assessment.

(B) If you have answered No to the above, please indicate the following:

Is this a full Equality Impact Assessment Yes/No

Is this a Fairer Scotland Duty Assessment Yes/No

If you have answered Yes to either or both of the above, continue with Step 3.

If your proposal is a **strategy** please ensure you complete Step 13 which is the Fairer Scotland Duty Assessment.

Step 3

(i)Lead Directorate/Service:

(ii)Are there any **relevant** statutory requirements affecting this proposal? If so, please describe.

(iii)What is the aim of the proposal? Please give full details.

(iv)Is it a new proposal? Yes/No Please indicate OR

Is it a review of e.g. an existing budget saving, report, strategy, policy, service review, procedure or function? Yes/No Please indicate

Step 4: Which people does your proposal involve or have consequences for?

Please indicate all which apply:

Employees	Yes/No
Job Applicants	Yes/No
Service users	Yes/No
Members of the public	Yes/No

Step 5: List the evidence/data/research that has been used in this assessment (links to data sources, information etc which you may find useful are in the Guidance). This could include:

Internal data (e.g. customer satisfaction surveys; equality monitoring data; customer complaints).

Internal consultation (e.g. with staff, trade unions and any other services affected).

External data (e.g. Census, equality reports, equality evidence finder, performance reports, research, available statistics)

External consultation (e.g. partner organisations, national organisations, community groups, other councils).

Other (general information as appropriate).

Step 6: Evidence Gaps.

Are there any gaps in the equality information you currently hold? Yes/No

If yes, please state what they are, and what measures you will take to obtain the evidence you need.

Step 7: Are there potential differential impacts on protected characteristic groups? Please complete for each group, including details of the potential impact on those affected. Please remember to take into account any particular impact resulting from **Covid-19**.

Please state if there is a potentially positive, negative, neutral or unknown impact for each group. Please state the reason(s) why.

Age

Impact

Disability

Impact

Gender reassignment

Impact

Marriage and Civil Partnership

Impact

Pregnancy/Maternity

Impact

Race - (includes Gypsy Travellers)

Impact

Religion or Belief

Impact

Sex

Impact

Sexual orientation

Impact

Step 8: Consultation with any of the groups potentially affected

If you have consulted with any group potentially affected, please give details of how this was done and what the results were.

If you have not consulted with any group potentially affected, how have you ensured that you can make an informed decision about mitigating action of any negative impact (Step 9)?

Step 9: What mitigating steps will be taken to remove or reduce potentially negative impacts?

Step 10: If a potentially negative impact has been identified, please state below the justification.

Step 11: In what way does this proposal contribute to any or all of the public sector equality duty to: eliminate unlawful discrimination; advance equality of opportunity; and foster good relations between people of different protected characteristics?

Step 12: Is there any action which could be taken to advance equalities in relation to this proposal?

Step 13: FAIRER SCOTLAND DUTY

This step is only applicable to **strategies** which are key, high level decisions. If your proposal is **not** a strategy, please leave this Step blank, and go to Step 14.

Links to data sources, information etc which you may find useful are in the Guidance.

Step 13(A) What evidence do you have about any socio-economic disadvantage/inequalities of outcome in relation to this strategic issue?

Step 13(B) Please state if there are any gaps in socio-economic evidence for this strategy and how you will take measures to gather the evidence you need.

Step 13(C) Are there any potential impacts this strategy may have specifically on the undernoted groupings? Please remember to take into account any particular impact resulting from Covid-19.

Please state if there is a potentially positive, negative, neutral or unknown impact for each grouping.

Low and/or No Wealth (e.g. those with enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future.

Impact

Material Deprivation (i.e. those unable to access basic goods and services e.g. repair/replace broken electrical goods, warm home, leisure and hobbies).

Impact

Area Deprivation (i.e. where people live (e.g. rural areas), or where they work (e.g. accessibility of transport)).

Impact

Socio-economic Background i.e. social class including parents' education, people's employment and income.

Impact

Other – please indicate

Step 13(D) Please state below if there are measures which could be taken to reduce socio-economic disadvantage/inequalities of outcome.

Step 14: What arrangements will be put in place to monitor and review the Equality Impact/Fairer Scotland Duty Assessment?

Step 15: Where will this Equality Impact/Fairer Scotland Duty Assessment be published?

Step 16: Sign off and Authorisation. Please state name, post, and date for each:

Prepared by: Alison Watson, Service leader – Legal, 24 February 2022

Reviewed by:

Approved by: Jackie Buchanan, Director of Legal and Democratic Services, 24 February 2022

NB. There are several worked examples of separate EIA and FSD Assessments in the Guidance which may be of use to you.
