



# **Care Inspectorate and Scottish Social Services Council Procurement Strategy April 2023 – March 2026**

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## **Care Inspectorate and Scottish Social Services Council Procurement Strategy April 2023 – March 2026**

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## **1.0 INTRODUCTION**

The Care Inspectorate and Scottish Social Services Council (SSSC) Procurement Strategy April 2023 – March 2026 has been informed by the Public Contracts (Scotland) Regulations 2015, the Procurement Reform (Scotland) Act 2014 and the Procurement (Scotland) Regulations 2016. The Strategy is designed to take a responsible and sustainable approach to procurement.

The purpose of this strategy is to set out how the Care Inspectorate and the SSSC will plan and manage their procurement processes to meet their corporate aims and objectives and comply with regulatory and legislative requirements. The Procurement Strategy applies to all procurement conducted by the Care Inspectorate and the SSSC.

Procurement aims to deliver fair, transparent and effective procurement which delivers best value, is legally compliant and follows best practice. This is especially important in a challenging financial climate. Good procurement can generate savings and efficiencies that can be used to re-invest in other activities to support corporate objectives.

Procurement is a devolved responsibility within the Care Inspectorate and SSSC. Specific authority is required for staff to procure goods, services or works. The procurement must be undertaken within agreed policy and procedural parameters.

This document sets out the Care Inspectorate and SSSC's Procurement Strategy for the period from 1 April 2023 to 31 March 2026 and is supported by an annual Procurement Action Plan.

## 1.1 Our Corporate Objectives and Strategic Outcomes

The Corporate and Strategic Plans set out what we do and our objectives and outcomes to achieve our vision.

### 1.1.1 The Care Inspectorate strategic outcomes:

Outcome 1  
High quality care for all

Outcome 2  
Improving outcomes for all

Outcome 3  
Everyone's rights are respected and realised

Outcome 4  
Our people are skilled, confident and well supported to carry out their roles

### 1.1.2 The SSSC strategic outcomes:

Outcome 1  
People who use services are protected by ensuring the regulated workforce is fit to practise.

Outcome 2  
The SSSC supports and enhances the development of the regulated workforce to deliver high standards of practice and drive improvement.

Outcome 3  
Our workforce planning activities support employers, commissioners and policy makers to deliver a sustainable, integrated and innovative workforce.

Outcome 4  
Promoting the values of this workforce.

## 2.0 ACCOUNTABILITY

Care Inspectorate Board and SSSC Council	Approval of the Procurement Strategy.
Chief Executives	Accountable Officers - have specific responsibility to ensure that procurement activity is conducted in accordance with the requirements of the Procurement section of the Scottish Public Finance Manual. This responsibility will be discharged through the implementation of this strategy.
The Executive Director of Corporate & Customer Services (Care Inspectorate) and Interim Director of Finance and Resources (SSSC)	Sponsors of the Procurement Strategy
Finance & Corporate Governance	<b>Head of Finance and Corporate Governance:</b> Leadership and support for delivery of the Procurement Strategy  <b>Accounting and Procurement Manager:</b> Responsible for ensuring compliance with the Public Sector Regulations, developing and delivering the Procurement Strategy  <b>Procurement Team:</b> Responsible for supporting the delivery of the Procurement Strategy and associated action plan, including developing guidance and providing support and guidance.
Delegated Purchasers	Support delivery of the Procurement Strategy
Procurement Development Group	Supports continued development of procurement capability. Membership drawn from across both organisations

## 2.1 Influencing Factors

The following external factors influence the development of this strategy:

- Public Contracts (Scotland) Regulations 2015
- Procurement Reform (Scotland) Act 2014
- Procurement (Scotland) Regulations 2016
- Procurement Commercial Improvement Programme (PCIP)
- Freedom of Information and Data Protection Acts
- Equality Act 2010
- Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012
- Employment Relations Act 1999 (Blacklists) Regulations 2010
- Scottish Public Finance Manual
- Scottish Procurement Policy Notes
- Climate Change (Scotland) Act 2009
- Climate Change (Emissions Reduction Targets) (Scotland) Act 2019
- Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015
- The Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Amendment Order 2020
- Health & Safety at Work etc Act 1974
- Management of Health & Safety at Work Regulations 1999

Internal factors influencing the development of this strategy include:

- Care Inspectorate Corporate Plan
- SSSC Strategic Plan
- Care Inspectorate and SSSC Procurement Guidance Note
- Equality and Diversity Policy
- Corporate Health and Safety Policy

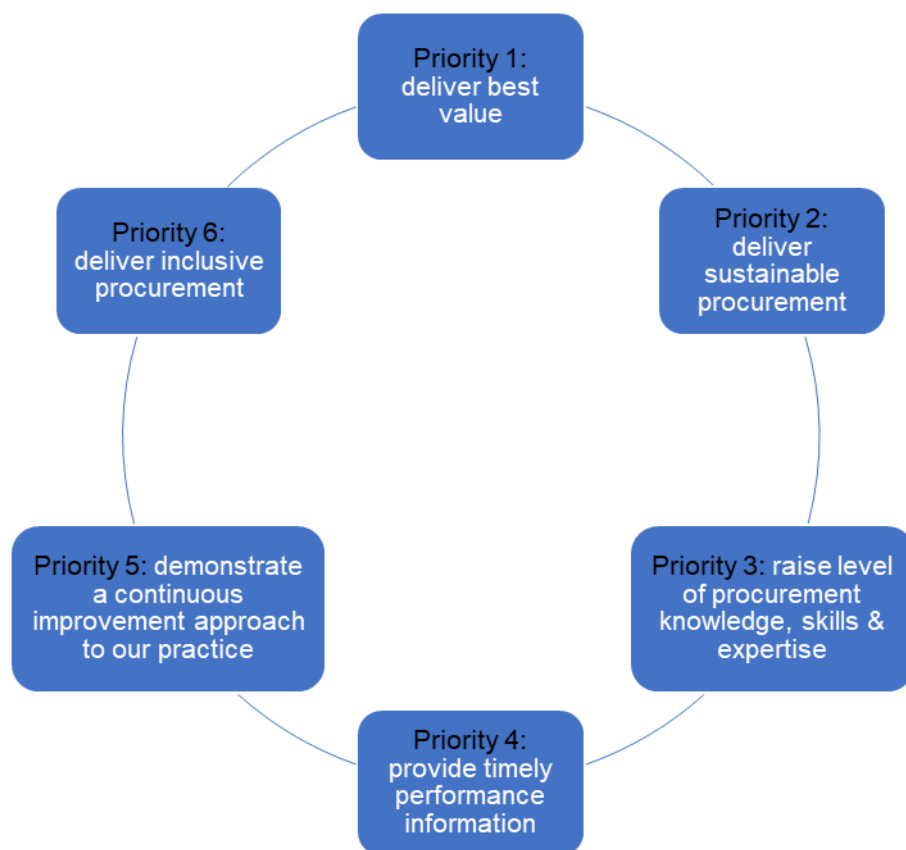
### **3.0 OUR PROCUREMENT PRIORITIES**

Our procurement strategy:

- sets out our priorities and proposals for procurement over the planning period;
- identifies those factors that will influence how we manage the procurement process and
- describes the arrangements for monitoring and evaluating the strategy.

Our strategy has six key priorities as follows:





### 3.1 Priority one: deliver best value

We aim to deliver best value when procuring goods, services and works. This is based on the optimum combination of whole life cost, quality (or fitness for purpose) and sustainability to meet the user's requirement. Competition promotes efficiency and effectiveness in public expenditure therefore goods, services and works should be acquired by effective competition, including adequate publication of the contract unless there are convincing and justifiable reasons to the contrary. Our policy, where possible, is to advertise tender opportunities above £10k, excluding VAT, on the Public Contracts Scotland advertising portal. We will award contracts based on the most economically advantageous tender (MEAT) which balances value for money and the required quality of the service, goods or works.

We will continue to use collaborative frameworks led by Scottish Procurement and other national bodies where appropriate and continue to explore opportunities for further collaboration through our partnership with Central Government Procurement Shared Services (CGPSS) and membership of a multi-agency Cluster Group. These arrangements facilitate the sharing of knowledge and encourage partnership working to ensure we deliver value for money and pool resources and expertise.

Procurement activity contributes to the overall efficiency targets for the SSSC and the Care Inspectorate, with benefits realised reported in the annual Procurement Performance Report.

### 3.2 Priority two: deliver sustainable procurement

The Procurement Reform (Scotland) Act 2014 places a sustainable procurement duty on the Care Inspectorate and SSSC to improve social, environmental and economic wellbeing with a focus on reducing inequality.

Sustainable procurement is "a process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society and the economy, whilst minimising damage to the environment" (Department for Environment, Food and Rural Affairs, 2006).

Sustainable procurement to the Care Inspectorate and the SSSC means routinely considering the environmental, social (including equality) and economic opportunities and impacts of purchasing decisions.

We will take account of climate circular economy considerations in public procurement (SPPN 1/2021) and will complete the sustainability test for all procurements greater than £50,000, incorporating any opportunities to secure sustainability benefits into the Invitation to Tender (ITT) or Invitation to Quote (ITQ) as appropriate.

### **3.2.1 Prompt payment to suppliers and their sub-contractors**

We are committed to paying our suppliers promptly and include a clause in our standard terms and conditions stating that we will pay valid invoices within 30 days from receipt. To ensure this flows through the supply chain, we have a further clause stating, where there are sub-contracting arrangements in place, that suppliers must make payment within the same terms to their sub-contractors. This includes sub-contractor to sub-sub-contractor relationships. Contract managers will seek confirmation of compliance where relevant and proportionate.

Although our standard terms are 30 days, we aim to pay suppliers within 10 working days of receiving an invoice. In the year to 31 March 2022, the Care Inspectorate and SSSC paid 99.38% and 99.6% respectively of suppliers' invoices within 10 working days. We will continue to work towards paying all valid invoices within this 10-day period.

### **3.2.2 Addressing Fair Work Practices, including paying the living wage through our regulated procurement**

We consider Fair Work First for all procurement of £10,000 or greater. These practices ask businesses bidding for our contracts to commit to adopting the following:

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

- oppose the use of fire and rehire practice

In accordance with the Statutory Guidance for Addressing Fair Work First in procurement, we will continue to incorporate evaluation of workforce matters into tenders for regulated procurements where the use of labour is a key deliverable and for lower value tenders where it is proportionate to do so.

Where suppliers have staff working on our premises, these employees are being paid the Real Living Wage.

### **3.2.3 Community benefits**

The Procurement Reform (Scotland) Act 2014 includes a sustainable procurement duty on public sector bodies requiring them to conduct their procurement in a way that will secure economic, social and environmental wellbeing and a requirement that public bodies consider the use of community benefits in major contracts.

We will promote the use of community benefits within procurement exercises where relevant and proportionate to the contract.

### **3.2.4 SMEs, local businesses, supported businesses, and the third sector**

In line with the Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, we consider equality throughout tender processes and comply fully with legislation. Where relevant and proportionate, suppliers are required to provide details of any equality policies and systems that they have in place.

Our inclusive approach will increase supplier diversity by:

- Eliminating unnecessary barriers to the procurement process to give SMEs, minority-owned businesses, third sector, social enterprises and other different organisations fair and equal access to opportunities
- Working proactively to encourage these organisations to participate in the procurement process.
- Seeking feedback on the procurement process to ensure the process is as accessible as possible to as many as possible.

A 'supported business' means an economic operator whose main aim is the social and professional integration of disabled or disadvantaged persons and where at least 30% of the employees of the economic operator are disabled or disadvantaged persons.

We will consider using the Scottish Government's Commodities Reserved for Supported Businesses Framework where there is a requirement to purchase goods and services covered by this framework.

We fully support the Scottish Business Pledge, sharing the Scottish Government's ambition of boosting productivity, competitiveness, sustainable employment, and workforce engagement and development.

### **3.2.5 Fair & ethical trading**

We support the sourcing of goods and services that are fairly and ethically traded. Where it is directly relevant, we will use appropriate standards and labels in our procurement to take account of fair and ethical trading considerations as well as consider equivalent offerings from suppliers who demonstrate they can meet the specified criteria without necessarily having the specific certification.

We use the Single Procurement Document as standard for regulated procurements which allows consideration of whether a potential supplier has been convicted of certain offences and/or committed any acts of professional misconduct and allows suitability to be assessed.

We will ask contractors to take corrective action where concerns over labour standards in the supply chain are identified.

### **3.2.6 Climate change**

We will use the sustainability tools to identify opportunities to contribute to an overall reduction in our carbon emissions. We will also deliver climate literacy e-learning training for all staff who have a delegated procurement responsibility and work collaboratively to identify further opportunities to support the delivery of our net zero plans.

### **3.2.7 Provision of food**

We have no requirement to purchase food through a regulated procurement process. This means the general policy on how we intend to approach regulated procurements involving the provision of food to improve the health, wellbeing and education of communities in the authority's area, and promote the highest standards of animal welfare is not applicable.

## **3.3 Priority three: raise level of procurement knowledge, skills and expertise**

We will include procurement in the induction for new staff. Further detailed procurement training is provided to staff depending on the post and procurement responsibility.

All staff with responsibility for managing contracts must complete contract and supplier management e-learning modules. We provide a Contract Management Handbook to support staff to manage contracts and suppliers for all levels of spend and have regular meetings with key business areas.

The Procurement Competency Framework will inform the Procurement Team's ongoing training and development needs.

We will record on-going training needs in individual training and development plans as part of the performance and development process. The Procurement Team will also continue to maintain a central register of all procurement training undertaken by staff.

The Care Inspectorate and SSSC have in place a Counter Fraud and Corruption Framework which outlines where fraud and corruption may occur, who is responsible for reporting fraudulent activity and who to report it to. Appropriate preventative and detective controls, such as 'separation of duties' and robust systems of control, have been put in place to minimise the risk of fraud. We continue to participate in the National Fraud Initiative (NFI), which is an exercise that matches electronic data within and between public and private sector bodies to prevent and detect fraud. All staff with delegated authority or a role in Procurement will receive Counter Fraud training.

Both the SSSC and Care Inspectorate also have comprehensive guidance on whistleblowing which encourages employees to raise concerns about possible improprieties in the conduct of our business, whether in matters of financial reporting or other malpractices, at the earliest opportunity and in an appropriate way.

Our Procurement Development Group meet at least twice annually.

#### **3.4 Priority four: provide timely performance information**

We will provide annual procurement performance reports to the Procurement Development Group, Care Inspectorate's Strategic Leadership Team and SSSC's Executive Management Team, the Care Inspectorate Board and SSSC Council that show analysis of expenditure, transactions and suppliers. We will also measure the benefits and savings realised from our procurement activity.

#### **3.5 Priority five: demonstrate a continuous improvement approach to our practice**

Scottish Government introduced a new assessment regime, the Procurement and Commercial Improvement Programme (PCIP) in 2016/17, for which the Care Inspectorate & SSSC are assessed jointly. The most recent assessment was in November 2019, and we scored "green" across all of the assessed areas. Our next assessment is scheduled for 2024.

The procurement function is also subject to periodic review through the delivery of the Care Inspectorate and the SSSC's internal audit plans, where any recommendations for improvement will be considered for implementation by the Strategic Leadership Team (Care Inspectorate) and Executive Management Team (SSSC) as appropriate.

In addition to the above, the Procurement Team review spend activity monthly which informs the annual report to the Strategic Leadership Team (Care Inspectorate), Executive Management Team (SSSC) and Board, Committee and Council as appropriate. We address any non-compliance identified through this review directly with the relevant officer(s).

We will continue to review our business processes at least annually to ensure that delegated authority is appropriate, that there is appropriate separation of duties when procuring goods and services, all valid invoices are paid on time and all purchasing and procurement procedures are followed.

We will work closely with users of the goods, works and supplies procured to understand and help them articulate their requirements, and to secure savings from better procurement and contract management which allows resources to be directed to value-added activities. Savings delivered from procurement will be reported in the annual procurement report.

We will regularly seek ideas and feedback from internal procurement users, suppliers and the wider procurement community to continually improve our performance.

### **3.6 Priority six: deliver inclusive procurement**

We consider equality, diversity and inclusion throughout our tender processes and comply fully with the Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 as amended.

With regards to the Public Sector Equality Duty (PSED) under the Equality Act 2010 states that (as a public authority) the Care Inspectorate and SSSC will, within its procurement practices, give due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The Care Inspectorate and SSSC, within its procurement practices, will take account of the following objectives when taking forward purchasing decisions:

- Making sure our contracts are delivered in a non-discriminatory way, advance equality of opportunity and foster good relations for the Care Inspectorate and SSSC's workforce, the public, and businesses.
- Making sure that the goods, works, and services provided by contractors cater for all users' needs.

We include a clause on the Employment Relations Act 1999 (Blacklists) Regulations 2010 which addresses blacklisting activities in our standard Terms & Conditions. This is also covered in the Single Procurement Document (SPD).

## **4.0 HEALTH & SAFETY**

The Care Inspectorate and the SSSC have Health & Safety Policies and associated guidance and procedures. We have Health and safety policies, and associated information is requested where relevant from suppliers as part of the procurement process.

## **5.0 CARE INSPECTORATE AND SSSC SHARED SERVICE**



This strategy supports the shared service arrangement between the SSSC and the Care Inspectorate, which includes the procurement and payment functions.

## **6.0 DELIVERY OF STRATEGY**

### **6.1 Communication**

The Care Inspectorate and SSSC have procurement related sections on their external websites where we outline our procurement processes, our standard terms and conditions, our procurement strategy, our commitment to the Scottish Business Pledge and useful links for supplier guidance and support. We also publish a forward plan of regulated procurement for the next two financial years.

To make sure that stakeholders can engage and contribute to the development of the strategy, a consultation on the strategy was undertaken as follows:

- Consideration by the internal Procurement Development Group
- Consideration by the Care Inspectorate Senior Leadership Team and SSSC Executive Management Team
- Consideration and approval by the Care Inspectorate's Board and SSSC's Council.

All of our regulated contracts are publicly available on a contract register hosted by Public Contracts Scotland.

We will communicate with all staff and other stakeholders by publishing the approved Strategy on the Care Inspectorate and SSSC websites.

### **6.2 Management and monitoring**

The Procurement Team will implement the strategy on a day-to-day basis, working with colleagues within the Care Inspectorate and the SSSC who have procurement responsibilities.

We will translate the priorities contained in the strategy into specific tasks each year using existing operational and financial planning processes. We will also use the corporate and business planning process to identify new procurement projects which are likely to require additional support from the Procurement Team.

We will review the strategy and our associated procurement action plan annually. The outcome of the annual review will be a new programme of work and identified tasks that will feed into the operational and financial planning processes for the following year.

### **6.3 Reporting**

As soon as practicable after the end of the financial year, we will publish an annual procurement report which will include:

- A summary of regulated procurements completed during the year covered by the report.
- A review of whether those procurements complied with the procurement strategy.
- Non-compliant regulated procurements and a statement of the intention to ensure future procurements do comply.
- Summary of community benefits as part of regulated procurements in the report period.
- Summary of steps taken to facilitate involvement of SMEs, supported businesses and the third sector in regulated procurements during the report period.
- Summary of regulated procurements expected to commence in the next 2 financial years.
- Any other information as required by Scottish Ministers.

We will submit an annual procurement performance report to the Care Inspectorate's Board and the SSSC's Audit and Assurance Committee, reporting procurement performance and progress towards achieving the priorities in this strategy. We will publish this report on the SSSC and Care Inspectorate's websites.

## **7.0 SUPPORTING POLICIES**

Our strategy for procurement is supported by other SSSC and Care Inspectorate policies and procedures on:

- purchasing of goods and services.
- procurement procedures.
- data protection and records management.
- prevention and detection of fraud and bribery.
- whistleblowing.
- carbon management plan.
- health and safety; and
- equality & diversity.