



CROWN OFFICE  
& PROCURATOR  
FISCAL SERVICE

SCOTLAND'S PROSECUTION SERVICE

# **COPFS Procurement Strategy**

1 January 2017 to 31 March 2019

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## Foreword

The Crown Office and Procurator Fiscal Service (COPFS) is committed to managing all procurement and contract management activity to achieve maximum efficiency and effectiveness through value for money, control and compliance within the EU and UK legal frameworks, in its acquisition of goods, services and works.

COPFS is taking steps to achieve this through a number of ways:

- Procurement Steering Board (formerly the Procurement Project Board) have approved the launch of a Procurement Improvement Delivery Plan (PIDP) in order to refresh procurement policies, enhance procurement governance, provide training for appropriate staff and increase the number of dedicated procurement staff within COPFS.
- Brought in professional procurement support from the Central Government Procurement Shared Service team.
- Working closely with the corporate centre and Functions to ensure coordinated working in order to realise the benefits that sound procurement activity can bring.

This strategy sets out how the renewed focus on Procurement will contribute to the achievement of COPFS corporate goals and to deliver significant benefits and savings to the organisation.

For this strategy to achieve improved performance status, financial savings and contribute to the COPFS's corporate social responsibilities, we will all need to embrace a change to our existing ways of working, and crucially develop a close partnership between the Central Procurement Team and other Business Areas within COPFS.

Commitment to, and communication of, this strategy is a key step on the road to achieving excellent procurement practice.

Ian Walford  
Deputy Chief Executive

## 1. Introduction

This document sets out the COPFS's Corporate Procurement Strategy for 2017–2019. This Corporate Procurement Strategy shall be reviewed annually. It should be read in conjunction with the COPFS Strategic Plan and the Financial Management Strategy as all three are closely related.

The COPFS Procurement Strategy 2017-19 has been informed by the Public Contracts (Scotland) Regulations 2015, the Procurement Reform (Scotland) Act 2014 and the Procurement (Scotland) Regulations 2016. The Corporate Procurement Strategy is designed to take a responsible and sustainable approach to procurement.

The purpose of this Strategy is to set out how the COPFS will plan and manage their procurement processes to meet their corporate aims and objectives and comply with regulatory and legislative requirements. The Strategy applies to all procurement conducted by the COPFS and CGPSS/SGPT on behalf of COPFS.

### Definition of Procurement

Procurement is the process of acquiring goods and services from third parties, from the identification of a requirement and the preparation of a Business Case, through to the end of the useful life of an asset or contract.

This activity accounts for a significant part of COPFS's expenditure and good procurement can generate savings and efficiencies that can be used to re-invest in other activities to support corporate objectives. This is especially important in a challenging financial climate. The aim of procurement is to deliver transparent and effective procurement which delivers best value, is legally compliant and follows best practice.

The Procurement Strategy is designed to ensure that:

- Staff are supported to deliver our corporate objectives in such a manner as to make optimum use of all resources; and
- Procurement activities are undertaken efficiently and economically whilst ultimately contributing to the realisation of the economic, social and environmental benefits.

## 2. COPFS procurement

### 2.1 Vision, Mission and Role

Our vision:

To provide a high quality, fit-for-purpose Corporate Procurement Function which will provide best value for the COPFS and which supports the COPFS in the delivery of its corporate aims and objectives.

Our mission:

Public procurement in COPFS delivers cost savings and improved efficiencies for the benefit of the COPFS and all its stakeholders.

Our role:

We will work towards achieving best practice in procurement and continuous improvement in value for money and quality in the goods, services and works that are procured; while reflecting the regulations, behaviours and standards outlined in the Scottish Procurement Policy handbook. Our work is focussed in the following key areas:

- Delivering savings, benefits and efficiencies through procurement and contracting activity - to obtain maximum benefit from the money that COPFS spends on goods and services to ensure that they are fit for purpose, of the required quality, delivered at the right time and that they are focussed on supporting the delivery of our corporate objectives;
- Compliance with EU legislation, Scottish Government legislation and guidance and other legal requirements;
- Enabling procurement and commercial capability through:
  - Procurement and commercial policy and advice;
  - Construction procurement policy and advice;
  - Property, asset and estate management advice;
  - eCommerce solutions, best practice tools and templates;
  - Focus on developing our people and ensuring supportive and enabling cultures; and
  - Proportionate project assurance and continuous improvement activity.

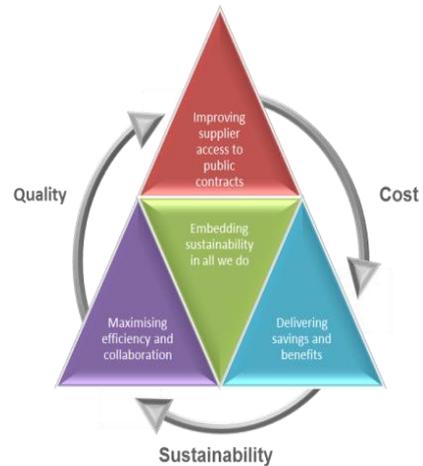
It must also be consistent with the COPFS Financial Management Strategy, which is currently being developed as part of our Financial Sustainability Project.

### 3. Contracting activity

Our approach to how we buy goods and services incorporates our priorities and the Scottish Model of Procurement. We have developed our approach together with the Central Government Procurement Shared Service partner.

The principal of COPFS procurement is to align with the directives and procedures set out in the Scottish Government publications:

Scottish Government Procurement Policy Manual



Detailed procurement procedures that are set out in the COPFS Procurement Manual which must be followed by COPFS employees empowered with the relevant delegated purchasing authority when engaged in procurement activities on behalf of COPFS.

#### 3.1 Benefits

In meeting the above objectives, the Strategy will deliver and measure the following benefits:

- Value for money;
- Improved contract management holding suppliers to account;
- More efficient procurement procedures;
- More effective partnerships with suppliers;
- Compliance with all necessary procurement regulations;
- Collaboration to be developed with other service providers;
- Effective risk management for all levels of procurement;
- Effective management of procurement activities, including control over who commits COPFS to contracts and expenditure;
- Integration with COPFS's overall aims and priorities;
- Better planning for future procurement activities; and
- Embed sustainability in all we do.

### **3.2 Achieving and Measuring success**

The COPFS Procurement Steering Board (PSB) is responsible for ensuring that COPFS's procurement capability/performance improves.

The PSB will do this by managing all necessary inputs to ensure the Procurement Improvement Delivery Plan (PIDP) and this Strategy are delivered effectively.

COPFS is supported by the Central Government Procurement Shared Services team which is responsible for providing a fully managed procurement service under a Memorandum of Understanding arrangement. This service includes both operational and strategic support in all aspects of procurement to ensure COPFS maximises value and performance from its third party expenditure; manages risk and remains compliant with changing legislation and policy. The service includes a full time senior procurement portfolio specialist embedded within COPFS as their Procurement Manager and COPFS also have access to a pool of Scottish Government procurement specialists to take the lead for up to 10 x end to end procurements valued at over £50K ex VAT per annum.

COPFS is in the early stages of setting up a Central Procurement Team, consisting of one Procurement Officer who is currently managed by the embedded CGPSS procurement specialist (COPFS Procurement Manager). The main areas of responsibilities for the Central Procurement Team is to tender under £50K ex VAT procurements and contract manage existing COPFS contracts.

### **3.3 Contracting activity covers three main areas of expenditure**

*National collaborative frameworks and contracts:*

We award contracts via Scottish Government (SG)/Crown Commercial Service (CCS) framework agreements and contracts for those commonly purchased commodities which are used across the public sector. The CCS frameworks are open to all public sector organisations in the UK and the SG frameworks are open to all public sector organisations in Scotland as well as charities registered in Scotland.

*Collaborative frameworks, e.g. contracts with the Scottish Courts and Tribunal Services (SCTS) and Police Scotland:*

For example Hard and Soft Facility Management Services, Dog Kennelling Services.

*Contracts let on behalf of, and for the sole use of, the COPFS:*

For example: Secure Mail Services; LAN Services; Financial Management System Services.

### **3.4 Delegated Purchasing Authority**

COPFS has Delegated Purchasing Authority in place to ensure that COPFS buyers have the necessary skills, and/or experience (their 'license') to place the contracts. We do not permit staff to enter into a contract without written Purchasing Authority from the COPFS Crown Agent. Details of the COPFS are found in the COPFS Finance Manual – Money Matters 14 - Appendix B.

All our procurements are led centrally by either the CGPSS team or Central Procurement Team, with support from functions within COPFS depending on the commodity.

### **3.5 Benefits and Savings**

Our contracting delivers a wide range of social and economic benefits as well as significant financial savings for the public sector. In the financial year 2015/16 our portfolio of contracts was valued at over £25 million, which is just over 23% of COPFS overall budget spend. COPFS will be setting realistically achievable savings targets from contract letting/relets and contract management early in calendar year 2017.

*Collaborative national and sectoral frameworks and contracts:*

Collaborative procurement is about achieving value for money for the Scottish public sector by working in partnership with buying organisations, Centres of Expertise (CoEs) and suppliers. These can be used by public bodies across Scotland and cover a range of commodities.

The call-off contracts awarded by COPFS via the collaborative national frameworks during the period 1 Apr 2015 to 31 Mar 2016 have a combined value of over £5 million per annum and have delivered over £784,000 of savings.

*Forward plan of our collaborative contracts:*

We are currently drafting our forward plan of potential contracting opportunities which may be advertised over the next 12-18 months. The plan shall be published on the COPFS website and/or Public Contracts Scotland portal early next year. This gives advance notice of opportunities that may be offered by the public sector in the future.

## 4. Key Priorities

Our procurement strategy:

- Sets out our priorities and proposals for procurement over the planning period;
- Identifies those factors that will influence the way in which we manage the procurement process; and
- Describes the arrangements for monitoring and evaluating the strategy.

Our strategy has five key priorities as follows:

1. Achieve value for money;
2. Deliver sustainable procurement;
3. Raise the level of procurement knowledge, skills and expertise;
4. Strengthen Contract and Supplier management processes; and
5. Achieve the benefits derived from collaborative working.

### 4.1 Priority 1: How our procurement activity contributes to Value for Money

We aim to secure value for money by working closely with users of the goods, works and supplies we procure to understand and help them articulate their requirements.

How we will achieve this objective:

- Develop and deploy standard tools throughout the organisation to ensure any procurement exercise will be evaluated on VfM principles;
- Develop feedback mechanism to ensure customer satisfaction with any procurement exercise;
- Deploy training to ensure staff only engage with a procurement exercise when it is actually required;
- Participate in the Procurement and Commercial Improvement Programme (PCIP) implemented by the Scottish Government;
- Ensure contracts are robust and robustly managed; and
- Ensure adequate planning for future procurement activities.

How we will measure our success:

- Reduced contract prices without reduction in service or obtain more for the same prices;
- Maximise both cash and non-cash benefits from existing contracts;
- Identify new benefits, including social and community benefits for any re-let or new contract opportunity;
- Improved PCIP scores;
- Reduction in time and other resources spent on each procurement activity through more efficient procurement procedures;
- Strategic investment plans developed.

We recognise that value for money is rarely achieved by simply accepting the lowest-priced bid, which is why procurement legislation in Scotland has now removed the possibility of Official Journal of the European Union (OJEU) level public contracts being awarded solely on the basis of price.

We will also drive continuous improvement through the action plan developed as the result of the Procurement & Commercial Improvement Programme (PCIP) to maximise value for money and improve procurement capability.

#### **4.2 Priority 2: Compliance with our general and sustainable procurement duties**

We aim to comply in full with our legal obligations and to treat all suppliers fairly, equally and without discrimination. To that end, only staff with appropriate training and experience are authorised to oversee regulated procurements.

We are committed to making public procurement transparent and accessible to businesses, especially SMEs, the third sector and supported businesses. We use the free to access portal, Public Contracts Scotland (PCS), on which contract notices for regulated procurements are published. Our contract opportunities are advertised on PCS and in the Official Journal of the European Union where required. We also publish our contract register on our COPFS website.

Sustainable public procurement aims to make the best use of public money, helping the government to achieve its overarching purpose and strategic objectives. The sustainable procurement duty requires that before we buy anything, we must think about how we can – through our procurements - improve the social, environmental and economic wellbeing in Scotland, with a particular focus on reducing inequality. It also requires us to think about, and then design, our procurement processes in such a manner as to encourage the involvement of SMEs, third sector bodies and supported business and also how we can use public procurement to promote innovation.

Compliance with the sustainable procurement duty should aid compliance with other legislation that places specific requirements on us with respect to our procurement activities, such as:

- the [Equality Act 2010](#);
- the [Equality Act 2010 \(Specific Duties\) \(Scotland\) Regulations 2012](#);
- the [Climate Change \(Scotland\) Act 2009](#); and
- the [Climate Change \(Duties of Public Bodies: Reporting Requirements\) \(Scotland\) Order 2015](#).

Using the sustainable procurement suite of tools, we consider sustainability early in a procurement process, which enables us to identify risks and opportunities before commissioning suppliers, to understand the scope for sustainability outcomes and to make sure that our ability to influence sustainable outcomes is optimised. This then enables us to develop individual commodity strategies for our contracts, within which we can embed sustainability, (for example, energy efficient product specifications or

access to green electricity) and maximising opportunities for SMEs, the third sector and supported businesses to participate in the procurement process.

How we will achieve this objective:

- Provide targeted training for all staff involved in procurement activities on these issues;
- Develop tools, templates, information and guidance to the inclusion of these issues into procurement exercises;
- Conduct regular reviews of procedures against Scottish Government guidance and practise to ensure current guidelines are implemented;
- Develop and review regularly an accurate and detailed Contract Register for COPFS;
- Regularly review contract planning times to ensure that they are adequate for the nature of the procurement; and
- Develop a “Wave Plan” of procurement activities and publish the forward plan on the COPFS website.

How we will measure our success:

- Reduction of NCAs used for procurement of goods and services due to inadequate timescales;
- Increased delivery of community benefits from contracts; and
- Increased delivery of sustainable, environmental and social benefits.

#### **4.3 Priority 3: How we shall raise the level of procurement knowledge, skills & expertise**

We will provide procurement training to staff who have responsibility for any aspect of procurement activities. Further detailed procurement training is provided to staff depending on the post and procurement responsibility. On-going training needs will be recorded in individual training and development plans as part of the annual staff appraisal process. COPFS holds a central register of all procurement training undertaken by staff.

How we will achieve this objective:

- CGPSS shall provide targeted training for all staff involved in procurement activities;
- Develop tools, templates, information and guidance for staff involved in procurement;
- CGPSS shall provide commercial awareness training to staff who require procurement awareness; and
- Produce procurement policy document and publish on COPFS website to support staff using contracts.

How we will measure our success:

- All requests for procurements are routed via Central Procurement Team;
- Reduction in non-contractual spend; and
- Closer working relationships between the Central Procurement Team and other Business areas within COPFS.

#### **4.4 Priority 4: How we shall strengthen Contract & Supplier management processes**

We fully understand the importance of effective contract management in the delivery of goods, services and works, to ensure savings and quality is delivered under the terms of the contracts.

How we will achieve this objective:

- Provide targeted contract management training and guidance for all Central Procurement Team and Service User Leads;
- Include clear contract management requirements including Key Performance Indicators in all contracts;
- Perform regular review of contract performance with the Central Procurement Team and Service User Leads; and
- Perform regular and appropriate review meetings with suppliers.

How we will measure our success:

- Objectives and savings/performance are delivered and captured by COPFS;
- Reduction in supplier disputes; and
- Reduction in invoice queries as correct prices are charged by suppliers in accordance with the terms of Contracts.
- Introduce a system for collating user feedback to support improved supplier management.

#### **4.5 Priority 5: Identification of opportunities for working with others, in order to widen the scope for maximising purchasing power and identifying innovations**

The aim is to embed the practise of collaborative procurement whenever and wherever appropriate throughout the organisation.

How we will achieve this objective:

- Engage with CGPSS to ensure information about collaborative opportunities is shared and acted upon appropriately;
- Engage with “Cluster Group”\* members regularly; and
- Review when appropriate any shared service agreements.

How we will measure our success:

- Maximise the use of centrally procured frameworks;
- Maximising goods and services obtained through shared service arrangements; and
- Increased participation in Scottish Government user groups and intelligence gathering forums for procurement.

*\* Cluster Groups are arranged by Scottish Government Procurement to align similar public bodies in order to facilitate dialogue, learning and opportunities in procurement.*

## 5. Policies

In this section, we set out our general policies on a number of key areas together with a statement on how we will monitor these over the period of this Strategy.

### 5.1 Our policy on applying community benefit requirements in our contracts

#### Background/Context:

The delivery of community benefits through procurement is aligned to Scotland's Economic Strategy:

*'Greater participation (in the labour market) increases an economy's potential output and is essential to supporting sustainable economic growth. Bringing more people into the labour market is key to tackling poverty, inequality and social deprivation and improving health and wellbeing.'*

And is also aligned to 'A plan for Scotland: The Scottish Government's Programme for Scotland 2016-17':

*'The Scotland we want to see has a resilient and growing economy, an education system that enables true equality of opportunity for all, public services that are efficient, fair, flexible and valued, and a vibrant, open and inclusive cultural life.'*

It also contributes to our overarching purpose.

*Seeking to deliver the maximum social and economic benefit from our spending decisions is consistent with our general and sustainable procurement duties and the Scottish Model of Procurement.*

#### Our policy:

Where there is an opportunity to deliver community benefits, appropriate requirements will be included in public contracts and framework agreements. The opportunity to include community benefits will be considered at the commodity strategy development phase of all regulated procurements (currently £50,000 and above for goods and services, £2 million and above for works).

Where appropriate, community benefits will be addressed in one of two ways:

**Mandatory/contractual** – under this approach all bidders will be asked to deliver specific requirements (e.g. targeted training and recruitment; opportunities in the supply chain) which will form part of the contract specification. As the requirement is the same for all bidders, proposals will form part of the tender evaluation and may be scored.

This approach will be applied where the contract is high value, medium to long duration and where it is clear that specifying a community benefit outcome as a

deliverable under the contract has the potential to enhance the social/economic impact of the contract.

**Voluntary** – bidders will be asked to consider what community benefits they can offer as part of their proposals, but that element of the bid will not be scored or form any part of the tender evaluation. Where a bid has been accepted, however, any associated offer of the provision of community benefits will be included in the contract to be signed by the bidder.

This method will be adopted where it is possible that the approach will secure additional value from the contract, but where it is not considered appropriate to make the provision of specific community benefits a mandatory requirement for all bidders. We will take care to ensure that where voluntary community benefits are applied, that they do not place an undue burden on bidders.

### **Monitoring:**

Where a regulated contract includes a commitment in relation to community benefits, the contract award notice will record what the contractor is required to deliver. Oversight of delivery will be embedded in the formal contract management arrangements and a record will be kept regarding delivery of the benefits.

For contracts at or above £4 million, in accordance with our obligations under the Procurement Reform (Scotland) Act 2014, and for all contracts where the community benefit is made mandatory, details of the required community benefit will be set out in the contract notice. Where it is not considered appropriate to include a community benefit clause, the contract notice will include the reasons why this conclusion has been reached.

We will collate information regarding delivered benefits and this will be reported on in the formal COPFS report of performance against this Strategy.

### **Further information:**

Further information on community benefits is available online.

## **5.2 Our policy on consulting and engaging with those affected by our procurements**

### **Background/context:**

We consult and engage with stakeholders in a range of ways. Suppliers and the wider public sector are central to our procurement governance structure, with suppliers being represented on the Procurement Supply Group and the wider public sector, including COPFS, being represented on the Public Procurement Group. We participate in annual workshops held by the Scottish Government, bringing together a range of representatives from all of our stakeholder groups.

Our existing policy and legal frameworks have been developed by Scottish Government through extensive engagement with stakeholders including the wider public sector, the private and third sectors, trade unions, non-governmental organisations and individuals.

Where appropriate, we engage with the market to inform design of procurements and the procurement route. This may vary from light-touch market research, to supplier engagement days or to piloting and co-design of services. Individual procurements are in response to an identified need and the relevant stakeholders are identified and engaged as appropriate. The engagement with end users will be tailored to the particular circumstances of the procurement.

### **Our policy:**

As appropriate, we will consult end-users and or potential suppliers regarding individual procurement specifications and strategies. Our governance structures for procurement will also continue to involve comprehensive stakeholder representation.

### **Monitoring:**

We will record any complaints regarding failure to consult and our performance reporting will address these, and will include information regarding any conclusions reached and any remedial measures taken.

### **5.3 Our policy on the payment of the living wage to persons involved in performing our contracts**

#### **Background/context:**

We strongly believe that fair work practices and the payment of the Living Wage can have a positive impact on people's lives and can help to create a fairer and more equal society.

We are committed to promoting the Living Wage and shall take every opportunity to promote the Living Wage through procurement. In early February 2015, Scottish Government published a Scottish Procurement Policy Note on how and when employment practices and workforce matters, including payment of the living wage, could and should be considered in the course of a public procurement exercise. This was followed by the publication of statutory guidance which addressed fair work practices, including the Living Wage, in procurement in October 2015.

#### **Our policy:**

Our general policy on payment of the Living Wage to those involved in performing our public contracts is influenced by our belief that those organisations which adopt fair work practices, including the Living Wage, e.g. those which have a diverse workforce and whose staff are well-rewarded, well-motivated, well-led and who have appropriate opportunities for training and skills development, are likely to deliver a higher quality of service. A positive approach to fair work practices can have a positive impact on the quality of the services, goods and works delivered on our contracts. It is also our view that the payment of the Living Wage is a significant indicator of an employer's commitment to fair work practices.

In implementing this policy we have regard to the statutory guidance on how and when fair work practices, including the Living Wage, can be part of a procurement process and support improved productivity and economic growth as a key driver of service quality and contract delivery.

In practice, consideration is given to this policy at the earliest possible stage in all our public procurement processes. This approach ensures that, where it is relevant to performance of the contract, a business's approach to fair employment including the Living Wage can be an integral part of the procurement process.

Our approach to date has been to target this policy through award criteria which are proportionate and weighted to a degree which is relevant to the contract, taking into account a range of factors.

#### **Monitoring:**

Where a commitment has been secured in a tender to pay the living wage this will be recorded in the contract award notice and will be captured as a contractual obligation and monitored through our contract and supplier management processes.

Information on payment of the living wage by contractors will be collated centrally and will be included in our annual report of performance against this strategy.

#### **5.4 Our policy on promoting compliance by contractors and sub-contractors with the Health and Safety at Work Act 1974 and any provision made under that Act**

##### **Background/context:**

We regard it as important that those bidding for our contracts are able to demonstrate that they are responsible contractors who comply with their legal obligations, including obligations regarding health and safety.

##### **Our policy:**

It is a standard condition of our contracts that the contractor must comply with all applicable law, any applicable requirements of regulatory bodies and good industry practice. This includes any applicable health and safety law. Furthermore, whenever contractor personnel are on our premises, they are obliged under the terms of our standard contracts, to comply with our own health and safety requirements.

Current EU procurement legislation does not explicitly address health and safety as part of the selection criteria which purchasers can use when determining which suppliers to invite to bid. In recognition of the importance of health and safety we ensured, when drafting guidance to accompany the European Single Procurement Document that we provided public purchasers with clear advice on how to take account of, and score, a supplier's health and safety record in a manner compatible with the new legislation.

##### **Monitoring:**

Our standard contract management arrangements will be revised to ensure that we capture information regarding health and safety incidents relating to the delivery of our contracts and any remedial measures taken. That information will be collated centrally and will inform the annual report of performance against this strategy.

## **5.5 Our policy on the procurement of fairly and ethically traded goods and services**

### **Background/context:**

Scotland achieved Fair Trade Nation status in 2013 and was one of the first countries in the world to sign up to the UN Sustainable Development Goals. There is a commitment in the Programme for Government 2016/17 to update the National Performance Framework to reflect this. In their current form the sustainable procurement tools can be used to identify opportunities to consider ethical issues.

Our standard procurement procedures for regulated contracts involve an assessment of a bidder's suitability to be awarded the contract. This process includes considering whether the bidder has been convicted of certain offences and/or has committed any acts of professional misconduct in the course of its business. Detailed information is available in Scotland's "European Single Procurement Document", which is available on the [procurement journey](#).

### **Our policy:**

Where fairly traded goods and services are available to meet our requirements we will consider how best to promote them.

Our qualification and selection procedures for regulated procurement will include an assessment of the suitability of bidders to be awarded the contract.

Our standard terms and conditions will contain a provision which enables us to terminate a contract if the contractor or sub-contractor fails to comply with legal obligations in the fields of environmental, social or employment law when performing that contract.

### **Monitoring:**

We will maintain a central record of the value of fairly traded products bought or sold under our contracts. Our annual report against this strategy will include a statement regarding the effectiveness of our qualification and selection procedures.

## **5.6 Our policy on using contracts involving food to improve the health, wellbeing and education of communities in Scotland and promote the highest standards of animal welfare**

### **Background/context:**

We recognise the potential of public procurement of food and drink to further contribute to our economy and to help improve the nation's health & wellbeing. Our policies reflect this ambition. We currently do not procure food directly. However, if we do we shall ensure our contract terms include provision for this policy.

### **Our policy:**

Our approach is to ensure that appropriate service contracts comply in full with all relevant Government policies on healthy eating and nutrition, on the promotion of fresh and seasonal and local produce and on fairly traded produce. The contract shall also comply with the UK Government's buying standards for food.

These take account of a range of factors including production, traceability, authenticity, origin, ethical trading, animal welfare, environmental standards, health and waste, and as such are consistent with our Catering for Change; Buying food sustainably in the public sector guidance issued in January 2011.

We also regard catering as a service where fair employment practice is relevant to the quality of service provided and, when competing for such catering services, we shall ensure bidders' commitment to fair employment will be evaluated as part of the process.

### **Monitoring:**

Compliance with our policy requirements is an integral part of the contract management arrangements for our catering contract.

## **5.7 Our policy on payment of invoices within 30 days to and by contractors and sub-contractors**

### **Background/context:**

We are committed to promoting prompt payment both to, and by, our contractors and their sub-contractors. Our standard terms and conditions provide for payment in 30 days of receipt of a valid invoice. Moreover we have an aspirational target of making payment within 10 working days.

### **Our policy:**

It is a standard condition of our contracts that we will pay valid invoices within 30 days. It is also a standard condition that any sub-contract must contain a clause which requires payment of invoices to sub-contractors within 30 days; and that this clause should be replicated down through the supply chain. The condition must also make clear that if a sub-contractor believes that invoices are not being paid within the 30 day period the sub-contractor may raise the issue directly with the COPFS and is not required to first raise the issue up through the various tiers of the supply chain.

### **Monitoring:**

Through our contract management arrangements we will monitor complaints so that we can gauge the level of compliance and take action as appropriate. COPFS's payment performance is published in each year's annual accounts.

## 6. Annual procurement report

The Procurement Reform (Scotland) Act 2014 requires us to prepare an annual procurement report on our regulated procurement activities. Our first report will cover the period 1 January 2017 to 31 March 2018 and subsequent reports will be produced annually.

Our report will include, as a minimum:

- information on regulated procurements that have been completed during the year;
- a review of whether those procurements complied with our Procurement Strategy;
- to the extent that any regulated procurements did not comply, a statement of how we intend to ensure that future regulated procurements do comply;
- a summary of community benefit requirements imposed as part of a regulated procurement that were fulfilled during the financial year covered by the report;
- a summary of any steps taken to facilitate the involvement of supported businesses in regulated procurements during the year;
- a summary of regulated procurements we expect to commence in the next two financial years.

We will publish our report online and make sure it is accessible in a variety of formats.

## **7. Strategy ownership and contact details**

The owner of this Strategy on behalf of the Crown Office and Procurator Fiscal Service, is the Crown Agent and Chief Executive. It covers the period 1 January 2017 to 31 March 2019 and it will be reviewed at least annually. Any new versions will be published on our website.

Ian Walford  
Deputy Chief Executive