



CROWN OFFICE
& PROCURATOR
FISCAL SERVICE

SCOTLAND'S PROSECUTION SERVICE

Annual Procurement Report

2017-18 (covering the period 01 January 2017 to 31 March 2018)

This is the first year that there has been a statutory obligation for Scottish Government organisations to publish an Annual Procurement Report (APR).

It would appear that this, the COPFS Annual Procurement Report, is amongst the first to be published.

There is not, therefore, a body of best practice for us to reference, before publication.

It follows that in order to provide the best possible “product”, it may be necessary for us to revisit this report, as other APRs are published and we learn from them.

As with all aspects of procurement and contract management, we will embrace this opportunity so that we can deliver the best for our stakeholders.

In the meantime, we hope that you find this “edition” of our Annual Procurement Report helpful and informative.

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1. Introduction

The work of the COPFS

Useful background on COPFS's Principle Activities, Governance Arrangements etc can be found at the start of our Annual Report (and Accounts) for each financial year, which are usually published in the July following year-end. Copies can be accessed at: [COPFS annual report and accounts](#). This will provide valuable context for our Annual Procurement Reports.

Procurement in COPFS

The Procurement Reform (Scotland) Act 2014 introduced general duties on public bodies to undertake regulated procurements in a transparent and proportionate manner and to treat all potential suppliers equally and without discrimination.

It also placed a statutory obligation on bodies which have regulated procurement activity to publish a Procurement Strategy by 31 December 2016 (and to update it periodically) and an Annual Procurement Report.

In accordance with the act, COPFS published its first Procurement Strategy in December 2016.

This annual report has also been prepared in accordance with the requirements of the Act. It is the first such report to be produced since the publication of the COPFS' first Procurement Strategy, and, as such, covers the period 01 January 2017 to 31 March 2018. Subsequent Annual Procurement Reports will be published covering each financial year.

This report provides information on:

- our procurement arrangements
- our procurement performance
- a summary of our procurement activity (past and planned).

A revised Procurement Strategy covering the period 01 April 2018 to 31 March 2021 was published on the COPFS internet site on 26 April 2018: [COPFS procurement strategy 2018-2021](#). The revised strategy took cognisance of the COPFS Strategic Plan and Financial Management Strategy.

The Act includes a sustainable procurement duty. This requires public bodies to consider how, in conducting procurement exercises, it can:

- improve the economic, social and environmental wellbeing of the authority's area
- facilitate the involvement of small and medium enterprises, third sector bodies and supported businesses
- promote innovation.

The COPFS is committed to ensuring that procurements are undertaken fairly and openly and in a way which meets our duties in relation to sustainable procurement.

2. Procurement Arrangements

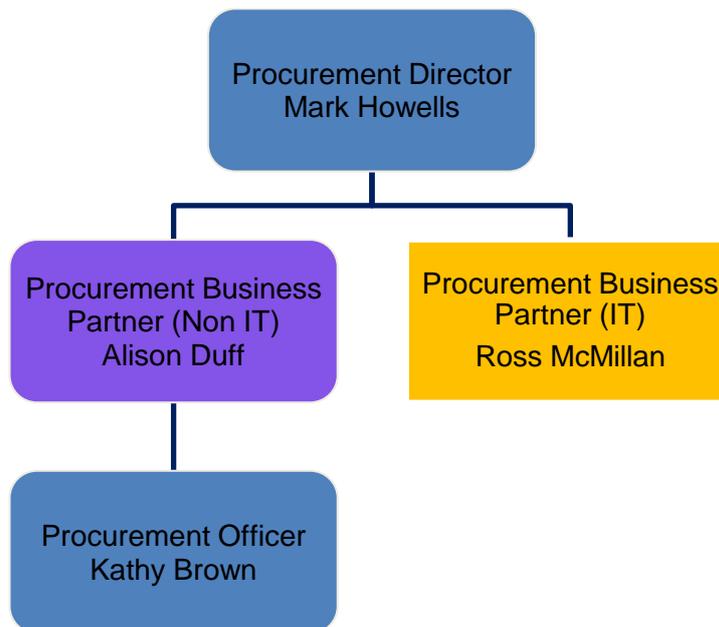
The Crown Office and Procurator Fiscal Service (COPFS) is committed to ensuring that all procurement and contract management activity achieves maximum economy, efficiency and effectiveness within the EU and UK legal frameworks, in its acquisition of goods, services and works.

The COPFS is taking a number of steps to achieve this including:

- COPFS has set clear objectives of securing Value for Money; compliance and control. In practice this means:
 - Securing savings each year – at least some of which will come from better procurement and contract management
 - All expenditure to be under valid contract (minimising Off Contract Expenditure)
 - All contracts correctly authorised following a robust approvals process including robust, compelling and proportionate business cases
 - All contracts awarded through a compliant process
 - Effective and proportionate contract management of every contract
 - Delivery of non-financial benefits such as sustainability, community benefits, use of supported businesses.

This amounts to a “**Strategic Transformation of Procurement**”, which is being delivered by the bolstering of the resources available to the **Central Procurement Team** and through the implementation of our **Procurement Action Plan**.

The COPFS Central Procurement Team (CPT) co-ordinate all COPFS procurement activity over £10,000 and supports lower value procurements on request. The CPT comprises:



Following the 2016 Procurement and Commercial Improvement Programme review, the then Finance Director (Mark Howells) was seconded to lead the Procurement Team on a full-time basis. A dedicated IT Procurement Business Partner was recruited (Ross McMillan) in May 2017 and, in August 2017, Alison Duff joined COPFS as the embedded resource provided by the Scottish Government under a Shared Service arrangement to act as Procurement Business Partner for Non IT procurements. The team was completed in December 2017, when Kathy Brown joined COPFS from the Forestry Commission. All four members of the CPT have received formal Delegated Procurement Authority training from the Scottish Government. Although new to COPFS, the team members are already developing strong links with staff from across the organisation and, with its increase in size and capability, the team now has the capacity to support the business effectively.

While the Procurement Business Partners have distinct portfolios, they have both made a significant contribution to the development of robust governance arrangements, the development and delivery of training, etc.

The **Procurement Action Plan** has been updated periodically e.g. to incorporate the recommendations from the Scottish Government Procurement and Commercial Improvement Plan (PCIP) review and again in October 2017 to incorporate recommendations made as part of an independent review of procurement by the Scottish Government Internal Audit Division.

The **Procurement Action Plan** has two phases:

- Phase 1: Ensuring that every aspect of our procurement activity is at least fit for purpose (December 2016 – March 2019);
- Phase 2: In Search of Excellence in Everything – embedding best practice in every aspect of our procurement activity (April 2019 – March 2021).

Phase 1 has the following work strands:

	Work strand	When	Achieved?
1	Governance arrangements reviewed and updated	December 16 – November 17	<input checked="" type="checkbox"/>
2	Culture change	From October 17	Ongoing
3	Contract relets – control and compliance	April 17 – October 17	<input checked="" type="checkbox"/>
4	Comprehensive Contract Management in place across all COPFS contracts	April 18 – March 19	
5	Minimising Off Contract Expenditure	April 18 – March 19	

Governance Arrangements for Procurement

During the period of this report, COPFS has undertaken a root and branch review of its procurement governance, processes, procedures and proformas.

COPFS procurement is now overseen by the **Procurement Steering Board (PSB)**, which met bi-monthly during 2017/18. The PSB comprises of senior representatives from across the business. Progress reports are submitted to the PSB and the Resources Committee (bi-monthly) and to the Audit and Risk Committee (quarterly).

The PSB is also responsible for procurement risk management. Procurement had previously been the highest scoring risk on the COPFS' corporate risk register. However, the work completed since December 2016 has significantly reduced that risk. Nevertheless, risks continue to be managed via the COPFS procurement and commodity risk registers, which are overseen by the PSB.

The Procurement Strategy is underpinned by a Procurement Policy Manual and extensive guidance on COPFS procurement procedures, which is published on the COPFS intranet PFeye. This includes Money Matters booklets on Whistle blowing and Counter fraud (MM10) and Procurement (MM11), a 14-step Procurement Process and a 13-step Contract Management framework.

Culture Change: Raising the level of procurement, knowledge and skills

As part of the governance review, roles and responsibilities were defined and documented and training has been delivered to staff in each role in order to improve their level of skills and knowledge. Training during the period of the report includes, for instance:

- a series of Procurement Awareness Workshops (PAWs); which were delivered in October and December 2017. These were aimed at staff who, while not necessarily directly involved in the procurement process, may, through their actions and behaviours, cause expenditure to be incurred. A concise distillation of the PAW content, an introduction to procurement which could be delivered by local managers called "Take 5" was also produced and disseminated to senior colleagues.

- a short session which was added to the COPFS induction training course;
- Delegated Procurement Authority (DPA) training for all staff who have DPA, which was delivered by the Scottish Government;
- Service User Lead training: The role of Service User Lead (a stripped down version of the Scottish Government's Delegated Procurement Officer) has been created. Service User Leads (SULs) are responsible for the 3 elements of procurement which the CPT cannot deliver (specifying the business need, technical evaluation of tender responses and ensuring that business needs are being met throughout the life of the contract). A SUL development programme was designed and delivered (January – April 2018) to help SULs to fulfil their role. This comprised of 4 modules:
 - an introduction to the SUL role /Procurement Overview
 - capturing our business needs in our specifications
 - ensuring that tender responses meet those needs; and
 - ensuring that suppliers meet their contractual obligations.

This training will continue to be delivered twice a year for new SULs and as a refresher for existing SULs.

Further training will be delivered e.g. for requisitioners who place orders through the P2P module of Sun or using their Government Procurement Cards during the 2018/19 financial year.

During 2018/19 the main focus will be on delivering work strands 4 and 5 of Phase 1 (Embedding Contract Management proportionately across all COPFS contracts and Minimising Off Contract Expenditure). COPFS is seeking to obtain support from the Scottish Government as part of its historic shared service arrangements, to lead these work strands:

- Work strand 4 will be key to securing better partnership working with our suppliers
- Work strand 5 will ensure compliance across all COPFS procurement.

Cognoscente of the need for succession planning, COPFS is supporting two staff to study for their Chartered Institute of Purchasing and Supply (CIPS) qualifications and these staff will assist the delivery of work strands 4 and 5.

As outlined above, Phase 2 of the Procurement Action Plan is designed to put COPFS at the forefront of best practice in procurement. The CPT already has procurement and commercial capability and it is intended to ensure that this is embedded across the organisation during 2019/20 and 2020/21.

Procurement processes

In order to deliver the Crown Office and Procurator Fiscal Service's responsibilities efficiently, effectively and economically, we need to procure a range of goods and services. Our procurement processes do this in a way which both provides best value for the taxpayer and which is also open and fair to contractors.

The COPFS follows the Scottish Government model of procurement (which is set out in the Procurement Journey) as adapted to COPFS's needs: [The Scottish Government model of procurement](#).

Our Procurement processes are intended to support all levels of procurement activities and to help manage the expectations of stakeholders, customers and suppliers. They set out and standardise processes, templates and guides in order to facilitate best practice and consistency across all of our procurement activity. They are updated on an ongoing basis to reflect changes in legislation, policy and promotion of best practice.

In order to be transparent COPFS uses the Public Contract Scotland (PCS) portal to issue Invitations To Tender (ITTs) and we now regularly publish procurement information on our website. This includes our Contracts Register and our Wave Plan. Larger value contracts are advertised in the Official Journal of the European Union.

Managing individual procurement exercises

In recognition of the need to provide procurement processes that are sufficiently streamlined to ensure that they will be used by staff from across the organisation, the CPT introduced a fourteen step process covering the end to end procurement process and a thirteen step Contract Management Framework.

Guidance and proformas were introduced, published and presented to SULs at training events, and all procurement exercises must be completed using this approach albeit adapted to be proportionate to the size, value, complexity and business criticality of the services/goods being procured.

A Definitive Contract Information spreadsheet includes all COPFS contracts and this is the basis of the Wave plan of future contracting opportunities. This is used to manage both procurement exercises and also the workload for the Central Procurement Team (CPT).

Collaborative working

The Director of Procurement is a member of the Scottish Government Procurement Shared Service steering board. During the early part of 2017/18 COPFS explored the possibility of developing a combined procurement team with another part of the Scottish Government and although this was not taken forward at the time, COPFS continues to work closely with that department.

COPFS is also alive to the possibility of securing better value for money through increased buying power through collaborative procurement with other departments and will continue to explore opportunities on an on-going basis.

COPFS is already a core participant in a number of Scottish Government and Crown Commercial contracts.

The COPFS has continued to take advantage of the SG procurement shared service. We have used both the fully managed service, with a full time member of staff embedded in COPFS, as well as a separate arrangement which provides support for larger value contracts (over £50,000).

COPFS also participates in the SG cluster group initiative, where parts of the Scottish Government which have similar procurement needs, meet to share best practice and explore opportunities for collaborative procurement.

3. Procurement Performance

Achieving value for money

The Scottish Government's Central Government Procurement Shared Service (CGPSS) Team have calculated savings of £930,174.87 were achieved during the period of this report as a result of using collaborative frameworks to run mini-competitions or make direct award of contracts. There were also direct savings of £51,932 in relation to 11 COPFS contracts. Further savings were achieved by demand management eg limiting choices for stationery.

Delivering sustainable procurement

The procurement strategy for each contract must include a requirement to consider sustainability issues during the procurement process. During 2017-18, Video Conferencing (VC) facilities were updated in several COPFS offices and staff are encouraged to travel only when absolutely necessary in order to reduce our carbon footprint. It is anticipated that the reduction in travel costs will recoup the initial outlay costs of the VC kit within a year.

During the period of this report COPFS has promoted suppliers' paying the Scottish Living Wage (SLW) e.g. the re-letting of our Manned Guarding contract allowed us to ensure that the new supplier will pay the SLW for the life of this contract.

Providing timely performance information

Information on progress and procurement activity was provided to the Audit and Risk Committee (quarterly) and the Resources Committee and Procurement Steering Board (bi-monthly).

This is an area which will be developed during 2018 -19 eg additional management information will be provided to budget holders to allow them to manage their resources more effectively. For instance, we are working with our travel and accommodation supplier to provide more detailed information on travel and hotel bookings. Closer management of this area will contribute to both sustainability targets and to reducing costs.

Contracts with supported businesses

The COPFS is mindful of supported businesses and is keen to extend our use of them. During the period of this report a contract was placed with Haven for clothing and we are in the process of using this contract for clothing for our messengers. During 2018-19 we will be discussing with suppliers such as for manned guarding as to whether it will be possible to use Haven for uniforms.

Contracts with Small and Medium Enterprises (SMEs)

The COPFS uses SMEs when possible and will continue to seek opportunities to do so. During the period of this report, of the suppliers listed on our full contract register, just under 20% were SMEs.

Contract management

We have put a 13-step Contract Management Framework in place (published on the COPFS intranet on 27th April 2018) to bring structure and consistency to our approach to contract management. While Work stream 4 of the first phase of the Procurement Action Plan will ensure that the framework is embedded proportionately across all relevant contracts, work has already begun to ensure effective contract management is built into all new contract relets and, on an ad-hoc basis, to introduce contract management to key contracts.

Contract handover documents are now produced for every new contract COPFS enters into. These include an assessment of the level of contract management that is required. The Central Procurement Team and the nominated Service User Lead then work in partnership to ensure that the required services are delivered.

Summary of Regulated (over £50,000) Procurements completed during the period of this report

Supplier Name	Contract Description	Contract Reference	Total Contract Value (£) exl. VAT	Contract Award Date	Contract Start Date	Contract End Date
Caretower	Computer Software – Antivirus Support	COPFS-2016-0010	£55,944.00	16/3/17	16/3/17	15/3/19
Caretower	Fully Managed Firewall Services	COPFS-2017-0003	£71,600.00	17/8/17	18/8/17	17/8/18
Parity Professionals	Provision of Interim IT Manager	COPFS-2017-0007	£140,000.00	8/5/17	22/5/17	31/3/19
Edenred	Provision of Employee Services	COPFS-2017-0008	£256,122.00	1/8/17	1/8/17	31/7/20
Ricoh UK Ltd	Provision of Print and Scanning Services	COPFS-2017-0020	£2,000,000.00	30/11/17	1/4/18	31/3/23
NVT Group Ltd	Provision of Technical Resource	COPFS-2017-0040	£63,000.00	26/9/17	2/10/17	1/10/18
Profile Security Services	Provision of manned guarding services	COPFS-2017-0043	£380,430.00	25/1/18	25/2/18	31/12/19
XMA Ltd	Provision of Airwatch Support	COPFS-2017-0045	£51,203.00	21/8/17	21/8/17	21/8/18
Global Connections (Scotland) Ltd	Interpreting and Translation Services	COPFS-2017-0054	£938,008.00	14/1/18	15/1/18	11/11/21
Global Language Services Ltd	Interpreting and Translation Services	COPFS-2017-0055	£197,120.00	14/1/18	15/1/18	11/11/21
Phoenix Software	Oracle Hardware Refresh	COPFS-2017-0058	£168,000.00	13/3/18	26/3/18	25/3/19
Oracle Corporation UK	Provision of Oracle BI Software Support	COPFS-2017-0060	£168,758.08	28/11/17	16/12/17	15/12/19
Tibco	Staffware/iProcess Software Support	COPFS-2017-0066	£102,593.00	8/1/18	8/1/18	9/1/19
Virgin Media Business	Cisco IP Telephony Support	COPFS-2017-0071	£161,074.42	12/2/18	19/2/18	19/2/20
Virgin Media Business	Provision of Corporate Wi-Fi	COPFS-2017-0074	£414,795.51	15/3/18	1/4/18	31/3/21

Contracts over £50,000 in place during the period of this report (other than those in Appendix A)

Supplier Name	Contract Description	Contract Reference	Total Contract Value (£) exl. VAT	Contract Award Date	Contract Start Date	Contract End Date
Vodafone	Provision of WAN Circuits	COPFS-2016-0003	£4,440,000.00	1/1/13	1/1/13	1/3/18
Capgemini UK PLC	Support and Consultancy Services	COPFS-2016-0013	£1,670,000.00	1/8/08	1/8/08	30/4/17
Comparex	Software Licences – VDI	COPFS-2016-0020	£200,000.00	29/2/16	14/3/16	13/3/17
Computacenter	VMAX SAN Support	COPFS-2016-0021	£772,550.43	28/3/13	28/3/13	28/3/18
Global Connections Ltd	Interpreting, Translation and Transcription Services	COPFS-2016-0032	£410,000.00	12/11/13	12/11/13	11/11/17
Global Language Services	Interpreting, Translation and Transcription Services	COPFS-2016-0033	£200,000.00	12/11/13	12/11/13	11/11/17
Inslaw	PROMIS Software Support	COPFS-2016-0045	£77,000.00	1/4/16	1/4/16	31/3/17
NuVideo	Provision of Video Conferencing Maintenance	COPFS-2016-0071	£51,810.00	30/3/16	1/4/16	31/1/17
Oracle Corporation UK Ltd	Oracle BI Software Support	COPFS-2016-0073	£82,724.55	6/11/15	16/12/15	15/12/16
Ricoh UK Ltd	Provision of office equipment and supported services	COPFS-2016-0084	£2,400,000.00	9/12/11	11/12/11	30/3/18
Ricoh UK Ltd	Kofax Scanning Support	COPFS-2016-0085	£68,500.00	6/3/14	26/3/15	31/3/18
Tibco	Staffware/iProcess Software Support	COPFS-2016-0101	£102,593.00	19/11/15	20/12/15	19/12/17
Vodafone	PSN/CJX Network Services	COPFS-2016-0107	£188,760.88	25/7/13	8/8/13	31/3/17
Oracle Corporation UK Ltd	Oracle BI Software Support	COPFS-2016-0154	£82,724.55	16/12/16	16/12/16	15/12/17
Virgin Media Business	Cisco IP Telephony	COPFS-2016-0155	£370,000.00	19/1/16	19/1/16	19/1/18
HP	Provision of 150 Laptops	COPFS-2016-0039	£68,813.00	26/9/17	27/9/17	2/10/17
NuVideo	Provision of VC Equipment	COPFS-2017-0051	£59,825.00	2/11/17	2/11/17	2/11/17
Sage UK Ltd (HR & Payroll)	Provision of HR System Support	COPFS-2016-0089	£270,000.00	25/10/99	1/4/17	31/3/18

Expenditure over £50,000 during the period of this report via SG frameworks

Supplier Name	Contract Description	Contract Reference	Total Contract Expenditure (£) 1/1/17 – 31/3/18 incl. VAT
EDF Energy Ltd	Electricity	COPFS-2016-0027	£325,620.76
Vodafone	Fixed Telephony	COPFS-2016-0108	£1,214,238.16
Lyreco	General Stationary and Office Paper	COPFS-2016-0052	£178,124.94
Global Connections Ltd	Interpreting Translation & Transcription	COPFS-2016-0032 COPFS-2017-0054	£281,181.24
HP	Mobile Client Devices	COPFS-2017-0039 COPFS-2017-0035	£98,414.73
Ricoh	National Framework for Office Equipment and Services (2017)	COPFS-2016-0084	£578,976.75
XMA	National Framework for Tablet Client Devices	COPFS-2016-0115	£67,393.20
Total Gas & Power Ltd	Natural Gas	COPFS-2016-0100	£294,274.49
Royal Mail	Postal Services - Ad-hoc and hybrid mail (2016)	COPFS-2016-0127	£321,319.10
MCSA	Server Maintenance Framework	COPFS-2016-0053	£371,792.32
Various	Temporary and Interim Staff Services	Various	£58,283.10
Various	Temporary and Interim Staff - Interim IT/Interim Professionals	Various	£1,460,299.11
Redfern Travel Ltd	Travel Services (2015) - One stop Shop	COPFS-2016-0083	£546,847.35
Edenred (UK Group) Ltd	Voluntary benefits and childcare voucher scheme	COPFS-2017-0008	£281,181.24
Anglian Water Business (National) Ltd	Water and Waste Water Services	COPFS-2016-0007	£89,162.25
TOTAL FRAMEWORK SPEND			£6,167,108.74

Regulated (over £50,000) Procurements expected to be undertaken during 2018-19

a. Contract relets

Contract Description	Contract Reference	Total Contract Value (£) exl. VAT	Contract Start Date	Contract End Date
Water Billing Services	COPFS-2016-0007	£182,000.00	1/3/16	28/2/19
Computer Software – Antivirus Support	COPFS-2016-0010	£55,944.00	16/3/17	16/3/19
Provision of Employee Assistance Programme	COPFS-2016-0011	£157,000.00	1/11/12	31/10/18
Xtremlo SAN Support	COPFS-2016-0024	£310,410.17	30/12/13	30/12/18
Same Day Courier Service	COPFS-2016-0025	£116,000.00	14/7/14	13/7/18
Temporary Staff	COPFS-2016-0035	£250,000.00	13/4/15	12/4/18
Secure Post Delivery	COPFS-2016-0051	£400,000.00	5/12/16	4/12/18
Server Hardware Support	COPFS-2016-0053	£296,305.36	24/6/15	31/7/18
Oracle Database Software Support	COPFS-2016-0076	£130,000.00	26/8/15	30/4/18
Temporary Staff	COPFS-2016-0079	£120,000.00	13/4/15	12/4/18
Travel Services	COPFS-2016-0083	£1,980,000.00	1/9/15	31/8/18
Provision of Fixed Telephony Services	COPFS-2016-0108	£160,000.00	15/7/16	14/7/18
Workstation Client Devices	COPFS-2016-0114	£56,000.00	9/3/16	8/3/19
DMZ Monitor	COPFS-2016-0156	£258,984.00	20/10/15	20/10/18
Fully Managed Firewall Services	COPFS-2017-0003	£71,600.00	18/8/17	17/8/18
Provision of Airwatch Support	COPFS-2017-0045	£51,203.00	21/8/17	21/8/18
Oracle Hardware Refresh	COPFS-2017-0058	£168,000.00	26/3/18	25/3/19
Staffware/iProcess Software Support	COPFS-2017-0066	£102,593.00	8/1/18	9/1/19
Maintenance of Cisco IP Telephony	COPFS-2017-0071	£161,074.42	19/2/18	19/2/19

b. New Requirements: Future Regulated Procurements Summary

Wave plan for 2018/19



Procurement Report
- Contract Waveplan.

Glossary

Term	Definition
CGPSS	Central Government Procurement Shared Service
Cluster group	Cluster Groups are arranged by Scottish Government Procurement to align similar public bodies in order to facilitate dialogue, learning and opportunities in procurement.
CPT	Central Procurement Team (within COPFS)
Delegated Procurement Authority	This is the authority to enter COPFS into a contract with a Whole Life Value (WLV) of more than £1,000.
Delegated Purchasing Authority	This is the authority to place an order against an existing contract to which COPFS is a party.
NCA	Non-Competitive Action – permitted exceptionally eg where there is only one supplier who can meet the specification
OJEU	The Official Journal of the European Union. Contracts with a whole life value of more than £118,000 have to be advertised in this journal
Procurement Shared Service	A procurement function that is used by more than one organisation. COPFS utilises two shared services from the Scottish Government: one for contracts with a whole life value of under £50,000 and one for contracts with a whole life value of over £50,000.
PCIP	Procurement and Commercial Improvement Programme
PCS	Procurement Contracts Scotland
SGPT	Scottish Government Procurement Team
SUL	Service User Lead
WLV	Whole Life Value – the full and total cost of the contract over its entire life to include any mobilisation and exit costs