

Corporate Procurement Strategy

1. INTRODUCTION

- 1.1** Part of SEStran's organisational drive for continuous improvement is ongoing review of all its governance documentation. At its meeting in December 2022, the Board agreed to the Corporate Procurement Strategy replacing the previous Corporate Procurement Policy.

2. AMENDMENT OF CORPORATE PROCUREMENT STRATEGY

- 2.1** Recent discussions with the auditors suggested that SEStran should have a written corporate procurement strategy. There was a Corporate Procurement Policy, written in 2017, which covered similar ground as such a strategy would. Accordingly, it has been updated and amended to reflect the current position of both the legal framework and SEStran's current, and possible future, context.
- 2.2** The opportunity was taken to simplify and streamline the wording of the Policy in converting it into a strategy and the Board agreed in December 2022 to the Corporate Procurement Strategy replacing the Corporate Procurement Policy, delegating to the Secretary to make appropriate adjustments to the [Governance Scheme](#) to reflect the Board's decision.
- 2.3** At its meeting in December 2022, the Board requested the Strategy be updated to include how the principles of the strategy would give due regard within procurement processes to the relevance of all contracts in supporting SEStran's commitment to meet its statutory duties under the Equality Act (2010) and the Public Sector Equality Duty.

3. RECOMMENDATIONS

- 3.1** It is accordingly recommended that the Board:

To approve the revised Corporate Procurement Strategy, attached for reference at Appendix Part A, delegating to the Secretary to make appropriate adjustments to the Governance Scheme to reflect the Board's decision.

Appendix A: Proposed Corporate Procurement Strategy

Related Papers: <https://sestran.gov.uk/wp-content/uploads/2023/01/SEStran-Governance-Scheme-Dec-2022.pdf>

Gavin King
Partnership Secretary
17th March 2023

Policy Implications	None
Financial Implications	None
Equalities Implications	Meet obligations of the Equality Act 2010 and the specific Public Sector Equality Duty
Climate Change Implications	None

Date	Author	Version	Status	Reason for Change
Aug 2017	Andrew Ferguson	1.0	Board Approval	Implementation
March 2021	Gavin King	1.0	FINAL	Reviewed, no changes
December 2022	Anna Herriman	1.1	FINAL	Removes reference to historic procedures Meets requirements for a CP Strategy
March 2023	Gavin King	1.2	FINAL	Adds specific reference to equalities duties.

SEStran Corporate Procurement Strategy

1. Introduction

This procurement strategy has been prepared in response to the changing procurement agenda where it is now recognised that there is a need to further emphasise the importance of the role in the delivery of efficient and effective public services. SEStran is a body governed by public law and therefore defined as a contracting authority for the purposes of the regulations as specified in Part 1 Section 1 (1) (b) of the 2014 Act.

The SEStran Procurement Strategy sits within the framework of the Scottish Government's Public Services Reform Agenda and complies with Procurement Reform (Scotland) Act 2014 the Public Contracts (Scotland) Regulations 2015 and Procurement (Scotland) Regulations 2016. The Procurement Strategy ensures that the procurement activities support the key objectives of SEStran and contribute to the achievement of best value in line with SEStran's existing contract standing orders.

SEStran is committed to ensuring that its procurement activity maximises its contribution towards the delivery of efficient and effective public services. To achieve this, procurement processes and procedures must be open, robust and continuously improved to reflect recognised best practice.

This strategy sets out our approach to procurement and provides a clear framework for linking the procurement function to the delivery of the Regional Transport Strategy as well as supporting SEStran's duties as a public body in improving services and outcomes for all. Specifically, this includes demonstrating commitment to the obligations of the Public Sector Equality Duty. The strategy links to and complements the SEStran Contract Standing Orders. The strategy applies to all aspects of procurement: purchasing supplies, services and works, ranging from contracting a whole service to the purchase of day-to-day consumables.

2. Vision

SEStran's vision for procurement is to ensure best value for SEStran and support the delivery of the Regional Transport Strategy with high quality outcomes.

3. Strategy Principles

- To support the wider context of SEStran's Regional Transport Strategy and Scheme of Governance.
- Take account of national developments, the Public Services Reform agenda and the needs of the SEStran area.
- Operate within the legislative framework imposed by the Public Procurement Directives, national legislation and SEStran Standing Orders and recognise the accounting requirements
- Adhere to the principles of best value (Challenge, Compare, Consult and Compete) whenever appropriate.
- Set out the reasons and justification for the approach taken to procurement and issues such as awarding a contract without competition.
- Meet SEStran's needs for goods, services and works in a way that generates benefits to the organisation, and to society, economy and environment.
- Consider how procurement can improve the economic, social, and environmental wellbeing of the SEStran area with reference to reducing inequality in the SEStran area, facilitating the involvement of small and medium enterprises, third sector bodies and supported business, and promoting innovation.
- Give due regard within procurement processes to the relevance of all contracts in supporting SEStran's commitment to meet its statutory duties under the Equality Act (2010) and the Public Sector Equality Duty to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - b. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it: and

c. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- Abide by the highest standards and treat all relevant economic operators without discrimination and act in a transparent and proportionate manner for all procurement activity.
- Protect public spending, ensuring integrity and accountability.

4. Use of Competition and Best Value

The aim of our procurement strategy is to use competition where this is both appropriate and necessary to improve the delivery of goods, works and services and where the risks and benefits of competition have been clearly established.

SEStran operates on behalf of partner councils, a number of regulated contracted services which have been awarded following a competitive tendering process. There are some instances where best value may be achieved by the continued delivery of an existing contract without competition and in these situations SEStran will clearly outline the rationale for this in line with relevant Regulations.

5. Contract Standing Orders

As a public body, all SEStran procurement activity follows relevant legislation and the rules set out within SEStran Contract Standing Orders¹. Their purpose is to ensure accountability, openness, and transparency in the way that we do business with suppliers and to protect SEStran and its employees from any legal challenge or allegation of impropriety in the way we conduct our business.

6. Advertisement, Application and Award

Procurement contract awards will be announced on Public Contracts Scotland as appropriate, and all procured contracts and values are reported annually to the Partnership's Performance and Audit Committee and the Partnership Board, as part of the Public Services Reform (Scotland) Act 2010 duties. In awarding any tender, SEStran officers will comply with the General Duties of the Procurement Reform (Scotland) Act 2014, and, if applicable, The Public Contracts (Scotland) Regulations 2015, and the Sustainable Procurement Duty outlined within the 2014 Act. This will be done in a proportionate way but applied to all regulated procurements undertaken by SEStran.

Compliance with the general duties and sustainable procurement duties have aided compliance with the Equality Act, specific Scottish duties, the Climate Change Act 2009 and associated Public Bodies Reporting duties.

7. Monitoring and Review

The Procurement Strategy will be kept under review to ensure that it continues to meet the needs of SEStran and delivers measurable contributions towards the achievement of SEStran objectives. Member scrutiny is provided through SEStran's Performance and Audit Committee.

March 2023