

Procurement Strategy - Period December 2016 – December 2018

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1.0 Introduction / Executive Summary

This strategic procurement plan is aimed at promoting effective procurement across the Library. As with all public sector organisations, the Library is facing significant financial pressures and this plan aims to provide a clear and consistent framework to ensure procurement activity supports all services to meet the Library's priorities.

It supports the Library's 5 year strategy, 'The Way Forward', published in 2015 and is an enabler towards continuous improvement, partnering and collaboration, developing new ways of doing and delivering plus measuring performance against an agreed scheme of metrics.

It sets the process the Library intends to adopt for regulated procurements; a statutory requirement under section 15 of the Procurement Reform (Scotland) Act 2014 and covers an initial period of 2 years with review annually up to a period of 5 years.

2.0 Procurement Vision and Mission Statement

To ensure clear, concise, commercially effective and compliant procurement processes and procedures, that are proportionate and relevant to the Library's requirement and support its business needs, are available across the organisation.

It aims to ensure value for money which encompasses cost, sustainability and quality. It will do this by improving supplier access to Library public contracts, delivering savings and benefits, maximising efficiency and collaboration plus embedding sustainability in all we do.

3.0 Strategic rationale / context

What we procure and how we procure it is becoming increasingly important in our need to achieve greater efficiencies in a time of economic constraints as well as meeting the client/user demand for high quality and effective services.

The Library, as an NDPB, also has an obligation to comply with European Union (EU) principles of transparency, equal treatment and non-discrimination, proportionality and mutual recognition, as instructed through Public Contracts (Scotland) Regulations 2015, Procurement (Scotland) Regulations 2016 and the Concession Contracts (Scotland) Regulations 2016.

Procurement is a devolved responsibility within the Library. DPOs 'Buyers' authorised to procure goods, services and works need to do so within an agreed policy and procedural framework fully endorsed by the Library Leadership Team (LLT).

Version 2.0 of the Library procurement policy was endorsed by LLT in January 2016.

Library procurement policy, procedures and guidance reflect current public policy and guidelines and follow the Procurement Journey.

The Library's Procurement & Contracts Division, 'Procurement', is responsible for providing advice, guidance, support and training to DPOs and Contract Managers as well as partnering them at an appropriate level on all low value and regulated procurement processes.

3.1 Procurement principles

This procurement plan is based on a number of procurement principles as described in the Library's procurement policy.

4.0 Strategic aims, objectives & key priorities

Through its procurement process and contract awards the Library will strive to achieve value to the public and value for money by maximising efficiency and collaboration, delivering savings and benefits, improving supplier access to Library public contracts, embedding sustainability whilst ensuring the sustainable development of a skilled and capable procurement workforce.

Where specific goods or service contracts are required to enable the delivery of a 3rd of the collection digitally by 2020 'Procurement' will work with and support the Digital Department in this regard.

4.1 Efficiency and collaboration

We will continue to:

- Work with our Scottish Procurement colleagues, National Institutions and like-minded organisations, Procurement Cluster Group and other public organisations, including but not exclusive to the Scottish Parliament Corporate Body and National Records of Scotland to deliver procurement efficiencies through collaboration and sharing best practice.
- Analyse spend in order to review opportunities to collaborate with local partners.
- Monitor our usage of applicable National and Sectoral framework contracts and aim to increase this where appropriate.
- Develop local collaborative procurement with members of Procurement Cluster Group, National Institutions, Further Education Institutions covering but not exclusive to the following:
 - Library / NRS – Archival Boxboard re-let in 2017/18
 - The National Archive / Library – Digitisation framework
 - APUC / Library – Supply of periodical (print and electronic)
 - APUC / Library- Supply of printed books and standing orders – re-let 2017/18

The Library will remain fully engaged with the collaborative efforts of Scottish Procurement and Commercial Directorate and representatives from the Library will participate in National Forums and User Intelligence Groups, where appropriate.

To achieve value for money all regulated procurements will be tendered on the best price / quality ratio.

4.2 Savings and benefits

'Procurement' will continue to monitor procurement outcomes, produce and widely share procurement management information, including quarterly and annual procurement Best Practise Indicators (BPIs) a summary of which is reported annually to the Library's audit committee.

During 2016/17 we will review, assess and amend if necessary the BPIs categories being measured, to ensure the data collected and reported is fit for purpose and meets current sectoral and national requirements.

In addition we will review and improve if necessary our processes and procedures for measuring SME engagement throughout the supply chain on recently awarded (past 3 years) key contracts.

Similarly we will review and improve if necessary our processes and procedures for reporting cash and non-cash savings made through the use of direct procurement. Also the non cash benefits of adopting frameworks, where available, over direct awarded contracts.

Annually we will provide Scottish Government with the BPI dashboard incorporating Key Trend Data Indicators (KTDI) for inclusion in the Central Government collated sectorial report on KTDIs.

Library contract managers are required to manage contracts / contractors in accordance with the contract conditions, to assist them in the process of effective supplier and contract management 'Procurement' will develop and make available on the Library intranet a set of contract management guidelines, processes, procedures and toolkits.

4.3 Access

All regulated public contracts procured directly by the Library will continue to be advertised on the Public Contracts Scotland advertising portal in accordance with the appropriate Regulations; this ensures compliance with our duty to treat relevant economic operators equally and without discrimination and to act in a transparent and proportionate manner.

We will continue to support events for suppliers wishing to understand our procurement processes in more detail.

The ESPD will be adopted for all appropriate EU threshold contracts and consideration will be given to its suitability for Regulated below EU threshold contracts on a project by project basis.

Commercial opportunities for the digitisation of special collections (if any) will be advertised on the Library web site and by any other means as deemed suitable.

In addition to utilising the National Supported Business Framework for purchase of PPE and Uniforms plus routine signage, we will look at how we can develop and increase our engagement with Supported Businesses.

Similarly over the period of the plan we will look at means of reporting on our engagement with SMEs, 3rd sector organisations and social enterprises.

As a requirement of the Procurement Reform (Scotland) Act 2014, the Library has published its regulated contracts register on Public Contract Scotland (PCS). Over the period of the plan the Library will consider in addition to PCS publishing the contracts register on the Library website as well as making publicly available its waveplan of planned regulated procurements.

4.4 Sustainability

For each and every regulated procurement within the individual procurement strategy document consideration will be given to, how in conducting the procurement process it can:

- Improve the economic, social and environmental well-being of the local and wider environment

- Facilitate the involvement of small and medium enterprises, third sector bodies and supported business in the process
- Promote innovation.

In accordance with Procurement Reform (Scotland) Act 2014 and or where it is proportionate and relevant, community benefit clauses; covering economic, social and environmental conditions, will be incorporated into the contract conditions for all contracts over £4m (mandatory) and below £4m where deemed appropriate.

In addition, consideration will be given to including, where proportionate and relevant, a clause addressing Fair Work Practices, including the Living Wage.

As a minimum in its regulated procurement processes the Library will promote compliance from contractors and sub-contractors with:

- The Health & Safety at Work Act 1974 and any provisions under that Act.
- The procurement of fairly and ethically traded goods and services.

And if the procurement involves the provision of food the Library will state how the regulated procurement will:

- Improve the health, wellbeing and education of the local communities
- Promote the highest standards of animal welfare.

Where there is a presumed impact on the community e.g. construction related contracts, the Library will consult and engage with those likely to be affected by the procurement activity.

4.5 Capability

The Library understands the importance of having the necessary procurement and commercial skills that may require refreshing to meet developing business needs.

To that end the Library will ensure funding is available within the staff training budget for procurement and commercial training, as required, to ensure that the organisation has the procurement skills necessary to deliver the Library's planned (next 2-3 years) and longer term procurement activity.

To ensure the training and competencies are steered in the right direction there will be a review of number of the number of staff with DPA and adjusted as necessary. In consultation with Head of Departments existing DPA letters will be revoked and new letters issued to appropriate members staff.

A procurement training framework will be prepared by 'Procurement' and endorsed by HR that recognises the varying procurement skills and competencies and supported levels of training.

Where there is a skills gap or a resourcing issue the Library will consider utilising, on a project by project basis, the service offered by Scottish Government's Procurement Shared Services Team.

Professional staff within the Estates team will lead on all works / construction related procurement activity. Professional staff within the Digital teams will have an input in all IS related procurements.

It is recognised that any non-complaint procurement may result in legal challenges; however the risk is heightened when it is a regulated procurement. As a means of mitigating these risks the Library will insure the necessary internal or external resource is provided for all regulated procurements and ensure that professional external expertise is sought should there be a requirement.

With regard to succession planning the Library will consider a Modern Apprenticeship in Procurement to fill the vacancy in 'Procurement' due to the impending retirement of the Procurement and Contracts Officer.

5.0 Spend / Finance

'Procurement' will continue to make available quarterly for Library use procurement management information including but not exclusive to:

- Contracted v non contracted spend
- Top 5 spending by supplier (value of spend)
- Top 5 spending by commodity (value of spend)
- Top 5 spending by cost centre (value of spend)
- How much we've spent with SMEs as a direct award
- How much has been spent with Supported Businesses
- Cash savings through adopted frameworks.

We aim to continue to target and report a contracted spend of 90% or above.

With regards to payment of contractors, on receipt of a valid invoice or similar claim, the Library will, as far as reasonably practicable, pay contractors no later than 30 days after presentation of said invoice or similar claim.

Library contract conditions require contractors who sub-contract all or part of the contract to treat their sub-contractors and sub sub-contractors in a similar manner. The condition also allows for subcontractors to approach the Library direct if the main contractor fails in his duty.

During the period of this plan Contract Mangers of Library key contracts may consider monitoring prompt payment of sub-contractors by carrying out spot checks.

All future building projects contracts with a total contract value of £4m or above will include the requirement for a Project Bank Account (PBA).

The EU passed a Directive in 2014 requiring all public bodies to accept eInvoices for all contracts covered by the Public Procurement Directives with an implementation date of 27 November for central government. During the period of this plan the Library will consider how it can fall in line with this requirement.

6.0 Exceptions

In line with the Library's procurement policy; due to their unique nature, acquisition of manuscripts, rare collection items and donations of any kind (excluding financial donations) cannot be purchased via standard procurement routes and are therefore outside the remit of this plan.

7.0 Implementation, monitoring, reviewing and reporting on strategies

The Procurement Reform (Scotland) Act 2014 (the Act) requires the Library to review its procurement plan annually; this task will reside with 'Procurement'.

The procurement plan includes for action and improvements by required dates and periods. On full endorsement of this procurement plan 'Procurement' will refresh the format and update the current procurement action and improvement plan (A&IP). The A&IP will be updated quarterly and made available on the Library Intranet for review by LLT.

In accordance with the Act the Library will prepare and publish an annual procurement report covering its regulated procurement activities, as a minimum, as reasonably practicable after the end of the financial year. The first report due following 31 March 2017. The format of the annual report to align with Section 18(2) of the Act.

8.0 Contact details

Any questions with regards to this document should be direct in the first instance to:

Anthony Gillespie
Associate Director of Business Support
National Library of Scotland
George IV Bridge
Edinburgh
EH1 1EW
a.gillespie@nls.uk

9.0 Policies, tools & procedures

The Library Strategy 2015-2020 'The Way Forward,' including a video stream, can be found on the Library website and by clicking on the following link

- www.nls.uk/the-way-forward

Information on the Library's procurement procedures and updates can be found by clicking on the following link

- www.nls.uk/about-us/procurement

Examples of Scotland's national policies, tools and legislation can be found by clicking the following links (this is not an exhaustive list):

- Scottish Model of Procurement:
www.gov.scot/Topics/Government/Procurement/about/spd-aims
- The New Regulations (effective from 18 April 2016):
<http://www.gov.scot/Topics/Government/Procurement/policy/ProcurementReform/implementEUDirProcRef>
- Public Procurement Reform Programme:
www.gov.scot/Topics/Government/Procurement/about/Review
- Suppliers Charter:
www.gov.scot/Topics/Government/Procurement/Selling/Supplierscharter2
- EU Procurement Thresholds:
www.gov.scot/Topics/Government/Procurement/policy/10613

- Procurement Journey:
<https://www.procurementjourney.scot/>
- PCIP:
<https://www.procurementjourney.scot/procurement-and-commercial-improvement-programme/>
- Public Contracts Scotland:
www.publiccontractsscotland.gov.uk/

10.0 Glossary of terms

APUC	Advanced Procurement for Universities and Colleges (procurement centre expertise for Scotland's universities and colleges)
ESPD	The European Single Procurement Document – The European Single Procurement Document (ESPD) is a standard form for use by all EU member states, which replaces pre-qualification questionnaires, and should make the process of bidding for a public contract easier. Its purpose is to remove some of the barriers to participation in public procurement, especially for Small and Medium Enterprises (SMEs). From Monday 18 April 2016 all Scottish public bodies must issue and accept the ESPD form for all procurement exercises above the EU threshold. The same form will be used across the EU, so a bidder will be able to re-use a form which it has previously submitted for another competition, so long as the information is still correct.
Key contracts	Library key contracts awarded over the past 3 years for key business goods and services and the: <ul style="list-style-type: none"> (i) total contract value exceeds £50k (ii) the contract term is more than 12 months long
KTDI	Key Trend Data Indicators – A reporting tool developed by the 'Procurement Reform Delivery Group' (PRDG) for reporting an overview of trend developments in procurement to 'The Ministerial Strategic Group – Procurement' – MSG-P.
MSG-P	'The Ministerial Strategic Group – Procurement' – a leadership group providing strategic direction and contributing to ministerial decision making.
National Institutions	Public sector cultural, museum or archive organisations similar to the Library, e.g. National Museums of Scotland, National Galleries of Scotland, Historic Environment Scotland, National Records of Scotland, British Library and The National Archive.
NDPB	Non departmental public body.
NRS	National Records of Scotland.
PCIP	Procurement & Commercial Improvement Programme – replaces the previous Procurement Capability Assessment. Public organisations are assessed externally every 2 years against an agreed set of metrics with scoring and performance bandings.
Procurement Journey	Scottish Government web based toolkit intended to support all level of procurement activities and to help manage the expectations of stakeholders, customers and suppliers alike and facilitate best practise and consistency across the Scottish public sector.
PPE	Personal Protective Equipment.

Regulated procurements	Public contract for goods or services with total contract value of £50k and above. Public works contract with a total contract value of £2m or above.
SME	Small and medium sized enterprises.
Social Enterprise	Not for profit organisations. Social enterprises trade to tackle social problems, improve communities, people's life chances, or the environment. They make their money from selling goods and services in the open market, but they invest their profits back into the business or the local community. So when they profit, society profits.
Supported Business	A supported business' primary aim is the social and professional integration of disabled or disadvantaged persons into the work place. In addition at least 30% of the employees of the business should be disabled or disadvantaged. There are currently 15 Supported Businesses in operation in Scotland; a full list of UK Supported Businesses can be found on the British Association for Supported Employment website.