

## Edinburgh College as part of the Edinburgh Region Procurement Team (ERPT) Procurement Strategy: August 2022 – July 2023

### Institutional Membership



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## Foreword

*Edinburgh College is part of The Edinburgh Regional Procurement Team (ERPT), which is a regional procurement shared service whose aims and objectives are to maximise: value, commercial leverage, sustainability and best practices across all the member institutions. The ERPT will be closely aligned to both APUC and the sectors' procurement related / involved activities which have developed substantially over recent years in various different ways, with historically both APUC and institutions implementing a variety of different solutions and approaches to meet the varying needs of the different member institutions.*

*Current membership of the ERPT is Edinburgh College (EC) and Edinburgh Napier University (ENU).*

*This Strategy has been designed to ensure legislative compliance with the Procurement Reform (Scotland) Act 2014<sup>1</sup> and other relevant legislation and is aligned with the ERPT Member Institutions and the Scottish Funding Council's key strategic outcomes as detailed in the member institutions respective Outcome Agreements<sup>2</sup> and Corporate Strategies<sup>3</sup>.*

*The key elements of the legislation:*

- *requires publication of a procurement strategy<sup>4</sup>*
- *requires publication of a public contracts register on our external website<sup>5</sup>*
- *increases the scope of regulated procurements<sup>6</sup>*
- *requires publication of an annual procurement report<sup>7</sup>*
- *requires the College to meet its sustainable procurement duty<sup>8</sup>*

*This Strategy sets challenging but realistic goals in the development of our procurement activities over the next 12 months which will be subject to regular and transparent review.*

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<sup>1</sup> [Procurement Reform \(Scotland\) Act 2014](#)

<sup>2</sup> [Outcome Agreements](#)

<sup>3</sup> [Edinburgh Napier University Strategy 2020, Edinburgh College Strategic Plan 2017-22](#)

<sup>4</sup> [Procurement Strategy](#)

<sup>5</sup> [Contracts Register](#)

<sup>6</sup> [Regulated contracts](#)

<sup>7</sup> [Annual Procurement Report](#)

<sup>8</sup> [The sustainable procurement duty](#) is a new requirement of the Procurement Reform (Scotland) Act 2014

*The successful implementation of this Strategy can only be achieved by all those people involved in the procurement of goods and services on behalf of the member institutions working in partnership with the ERPT, and collaboratively with our partners across the wider education and public sector.*

*Working together can significantly contribute to the future sustainability of the member institutions through the reinvestment of resulting savings and efficiencies from our procurement activities to enhance our students' learning experiences and outcomes, and meet the aspirations as set out in our member institutions, Mission, Vision, Values and Ambitions.*

Alan Williamson  
Chief Operating Officer, Edinburgh College

## 1 Executive Summary

This Strategy has been informed by the Scottish Procurement's statutory guidance<sup>9</sup> under the Procurement Reform (Scotland) Act 2014 with the support of APUC<sup>10</sup>, the procurement centre of expertise for all of Scotland's colleges and universities.

This strategy will, as a minimum, be reviewed annually in compliance with the Procurement Reform (Scotland) Act 2014, thus maintaining the alignment of procurement activity with the broader financial and procurement priorities, and enable the member institutions where necessary to revise the Strategy and its related Action Plans.

## 2 Strategic Context

This Procurement Strategy provides the framework within which the procurement activities of the ERPT can develop and support the member institutions strategic objectives and outcomes. It can also be interpreted as a procurement improvements journey based on a clear understanding of where each member institution is currently (in terms of procurement practice) and where the College wants and needs to be, and how we should get there.

The requirement is to have in place, and maintain, a procurement strategy as part of the requirements of the Procurement Reform (Scotland) Act 2014. The Act focuses on a small number of general duties on contracting authorities regarding their procurement activities, including specific measures aimed at promoting good, transparent and consistent practice in procurement processes, as detailed in section 6 below.

This Strategy recognises that our procurement practice is based on the Scottish Model of Procurement<sup>11</sup> which promotes procurement as an integral part of policy development and service delivery, and is essentially about achieving the best value-added balance between cost, quality and sustainability.

A key element of this Strategy is about moving the balance of procurement effort away from the buying or tendering phase towards a greater emphasis on the planning and the post contract phases of procurement. Included in this strategic

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<sup>9</sup> [Statutory Guidance under the Procurement Reform \(Scotland\) Act 2014](#)

<sup>10</sup> [APUC \(Advanced Procurement for Universities and Colleges\)](#)

<sup>11</sup> [The Scottish Model of Procurement](#)

element is an increasingly greater engagement with our internal and external stakeholders.

### **3 Procurement Mission**

Our procurement mission is to support the member institutions wider missions<sup>12</sup> by enabling and supporting these members in achieving value for money through continually improving our sustainable procurement approach.

The ERPT is committed to obtaining best value for money in all of its transactions. In conducting its daily business staff must always consider the institution's wider responsibilities in terms of legal, moral, social, economic and environmental impact. Effective procurement will support the key institutional objectives across these important operational dimensions

### **4 Procurement Policy**

Each member institution has their own Procurement Policy which sets out the operational framework of how they conduct procurement. These policies are largely based on the Scottish Government's Procurement Journey<sup>13</sup> and broadly aligned across members. This will facilitate regulated procurement being conducted in accordance with best practice in a legally compliant manner that is consistent with the rest of the Scottish public sector in achieving value for money for our stakeholders.

The Procurement Policy is essentially about maintaining the integrity of process and combined with this Strategy will set out the ERPT's strategic approach to procurement.

### **5 Strategic Procurement Objectives (SPO)**

Our strategic procurement objectives as defined below form the core of our Procurement Strategy. Each objective is mapped to the five strategic areas defined by the PPRB<sup>14</sup> ; Sustainability, Access, Efficiency and collaboration, Savings and

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<sup>12</sup> Edinburgh Napier University Mission, Edinburgh College Mission

<sup>13</sup> [Scottish Government's Procurement Journey](#)

<sup>14</sup> See "[Transforming Procurement, Accelerating Delivery](#)" pages 5 and 6 - Areas for Further Work: Phase Three "The Public Procurement Reform Agenda: 2014 – 17"

benefits and Capability which in turn have been aligned with the SFC's Strategic Aims<sup>15</sup> as further detailed in the Member Institutions Outcome Agreements:

## Appendix 1: SPO Mapping Table

### **Strategic Procurement Objective 1**

To sustain and further develop partnerships within the sector along with other publicly funded bodies, professional bodies and with supply markets that will yield intelligence, innovation and deliver value to users of procurement services.

### **Strategic Procurement Objective 2**

To work with internal academic budget holders, professional support service colleagues and suppliers to deliver innovation and best value to the teaching and learning, and service support communities, through the development of an effective and co-ordinated purchasing effort between the ERPT Member Institutions.

### **Strategic Procurement Objective 3**

To promote the delivery of value for money through good procurement practice and optimal use of procurement collaboration opportunities.

### **Strategic Procurement Objective 4**

To seek out professional development opportunities to enrich and enhance experience and capability of procurement practitioners and to work with the supply chains to ensure continued value, managed performance and minimal risk throughout the life of contracts for the benefit of customers and students.

### **Strategic Procurement Objective 5**

To develop sound and useful procurement management information in order to measure and improve procurement and supplier performance in support of corporate planning objectives conducted through a fair and transparent process.

### **Strategic Procurement Objective 6**

To embed sound ethical, social and environmental policies within the ERPT members procurement function and to comply with relevant Scottish, UK and EU legislation in performance of sustainable procurement duties.

These objectives are measured and supported in two ways; through member institutions involvement in the Scottish Government's Procurement and Commercial

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<sup>15</sup> [Outcome Agreements](#)

Improvement Programme (PCIP)<sup>16</sup> and through the publication of an Annual Procurement Report (section 7).

## 6 Compliance with the general duties and specific measures of the Procurement Reform (Scotland) Act 2014

**6.1 Introduction** – as required by the Act the ERPT Member Institutions must comply with a small number of general duties and some specific measures which will be embedded in Procurement Policy to ensure full compliance with the Act. These are stated below:

**6.2 Contribute to the carrying out of the procurement function and the achievement of our purposes** – the ERPT will analyse the member institutions third party expenditure, identify regulated procurements worth more than £50,000 and Works worth more than £2 million (Procurement Reform Act 2014)]<sup>17</sup>.

In addition, the ERPT will sort regulated procurements into procurement categories and consider appropriate and effective consultation that aligns individual procurement strategies with the ERPT Member Institutions own aims and objectives. This will in turn align their contribution to the National Outcomes as detailed in the Member Institutions Outcome Agreements.

Finally, the ERPT will consider where appropriate the effective use of contract and supplier management to monitor and further improve the regulated procurement contract outcomes.

**6.3 Deliver value for money** – value for money as defined by the Scottish Model of Procurement is not just about cost and quality, but also about the best value balance of cost, quality and sustainability.

ERPT Member Institutions through their Procurement Policies and practice will seek to consistently apply the above principle, albeit, the balance of cost, quality and sustainability will vary for a regulated procurement depending on the particular commodity, category and market.

The ERPT will consider the use of whole-life costing of what is being procured, where appropriate, and when applying the above principle of value for money ensuring that it does so in a clear, transparent and proportionate manner, applying

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<sup>16</sup> [PCIP](#) focuses on the policies and procedures driving procurement performance and more importantly, the results they deliver and replaces the previous Procurement Capability Assessment regime.

<sup>17</sup> Scottish lower value regulated threshold subject to periodic review by the Scottish Government

equal treatment, non-discrimination, transparency, proportionality and mutual recognition

**6.4 Treating relevant economic operators equally and without discrimination** - the ERPT will conduct all of its regulated procurements in compliance with the principles of current legislative requirements; equal treatment, non-discrimination, transparency, proportionality and mutual recognition and will consider early engagement with the supply market where relevant, but prior to the publication of a contract notice.

All regulated procurements will be posted on free to access portals such as Public Contracts Scotland<sup>18</sup> (PCS) and Public Contracts Scotland-Tender<sup>19</sup> (PCS-T) and shall strive to ensure the appropriate use of separate lots with straightforward output-based specifications and clear evaluation criteria to ensure the procurement is accessible to as many bidders as possible.

**6.5 Acting in a transparent and proportionate manner** – the ERPT will ensure it engages widely with its local supply market on an ongoing basis and through the Members Institutions Procurement Policies, will mandate the use of clear and precise language in its specifications to ensure contracts are awarded using appropriate quality, risk and sustainability factors as well as cost, according to declared score weightings specific to each contract.

The ERPT will actively take steps to make it easier for smaller and local businesses to bid for contracts through: the use of Public Contracts Scotland and Quick Quotes, the provision of training and/or provide information on third party training opportunities<sup>20</sup> to build suppliers capacity to better navigate the public tender process and by publishing a contract register to highlight contracts that local suppliers may be interested in bidding for.

**6.6 The Sustainable Procurement Duty** – in compliance with the Act, the ERPT Member Institutions will give consideration to the environmental, social and economic issues relating to all regulated procurements and how benefits can be accrued, on a contract-by-contract basis by taking proportionate actions to involve SMEs, third sector bodies and supported businesses in our procurement activities and in so doing benefit not only the member institutions but the wider Edinburgh and Lothians regions.

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<sup>18</sup> [Public Contracts Scotland](#)

<sup>19</sup> [Public Contracts Scotland - Tender](#)

<sup>20</sup> [Supplier Development Programme](#)

To support compliance with the duty, the ERPT will endeavour to make available the use of tools and systems<sup>21</sup> where relevant and proportionate to the scope of the procurement such as the Scottish Public Procurement Prioritisation Tool, the Sustainability Test, Life Cycle Impact Mapping, the Scottish Flexible Framework as well as APUC's<sup>22</sup> Code of Conduct and Sustain.

**6.7 Policy on the use of community benefits** – the ERPT will consider for each of its procurements over £4m<sup>23</sup> how it can improve the economic, social or environmental wellbeing of the Edinburgh and Lothian regions through the inclusion of community benefit clauses<sup>24</sup> aligned with the member institutions own strategic outcomes as well as a number of the Scottish Government's National Outcomes<sup>25</sup> namely outcomes 2, 3, 4 and 7; (2) We achieve our full economic potential with more and better *employment opportunities* for our people; (3) We are better educated, more skilled and more successful, renowned for *research and innovation*, (4) Our young people are successful learners, confident individuals, effective contributors and responsible citizens and (7) We contribute towards tackling the inequalities in Scottish society.

Examples of the scope of community benefits clauses will include the delivery of training opportunities or sub-contracting opportunities within the Edinburgh and Lothian regions which are relevant and proportionate to the particular procurement. The College will strive to engage with internal and external stakeholders including students, where relevant, as well as engage with the local and wider supplier community to ensure suppliers understand the use of community benefits and how to respond where they are included. Where possible and proportionate, such clauses may also be included in procurements below £4m.

**6.8 Consulting and engaging with those affected by its procurements** - the ERPT will take note of available good practice/principles of engagement including those detailed in the National Standards for Community Engagement<sup>26</sup> as well as ensuring procurement staff have, or will be developed to have, the relevant communication and engagement skills. The ERPT will consider each procurement, the community impact by the resultant contract and will ensure any affected organisations/persons are consulted (e.g. impact on service for students, or a local contract that could be combined with other similar institution's needs). Such consultation will always be on a scale and approach relevant to the procurement in

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<sup>21</sup> [Sustainable Procurement Processes \(section 3.4.1 Statutory Guidance\)](#)

<sup>22</sup> [APUC toolset for sustainability](#)

<sup>23</sup> [Section 25\(1\) community benefit requirements in major contracts](#)

<sup>24</sup> [Community Benefit Clauses](#)

<sup>25</sup> [National Outcomes](#)

<sup>26</sup> [National Standards for Community Engagement](#)

question. All of the above will be embedded in the member institution's procurement practice.

**6.9 The living wage** – the member institutions recognise the value of a well-motivated and dedicated workforce both in its own organisation and in those of its suppliers. In compliance with the Act, the ERPT will consider, before undertaking a procurement, whether it is relevant and proportionate to include a question on fair work practices along with other relevant criteria, whilst ensuring the appropriate balance between quality and cost of the contract, paying staff with regard to the statutory guidance<sup>27</sup> including the application of the living wage.<sup>28</sup>

**6.10 Promoting compliance with the Health and Safety at Work Act 1974** - the member institutions are committed to contracting only with suppliers that comply with all appropriate and relevant legislation, including health and safety legislation.

Where appropriate, and on a contract by contract basis, the ERPT will assess the legislation applicable to a procurement and take steps to ensure bidders comply with such legislation. Where proportionate, the ERPT will also seek to assess the compliance of sub-contractors.

**6.11 The procurement of fairly and ethically traded goods and services** - the member institutions support the sourcing of goods that are fairly and ethically traded.

Where directly relevant, it shall make use of appropriate standards and labels in its procurements to take account of fair and ethical trading considerations as well as considering equivalent offerings from suppliers that can demonstrate they can meet the specified criteria without necessarily having the specific certification.

**6.12 The provision of food and improving the health, wellbeing and education of communities in the College's area, and the promotion of the highest standards of animal welfare** - the member institutions will find practical ways to supply healthy, fresh, seasonal, and sustainably grown food which represents value for money whilst improving the health, wellbeing and education of our teaching and learning communities, coupled with promoting the highest standards of animal welfare.

The ERPT will work to put in place affordable contracts, which meet the nutritional requirements for food for all users of our catering services and will use available

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<sup>27</sup> [Statutory Guidance on the Selection of Tenderers and Award of Contracts - Addressing Fair Work Practices, including the Living Wage, in Procurement](#)

<sup>28</sup> [Scottish Living Wage](#)

good practice and guidance such as “Catering for Change – Buying food sustainably in the public sector”.<sup>29</sup>

**6.13 Payment terms** - the member institutions acknowledge the importance of paying suppliers promptly once a service has been performed or goods delivered and that late payment is particularly detrimental to SMEs, third sector bodies and supported businesses.

The member institutions will comply with the Late Payment Act<sup>30</sup> and will review on a contract by contract basis whether such obligations should be enforced and monitored further down its supply chain.

## **7 Annual Procurement Report**

### **7.1 Statutory Requirement**

In accordance with requirement of the Procurement Reform (Scotland) Act 2014 Edinburgh College will publish an Annual Procurement Report and will describe as required by the Act how it has discharged its obligations under the Act and how it has exercised discretion and judgement as permitted by the public procurement rules to secure strategic objectives in compliance with the Act.

This report will also provide a commentary on the progress of this Strategy.

### **7.2 Contents of our Annual Procurement Report**

The Annual Procurement Report in compliance with the Act will contain, as a minimum, the following:

- A summary of the regulated procurements that have been completed during the year covered by the Report.
- A review of whether these procurements complied with this Strategy.
- The extent that any regulated procurements did not comply, a statement of how the ERPT intends to ensure that future regulated procurements do comply.
- A summary of any community benefit requirements imposed as part of a regulated procurement that were fulfilled during the year of the Report, including for example; apprenticeships completed, curriculum support

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<sup>29</sup> [Catering for Change – Buying food sustainably in the public sector](#)

<sup>30</sup> [The Late Payment of Commercial Debts \(Scotland\) Regulations 2015](#)

activities, business support activities, support to communities and resource efficiencies achieved in terms of materials, waste or water.

- A summary of any steps taken to facilitate the involvement of supported businesses in regulated procurements during the year covered by the Report.
- A summary of the regulated procurements the ERPT expects to commence in the next two financial years.
- Such other information as the Scottish Ministers may by order specify and where applicable demonstrate compliance with other legislation that places specific requirements on the member institutions with respect to their procurement activities. The member institutions will also consider:
- What it has learned from its consultation and engagement with stakeholders and those affected by its procurements, and what it is doing to respond to these views;
- What it is doing to improve its performance and impact, drawing on relevant information – for example spend analysis – and what improvements have been achieved since its last report; and
- How it is working with other bodies – for example procurement centres of expertise – to maximise effectiveness and efficiency.

Edinburgh College publishes its Annual Procurement Report in an inclusive way that considers equality, inclusion and accessibility matters, and enables stakeholders to form a clear view of the member institution's performance.

## **8. Ownership and Contact Details**

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