



West Lothian
Council

CITIZEN LED INSPECTION

FEEDBACK REPORT FOR WEST LOTHIAN COUNCIL

CORPORATE PROCUREMENT UNIT

OCTOBER 2014

Data label: PUBLIC

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1 INTRODUCTION TO FEEDBACK

This feedback report has been produced following an inspection of the **Corporate Procurement Unit** in West Lothian Council against the Citizen Led Inspection framework and using the framework rating system.

The inspection process took place over 14 half days between July and October 2014 and included the following steps:

- Evidence review and site visit planning
- Meeting with and interviewing Council Staff, Partners and Suppliers
- Consensus on strengths, areas for improvement and scores by the citizen inspection team

The inspection team comprised:

Mr P West,
Lead Inspector

Ms L Guy,
Citizen Inspector

Ms J Parton,
Citizen Inspector

During the inspection process every effort has been made by the team to ensure that conclusions and feedback are based on fact and are the result of consensus. The team have interviewed 27 people individually or in groups, including sitting in on part of a procurement team meeting and attending a procurement surgery.

2 KEY STRENGTHS

The Corporate Procurement Unit has demonstrated good practice/performance in the following areas:

- Leadership and Planning within the Unit are very good
- Staff commitment within the Unit is excellent
- The Unit's awareness of legislative requirements is excellent

3 KEY AREAS FOR IMPROVEMENT

The Corporate Procurement Unit requires improvement in the following areas:

- Its awareness of its Customers' needs, including training needs
- Staffing numbers need to be brought up to the required level
- The Service should review how it collects and analyses results

4 RATING

The Citizen Inspection team have rated the service as follows:

CRITERION	RATING (✓)				
	<u>E</u> (Excellent)	<u>G</u> (Good)	<u>A</u> (Adequate)	<u>W</u> (Weak)	<u>U</u> (Unsatisfactory)
1 LEADERSHIP		✓			
2 SERVICE PLANNING		✓			
3 PEOPLE RESOURCES			✓		
4 PARTNERS & OTHER RESOURCES		✓			
5 SERVICE PROCESSES			✓		
6 CUSTOMER RESULTS			✓		
7 KEY RESULTS		✓			

5 OVERVIEW OF THE SERVICE

Criterion 1: Leadership

Leaders:

- ✓ Identify a clear direction for the service
- ✓ Set long-term outcomes
- ✓ Are open, honest and accountable
- ✓ Put in place scrutiny to challenge performance

The Corporate Procurement Unit sits as part of Finance and Estates. The Corporate Procurement Manager has been in position since December 2012 when a restructuring process was begun. The Corporate Procurement Strategy 2013/2018 sets out the core purpose of the service and its long term aims. The 5 year strategy is reviewed annually and updated as necessary.

The Head of Finance and Estates is ultimately responsible for the actions, in relation to procurement, of all Council Staff engaged in the procurement and contracting process for all supplies, services and works. Ongoing planning and management of this is carried out on a day to day basis by the Corporate Procurement Manager.

The Corporate Procurement Manager manages a team of Category Managers, Senior Procurement Specialists, Procurement Specialists and Modern Apprentices. Each Category Manager is assigned to an area of Council Business namely:

- Education and Area Services
- Social Care
- Housing, Construction and Building Services
- Corporate Services
- Operational Services

The long term outcomes for the Service are contained within the Council's Corporate Procurement Strategy 2013-18, and the Council's annual Finance and Estates Management Plan, 2014-15.

The manager has close contact with staff. The whole staff meets monthly and regular one to one meetings take place.

The manager of the service is open, honest and accountable.

Performance levels are monitored and staff challenged to increase these levels annually.

General feedback from staff about leadership qualities in the service was positive. They see the manager as a people person who works directly with the staff. Prior to the current manager taking up position, the service staff felt unsupported and in some state of disarray. Staff see the changes introduced by the manager as a major step forward in continuing improvement.

It is not clear what role Category Managers have in the management of staff. This suggests some risk of leaving the service exposed if the current Corporate Procurement Manager is unable to maintain her role for whatever reason. It was noted that the job description for current Category Manager vacancies includes management of staff.

Recommendations:

- Staff to deputise, in the absence of the Corporate Procurement Manager, need to be identified.
- Staff management responsibilities of Category Managers need to be clarified.

Rating: GOOD

Criterion 2: Service Planning

The service:

- ✓ Develop clear strategies
- ✓ Has effective annual planning that outlines the key activities
- ✓ Uses reliable tools and methods to engage and consult with customers
- ✓ Sets and meets targets for performance in all the key areas of activity

West Lothian Council has plans and policies in place that set out how it intends meeting the aims of Scottish Government's Single Outcome Agreement. The Council has produced a Corporate Plan to show how it will deliver 'Better Outcomes.'

The Council has in place an integrated financial strategy from 2013/14 to 2017/18 which is detailed in the annual 'Finance and Estates Management Plan,' and further detailed in the 'Corporate Procurement Strategy 2013/18' which clearly sets out:

- Context, Ownership and Scope of the strategy
- How the Strategy links directly to all eight of the Council's priorities
- Strategy Outcomes

These Outcomes are:

1. To make a saving of £2.9M over five years through effective procurement activity.
2. To maximise the amount of Council spend that can be covered by contract, with a target of 90% of Council spend in 2018 covered by contract.
3. To ensure that all procurement activity complies with statutory and regulatory requirements, and with the Council's Standing Orders.
4. To improve the access for procurement contract awards to local businesses, SMEs and the Third Sector.
5. To maximise the 'Community Benefit' derived from contracts.
6. To maximise the benefits from sustainable procurement.

The Strategy outlines, in its action plan, how each outcome will be met, including the 'owner' of each action, with start and end dates for each action.

However, the plans do not include a clear 'Customer Focus.'

The Procurement Unit has set up procedures to consult with 'Customers.' (Procurement is an enabler service which engages with other internal Council Services – "Internal Customers," - and with suppliers, sometimes referred to as 'External Customers.')

- By surveying Customers and Suppliers after each contract award

- By annually surveying The Corporate Management Team, Customers, Suppliers and potential Suppliers.

The Procurement Unit offers 'Procurement Surgeries' for potential suppliers.

The Procurement Unit has a range of targets and associated performance indicators covering some aspects of its work. Performance management is continuous, with a range of other reviews timetabled quarterly or annually. The Unit has a Calendar of Improvement and Efficiency Activity. However it was noted that some dates for completion had passed and been missed while some dates were altered.

Annually the service engages in the Scotland Excel 'Procurement Capability Assessment' which is a comprehensive measure of the Unit's performance.

Recommendations:

- The Procurement Unit should consider fully how best it can proactively serve its customers' training needs and plan to accommodate this.
- The Head of Service needs to ensure all council staff engaged in procurement are fully aware of the existence and scope of its 'Standing Orders.' There was suggestion by procurement staff that Standing Orders would benefit from a complete revision and not just small updates.
- Corporate Procurement Planning needs to take account of customer needs, as well as the need to effectively comply with all legislation.

Rating: GOOD

Criterion 3: People Resources

The service:

- ✓ Identifies the right people resources it needs to achieve outcomes
- ✓ Sets out desired qualities and acceptable behaviours for staff
- ✓ Reviews and improves individual people's performance
- ✓ Communicates effectively with people
- ✓ Involves people in reviewing and improving the service

It has been identified that the service requires a staff of 19, calculated by examining the usual expected annual workload and taking into account a suitable figure to cover holidays and other absences. However, the staffing is currently only 12. This severe shortfall is exacerbated by several of the vacancies being at a senior (category manager) level. Thus, whereas there is an identified need for 5 category managers, only 2 were in place during most of the inspection period.

The service has been diligent at advertising all vacant posts but the response to the advertisements has been disappointing. The service believes this has been due to a number of factors including the temporary nature of the contracts on offer and the salary levels which compare unfavourably with that of neighbouring local authorities or private enterprises. The procurement officers are expected to fund themselves if they are progressing through CIPS training and this would be a cost effective benefit if included in the package on offer. One response the service has initiated is the extension of its modern apprentice scheme to four apprentices, those in their second year now having been trained sufficiently to carry out the simpler procurement contracts.

In addition to vacancies, the Sickness Absence for this service stands at 9.93% which equates to a total of 40 days. This is particularly high and is currently well in excess of the Performance Indicator target of 2.80%. On the surface, there does not seem to be a common cause for this high level of sickness, with each absence being due to quite discrete causes. Nevertheless, it is noted that only 64% of the staff believed they were able to satisfactorily control managing their time. Consequently, it would be prudent of the service to consider the role of stress in exacerbating what may be pre-existing conditions. Some staff felt that a higher level of bureaucracy than they felt was necessary added to the difficulties of their job.

The service is clear in the qualities that are needed for procurement tasks and the key identified quality is that of being able to engage positively with stakeholders. On those rare occasions when unacceptable behaviour has been identified, this is being addressed appropriately. The service is conscious of the need for utter propriety in its role within the Council and is aware that the staff must be seen as impeccably fair in their dealings with third parties. There are regular reviews of the staff and improvement plans are devised when required which are rigorously implemented. There is an expectation of continual improvement.

The regular monthly staff meeting provides a forum for staff to present ways of reviewing and improving the service. The Corporate Procurement Manager makes herself available for one-to-one discussions on suggestions. Questionnaires which are sent out to stakeholders have the returns analysed and shared with the staff.

Recommendations:

- Staff numbers need to be addressed as a matter of urgency.
- The package offered to staff should be reviewed to encourage staff retention and promotion as well as filling vacancies. Funding CIPS training should be considered. This would be to the benefit of the service in particular and, by extension, the Council.
- Advice should be sought from Human Resources to identify and devise strategies to address any possible stress and sickness absence levels within the service.
- A review of procedures within the service should be initiated and the level of bureaucracy required of the staff within the service should be minimised.

Rating: ADEQUATE

Criterion 4: Partners & Other Resources

The service:

- ✓ Manages partnerships to add value for the customer
- ✓ Manages finances to deliver quality services sustainably
- ✓ Uses information and knowledge to support and enhance service delivery
- ✓ Uses assets (land, buildings, vehicles and equipment) to optimum effect

Corporate Procurement actively works with partners to plan, design and deliver services for their customers.

The key external partners are:

- Scottish Procurement – Category A contracts
- Scotland Excel – Category B contracts
- Other local Authorities – Category collaborative C1 contracts

Corporate Procurement also works with internal partners, aiming to provide an efficient, reliable and cost effective way of providing services and goods for customers.

The key internal partners are:

- Legal Services
- IT

It should be noted that internal partners can also be customers.

The service uses the annual Procurement Capability Assessment to monitor the extent to which it operates efficiently and within guidelines.

At present 3 systems for purchasing are used within the Council. Staff expressed that these legacy or historical systems do not work well together, or all provide the necessary detail or audit trail. Two of these systems are currently being merged. Further work would be required to merge all three.

Recommendations:

- Prioritise the work on merging the 3 purchasing systems.
- Continue to engage in existing opportunities for external partnerships, and explore any opportunities to develop further external partnerships.

Rating: GOOD

Criterion 5: Service Processes

The service:

- ✓ Designs processes to meet the needs of customers
- ✓ Ensures processes are efficient and effective
- ✓ Delivers services to customers in the way they want
- ✓ Reviews the efficiency and effectiveness of processes
- ✓ Uses customer feedback as part of the review process

The service appears to have two key aims:

- Obtaining best value for the Council
- compliance with the relevant legislation, including European Directives 2004/17/EC Utilities Contracts and 2004/18/EC Public Contracts, both of which emphasise competitive fairness rather than best value.

Purchases are classified by their value which determines the level of scrutiny required before a purchase can be made. The largest purchases are those that come under the European Directives, having a value above the current published European Union figures. Purchases below this but in excess of £50,000 require tenders via Public Contracts Scotland i.e. Scotland Excel, with the Quick Quote system being used for purchases between £5,000 and £49,999. Both Scotland Excel and Quick Quote are Scottish national systems that the service chooses to use. The smallest purchases are those below £5,000 with those above £1,000 requiring the evidence of two quotes before purchase. The service recognises that there can be situations which require purchases not conforming to this system and there are business case exemptions which now require escalating authorisation as the cost of the sought purchase increases.

All the evidence accumulated indicates that the service has demonstrated the ability to ensure there is a high level of compliance with all relevant legislation. There are clear audit trails for larger purchases which allow unsuccessful suppliers to receive feedback from the service explaining how and why decisions were taken.

Nevertheless, the processes that are in place appear to be designed from a top-down perspective and, as such, would appear to be serving the Council's requirements. However, and on balance, they are less able to meet the needs of other council services. The processes have been described repeatedly in the feedback sought by the service, from both internal customers and suppliers, as cumbersome, bureaucratic and inefficient. Repeatedly, examples were given of constraints on ordering items that resulted either in more expensive and poorer quality items having to be bought or exemptions being sought from standing orders to obtain more appropriate non-contract items. Evidence was received of shortcomings in Scotland Excel's procedures which included those appearing to favour larger suppliers rather than smaller but local and third sector suppliers.

The service has attempted several ways of communicating with the wider Council and the community. While clear lines of communication exist, this is an area that requires attention, the service being currently below the Performance Indicator target for communication with customers. Further, there is an expectation that communicating to representatives of other Council services is sufficient, presumably with the assumption that these representatives will cascade key information – such as the importance of the Council's Standing Orders – to those staff required to work with that information. It was evident from discussions and training that this is not a realistic expectation.

In fact, it became apparent that the breaching of 'Standing Orders' was almost inevitable in some instances. The standing orders are little known and poorly understood. While their significance is clear to the service, this significance has not been effectively disseminated throughout the council. The first time even the existence of the standing orders can impact on the staff charged with ordering items is when a letter is received pointing out failure to comply. It would seem imperative that appropriate training is in place before individuals with the responsibility of ordering items exercise this role. Effective training is not currently available and this situation is further exacerbated by poor communication, evidenced by repeated feedback comments to that effect. Nevertheless, the West Lothian Council Corporate Procurement Procedures document reads "Procuring Officers within West Lothian Council will be able to use the Quick Quote facility after.... attending user training arranged by the Corporate Procurement Unit". It is assumed the "procuring officers" in this case refers to all staff that have the authority to use the Quick Quote process. Training also needs to be extended to any staff that purchase smaller or unique items.

The problems identified seem to have arisen because, currently, the service does not demonstrate that they are aware of the day-to-day experiences of procurement by other services within West Lothian. This, thus, gives rise to the argument that procurement officers should increase the time spent with individual services and seek to improve the quality of their engagements. It is important that the Corporate Procurement unit develop their understanding of the challenges for each service and how this relates or impacts on procurement activities. Also, the Unit should seek to achieve a better balance in supporting their customers through the procurement processes, while ensuring compliance with standing orders.

An additional advantage for such dissemination is that the difficulties the PECOS system presents to the other services can be recognised. While it is appreciated that the responsibility for PECOS is not that of the Procurement Service, this is a distinction that is not generally apparent to those attempting to use it. Although this long standing system is powerful in producing managerial information, it has several quirks that make it particularly cumbersome for others to use. There can be an argument for the service to take over responsibility for PECOS.

Notwithstanding the above comments, the communication difficulties of disseminating information within the Council are counterbalanced with the service's continuing attempts to provide feedback and basic information to potential suppliers and the service holds monthly surgeries and, as has been indicated above, meets with suppliers who request clarification on why their tender was unsuccessful.

Recommendations:

- The service should review the training they are currently offering and, as a matter of urgency, disseminate training on the standing orders of the Council emphasising the significance of and reasoning behind these to ALL with authority to purchase on behalf of the Council.
- The service should seek a moratorium on purchasing by staff who have not been fully trained on procurement requirements.
- The service should ensure staff within Procurement are more accessible and increase the time and support available to services and also, the knowledge they have about service needs and challenges. This will help services navigate procurement processes and systems in compliance with standing orders and achieve more positive and productive procurement exercises. They should provide a rapid route for consultation and training along with providing accurate and detailed information on the problems that arise in a timely fashion.
- Consideration should be given to moving the responsibility for the PECOS system to Procurement.
- Simplified and concise reference documentation should be developed for the use of council staff.

Rating: ADEQUATE

Criterion 6: Customer Results

The service:

- ✓ Are measuring the right thing(s) in relation to customer results and what is important to the customer
- ✓ Can show positive and sustained good performance over a period of 3 or more years
- ✓ Have set and met challenging targets
- ✓ Compare their own performance against performance leaders in other councils or organisations
- ✓ Can explain any dips in their performance or positive changes

The service actively engages with customers and potential customers in the delivery and re-design of services to ensure they are fit for purpose. Contract Customers and Suppliers are surveyed once for each tender issued, after the contract is awarded. The Corporate Management Team and Contract Customers are surveyed annually, as are Suppliers and Potential Suppliers.

The service uses a number (23) of performance indicators to measure performance. These indicators cover the CPU's timeliness, service delivered, communication, staff attitude and professionalism and fairness. Other indicators measure CPU staff satisfaction and absence rate. Some indicators are seen as 'Key Indicators.' (See 'Section 7: Key Results' below)

Targets set were initially based on existing performance levels and are updated to keep them meaningful and challenging.

In the first quarter of 2014/15, the service was meeting or exceeding targets in 16 indicators, just failing to meet targets in 2, and was significantly below target in 5 areas. Explanations where appropriate (e.g. staff sickness absence) are available, and steps for improvement are constantly being addressed, in long term and annual planning, as well as in monthly team meetings.

Some results obtained are difficult to interpret. One example is 'CPU003_6a.3 Percentage of customers who rated the Corporate Procurement Unit's communication as good or excellent.' The cumulative percentage for this is given as 85.7%. Yet the Annual Customer Feedback Survey 2013/14 shows this to be 56.5%.

There is some concern that the low number of responses given for some surveys can significantly affect scores. For example the sample size in one survey of customer results was only 37. In another example, in 2012, a survey sent out to 1200 business and 300 third sector organisations only received 47 responses, a 3% return rate. To its credit, however, the Service did take account of any negative comments received and has included improvement measures within its planning.

There is also some concern that averaging of some responses within indicators can skew the result. For example staff satisfaction with workforce planning was (in 2013/14) above target at 87.5%

(T=85%). However 3 of the questions within this indicator related to knowledge of expectation, having the right materials, and feeling safe and secure in the work environment.

These all score between 92 and 100%. 'I can meet the conflicting demands on my time at work' only scored just over 64%, but this result is lost by averaging all 4 responses to give the 87.5% score. Ignoring the 64% score could seriously impact on staff welfare.

Similarly, in the 2013/14 customer survey, relating to responses from internal customers, overall percentage figures can mask differences amongst services. Segmentation shows that responses received from Housing, Construction and Building Services are much less favourable than from, for instance, Area Services. The CPU relatively recently took over responsibility for issuing tenders and contracts, previously carried by this service itself. There is the suggestion, from interviewing Housing Construction and Building Services staff, that this situation continues to improve as a positive working relationship between the CPU and the service develops. Segmentation also shows that there were no responses from Education within this survey.

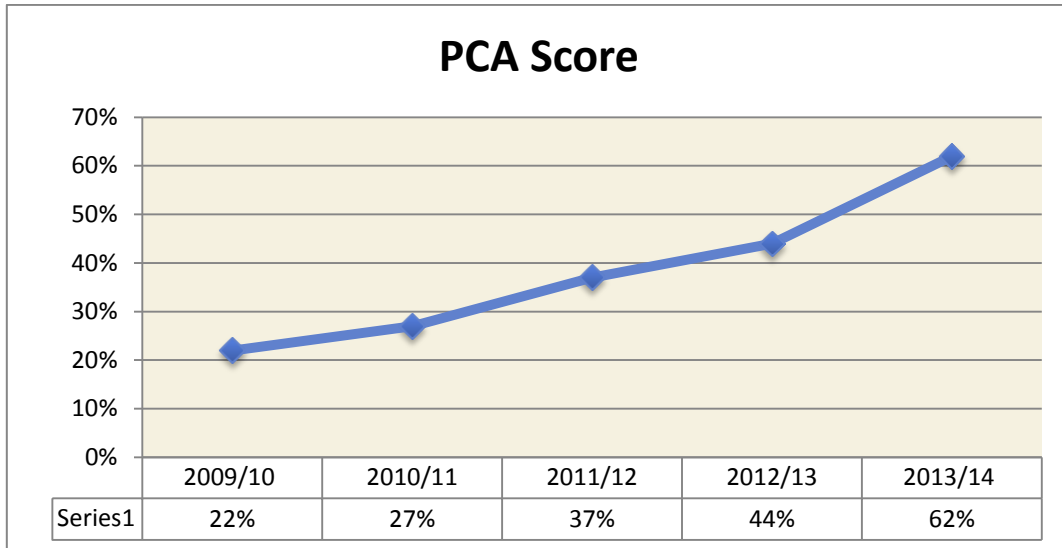
There is some evidence that customer concerns regarding the CPU, can, at times, be due to a lack of understanding of the content or even the existence of WLC 'Standing Orders.'

Numerous internal customers, when interviewed, indicated varying degrees of dissatisfaction with PECOS, including lack of training and, therefore, access for irregular users, non user-friendly appearance and layout, misleading catalogue information (e.g. a complete catalogue for one supplier, even though only some of its products were available) and time taken to use the system. PECOS is not currently the responsibility of the CPU, although this does impact on the view of Procurement across many other services within the Council.

It became apparent that there was greater dissatisfaction of procurement systems within areas of the Council than the overall indicator scores suggest. This would indicate that the Customer Results are not necessarily measuring the right things or based on too small a return.

Annually the CPU assesses its performance by participating in the Scottish Government's 'Procurement Capability Assessment.' This gives an overall score, and also allows the Council to compare its performance with that of other councils or organisations.

This score has consistently increased year on year since the first score was measured:



Due to staff shortage within the service, the Corporate Procurement Unit will not participate in the PCA assessment in September as planned.

Recommendations

- The Service should consider reviewing what results they collect, how they collect them and how they are analysed. In particular comments given where scores are not 'Excellent' or 'Good' should continue to be a significant area for action.
- The Service should consider how to increase the survey response rate from all users and for all surveys.
- The Service should ensure that it drills down into survey results to take account of any significant anomalies hidden within averages.
- The Service should ensure that it continues to fully segment results and respond appropriately.

Rating: ADEQUATE

Criterion 7: Key Performance Results

The service:

- ✓ Are measuring the right thing(s) in relation to the key activities and the long-term outcomes
- ✓ Can show positive and sustained good performance over a period of 3 or more years
- ✓ Have set and met challenging targets
- ✓ Compare their own performance against performance leaders in other councils or organisations
- ✓ Can explain any dips in their performance or positive changes

The Corporate Procurement Strategy 2013-18 states:

The following performance indicators will be used to monitor progress in the outcome for the life span of the strategy:

Performance				
Performance Indicator Name	2012 Performance	2018 Target	Service	Responsible Officer
Percentage of all council expenditure covered by contracts.	77.7%	90%	Finance and Estates Services	Christine Leese-Young
Value of procurement savings achieved through arranged contracts.	£934,000	£2,900,000	Finance and Estates Services	Christine Leese-Young
Percentage of Category A & B contracts that demonstrate best value.	N/A	100%	Finance and Estates Services	Christine Leese-Young
Number of collaborative opportunities explored as a percentage of all contracts implemented.	N/A	100%	Finance and Estates Services	Christine Leese-Young
Number of invoices received electronically as a percentage of the total invoices processed.	39.7%	75%	Finance and Estates Services	Merle Stevenson
Percentage of customers who rated their involvement in planning efficiencies and improvements as good or excellent.	N/A	95%	Finance and Estates Services	Christine Leese-Young

Performance in 2013/14 for each indicator		
Performance Indicator	2013/14	2014/15 Target
Percentage of expenditure covered by contract	86.5%	90%
Value of procurement savings	£724,000 (a shortfall of £176,000)	£725,000
Percentage of A & B contracts that demonstrate best value	No Indicator during this year	New Indicator target = 100%
Number of collaborative opportunities explored as a percentage of all contracts implemented	No Indicator during this year	New Indicator target = 100%
Number of invoices received electronically as a percentage of the total invoices processed within PRCOS	44.8%	60%
Percentage of customers who rated their involvement in planning efficiencies and improvements as good or excellent	No Indicator during this year	New Indicator target = 75%

Another Key Indicator is the annual Procurement Capability Assessment Score. As seen in section 6 above, this has improved year on year since the service first engaged in this, in 2009. The 2013 score was 62%. The Scottish average is 56%. The 2014 target of 68% may not be assessed as, due to staff shortage within the service, they will not participate in the PCA assessment in September as planned.

Other indicators seen as 'key' for the service are:

- **Cost of the CPU per £1M of WLC net expenditure** – the target for this is the Scottish Average. Although actual costs have decreased, because overall Council spend has also decreased, to a greater degree, there has been a small increase in cost of the CPU per £1M, though this is still below the Scottish Average. Estimated figures for 2013-14 are and the 2014-15 target will be known in December 2014.
- **Percentage of orders transmitted electronically to suppliers through PECOS** – This continues to rise and in 2013-14 represented 87.7% of order value, with a target of 75% of orders by volume being met. Further work on merging systems, and on improving PECOS, is planned.

As some of the key indicators are 'new' indicators, it is not possible to comment on performance over a period of 3 or more years.

Four of the six 'Strategy Outcomes' contained in the Corporate Procurement Strategy:

- To ensure that all procurement activity complies with statutory and regulatory requirements, and with the Council's Standing Orders.
- To improve the access for procurement contract awards to local businesses, SMEs and the Third Sector
- To maximise the 'Community Benefit' derived from contracts
- To maximise the benefits from sustainable procurement

...have associated performance indicators, but it is unclear in what way they will fully measure the success of these outcomes. For example, the 2018 target for Community Benefit is that 90% of contract strategies will incorporate a level of community benefit. This does not measure whether that potential has been maximised. Similarly the 90% target for sustainability measures the number of contract strategies that will incorporate sustainable procurement elements, but does not measure whether the sustainability potential has been maximised.

Recommendations:

- The Service should continue to monitor Key Indicators.
- Develop appropriate indicators to measure the key outcomes contained in the Corporate Procurement Strategy.

Rating: GOOD

F REVIEW DATE

The inspection team will return to the service in March 2015 to review progress in the areas identified for improvement.