

SUPPLIERS – WORKING WITH COPFS

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INVESTORS
IN PEOPLE



SUPPLIERS - WORKING WITH COPFS

Supplying services to COPFS

The purpose of this section is to advise potential suppliers on how they can sell their products and services to COPFS. It provides information about the business, the types of goods and services bought by COPFS, and how they are purchased.

COPFS is a public organisation and as such, must ensure public money is used in a manner that is effective, efficient and achieves value for money. Procurement is an important tool used to facilitate this and purchases of goods and services in excess of £50,000 are subject to a process of open competitive tendering.

As a public sector organisation COPFS procurement activity is guided by legislation and best practice, with the route being determined by the potential total value of the contract.

- below the Official Journal of the European Union (OJEU) thresholds (see below), requirements are published on [Public Contracts Scotland](#) (PCS)
- OJEU and above (for supplies and services greater than £173,934 and for works greater than £4,348,350) - conducted in line with The Public Contracts (Scotland) Regulations 2012 and advertised in PCS and [OJEU](#)

How purchasing is organised in COPFS

Public sector spending on goods and services across Scotland, in areas such as health and education services, amounts to around £9 billion per year. Procurement guidelines govern the purchasing of these goods and services.

COPFS has its own Procurement department which is responsible for setting our policy and procedures, and purchasing goods and services for all aspects of the business. Being an Agency of the Scottish Government, the definitive authority in relation to our procurement policy and procedures is the Scottish Procurement Directorate. Where appropriate, however and due to unique nature of the COPFS business area, some policies, procedures and authorities may vary.

A substantial proportion of the COPFS resources is spent on goods and services procured from third parties.

COPFS procurement follows some key objectives:

- Obtaining maximum value for money in contracting for the goods and services that enable us to deliver our business objectives
- Enhancing the competitiveness of the supply base
- Improve access to opportunities for SMEs
- Sustainable and ethical procurement
- Ensuring best procurement practice is followed and relevant legal requirements are met
- Prompt payment to suppliers

The Scottish Procurement Directorate (SPD) is responsible for the provision of Scottish Government Procurement Policy and best practice advice to the ministers, and support for specific procurement projects.

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COPFS supports the Scottish Government's [Supplier Journey](#) which explains the process of awarding a public sector contract in straightforward terms

Collaborative Frameworks and Contract Agreements

Where possible, COPFS seeks out opportunities to work with other organisations to establish collaborative contracts.

Currently, the majority of contracts used by COPFS are at a National Level (CAT A) or Central Government level (CAT B). They tend to be framework agreements whereby Central Government agencies and Non Departmental Public Bodies (NPDBs) can choose to work directly from them or do a mini tender for their individual requirements. Responsibility for these frameworks lies as follows:

Category A goods and services Procurement Scotland was launched in March 2008 with the task of developing and implementing procurement strategies for national [Category A commodities](#) on behalf of all Scottish public sector organisations.

Category B goods and services. The Central Government Centre of Procurement Expertise (CGCoPE) was one of five Centres of Procurement Expertise, set up in response to the McClelland Review of Public Procurement in Scotland (2006). The review recommended the establishment of sectoral Centres of Procurement Expertise (CoE) to help develop and facilitate best practice procurement of goods and services.

CGCoPE no longer exist and was merged with Procurement Scotland, but many of the contracts and framework agreements awarded by CGCoPE still remain "live".

Agencies and NDPB's can opt out of these agreements, but must still follow clear procurement rules and regulations in relation to tendering business and have a clear business case for opting out of an existing contract.

Further Guidance

For more advice and guidance on tendering, read the [Business Gateway guide to tendering for public contracts](#).

How to become a COPFS Supplier

This details the policies and procedures promoted by the Public Procurement Reform Programme with respect to supporting all current and potential suppliers. COPFS fully endorse the Scottish Government's Charter with regard to how we treat our suppliers in our tender processes.

Read the [Suppliers Charter on Scottish Government website](#)

How COPFS publicise our tenders

When new products or services are identified, our tenders will be advertised via the [Public Contracts Scotland website](#).

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This website is used by all public bodies in Scotland to advertise tender opportunities. Suppliers can register and set up alerts on this website and can select commodity categories in which they have an interest. When a new notice is placed by a public body, an email alert will be sent to the supplier with a registered interest in that commodity. Any organisation that meets the criteria stated, can register their interest.

COPFS recommends that all potential suppliers register with the Public Contract website

If the overall contract value exceeds the EU Regulations thresholds, the requirement will also be advertised in the Official Journal of the European Union (OJEU) and selection of suppliers invited to tender depends on the procedure chosen (open, restricted, negotiated, etc).

Depending on the type of goods or services being advertised, we will also use trade journals, relevant trade societies or local/national press to further advertise requirements.

Notices of contract award will also, depending on overall value of the contract, be advertised either on [Public Contracts Scotland website](#) and/or OJEU, as well as our website.

Providing goods and services to COPFS

COPFS procure a wide variety of goods and services in support of the administration of prosecution service, with the list below showing many requirements but it is not an exhaustive list:

- Legal Services
- Sheriff Officers
- Messenger at Arms
- Property cleaning services
- Shorthand writers
- Storage
- Facilities Maintenance
- ICT
- Couriers
- Mail services
- Catering services

COPFS Procurement are currently working on ensuring that contracts are in place for those services where spend and/or activity is high, as a priority, followed by other key commodities.

To find out any further information on the current progress of any of the above or other commodities, please contact Procurement.

COPFS Expectations

The key qualities COPFS expect from suppliers include:

- High quality, value for money products or services backed by efficient distribution systems and high quality, consistent service levels;
- Demonstrably sound financial standing and strong business performance;

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- A commitment to developing a mutually productive relationship with COPFS and a proactive approach to managing the contract.
- Innovation and cost benefits;

Small, medium and large organisations are all eligible to become suppliers especially those who have well developed, proactive approaches to customer service, product and service innovation and sustainability.

COPFS Standard Terms and Conditions

All goods and services procured on behalf of the COPFS are subject to our standard terms and conditions (unless otherwise stipulated in our contract documentation).

Supply of Goods
Supply of Services
Supply of Goods with related services

Working with Suppliers

This section provides information on how COPFS works and interacts with suppliers. It also gives details of the Organisations policies on Environmental Management and Equality with regards to procurement.

- Prompt payment policy
- Small & Medium Sized Enterprises
- Environmental Policy
- Equality Act 2010

Prompt Payment Policy

The Confederation of British Industry (CBI) has issued a [prompt payment code](#), which is widely recognised in the commercial world. COPFS have adopted the principles of that code, which are followed by their purchasing and finance staff.

COPFS is committed to pay suppliers in accordance with the terms of their contract with them which is usually 30 days from receipt of a valid invoice or from receipt of the goods/services (whichever is the later). In order for COPFS to meet their contractual obligation, it is important that the invoice provides the details required for COPFS to match it to the original order/contract. In particular, it is essential that suppliers provide all information requested on the purchase order or as specified in the contract. If any of this information is missing, it may delay payment.

Where the supplier lets a sub-contract in connection with a COPFS contract then it must include similar prompt payment terms to the above in respect of payments to the sub-contractor.

Small and Medium Sized Enterprises

The majority of COPFS suppliers are classed as SME's, making COPFS very aware of the competition in the market place. COPFS are aware of how important it is to ensure that in all procurement activities they act in a fair, honest and transparent manner when

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dealing with suppliers, giving their suppliers maximum opportunity. As a sign of COPFS commitment to the Scottish Government initiative, COPFS has signed up to the 'Suppliers' Charter'.

Environmental Policy

COPFS is fully committed to playing a part in the preservation of natural resources and in preventing environmental pollution. COPFS policy is to carry out their business taking full account of the needs of the environment, which includes action to reduce energy and water consumption, ensure paper is used economically and that recycled products are used wherever it is practical and economic to do so. The Scottish Government purchasing policy, which COPFS adhere to, pays proper regard to environmental issues whilst still securing best value for money.

Details of what is expected from both a buyers and suppliers perspective can be found on the Scottish Government website under [Corporate Social Responsibility \(CSR\)](#).

Equality Act 2010

COPFS is committed to valuing diversity and delivering equality for everyone associated with the organisation. The Scottish Government [Equalities Framework](#) sets out the details of this commitment. Please see:

In order to fully comply with its duty under the Equality Act 2010, COPFS will take steps to ensure that its procurement activity and resulting contracts also promote equality. Further information on [the Equality act 2010](#) can be found on the [Scottish Government website](#).

Ethics and Sustainability

Ethical Standards

COPFS procurement will be undertaken to the highest ethical standards. Fairness to suppliers and agency staff will be honest, fair and impartial.

Sustainable Procurement

COPFS support the Scottish Sustainable Procurement Action Plan and will take into account Corporate Social Responsibility (CSR) when considering its procurements.

Environmental impacts will be considered at all times and we will aim to minimise adverse effects.

Customer Service

COPFS regularly work with a variety of stakeholders and customers and is committed to providing a high quality service to all in every aspect of its operations. COPFS aims to provide a fair, equal and efficient service to all irrespective of race, religion, sexual orientation, gender, age or background.

This section of the website contains information on guidance related to:

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- Freedom of Information
- Data Protection

Further information on the standards of service you can expect to receive can be found in the Customer Charter.

Freedom of Information

The [Freedom of Information \(Scotland\) Act](#) (FOISA) came into force in 2002 and was introduced to make information held by public bodies more accessible. The main provisions of this Act came into force on 1st January 2005 allowing anyone in the world to access information held by Scottish public authorities. Accountant in Bankruptcy has a duty to comply with FOISA and reply to FOI requests within 20 working days.

You have statutory rights to request information from public authorities. These rights are intended to promote a culture of openness and accountability amongst public sector bodies, and therefore facilitate better public understanding of how public authorities carry out their duties, why they make the decisions they do, and how they spend public money. Information about the supporting legislation is provided below.

The Scottish Government leaflet [How to Open Government](#) gives details of how the public can obtain access to information held by the Scottish Government and its Agencies. The Guide sets out our commitment to you about how we will handle your requests for information and includes guidance on using your rights under legislation responsibly.

If you can't find the information you are looking for in our websites or publication scheme then you can make a request, in writing, to COPFS at:

- 1 The Response & Information Unit
Crown Office
25 Chambers Street
EDINBURGH
EH1 1LA

Tel: 01389 739 557

2. [the local Procurator Fiscal](#)

3. E-mail foi@copfs.gsi.gov.uk

If you are seeking your own personal information, your request will be treated as a 'subject access request' under the Data Protection Act. Otherwise, requests for information will be covered by either the Freedom of Information Act or the Environmental Information Regulations. The Freedom of Information Act and the Environmental Information Regulations are very similar, with only small differences. FOI and DPA requests must be made in writing.

If you wish to access your personal information you should make your request in writing by completing a Request for Information form and providing 2 forms of proof of your identity, at least one of which must be photographic.

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Please ensure you provide your name, an address for correspondence, and if possible a telephone number and e-mail address on all requests for information.

COPFS aims to meet subject access requests within 40 days of receiving your completed form and identification and all necessary information. We aim to respond to all other requests for information within 20 working days.

Data Protection

We are committed to protecting your privacy in line with the [Data Protection Act 1998](#).

Cookies and Website Traffic Analysis

When you enter this website your computer will automatically be issued with 'cookies'. Cookies are text files which identify users' computers to the server that host the website. The website then creates "session" cookies to store some of the preferences of users moving around the website, e.g. retaining a text-only preference. Cookies in themselves do not identify individual users but identify only the computer used and they are deleted on departure from the website.

Many websites do this to track traffic flows, whenever users visit those websites.

This website uses third-party cookies to measure use of the website including number of visitors, how frequently pages are viewed, and the city and country of origin of users. This helps to determine what is popular and can influence future content and development. For this purpose, we use Google Analytics to measure and analyse usage of the website. The information collected will include IP Address, pages visited, browser type and operating system. **The data will not be used to identify any user personally.**

Users have the opportunity to set their computers to accept all cookies, to notify them when a cookie is issued, or not to receive cookies at any time. The last of these means that certain personalised services cannot then be provided to that user.

Log files

Log files stored on the web server allow the recording and analysis of users' use of the website. Log files do not contain any personal information.

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Guidance notes on publishing and copyright, including those from the Queen's Printer for Scotland, are available at <http://www.hmsso.gov.uk/guides.htm>.

Information Collection

COPFS is the sole owner of the information collected on www.COPFS.gov.uk.

Sharing

Though we make every effort to preserve user privacy, we may need to disclose personal information when required by law wherein we have a good-faith belief that such action is necessary to comply with a current judicial proceeding, a court order or legal process served on our Web site.

Links

This Website contains links to other sites. Please be aware that we, COPFS, are not responsible for the privacy practices of such other sites. We encourage our users to be aware when they leave our site and to read the privacy statements of each and every website that collects personally identifiable information. This privacy statement applies solely to information collected by this website.

Notification of Changes

If we decide to change our privacy policy, we will post those changes to this website, and other places we deem appropriate so our users are always aware of what information we collect, how we use it, and under what circumstances, if any, we disclose it.

Retention and Disposal of Information

COPFS operate a Records Retention and Disposal Scheme to ensure that information is not kept for any longer than necessary in accordance with the principles of the Data Protection Act.

RECORD RETENTION	
This retention schedule applies to both paper and electronic records held by the COPFS.	
Record	Retention period
Contract documentation	5 years after contract completion
Unsuccessful tenders and pre-qualification questionnaires	1 year after contract award
Contract management records	5 years after contract completion

Further information and Useful Links

If you need require further information about contract opportunities or have a general enquiry, you can contact us on 01389 739 557

Useful External Publications & Information

- Official Journal of the European Union (OJEU) - Published by the European Union Website: www.tsonline.co.uk
- Business Information Publications (BIP) Ltd. Website: www.bipcontracts.com
Address: Park House, 300 Glasgow Road, Shawfield, Glasgow, G73 1SQ
Tel: 0141 332 8247
E-mail: bip@bipcontracts.com

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- [Tenders electronic daily \(TED\)](#) - (is the internet version of the Supplement to the Official Union and the quickest way of accessing over 700 Invitations to Tender published daily. Access to TED is free of charge. If you have any questions on the publication of a particular notice and/or on searching for notices in general, you can contact the TED Helpdesk: E-mail: Ted.webmaster@opoce.cec.eu.int Fax: (+352) 2929-42700
- (Systeme d' Information pur les Marches Publics) [SIMAP](#)- Internet site providing background information on procurement and links to other sites with procurement opportunities across the European Union and beyond.
- The [Department for Business, Enterprise and Regulatory Reform](#) (BERR) website gives small businesses information on dealing with the Government, research findings and new initiatives being taken forward.
- Government Procurement Services (GPS) have a number of websites which provide useful information:
 - [GPS website](#) - (see selling) have published a guide, 'Tendering for Government Contracts', which sets out the opportunities and benefits within the public sector and offers advice on how to bid for Government contracts.
 - [Code for Central Civil Government Purchasers](#) a published guide to 'working with suppliers' to be shared with suppliers. This sets out the core values for working with suppliers and is a statement of good practice generally.
 - [Business Link](#) provides useful information on bidding for Government contracts, contract information and advertised contract opportunities.
 - [Tendering for Public Contracts](#) provides you with an overview on how to sell to the Public Sector in Scotland, the rest of the UK and Europe.
 - [Business Gateway](#) also offers practical help, advice and support for new and growing businesses in Scotland.
 - [The online Supplier Journey](#)

A new website, making it easier for Scottish companies to bid for work in the public sector, was launched by the Cabinet Secretary for Infrastructure and Capital Investment Alex Neil at the Scottish National Procurement Conference in Glasgow on 25th October 2011.

The website will guide firms, large and small, through each step in the process - setting out what they can expect from buyers, and what is expected of them. This brings together and simplifies a lot of often complicated guidance, making it easier to understand. It will be particularly useful for small businesses.

The journey will guide businesses through the process of applying for contracts, making the system more streamlined and easier to understand and has been developed with the help of Scottish companies who have already gone through the process. The [Single Point of Enquiry](#) is an independent, impartial and confidential service for suppliers to the public sector in Scotland.

We can help you by offering advice on the procurement rules which must be followed by public bodies in Scotland and information on how contracts are advertised and awarded.

If you have concerns about a specific tender exercise, we can work with you and the buying organisation to try to resolve your concerns.

We do not have formal powers to investigate suppliers' concerns or change decisions made by buying organisations.

Feedback from suppliers contributes to improvements in public procurement practices in Scotland.
- [Constructionline](#) provides useful information on a range of construction projects across the UK
- [Sell2wales](#) is the official website for public contract opportunities in Wales

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- [Central Procurement Directorate Northern Ireland](#) is the official website for public contract opportunities in Northern Ireland
- [The Technology Strategy Boards SBRI programme](#)
- [Just Enterprise](#) is bringing together Scotland's key social enterprise support agencies to provide business support and development services to Enterprising Third Sector Organisations across Scotland.
- [CEiS](#) Provide a range of independent and professional business support services and business finance solutions for social and community enterprises.
- [Social Enterprise Academy](#). Believe in the power of learning and development to deliver personal, organisational, and sector growth.
- Sub Contracting opportunities available with two new [Scottish Government Frameworks for Marketing Services](#).
- Businesses already winning work from supplying the Scottish events industry, or wanting to do so, are invited to participate in a research project commissioned by [BusinessClub Scotland](#). Scottish festivals and events generate almost £1.5 billion p.a. in Scotland, entertaining audiences, adding considerable value to Scotland's profile and creating many new contracting opportunities for businesses.