

DEPARTMENT OF SOCIAL WORK & HEALTH DEPARTMENT
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Date : 20 July 2010

Alex Bell
Scottish Government
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3 ER, St Andrews House
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Dear Alex,

SOCIAL CARE PROCUREMENT SCOTLAND GUIDANCE – CONSULTATION DRAFT

We welcome the opportunity to comment on the draft guidance. On behalf of the Council I am grateful to your team for all of the effort that has gone into the production of this document.

The guidance provides a comprehensive, cogent and coherent rationale and set of procedures for local authorities to examine their own local arrangements for these activities. Some comments and suggestions are as follows:

1. It would be preferable if the guidance was to acknowledge that, perhaps amongst the guiding principles, in arranging social care there may be cases where through reasons of public protection, or personal well being, individual need will take precedence over procurement best practice. This is particularly important for Social Care procurement when Councils often require to find suitable care placements at very short notice due to particular and pressing needs of an individual service users.
2. In the Section 5 (page 8) on Local Policy, Strategy and Approach having earlier defined procurement the guidance states that commissioning strategies should "establish both a long term (10-15 year) vision and detailed plans for service requirements during that period" (page 25). The guidance is unclear, at this point, and confuses the case of whether it proposes a single commissioning strategy or indeed strategies for each care group. It goes on to propose the latter but the guidance will need to make clearer the relationship between the two. For clarification this Council would expect that an overarching commissioning strategy will be in place which is built-up from a number of care group commissioning strategies.
3. With regard to the participation of private and voluntary sector providers in procurement processes consistent with the Third Sector Statement (page 12) I would suggest that the Guidance could be more proactive in defining the partnership working between local authorities and service providers, how supplier

development initiatives could be engaged upon with SME's and how these are impinged upon by EU treaty obligations or not.

Overall the guidance is comprehensive and technical and provides best practice procedures which should be able to be readily adopted into local procurement processes. The guidance is an impressive attempt to be comprehensive in this area and I am grateful for the work that has been done on it. Following consultation with elected members, one response was received which is attached for your information.

My best wishes to your team in taking it forward to conclusion.

Yours sincerely

Stephen West
Joint Interim Director

Response from elected member:

"The SSP are opposed to the private sector being included in the procurement process for social care services and I would ask that this view is reflected in our response"