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| **The Scottish Government****Scottish Procurement & Property Directorate****March 2022** |  |
|  | 07 April 2022 |

***Request for Information (RFI) to Inform the Approach for Commodities Reserved for Supported Businesses***

**1. Introduction**

The Scottish Government’s current ‘[Commodities Reserved for Supported Businesses’ Framework](https://www.gov.scot/publications/commodities-reserved-supported-businesss-framework/) is due to expire 9 December 2022.

This framework agreement delivers a range of goods and services which are provided by supported businesses.

The replacement for this framework may involve the establishment of a further Framework Agreement or a [Dynamic Purchasing System](https://www.gov.scot/publications/dynamic-purchasing-systems/) (DPS).

A DPS is an electronic process of pre-qualified suppliers, for commonly used purchases which are generally available on the market, from which the Scottish public sector could invite tenders. As a procurement tool, it has some aspects that are similar to a framework agreement, however, it is a fully electronic process and new suppliers can apply to join at any time. A framework agreement does not allow suppliers to join at any time.

The key aim of the Commodities Reserved for Supported Businesses Framework is to provide Scottish Public Sector and Third Sector Bodies (Framework Public Bodies) with a clear path for the purchase of goods and services from Supported Businesses and in doing so, support the integration of disabled and disadvantaged citizens into the mainstream workforce.

Supported businesses are organisations whose main aim is to integrate disabled or disadvantaged people socially and professionally.

The definition of a Supported Business is twofold. Firstly, a bidding organisation must have the social and professional integration of disabled and disadvantaged persons as its main aim. This may be evidenced in the organisation's Articles of Association (in the case of companies) or such other constitutional documentation that governs the organisation. It is within the discretion of individual public bodies to determine whether a bidding organisation has demonstrated the requirement that it has as its main aim the social and professional integration of disabled and disadvantaged persons.

Secondly, the definition requires that at least 30% of the employees of the organisation are disabled or disadvantaged. Regulation 2 of the [Public Contracts (Scotland) Regulations 2015](http://www.legislation.gov.uk/ssi/2015/446/contents/made) states "disabled", in relation to a person, means a disabled person within the meaning of the [Equality Act 2010](https://www.legislation.gov.uk/ukpga/2010/15/contents) and, in relation to a worker, means a disabled person who is a worker.

**2. Information Requested**

The Scottish Government is seeking information from organisations who can demonstrate that they meet the definition of a Supported Business and who may be interested in supplying their Goods and or Services to the public sector in Scotland.

The information gathered from this RFI, may be utilised in developing the Procurement Strategy for the delivery of a Framework Agreement or a [Dynamic Purchasing System](https://www.gov.scot/publications/dynamic-purchasing-systems/) (DPS).

Please complete the template at the Annex to this letter and return via Public Contracts Scotland (PCS) by 25th April 2022 **OR** to the following email address - dawn.warnock@gov.scot by 25th April 2022:

No information provided in response to this RFI will be used to make judgements regarding supplier performance, capacity or capability under any future procurement process. No organisation will be disadvantaged by not submitting a response to this RFI.

Information submitted may be shared with Scottish Government staff responsible for policy development and implementation of the service. Information will be treated as sensitive and confidential.

By issuing this RFI, the Scottish Government does not make any commitment to procure any of the stated services. Furthermore, receipt of this RFI should not be construed as authorisation to incur any costs for which reimbursement would be sought. Nothing in this document shall be taken as constituting or indicating a contract or representation with or by the Scottish Government.

The [Freedom of Information (Scotland) Act 2002](http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/acts2002/20020013.htm) came into force on 1 January 2005. The Act introduced a general statutory right of access to all types of 'recorded' information of any age held by Scottish public authorities. Subject to certain conditions and exemptions, any person who makes a request for information will be entitled to receive it. The Act is enforced by [the Scottish Information Commissioner](http://www.scotland.gov.uk/About/FOI/18023/11341), a fully independent public official.

Please be aware that any information submitted in response to this RFI may need to be disclosed and/or published by the Scottish Ministers in compliance with the aforementioned Act.

Accordingly, if you consider that any of the information provided in your response is commercially confidential please identify it and explain what harm might result from disclosure and/or publication. It should be noted that, even where you have indicated that information is commercially sensitive, Scottish Ministers may disclose this information in accordance with the provision of the Act or any other legal duty.

Annex

Name of Organisation:

Address:

Contact Name:

Phone No:

Email Address:

(a) Please provide evidence which demonstrates that your organisation meets the first part of the definition.

 “supported business means an economic operator whose main aim is the social and professional integration of disabled or disadvantaged persons”.

For this part of the two part test, we ask that an organisation **must have the Social and Professional Integration of Disabled and Disadvantaged persons as its main aim**. This may be evidenced in the organisation's Articles of Association (in the case of companies) or such other constitutional documentation that governs the organisation, this documentation can be in the public words, or in an organisation’s public web site.

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(b) Please provide information in relation to the second part of the test i.e. “and where at least 30% of the employees of the economic operator are **disabled or disadvantaged** persons.

(i) Please provide the % of employees who are disabled.

(ii) Please provide the number of employees

(iii) For those you consider to be **disadvantaged** in your response above, please list the criteria you have used to make this determination.

(iv) Please provide the total number of employees you consider to be disadvantaged.

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(v) Where an employee is both disabled and disadvantaged please do not double count i.e. please include them in the disabled % not the disadvantaged %.

Guidance Note:

(vi) Please also list all of the criteria you have used to make this determination. Examples of disadvantage may include, but not be limited to, barriers which impact on an individual’s ability to find and retain work, e.g. caring responsibilities, care leavers, ex-offenders, English is their second language, previously long term unemployed i.e. > 12 months unemployment within the previous 2 year period, employees who do not have any recognised educational or vocational qualifications, homeless employees, employees who are resident *in the* [*Scottish Index of Multiple Deprivation 5% most deprived areas*](https://simd.scot/#/simd2020_5pc/BTTTFTT/9/-4.1044/55.8782/) .”

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(c) What good and or services do you currently deliver and over what geographical locations?

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