



Annual Procurement Reports, revised Procurement Strategies and notifying Scottish Ministers

Purpose

1. This SPPN provides details of how a contracting authority should notify Scottish Ministers of the publication of its annual procurement report. It also provides information on notifying Scottish Ministers of the publication of a revised procurement strategy.

Key Points

- A contracting authority must notify the Scottish Ministers when publishing an annual procurement report under section 18 of the Procurement Reform (Scotland) Act 2014 (“the Act”);
- A contracting authority must notify the Scottish Ministers when publishing a procurement strategy or any revised strategy prepared under section 15 of the Act; and
- All annual procurement reports published within four months of the end of the relevant authority’s financial year will be included in an analysis that will inform the Scottish Ministers annual report on procurement activity in Scotland.

Background

2. All contracting authorities with an annual procurement spend above or equal to £5,000,000 must produce an organisational procurement strategy under section 15 of the Act.
3. The Act also requires those contracting authorities to prepare and publish an annual procurement report on its regulated procurement activities as soon as reasonably practicable after the end of their financial year. The first annual procurement reports are due to be published as soon as reasonably practicable after the contracting authority’s 2017/18 financial year.

Action required when publishing an annual procurement report

4. While a contracting authority needs to be given sufficient time to prepare and publish its individual annual procurement report, the Act requires that it does so as soon “as reasonably practicable” after the end of its financial year. This is important as doing so will give the authority’s stakeholders early visibility of its performance and achievements in delivering against its procurement strategy, as well as early visibility of the regulated procurements that it expects to commence in the next two financial years.
5. Timing of the publication of individual annual procurement reports is also an important consideration in the preparation of the Scottish Ministers annual report on procurement activity in Scotland. This is because the report by Scottish Ministers will be based on information contained within individual annual procurement reports published by contracting authorities.
6. It is worth highlighting that contracting authorities do not all observe the same financial year. Therefore, individual annual procurement reports will be published at different times of the year. As a result, a balance needs to be struck between giving a contracting authority sufficient time to prepare and publish its individual annual procurement report and the timing for an analysis of individual annual procurement reports.
7. It is not unreasonable, therefore, to expect that a contracting authority will prepare and publish its annual procurement report within four months of the end of its financial year. For example:
 - If a contracting authority’s financial year runs from April to March, then it is expected that its annual procurement report will be published by the end of July.
 - If a contracting authority’s financial year runs from August to July, then it is expected that its annual procurement report will be published by the end of November.
8. All annual procurement reports published within four months of the end of the relevant authority’s financial year will therefore be included in an analysis that will be carried out in preparation for the Scottish Ministers annual report on procurement activity in Scotland.
9. The Act requires that annual procurement reports must be published and made available online by individual authorities. On publishing the report, a contracting authority must then notify Scottish Ministers¹ by sending an email to annualprocurementreport@gov.scot with a link to where the report can be accessed from.

¹ Section 19 of the Procurement Reform (Scotland) Act 2014

Action required when publishing a revised procurement strategy

10. A contracting authority which expects to have significant procurement expenditure² in the next financial year must, before the start of that year, review its procurement strategy, make such revisions to it as the authority considers appropriate and publish its revised strategy³.
11. The Act also requires that revised procurement strategies must be published and made available online. On publishing a revised procurement strategy, a contracting authority must then notify Scottish Ministers⁴ by sending an e-mail to ProcurementStrategies@gov.scot with a link to where the revised strategy can be accessed from.
12. For guidance on the content of an annual procurement report or procurement strategy, please consult the relevant chapter of the Statutory Guidance which can be accessed [here](#). Supplementary guidance and templates for an annual procurement report and a procurement strategy are available from the Procurement Journey [here](#).

Dissemination

13. Please bring this SPPN to the attention of all relevant staff, including those in Agencies, Non-Departmental Public Bodies and other sponsored public bodies within your area of responsibility.

Contact

14. If you have any questions about this SPPN, please contact us on ScottishProcurement@gov.scot

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² An authority has significant procurement expenditure in a year if the sum of the estimated values of the contracts to which its regulated procurements in that year relate is equal to or greater than £5,000,000.

³ Section 15 of the Procurement Reform (Scotland) Act 2014

⁴ Section 19 of the Procurement Reform (Scotland) Act 2014