



**Crown Estate
Scotland**
Oighreachd a' Chrùin Alba

Crown Estate Scotland Procurement Strategy 2020 - 2026



Procurement Strategy 2020 - 2026

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Sign-off

Name	Position	Signature	Date
Alastair Milloy	Director of Finance and Business Services		30/11/2021
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1. Introduction (Executive Summary)

Crown Estate Scotland manages property – including buildings, land, coastline and seabed – on behalf of the Scottish people.

Our purpose is to invest in property, natural resources and people to generate lasting value for Scotland.

Our profits go to Scottish public spending and we work with people and organisations to drive economic development and deliver social and environmental value.

Our commercial remit allows us to take a long-term view, informing our investment strategy and interest in development.

Crown Estate Scotland, a public corporation, was established by Scottish Ministers in early 2017 to manage land and property which together form the Scottish Crown Estate.

Crown Estate Scotland is responsible for a geographically wide, varied portfolio:

- 37,000 hectares of rural land with agricultural tenancies, residential and commercial properties and forestry on four rural estates (Glenlivet, Fochabers, Applegirth and Whitehill)
- Rights to fish wild salmon and sea trout in river and coastal areas
- Rights to naturally occurring gold and silver across most of Scotland
- Just under half the foreshore around Scotland including 5,800 moorings and some ports and harbours
- Leasing of virtually all seabed out to 12 nautical miles covering some 750 fish farming sites and agreements with cables & pipeline operators
- The rights to offshore renewable energy and gas and carbon dioxide storage out to 200 nautical miles
- Retail and office units at 39-41 George Street Edinburgh and a small commercial real estate portfolio across central Scotland
- The Zero-Four development land near Montrose

The [Scottish Crown Estate Act 2019](#) was implemented on 1 April 2020. It sets out our statutory duty to manage the assets to support sustainable development generally, and economic development, regeneration, social and environmental well-being specifically.

Recognising that effective and efficient procurement will positively support Crown Estate Scotland in achieving its priorities, this Procurement Strategy provides a corporate vision, direction and focus for all procurement activities within the organisation and (where carried out on behalf of the organisation) by Managing Agents.

The Procurement Strategy is aimed at promoting effective procurement across the organisation and a positive impact upon our stakeholders and tenants.

The Procurement Strategy strikes a balance between setting out a detailed plan for improving procurement, with specific targets and a flexible planning framework and the need to be flexible to be able to respond to the rapidly changing environment around public sector procurement and learn from our own experience and the experiences of others.

The overarching purpose of the Strategy is therefore to support the delivery of high-quality supplies, services and works that secure best value in a sustainable way taking account of best practice and applicable public procurement legislation. The Strategy will also promote

continuous improvement, sound performance management, collaborative and partnership working, our aspirations in respect of community benefits, fair working practices, impact on the environment and sustainable development opportunities.

This strategy has been developed in line with Crown Estate Scotland Corporate Plan 2020-26 which sets our strategic direction and priorities. Influenced by the consultation Crown Estate Scotland has undertaken, our Corporate Plan and Procurement Strategy reflect the views, needs and aspirations of Crown Estate Scotland's staff, community and stakeholders. The plan identifies the outcomes that we aim to achieve, explains how we will deliver these outcomes and sets out the main challenges that we will face across the next four years.

2. How Procurement will Support the Organisation's Objectives

Our corporate vision for procurement is to deliver commercially effective, compliant procurement processes across Crown Estate Scotland. We will achieve this through our procurement business model – central Procurement expertise and a network of decentralised 'Procurement Champions' and assigned contract management roles for relevant contracts. As an organisation we will procure goods, services and works considering the Corporate Plan, Blue Economy, Sustainability and our aspirations towards Net Zero in order to facilitate effective delivery of our responsibilities and we will introduce proactive contract management to secure all potential benefits and best value from each contract.

We will develop a procurement culture where efficiency and continuous improvement are at the heart of how we do business. This will enable us to demonstrate best value.

We will work closely with all service areas throughout the organisation and with external stakeholders, managing agents and partners collaboratively to encourage local companies and organisations to compete for our business.

We will consider and identify collaborative procurement opportunities at the contract strategy stage.

3. Procurement Aims, Objectives and Key Priorities

3.1. Value for Money

Value for Money will be demonstrated by the successful delivery of this strategy, adherence to the Procurement Policy and Strategy and the application of procurement best practice when undertaking key strategic procurement activities including:

- Consideration and appropriate use of Direct Awards and Further Competitions from compliant Frameworks and Dynamic Purchasing Systems. This includes those awarded by Scottish Government (Category A), Scotland Excel (Category B) and Crown Commercial Services (Category A);
- Early market engagement to encourage innovation and competition for our direct (Category C) Procurements or Collaborative (Category C1) Procurements;
- Considering inclusion of appropriate lots to encourage SME/Third Sector and Supported Business participation

- Ensuring relevant, proportionate and appropriate use of mandatory and discretionary selection criteria using the SPD Module within the Public Contracts Scotland
- Maximising the impact of each pound spent by including Community Benefit Clauses where appropriate, proportionate and relevant;
- Evaluation using appropriate, proportionate and relevant criteria including cost, quality and sustainability to determine the most economic advantageous tenderer (MEAT).
- Utilisation of output specifications (where appropriate) to stimulate and encourage innovation.
- Provision of constructive feedback to successful and unsuccessful bidders to help improve quality of bid submissions.
- Use of template procurement documentation based on the Procurement Journey to ensure consistency.
- Challenging the need and demand management with our internal stakeholders
- Robust contract management to ensure contractors meet service levels and key performance indicators and all contracted benefits including community benefits offered are realised.

In addition to the above, Crown Estate Scotland will in future engage fully with the Supplier Development Programme (SDP) and Ready for Business in order to understand their needs and share our procurement work plan.

Crown Estate Scotland provides training, support and guidance to our staff involved in procurement activities and to external Managing Agents in order to ensure adherence to our Procurement Policies and a consistent approach when they procure goods, services or works on our behalf.

3.2. Compliance

In the public sector in Scotland, procurement is governed by a legislative framework which includes:

- European treaties and directives
- National Legislation
- Procurement Reform Act (Scotland) 2014
- Public Contracts (Scotland) Regulations 2015
- The Procurement (Scotland) Regulations 2016
- Case law.

Compliance with this legislation is encapsulated within the Crown Estate Scotland Procurement Policy which is aligned to the best practices of the Scottish Government's Procurement Journey and by following this policy

will ensure that all procurement activity is carried out in a manner which is fair, open and transparent.

4. Delivery of Policies

4.1. Community Benefits

A Community Benefit is a contractual requirement imposed by a Contracting Authority relating to training, recruitment, sub-contracting, or other opportunities. Community Benefits are intended to improve the economic, social or environmental wellbeing within our areas of responsibility in a way that is additional to the main purpose of the contract in which the requirement is included.

As part of the contract strategy phase the relevance and importance of Community Benefits to the delivery of the contract will be determined for all Regulated procurements. Procurement values above £50K for Supplies or Services and above £2M for Works contracts are classed as Regulated procurements.

Where it is determined as relevant and proportionate contractors and service providers will be asked to Community Benefits, which will be provided as part of the contract.

These will be intrinsic/core to the subject matter of the contract and will be proportionate to the estimated value of the contract

Opportunities for community benefits may include:

- Generating employment and training opportunities for priority groups;
- Vocational training, work experience and modern apprenticeships;
- Up-skilling existing workforce;
- Equality and diversity initiatives;
- Sub-contracting opportunities available to SMEs, the third sector and supported businesses and/or in the local area;
- Supply-chain developmental activity;
- Building capacity in community organisations;
- Education support initiatives;
- Working with schools, colleges, universities to offer work experience or educational/professional advice;
- Community engagement events or providing value to the local community;
- Minimising negative environmental impacts, for example impacts associated with vehicle movements and/or associated emissions and impacts on protected species, areas, buildings or sites.
- Positive actions aimed at protecting or restoring biodiversity or natural capital, or climate change adaptation or mitigation.

Tangible and measurable offers of Community Benefits provided by successful contractors will be incorporated in the contract and monitored and reported during Contract management procedures.

4.2. Consulting and involving those affected by our procurements

Crown Estate Scotland regularly engages with its stakeholders, including consultation on the new Corporate Plan, seeking views of children on land, seabed and coastline, and other public consultations and events. These ensure stakeholder views are represented in the policy decision making process.

Supporting our communities is one of the Strategic priorities within Crown Estate Scotland, in conjunction with Procurement, which forms a major part in supporting procurement activity including the embedding of a Community Benefits Policy. This ensures Community Benefits requirements and outcomes will be aligned to support Local initiatives.

4.3. Fair Work First (approach to Fair Working Practices in procurement)

The Scottish Public Sector is committed to the delivery of high quality public services, and recognises that this is critically dependent on a workforce which is well-rewarded, well-motivated, well-led, has access to appropriate opportunities for training and development, is diverse and inclusive, and can influence decision making. These factors are also important for workforce recruitment and retention, and thus continuity of service delivery.

Public bodies in Scotland are committed to applying the Fair Work First criteria in their own organisation and in publicly funded supply chains

Fair Work First is the Scottish Government's policy for driving good quality and fair work in Scotland. Through this approach, the Scottish Government, and its public sector partners, are asking bidders to describe how they are committed to progressing towards adopting and how they intend to continue embedding the seven Fair Work First criteria:

- appropriate channels for effective voice, such as trade union recognition;
- investment in workforce development;
- no inappropriate use of zero hours contracts;
- action to tackle the gender pay gap and create a more diverse and inclusive workplace; and,
- providing fair pay for workers (for example, payment of the real Living Wage).
- offer flexible and family friendly working practices for all workers from day one of employment
- oppose the use of fire and rehire practices.

Crown Estate Scotland will apply the seven Fair Work First criteria in any regulated procurement process, where relevant and proportionate to do so.

As part of the contract management process, contractors may be asked to provide evidence that they are progressing towards adopting the seven Fair Work First criteria, in line with their tender response.

In addition, and in line with the Fair Work First Guidance, suppliers that have committed to progressing towards adopting the seven Fair Work First criteria in the delivery of the contract, should be asked to include a short statement on their own website highlighting their commitment to progressing towards adopting the Fair Work First criteria for those workers engaged in the delivery of the contract. The statement should be agreed jointly with an appropriate workplace representative.

Public bodies are required to report, as part of the established annual reporting cycle through their Annual Procurement Reports, on the number of regulated contracts awarded during the period that included a Fair Work First criterion.

4.4. Modern Slavery Statements

Certain commercial organisations must publish an annual statement setting out the steps they take to prevent modern slavery in their business and their supply chains. This is a requirement under Section 54 (Transparency in Supply Chains) of the Modern Slavery Act 2015.

More information can be obtained at <https://Publish an annual modern slavery statement>

When an organisation is required to publish a Modern Slavery Statement, or chooses to publish this on a voluntary basis, a requirement to provide details of this will be included in the procurement and contract management processes.

4.5. Supported Businesses

Supported Businesses are described as an organisation whose main aim is the social and professional integration of disabled and disadvantaged workers and where at least 30% of their workforce are classed as disabled or disadvantaged.

Where relevant and proportionate Crown Estate Scotland will consider opportunities for use of Reserved Contracts (contracts which can only be supplied by a Supported Business or Businesses) at the Contract Strategy stage.

4.6. Sustainable Procurement Duty

Sustainable public procurement aims to make the best use of public money, helping the government achieve its overarching purpose and strategic objectives. The Scottish Government's purpose is to focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish through increasing sustainable economic growth.

The sustainable procurement duty requires that before a contracting authority buys anything, it must think about how it can improve the social, environmental and economic wellbeing of the area in which it operates, with a particular focus on reducing inequality. It also requires a contracting authority to consider how its procurement processes can

facilitate the involvement of SMEs, third sector bodies and supported business and how public procurement can be used to promote innovation.

It requires a contracting authority to be aware of how its procurement activity can be used to contribute to national and local priorities and to act in a way to secure this. To achieve this, procurement spend should be thought of in this context by all those involved including external stakeholders, budget holders, commissioners and policy leads, in advance of the start of the formal procurement process.

Crown Estate Scotland will ensure that appropriate sustainable procurement tools are used proportionately for all Regulated procurements to determine opportunities for its procurement activities to contribute to sustainability objectives. The intention is to embed the Scottish Government sustainable procurement tools within procurement policies and processes (e.g. the sustainability test, the prioritisation tool and the flexible framework.)

4.7. Health and Safety at Work

As part of the contract strategy phase the relevance and importance of Health and Safety to the delivery of the contract will be determined.

Where relevant and proportionate to the subject matter of the procurement we will require bidders to provide details of their approach to health and safety and how they ensure so far as is reasonably practicable, the health and safety at work of their employees who will be engaged in this Contract. In these circumstances bidders will be required to provide sample Safe Systems of Work and Risk Assessments for this type of work which will cover the following areas as a minimum:

- Equipment
- Manual Handling
- Noise at Work
- Protective Personal Equipment
- Welfare & First Aid
- Accident Reporting
- Training
- Site Specific Risk Assessments
- Safe Systems of Work
- COSSH Assessments
- Health & Safety at Work Act 1974
- HSE Guidance
- Covid 19 and statutory guidance

In addition to the Health & Safety to employees, we will seek that the bidders ensure, so far as is reasonably practicable, that persons not in the employment of the bidder who may be affected by the Contract, are not exposed to risks to their health and safety.

4.8. Fairly and Ethically Traded Goods and Services

Crown Estate Scotland will ensure that procurement requirements relating to Fairly and Ethically Traded Goods and Services are applied in a relevant, proportionate and legally compliant manner.

4.9. Using contracts involving food to improve the health, wellbeing and education of communities in Scotland and promote the highest standards of animal welfare

Crown Estate Scotland will continue to look for opportunities to include local and sustainable food wherever possible for its offices, facilities, events and venues.

Crown Estate Scotland is committed to including health, wellbeing and animal welfare within its food specifications in addition to measures which promote the health, wellbeing and education of our communities.

Although our food purchases are almost exclusively sandwich lunches, office fruit & tea/coffee/milk we will still ensure requirements relating to any food procurement will consider, where appropriate, nutritional quality, health and wellbeing, minimising environmental impact such as packaging and sourcing as well as the application of appropriate animal welfare standards in accordance with all relevant legislation.

4.10. Equality and Diversity (Inclusion)

Crown Estate Scotland will consider and include reference to the Equality and Diversity impact of our contracts within our regulated procurements where relevant and proportionate to do so.

4.11. Paying invoices in 30 days or less to our contractors and sub-contractors

Payment clauses requiring a 30-day payment term are embedded within our contractual terms and conditions and Suppliers are required to apply similar terms and conditions with their sub-contractors who are delivering and supporting Crown Estate Scotland contracts. The Scottish Government operates a target of 10 working days from receipt for the payment of invoices for certain organisations. This is set out in the Scottish Public Finance Manual. Crown Estate Scotland's performance against this metric (percentage of invoices paid within 30 days) will be reported quarterly and summarised on an annual basis. In addition, any procurements carried out on our behalf by our Managing Agents will also be subject to similar payment terms and reporting.

5. Monitoring, Reviewing and Reporting on the Strategy

The strategy objectives and the targeted outcomes will be monitored via an action plan, detailed in Appendix 1. The performance against this action plan will be reported to and monitored by the existing Crown Estate Scotland procurement governance structure:

- Board
- Audit and Risk Committee

The above boards will also facilitate the escalation of any issues that may prevent the delivery of the desired outcomes.

The delivery of the action plan in Appendix 1 will also be subject to governance review.

This strategy will also be reviewed at least annually or as required to ensure continued alignment with Crown Estate Scotland's objectives and priorities and compliance with any changes to legislation or statutory guidance.

Any significant changes will be reported to the Audit and Risk Committee and passed to the Board for approval.

As part of our status of Contracting Authority under the new regulations we are required by the Scottish Government to publish (and make publicly available) an Annual Procurement Report that records our performance against the strategy. The report will include the following:

- Regulated procurements completed in the relevant period.
- Details of procurement undertaken in accordance with the strategy.
- How the procurement undertaken achieved the policies set out in the strategy and contributed to the wider aims and objectives of Crown Estate Scotland.
- Details of policies not met in the relevant period and how these will be achieved in the future.
- Planned procurement over the next two years.

6. Policies, Tools and Procedures

Crown Estate Scotland Procurement Policy and the principles of the Scottish Government Procurement Journey apply to all contracts made by or on behalf of Crown Estate Scotland for the supply of goods, the provision of services and the execution of works.

The Procurement Policy and Strategy is subject to the over-riding provisions of United Kingdom and Scottish legislation. They are also subject to any UK Government and Scottish Government statutory guidance on public procurement that may be issued from time to time. Further information on mandatory requirements of the act and statutory guidance obligations are available at

Consideration will be given to the use of any contracts made on behalf of Crown Estate Scotland (or available to Crown Estate Scotland) by Scottish Procurement, Scotland Excel or any other central purchasing body with whom Crown Estate Scotland has made

arrangements for the award of supplies, services or works contracts on its behalf, subject to the reporting requirements prescribed in the legislation and statutory guidance.

Procurement activities will continue to support and promote relevant Crown Estate Scotland policies of which the majority are embedded within existing procurement processes and procedures. Current policies and procedures are set out below:

Crown Estate Scotland has embedded various tools within the strategic procurement process to assist and ensure best value. Utilisation of the tools also supports compliance with the Sustainable Procurement Duty. The key tools utilised by procurement are as follows:

- Scottish Government Procurement Journey
- Crown Estate Scotland Procurement Policy
- Scottish Government Sustainable Procurement Tools
- Risk Management Tools

Crown Estate Scotland uses electronic tendering and the Scottish Government advertising portal therefore any contracts requiring renewal, as well as any new requirements, will be advertised and tendered on Public Contracts Scotland (PCS)

- Regulated Procurement - Tenders (Goods/Services >£50,000, Works >£2 million)
- Non-Regulated Procurement - either Quick Quotes or Tenders (Goods/Services between £10,000 and £50,000, Works between £50,000 and £2 million).

All Quick Quotes undertaken by Crown Estate Scotland and our Managing Agents will strive to include an invitation to at least one SME and will encourage participation of local companies identified from PCS.

Any company interested in bidding for business with the Crown Estate Scotland must be registered with Public Contracts Scotland (PCS). Companies must be in a position to submit their responses using this portal.

7. Additional Information on Procurement Activities

During 2024, Crown Estate Scotland launched its Advance Transformation Programme. This is being developed to drive a step change in performance, enabling the organisation to become an agile, high-performing, strategically focused, and resilient organisation that effectively manages and leverages the Scottish Crown Estate for the benefit of the nation.

A Procurement workstream will be delivered as part of this programme and will include the following actions to improve and streamline procurement activity:-

- Review and update the Procurement Policy
- Develop and document procurement processes for regulated and non-regulated activity
- Develop a network of Delegated Purchasing Officers (Procurement Champions) to enable self-service for non-regulated procurement

- Implement procurement data gathering systems to enable effective reporting
- Create and implement a comprehensive contract management framework

The Strategy Action Plan set out in Appendix 1 to this document reflects the agreed Procurement workstream actions.

8.Document Ownership

Reviewed and Edited By

Dorothy Low
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Approved By

Briony Fisher
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Appendix 1 - Strategy Action Plan

Review the current procurement policy to reflect public sector best practice and obtain ARC approval for any proposed changes.	End of December 2025
Recruit and train Procurement Champions (Delegated Purchasing Officers) within each business area.	End of July 2026
Procurement Skills Development for team and stakeholders/SMEs	On Hold
Improve Procurement Data and Information Reporting and implement systems to support this.	End of February 2026
Review, Develop and Document end-to-end procurement processes for Goods and Services using detailed process maps and flowcharts. Develop a set of organisation templates for use which meet the requirements of the SG Procurement Policy Handbook and Manual..	On Hold
Review, Develop and Document end-to-end procurement processes for Construction and Works contracts using detailed process maps and flowcharts. Develop one set of organisation templates for use which meet the requirements of the SG and the Construction Procurement Manual.	On Hold
Develop and Implement a Procurement Lessons Learned and Feedback loop process to capture successes and areas for improvement	On Hold
Refresh the Corporate Procurement Strategy to support the delivery of the Corporate Plan. Ensure SMART deliverables are set. Implement a Procurement Risk Register	End of April 2026
Develop and Implement a comprehensive contract management framework with an associated suite of training and templates	End of September 2026
Implement Benefits and Savings recording and tracking as per SG Procurement Benefits recording guidance.	On Hold

9. Appendix 2 - Glossary

“Service Provider”	Means the organisation to whom any contract relating to the requirements of Crown Estate Scotland has been awarded as a result of a procurement procedure.
“Tenderer Response”	Means the pricing, quality questionnaire responses, method statement, and all related documents submitted to Crown Estate Scotland as part of a procurement procedure.
“Contract”	means a contract, a Framework Agreement or a Dynamic Purchasing System.
“Contract Notice”	Means the formal public notification of the Call for Competition published on the Public Contracts Scotland Portal and / or the Supplement to the Official Journal of the European Union (OJEU) and may also refer to a Prior Information Notice (PIN) when that is used as a Call for Competition and where relevant, also refers to other procurement documents.
“Contracting Authority”	means Crown Estate Scotland a body corporate constituted by The Crown Estate Scotland Order 2017 and having its principal place of business at 6 Bell’s Brae Edinburgh EH4 3BJ acting in exercise of the powers conferred on it by the Scotland Act 1998 (as amended) and The Crown Estate Act 1961
“EISR”	means the Environmental Information (Scotland) Regulations 2004 together with any guidance and/or codes of practice issued by the Information Commissioner or relevant Government department in relation to such regulations
“ESPDS”	means the European Single Procurement Document (Scotland) forming part of the Selection Stage Document together with related documentation issued to organisations that expressed an interest in the Procurement
“EU”	means European Union
“FoISA”	means the Freedom of Information (Scotland) Act 2002 and any subordinate legislation made under such Act from time to time together with any guidance and/or codes of practice issued by the Information Commissioner or relevant Government department in relation to such legislation

“ITT”	means the invitation to tender document and related documentation to be issued to Tenderers.
“Medium Enterprises”	means enterprises which are neither micro nor small, which employ fewer than 250 persons and which have an annual turnover not exceeding £39.28 million, and/or an annual balance sheet total not exceeding £33.78 million.
“Large Enterprises”	means enterprises which employ more than 250 persons and which have an annual turnover exceeding £39.28m, and/or an annual balance sheet total exceeding £33.78m.
“Micro Enterprise”	means enterprises which employs fewer than 10 persons and whose annual turnover and/or annual balance sheet total does not exceed £1.57 million.
“Procurement Procedure”	means the competitive tendering project used to establish the contract
“Public Contracts Scotland Portal” or “PCSP”	means the Scottish Government national advertising portal for public sector procurement opportunities in Scotland
“Public Contracts (Scotland) Regulations 2015”	means the statutory instrument by which the EU Procurement Directives are given into Scots Law
“Requirements”	means the supplies or services to be provided under the contract
“Small Enterprise”	means enterprises which employs fewer than 50 persons and whose annual turnover and/or annual balance sheet total does not exceed £7.86 million.
“Supported Business”	means an economic operator whose main aim is the social and professional integration of disabled or disadvantaged persons, and where at least 30% of the employees of the economic operator are disabled or disadvantaged persons.
“Supported Employment Programme”	means an employment programme operated by an economic operator, the main aim of which is the social and professional integration of disabled or disadvantaged persons, and where at least 30% of those engaged in the programme are disabled or disadvantaged persons.