



**Scotland Excel**  
**User Intelligence Groups**  
**Terms of Reference**

August 2025

## SCOTLAND EXCEL

Scotland Excel was established as the Centre of Procurement Expertise for the local government sector in 2008. We are a leading non-profit organisation serving Scotland's 32 local authorities and over 150 associate members from across the public and third sector.

In 2023, Scotland Excel published a five-year strategy developed to support our members in meeting the challenges facing local government and the wider public sector. Our strategy comprises five key corporate goals, guided by our vision, mission and values, and supported by annual operating plans.

### **Vision**

To provide collaborative, innovative and transformative solutions that support social, economic and environmental wellbeing.

### **Mission**

We will make the most of our expertise and experience by leading and collaborating on solutions that support local and national aims for fairer, wealthier and greener communities.

### **Values**

- **Professional**  
We establish goals and objectives to achieve excellence and demonstrate leadership in everything we do.
- **Courageous**  
We achieve the best possible outcomes through our determination, resilience and innovation.
- **Respectful**  
We listen with an open mind and respond honestly and constructively.
- **Integrity**  
We are transparent and fair in all our actions securing trust and building confidence.

### **Goals**

Through our experience, expertise, innovation and collaboration, we will create and deliver solutions which provide value to our members across key strategic areas:

- Journey towards a net zero Scotland.
- Drive for efficiency to support the financial sustainability of local public service.
- Community wellbeing with equal access to services, economic development and fair work jobs.
- Resilient supply chains that maximise opportunities for Scottish businesses and the third sector.
- Advancement of skills to deliver Scotland's economic transformation.

## USER INTELLIGENCE GROUPS' TERMS OF REFERENCE

For any procurement exercise to succeed, it is crucial that key stakeholders from across the participating organisation(s) are actively involved in developing the procurement strategy. This involvement ensures that the resulting contract meets end-users' requirements, leading to higher levels of uptake, effectiveness and value.

To ensure effective stakeholder engagement, a cross-functional team—referred to as the User Intelligence Group (UIG)—should be established to support the development of the procurement strategy. This approach enables Scotland Excel to clearly understand user needs, define desired outcomes, and shape a focused and informed strategy. The UIG should include representatives from all key stakeholder groups within participating organisations, including contracts and procurement professionals, service users, and other relevant personnel. Members should be prepared to contribute insights from their organisation's perspective, including budget considerations, strategic priorities, and end-user requirements.

### **Responsibilities of UIG Members:**

Members of the UIG are expected to:

1. Represent their organisations or sector's perspective.
2. Provide leadership and challenge established practices for the commodity.
3. Actively promote the activities and decisions of the UIG within their organisation or sector. This includes fostering understanding and securing wider organisational support for the proposed Scotland Excel strategy. Identify potential conflicts in strategy and deployment and support proactive resolution.
4. Recognize areas where expertise or knowledge gaps exist and propose mitigating solutions.
5. Share relevant information both within the UIG and across their organisation or sector.

The composition of the UIG and any sub-groups may evolve to address specific issues as they arise throughout the procurement lifecycle.

### **Key Responsibilities of the UIG:**

The UIGs main tasks include:

- Share awareness on market and supplier intelligence.
- Providing information on current organisational and sectoral demand.
- Developing procurement strategies.
- Agreeing on specifications and standards.

- Participating in the evaluation of samples, trials, and scoring various parts of tenders as required.
- Promoting and supporting the implementation of procurement strategies.
- Monitoring and reviewing the strategy's performance.
- Engaging in strategic supplier and contract management.
- Agreeing on key communication messages for dissemination to organizational and sectoral technical and management committees.

By ensuring active stakeholder participation, the UIG will enhance procurement effectiveness, promote best practices, and drive successful contract implementation. The UIG is also responsible for endorsement of the following procurement gateways:

- Contract Initiation
- Strategy Approval
- Evaluation Methodology
- Recommendations for Award
- Annual/Extension Reports

## **ROLES AND RESPONSIBILITIES FOR UIG MEMBERS**

The UIG consists of members of the Scotland Excel team, customer representation and representatives with technical expertise.

### **Scotland Excel Commitments**

- Timescales will be clearly communicated and established in advance.
- Any delays or changes to timelines will be promptly communicated, with appropriate mitigating actions considered.
- A minimum of two weeks' notice will be provided for key meetings, such as UIGs and Technical Panels. Where possible, multiple date options will be offered, and participants will have the option to attend in person, via telephone, or through online meetings.
- When appropriate, online surveys will be distributed before UIG meetings to facilitate targeted discussions on tender development and key decision points.
- Issues and concerns will be addressed promptly. When a council raises a concern, Scotland Excel will acknowledge receipt within two working days and provide an estimated timeline for a full response.

### **UIG Commitments**

- Engagement & Representation

- Actively participate in meetings, discussions, and decision-making processes.
- Represent the interests and perspectives of their organisation or sector.
- Provide informed input based on experience, expertise, and organizational priorities.
- Collaboration & Communication
  - Share relevant knowledge and insights with other UIG members.
  - Promote UIG activities and decisions within their organization.
  - Act as a point of contact within their organization for UIG-related matters.
  - Communicate any concerns, risks, or challenges proactively.
- Contribution to Strategy & Implementation
  - Help develop procurement strategies, specifications, and evaluation criteria.
  - Provide feedback on supplier performance and market trends.
  - Support the implementation and monitoring of procurement strategies.
  - Engage in the evaluation of tenders, trials, and other assessment activities as needed.
- UIG Endorsement of Procurement Gateways
  - Contract Initiation
  - Strategy Approval
  - Evaluation Methodology
  - Recommendations for Award
  - Annual/Extension Reports

Each UIG member will complete a Confidentiality and Conflict of Interest Statement.

**During the tender process, strict confidentiality must be maintained at all times.**

## UIG CONDUCT

### General Procurement Principles:

- The key principles during any procurement process are professionalism, best practice procurement, impartiality, and treating suppliers fairly and equally. Procurement processes conducted by public sector authorities across must be fair, transparent, and open to competition (equitable and non-discriminatory).
- **During the tender process, strict confidentiality must be maintained at all times.** Contact with bidders should be kept to an absolute minimum and only occur when absolutely necessary. Any queries regarding the content of the Invitation to Tender (ITT) must be limited solely to requests for clarification and, to ensure fairness and transparency, must be shared with all other bidders.

- Members of the panel should have no conflicts of interest, preventing you from making fair and objective assessments. If a member of the group has an 'interest' in a supplier bidding for a contract (e.g., is related to someone working for the supplier), they should disclose this information, as it could be perceived as affecting their impartiality.

## **Scotland Excel Values**

Members are expected to consistently uphold and demonstrate Scotland Excel's core values throughout their participation in the tender process. This includes acting with integrity, promoting transparency, showing respect for all stakeholders, and ensuring fairness and impartiality in all evaluations and interactions.

### Professional

- Making sure that roles and responsibilities are clear and understood.
- Encouraging professional and ethical behaviour by staff in all their dealings throughout the supply chain.
- Behaving ethically in all business dealings and rejecting any business practice which might reasonably be deemed improper.
- Declaring any personal interest which may affect or be seen by others to affect impartiality.
- Working actively together to solve problems at the earliest possible stage and seeking to resolve contractual disputes using alternative dispute resolution mechanisms wherever possible.

### Courageous

- Adopting best practices as recommended by the Scottish Procurement Directorate and other relevant organisations.
- Establishing business relationships that are best suited to delivering value for money.
- Defining requirements, outputs, and benefits in a way that allows suppliers to propose cost-effective and innovative solutions.
- Simplifying procurement procedures wherever possible.
- Identifying and eliminating unnecessary costs for both suppliers and customers.

### Respectful

- Conducting procurement competitions fairly, transparently, and without bias.
- Adhering to procurement regulations and policies.
- Ensuring all suppliers receive accurate, timely, and appropriately detailed information throughout the tender process.

- Safeguarding the confidentiality of third parties and supply chain members, particularly when information is protected by Intellectual Property Rights (IPR) or provides a supplier with a competitive advantage.
- Avoiding agreements or practices that could hinder fair competition in the long term.

### Integrity

- Individuals should disclose any personal interests that could affect relationships with suppliers, and public bodies must record such disclosures to prevent conflicts of interest.
- Refrain from offering or accepting gifts, hospitality, or other benefits that could compromise personal judgment or integrity.
- Maintain impartiality by resisting improper influence or the prospect of personal gain.
- Collaborate with suppliers to set clear expectations throughout the procurement process.
- Provide constructive feedback to suppliers on any concerns regarding requirements or assumptions and remain open to their advice.
- Address concerns with suppliers early in the procurement process to facilitate joint problem-solving and resolution.

## APPENDIX 1 - ROLES AND RESPONSIBILITIES FOR UIG MEMBERS INCLUDING ENDORSEMENT POINTS

Procurement Journey (phases of activity)	Contract Owner	Organisation Representative
<b>Endorsement Point – Contract Initiation</b>		
<b>Develop Procurement Strategy &amp; Opportunity Assessment</b>	<ul style="list-style-type: none"> <li>• Lead data gathering and profiling activities.</li> <li>• Direct data and market analysis to determine and evaluate strategic options.</li> <li>• Sustainable considerations</li> <li>• Notify the market and engage with suppliers.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide data specific to their organisations and technical expertise.</li> <li>• Verify demand and supply data.</li> <li>• Participate in strategy development and evaluate the suitability of proposed options.</li> </ul>
<b>Endorsement Point – Strategy Approval</b>		
<b>Develop procurement documents</b>	<ul style="list-style-type: none"> <li>• Responsible for the development of ITT. Evaluation methodology, method statements etc...</li> </ul>	<ul style="list-style-type: none"> <li>• Responsible for collating data from own organisation required for the development of the ITT, evaluation methodology, basket of goods etc.</li> </ul>
<b>Endorsement Point – Evaluation Methodology</b>		
<b>Contract Award</b>	<ul style="list-style-type: none"> <li>• Responsible for leading the evaluation and selection</li> </ul>	<ul style="list-style-type: none"> <li>• Participate as required on evaluation and selection e.g. method statement evaluation, specification compliance.</li> </ul>
<b>Endorsement Point – Recommendations for Award – Strictly Confidential <u>MUST NOT</u> Be Shared with Bidders</b>		
<b>Implementation</b>	<ul style="list-style-type: none"> <li>• Develop communications, materials and work closely with supplier(s)</li> </ul>	<ul style="list-style-type: none"> <li>• Promote deployment of new contract arrangements across their organisation</li> </ul>
<b>Contract and Supplier Management</b>	<ul style="list-style-type: none"> <li>• Strategic performance and contract management</li> </ul>	<ul style="list-style-type: none"> <li>• Validate feedback, monitor performance and participate in annual reviews</li> </ul>
<b>Endorsement Point – Annual/Extension Reports</b>		



## APPENDIX 2 EXAMPLE CONFIDENTIALITY AND CONFLICT OF INTEREST STATEMENT

### Scotland Excel

#### Declarations of Interests for Procurement Processes

##### Notes

1. Scotland Excel is committed to ensuring that all procurement activity is conducted in line with ethical standards and is fully compliant with the law. To ensure that we fulfil our legal obligations in terms of anti-bribery and fraud we require to seek certain assurances with respect to confidentiality and conflict of interests.
2. For each procurement process, Scotland Excel will require UIG/technical/ evaluation panel members to complete this Declaration of Interests and Confidentiality Agreement prior to commencing strategy development/technical/ evaluation activities.
3. The register of declarations of interests for this procurement will be held by Scotland Excel along with its records of the procurement process. Scotland Excel assumes the role of data controller and will process this data securely in line with the Data Protection Principles set out in the Data Protection Act 2018 and the General Data Protection Regulations (GDPR).
4. The register of declaration of interests will be available for audit purposes and will be available for inspection by officers of Scotland Excel, the Chief Auditor, the monitoring officers, and Audit Scotland on demand and without cause requiring to be shown and that no record will be kept of those members inspecting the register of interests.
5. The register of declarations of interests will be made available for inspection or copied by or for any other person or party as required in terms of law, or on sufficient cause being shown to the Scotland Excel.
6. No other disclosure of the declarations of interests is authorised without the consent of the person concerned.
7. Each panel member will complete the declaration to the best of his/her knowledge and ability.
8. In the event that the information contained within a panel member's declaration of interest's changes, then the panel member, will notify Scotland Excel immediately and complete a fresh declaration of interests form and return it to Scotland Excel as soon as possible.

### APPENDIX 3 - CONFIDENTIALITY AND DECLARATION OF INTERESTS

Name:	
Organisation:	
Designation:	
Do you have any actual or potential conflicts of interest in relation to your role as a panel member in this procurement process? If "yes", please give details.	
Do you have a relative or member of your family who has financial or other interests which may present a conflict in relation to your role as a panel member in this procurement process?  If "yes", please give details.	

*I declare that to the best of my knowledge and belief, the above are my only material interests and those of my family where known to me, in relation to the matters on which information is sought.*

*I understand that this information will be held for the purposes of meeting Scotland Excel's audit requirements and Scotland Excel will process my personal information in line with current data protection legislation.*

*I understand that information submitted by tenderers as well as discussion and decisions made by the Evaluation Group or User Intelligence Group (UIG) must be treated as confidential throughout the evaluation process and I will ensure that all information provided by Scotland Excel for evaluation purposes is returned, deleted or destroyed as appropriate.*

**Signature:** .....

**Date:** .....