



INTERIM IT STAFF SERVICES (NATIONAL) – LORIEN – 2.11.2_

INTERIM IT STAFF SERVICES (NATIONAL) COMPOSITE BID_

2.1 IMPORTANT INFORMATION

2.1.2 Acceptance of Framework Model Terms and Conditions

Tenderers are asked to confirm their acceptance of the Model Framework Terms and Conditions included in the Invitation to Tender (ITT) documentation for this procurement. No amendments to these terms and conditions will be considered. Tenderers who respond NO to this question will be considered non-compliant and their Tender will not be considered further. Tenderers must also sign and return the Form of Tender document, confirming acceptance of the Framework Terms and Conditions - this can be found in the Commercial Envelope.

Yes

2.2 UNDERSTANDING OF THE REQUIREMENT (SECTION WEIGHTING 10%) - SECTION OF PROCUREMENT SPECIFIC QUESTIONS

2.2.1 DEMONSTRATE UNDERSTANDING

Tenderers must demonstrate a clear understanding of the public sector landscape in Scotland and the Framework Public Bodies who will use these services. You must also demonstrate that you understand the demand Framework Public Bodies have for the services and how public bodies will use those services.

Please note your response to this question is restricted to a maximum word limit of 1500 words. Tenderers should note that any words exceeding the 1500 limit will not be considered for evaluation purposes.

(Weighting 100%)

Public Sector Landscape in Scotland and the Framework Public Bodies

The public sector in Scotland is a crucial contributor to the economy and employs c.22% of the Scottish workforce, higher than anywhere else in the UK. Public Bodies are financed by Scottish Government and play a vital role in the delivery of public services in areas ranging from health and social care to the arts, culture and the built environment. Public bodies contribute to delivering the outcomes set out in the National Performance Framework (designed to create a better and more equitable Scotland for all by delivering against 81 national outcomes) as well as carrying out statutory, regulatory and advisory functions.

The Scottish Government's 10 year plan to transform the country's economy has a focus on technology and innovation as well as helping businesses to reap the most benefit from digital platforms. This means, that certainly in the short to medium term, and most likely in the long term, investing in technology (including in the resources procured through this framework) will continue to be a priority areas for vast majority of public sector organisations across Scotland. As the largest supplier of Interim IT resources across Scotland, Lorien is ideally situated to support Framework Public Bodies (FPBs) to achieve their strategic objectives and digital aspirations.

Demand FPBs have for the Service

REDACTED

Our current dedicated **REDACTED** years' experience of finding and engaging niche technology talent for public sector organisations across Scotland. **REDACTED** they have successfully made over **REDACTED** placements across over **REDACTED** different organisations, ranging from one off

2.11.2_COMPOSITE BID

placements to organisations that have hired over **REDACTED** people. FPBs and projects that they have supported include:

REDACTED

Overcoming challenges

To date we have made significant investment to ensure that we can provide best in class services to FPBs across Scotland and we will continue to do so if we are awarded a place on the new framework. As an organisation, we are naturally inquisitive and we always strive to “go the extra mile” to understand the challenges that our customers face and we tailor our services to help overcome these. The pandemic and its’ aftermath bought a unique set of circumstances, and throughout, our team has consistently supported FPBs to adapt to a new ways of working and the new normal. For example, our resources have worked with **REDACTED**.

How Public Bodies will use those Services

Looking to the future, we are excited by the changes and challenges that FPBs will face in the coming months and years, are we are fully committed to continually adapting our services in order to meet these in the most effective ways. FPBs will continue to use the services to drive their digital transformations as well as supporting the technology BAU activities across Scotland. The demand for these candidates from FPBs and other organisations will continue to grow under the new framework. Therefore if we are awarded a place on it, we will give FPBs the best possible access to the widest range of candidates. **REDACTED**.

REDACTED

We understand that FPBs are located across the length and breadth of Scotland and support all Scottish citizens, and as such, our service needs to be designed to secure talent in the most remote parts of the country. One of the successes of our service to date **REDACTED**. Where roles are in based in challenging locations, **REDACTED**.

2.3 DELIVERY OF THE SERVICES (SECTION WEIGHTING 40%) - SECTION OF PROCUREMENT SPECIFIC QUESTIONS

2.3.1 DELIVERY SCOPE

Tenderers must provide details of how they will deliver the service under this Framework Agreement as outlined in the Statement of Requirement at Schedule 1. Tenderers must also, include their organisational structure, details of key staff (and their roles) with designated responsibilities for ensuring successful delivery throughout the Framework period, and the minimum experience levels (not a CV) and a job specification(s) for the designated Account Manager(s). Tenderers must also provide details of the number of key personnel to be dedicated Nationally (to the whole of Scotland), how this number is calculated to be sufficient and set out the procedures for how any changes to these key personnel will be managed.

Please note your response to this question is restricted to a maximum word limit of 1500 words. Tenderers should note that any words exceeding the 1500 limit will not be considered for evaluation purposes.

Tenderers must achieve a moderated average score of "50%" or more against this question. Tenderers who fail to achieve a moderated average score of "50%" or more against this question will not have their Tender considered further and will not proceed to the Price/Quality ratio calculation.

(Weighting 25%)

REDACTED

2.3.2 EXPERIENCE AND PROCESS

Taking into consideration the Statement of Requirements and Call-Off procedures, please outline how you would fulfil a specific request for an interim worker. Your response should consider all aspects of providing an interim IT staff worker (s), including but not restricted to:

- The complexity of requirement
- Location (s) of requirement
- Number of assignments to be fulfilled
- Time constraints
- Budget considerations
- Meeting customer expectations

Please illustrate how your embedded process and actions will work operationally, drawing from a recent example and outlining the process at each stage, from initial requirement through to the successful provision of a suitably qualified interim IT worker (s). Please include details of any challenges/barriers and how you would deal with these.

Please note your response to this question is restricted to a maximum word limit of 1500 words. Tenderers should note that any words exceeding the 1500 limit will not be considered for evaluation purposes.

(Weighting 20%)

Lorien is a technology, digital and change recruitment expert with a 40-year heritage of outstanding delivery of IT requirements for organisations across the public and private sectors. We provide bespoke workforce solutions to our customers, ranging from recruiting single roles through to fully outsourced MSP, RPO and SOW models. Our objective is to be a long term, trusted partner that cultivates tech careers and builds organisations and our expertise in the tech market across Scotland is second to none. As previously highlighted, "our people make the difference" and we are fully committed to ensuring that all of our clients and candidates have an excellent experience when they engage with our services.

REDACTED

2.3.3 DISCLOSURE AND BPSS

Tenderers must provide details of their procedures to ensure compliance with Disclosure Scotland and Baseline Personnel Security Standard – BPSS, (or other standard as may be defined by Framework Public Bodies) including details of the effective management of any third party to be used in this process, and the measures they will take to match security pre-cleared temporary/interim workers to Framework Public Body requirements.

Tenderers must also describe the measures they will take to ensure that temporary/interim workers understand and adhere to confidentiality requirements, particularly in relation to sensitive assignments.

Please note your response to this question is restricted to a maximum word limit of 1500 words. Tenderers should note that any words exceeding the 1500 limit will not be considered for evaluation purposes.

(Weighting 20%)

REDACTED

2.3.4 GEOGRAPHICAL CONSTRAINTS

Tenderers must provide details of their approach to ensure the sourcing, retention and matching of suitable temporary/interim workers Nationally (the whole of Scotland). Your response must relate to both rural and urban areas Nationally (to the whole of Scotland) and demonstrate your proposed presence to meet the requirement and how you will gain and take advantage of knowledge regarding local job markets to meet Framework demand. (Note - "presence" does not necessarily mean a physical full-time office). Your response must also detail how you will ensure consistency of service and delivery across Framework Public Bodies and your procedures for delivery during periods of high demand.

Please note your response to this question is restricted to a maximum word limit of 2000 words. Tenderers should note that any words exceeding the 2000 limit will not be considered for evaluation purposes.

Tenderers must achieve a moderated average score of "50%" or more against this question. Tenderers who fail to achieve a moderated average score of "50%" or more against this question will not have their Tender considered further and will not proceed to the Price/Quality ratio calculation.

(Weighting 25%)

Sourcing

Our people make the difference and they will use their insight and expertise to recruit, retain and match the most suitable candidates for FPBs across Scotland. On a day to day basis, the dedicated Account Managers will be tasked with proactively engaging with tech teams within the FPBs (face to face and virtually) to build a strong understanding of the technology architecture, priorities and projects, and what great looks like in terms of candidates, as well as promoting the benefits of using the framework. Account Managers will work closely with Resourcers who specialise in proactively recruiting, retaining and matching candidates nationally within specific IT verticals. Based on the Accounts Manager's engagement with the FPBs, Resourcers will have a strong understanding of the skill sets that specific FPBs want to engage and will build talent pools of candidates with the required skills and availability in the specific locations.

REDACTED

2.3.5 MANAGING ABSENCES OR UNSUITABILITY

Tenderers must provide details of their proposals to manage temporary/interim worker sickness absence and absenteeism, the process for replacement of temporary/interim workers where they are deemed unsuitable for the assignment, and how they will ensure that the Framework Public Body is protected from employment relationship claims/employment law risks.

Please note your response to this question is restricted to a maximum word limit of 1500 words. Tenderers should note that any words exceeding the 1500 limit will not be considered for evaluation purposes.

(Weighting 10%)

REDACTED

Replacing temporary/interim workers deemed unsuitable

All aspects of our service will be delivered by experts meaning that it is very unlikely that any temporary/ interim workers that are recruited will be deemed unsuitable for the role. The Account Managers will proactively build a strong understanding of the specific requirements for FPBs and Resourcers will proactively build talent pools of candidates that match these requirements. When a call off or direct award is secured, our robust matching process will ensure that we only shortlist candidates that are the strongest matches to the requirements.

REDACTED

2.4 CONTRACT AND ACCOUNT MANAGEMENT (SECTION WEIGHTING 30%) - SECTION OF PROCUREMENT SPECIFIC QUESTIONS

2.4.1 MANAGEMENT PROCESSES

Tenderers must describe their management processes and agreed ways of working to maintain a consistently high service level. Your response should cover, but not be limited to, performance monitoring, managing communications, problem solving and dispute resolution, achieving value for money in relation to your staff (including supply chain sub-contractors or consortia members, where appropriate) and internal and external stakeholders.

Please note your response to this question is restricted to a maximum word limit of 1500 words. Tenderers should note that any words exceeding the 1500 limit will not be considered for evaluation purposes.

Tenderers must achieve a moderated average score of "50%" or more against this question. Tenderers who fail to achieve a moderated average score of "50%" or more against this question will not have their Tender considered further and will not proceed to the Price/Quality ratio calculation.

(Weighting 40%)

REDACTED

2.4.2 COMMUNICATION

Tenderers must provide a statement to clearly demonstrate their proposals for regular and effective communication with Framework Public Bodies throughout the Framework duration, including reporting mechanisms for the provision of management information, out of hours procedures, complaints management (including escalation), and order cancellation processes.

Please note your response to this question is restricted to a maximum word limit of 2000 words. Tenderers should note that any words exceeding the 2000 limit will not be considered for evaluation purposes.

Tenderers must achieve a moderated average score of "50%" or more against this question. Tenderers who fail to achieve a moderated average score of "50%" or more against this question will not have their Tender considered further and will not proceed to the Price/Quality ratio calculation.

(Weighting 40%)

Proposals for regular and effective communication

We will continue to dedicate the best resources to build successful strategic relationships with each FPB across the Framework. Our approach to building a strong understanding will be built on trust and will be maintained through honest, expert and insightful three way communications and feedback between our account management team, FPBs and candidates. Our Account Managers will engage with FPBs in meaningful ways (both pre and post call offs/ direct awards) through a range of activities and mediums including site visits, market insight reports, seminars, events and white papers. They will delve deeper and build a greater understanding of specific requirements of each FPB and individual stakeholders from day one and as they evolve. We operate a promise based culture which makes each of us accountable for all of our outputs and it puts our customer and candidate requirements at the centre of everything that we do. Our **REDACTED**. We have a proven track record of making, keeping and delivering these promises and this model empowers our people and drives our business. In practice, this approach will foster long term and mutually beneficial relationships.

REDACTED

2.4.3 MOBILISATION

Tenderers must provide a mobilisation plan including key team members' and stakeholders' roles and responsibilities, tasks for completion by your staff, key dates and deadlines, proposals for marketing the new Framework Nationally (to the whole of Scotland) in both rural and urban areas. The mobilisation plan must clearly describe how you will ensure by the service commencement date, sufficient numbers of suitably qualified temporary/interim workers to meet order fulfilment rates for the Framework and how you will ensure the authenticity of temporary/interim worker qualifications and manage this on an on-going basis.

Please note your response to this question is restricted to a maximum word limit of 1500 words. Tenderers should note that any words exceeding the 1500 limit will not be considered for evaluation purposes.

(Weighting 20%)

Mobilisation plan and core implementation activities

REDACTED, we already have the people, processes and technology in place to deliver an outstanding service to FPBs across the framework. Having said this, we never sit on our laurels and we see the launch of the new framework as a great opportunity to review what's currently working well and what other activities we can do by ourselves, with Scottish Procurement and with FPBs to further refine the service to deliver better value for money, continuous improvement and drive additional spend through the framework.

REDACTED

2.5 SERVICE CONTINUITY & CONTINUOUS IMPROVEMENT (SECTION WEIGHTING 5%) - SECTION OF PROCUREMENT SPECIFIC QUESTIONS

2.5.1 CONTINUOUS IMPROVEMENT

Tenderers must provide details of how they will deliver continuous improvement throughout the duration of the Framework. Your response must describe details of any measures to achieve greater efficiencies, simplify processes, and minimise errors and generally improve quality of service for the Framework duration.

Please note your response to this question is restricted to a maximum word limit of 1500 words. Tenderers should note that any words exceeding the 1500 limit will not be considered for evaluation purposes.

(Weighting 100%)

REDACTED

2.6 DATA PROTECTION AND INFORMATION SECURITY (SECTION WEIGHTING 10%) - SECTION OF PROCUREMENT SPECIFIC QUESTIONS

2.6.1 DATA PROTECTION AND INFORMATION SECURITY

Please see attachment for data protection and information security question. Please upload an attachment in response to this question.

Please note your response to this question is restricted to a maximum word limit of 2000 words. Tenderers should note that any words exceeding the 2000 limit will not be considered for evaluation purposes.

Tenderers must achieve a "50%" or more against this question. Tenderers who fail to achieve a score of "50%" or more against this question will not have their Tender considered further and will not proceed to the Price/Quality ratio calculation.

(Weighting 100%)

Tenderers should describe their procedures for storing, retaining and transmitting data between the Contractor, the Framework Public Bodies (and sub-contractors where applicable) to ensure compliance with the Statement of Requirements (Schedule 1) and to ensure continuity of service and protection against cyber-attacks. Answers should include (as a minimum):

- Details of where data will be stored and how it will be secured including processes, software and standards and must include measures put in place with sub-contractors (where applicable);
- Details of how data will be securely transmitted between the Framework Public Body, the Contractor (and sub-contractors where applicable) including processes, software and standards;
- Details of how the data will be secured at rest (end point security) both at the Contractor's premises (and their sub-contractors premises where applicable);
- Details of processes followed including those for assessing future risks;
- Testing of Disaster Recovery policies and procedures, including the dates, duration and frequency;
- Methods for the back-up and continuity to deliver services should an incident occur including manpower and access to equipment;
- Methods and processes in place to mitigate against cyber-attack and crime using online technologies including processes, software and standards;
- Destruction policies and processes including policies, processes and software. This should include the measures put in place with sub-contractors where applicable;
- Tenderers should also provide details of any standards applicable in this area (e.g. ISO 27001, ISO 22301, ISO/IEC 20000, Cyber Essentials/Cyber Essentials Plus or their equivalents);

If the Tenderer does not currently hold certifications they should advise of any plans they have for achieving any relevant certifications.

Tenderers should refer to the UK Governments Cyber Essentials Scheme and consider the information included within the scheme when providing their response to this section.

<https://www.gov.uk/government/publications/cyber-essentials-scheme-overview>

<http://www.gov.scot/Resource/0048/00489206.pdf>

Please note your response to this question is restricted to a maximum word limit of 2000 words. Tenderers should note that any words exceeding the 2000 limit will not be considered for evaluation purposes.

Tenderers must achieve a "50%" or more against this question. Tenderers who fail to achieve a score of "50%" or more against this question will not have their Tender considered further and will not proceed to the Price/Quality ratio calculation.

REDACTED

2.7.1 FAIR WORK QUESTION

Please see attachment for Fair Work Question. Please upload an attachment in response to this question.

Please note your response to this question is restricted to a maximum word limit of 1500 words. Tenderers should note that any words exceeding the 1500 limit will not be considered for evaluation purposes.

(Weighting 65%)

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 Fair Work First 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 adopting Fair Work First:

- 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
- 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

In order to ensure the highest standards of service quality we expect contractors to commit to adopting Fair Work First in the delivery of this Framework as part of a fair and equitable employment and reward package as a route to progressing towards wider fair work practices set out in the Fair Work Framework.”

Fair Work First Question

Please describe and demonstrate how you will commit to adopting Fair Work First for workers engaged in the delivery of the framework agreement including your own staff and temporary/ interim workers (to the extent relevant) . This should include current and planned actions that show how you will embed these practices during the lifetime of this Framework Agreement.

Answers should include tangible and measurable examples and should also describe how you will report on, and demonstrate progress, to the contracting authority during the lifetime of the Framework Agreement.

Good answers will reassure evaluators that your company is committed to adopting Fair Work First and to progressing towards wider fair work practices set out in the Fair Work Framework for the workers engaged in the delivery of this Framework Agreement and those in the supply chain working on this Framework Agreement. Answers need not be constrained to, or be reflective of, any examples given alongside this question.

Please note your response to this question is restricted to a maximum word limit of 1500 words. Tenderers should note that any words exceeding the 1500 limit will not be considered for evaluation purposes.

REDACTED

Investors in People

Lorien holds the Investors in People accreditation. We believe in providing our people with rewarding careers that develop their potential and enable them to lead fulfilling lives. As part of this commitment, we provide our people with access to training and development opportunities relevant to their skillsets and career ambitions. **REDACTED.**

2.7.2 DIVERSITY

The Public Sector in Scotland is committed to building a workforce of people (including temporary and interim workers) with a wide range of backgrounds, perspectives and experiences. That means having a workforce that includes people of different age groups, socio-economic backgrounds, faith and beliefs. People who are trans, disabled, from minority ethnic backgrounds. People who identify as lesbian, gay or bisexual or another sexual orientation. A workforce that is representative of the people of Scotland.

We expect Tenderers to take a similarly positive approach and have a strategy and processes in place to ensure as best as possible a diverse range of temporary/interim workers.

To help us achieve our ambitions in advancing equality, we would like to understand your aspirations as an organisation in terms of diversity and the temporary/interim workers you put forward. For example, we would like to know:

- Do you have an established diversity related policy and practices?
- Do you have, or are you working towards, accreditations in any diversity aspects e.g. Disability Confident?
- How you attract and retain diverse temporary/interim workers, including any outreach work, to your organisation?
- How you select and verify your selection methods from a diversity perspective?
- How you carry out pre-employment occupational health checks?
- What adjustments are made (or how are they recommended) and how these are implemented effectively?
- What engagement do you have with representative organisations and what is the success of these relationships?

Answers need not be constrained to, or be reflective of, any examples given alongside this question.

Please note your response to this question is restricted to a maximum word limit of 1500 words. Tenderers should note that any words exceeding the 1500 limit will not be considered for evaluation purposes.

(Weighting 35%)

Established Diversity Related Policy and Practices

We have a robust equality, diversity and inclusion (E,D&I) strategy (including a formal policy) that underpins our company values and our ethos of 'people make the difference'. **REDACTED.**

We will take a wide range of measures to ensure that we consider all diverse groups when identifying candidates for FPBs. We will focus on ensuring that the framework is as accessible as possible to all groups within society. To this end we are committed to:

REDACTED

We work continuously to ensure that our services are as accessible as possible **REDACTED.**

Selection Methods

Some of the specific actions that we can take to ensure that our selections are inclusive include:

REDACTED

Adjustments

We are an accredited Disability Confident employer and as such we fully support any candidates that require reasonable adjustments in order to be considered for roles and to work safely and productively once they have secured a role. **REDACTED.**

2.7.3 REAL LIVING WAGE

Tenderers are asked to confirm that they will pay staff that are involved in the delivery of services under the Framework Agreement, and/or any subsequent Call-Off Contract, at least the real Living Wage.

Please note that Tenderers who fail to answer “Yes” to this question will not have their Tender considered further or proceed to the Price/Quality ratio calculation.

(Weighting 0%)

Yes

2.7.4 SCOTTISH BUSINESS PLEDGE

The following question requires a Yes/No answer and is used for statistical purposes only"

The Scottish Business Pledge is a Government initiative which aims for a fairer Scotland through more equality, opportunity and innovation in business. Information on this can be found at the following link:

<https://scottishbusinesspledge-.scot/>

Tenderers are asked to confirm if they have signed up to the Scottish Business Pledge

(Weighting 0%)

Yes

2.7.5 SCOTTISH LIVING WAGE

"The following question requires a Yes/No answer and is used for statistical purposes only"

The Scottish Living Wage Accreditation Initiative and the Living Wage Foundation recognise and celebrate the responsible leadership shown by Living Wage Employers and support employers to incorporate the real Living Wage into organisational structures long term. More information can be found at the links below:

<http://scottishlivingwage.org/>

<http://www.livingwage.org.uk/>

Tenderers are asked to confirm if they are accredited as a Living Wage Employer.

(Weighting 0%)

Yes

2.8 SUSTAINABILITY (SECTION WEIGHTING 0%) - SECTION OF PROCUREMENT SPECIFIC QUESTIONS

2.8.1 SUSTAINABILITY

Tenderers must confirm that, where appropriate, they will support the Scottish Ministers policies on Sustainability and Corporate Social Responsibility in delivering the services required.

Please provide a statement which explains your sustainability policy and demonstrates how you will proactively support the delivery of the Framework Public Body(s) respective Sustainability (Social and Ethical) and Environmental Policies. This should include any measures you have in place to ensure, monitor and report sustainability across your supply chain.

Further details on Scottish Government's Sustainable Procurement Policy are available at:

<http://www.gov.scot/Publications/2016/03/8410/3> and

<https://www.procurementjourney.gov.scot/route-3/route-3-develop--strategy-profiling-commodity-sustainable-procurement>

Please note your response to this question is restricted to a maximum word limit of 1500 words.

(Weighting 0%)

Confirmation

We are fully committed to supporting the Scottish Minister policies on Sustainability and Corporate Responsibility on delivering the services required.

Our sustainability policy

Our sustainability policy applies to all part of the business, its functions, management and staff, and is consistent with Government policy. Our sustainability policy is designed to support five main aims:

2.11.2_COMPOSITE BID

- Social progress which recognises the needs of everyone
- Effective protection of the environment
- Prudent use of natural resources
- Maintenance of high and stable levels of economic growth and employment
- Promoting good governance

Principles

Our Sustainable Development Policy is based upon the following principles:

- To comply with and exceed where practicable all applicable legislation, regulations and codes of practice
- To integrate sustainability considerations into all our business decisions
- To ensure that all staff are fully aware of our Sustainable Development Policy and are committed to implementing and improving it
- To minimise the impact of all office and transportation activities
- To make clients and suppliers aware of our Sustainable Development Policy, and encourage them to adopt sound sustainable management practices
- To review and continually strive to improve our sustainability performance.

In practice

The company will promote and monitor continual improvement by:

- Screening its policies and proposals for sustainable development and/or environmental impacts
- Mitigating such impacts wherever practicable, and maintaining records of all screenings and actions undertaken
- Undertaking full environmental appraisals where particularly significant impacts are identified
- Ensuring compliance with all relevant legislation and codes of practice
- Reviewing its sustainable development policy regularly and encouraging its suppliers to comply
- Establishing continual improvement targets, against which performance can be measured and monitored
- Educating and motivating staff and contractors to operate in an environmentally responsible manner and to conserve resources wherever practicable
- Ensuring that employees are aware of sustainable development issues and that they are provided with opportunities to develop the competencies and capabilities to meet the future needs of the organisation and its stakeholders

Environmental performance

The company aims to address and improve its environmental performance (taking account of value for money through whole life costs) by:

REDACTED

Supporting the delivery of the FPB(s) respective Sustainability (Social and Ethical) and Environmental Policies

Based on the information provided, we believe that we can help with FPBs in the following ways:

REDACTED

2.9 COMMUNITY BENEFITS (SECTION WEIGHTING 0%) - SECTION OF PROCUREMENT SPECIFIC QUESTIONS

2.9.1 COMMUNITY BENEFITS

The Scottish Government is committed to contributing to the social, economic & environmental well-being of the people of Scotland. The Government has five objectives that underpin its core purpose - to create a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth.

Tenderers must provide details of their proposals to support Scottish Procurement to meet SG overall community benefits policy through this Framework Agreement.

Accordingly, while the following community benefit objectives will not be evaluated as part of the Tender process, the successful Tenderer will be expected to consider the following Community Benefit themes in the delivery of their services, for example:

- targeted recruitment & and training for “disadvantaged” persons unemployed for over 6 months;
- generate employment and training opportunities for priority groups;
- up-skill the existing workforce;
- equality and diversity initiatives;
- make any proposed sub-contracting opportunities available to SMEs, the third sector and supported businesses;
- build capacity in community organisations.

Please note your response to this question is restricted to a maximum word limit of 1500 words.

(Weighting 0%)

Our commitment

We are committed to supporting Scottish Procurement to meet the overall community benefits policy through this Framework Agreement. As a recruitment provider, we recognise the role we play in building a successful and sustainable community. This is one of the reasons why we operate localised delivery teams, so we can ensure that our people are in the heart of the market they serve, understand its unique nuances and can act as part of that community. Lorien has been based in Edinburgh since 2005 and consequently we have a strong affinity with Scotland. **REDACTED.**

REDACTED

Tech Girls: We have also partnered with school's outreach provider, TechGirls in a bid to tackle the STEM skills shortage and promote greater gender diversity within technology. The partnership was launched with an event held at our head office which saw 19th sixth form girls find out more about the opportunities available, as well as tips on building their professional brand. Since the launch we have hosted a range of face to face and virtual events aimed at opening up opportunities within the tech industry to girls. We are currently looking forward to our upcoming event which will be co-hosted by our valued client Sharp Gaming and charity partner Tech Girls. The event is designed to inspire high school-aged girls, who are beginning to make key decisions about their future, to consider a career in tech. Our hosts will deliver information around online safety, which is vital for the digital generation, as well as an activity where the attendees will be encouraged to consider what future tech careers will look like and the skills they will need to reach these positions. The event will also include a practical workshop where a senior talent acquisition representative from Sharp Gaming will coach the girls through the process of crafting a high quality CV, in order to ensure they can showcase themselves as best as possible when making choices about their further education and career.

Mama.codes: Lorien has worked with Mama.Codes for several years and in 2022 is pleased to be able to sponsor their new app Looparoo. Mama.Codes teaches coding skills to children as young as 3 years old in order to provide them with the skills they need to succeed in a digital world. Lorien is proud to sponsor the Looparoo app by providing 5 children with access to the platform for free for a year, meaning children from less privileged backgrounds will be able to access resources and build skills to help them in later life.

REDACTED

2.10 TUPE (SECTION WEIGHTING 0%) - SECTION OF PROCUREMENT SPECIFIC QUESTIONS

2.10.1 TUPE

Tenderers must include a statement on their full consideration of whether the Transfer of Undertakings (Protection of Employment) Regulations 2006 will apply in respect of this Framework Agreement, including details of any perceived implications and/or risks and how these will be mitigated.

Tenderers must confirm whether their Tender has been submitted on the basis of TUPE being deemed to apply or not.

Please note your response to this question is restricted to a maximum word limit of 1500 words.

(Weighting 0%)

Statement

At present, due to the nature of the current framework, we do not anticipate that a TUPE situation will arise at contract award (although we can accommodate this if one does). However, it is not possible to state that a TUPE situation will not occur during the course of the framework as there are scenarios where this may become applicable. We are mindful of being completely transparent with Scottish Procurement and therefore we cannot categorically state that TUPE will not apply in respect of this framework.

Considering whether TUPE applies

A TUPE situation arises when a service provision change takes place and if there is an organised grouping of employees situated in Great Britain whose principal purpose is to carry out the activities concerned on behalf of the client. We understand that the employees do not need to work exclusively on those activities and we would consider anyone that spends over 50% of their working time dedicated to the activities that are transferring as potentially in scope for protection under the TUPE Regulations. For the employees to be classed as an organised grouping they must have been consciously and deliberately set up as the employee grouping to service that particular client i.e. it must not be as a result of chance that an employee spends 100% of his or her time on that particular client's business.

If it is found that TUPE applies and there are employees who are connected to the service provision change, we will conduct a robust and full TUPE process, supported by our HR and Legal departments to mitigate any risks and deliver the best possible results for all concerned. We will also work with the incoming supplier to ensure a smooth transfer of employment for the employees in scope.

Circumstances where TUPE will not apply

From our current understanding, TUPE will not apply if:

- The contract is wholly or mainly for the procurement or supply of goods for the client's use

OR IF

- The activities are carried out in connection with a single specific event or a task of short-term duration (there must be an intention on the client's part to have an ongoing relationship with the contractor for the provision of services)

OR IF

- The activities being transferred will not be fundamentally the same post-transfer as the activities being done pre-transfer

OR IF

- The activities become too fragmented at the point of transfer.

Mitigating risks if TUPE does apply

We will mitigate any risks associate with TUPE by managing a robust, tried and tested process that is delivered by experts. Our Human Resources and Legal departments are committed to ensuring a quick and effective integration into the organisation of all new employees who join Lorien and we will commit to providing all of the resourcing and expertise necessary to ensure that this is the case. If a TUPE situation does occur under the framework, **REDACTED**, our Lead Employee Relations Partner, will immediately make contact with her HR counterpart at the other organisation (i.e. current framework contractors or FPBs) and instigate discussions to establish a relationship and effect a plan of communication with the employees involved as soon as possible prior to the transfer.

Process for framework contractors

If a TUPE situation occurs, **REDACTED** will write to the framework contractor(s) confirming that we understand that the service currently provided by them is transferring to us and that the TUPE regulations will apply to the transfer. We will also confirm that we require the following information:

- The individuals that the framework contractor(s) believe will transfer
- The reasons the individuals identified will transfer to Lorien (including their job specification, what proportion of time they spend on the account and any documentary evidence)
- The date they believe the service transfer will occur
- The information that has been communicated to the employees regarding a potential transfer

Once we have received this information, **REDACTED** and her team will need to assess whether TUPE applies and whether the individuals identified will transfer by way of TUPE. We will then provide framework contractors with information regarding any "measures" that we propose taking, which are things that might affect the employees. For example any proposed changes to working practices.

2.11.2_COMPOSITE BID

The framework contractor(s) will be required to respond with employee liability information, 14 days before the transfer. This includes:

- The identity and age of the employees
- Information contained in the 'statements of employment particulars' pursuant to section 1 of the Employment Rights Act 1996
- Information relating to any collective agreements which apply to the employees
- Details of any disciplinary procedures taken against the employees within the last two years
- Details of any grievances raised by the employees in the last two years
- Details of any legal action taken by an employee in the last two years and any potential legal action which may be brought by an employee

We will then request to attend any consultation meetings about the transfer that framework contractors have with the employees so that we can start communications highlighted below.

Employee communications

The communications will be designed to promote complete transparency and offer reassurance to all parties involved. We will ensure that the situation is managed sympathetically, taking into account the needs of all parties. The communications will:

- Provide an up to date picture of Lorien's structure, activities, markets and clients
- Inform new employees of Lorien's 40 year history, tracking our growth and highlighting predictions for the future
- Communicate the company mission and corporate objectives, instilling corporate values and how our employees contribute and demonstrate these
- Establish expectations from both sides
- Highlight the internal support services available to all business units and employees including our employee assistance programme and all other benefits
- Make clear that Lorien will treat all transferring employees with dignity and respect at all times and will value the skills and experience that they will bring to the company

Opportunity will be given to each individual to have a one on one discussion with both the **REDACTED** regarding any concerns either job related or personal.

After the transfer, the transferring employees will have a site induction by the Site Manager and will be provided with an induction handbook, which details key elements of their employment. A formal induction will then take place including presentations on the company's performance evaluation process, training and development opportunities and procedures and another opportunity for one on one discussion.

The transferring employee will be invited to attend a corporate induction day. The objectives of this day are:

- To promote the Group and reinforce the positive/unique aspects of working for Lorien
- To interact and build relationships with other employees/parts of the business
- To feel part of a corporate Group and avoid the feeling of isolation

REDACTED and her colleagues will be available to all transferring employees and will be happy to give advice to any employee with concerns or answer queries related to any employment issue.

Track Record

Lorien and our parent company the Impellam Group is highly experienced in TUPE transfer in the last 12 months, we have managed **REDACTED** TUPEs out of the group and **REDACTED** into the group across **REDACTED** separate projects. During a recent Lorien implementation, we were informed that **REDACTED** employees were in scope of TUPE. Our **REDACTED** met with them individually, provided them with information about Lorien, the new structure and the roles available to them. **REDACTED** expressed an interest to stay working with the client and transfer over to Lorien at the service go-live. We had ongoing meetings with them over 8 weeks and are happy to confirm they transferred over to Lorien and they continue working for their client under employment of Lorien.

REDACTED