

PE1824/B

Petitioner submission of 22 September 2020

1. This is still the case, and it is worthwhile noting that in the submission from the Scottish Government they have provided no evidence whatsoever to the contrary, despite the statement they have made at their item 17.

Prompt Payment Policy

2. It is one thing to “strongly encourage” it is another thing to then do nothing about it.

3. Failure to comply with the new clause in the standard conditions of contract is a breach of contract. How many times has this happened, is it hundreds, if not thousands of instances over the past 11 years? It is delusional fantasy to think that a sub-contractor is going to report a main contractor for non-compliance with the 30 day period, for fear of not getting any more work. Officials really need to live in the real world.

Coverage and Scope

4. What has been omitted from the aspiration and percentages is the actual figures for the rest of the supply chain. Is it because no one actually knows? The suggestion that it is nothing to do with the Scottish Government as to whether or not other Scottish contracting authorities comply with its requirements is utterly astonishing.

Prompt Payment Reporting in Public Procurement legislation

5. This was a great policy idea in 2014 but unfortunately officials have never bothered to investigate if it actually working.

6. This does seem to actually confirm that the 30 day supply chain policy is not being complied with, but no one is taking it seriously.

7. Again, a sub-contractor will be too afraid to risk losing work. The Scottish Government does appear to be simply deflecting from its failure to monitor and police its own policies.

8. How many project bank accounts are in existence? Anecdotal evidence would suggest very few, if any.

9. Who is the Small Business Commissioner in Scotland? This is petition is in regard to a policy of the Scottish Government, not the UK Government. it does appear that the Scottish Government is referring to the UK Government Small Business Commissioner.

10. Again, it is utterly unrealistic to suggest that this will ever have any practical effect, and it simply appears to be an attempt to pass responsibility away from the policy makers.

11. Perhaps Audit Scotland will.

12. All the government recommendations in the world are pointless, if they are not monitored or policed. Are there simply no management systems or procedures in the Scottish Government that reasonably ensure that the ministers wishes are being complied with?

13. What relevance to the failure over an eleven year period to monitor and police the 30 day supply chain payment requirement does this relate to?

14. Eleven years after the policy requirement was introduced, officials are only now “considering “ what to do about it. For the record, the policy could easily be made effective in a matter of days, if officials really wanted this to happen.

15. Perhaps actually doing something about the accepted responsibility and accountability would be a worthwhile start.

16. This is just a vague and meaningless statement. If the Scottish Government is not interested, it is of no relevance.

17. Precisely what other ways for compliance with prompt payment policies have been implemented, and when did this take place. What are the additional related matters that are being considered? Hopefully officials can provide information to support this statement and are treating the Scottish Parliament with respect.