

Procurement Bill

What does it mean for Food
Partnerships

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Bill passage

Bill started in the House of Lords

1st reading

2nd reading

Committee stage

Report stage

3rd reading

Intro information:

- Will apply to England only.
- Aim is to ‘speed up and simplify our procurement processes, place value for money at their heart, generate social value and unleash opportunities for small businesses, charities and social enterprises to innovate in public service delivery’.
- To move away from a ‘complex EU rules-based approach’.
- Overall the proposals are about simplifying the process of tendering in the public sector, who can challenge decisions etc. It’s full of technical stuff
- Following the consultation, the government made no significant changes to the proposals in the Green Paper. In a few cases it suggested further guidance or more ‘flexibility’
- The Bill is REALLY top level – the most popular consultation response was ‘we need more information’ – in response they promised to release more guidance. I don’t think they have done that in the Bill

GOOD BITS

Public benefit objective

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Procurement objectives

- (1) In carrying out a procurement, a contracting authority must have regard to the importance of—
 - (a) delivering value for money;
 - (b) maximising public benefit;
 - (c) sharing information for the purpose of allowing suppliers and others to understand the authority's procurement policies and decisions;
 - (d) acting, and being seen to act, with integrity.
- (2) In carrying out a procurement, a contracting authority must treat suppliers the same unless a difference between the suppliers justifies different treatment.
- (3) If a contracting authority considers that different treatment is justified in a particular case, the authority must take all reasonable steps to ensure it does not put a supplier at an unfair advantage or disadvantage.

- A new unit to oversee public procurement, 'addressing systemic or institutional breaches.' Will be focussed on actions to ensure future compliance, not punishment (ie it won't act as a monitoring and enforcement body) - it's also just a 'small team' of civil servants.
- Strengthened ability to exclude suppliers for misconduct such as fraud, corruption or poor performance. (This would be helpful – if it's a requirement for businesses to report publicly on compliance, this would help with enforcement? How would we know they are not meeting the regulations – many are exempt from FOI)
- Allows for creation of a Dynamic Market – but not much about encouraging that to happen
- Broad support for better transparency and making past performance easier to measure, but this section is very vague and unspecific