

# The East Midlands Public Procurement Opportunities Plan

A report prepared by *emda*

October 2009

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# The East Midlands Public Procurement Opportunities Plan

Maximising the benefits of public sector procurement for business, society and the environment

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October 2009

  
east midlands  
development agency

## The public procurement opportunity

Since the onset of the current recession at the end of 2008, the significance and profile of the public sector procurement opportunities has grown considerably across the UK. Public sector procurement led activity has the potential to sustain employment and the business competitiveness of suppliers, whilst reducing costs of public services in the longer term. Worth £8 billion a year regionally, and £175 billion a year nationally, publicly procured goods, services and works are responsible for 13% of all economic output.

Recent government commitments to increase the economic impact of public sector procurement have given new impetus to the East Midlands initiative to enhance the functioning of the public sector market for the good of the region's people, businesses, and environment. The Government's New Industry, New Jobs proposals (April

2009) and the 2009 Budget set out new challenges for public sector organisations to work together at all levels in support of key economic, social and environmental opportunities. This reinforces the need for coordinated regional action to realise the opportunities set out by Government, as well as by the regional strategy.

Based on our experience to date and research and regional consultation undertaken in 2008-09, East Midlands Development Agency (*emda*) and its partners has confirmed that better public sector cooperation can promote smarter procurement. In addition, a new regional initiative can help bring forward further commercial opportunities for business, .

The various public sector suppliers must also play a greater part in this initiative; for example by supporting public policy objectives, through

self-help initiatives to improve awareness and skills for working with the public sector, and by advising procurers of potential challenges and opportunities.

The findings and proposals contained in this document echo those of Anne Glover's report on public procurement (Her Majesty's Treasury, 2008), which have been fully adopted by Government. *emda's* close partnership with Government in improving procurement practices, infrastructure and business support, will help the Agency to maximise the benefits of public procurement for the East Midlands in support of both government and regional strategy objectives.

This document sets out the objectives and plan for coordinated regional activity that, with the support of all, will deliver:



- Increased success for the region's private businesses and not for profit organisations in local and global public procurement markets, resulting in the following at all tiers in the supply chain:
  - Increased sales turnover
  - Greater innovation
  - New jobs or safeguarding of existing jobs
  - Improvement in skills of the workforce
- Both 'cashable' efficiency savings and greater impact for public sector procurers, in line with corporate, regional and national policy and delivery objectives. This will be measurable in terms of:
  - alignment of initiatives
  - sharing of best practice
  - a better understanding of the impacts of public sector organisations' procurement policies
  - an improved return on investment and value for money
- The ability for the region to better respond to government challenges on public procurement enabling it to respond collectively in an agile way new needs and opportunities.

“Most small businesses were of the view that they wanted to compete on the basis of the quality of their product and service, on equal terms with large firms, rather than be subject to special treatment. Both they and business representative organisations considered that the overriding priority for Government was to tackle the underlying issues of transparency, simplicity and strategic problems in procurement and problems facing sub-contractors, rather than establishing a target ... [which] would potentially mask the symptoms of the problems SMEs face...public authorities shared this view.”

- Accelerating the SME economic engine through transparent, simple and strategic procurement, Her Majesty's Treasury, November 2008 (page 38)



## Regional needs and opportunities



In 2006, the Regional Economic Strategy (RES) set out a range of specific objectives concerning public procurement, to:

- Encourage employers to stimulate demand for high level and transferable skills by using public procurement to promote skills development
- Develop a Regional Procurement Opportunities Plan aligned with the National Procurement Portal, to open up more opportunities for businesses both regionally and nationally
- Stimulate new local markets and enterprise opportunities by unlocking the potential of local procurement by:
  - Encouraging local public authorities to adopt procurement approaches which deliver local, social, environmental and community benefits
  - Supporting the development of social enterprises and the broader voluntary and community sector, to deliver services whilst improving the economic, social and environmental capacity of a local area
  - Encouraging large businesses to consider supply chain opportunities in their local areas.

Much is already being done by the public, private and not for profit sectors to address these objectives at a local, regional and national level. However, without clear regional objectives and priorities and a framework for guiding activity, regionally we continue to struggle with inefficiencies including the lack of a clear understanding of what more needs to be done and how best to achieve it.

A process of research and consultation led by *emda* with the support of a panel of regional partners and stakeholders has confirmed needs, objectives and a high level plan which will do much to improve public sector and industry performance in line with the overarching objectives of the RES.

The key issues identified are:

- The lack of consistency and best practice in public procurement practices
- Poor connections between public sector procurers, which creates confusion and inefficiencies in implementing best practice
- Perceived barriers to access to public sector markets by small and medium sized enterprises (SMEs) for example overly complicated invitations to tender
- Confusion for SMEs and the not for profit sector, due to the proliferation of solutions e.g. the number of different internet portals used to advertise opportunities
- Problems of identifying and communicating with the region's supplier base able to service the public sector, resulting in inefficiencies and lost opportunities for business
- Lack of understanding by SMEs and third sector enterprises of the requirements associated with public sector supply contracts, including, in some cases, the need for a competitive offer.

Even though multiple initiatives have addressed these issues, analysis and consultation has confirmed that the region could benefit significantly by implementation of a Regional Procurement Opportunities Plan that:

- Improves strategic dialogue between key regional partners and stakeholders on opportunities and challenges to maximise the benefits of public sector procurement for the East Midlands
- Supports improvements in public sector procurement policies and practices in a manner supportive of common regional objectives and the Sustainable Procurement Task Force "Flexible Framework" (that helps organisations understand what steps they have to take to make sustainable procurement happen)
- Further stimulates the supply of support services for business, including third sector organisations in the public service industry, to enable them to more easily exploit public service contract opportunities in the region and develop their supply chains.

The rest of this document sets out detailed objectives for the plan, and explains how they will be achieved.



<sup>1</sup> Sustainable procurement is a term that reflects the purchase of goods, services and public works in such a way as to simultaneously optimise the benefits for the economy, society and the environment, taking into account the whole life costs of the chosen solution

# Objectives

This plan proposes to take forward the agenda through **three strategic objectives**:

- 1). Facilitating supply or appropriate support services for businesses, including third sector organisations in the public service industry
- 2). Improving dialogue between key regional partners and stakeholders
- 3). Supporting improvements in public sector procurement policies and practices

Each of these objectives are expanded on further in the following pages.

## STRATEGIC OBJECTIVE 1

### FACILITATING SUPPLY OF APPROPRIATE SUPPORT SERVICES FOR BUSINESSES, INCLUDING THIRD SECTOR ORGANISATIONS IN THE PUBLIC SERVICE INDUSTRY



Our research/consultation has demonstrated that there are problems in effectively identifying and communicating with all those suppliers that can potentially provide goods and services to the public sector, results in inefficiencies and lost opportunities for business. The analysis revealed six key objectives as follows:

#### Objective 1.1 Consolidate access to contract opportunity advertisements

Currently there are multiple sites advertising contract opportunities for suppliers. The sites range from single public body web pages to local databases and national portals. Some provide the ability to register for future opportunities while others are merely a replacement to traditional advertising media.

Accessing this range of sites is both time consuming and confusing to suppliers, who can spend a lot of time

searching for contracts of interest to them. There is a perception within the public sector that the private sector is constantly looking at websites, when they are not. A key challenge facing the region is gathering support for a single portal which would provide the most impact.

Although apparently a reasonably simple activity to achieve, given the similarities of the various systems and portals, getting committed support from a number of organisations will prove more challenging. There are signs of commonality in the use of some

systems e.g. the NHS Supply2Health portal is mandated for all Primary Care Trusts. If this can be developed further, a methodology for placing adverts, managing accreditation and supplier lists as well as sharing procurement data and information between procurement colleagues would be a powerful tool. It would also show the market that the region is serious about creating efficiencies and providing a 'one stop shop' for public procurement expenditure. As work progresses to create a new national portal, alignment from national to regional to local level needs to be achieved.

#### Action required:

A review should be commissioned to determine the most effective method of promoting public sector contract opportunities to inform both national and regional level responses. This review should, after consultation with stakeholders, detail existing solutions and options for a regional solution which would operate across all public bodies. It is anticipated that this review would address improvements to the existing information infrastructure (i.e. enhancements to the Source East Midlands portal). A recent example of best practice in this area is the Department of Health NHS Supply2Health portal.

#### Objective 1.2 Standardise documents across the region

Each public body within the region has its own set of documentation used for the procurement process. Documentation for Pre-Qualification

Questionnaires (PQs), contract terms and conditions, and award criteria varies significantly across the public sector.

Whilst efforts have been made to standardise procurement processes in some sectors, use of commonly recognised best practice is patchy.

This manifests itself when suppliers of all sizes have to complete generic information many times, as seldom are two processes the same. It is also apparent that some authorities are requesting disproportionate levels of information, often bearing little relevance to the output required from the procurement.

#### Action required:

The public sector organisations in the East Midlands should support government-led activity to standardise documentation for the procurement process in order to ensure rapid progress for the benefit of the regional economy. This should be coupled with action in support of government-led initiatives to reduce and remove barriers to prequalification and migrate to online procurement systems. This will be achieved by recognition of other organisation's standards and sharing information about pre-qualified potential suppliers to remove the need for suppliers having to submit supporting documentation for each tender opportunity e.g. via shared databases or pre-qualified suppliers such as is maintained through the 'Constructionline' initiative. The creation of any region-specific variations or additions to the new national standards and infrastructure should be subject to a properly evidenced business case, but could potentially relate to requirements for mapping and developing local suppliers from both private and not for profit sectors.

#### Objective 1.3 Establish a closer relationship with Business Link

Business Link East Midlands offers a complete suite of services to new and established businesses in the region. It does this in a variety of ways from providing access to free training to the provision of impartial advice. Services also include legal and regulatory assistance as well as strategy and growth guidance.

Business Link also acts as a hub for business information and case studies. Business Link advisers are available to provide dedicated support as well as to source appropriate information on behalf of businesses.

A core aim of the Business Link service is to facilitate the expansion of the organisations they work with. It does this through providing diagnostic services and using third parties to provide targeted support. In relation to the public sector, it

runs a series of general events which are well attended. However, the level of detail provided and Business Link's understanding of actual and specific opportunities that the public sector provides is limited. Without a clear understanding of the landscape and short, medium and long term opportunities, Business Link cannot effectively promote the opportunities of doing business with the public sector to local businesses.

#### Action required:

Closer public sector working relationships should be established with Business Link to raise its awareness of public sector procurement strategies in the region and ensure it is sufficiently informed of public procurement opportunities and initiatives to inform its clients through advisory and training services.

**Objective 1.4**  
 Improve coordination of supplier engagement/meet the buyer events

There are a multitude of events run in the region to provide the private sector with information and guidance on how and why to work with the public sector. At one level, Business Link provides these through its existing networks and at a more local

level, local authorities have organised events. These events are generally well attended and received. However, this work is again confusing to the private sector in terms of which events they should attend, what the relative benefits are of one event over another and which will truly result in increased awareness and more business.

By managing these events in a coordinated way, the public sector

will provide businesses with more coherent and relevant information, which better harnesses the resources that the public sector is collectively putting into this activity and reduces market entry costs for potential new suppliers. By working together, the public bodies can operate more cost effectively - reducing overheads, eliminating unnecessary duplication, improving economies of scale and learning from each other.

**Action required:**

A market engagement strategy should be produced for the region to ensure a consistent and united public sectors approach. This will clarify the requirements for suppliers whilst reducing the cost of engagement.

**Objective 1.5**  
 Improved SME engagement

The drive for public sector efficiency has led to larger supplier frameworks being put in place for some major areas of expenditure. These can often exclude local SMEs (both private and not for profit organisations) for long periods of time and distort the market in the longer term.

them to understand that they could position themselves more successfully in the second or third tiers of public sector supply chains, working through a first tier channel.

Whilst the rationale for the public sector to create larger supplier frameworks is understood, public sector organisations have a role in developing the supply chain, working with its strategic contractors to create an environment where local SMEs can become involved. As well as working directly with its own suppliers, the public sector can also influence large private sector suppliers in the region who may not

currently be engaged with local SMEs but have similar criteria and quality requirements.

In practice this means giving local SMEs clear guidance on the requirements of the service and the criteria they would need to achieve to become involved. It also requires working directly with a range of support provider delivery services such as Business Link and Train to Gain (to develop workforce skills). There is also a role for a regional supplier development service to coordinate action and to look at specific needs not otherwise addressed.

**Action required:**

Suppliers should be given a single source of guidance on how to work with the public sector in the region, and a basis established for regional coordination and improvement of supplier engagement activity. This should support and complement government-led initiatives in the field.

**Objective 1.6**  
 Supply chain development

Whilst organisations in the public supply industry will respond to the performance frameworks set for them by procurers, the economic case for making decisions is likely to carry most prominence. Subject to the

mission of the supplier, other items such as the environment and social issues may be considered in the context of how they relate to the profit margins of the organisation. Analysis by *emda* and its partners has revealed that private sector organisations are primarily concerned with cost effectiveness and product/service

quality rather than geographical location and social inclusion.

Interventions to encourage private sector organisations to consider the entire sustainable procurement agenda may be necessary in order to change their attitudes towards the development of local supply chains.

**Action required:**

Bidders for large public sector contracts need to be given incentives to develop local supply chains. A common approach needs to be agreed and implemented across the region, requiring senior buy-in, and a regionally coordinated response, including targeted activity with larger companies to encourage them to take a lead.

**STRATEGIC OBJECTIVE 2**

**IMPROVING DIALOGUE BETWEEN KEY REGIONAL PARTNERS AND STAKEHOLDERS**



Lack of connection between public sector procurers creates a confusing landscape for the public service industry and inefficiencies in implementing procurement best practice in the region. The analysis revealed three key objectives that would improve these connections:

**Objective 2.1**  
 Standardising procedures and standing orders

For procurements which are below the Official Journal of The EU thresholds (OJEU), each public sector body has a range of procedures governing the procurement process used. For example, organisations

have inconsistent processes dependent on the value of procurements For one organisation, a formal procurement process must be undertaken at £5,000 and above, whereas others stipulate that for values below £10,000 only three quotes are required. This leads to confusion on the part of smaller suppliers who, for work of identical value with two different public sector

organisations, might have to submit a formal proposal for one organisation whereas for the other, a written acknowledgement confirming price may suffice. Even where standards are available and promoted, it is not clear that they are being consistently deployed.

**Action required:**

Senior level leadership is required to ensure there is a commitment to align policies and practices, and that this is achieved in line with individual organisations' corporate and strategic objectives.

There is both an initial and ongoing requirement for regional coordination in this field, which should also relate local and regional needs to wider national initiatives.

**Objective 2.2**  
 Coordinating regional initiatives

Research has shown that many of the public procurement initiatives across the region are not managed or

developed in a joined-up way. This is also true within individual organisations where officers work on public procurement initiatives reflecting their specific objectives, without being aware of how they could be joined-up with the efforts of other workstreams.

The monitoring and recording of projects which have been funded is confused and can be ineffective. The result is again a muddled picture to outside bodies and the private sector. A more joined-up approach is needed and competing projects need to be rationalised.

**Action required:**

After an initial effort to comprehensively map, evaluate and align initiatives (in cooperation with the government-led mapping process relating to business skills), all new initiatives should be informed and aligned through a central coordination office for public procurement initiatives.

This would help to promote best practice, prevent unnecessary duplication, and ensure that the landscape is as simple as possible for procurers and suppliers to understand and appropriately access.

**Objective 2.3**  
Establishing governance arrangements

To further develop the Regional Procurement Opportunities Plan and

ensure it is implemented and monitored at a strategic and operational level, a governance structure is required. Higher level support from senior regional stakeholders is seen as fundamental to the success of the plan and

something the regional SME community would wish to see evidence of immediately. It is therefore proposed that a group is set up to oversee implementation of the plan and guide its development.

**Action required:**

A high level East Midlands Procurement Forum will be established that will ensure that progress is made on the objectives of this plan by:

- Aligning policies and driving change
- Removing the practical and institutional obstacles that have hindered progress to date.

To remain agile and strategic as well as impactful, the Forum will be made up of no more than 12 senior representatives of the key regional procurement sectors (e.g. local authorities and the NHS) and public sector supply industry (both private and not for profit sectors). To ensure speedy progress, a secretariat will be required to support the Forum activities and manage the Regional Procurement Opportunities Plan.

**STRATEGIC OBJECTIVE 3**

**SUPPORTING IMPROVEMENTS IN PUBLIC SECTOR PROCUREMENT POLICIES AND PRACTICES**



**Objective 3.1**  
Improving public sector procurer training

The landscape and structure of procurement varies across the region. Some public bodies have a tightly controlled corporate division responsible for all procurement; others have a more devolved structure. Commissioning and procurement may not be a core part of an individual officer's role or they may lack capacity to effectively implement or develop skilled processes and initiatives. Depending on the organisation, understanding the most appropriate and innovative methods to encourage the local economy is varied, and there is clearly scope for

improving performance to achieve desired regional outcomes, e.g. improved healthcare and local employment.

Risk management and assessment does not appear to be a widely understood concept amongst public sector procurers. There is evidence from suppliers that procurers are using a generic approach to standard procurement criteria and not relating the level of compliance to the outcome of the contract. For example, health and safety policies are required for very short term, low cost and low risk services and quality management system accreditation and levels of public liability insurance are sought from suppliers of a size where the costs would be

prohibitively expensive. A closer assessment of the relative risks and standards should be carried out before the requirement is procured. This will enable a broader range of suppliers to compete for the work, which in turn promotes competition and is therefore likely to lead to innovation and cost savings.

By providing a range of training and support to procurers regardless of their level of influence, and including public sector leaders, the region can create a new model for procurement, particularly in terms of the impact it can have on the local economy. It is anticipated that development of the procurement professionals across the region would be carried out by the public sector organisations in

accordance with the guidance provided by the Office of Government Commerce (OGC)<sup>2</sup>. To ensure consistency of approach across the

region this development programme would need to be centrally managed. Linked with the other recommended actions to streamline processes, this

will have meaningful outcome for local SMEs.

**Action required:**

Appropriate training opportunities for public sector procurers should be established and promoted. This training should reflect and promote regional standards and best practice, as well as exploiting and linking to existing initiatives as appropriate, e.g. the NHS re:source Collaborative Procurement Hub and the East Midlands Improvement and Efficiency Partnership. Part of this training programme should ensure that procurers receive effective risk management training and are better able to assess bids based on (economic, social and environmental) outcomes rather than outputs, inputs and processes.

**Objective 3.2**  
Increasing impact through regional funding and grants

There is a proven opportunity for regional bodies such as *emda* to influence commissioning and

procurement practices, both through their direct spend and their influence over the way others invest. From influencing policy, developing regional intelligence, trialling new processes themselves, to the strict process requirements placed on devolved budgets and development

and dissemination of better practice, there are a range of means open to regional bodies to promote the objectives of this Regional Procurement Opportunities Plan. This activity could be managed more closely and its impact measured.

**Action required:**

*emda* and other appropriate regional bodies should explore the opportunities to directly and indirectly lead change in public procurement practices in support of the objectives of this Regional Procurement Opportunities Plan.

**Objective 3.3**  
Capturing and analysing regional spend data

Both the regional research and Anne Glover's national report identified a lack of procurement spend data. While some regional analysis has previously been carried out, it is not comprehensive and is now dated. In

order to measure the impact of the plan at a high level and for procurers to identify where they are impacting on the local economy, either positively or negatively, more data is required.

It is suggested that this type of activity can have multiple benefits for public sector bodies but it will require careful consideration and a realisation that it

is an ongoing process rather than a one-off exercise. Also, each public sector body within the region currently has a different approach to spend analysis and the outputs from the diverse methods are incompatible. Any initiative to produce a regional spend analysis would first have to resolve this inconsistency.

**Action required:**

In coordination with any similar national initiative, to consider the requirement for a regional spend analysis, determine how this would be achieved, and proceed to implementation with regular analysis as appropriate to inform evolving regional needs and priorities.

<sup>2</sup> For more information go to the OGC website: [www.ogc.gov.uk](http://www.ogc.gov.uk)

### Successful implementation

In a context of complex procurement requirements and downward public sector budget pressures, regional coordination and alignment will be critical to the success of this Regional Procurement Opportunities Plan, building on what already exists and what works.

Research and consultation has established that there are three key projects that should be supported, to ensure the objectives outlined above are achieved as quickly and efficiently as possible and the full benefits realised. These projects are:

#### 1. An East Midlands Procurement Forum that would:

- a. Ensure that progress is made on the objectives above by aligning policies and driving change across the sectors the forum represents, including public, private and not for profit sectors
- b. Remove the practical and institutional obstacles that have hindered progress to date, in particular progress by other organisations in the sector whose views they are appointed to represent
- c. Guide the work of the supplier development service and coordination office for public procurement initiatives in the East Midlands.

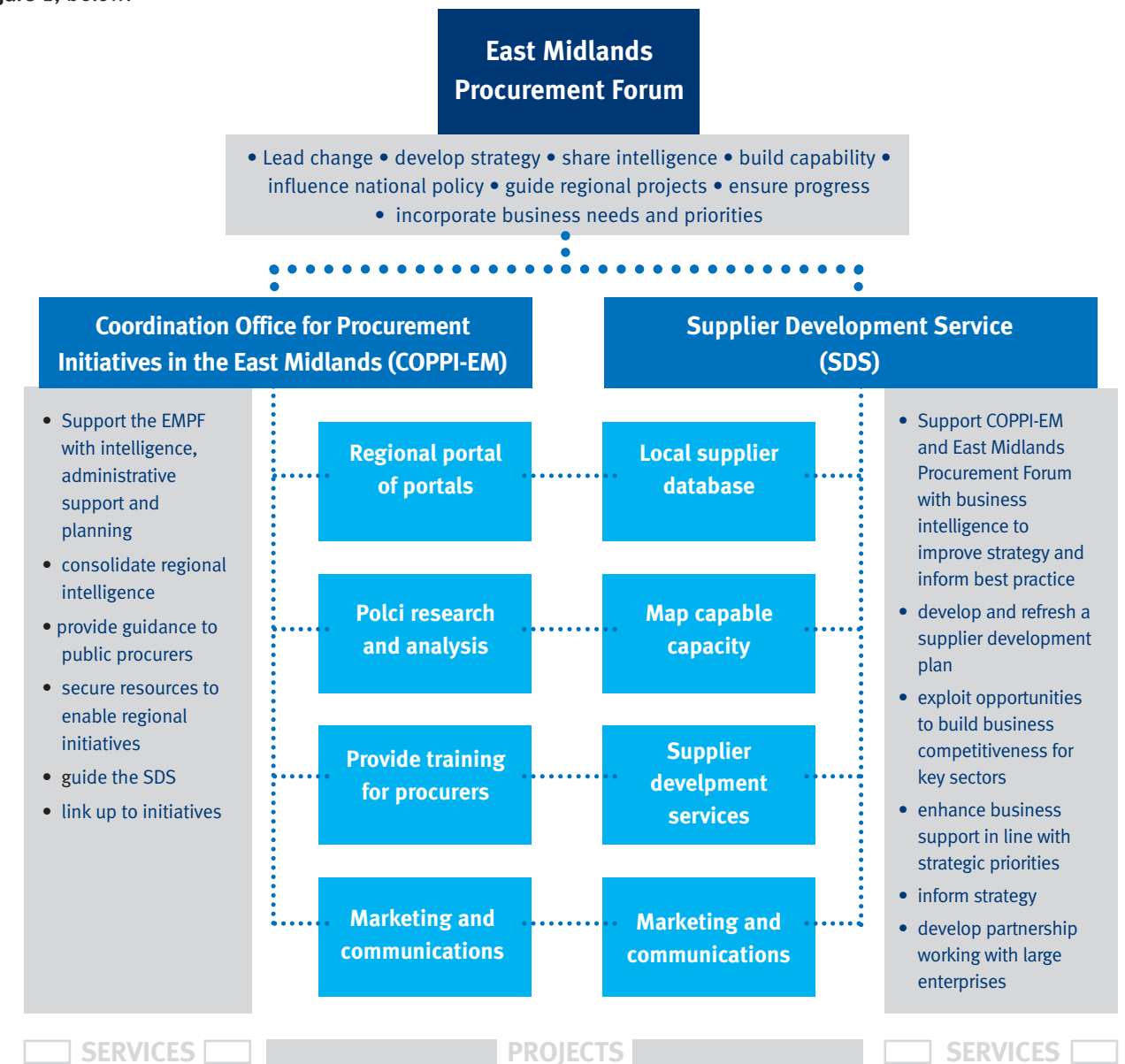
#### 2. A coordination office for public procurement initiatives in the East Midlands, to:

- a. Support communication between public bodies, including collaborative procurement hubs, to share (and if possible give access to) best practice, align public sector initiatives, and support, develop and progress business cases for new regional products, services, infrastructure and training
- b. Provide consolidated regional intelligence to inform needs and priorities for action on public procurement, including a market engagement strategy and the data required for policy making and impact evaluation
- c. Establish, refresh and report against a performance framework for the Regional Procurement Opportunities Plan
- d. Support an East Midlands Procurement Forum.

#### 3. A supplier development service, addressing the needs of:

- a. Businesses – for information, advice, consultancy, signposting to appropriate opportunities and consolidation/coordination of regional business-orientated public procurement initiatives
- b. Public procurers – for information on the capable capacity in the region, e.g. businesses who could be invited to tender for smaller contract opportunities that might not be openly tendered.

An overview of these three key projects is illustrated in figure 1, below:





## Next steps

### 1) Voluntary alignment with the plan

Much is already being done to improve public sector procurement in the East Midlands, promoting the business and public sector benefits. However this is not necessarily coordinated.

The launch of the Regional Procurement Opportunities Plan provides an immediate opportunity for a wider range of regional partners and stakeholders to start to align with its objectives, and provide a collaborative and coordinated regional approach.

### 2) Establish an East Midlands Procurement Forum

Building on the Project Advisory Group that guided the proposals for this Regional Procurement Opportunities Plan, progress has already been made to establish an East Midlands Procurement Forum that will provide strong regional leadership and shared ownership across sectors. It has made a commitment to demonstrate what can be achieved through cross-sector cooperation, and to work closely to align the regional action plan with Government's actions to implement the recommendations of the Glover report. The Forum should be fully constituted by the end of September 2009.

### 3) Detailed action planning

The first challenge the Forum has to face is the resourcing of the plan in order to achieve its objectives, including the requirement for further detailed studies, action planning and dedicated support for intensive regional coordination activity.

Alongside the publication of this plan, a request will be issued for regional partners to set out what they can do to ensure the success of the plan, through new or aligned resources and initiatives.

Partners will be given six weeks to set out their initial contributions.

*emda* will coordinate the process on behalf of the region, and will be seeking to establish what partners can contribute to all of the proposed projects and objectives, and where partners might be able to take full ownership and responsibility.

The East Midlands Procurement Forum will be responsible for identifying and addressing any gaps. The partner contributions, appropriate delegation, gap analysis and future work planning should be completed by the end of December 2009.

### 4) Full roll out

By April 2010, a detailed delivery plan with specific agreed targets will have been implemented and will be making substantial progress on all of the initial objectives.

Given the complexity of the public sector procurement agenda and the current public funding priorities and constraints, this is an ambitious target. However, it is important to ensure that the programme succeeds in the medium to long term to make sure that the region's suppliers and procurers are well placed to work together to build the East Midlands into a flourishing region.

### More information

For more information, please contact Patrick Keen, Economic Policy Advisor (Manufacturing and Procurement) at *emda*:

Email: [patrickkeen@emd.org.uk](mailto:patrickkeen@emd.org.uk)

Telephone: 0115 947 1740

East Midlands Development Agency  
Apex Court  
City Link,  
Nottingham  
NG2 4LA

