



Llywodraeth Cymru
Welsh Government

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Social Partnership Council: update on Socially Responsible Procurement (paper to note)

Update on Socially Responsible Procurement.

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Work continues on the supporting material (secondary legislation, statutory guidance, model clauses and The Public Services Outsourcing and Workforce Code – the “Workforce Code”) that is needed to bring the Socially Responsible Procurement duties (Part 3) into force.

Since the last SPC meeting work has focused on the social public works and the social public workforce clauses and Workforce Code, and on the metrics that will need to be included in regulations and reported on annually by contracting authorities.

Social Public Workforce Clauses and the new Workforce Code

A contract was awarded to Geldards law firm to develop a draft Code and clauses. Three sets of reference groups were set up: the first with the assistance of the TUC to include union representatives; the second with the Wales Local Government Association to engage procurement and HR colleagues from the public sector; and the third with Business Services Association, which includes many of the larger outsourced services providers within its membership.

The aim of the workshops was to consider feedback on the operation of the current workforce Code, to consider the changes required under the new legislation, and to comment on a new Draft Code and clauses that had been circulated in advance. All meetings were well attended and discussed the new draft in considerable detail. Several improvements have been made, and all matters raised have been noted. The new draft is therefore ready for the formal consultation that is required under the Act.

Social Public Works Clauses

A separate contract was awarded to Geldards law firm to develop a draft set of

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social public works clauses based on the proposal paper that resulted from two rounds of workshops discussing each of the six improvement categories in Table 1 in the Act. Social partners were involved in these earlier workshops, contributing to the development of the proposals paper. The categories are: prompt payment; employment opportunities; employment law compliance; training; sub-contracting opportunities; and the environment.

This work is underway and includes further discussions with experts in these six categories. We hope to have a draft set of clauses before the summer break, and a consultation will follow.

Well-being outcome metrics

The Act requires ministers to publish regulations setting out the information that contracting authorities must collect and report to demonstrate their meeting of their procurement objectives and their contribution to the achievement of the well-being goals.

A proposals paper was developed over several months with a reference group comprising procurement colleagues from across the public sector and from the Future Generations Commissioner's office. The paper includes a draft set of around 20 metrics. A contract has been awarded to Cwmpas to help test these metrics, with contracting authorities, social partners and suppliers. Meetings to discuss this are underway, and we hope to have a set of metrics that can form the basis of regulations within the next few months. Formal consultation on these will follow.

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