

Procurement in Wales

factsheet

Introduction

Procurement in Wales is a devolved issue, meaning responsibility for the statutory framework of procurement rests with the Welsh Assembly Government. As a result there are important differences between the procurement framework in Wales and the rest of the UK. This factsheet aims to explain the distinctive features of procurement in Wales and compliments UNISON's UK-wide Procurement Guide. The full Procurement Guide can be found online at: www.unison.org.uk/acrobat/17808.pdf.

The political context for procurement in Wales

In October 2004 the Welsh Assembly Government published its policy paper "Making the Connections: Delivering Better Services for Wales" which identified "smarter procurement" as the key to releasing £120 million in value for money efficiencies by 2008, increasing to £600 million by 2010.

This approach appeared to be endorsed following the formation of a coalition administration in Wales in 2006. The agreement signed by both Plaid Cymru and Labour in 2007, entitled "One Wales", identified procurement as playing a key role in the public sector. The agreement stated: "We will use all the tools available to us, from public procurement and support for private investment to European Union funding to enable businesses to flourish and expand."

"Value Wales" is the agency of the Assembly Government which is tasked with driving the procurement model in Wales. Its mission statement states that it will "work in partnership with the Welsh public sector as a catalyst

to improve value for money obtained from its procurement activity, thereby supporting the delivery of public services while benefiting the social, economic and environmental landscape of Wales". However, the policy agenda in Wales is not as clear cut as it is in England.

For example, in April 2008 the Welsh Assembly minister for health, Edwina Hart AM, signed a joint statement with her Scottish and Northern Irish counterparts which reaffirmed the need to preserve a public service ethos within the NHS. The statement included the following words: "The Scottish Government, the Welsh Assembly Government and the Northern Ireland Government are committed to ensuring that the NHS remains a public service of which our citizens can be justifiably proud." This statement has been widely interpreted as an attempt to ring-fence the NHS in the devolved nations from the excesses of the privatisation agenda in England.

Another example of a distinctive approach being taken in Wales is the recent decision, again taken by Edwina Hart, to bring hotel services at Neath Port Talbot Hospital back in-house. The impact of this approach has been to place less pressure on public sector employers in Wales to privatise services.

It remains to be seen if this will translate into more direct resistance to the "procurement and commissioning" model so favoured in England. Nevertheless, it is important to be aware that some politicians in Wales are less prone to be driven by the kind of ideological dogma which insists that private sector management is the only way to improve services or make savings.

Legislation and guidance

The statutory processes which public sector employers must follow in order to contract out services are the same in Wales as in England. The Welsh

Procurement in Wales

Assembly Government has not passed additional legislation superseding UK legislation on procurement procedure. Procurement in Wales is subject to the same European Union legislation which applies to the rest of the UK. For more information on both UK and EU legislation please see the "Procurement and the Law" section on page 63 of the UNISON Procurement Guide. You can find this online here:
www.unison.org.uk/acrobat/17808.pdf

In line with the other devolved administrations, an agreement has been established between the Welsh Assembly Government and the Office of Government Commerce (the UK Government agency responsible for procurement) whereby Value Wales is responsible for the provision of procurement policy guidance and advice to Welsh public sector.

Value Wales' guidance on procurement, including its own "Procurement Route Planner" can be found here:
www.buy4wales.co.uk

UNISON agreements in Wales

There are no over-arching national agreements in Wales relating to procurement. However, a number of public sector organisations in Wales have entered into local agreements on procurement, two-tier Workforce, TUPE + and monitoring and enforcement. If you would like to see examples of these agreements please contact Gavin Edwards at g.edwards@unison.co.uk.

Further Information

UNISON Wales
www.unison.org.uk/cymruwales/

Value Wales
www.buy4wales.co.uk/

UNISON Procurement Guide
www.unison.org.uk/acrobat/17808.pdf

"Making the Connections: Delivering Better Services for Wales"
<http://new.wales.gov.uk/dpsp/strategy/vision/mtcvision.pdf?lang=en>

"One Wales: A progressive agenda for the government of Wales"
<http://new.wales.gov.uk/strategy/strategies/onewales/onewalese.pdf?lang=en>

Partnership and Managing Change: A Partnership Agreement for Public Services in Wales
www.tuc.org.uk/extras/socialpartnership.pdf