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Discussion Group: The Procurement Act

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Discussion Point 1: Skills and Capacity

- **How are you preparing internally for upskilling your teams and having the capacity to deliver under the new Act?**
- **Have you the support from your senior management?**
- **Are you seeking additional resources, planning to recruit? External resources considered?**

Feedback

- None of the attendees present advised that they had been allocated additional resources or budget to recruit more procurement staff. The general feeling was that most procurement teams are understaffed already and have not had any additional resource. Some had fed the details up the chain but nothing had come back from Senior Management Teams to support.
- The general feeling was that there is barely any acknowledgement of the potential scale of change from outside of procurement departments and there is a lack of influence to make other departments 'understand'.

Recommendations

It is recommended that Heads of Procurement raise this with their line managers as a matter of urgency, UKUPC are also raising this with BUFDG, to propose some training they should deliver to raise awareness with Finance Directors.

Discussion Point 2: Implementation/Training

- **Have you completed the GCF e-learning modules?**
- **Are you or your team enrolled on the deep dives?**
- **What other training requirements do you foresee?**

Feedback

- A large number of the attendees indicated that they had started the e-learning modules, but none had completed them and therefore not booked on the Deep dives. Deep dives are now fully booked until September.
- Some mentioned that there seemed to be a lot of training being made available. Not just the official Cabinet Office sessions, but also from some of the legal firms.
- The general consensus was that the new regime is the correct way of working, but it is difficult to understand how to implement new ways of forward planning when procurement within universities are often responsive departments rather than leading on setting commercial agendas.

Recommendations

- Members were advised to contact their eSenders to ask how they are progressing with building the new notices, and other new regs elements into their systems.
- Members should also be asking eSenders for training in completing the new notices.
- A Communities of Practice (CoP) Programme is accessible on the [Government Commercial College site](#), offering resources, additional events and a discussion forum where knowledge, experiences and challenges can be shared
- Useful GCF Comms Packs:
 - [Launch Comms: GCF L&D eLearning](#)
 - [Launch Comms: GCF TPP Communities of Practice](#)

Discussion Point 3: Impact on Stakeholders

- **How are you preparing your organisations' internal clients to be ready for the changes?**
- **Supplier notifications? Have you drafted a comms plan to ensure suppliers are ready?**

Feedback

- One table mentioned that Stakeholders are generally not aware of the new procurement regulations with a lack of interest from wider stakeholders within universities as it is seen as something procurement need to manage.
- There was discussion that the demands of the new Procurement Act would further increase urgency and timing constraints at institutions, which are already challenging enough.
- One University advised that they are considering opting out of the regs, and that this might be the case for many institutions. The key incentive for opting out of the regs being the removal of the risk of supplier challenge
- There was some lengthy discussion on the issues surrounding the upfront publication of KPIs:

- They shouldn't be too onerous on suppliers, as this will limit bidder interest.
- Setting them too 'light' could compromise the quality of the services received by customers.
- There was talk of creating a generic set of standardised, supplier 'friendly' KPIs just to be able to comply with the new regulations.
- One concern from members was how SMEs would deal with the new regs and their ability to submit bids.
- Supplier awareness was very low and needs to be better.

Recommendations

- There is a need to raise awareness to staff managing contracts with regards to the new requirements for actions and publications to take place during the contract management phase of the procurement lifecycle.
 - Mohamed mentioned the transparency requirements could potentially increase the risk of reputational damage to members and suppliers. He also mentioned that there is risk in relation to the need of redacted contracts and the possible lack of internal expertise and/or time constraints on internal legal staff.
 - Awareness amongst suppliers needs to be improved, you can download a [template letter for suppliers here](#).

Discussion Point 4: Final Points

- **What other concerns do you have about the Act?**
- **Both positive and negative – what are the opportunities?**

Feedback

- There was some discussion that Procurement needed to liaise with senior stakeholders in Finance to make them aware of the coming changes.
- One positive opportunity was mentioned with regards to the flexibility to design procurements to meet requirements including the ability to negotiate. However, this positive is overshadowed by the burden of transparency requirements and other additional processes that have been introduced which has an impact on resources.

Recommendations

Following on from this discussion group, LUPC & SUPC will liaise across UKUPC to raise the implications of the Procurement Act in a presentation to BUFDG, the British Universities Finance Directors Group, on behalf of UKUPC members.