

BUYING SOCIAL JUSTICE
THROUGH PROCUREMENT

Buying Social Justice project Collaborative Workshop

22 June 2023

Edinburgh



Agenda

- 11.00** Introduction to research and presentation of project findings
- 11.25** Response to project findings 1 – Jo Mitchell, Sustainable Procurement Lead, Scottish Government
- 11.35** Response to project findings 2 – Barbara Morton, Founding Director, Sustainable Procurement Ltd
- 11.45** Round tables: development of recommendations
- 12.30** Summary of round table discussions and Q&A
- 13.00** Lunch and networking
- 14.00** Finish

Project aims and team

- To provide evidence base on the use of social procurement by public bodies to advance equality in employment, focusing on construction;
- To compare the different legal frameworks and policy approaches in England, Wales and Scotland and to assess the impact on practice;
- To produce guidance and recommendations for using public procurement to promote employment equality, through case studies and a practitioner toolkit;
- Project Team: Prof Tessa Wright; Prof Hazel Conley; Dr Joyce Mamode; Dr Katharina Sarter
- [Project Advisory Board](#): practitioners and academics guiding the project

Research methods

- **Interviews** with policy and practitioner experts in procurement and equality, diversity and inclusion (EDI) across England, Wales and Scotland;
- **Survey** of procurement officers in local authorities, housing associations and higher education institutions;
- **Case studies** of good practice in public procurement, social value and employment equality – infrastructure and transport bodies, local authorities, housing associations and universities

Research outputs

- **Blog:** published on project website

[From 'good work' to 'fair work': how Scotland and Wales may be leading the way in equality](#)

[Investment and equality - lessons from Scotland](#)

[A three-nations perspective on creating 'social value' from procurement in the face of public spending cuts](#)

- **Summary and full report:** findings and toolkit to be presented at final project conference in September in London;
- **Guidance/Toolkit:** to support procurement practitioners in incorporating equality and diversity considerations into their practice;
- **Academic publications:** articles, book chapters and possible book in progress.

Expert Interviews

- Indicative findings to follow up in case studies
- 33 interviews completed

Expert type	GB	England	Wales	Scotland	Total
Procurement	10	3	2	3	18
Trade union	3	2	2	1	8
Equality	1	1	2	1	5
Housing			1		1
Delivery		1			1

Plus additional expertise in policy and law; includes public, private and non-profit sectors

Survey

- Procurement officers in local authorities, housing associations and universities invited to participate in online survey August 2022 to March 2023

Organisation type	England	Scotland	Wales	England and Scotland	England, Scotland and Wales	Total
Local authority	28	7	5	-	-	40
Housing association	12	1	5	1	-	19
University	20	3	1	-	-	24
Other	10	-	1	1	2	14
Total	70	11	12	2	2	97

Case studies

- Currently being conducted with infrastructure and transport bodies, local authorities, housing associations and universities in England, Scotland and Wales
- Aiming to have 8 to 10 organisations

Findings: procurement context

- Greater priority given to the use of public spending power for social ends by governments in Scotland and Wales than in Westminster;
- Procurement Reform (Scotland) Act 2014 contains sustainable procurement duty and community benefit requirements;
- Equality Act 2010 (Authorities subject to the Socio-economic Inequality Duty) (Scotland) Regulations 2018 - the Fairer Scotland Duty and ss 9 in the PSED (Specific Duties) (Scotland) Regulations (2012)

Findings: procurement practice & equality

- Linking prequalification to equality is common practice. Mature organisations most likely to always use equality prequalification, while developing and leaders use it most of the time;
- Whether a weighting is attached to equality considerations is influenced by training, the sector and most importantly maturity;
- Monitoring differs by sector and is influenced by training and, most importantly, maturity. Monitoring of social and equality (where included) as an area for improvement;
- Engagement with civil society organisations and trade unions remained low but was more prevalent among mature organisations as was engagement with internal EDI experts.

Findings: Barriers

- Expertise: lack of expertise of procurement officers in relation to equality; EDI staff not involved in procurement
- Client clarity or commitment: lack of clarity of ask seen as a barrier; clear commitment to aims of social procurement important;
- Supplier engagement and capacity: lack of understanding of client demands by supplier; some lack of capacity in construction
- Resources: too many demands, not enough procurement staff; austerity affecting local government

Findings: Enablers

- Legislation: respondents more likely to mention enabling legislation in Wales and Scotland;
- External collaboration: existence of networks across sector beneficial, sharing experience of good practice
- Political leadership: linked to organisational commitment; needs to filter down through organisation
- Senior management commitment: visible and offering practical support
- Internal collaboration: particularly between pre-contract and contract management teams.

Findings: Monitoring and enforcement

- Reporting often mentioned as inadequate or ‘tick box’; but some examples of sophisticated mechanisms and engagement with suppliers
- Follow through from contract requirements to outcomes often absent
- Concerns about measurement, i.e. use of monetary value
- Some influence of Economic and Social Governance (ESG) reporting requirements, especially for housing associations

Findings: Development of good practice

- Networks and external information sharing important
- Internal collaboration between procurement and equality experts, and between pre-contract (objectives) and contract management teams (outcomes)
- Engagement with suppliers during tendering and contract
- EDI accreditation expected from suppliers
- Training through supply chain

Findings: Development of good practice

- Clarity of ask and expectations from client, with flexibility
- Monitoring and reporting: some evidence of comprehensive reporting systems
- Involvement of trade unions, in setting requirements and monitoring
- Use of frameworks that set EDI and SV standards: can be beneficial for smaller organisations;
- Sharing successful outcomes: awards; videos; good practice cases

Response to findings

- Jo Mitchell, Sustainable Procurement Lead, Scottish Government
- Barbara Morton, Founding Director, Sustainable Procurement Ltd

Questions for round tables

Overview of findings

- Any surprises for you in the findings?
- Anything we have missed?
- Most important finding in this area?

Equality

- What are the factors that support the inclusion of EDI objectives in tendering processes?
- What helps to ensure that EDI outcomes are met?

General

- Any other recommendations we should consider?