

Getting ready for the start of the Procurement Bill, the Social Partnership and Public Procurement (Wales) Act, and the Health Service Procurement (Wales) Bill

The **Procurement Bill**, the **Social Partnership and Public Procurement (Wales) Act** (SPPP), and the **Health Service Procurement (Wales) Bill** will introduce a major shake-up to the way Welsh Contracting Authorities (WCAs) buy goods, services and works. Whilst these changes are unlikely to come into force until October 2024 at the earliest, WCAs should start planning now to ensure they are ready to take advantage of the increased flexibility and transparency associated with the new rules.

There are four areas where early consideration and action will get WCAs in the best shape to hit the ground running:

People

- Identify staff within the organisation who would benefit from undertaking relevant training on the new rules. UK Government are developing a programme of learning, and supplementary bilingual training will be available from Welsh Government, which will cover specific Welsh requirements, such as the Wales Procurement Policy Statement (WPPS) and the SPPP.
- Consider the procurement and contract management capacity and capability across your organisation, especially around the contract management requirements set out under the SPPP's Socially Responsible Procurement Duty, and the requirement in the Procurement Bill to set and publish key performance indicators for contracts above £5m.
- Make sure you are signed up to relevant newsletters to receive the latest updates in relation to procurement reform.

Processes and policies

- Review your procurement strategies to make sure that they align to the well-being goals and the principles within the WPPS.
- Update your processes to ensure you are ready for the new requirements in the Procurement Bill, such as the below threshold transparency requirements (see [WPPN 02/22](#)) and the requirement to publish a redacted copy of the contract and / or contract modifications for call-offs from non-Welsh Frameworks and Dynamic Markets.
- Familiarise yourselves with the requirements of the new noticing regime. There will be a range of new notices created by the Procurement Bill, some of which will be required at various stages of the procurement lifecycle and some which are organisational notices that will need to be published, such as the pipeline notice. This will mean that existing procurement processes will need to be adapted to incorporate the new noticing requirements.
- Make sure your current processes and procedures are robust on areas such as pre-market engagement, conflicts of interest and supplier evaluation/assessment, with governance documents that record key decisions.
- Review your organisation's tender documentation, including any standard terms and conditions, so that you can identify where any amendments will be needed when the new rules come into force.
- Make sure your finance systems are set up to pay valid and undisputed invoices within 30 days of receipt of the invoice, and familiarise yourselves with the requirement to publish a

payment compliance notice every 6 months setting out how well your organisation has performed against this requirement to pay invoices within 30 days.

- Make sure you regularly check the published Wales Procurement Policy Notes, which can be [found here](#).

Systems

- Start thinking about whether your teams need to change the way they use your existing e-procurement systems (including your finance and invoicing systems) to meet the requirements of the Bills.
- If you are due to retender your e-procurement system, make sure that you consider the requirements of the new legislative platform, for example OCDS compliance, etc.
- Review the data you collect to identify potential for improving the measurement of well-being impacts.
- Consider how prepared your organisation is to meet the new transparency requirements in the Bill. This could include identifying where relevant data currently resides in your existing systems. Separate communications covering systems and transparency in more detail are available on [Sell2Wales](#), and future updates will be provided as this work progresses.

Transition

- Ensure that contract registers and details are up to date
- Conduct a review of pipelines to identify any planned procurement activity over the next 18 months with a contract value in excess of £2m.

If you have any queries, or would like any more information, please contact us at ProcurementReformTeam@gov.wales