



Llywodraeth Cymru
Welsh Government

Caffael Cymdeithasol Gyfrifol

Socially Responsible Procurement

Sue Hurrell





Partneriaeth Gymdeithasol a chaffael cyhoeddus?

- *Beth yw Partneriaeth Gymdeithasol?* - Llywodraeth, cyflogwyr ac undebau yn cydweithio i gwrdd ag anghenion gweithwyr
- Beth yw'r cysylltiad â chaffael cyhoeddus?
 - Y sector cyhoeddus – cytundeb
 - Y sector preifat – contract
- Ydy hon jyst am waith teg? - Na, rydym yn edrych ar gaffael cymdeithasol gyfrifol yn gyffredin.

Social Partnership and Public Procurement?

- *What is Social Partnership?* - government, employers and trade unions working together to meet the needs of workers
- What's the link with public procurement?
 - Public sector - agreement
 - Private sector - contract
- Is this just about fair work then? - no, we're looking at socially responsible procurement in the round.



Caffael cymdeithasol gyfrifol?

CSR

Budd i'r Gymuned
Community Benefits

Lles
Wellbeing

Cwestiynau:

- “Craidd” neu “di-graidd”?
- Beth ydyn ni’n blaenoriaethu?

Socially-responsible procurement?

Cynaladwyedd
Sustainability

Gwerth
cymdeithasol
Social Value

Questions:

- Is it “core” or “non-core”?
- What are we prioritising?



Y ddyletswyddau caffael

Beth?

- Nodau lles.
- Lles cymdeithasol, amgylcheddol, economaidd a diwylliannol

Ar bwy?

- Rhai o'r Awdurdodau Datganoledig Cymreig...gyda'r potensial i fynd yn ehangach.

Sut bydd hon yn gweithio gyda diwygiant o'r broses caffael ar draws y DU?

- Y broses Caffael yn cael ei diwygio ar yr un pryd gan Lywodraeth y DU
- Ffocws ar broses, nid polisi/canlyniad
- Llywodraeth y DU yn deddfu ar ran Awdurdodau Contractio Cymreig.

The procurement duties

What?

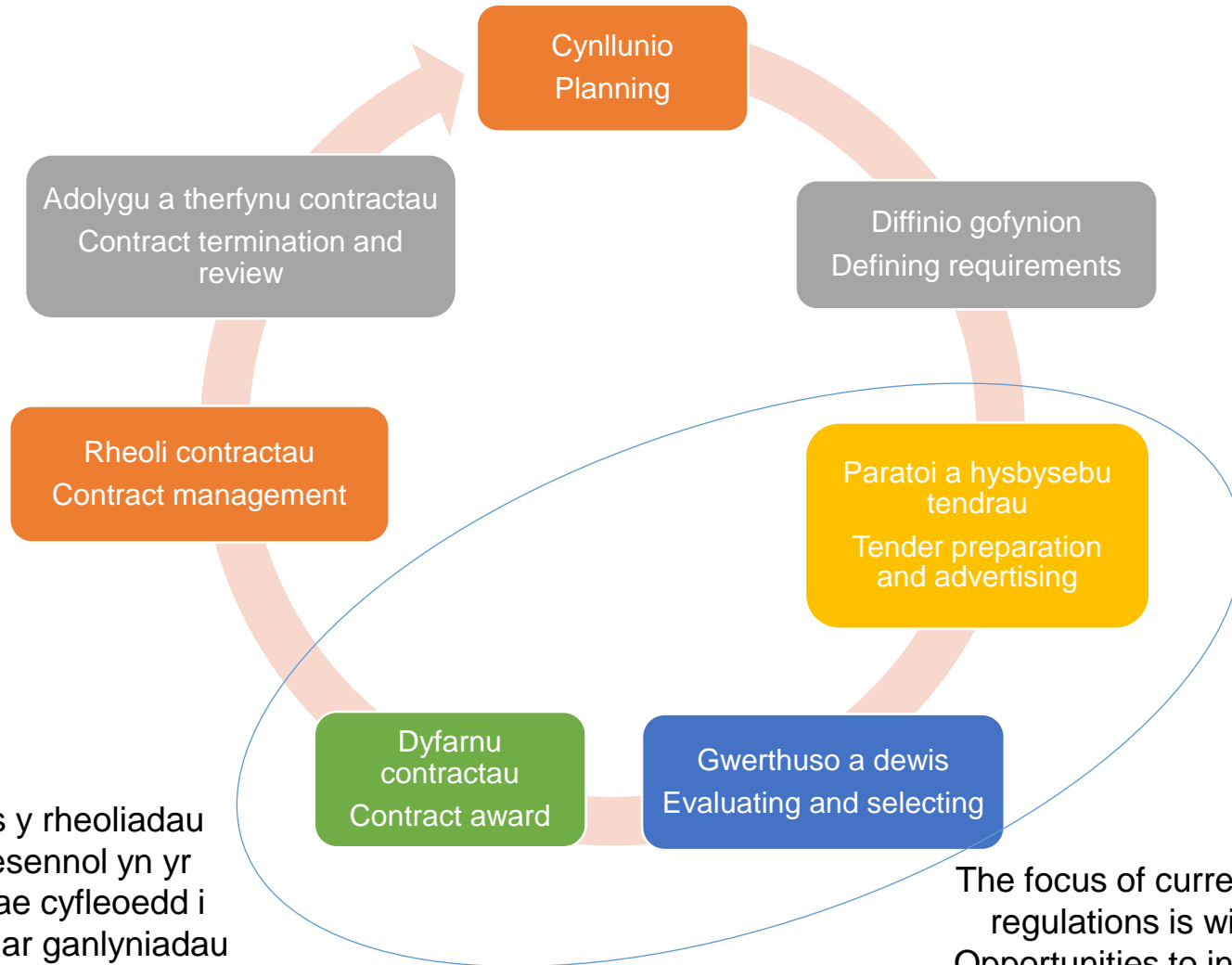
- well-being goals.
- Social, environmental, economic and cultural well-being

Who?

- Some of the devolved Welsh Authorities... with scope to widen.

How will this fit with reform of the procurement process across UK?

- Procurement process being reformed in parallel by UK Government
- Focus on process not policy/outcome
- UK Government legislating for Welsh Contracting Authorities.



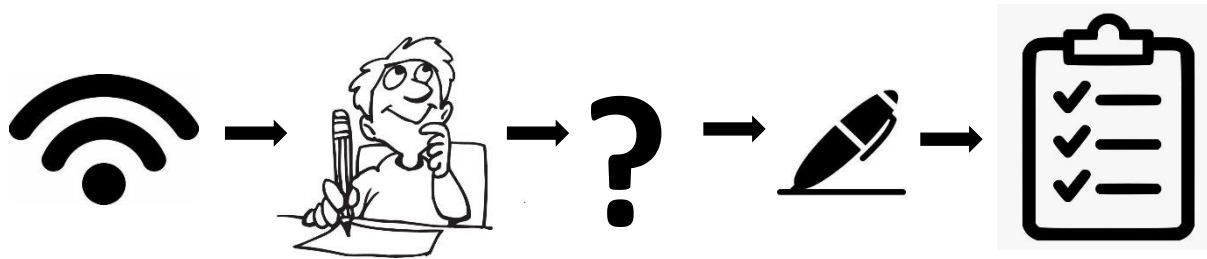
Mae ffocws y rheoliadau caffael presennol yn yr hirgrwn. Mae cyfleoedd i ddylanwadu ar ganlyniadau sy'n gymdeithasol gyfrifol yn fwy y tu allan i'r hirgrwn.

The focus of current procurement regulations is within the oval. Opportunities to influence socially responsible outcomes are greater outside the oval.



Pŵer caffael

The power of procurement





Y Bil

“Dyletswydd Caffael Cymdeithasol Gyfrifol”

- Dyletswydd ochr i ochr hollgyffredinol ar sefydliadau
- .. wrth *gynllunio, drafftio, trafod, dyfarnu a rheoli* contract..
- Anelu at wella llesiant cymdeithasol, economaidd ac amgylcheddol, drwy
- Sefydlu a chyhoeddi amcanion.
- Rhaid “cymryd pob cam rhesymol” i gwrdd â’r amcanion ar gyfer “contractau a ragnodir”.

The Bill

“Socially Responsible Procurement Duty”

- End-to-end, overarching duty on organisations
- .. in *designing, drafting, negotiating, awarding* and *managing* a contract..
- to seek to improve economic, social, environment and cultural well-being, by
- Setting and publishing objectives for all procurement
- For “prescribed procurements” must “take all reasonable steps” to meet objectives.



Contractau a ragnodir (contractau mawr)

1. Contractau adeiladu mawr – mwy na £2m (yn cynnwys contractau o dan fframweithiau)
2. Gwasanaethau allanoli – Y Côt Gweithlu Dwy Haen
3. Unrhyw gontract arall a ragnodir gan reoliadau – disgwyliad polisi ar hyn o bryd: contractau ar gyfer nwyddau a gwasanaethau sy'n uwch na'r trothwy GPA

Prescribed (larger) procurements

1. Major construction contract – estimated value over £2m (includes framework call-offs)
2. Outsourcing services contracts – Workforce (two-tier) Code
3. Any other contract prescribed in regulations – current policy expectation: goods and services contracts above GPA thresholds



“Camau penodol”

Ar gyfer contractau adeiladau mawr (1) a gwasanaethau allanoli (2) uwchben:

1. Cymalau cyhoeddus cymdeithasol gyfrifol
2. Cymalau gweithlu cyhoeddus cymdeithasol

Rhoi gwybod i Lywodraeth Cymru os NI FYDD y rhain yn cael eu chynnwys

Gallu arwain at adolygiad gan y CPG

Gallu arwain at gyfarwydd gan

Weinidogion

Gallu arwain at adroddiad cyhoeddus

“Particular actions”

For major construction (1) and outsourcing services (2) above:

1. Social public works clauses
2. Social public workforce clauses

Three steps needed:

1. Include in contracts
2. Include throughout supply chains
3. Put a process in place to ensure these are implemented

Notify Welsh Government if they are NOT included

May result in ministerial direction, or a published report.



Cymalau contract - categoriâu

Cymalau cyhoeddus cymdeithasol
gyfrifol:

- Taliad prydlon
- Cyfleoedd cyflogaeth
- Cydymffurfiaeth â rheoliadau cyflogaeth
- Hyfforddiant
- Cyfleoedd i fusnesau bach a chanolig
- Rheoli amgylcheddol

Contract clauses - categories

Social public works clauses:

- Prompt payment
- Employment opportunities
- Compliance with employment regulations
- Training
- Opportunities for SMEs
- Environmental management



Strategaethau ac adroddiadau caffael

- Cyhoeddi Strategaeth Caffael
 - Adolygiad blynyddol – i'w diweddarau yn ôl yr angen
 - Sut maent yn “cymryd pob cam rhesymol”
- Adroddiad blynyddol
 - Crynodeb o “gontractau a ragnodir” – canlyniadau ac ardaloedd lle mae angen gwella.
- Adroddiad cryno gan Lywodraeth Cymru

Procurement Strategies and Reports

- Publish a Procurement Strategy
 - Annual review and update where necessary
 - How “taking all reasonable steps”
- Annual report
 - Summary of “prescribed contracts” – outcomes and areas where improvements are needed.
- Welsh Government summary report



Arolygiaeth, ymchwiliadau ac adborth

- Pwerau ymchwilio i Weinidogion Cymru ar gaffael cymdeithasol gyfrifol
- Rôl Cyngor Y Bartneriaeth Gymdeithasol – her ac adborth i Weinidogion
 - Yr is-grŵp statudol ar gaffael
- Cynlluniau polisi i ddatblygu Gwasanaeth adborth, yn amodol ar yr hyn sy'n digwydd gyda diwygio ehangach o gaffael
 - Yn cwmpasu caffael a rheoli contractau
 - Ymestyn y rhain sy'n gallu codi cwestiynau

Oversight, investigations and feedback

- Investigatory powers to Welsh Ministers on Socially Responsible Procurement
- Role of the Social Partnership Council - challenge and advice to Ministers
 - Statutory procurement subgroup
- Policy intention to develop a feedback Service, subject to decisions taken on wider procurement reform
 - Covering procurement and contract management
 - Extending organisations that can raise questions



Crynodeb

- Yn cwmpasu'r holl gylch caffael, nid jyst camau “hysbyseb i ddyfarnu”
- Yn rhoi caffael mewn cyd-destun strategol
- Yn canolbwyntio ar fesuro a chanlyniadau
- Darparu amcanion lles
- Canolbwyntio ar reoli cadwyn gyflenwi ar gyfer contractau adeiladu a gweithlu
- Tryloywder, a chymorth i gefnogi gweithrediad yw'r mecanwaith i yrru gwelliant

In summary

- Covers the procurement cycle as a whole, not just “advert to award” stages
- Places procurement within strategic context
- Focus on measuring and delivering outcomes
- Delivering well-being goals
- Focus on supply chain management in works and workforce contracts
- Transparency and challenge are the primary mechanisms for driving improvement