



by CLARE TETLOW

# The New Procurement Act provides an opportunity not to survive – but thrive

Now that the Procurement Act finally received its Royal Assent, the starting gun has been fired on the most wide-ranging set of reforms to social housing procurement in decades. With the changes to be fully implemented through upcoming secondary legislation, a new procurement regime will be introduced that demands a fresh understanding of terminology and procedures.



From the many conversations that we have had with our clients across the sector, it's fair to say that the reaction has been mixed.

On the one hand, as with any change, there is a considerable administrative burden in adopting and adapting to a daunting new landscape of jargon, acronyms and regulations. There is no doubt that the array of new requirements will increase the workload in some areas, and some teams will fear that they'll be required to spend disproportionate time publishing information about covered procurement to ensure compliance.

On the other, there is excitement that some of the shackles of the old regime have finally been removed, allowing procurement professionals to be creative in their tender processes and to use the full extent of the legislation to their organisation's advantage. Procurement done well is about more than a tender process, however flexible, its continued success is based on rich and ongoing contract management and cooperation with the market.

Our view at Procure Plus is that the ends will more than justify the means. While the Act necessitates a considerable amount of adjustment, it also presents a once-in-a-generation chance to elevate the value that public procurement brings to the housing sector.

**Here are our four top tips for not just surviving but thriving from the new Act:**

## Changes are more than name-only

Each contracting authority will need to understand where the change in legislation means an obvious and absolute change to their process or where the change is subtle but nonetheless meaningful. For example, the expanded provisions in respect of contract award criteria and conflict of interest provisions when compared to those set out in the Public Contract Regulations 2015.

## Never a better time to join the profession

Each contracting authority will need to understand where the change in legislation means an obvious and absolute change to their process or where the change is subtle but nonetheless meaningful. For example, the expanded provisions in respect of contract award criteria and conflict of interest provisions when compared to those set out in the Public Contract Regulations 2015.

## A whole-organisation approach is needed

With the welcome flexibility that the Act delivers comes a more rigorous publication regime and more robust contract management requirements. And the new regulatory landscape will bring within its sphere colleagues who may be less accustomed to these roles and the language that comes with them.

The response of some organisations has been to believe that the only way to respond is to increase the headcount of their procurement

team. But that is not the only option – by emphasising the opportunities as well as the challenges in a language that colleagues can understand, it is possible to win hearts and minds. There is also plenty of additional help available because...

## You are not alone!

The new Act has collaboration at its core, both between contracting authorities and suppliers, and also between organisations across the sector. The introduction of communities of practice gives procurement professionals the opportunity to share best practices, learning from the Cabinet Office's official training programme, to access peer support and to identify trends, challenges and risks.

In addition, it provides an opportunity to evaluate whether housing providers are making the most of the external support available.

At Procure Plus, we were set up by housing associations more than two decades ago to ensure that the sector could deliver cost savings and outstanding social value. Because we work with procurement teams at every stage of the process, we ensure that best value is not only secured before a project begins but is actually delivered. We ensure that what you plan is what you get.

Our clients have found that instead of having to radically alter or expand their procurement teams, they can navigate the changes by drawing on the expertise of our teams.