

The New Procurement Regulations and Tendering for former Part B Services

A new TfC learning and support programme is now available:

- 1. Tendering for Annex XVI services; and**
- 2. New Procurement Regulations to be introduced in the UK in early autumn 2014.**

The programme has been designed to help your organisation not just to be ready, but to “get ahead” in terms of competitive advantage

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Since January 2006 public procurement in the UK has been governed by a set of rules known as the Public Contract Regulations (PCRs) which were derived from the EU Directive 2004/18/EC. After two years of discussion and consultation the EU is due to publish a brand new Procurement Directive. The UK government has been working on the final draft of this document since October 2013 in order to be ready to implement a new set of Regulations into UK law in the autumn of 2014. The OECD describes procurement generally as a “dynamic process” and the new Regulations will be the “Next Leap Forward” in this process.

TfC continues to monitor the process closely. We are also actively involved in commenting on discussion papers relating to aspects of the new Regulations where the UK has options when drawing up the UK rules for the Cabinet Office Transposition Team.

On 15th January the Draft Directive cleared its final hurdle in the European Parliament, so now is the appropriate time for us to offer training in the new requirements for Health, Education, Medical and Social Care providers in order that they can have time to prepare for the implementation of the new rules later this year.

There are training providers offering courses on the Directive in general but they may not be appropriate for providers of services in the groups listed above.

The former “Part B” services have been replaced by “Annex XVI”. The precise services covered in this category for these groups can be found at:

<http://www.tenderingforcare.com/regulations/directive-2014/annex-XVI>

Although the precise Regulations for tendering will not be available until later in the year, the Directive does provide very clear directions as to what will be required of organisations if they are to be awarded contracts under the new rules.

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New Procurement Regulations

Learning and Support Programme for 2014

As the requirements of the New EU Procurement Directive are introduced during 2014, TfC will be offering its

“Across the Table”

Learning and Support Programme:

- to help providers understand the changes to the UK Rules;
- ensure that people across their organisations are fully prepared; and
- are able to function effectively in the new tendering environment which will develop.

“Across the Table” learning Sessions

- can be either a Full Day - Face-to-Face;
- or 2 Hours - Online.

Preparing your Organisation for the New Procurement Regulations

These sessions are designed to help providers prepare for the new requirements to be introduced in the autumn and most importantly, to get ahead of the competition. In a very real sense the New Directive is part of the “dynamic process” mentioned above: it consolidates and brings recent compliance requirements for providers into legislation. With increasing levels of competition, now frequently at 74 to 85 tenders for a single contract or framework, it will obviously pay to get ahead.

For Article 76(2) of the Directive, whilst the actual tendering methodology to be employed for Annex XVI services will remain unclear until March 2014, the Directive is very clear about the areas of providers’ corporate compliance that contracting authorities will be required to assess. These could not only take some time for providers to put in place, but will require them to provide evidence that certain systems and processes have been in place over a period of time. These are number of set compliance requirements, each of which need to be addressed as early as possible.

We will explain in detail the rules for tendering for Annex XVI service contracts, both sub-threshold and above the threshold.

London 16th May [face to face 10am to 4pm]

Online –15th April at 2pm to 3.45pm

13th May at 11am to 12.45 pm

For full details please go to: <http://www.eventbrite.co.uk/o/tendering-for-care-3792528155>



“Across the Table” sessions start with a short introduction followed by a series of discussion papers to be considered in small groups [online sessions will be *live* and in real time] and ultimately setting out checklists for action. Each paper will be based on an aspect of the implementation of the new Regulations. This approach will facilitate the maximum possible interaction amongst participants who, we anticipate will already have some experience of tendering, allowing them to bring that experience and understanding to the discussion to achieve effective learning.

**Face to Face and Online sessions are available for “Open” or “In-house” booking:
Preparing your Organisation – from the end of March 2014**

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Monthly Online Update Sessions

“Across the Table” Monthly Online Update Sessions will be available to learn about and discuss the new developments as they emerge.

Starting from the beginning of the UK consultation period, these monthly sessions will enable providers to gain a real insight into the development of the new Regulations.

- We will consider the options which have been available to the government in drawing up the new Regulations;
- We will look at those elements of the Directive which purchasers are likely to adopt, regardless of the Annex XVI tendering requirements;
- Monitor the public consultation exercise which is due to start in April (date to be announce); and,
- Over a period of months understand how providers will be affected, placing them in the best possible position to tender effectively from the autumn of 2014 onwards.

In each case we will use the format of introduction / discussion paper and then live discussion between participants in order to achieve the maximum level of understanding and learning.

These will be “open” sessions, but may be purchased for single organisations/companies, groups of organisations, federations or consortia.

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FAQs

To support a blended style of learning we will publish a set of FAQs on the EU Directive 2014 on the TtC website at: <http://www.tenderingforcare.com/regulations/directive-2014>

So that providers will always have access to the latest available information the FAQs will be updated as the process of adoption into UK law proceeds. Providers will also be able to register to receive an email when the FAQs are updated.

We will announce the commencement of, and dates for these events in the EU Regulations 2014 section of the website

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Bookings for all events will be accepted on Eventbrite

Please go to <http://www.eventbrite.co.uk/o/tendering-for-care-3792528155>

(Payment can be or invoiced or accepted online by credit card)

