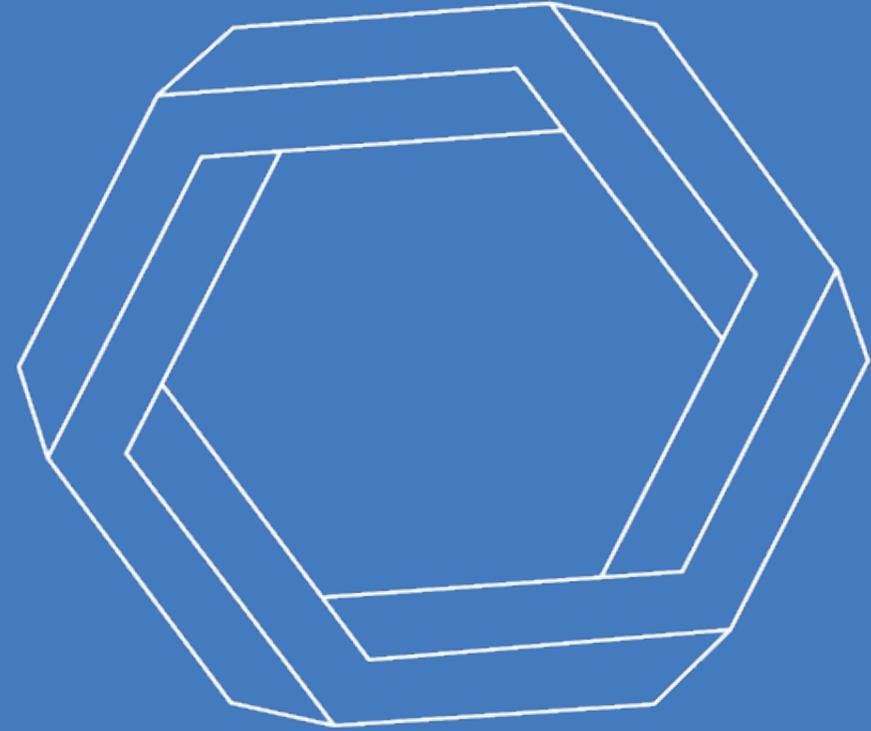




Government
Commercial
Function



UNGASS Intersessional meetings - September 2020

Andrew Bowen

Deputy Director, Transparency and Delivery
Commercial Policy, Cabinet Office

Drivers

- SMEs
- Transparency

Procurement data sources

What do we publish

Transparency Principles

Transparency

Transparency of public service delivery data and information builds public trust and confidence in public services.

It enables citizens to see how taxpayers' money is being spent; and allows the performance of public services to be independently scrutinised.

It also supports the functioning of competitive, innovative and open markets by providing all businesses with information about public sector purchasing and service providers performance.



SMEs

The UK government is committed to increasing spending with a more diverse range of suppliers including smaller businesses as well as voluntary and social enterprises. Measure include;

- Increasing the transparency of opportunities via Contracts Finder, a free-to-use digital platform,
- Requiring public buyers to divide contracts into more accessible lots (or explain why not),
- Improving transparency to encourage large businesses to employ more SMEs in the supply chain;
- Using Contracts Finder to advertise subcontracting opportunities;

EU - Tenders Electronic Daily (TED)

UK - Contracts Finder

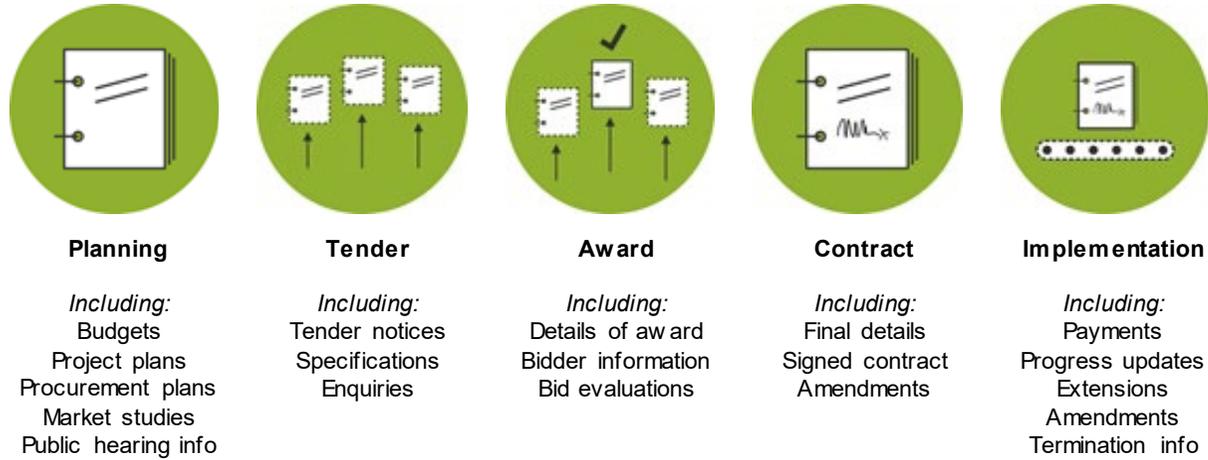
Devolved Administrations

- Public Contracts Scotland
- Sell2Wales
- eSourcing NI and eTendersNI

Buying organisations - eSourcing systems and web sites



What do we publish?



Internal
 view of scope June 2016

OCDS Helpdesk Review
 October 2019

Planned

 Cabinet Office View February 2020

 Planned

Presumption in favour of disclosing information.

Exemptions will follow the provisions of the Freedom of Information Act,

- eg on national security or commercial confidentiality grounds.

The presumption in favour of disclosure should apply to the vast majority of commercial information about government contracts, with commercial confidentiality being the exception rather than the rule.

Engage in early discussions with suppliers

Contractual requirements will define information that will be released to the public, covering the following:

- contract prices and any incentivisation mechanisms in the contract
- performance metrics
- plans for management of underperformance
- governance arrangements, including those for supply chains
- resource plans, service improvement plans

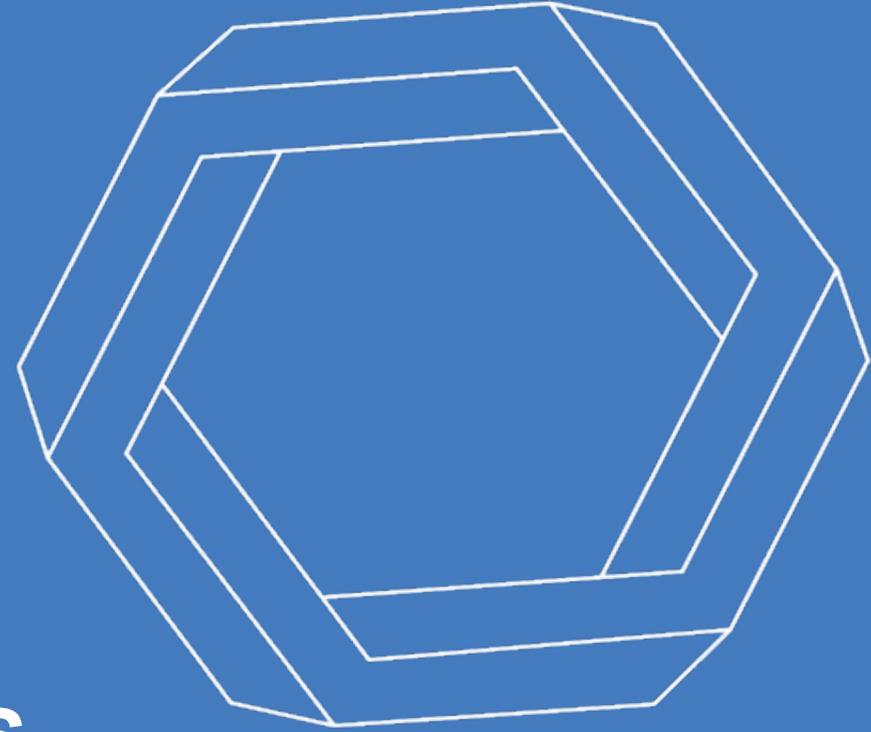
Categories of commercial information that could be withheld

The following categories of information could be reasonably withheld on the grounds of commercial confidentiality:

- a. **Pricing** - The way the supplier has arrived at the price they are charging government in a contract could normally be withheld but this should not be grounds for withholding the contract value itself.
- b. **Intellectual property** - Certain proprietary details of the solution that the contractor is deploying for government could be confidential. This should not be grounds for withholding performance information.
- c. **Business plans** - Detail of how the contractor expects to yield a financial return from the service, including investment plans could normally be withheld.



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Questions

Andrew Bowen - Background

In 2009 I did the original scoping for what became the first Contracts Finder.

I was the SRO for the Contracts Finder service that was launched in 2011 incorporating both SME and Transparency in Procurement commitments of the coalition government.

Following three years away on other duties I returned in May 2016 tasked with implementing OCDS in CCS. We implemented an OCDS output Contracts Finder II in November 2016.

We had a close working relationship with the OCDS Helpdesk on the Contracts Finder outputs before, during and after including formal assessments of the outputs.

I established the UK Open Contracting Steering Group in July 2016 with civil society stakeholders including the Open Contracting Partnership.

Since 2016 I have had regular meetings with Gavin, Hera and others from OCP. I have contributed to some OCP deliverables including the myth busting guidance.

I have been the UK representative to the Contracting 5 since it was created attending their regular calls.

My team have been responsible for developing the various open contracting commitments in the UK National Action plan.

my team have developed the new UK e-notification system Find a Tender service (FTS) that will replace the OJEU TED system for UK contracting authorities at the end of the Transition Period. FTS will have an OCDS output via API.

I am leading the public procurement rules reform work on transparency including open contracting.