



**EFFAT/FERCO
Plenary Meeting
of the Sectoral Social Dialogue Committee in the
Contact Catering Sector**

Social Considerations in Public Procurement

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Context: Corporate Social Responsibility

- March 2006 Communication - "Implementing the partnership for growth and jobs: making Europe a pole of excellence on corporate social responsibility«
- More integrated labour markets, higher levels of social inclusion, more recruitment of people from disadvantaged groups





Need for Action on the Social Considerations in Public Procurement

- 16% of EU GDP from public spending - leverage for the common good
- Clarity
- Study and guide





Legal Basis

- Directives 2004/17/EC and 2004/18/EC
 - European Court of Justice case law
 - Commission Communication of 2001
 - Study on equality and diversity in public procurement in 2003
- Public purchasers who wish to can integrate social considerations in public procurement as long as the principles of value for money for taxpayers and equal access for all EU suppliers are respected





Terms of Reference of the Study

- What is socially–responsible public procurement and why it is important
- A strategy for awarding authorities
- Assess what is legally possible at all stages of the procurement process
- Added value of socially-responsible public procurement
- Case studies





Study Deliverables

- Inventory of typical applications of SRPP
- Policy and regulatory frameworks for SRPP
- Six case studies
- Elements for a draft guide





Inventory/Survey

- Legal framework, policy environment, organisational strategy
- Categories of social considerations (employment, decent work, social inclusion, SMEs, accessibility and design for all, fair/ethical trade, CSR)
- Widely-circulated (social partner organisations, public procurement networks, ITCILO network ...)





Policy and Regulatory Frameworks

- To validate survey outcome and link practices to relevant national frameworks
- Desk research and study visits
- 6 country reports (DK, FR, DE, UK, IT, SW)





6 Case Studies

- Through desk research, survey, email and telephone, visits
- Structure: background, strategy and actions, monitoring and reporting, barriers and constraints
- 6 themes: equal opportunities for all, gender equality, health and safety, employment and vocational training, decent work, accessibility and design for all.





Elements of a Draft Guide

- Key concepts and policy context (definition of SRPP, potential benefits, relevance to Social Agenda, potential barriers and constraints, legal and policy approach)
- Organisational strategy to buy social (e.g. objectives, political commitment, risks, prioritisation, awareness-raising, implementation, monitoring)
- SRPP in the various steps of the procurement cycle





Key Findings

- Framework is complex and evolving fast at MS level
- Different practices at different levels within MS
- Guides in use already
- Scope for technical adjustments to enable SRPP to be incorporated legally
- Need for peer learning
- Commission's "Green" guide an example, but significant adaptation needed
- Need to establish business case - assess costs and benefits





Next Step: Write a Guide

- September 2008 - planning of work
- November 2008 - meeting with interested parties
- Chance to submit comments before year end
- Late spring 2009 - aim for completion

