



Eich cyf/Your ref  
Ein cyf/Our ref

Mark Isherwood MS  
Public Accounts and Public Administration Committee

2 November 2022

Dear Mark,

At the Public Accounts and Public Administration Committee on 21 September 2022, I was asked to provide a note on any divergences between the responses put forward by Welsh local government and the English Local Government Association (“LGA”) to the UK Government’s “Transforming Public Procurement” consultation.

My officials have considered responses from both the LGA and Welsh Local Government Association (“WLGA”), as well as responses from individual Welsh local government organisations where appropriate. Overall, there was broad alignment in the consultation responses provided, and a general consensus that procurement systems and processes could benefit from being reformed to secure better procurement outcomes.

It was anticipated that there would be some areas of divergence in the responses provided due to geographical location and organisational and cultural differences, and these were largely reflected in the responses provided. It should be noted, however, that where responses may have differed, in many cases these were requests for further information rather than points of real divergence from the key principles proposed.

The key areas of difference between the responses are summarised below:

- The potential impact on cross-border procurement of regulatory differences between England and Wales and the impact this may have on suppliers working across borders was a key theme for the WLGA.
- Concerns regarding the application of Welsh legislative priorities (such as Well-being of Future Generations (Wales) Act 2015, the Social Partnership & Public Procurement (Wales) Bill and the Wales Procurement Policy Statement) were raised as the WLGA consider the green paper to be less ambitious than current Welsh policy direction, which could hinder the ability of Welsh Contracting Authorities to fully pursue Welsh policy goals.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1SN

[Correspondence.Rebecca.Evans@gov.wales](mailto:Correspondence.Rebecca.Evans@gov.wales)  
[Gohebiaeth.Rebecca.Evans@llyw.cymru](mailto:Gohebiaeth.Rebecca.Evans@llyw.cymru)

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.


We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

- Welsh Local Authorities highlighted concerns that certain proposals in the Bill did not give sufficient consideration of the Welsh language (for example: Welsh language representation on the panel for the procurement review unit).
- Welsh respondents noted that whilst a simplified supplier registration process administered through a global registration system is a good ambition, there is a need to consider possible contradictions between the priorities and requirements of different contracting authorities.
- The WLGA raised concerns about whether the UK Central Platform was compulsory for Wales as they were concerned about impacts on Sell2Wales.

As a result of the close relationship that has developed between officials in Cabinet Office and the Welsh Government during the development of this Bill, we have sought to highlight and address many of the concerns identified during the drafting process. Additionally Welsh Government have secured equivalent regulation-making powers in most areas of the legislation, meaning we are able to develop our own Welsh secondary legislation. This will help to address some of the specific differences highlighted above, such as in relation to issues raised regarding the use of the Welsh language in procurement and sign-on systems, which will be mitigated in Welsh policy instructions mandating the use of our own bilingual procurement platforms. These systems will then push data into the UK government's central platform, to remain compliant with the Bill, while still providing Wales the flexibility to collect separate data relating to Welsh policies and provide services in Welsh.

I trust this response will meet with the Committee's satisfaction, and I look forward to further discussions with Members as the Legislative Consent Memoranda continue their journey through the Senedd.

Yours sincerely,

A handwritten signature in black ink that reads "Rebecca Evans". The signature is written in a cursive style with a period at the end.

**Rebecca Evans AS/MS**  
Y Gweinidog Cyllid a Llywodraeth Leol  
Minister for Finance and Local Government