



Public procurement in social services: EU perspective

**European Thematic Meeting
Socially responsible Public
Procurement for Social Services
Brussels, 17 October 2019**

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The 2014 „light regime“

- higher threshold – EUR 750 000 (1 mln Utilities);
- below threshold: typically no-cross-border interest (except if EU funding)
- EU obligations: ex-ante & ex-post publicity, remedies
- TFEU principles + freedom to set procedural rules
- MS may impose exclusive use of quality award criterion

„Light regime“ reserved contracts

- Not to be confused with “general” possibility to reserve contracts
- Art. 77 exhaustive list of services: health, social and cultural services
- Essentially non-profit undertakings, which
 - pursue a public service mission
 - are based on participation
 - 3-year limitation

Member States' discretion

MS discretion to determine the procedural rules.

- But public buyers have to be able to take into account quality, continuity, accessibility, affordability of the service

MS preserve freedom to organise social services

- In-house
- Mere financing
- Authorisation to EOs meeting criteria
- Any other legitimate form...

Transposition state of play

	Dir. 2014/24	Dir. 2014/25	Dir. 2014/23
BE	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
BG	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
CZ	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
DK	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
DE	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
EE	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
IE	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
EL	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
ES	<i>transposed</i>		
FR	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
HR	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
IT	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
CY	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
LV	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
LT	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
LU	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
HU	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
MT	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
NL	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
AT	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
PL	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
PT	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
RO	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
SI	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
SK	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
FI	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
SE	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>
UK	<i>transposed</i>	<i>transposed</i>	<i>transposed</i>

Communication: Making public procurement work in and for Europe

- **PP is 14% GDP: a strategic area**
- **A partnership to improve the PP in practice**
- **The Commission is ready to play its part**

- **6 Priority areas :**
 1. Boost **strategic** procurement (green, social, innovative)
 2. **Professionalise** public buyers
 3. Increase access to procurement markets (SMEs, IPI)
 4. Improve transparency, integrity, data
 5. Boost the digital transformation of PP
 6. Cooperate to procure together

Strategic Public procurement using procurement to pursue policy goals

*Prioritizing **sustainable** growth in an **open, non-discriminatory and transparent PP market***

GPP

**green public
procurement**

***Reducing
environmental
and climate
impact of public
purchases***

SRPP

**socially responsible
public procurement**

- ***Social & professional integration***
- ***Social&labour law compliance***
- ***Human rights due diligence***
- ***Promoting equality***

Socially responsible public procurement

SRPP workshops in the Member States:

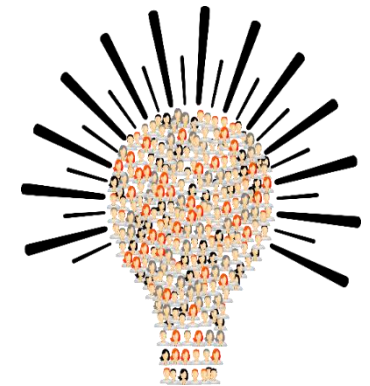
- One-day information & dissemination events for CAs and social economy
- Events took place in IT, PL, SE, FR, CZ, IE, HR. Next events Sep-Nov 2019: LV, EL, HU, DK, DE, SK + wrap-up in Brussels 18/11/19

Updated guidance on SRPP (early 2020):

- Update of key recommendations to the 2014 Directives
- New examples, recommendations on planning and contract management

Good practices and dissemination (2019 - 2021):

- Collection of good practices in socially responsible PP
- Communication campaign for CAs, social economy, interested stakeholders



Update of the “Buying Social” guide

Goals:

- Practical guidance for buyers (not a policy paper) updated to the 2014 EU rules
- Clear and informal: examples and recommendations for each section

Which social objectives?

- Social and professional inclusion
- Compliance with social and labour standards
- Human rights due diligence in global supply chains
- Promoting equality

Content:

- Intro: social objectives, benefits, EU relevant rules
- Organizational strategy for SRPP
- Planning of the procedure
- Integrating SRPP in the procedure
- Contract clauses, follow-up and enforcement



Timeline: First draft by end 2019, adoption tbd – likely timeframe early 2020

3 Pillars of Recommendation & professionalisation policy



Defining long term professionalisation strategies



Getting the right people with the right set of skills



Provide tools and support for strategic thinking

The European Competency Framework:



Matrix of competencies

Self-assessment tool

Guidance for the framework and the tool

Blueprints for training curricula

Launch
Nov 2018

Delivery
end 2019

Translated
spring
2020