



The Vegan Society Evidence for consultation on the Green Paper: Transforming Public Procurement

Q1. Do you agree with the proposed legal principles of public procurement?

No. This paper offers the following definition: *Public good - procurement should support the delivery of strategic national priorities including economic, social, ethical, environmental and public safety.*

This is not an acceptable, adequate definition of ‘public good’. In particular, the Government cannot definitively state through ‘strategic national priorities’ what is in our individual and collective economic, social, ethical, environmental and public safety best interests. For example, Government performance on public safety in the UK during the SARS-CoV-2 pandemic has – on the objective basis of deaths per head of population – been far worse than we could have reasonably expected. Hunger is another measure of whether social, ethical and public safety standards are being achieved. The Food Foundation reported¹ in Sep 2020 that the percentage of adults living with children reporting moderate or severe food insecurity rose from 11.5 % to 14% in the first six months of this pandemic. Four million people including 2.3 million children live in these households. This is disastrous.

Instead, our definitions of ‘public good’ must reflect our actual needs, whether recognised and respected by Government, or not. In particular, we all need fair access to healthy, sustainable, ethically produced food. We all need to be able to put into practice our fundamental ethical principles – such as the foundational ethical principle that it is wrong to cause harm unnecessarily – into practice in our daily lives. Therefore, making the transition toward plant-based land management and food systems techniques, away from exploitative and unsustainable methods based upon using animals, must be taken into account.

The Green Paper also fails to address the value that default rules have, particularly in a public procurement context, where the tendering relationships or transactions are one-to-many. This means that the transaction costs faced by the economic operators tend to be several multiples of those faced by the contracting authority (save concerning tender evaluation, where the situation reverses). A legal structure which puts in place default rules not only lower transaction costs for repeated players, but also lower the entry barriers for newcomers and generates additional benefit.

This current failure makes the procurement of food within the public sector inaccessible. It is imperative to ensure the Green Paper makes it easier for smaller businesses to access the market by ensuring transparency within the procurement process. Public sector food provision is currently fragmented - multiple supply chains ensure wider access and procurement decisions made at a local level would enable smaller, local businesses to get involved in the procurement process.

Q4. Do you agree with consolidating the current regulations into a single, uniform framework?

In principle, yes. A common approach for public sector sourcing would provide clarity for smaller businesses on product specification and contracting terms. The lack of commonality between different supply chains often makes the market feel opaque and out of reach for plant-based producers and local SMEs.

¹ The Impact of Coronavirus on Children’s Food <https://foodfoundation.org.uk/new-food-foundation-data-sept-2020/>



For food procurement, a regional food supply chain infrastructure needs to be established for the UK as an immediate priority to mitigate against future crises. In the first instance, it would be prudent to serve the most vulnerable in society via catering in the public sectors of schools, hospitals, care homes, prisons and the military. This £2 billion market would enable scale to be established for SME food producers in the short term. Then, once this infrastructure is established, SMEs would have a foundation from which they could bridge to other channels such as the private catering market and the retail store and online home delivery market.

Q8. Are there areas where our proposed reforms could go further to foster more effective innovation in procurement?

Covering tendering costs for newcomers to the public procurement sector and providing feedback when bids fail will incentivise innovation and support SMEs who struggle with access to the system.

Q13. Do you agree that the award of a contract should be based on the “most advantageous tender” rather than “most economically advantageous tender”?

Government public procurement policies are increasingly being shaped by the Barber Review into so-called ‘public value’. Michael Barber defines this as, ‘The value created when public money is translated into outputs and outcomes which improve people’s lives and economic wellbeing.’ The public sector food budget is big enough that the policies we set for public food strongly influence – to shape, or to distort – the whole UK food system.

At present, the Green Paper simply suggests that ‘this change would be about reinforcing and adding clarity rather than changing scope’. However, additional information is required which explains how environmental and social outcomes will be prioritised when awarding a contract.

It is vital that buyers include criteria beyond the subject matter of the contract. The long-term social and environmental impacts of any purchase must always be positive. Buyers, suppliers and those implementing projects must actively make significant improvements to social and environmental conditions through their work. In particular, well managed plant-based solutions will tend to have strongly positive long-term social and environmental impacts, compared to relying upon the exploitation of animals.

Q29. Do you agree that a central digital platform should be established for commercial data, including supplier registration information?

Yes, if it enables greater access for suppliers – the Green Paper currently fails to make this clear.