



Government
Commercial
Function

TRANSFORMING PUBLIC PROCUREMENT

Official learning and development
offer for central government and
the wider public sector



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Foreword from



Marco Salzedo

Director of Commercial and Contract Management Capability



Welcome to the Transforming Public Procurement learning and development curriculum. The introduction of this new legislation provides the public sector an opportunity to embrace a significant transformational approach to procurement.

This training program is designed to help raise capability in the context of the new regulations and ensure that all commercial and procurement professionals fully understand the new regulations and how to best operate within them.

It is a series of learning and development interventions developed by public sector commercial practitioners to ensure that the training is rooted in practical experience of operating within the current regulations.

Taking part in the e-Learning training will provide you with sufficient knowledge to ensure that you can operate compliantly within the new regulations and also take advantage of the opportunities provided by them. For those who wish for a more in-depth learning experience, there is the opportunity to work with others drawn from right across central government and the wider public sector in the Procurement Act 2023: Advanced Course of Deep Dives. These are mixed groups in virtual classrooms designed to maximise experiential learning, facilitated by professional coaches and subject matter experts.

Finally, you will become part of a large community of practice where you will be able to share best practice and continue your development journey.



Introduction

■ A new opportunity

One in every three pounds of public money, some £300 billion a year, is spent on public procurement. By improving the way public procurement is regulated, the government can save the taxpayer money and drive benefits across every region of the country.

The UK's exit from the EU, has created an opportunity to develop and implement a new procurement regime. The Procurement Act 2023 helps deliver the Prime Minister's promise to grow the economy by creating a simpler and more transparent system that will deliver better value for money, reducing costs for business and the public sector.

■ Transforming public procurement

The government wants to make it easier for small businesses to work with the public sector by ripping up unnecessary rules and tackling late payment in the supply chain. We will ensure

all public bodies consider small and medium-sized enterprises (SMEs) when designing their procurements.

Following wide-ranging public consultation and stakeholder engagement, we have brought forward legislative proposals to establish the new regime. These measures and the training we will roll out to support them will deliver greater value for the public purse from huge road and rail construction projects to procurement of IT software by the NHS, to services by local councils.

The new reforms will create a simpler and more flexible commercial system that enables contracting authorities to tailor their procurement approach to achieve better outcomes whilst remaining compliant with international obligations. It will significantly help open up public procurement to new entrants such as small businesses and social enterprises so that they can compete for and win more public contracts.

It will embed transparency throughout the commercial lifecycle, creating a single digital tool for suppliers to register their details that can be

used for all bids, while a central digital platform will allow suppliers to see all opportunities in one place and enable the spending of taxpayers' money to be properly scrutinised. These changes will require new ways of working so all players can take full advantage of the new opportunities.

■ Learning and development package

The Cabinet Office have on offer a funded comprehensive learning and development package to support everyone operating within the new regime and help you to understand what is changing from the current system.

Funded places on our learning and development courses are being made available. This training is an essential element of transforming public procurement programme implementation, underpinning the cultural and behavioural changes which will be key to unlocking the flexibilities of the new regime.

Learning and development package

A portfolio of products have been created aimed at different audiences. These meet a range of requirements, from those who only need an overview of the changes, through to more detailed and specific instruction on the new regime for practitioners in contracting authorities and finally an intensive advanced course of 'deep dive' learning focussed on the behavioural and cultural changes required.

The focus for all training will be on what is changing from the Public Contract Regulations 2015 (with tailoring for other sets of regulations such as utilities, defence and security and concessions) therefore wouldn't be suitable for brand new entrants into the procurement space. The learning and development package has four elements.



Knowledge Drops

Level: overview for everybody



An on-demand, watchable resource up to a maximum of 45 minutes in total, providing an overview of all of the changes in legislation. These will be aimed at non-commercial leaders and others (including suppliers) needing a general level of awareness of the new rules.



E-Learning

Level: skilled practitioner



This core self-guided L&D product will be available to all procurement and commercial staff to give a comprehensive grounding of knowledge and understanding of the new regime. It consists of 10 1-hour modules and concludes with a skilled practitioner certification.

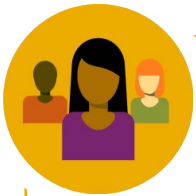


Advanced Course of Deep Dives

Level: expert practitioner



This is a 3-day, interactive, instructor-led course. It consists of virtual 'deep dive' webinars, which allow learners to engage with subject matter experts. This level of interaction allows a deeper insight across the full spectrum of the legislative change and support 'hearts and minds' change amongst the learner population (creating 'superusers').



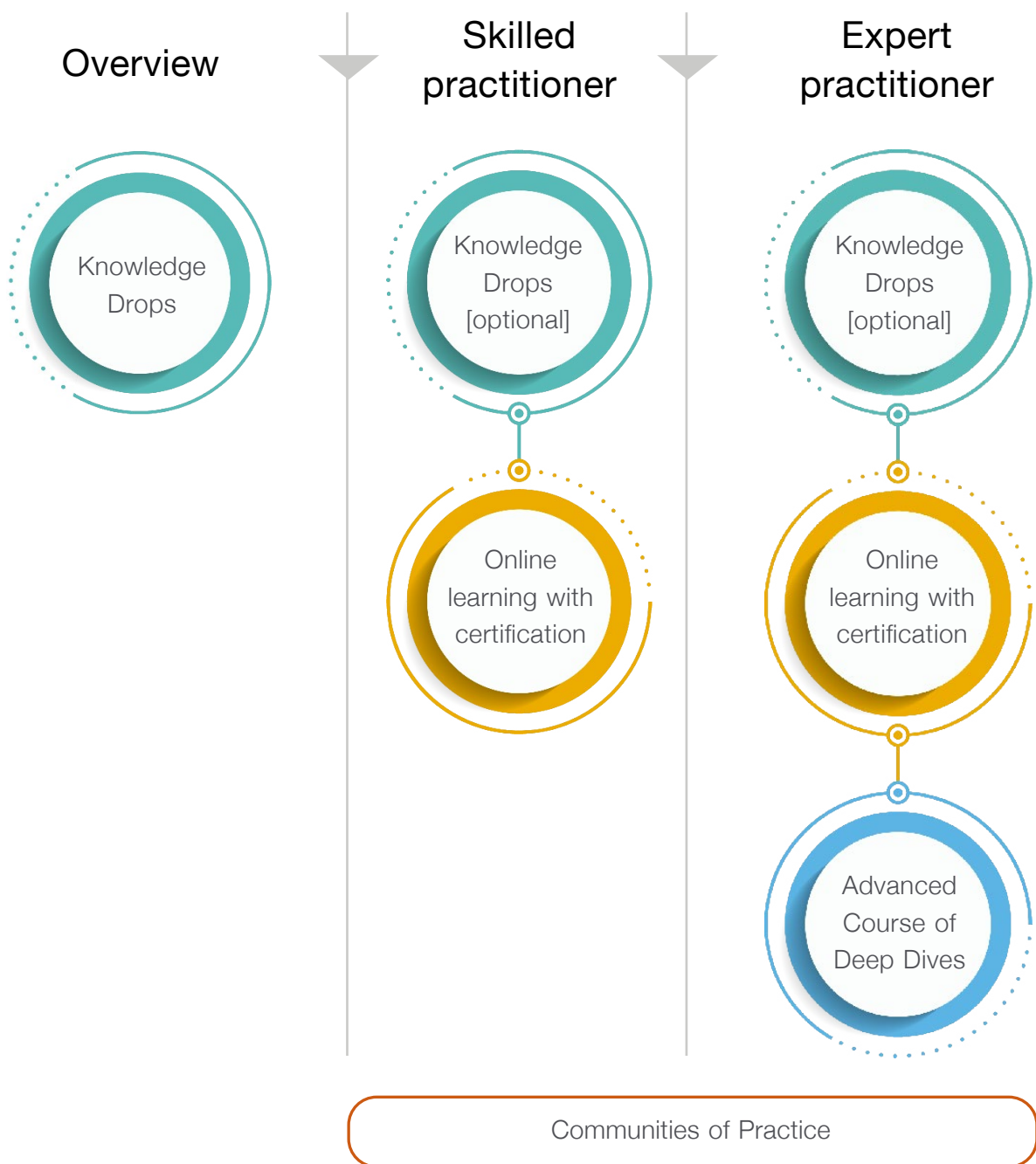
Communities of Practice

Level: skilled and expert practitioner



These communities provide a system of collective critical inquiry and reflection into the regime changes. Supported by the central team and superusers, they will support individuals to embed what they have learned.

Learner pathways



Knowledge Drops

■ What are they?

The Procurement Act 2023 Knowledge Drops are:

- designed to provide a high level overview of the changes to the procurement regulations
- tailored to different audiences

■ Who are they for?

Those who have regular interactions with procurement and would need some material level of understanding of the new legislation, such as:

- senior leaders at executive or political level
- finance people
- commissioners of services
- non-procurement people who regularly interact with tender processes or manage suppliers, contracts or works
- lawyers who do not specialise in procurement
- procurement helpdesk and systems people
- people who will implement reporting changes
- suppliers

The Knowledge Drops will be a useful introduction to procurement or commercial professionals who will go on to complete the more in-depth L&D.

■ Product details

There are separate Knowledge Drops for:

- contracting authorities (animations with audio and audio-only versions with accompanying fact sheets that outline specific differences for Wales, Northern Ireland, utilities, light touch, defence and security, concessions and schools)
- suppliers (animations with audio)
- VCSE and SME suppliers (animations with audio)

■ Learning outcomes

Knowledge Drop for contracting authorities

This Knowledge Drop will give viewers an understanding of:

- what the new regulations are and what they mean for that audience
- key benefits of the new regime
- what actions they need to take or consider for implementing the new regime
- how responsibilities under the new rules extend beyond “commercial” roles and the need to work collaboratively

- additional learning and guidance resources available to support implementation of the new reforms and how to access these

Accompanying factsheets will build awareness and understanding regarding exemptions and the general regime for the following areas:

- Wales
- Northern Ireland
- utilities
- light touch
- defence and security
- schools
- concessions

Knowledge Drop for suppliers

This Knowledge Drop will give viewers an understanding of:

- what the new regulations are and how it will influence how they do business with the public sector
- contracting authorities' obligations and operating practices under the new regulations
- the benefits of new more flexible procurement procedures, and how this may help to showcase innovation
- changes to framework agreements allowing new entrants to the market to join up more quickly and easily
- key actions to take to prepare for the new rules

Knowledge Drop for SME and VCSE suppliers

This Knowledge Drop will cover the same outcomes as the suppliers version but also give viewers an

understanding of:

- the new obligation to have regard for SMEs and what this means in practice
- how improvements to prompt payment terms will help increase cashflow to SMEs delivering public contracts directly or as subcontractors
- additional benefits for the SME and VCSE sectors

How and where to access the learning

The learning will be available free on demand. It will be hosted on gov.uk and YouTube, accessible through the Government Campus and Government Commercial College.

Duration

Knowledge Drop for contracting authorities

It will be up to 45 minutes in total, broken down into 6 smaller sections (which can be viewed separately or all in one go, depending on learner preference).

Knowledge Drop for suppliers and Knowledge Drop for SME and VCSE suppliers

It will be up to 45 minutes in total, broken down into 3 smaller sections (which can be viewed separately or all in one go, depending on learner preference).

E-Learning

■ What is it?

This is the core training product, which will be open to all procurement and commercial practitioners from contracting authorities (and nominated named individuals who regularly undertake procurement activity on behalf of contracting authorities). There will be 10 modules, designed to cover all the different elements of the new regime.

■ Who's it for?

It is for skilled practitioner level commercial and procurement professionals, who require training to understand the new regime (or aspects of it) such as:

- operational procurement staff - those whose main role is to run tenders or let contracts
- procurement or commercial professionals whose main role is to manage suppliers or contracts

This product will also form one part of the learning package for individuals at skilled practitioner level,

who need to become experts in operating the new regime such as:

- commercial or procurement leadership team members who are directly involved in operational procurement; strategic commercial/procurement practitioners e.g. category managers
- in-house specialist procurement or contract lawyers
- those responsible for commercial or procurement policy and capability

■ Benefits for the learner

The e-Learning is designed to provide skilled commercial practitioners with a grounding in each element of the new procurement regulations.

It will reference the commercial lifecycle for context and enable learners to understand how regulation changes will impact their commercial activity at different stages. Those who complete the course, including the certification module, will be awarded a certificate of achievement and e-badge.

■ How and where to access the learning

It will be self-guided and available on the Government Commercial College (GCC) website. Learners will need to register with the GCC to access the material.

■ Duration

Each e-Learning module is approximately 1 hour, therefore 10 hours in total.

■ Product detail

This is a certified programme of 10 modules.



Module 1

Scope, definitions and general principles

After completing this module you will understand:

- the scope of the Procurement Act
- the key procurement regulation changes and benefits of the Procurement Act
- the general principles and objectives of the Procurement Act including the role of national procurement policy statements and conflicts of interest assessments

After completing this module, you will be able to:

- identify which of your procurements are fully regulated by the Procurement Act and where exceptions to the rules apply
- select the appropriate rules to apply to procurements and contracts started or awarded under the PCRs2015, UCRs2016, CCRs2016 and DSPCRs2011
- where relevant, apply the exemptions for ‘special regime’ contracts including defence and security, private and public utilities, concessions and light touch, and those for devolved Welsh authorities and transferred Northern Ireland authorities



Module 2

Transparency



After completing this module you will understand:

- the new transparency provisions under the Procurement Act, and what they mean for public sector procurement
- the role of the central digital platform in the procurement lifecycle
- the commercial tools and registers that will be available on the platform, and how they can be used in the commercial lifecycle

After completing this module, you will be able to:

- identify actions that procurement practitioners will need to take in order to comply with transparency requirements
- adhere to requirements surrounding the publication of Notices and other procurement data on the transparency platform
- where relevant, apply the exemptions for 'special regime' contracts and devolved Welsh and transferred Northern Ireland authorities



Module 3

Procurement procedures



After completing this module you will understand:

- the procurement procedures and awareness of the routes to market available for use under the Procurement Act 2023
- the new Direct Award Procedure and when it can be used
- other means of contracting under the Procurement Act 2023

After completing this module, you will be able to:

- effectively prepare for, and apply market engagement and analysis in the design of your procurement processes
- select the most appropriate procurement procedure or route to market as available under the Procurement Act 2023
- where relevant, apply the exemptions for 'special regime' contracts and devolved Welsh and transferred Northern Ireland authorities



Module 4

Competitive flexible procedure

After completing this module you will understand:

- what the competitive flexible procedure is and how it works
- the supplementary processes available to use in the competitive flexible procurement process
- how research and development and innovation can be allowed for in the competitive flexible process

After completing this module, you will be able to:

- design a procurement process using the competitive flexible procedure
- design a procurement process that supports innovation
- where relevant, apply the exemptions for 'special regime' contracts and devolved Welsh and transferred Northern Ireland authorities



Module 5

Frameworks and dynamic markets

After completing this module you will understand:

- changes to framework agreements and their transparency requirements
- the new commercial tools available (dynamic markets and open frameworks) and when best to use them
- the processes to follow when setting up or contracting through a framework or dynamic market (Including transparency requirements)

After completing this module, you will be able to:

- set up and utilise an open framework, closed framework and dynamic market
- apply the new debarment regime applies to the call-off of contracts under a live framework/DM
- where relevant, apply the exemptions for 'special regime' contracts and devolved Welsh and transferred Northern Ireland authorities



Module 6

Supplier selection

After completing this module you will understand:

- the new and amended grounds for mandatory and discretionary exclusions
- changes to how conditions of participation (previously 'selection criteria') are designed and assessed
- changes to subcontracting under the new regime

After completing this module, you will be able to:

- explain the updated processes relating to supplier self-cleaning, means of proof, and for excluding a supplier from a procurement
- incorporate use of the central digital platform in your procurement processes
- where relevant, apply the exemptions for 'special regime' contracts and devolved Welsh and transferred Northern Ireland authorities



Module 7

Assessment and award of contracts

After completing this module you will understand:

- principles of 'MAT' and how to apply to it to award criteria
- the circumstances in which award criteria and sub-criteria may be amended during a procurement process
- contract assessment and award requirements including the mandatory and voluntary standstill periods

After completing this module, you will be able to:

- plan for making changes to award criteria during a competitive flexible procedure
- complete the assessment summary and notice requirements and redact documents before publishing
- where relevant, apply the exemptions for 'special regime' contracts and devolved Welsh and transferred Northern Ireland authorities



Module 8

Remedies, procurement oversight and the debarment list

After completing this module you will understand:

- a) who has the right to bring a procurement challenge and b) how challenges are brought and c) the different types of remedies
- how to reduce the risk of legal challenges by correcting any issues as early as possible
- procurement oversight and the operation of the debarment list

After completing this module, you will be able to:

- identify if and when you may need to interact with the PRU and the debarment list during your procurement process
- recognise a potential procurement challenge and have the knowledge to remedy the process
- where relevant, apply the exemptions for 'special regime' contracts and devolved Welsh and transferred Northern Ireland authorities



Module 9

Contract governance

After completing this module you will understand:

- changes to the circumstances in which a public contract may be modified during its lifetime
- the thresholds and publication requirements relating to contract modifications (including contract change notices)
- the new provisions surrounding contract termination and the publication of contract termination notices

After completing this module, you will be able to:

- deliver compliant contract amendments, and identify the circumstances in which a contract change notice is required
- publish relevant data about contract and supplier performance, throughout the contract management stage of the procurement lifecycle
- where relevant, apply the exemptions for 'special regime' contracts and devolved Welsh and transferred Northern Ireland authorities



Module 10

Final certification module

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The certification module is the end point of e-Learning and a prerequisite to progressing on to the Advanced Course of Deep Dives.

It will provide a valid and credible assessment of a learner's knowledge and understanding of the new Public Procurement act as explained across the nine independent modules.

It is through successful completion of this certification that a certificate and electronic badge of completion will be awarded.



Advanced Course of Deep Dives

■ What are they?

These will build on the 'what' provided by the e-Learning to focus on the 'how'. They will give those who need to become expert practitioners in the new regime (and those responsible for procurement policy or capability in contracting authorities) the skills and confidence to maximise the benefits of the Procurement Act 2023.

■ Who are they for?

This course is for commercial or procurement professionals in contracting authorities who require intensive L&D to become experts in operating the new regime, such as:

- commercial or procurement leadership team members who are directly involved in operational procurement
- strategic commercial or procurement practitioners such as category managers
- in-house specialist procurement or contract lawyers
- those responsible for commercial or procurement policy and capability

Learners must have completed the e-Learning series before starting this course.

■ Benefits for the learner

This course is designed to:

- provide learners with a deeper level of understanding on the application of the legislative change
- build confidence
- develop skills to support capability uplift, so that they can act as champions and expert practitioners within their own organisations

Those who complete the course will be awarded a certificate of attendance and e-badge.

■ How and where to access the learning

It will be available on the [Government Commercial College](#) (GCC) website. Learners will need to register to access the material.

■ Duration

The course is 3 consecutive days.






■ Specifics and learning outcomes

It consists of interactive, mixed, instructor-led virtual classes in cohorts with a maximum of 24 participants.

Day 1



Deep dive session 1: designing a competitive process (part 1)

By the end of the session, participants will:

-  understand the purpose of the course, learning outcomes and how the course will operate
-  be able to confidently promote the use of pre-procurement tools within your organisation
-  have confidence in selecting the right procedure and utilising the flexibilities of the new regime
-  build confidence in using the different tools in a competitive flexible procedure by understanding the benefits and risks and considering proportionality
-  build confidence in seeking innovative solutions through the competitive process to deliver on objectives

Deep dive session 2: designing a competitive process (part 2)

By the end of the session, participants will:

-  be able to design a process using the increased flexibilities of the new regime and the appropriate tools in the process to achieve the required outcomes
-  have confidence to deal with situations during the process that may require modifications and understand how to remain compliant

Day 2

Deep dive session 3: setting award criteria

By the end of the session, participants will:



have confidence to promote the values of MAT



be able to draft award criteria and KPIs that delivers wider public value



have confidence in refining award criteria during a competitive process

Deep dive session 4: assessment and award

By the end of the session, participants will:



have confidence in assessing supplier submissions against new grounds for mandatory and discretionary exclusion



have confidence in applying the principles of MAT to the assessment of tenders



be able to recognise and avoid inflight potential challenges





have greater confidence in conducting the award process

Day 3



Deep dive session 5: frameworks and dynamic markets

By the end of the session, participants will:

-  have confidence in selecting the right framework approach
-  be able to establish and operate an open framework

Deep dive session 6: contract governance

By the end of the session, participants will:

-  be able to manage potential contract modifications and termination
-  understand and apply the new requirements for contract governance and reporting



Communities of Practice

■ What are they?

Events that provide opportunities for groups to come together and foster collaborative learning by sharing best practice, innovative approaches and challenges.

■ Who are they for?

Centrally-managed Community of Practice

These are for commercial and procurement professionals across central government and the wider public sector.

Locally-managed Communities of Practice

These are existing Communities of Practice, networks and fora where procurement professionals access best practice to improve their current knowledge. They are managed by different public or private organisations.

■ Benefits for the learner

Attendees at these events will be able to learn how to apply their knowledge in specific ways to

improve and embed the new regime and encourage cultural and behavioural change.

■ How and where to access the learning

Online materials are hosted on the [Government Commercial College](#).

Centrally-managed community meet-ups will be arranged on MS Teams.

Face-to-face events will be planned and managed locally according to need and resources.

■ Duration

Communities of Practice will be ongoing, with events determined by local managers, teams and organisations.

■ Specifics

There will be learning materials including:

- toolkits and presentation materials that follow on from the key topics in the e-Learning
- checklists for best practice

Communities of Practice will be supported by superusers and subject matter experts.

■ Learning outcomes

Community meet-ups to build confidence

After attending a community meet-up you will have increased your level of confidence in using the new procurement regulations and you will be empowered to support the organisational change ahead.

You will take away practical advice and tools to help support the implementation of the new procurement legislation within your organisation.

This could include:

- process maps
- policy templates
- FAQ documents
- further networking opportunities.
- case study scenarios

Community meet-ups to build a library of best practice

After attending a community meet-up you will have clear visibility of agreed best practice when implementing the new procurement regulations.

You will be able to integrate knowledge, skills and practice and will be ready to procure observing public benefit, integrity and value for money and support the behavioural and cultural change within your organisation.

Certification and CPD

CPD can be acquired in different ways.

One way is through informal learning gained in everyday working life. Working with professionals, who have different backgrounds and experience levels, provides valuable CPD that can be focused to meet individual needs.

This can be supported by structured reading, ensuring a measurable knowledge outcome is achieved. The familiar methods (such as appropriate courses, study, preparation of papers and presentations, mentoring and involvement in professional body activities) all remain appropriate opportunities for an individual to meet their CPD requirements and professional development objectives.

There will be a certification module at the end of the e-Learning, and only individuals who have passed will be entitled to use the 'e-Learning certificated' badge.

Those who complete the Advanced Course of Deep Dives will also be entitled to use the 'advanced course certificated' badge.

The programme will count towards GCF CPD for those working within central government. CIPS members can claim CPD hours for the time they commit to completing the programme (this can be recorded using the CIPS CPD tool 3.1).

Special requirements and additional support

■ “I have a disability, what extra support do you offer?”

All our training is fully accessible. It meets level AA of the Web Content Accessibility Guidelines (WCAG 2.0) and is not timed.

We will make reasonable adjustments based on your needs. Please contact the TPP L&D team or speak to your department so that we can try to accommodate your needs. We have worked with the Government Digital Service Accessibility Clinic to ensure digital platforms are suitable for participants.

Further information and next steps

You will find a list of the [guidance that sits alongside the legislation and learning and development](#) on gov.uk.

Keep an eye out for our stakeholder updates, and encourage colleagues to sign up if they would find them useful too (by completing the [Transforming Public Procurement form](#), or emailing procurement.reform@cabinetoffice.gov.uk if your organisational firewall blocks the form).

if you experience any technical difficulties with the Government Commercial College platform, or need to reschedule or cancel a place on the Advanced Course of Deep Dives (in accordance with the [cancellation guidelines](#)) please contact the team at gcftpp-busops@cabinetoffice.gov.uk.

