



Public Procurement Review Service Progress Report 2018/19

Trends from 6 April 2018 to 5 April 2019

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1. Public Procurement Review Service (PPRS) Highlights

- 263 cases received overall.
- The highest number of cases closed during the year: 204 cases up from 137 cases in 2017/18¹.
- £2.6m in late payments unblocked on behalf of suppliers. We have had a 100% success rate in unblocking undisputed invoices.
- 98% of recorded outcomes measured as 'positive'. This includes changes being made to live procurements, recommendations being accepted, areas identified to improve future procurement practice and where PPRS was able to offer advice to the supplier to help them understand what has happened and why.

The team moved from the Crown Commercial Service into the Cabinet Office in August 2018, which has raised our profile.

We also successfully completed the rebrand from Mystery Shopper Service to Public Procurement Review Service (PPRS). A new Marketing Pack was distributed to key stakeholders across the public sector and to bodies representing Small and Medium-sized Enterprises² (SMEs) and Voluntary, Community and Social Enterprises (VCSEs) to promote the use of the service. From December 2018, the link to the service on Contacts Finder has been made more visible, and on alerts sent to potential government suppliers. It seems likely that part of the increase in cases is down to this higher profile, and this is something on which we will build over the next year.

We have always published case summaries on a regular basis, highlighting what we view as best practice. This is something which our users tell us they find useful. We have this year improved the way we publish our results to allow a filter/ search function on GOV.UK.³

The service is continually evolving to reflect government's policy aims in procurement and we have plans to improve the service further.

¹ 2017/18 report available for comparison:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/751754/Mystery_Shopper_Service_Progress_Report_2017-18.pdf

² https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en

³ <https://www.gov.uk/government/collections/pprs-results>

2. Background

PPRS, the procurement complaints line, is one of a range of measures designed to make government easier to work with, helping suppliers (particularly SMEs and VCSEs), and levelling the playing field for those who want to supply to government. This supports the government aspiration that by 2022, 33% of its procurement spend is with SMEs.

The service is free and available for any supplier to use. In particular it can help small businesses which feel they might have been treated unfairly during a bid, or that they have been dealt with in a way that falls short of EU rules or government policy. We work with central government departments and public sector bodies to help them understand concerns raised and to highlight best practice. Serious or persistent issues are escalated within contracting authorities and may be raised with the SME Crown Representative in addition to our investigations.⁴

In some cases, our work leads to live procurements being adjusted. In other cases, we ensure that lessons are learned, leading to improvements in the way government sources future goods and services. The majority⁵ of our cases are summarised and published, naming the contracting authorities, while businesses that reported the cases remain anonymous.

The name of the service was changed in 2018 from 'Mystery Shopper' following concerns that it was difficult to search for online and that the name was not clear about what the service offered. Promotion of the new name through newsletters, events and social media helped attract the highest number of users since the service was created in 2011. We also updated our privacy notice on GOV.UK to reflect the new General Data Protection Regulation on data protection and privacy for all individuals within the European Union and the European Economic Area.⁶

This Annual Progress Report highlights the main trends that the service has seen from 6 April 2018 to 5 April 2019. It includes a comparison of procurement issues within the different sectors. It also addresses the outcome of feedback provided from user surveys and has a forward look for financial year 2019/20. It should be noted that trends are based on the type of complaint that has been investigated at the closure stage and does not always indicate that an incorrect procurement process has been identified. Our ongoing compliance work highlighted below details the continued commitment to transparency across government.

“This service is levelling the playing field for many small businesses, by allowing them to confidently tell us of unfair practices such as late payment. The service’s name may have changed, but the Public Procurement Review Service remains a key way to ensure government buying is robust and fair.”
Minister for Implementation, Oliver Dowden, 29 November 2018

⁴ Martin Traynor OBE was announced as the Small Business Crown Representative in February 2019 to lead on the relationship between government and small businesses, advise Ministers on engagement, and identify any barriers they face when working with the government.

⁵ Publication wording is published once agreed with the contracting authority. Where multiple complaints are received simultaneously we publish a joint summary of our findings.

⁶ <https://www.gov.uk/government/publications/public-procurement-review-service-scope-and-remit/privacy-notice-for-public-procurement-review-service>

3. Cases Received and Sectors Involved

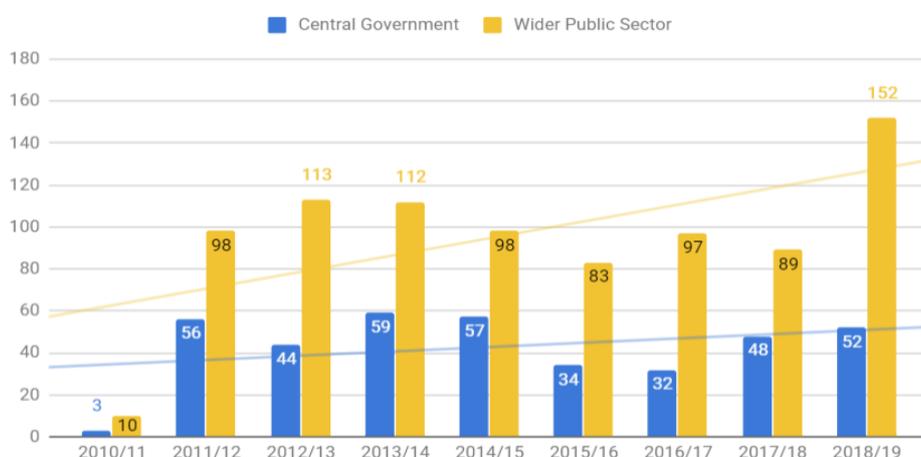
We welcome enquiries from all suppliers who have concerns about the conduct of a procurement process which they have been part of, or which they wish to participate in. An enquiry must relate to a specific procurement. The issue must have taken place in the last two years and concern an English⁷ contracting authority as defined by the Public Contracts Regulations 2015. PPRS also handles cases concerning the late payment (i.e. not paid within 30 calendar days or any earlier payment date as stated in the contract terms) of valid and undisputed invoices on a public sector contract.

The Service is advertised on Contracts Finder that allows suppliers to search for information about contracts worth over £10,000 with the government and its agencies⁸. Contracts Finder advertised 30,285 award notices in 2018/19.

Our scope and remit can be viewed on GOV.UK⁹: 288 cases were received (including 25 cases carried forward from 2017/18) between 6 April 2018 and 5 April 2019. This report focuses on the trends for the 204 cases handled through to closure, and excludes cases that were closed due to either a supplier not following the correct process; requesting that we cease our involvement; or other interventions being deemed more appropriate. Eight cases were carried forward to 2019/20.

There has been little change in terms of the organisations we receive complaints about, with the majority of cases raised about wider public sector procurement activities. We handled one case that concerned a payment issue within the supply chain, although the overarching responsibility sat with a central government department, and has been classified as such within this report.

Chart 1: Sectors we received concerns about since the service started



There has been a small decrease in the proportion of complaints received for central government, falling to 25.5% (52 cases) this year from 35% (48 cases) in 2017/18, and an increase in the proportion of complaints about the wider public sector, to 74.5% (152 cases) up from 65% (89 cases) the previous year.

⁷ Other services exist in:

Northern Ireland - CPD Charter: <https://www.finance-ni.gov.uk/publications/cpd-supplier-charter> / Scotland - Single Point of Enquiry: <http://www.gov.scot/Topics/Government/Procurement/Selling/supplier-enquiries> / Wales - Supplier Feedback Service: <https://gov.wales/topics/improving-services/better/vfm/supplier-feedback-service/?lang=en>

⁸ <https://www.gov.uk/contracts-finder>

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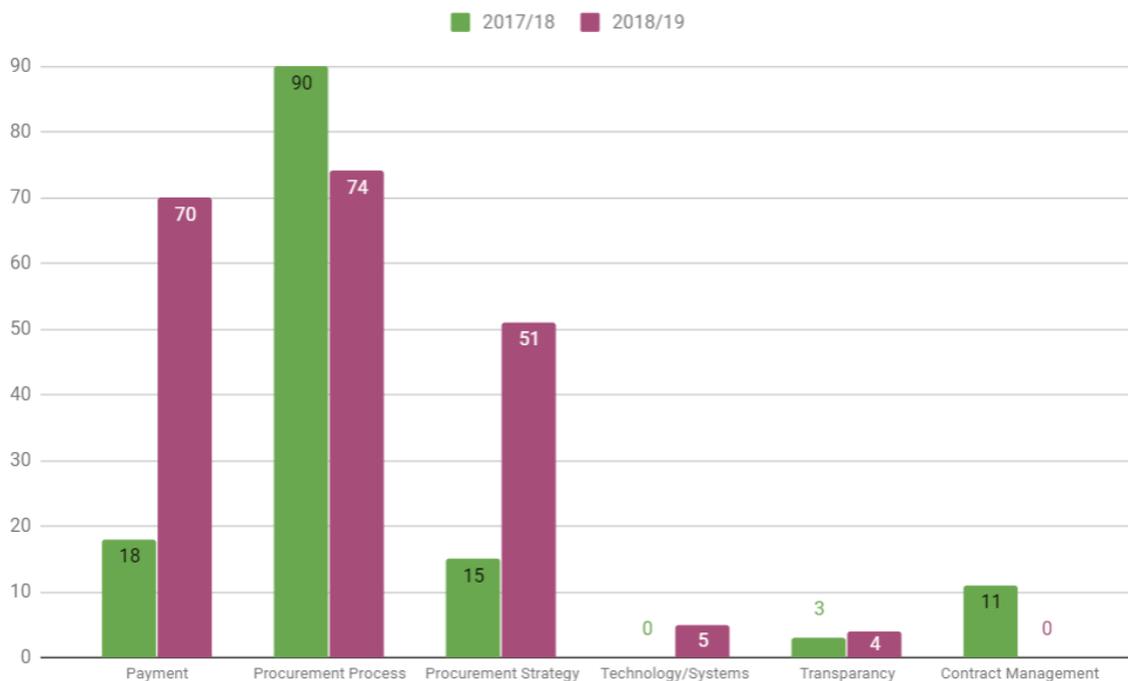
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/773861/Public_Procurement_Review_Service_Scope_and_Remit_v1.1.pdf

4. Main Issues Raised

High Level Classification

PPRS classifies enquiries by the overarching nature of the issue. The types of concerns we investigate are categorised at the closure stage of the investigation. These can fall under 5 categories: Procurement Strategy i.e. the approach to achieve what the contracting authority requires from the contract, Procurement Process i.e. the process of finding, agreeing terms and acquiring goods, services or works, Payment i.e. late payment, Transparency i.e. where the process was not clear and Technology/ Systems i.e. broken links or issues with eTendering Portals. This high level classification enables us to produce and analyse trends around the main issues received.

Chart 2: Types of Issues raised - High Level - 2017/18 comparison against 2018/19



The majority of issues raised are classified as 'Procurement Process', rather than 'Strategy'. However, while it remains the most common classification, Procurement Process number and percentage of cases declined from 65.7% (90 cases) in 2017/18 to 36.3% (74 cases) in 2018/19. Cases classified as 'Procurement Strategy', saw a significant increase to 25% (51 cases) from 10.9% in 2017/18 (15 cases).

There was a large increase in the number and proportion of 'Payment' cases this year, rising steeply to 34.3% (70 cases). In 2017/18 payment issues accounted for 13.1% (18 cases) of cases.

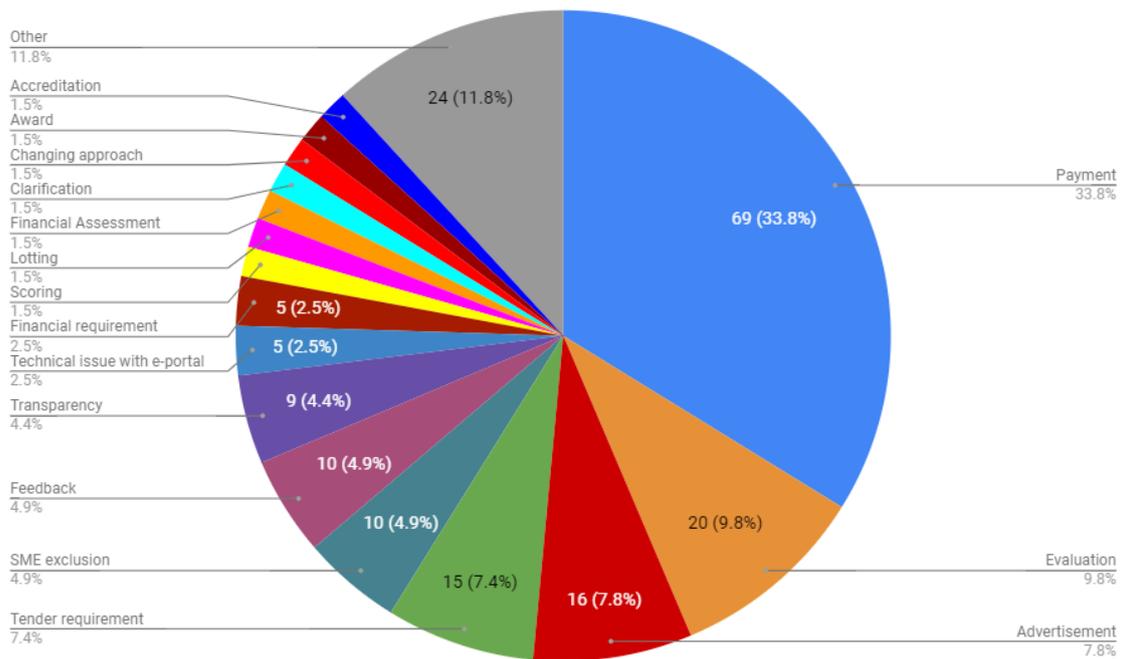
There were five cases classified as 'Technology/ Systems' the majority related to errors in advertisements eg. the advert contained an incorrect link, or the procurement documentation was not provided on the link given. This was not categorised in 2017/18. There were four cases classified as 'Transparency' (compared to three the previous year).

Sub Level Classification

Cases received are further classified at closure stage to provide a more granular level of detail to enable us to identify and analyse trends. We have grouped issues where fewer than three cases have been received as 'Other'. This includes concerns raised over the use of existing frameworks, complexity of tenders, lack of communication or further details, insufficient responses to clarification questions, exchange rates used in a procurement, and payment terms.

Across both Central Government and the Wider Public Sector the types of issues raised followed a similar pattern. The majority (69 cases, 33.8%) were payment related¹⁰, mainly falling within the Wider Public Sector and were attributable to late payments from NHS Trusts. Page 11 in this report covers how we are addressing this.

Chart 3: Types of Issues raised - Sub Level



Generally, 'Evaluation' at 9.8% (20 cases) and 'Advertisement' at 7.8% (16 cases) were issues seen in both sectors. 'Tender Requirements' at 7.4% (15 cases) and 'Feedback' at 4.9% (10 cases) was an issue mainly for the Wider Public Sector.

¹⁰ One case classified as High Level - Payment, sub issue Budget, within Other

5. Top Sub Issues and Action

The top areas of complaint received and suggestions for contracting authorities are outlined in the table below. PPRS case results are published monthly and can be searched on gov.uk where the contracting authorities can be identified:

Issue	Context	Action
<p>'Payment'</p> <p>70 cases</p> <p>Central Government (CG) - eight cases</p> <p>Wider Public Sector (WPS) - 61 cases late payment, 1 case contractual payment owed.</p>	<p>Where public sector invoices are not paid within 30 days and are not disputed, interest becomes liable as set out in the Late Payment of Commercial Debts (Interest) Act 1998. In addition, under the Public Contract Regulations 2015, public sector buyers must publish annually the amount of interest paid to suppliers due to late payment.</p> <p>https://www.gov.uk/guidance/prompt-payment-policy</p>	<p>We unblocked £2.6m in late payments on behalf of suppliers over this past year.</p> <p>PPRS reminds contracting authorities of their obligations under Prompt Payment policy.</p> <p>We are working with the Department of Health and Social Care to help both Trusts and suppliers in improving their processes to ensure prompt payment compliance.</p> <p>We proactively carry out spot checks to test the compliance of contracting authorities with advice set out in Procurement Policy Note (PPN 05/15). To see more detail on the work PPRS has undertaken on Spot Checks see page 11.</p>
<p>'Evaluation of Tenders'</p> <p>20 cases</p> <p>CG - five cases (two upheld)</p> <p>WPS - 15 cases (six upheld)</p>	<p>Seven cases concerned complaints regarding the bid evaluation process, with suppliers complaining that the evaluation process had not been open, fair and transparent.</p> <p>In five cases suppliers were concerned about inconsistencies in the evaluation process not being in line with the advertised tender's requirements.</p> <p>Four suppliers complained that they had not been given a chance to appeal the decision.</p> <p>In the remaining cases, no trends were identified.</p>	<p>In cases where complaints were not upheld, PPRS referred the complainant to Regulation 55¹¹ regarding debriefing obligations on contracting authorities and found the authority to be in line with the minimum requirements of information to be supplied to candidates and tenderers.</p> <p>Where complaints were upheld, PPRS shared best practice guidance with buyers and suppliers to help them understand the requirements at each stage of the procurement lifecycle.</p>
<p>'Advertisement of opportunities'</p> <p>16 cases</p> <p>CG - seven cases (six upheld)</p> <p>WPS - nine cases (six upheld)</p>	<p>The majority of Central Government cases were attributable to Crown Commercial Service (CCS) agreements, particularly adverts placed in error on the Digital Marketplace.</p>	<p>Where errors or omissions were identified CCS removed the adverts. CCS also produced revised Buyer and Supplier Guidance to support users of their Digital Marketplace agreements.</p> <p>We offered support to the CCS Digital Marketplace team to provide additional guidance to customers on action to take at the point that a supplier fails to reach a minimum score to a mandatory question.</p>

¹¹ <http://pcr2015.uk/regulations/regulation-55-informing-candidates-and-tenderers/>

	In the Wider Public Sector the majority of cases concerned complaints of the process not being open, fair and transparent. In six cases we received complaints that advertisements had been written to favour the incumbent provider.	We reminded contracting authorities about the importance of writing requirements that are neutral. Complaints were not upheld where a specific requirement formed part of a departmental strategy.
<p>'Tender Requirement'</p> <p>15 cases</p> <p>CG - four cases (three upheld)</p> <p>WPS - 11 cases (eight upheld)</p>	<p>Complaints highlighted suppliers' concerns that a specification should focus on the required end result, rather than how to achieve that result.</p> <p>Thought should be given to the way specifications are written to encourage new entries into the market, allowing for innovative solutions that may result in better value for money.</p>	<p>Where complaints were not upheld we recognised that suppliers must both have the capability and capacity to meet the requirement, and also demonstrate they have successfully undertaken contracts of similar size and complexity where an overarching strategy (e.g. IT outsourcing) dictates.</p> <p>PPRS made contracting authorities aware of the challenges of listing vague or generic skills and experience. This is important both</p> <ol style="list-style-type: none"> 1) for the buyer in having a pertinent group of competing suppliers, ultimately achieving value for money, 2) and for suppliers to understand the requirements and bid for the opportunity. <p>Following our investigations, four live opportunities were withdrawn for reconsideration and three live procurements were adjusted.</p>
	<p>Two cases were identified where there was a requirement for unlimited liability.</p> <p>One case related to GDPR unlimited liability specified within the CCS Digital Outcomes and Specialists 3 proposed call-off framework.</p>	<p>We worked with CCS to review the application of this policy across its frameworks.</p> <p>Following informal consultation with suppliers and the Government Legal Department it was confirmed that:</p> <ol style="list-style-type: none"> 1) The way that the liability was written was wrongly being interpreted as unlimited liability. 2) The £20 million liability limit for data breaches was unacceptable and was removed. <p>As a result, CCS amended the Public Sector Contract to reflect this and, going forward, all CCS contracts will reflect this position.</p> <p>PPRS will be involved in running a series of Buyer Masterclasses to educate contracting authorities in putting their requirements together to diversify supply chains.</p>

<p>'Feedback'</p> <p>10 cases</p> <p>CG - one upheld WPS - nine cases (six upheld)</p>	<p>All complaints were attributable to either a lack of detailed feedback, or no feedback at all being received, preventing suppliers from understanding what led to their elimination in a competition.</p>	<p>Contracting authorities must notify and provide feedback to unsuccessful and successful suppliers at both shortlisting stages and after evaluation. Suppliers can request detailed feedback, but it is at the discretion of the buyer whether they supply a more detailed response.</p> <p>We referred authorities to Regulation 55¹² regarding debriefing obligations on contracting authorities and in the main found authorities to be in line with the minimum requirements of information to be supplied to candidates and tenderers.</p> <p>Although we recognise that contracting authorities are meeting the minimum requirement of the Regulations, PPRS encourages buyers to give detailed feedback to all tenderers. Suppliers benefit from detailed feedback as this helps them learn for future bids. Detailed feedback can improve the quality of bids put forward and lead to more standardised submissions.</p>
<p>'SME Exclusion'</p> <p>10 cases</p> <p>CG - six cases (four upheld) WPS - four cases (one upheld)</p>	<p>Complaints were received regarding minimum turnover limits, excessive insurance requirements and the need to demonstrate a period of time for past experience, all of which could be viewed as discriminatory towards SMEs.</p>	<p>The use of turnover requirements has long been an issue for smaller businesses. PPRS highlighted PPN 02/13 – Supplier Financial Risk Issues, that stresses the importance of making a holistic assessment of a supplier's financial standing and that a supplier should not be deselected on the basis of turnover size alone¹³.</p> <p>Only half of these complaints were upheld as often these requirements formed a standard part of the authority's terms and conditions.</p> <p>PPRS will be involved in running a series of Buyer Masterclasses to educate contracting authorities in putting their requirements together to diversify supply chains.</p>

An analysis of the main trends for Central Government can be viewed at Annex A, and a comparison with the main trends for the Wider Public Sector can be viewed at Annex B.

¹² <http://pcr2015.uk/regulations/regulation-55-informing-candidates-and-tenderers/>

¹³

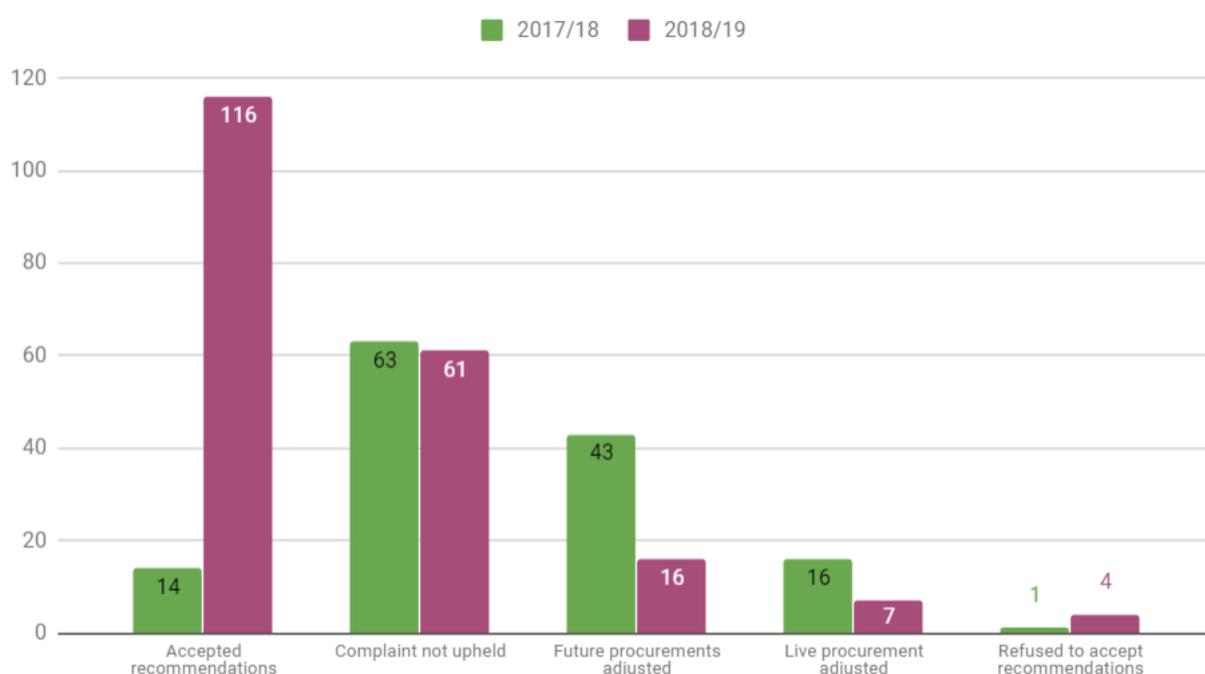
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/137569/PPN_Supplier_financial_risk_Feb-18.pdf

6. Case Outcomes

We make recommendations to the contracting authority on how to remedy the specific problem raised. If we consider that the issues raised might have wider applicability to general public procurement practice, we work with policy colleagues in the Cabinet Office to issue general guidance to all public bodies, for example through a Procurement Policy Note.

98% of our closed cases where the case was upheld, resulted in changes being made to live procurements, recommendations being accepted, and areas to improve future procurement practice being identified and agreed. We handled 61 cases where the correct procedure had been followed by the contracting authority and were able to offer advice to the supplier to help them understand what has happened and why.

Chart 4: Outcome of closed cases - comparison between 2017/18 with 2018/19



In the four cases where our recommendations were refused, contracting authorities had a clear strategy that defined certain elements of their procurement, or reasons as to why the opportunities had not been advertised more widely.

We publish the outcome of all closed cases on the Cabinet Office website and promote awareness through social media¹⁴.

¹⁴ <https://www.gov.uk/government/collections/pprsresults>

7. Procurement Policy Compliance

PPRS supports public procurement policy by undertaking various compliance checks.

Follow Up Cases

PPRS follow up on actions that contracting authorities have agreed to take in response to recommendations we have made during the course of our past investigations.

In 2018/19 we followed up on 18 cases. In the majority, all of our recommendations were implemented. Most cases we followed up concerned the Crown Commercial Service Digital Marketplace. CCS continue to educate both buyers and suppliers during webinars and workshops. The next iteration of the Digital Outcomes and Specialist Framework templates¹⁵ will include updated vetting guidance in line with our recommendation.¹⁶

Prompt Payment and Spot Checks

Government is committed to creating a supportive environment in which businesses can flourish. Late payment is a key issue for business, especially smaller businesses, as it can adversely affect their cash flow and jeopardises their ability to trade. The government recognises that the public sector should set a strong example by paying promptly.

Procurement Policy Note (PPN) – Prompt Payment Policy and Reporting of Performance Action Note 03/16¹⁷ restates the annual publication requirements under regulation 113(7) of the Public Contracts Regulations 2015 and sets out new reporting requirements on prompt payment announced in the Budget 2015.

Statutory guidance for public sector buyers and suppliers on paying undisputed, valid invoices within 30 days down the public sector supply chain came into force on 26 February 2015.

Public sector buyers must pay prime contractors (Tier 1 suppliers) within 30 days and must ensure that their prime contractor includes equivalent 30 day payment terms in any subcontracts through the supply chain. Public sector buyers must publish annual payment performance data.

PPRS proactively carry out spot checks to test the compliance of contracting authorities with advice set out in PPN 03/16.

Due to the high number of payment issues raised by suppliers, this year our spot check focused specifically on payments, by checking compliance with publishing data as per Regulation 113 of the Public Contracts Regulations 2015. All authorities that have had a PPRS case in relation to payment were reviewed along with a control group of NHS Trusts.

¹⁵ <https://www.gov.uk/guidance/digital-outcomes-and-specialists-templates-and-legal-documents#requirements-templates>

¹⁶ <https://www.gov.uk/guidance/security-vetting-and-clearance#contractors-and-consultants>

¹⁷

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/513775/PPN_0316_-_Publication_of_payment_performance_statistics_1_.pdf

72 checks were carried out, 64 being NHS Trusts. The total checks identified that 69.4% had published some data on payments and 4.2% had published the full data required under the Prompt Payment policy. The next stage is to validate this information by contacting the contracting authorities and to request that they do publish data in the correct format. DHSC have been supportive of the spot check exercise and have offered to assist in contacting Trusts along with developing and issuing guidance on best practice to all Trusts.

Government is committed to making further improvements to payment practices across the public and private sector – with a particular focus on actions that support small businesses.

The Minister for Implementation, Oliver Dowden, has announced new measures whereby suppliers who bid for government contracts above £5m per annum who cannot show they are paying their subcontractors promptly, risk being prevented from securing government contracts.

We will continue to adapt our spot check programme based on the trends established from the complaints we receive or any changes in procurement regulations.

8. Service Satisfaction Surveys

PPRS aim to handle central government cases within 60 days and wider public sector cases within 90 days. In 2018/19 80% of cases were managed through to conclusion within this service level agreement (SLA). The cases that did not meet the SLA were typically complex and required more time to understand the issues involved and more stakeholder liaison.

Feedback surveys are sent to suppliers and contracting authorities following case closure. Feedback from suppliers has shown that the PPRS has a positive impact on public sector procurement by recommending changes in contracting authorities' procurement activities.

Supplier Feedback

A total of 146 surveys have been sent to suppliers and we have received 55 responses, giving a 38% response rate. This has decreased from 44% the previous year.

- 87% who responded rated the service Good or Excellent.
- 85% agreed that the process and case outcome was explained to them.
- 76% of those surveyed confirmed it was easy to find information on PPRS.
- 85% of those surveyed confirmed they would use the service again.
- 85% would recommend the service to others.

Contracting Authority Feedback

A total of 101 surveys have been sent to contracting authorities that have been contacted by the PPRS and we have received 31 responses, giving a 23% response rate. This has decreased from 45% the previous year.

- 94% of contracting authorities who responded to the survey agreed it was a helpful route for suppliers to question procurement approach.
- 94% agreed that the process and case outcome was explained to them.
- 84% of contracting authorities agreed that they found the advice and recommendations provided useful.
- 16% of contracting authorities confirmed that they informed suppliers about the service.

We recognise that this year the response rate has decreased for both. In particular, the number of surveys returned from contracting authorities is particularly low and we are working on improving this with more interaction with stakeholders next financial year.

To increase the response rate for 2019/20 we plan on reviewing the questions we ask and the way the surveys are distributed. We are considering bringing this function back into our team so we can manage the process and enable the follow up of nil responses.

Actions in response to Feedback

We rely on the surveys to give us information to help improve the service we provide going forward.

We received a lot of positive feedback from both suppliers and contracting authorities, some of the comments are included on the next page.

- “It is a really good service and I hope it goes from strength to strength with the rebranding.”
- “Many thanks for your help – it’s amazing how you’ve managed to wake these buyers up.”
- “looks like an excellent result – thanks!”
- “Thank you very much for investigating this so promptly and with a successful outcome.”
- “We were very heartened to hear that going through this process may have affected some change around their commissioning processes regarding TUPE in future.”
- “For us this is a great result and we’re very happy with your intervention, which will promote non-discrimination and equal treatment in the procurement. Thank you very much for your assistance in resolving this.”

In terms of making improvements to the service we have taken on the constructive feedback received below:

You Said	We Did
<p>“There was good information about successful outcomes, but it was not so easy to find information on how to access the service and make a complaint, on the website. However, the team were very helpful in answering my queries, once I emailed them.”</p>	<p>We continue to receive feedback that suggests the Service is not widely known about, and is not easy to find. We will continue to build on the greater awareness following the name change and will be increasing our marketing activities and profile.</p> <p>From December 2018 a link to our service will be included on Contracts Finder which should lead to an increased awareness of the service, and see new suppliers making contact. There are plans to add a link to the service on the next iteration of the Standard Selection Questionnaire to promote the service further.</p>
<p>“Perhaps a monthly newsletter outlining what the common complaints are?”</p>	<p>We currently publish our monthly results on GOV.UK. In 2019/20 we plan to increase our use of Twitter and other social media to share results and outcomes in a more current format.</p>
<p>“It would help offering further powers to your service. At the moment when you contact an organisation there is no fear of repercussions.”</p>	<p>This has been a common theme since the service was established in 2011. Whilst we have investigatory powers under the 2015 Small Business Enterprise & Employment Act, these were further strengthened in March 2015 with statutory powers that now require contracting authorities to cooperate with the service. However, recommendations we make to contracting authorities are non-binding. We cannot force a contracting authority to award a contract, or refrain from awarding a contract to a particular supplier.</p> <p>We have a 100% success rate in unblocking late payments owed to suppliers that have raised a case with PPRS.</p> <p>In 2019/20 we expect to be able to continue the progress we have made in unblocking the late payment of valid and undisputed invoices on a public sector contract.</p>
<p>General Communications</p>	<p>We also received feedback suggesting that our communications were too detailed and sometimes confusing. We used this feedback to design a clearer title, and text to ensure that the contracting authority could easily identify what information we are asking for.</p>

9. Forward Look for 2019/20

The service is continually evolving to reflect Government's policy aims in procurement. Cases vary and can range from the structure of the procurement to the tender process and late payment of suppliers and we will adapt the service outputs in line with trends and issues.

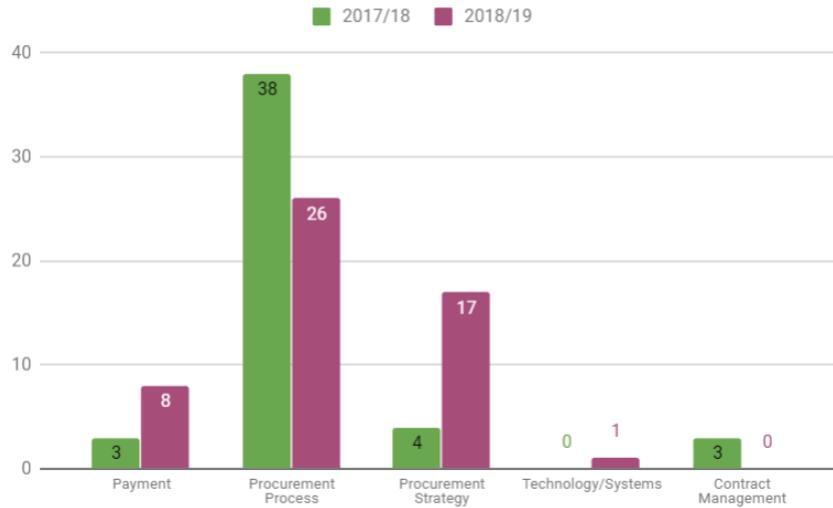
Our focus for 2019/20 will fall in eight main areas:

- We will continue to market our services to ensure suppliers are aware of the support available, in line with policy and customer needs.
- We will actively support the Small Business Crown Representative in his role and liaison with SMEs when working with the government.
- We will work closely with the Small Business Commissioner¹⁸ and other small business support teams and similar services operating within the Devolved Administrations to assist in signposting and sharing best practice in areas outside PPRS's scope.
- We will continue to work with stakeholders to improve our services and raise awareness of the trends identified from the issues raised and feed into policy development.
- We will continue to work with contracting authorities to ensure that our recommendations are taken forward in future procurements.
- We will continue working with supplier network groups to support suppliers through the procurement process.
- We will base our spot check programme on the trends established from the complaints we receive or any changes in procurement regulations.
- PPRS will be contributing to a new policy initiative to deliver a series of Buyer Masterclasses to enable proper and thorough consideration of supplier diversity during the procurement life cycle. To compliment this we have produced a Buyer Checklist to assist contracting authorities in making appropriate considerations to SMEs when procuring goods or services.

¹⁸ <https://www.smallbusinesscommissioner.gov.uk/>

Annex A - Main trends for Central Government

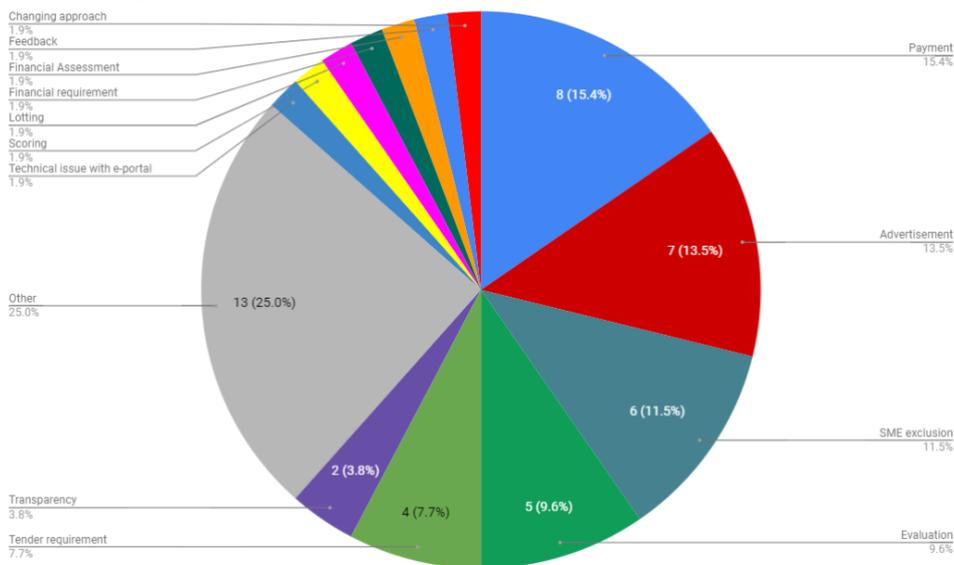
Chart 5: Issues investigated with Central Government - High Level - 2017/18 comparison against 2018/19



We investigated 52 cases classified as Central Government. Cases categorised under 'Procurement Process' are the most prevalent in this sector this year, accounting for just over half of cases (50%, 26 cases). The number of payment cases within the Central Government sector has almost doubled from 8.3% (three cases) last year to 15.4% (eight cases) in 2018/9.

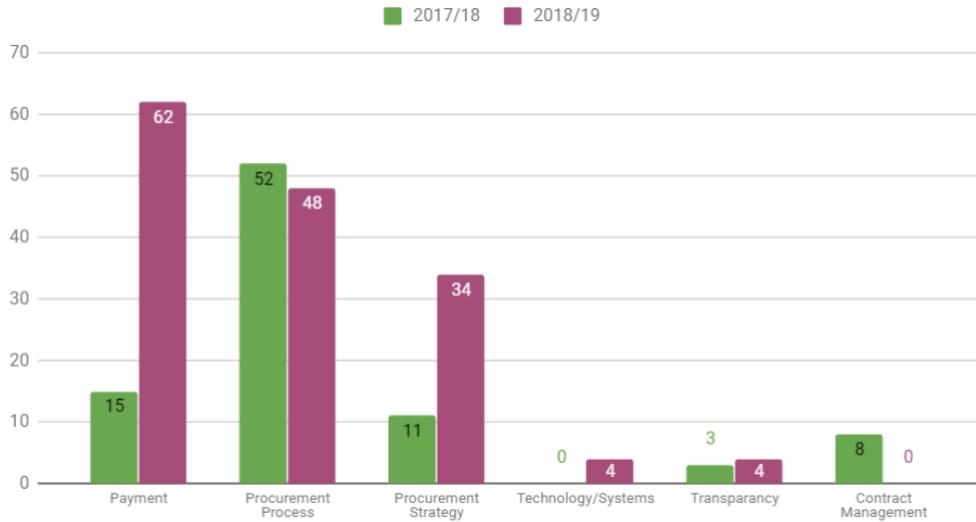
We investigated 11 cases regarding Crown Commercial Service (CCS), compared to 12 cases last year. Most of these cases were categorised as 'Procurement Process' and concerned evaluation and feedback on the Digital Marketplace. The Ministry of Defence (MOD) received the joint highest number of complaints (11 cases, 10 last year). Half of these cases were categorised as Procurement Strategy where suppliers had raised issues around advertisement and use of specified suppliers. We have a central point of contact at MOD to handle cases received, this process has enabled us to manage all concerns through to conclusion, although three complaints were not upheld.

Chart 6: Issues investigated with Central Government - Sub Level



Annex B - Main trends for Wider Public Sector

Chart 7: Issues investigated with the Wider Public Sector - High Level - 2017/18 comparison against 2018/19



There has been a large increase in the number of Wider Public Sector cases. We investigated 152 (74.5%) cases in 2018/19 compared with 89 (66.4%) the previous year. This increase can be attributed to this year’s marketing campaign from both the PPRS service and payment policy along with multiple cases raised by the same suppliers (repeat users) following successful release of payments. Most of the cases this year were categorised as Payment (61 cases) and related specifically to the NHS (55 cases) and concerned the late payment of invoices.

We have engaged with representatives from the Department of Health and Social Care to raise awareness of the on-going issues within their sector.

Chart 8: Issues investigated with the Wider Public Sector - Sub Level

