



## **Public Procurement Review Service Progress Report 2022/23**

Trends from 6 April 2022 to 5 April 2023

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## 1. Public Procurement Review Service (PPRS) Highlights

PPRS sits within the Cabinet Office and allows public sector suppliers and potential government suppliers to raise concerns, with the option to remain anonymous, where they believe that there has been poor public sector procurement practice. PPRS also accepts cases raised by suppliers concerning the late payment (i.e. not paid within 30 calendar days or as stated in the contract terms) of valid and undisputed invoices on a public sector contract.

The Progress Report highlights the main trends the service has seen from 6 April 2022 to 5 April 2023. 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 the financial year 2023/24.

PPRS received 91 cases in this financial year (plus 8 cases carried forward from the previous year) which represented a 3% decrease from 94 cases in 2021/22. Almost half of the cases were received from new service users. There were 18,015 contract opportunities posted to Contracts Finder during this period.

The top 4 reported issues to PPRS this year were:

- 'Payment'
- 'Evaluation'
- 'Tender process'
- 'Use of framework'

PPRS unblocked £230,000 in late payments in 2022/23 on behalf of suppliers and we continue to maintain a 100% success rate in releasing valid overdue and undisputed invoices. There was a year on year increase in the number of payment cases of 29% but a decrease in the value of unblocked payments. The total amount PPRS has unblocked since the service began is £9.7m.

100% of recorded case outcomes were measured as 'positive'. 98.6% of cases were resolved within 2 months of receipt for issues relating to a central government body, or within 3 months of receipt for issues relating to the wider public sector (for example in local government).

## 2. Background

PPRS is one of a range of measures designed to make government easier to work with, helping suppliers (particularly Small and Medium-sized Enterprises (SMEs) and Voluntary, Community and Social Enterprises (VCSEs), and levelling the playing field for those who want to supply to the Government.

We welcome enquiries from all suppliers who have concerns about the conduct of a procurement process that 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 concerns a procurement process run by an in-scope contracting authority as defined by the Public Contract Regulations 2015 (PCR 2015). We also handle cases concerning the late payment (i.e. not paid within 30 calendar days or as stated in the contract terms) of valid and undisputed invoices on a public sector contract. If the supplier has not followed the correct action, or understood the process, our work would involve providing advice and guidance rather than a recommendation to the contracting authority.

We work with central government departments (CG) and wider public sector (WPS) to help them understand concerns raised and to highlight best practice. Serious or persistent issues are escalated within contracting authorities and can be raised with the SME Crown Representative in addition to our investigations<sup>1</sup>.

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 and ensuring suppliers are paid in accordance with Prompt Payment Policy. The majority of our cases are summarised and published<sup>2</sup> naming the contracting authorities whilst businesses that reported the cases remain anonymous.

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 scope and remit can be viewed on GOV.UK<sup>3</sup>.

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<sup>1</sup> Martin Traynor OBE, the Small Business Crown Representative, leads on the relationship between government and small businesses, advises Ministers on engagement and identifies any barriers they face when working with the Government.

<sup>2</sup> Publication wording is published once agreed with the contracting authority. Where multiple complaints are received simultaneously we publish a joint summary of our findings. In the interest of transparency the supplier has sight of the wording prior to publication.

<sup>3</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/773861/Public\\_Procurement\\_Review\\_Service\\_Scope\\_and\\_Remmit\\_v1.1.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/773861/Public_Procurement_Review_Service_Scope_and_Remmit_v1.1.pdf)

### 3. Promoting PPRS

It is our aim that all suppliers and potential suppliers are aware of the service we offer and that we are maximising the various marketing options available to us.

In terms of existing communications, PPRS is advertised online on Contracts Finder<sup>4</sup> which allows suppliers to search for information about public sector opportunities. Contracts Finder published 51,240 award notices in 2021/22. PPRS is also advertised on Find a Tender<sup>5</sup> service that allows organisations to search and apply for high value contracts (usually above £118,000) in the UK's public and utilities sectors. Find a Tender service published 11,418 award notices in 2021/22. PPRS is also promoted on the SME Hub<sup>6</sup> on GOV.UK and the Service is referenced within the commercial playbooks.

To raise awareness of the service, PPRS published a media statement through the Government Commercial Function (GCF) LinkedIn account<sup>7</sup>. We also have a promotional video on the GCF YouTube channel that has been shared with key stakeholders, along with a brochure that outlines our processes and trends. We will continue to promote our marketing material through the Cabinet Office's SME Panel and Crown Representatives.

We continue to work with the Small Business Commissioner, similar services in the Devolved Administrations<sup>8</sup> and the SME & VSCE Crown Representative to identify trends and share experience of best practices. Additionally, we have attended and presented at numerous VSCE/ SME and similar meetings to raise awareness of PPRS and provide support.

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<sup>4</sup> <https://www.gov.uk/contracts-finder>

<sup>5</sup> <https://www.gov.uk/find-tender>

<sup>6</sup> <https://www.gov.uk/guidance/small-and-medium-business-hub>

<sup>7</sup> [https://www.linkedin.com/posts/government-commercial-function\\_public-procurement-review-service-reclaims-activity-6923210586306588672-K3Zg/?utm\\_source=linkedin\\_share&utm\\_medium=member\\_desktop\\_web](https://www.linkedin.com/posts/government-commercial-function_public-procurement-review-service-reclaims-activity-6923210586306588672-K3Zg/?utm_source=linkedin_share&utm_medium=member_desktop_web)

<sup>8</sup> Other services exist in: Northern Ireland - CPD Charter:

<https://www.finance-ni.gov.uk/publications/cpd-supplier-charter> / Scotland - Single Point of Enquiry:

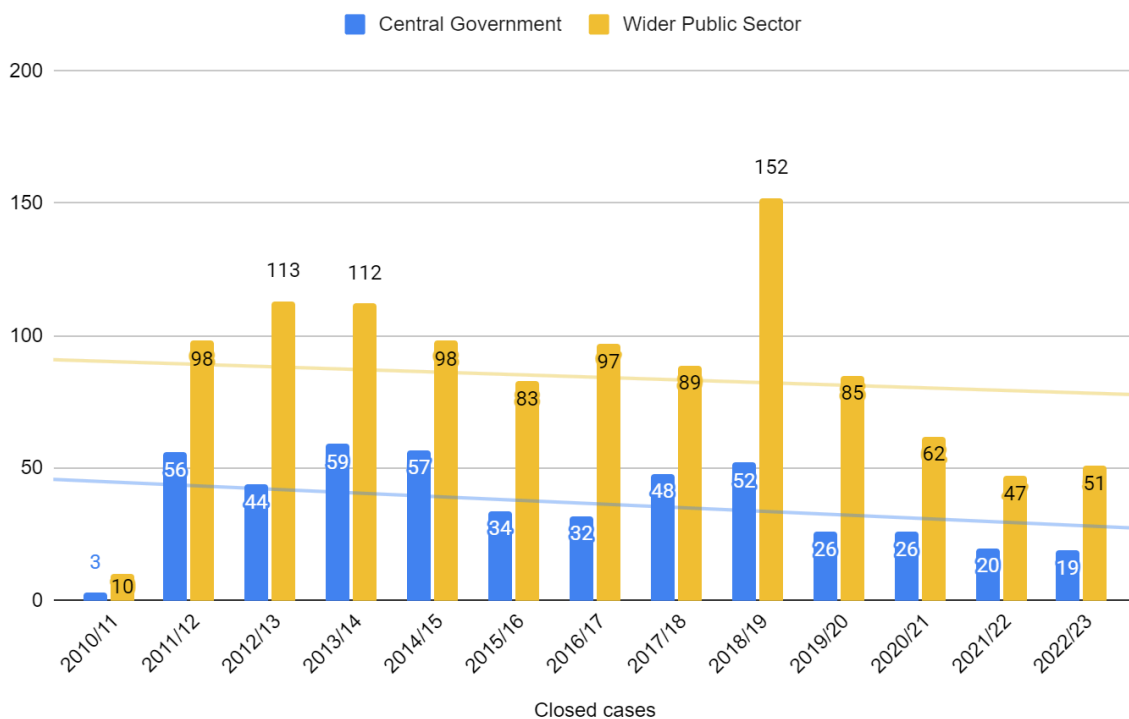
<http://www.gov.scot/Topics/Government/Procurement/Selling/supplier-enquiries> / Wales - Supplier Feedback

Service: <https://gov.wales/topics/improvingservices/bettervfm/supplier-feedback-service/?lang=en>

#### 4. Cases Received and Sectors Involved

In the reporting year ended 5 April 2023, 91 new cases were received and a further eight cases were carried forward from the previous year. This report focuses on the trends for the 70 cases handled through to closure; the remaining cases were either collapsed or rejected once further information was received. Cases are rejected if new evidence is identified that the complaint raised falls outside our scope and remit, we collapse cases if we lose contact with a supplier, they request to withdraw from the service, or they request to work directly with the contracting authority. 12 cases were carried forward to 2023/24.

**Chart 1: Sectors we have received concerns about since the service started (closed only):**



The number of complaints received for CG has fallen slightly from 20 cases in 2021/22 to 19 cases in 2022/23. There has been an increase in the number of cases received for WPS, from 47 cases in 2021/22 to 51 in 2022/23.

Case numbers continue at a historically low rate, most likely due to the public sector buyers familiarity with the current regulations.

### **Non-case Enquiries**

PPRS continually reviews its processes and identifies areas for improvement. We track enquiries received to understand the volume that does not transpire to a full case. Often these are of a general nature seeking further information, or enquiries that could be handled directly by contracting authorities without the need to establish a case. We handled 139 enquiries to 5 April 2023, compared to 179 enquiries handled by the same point the previous year. We have also classified the nature of the enquiry to see if there are any further trends to support our ongoing spot check programme. 86 enquiries were not related to procurement processes and were signposted appropriately. 23 enquiries were outside our scope and remit, 22 did not respond to our requests for further information needed to establish a case, six were referred to the Devolved Administrations and the remainder were answered by PPRS. The remaining enquiries were dealt with by PPRS, although they did not result in cases.

## 5. Main Issues Raised

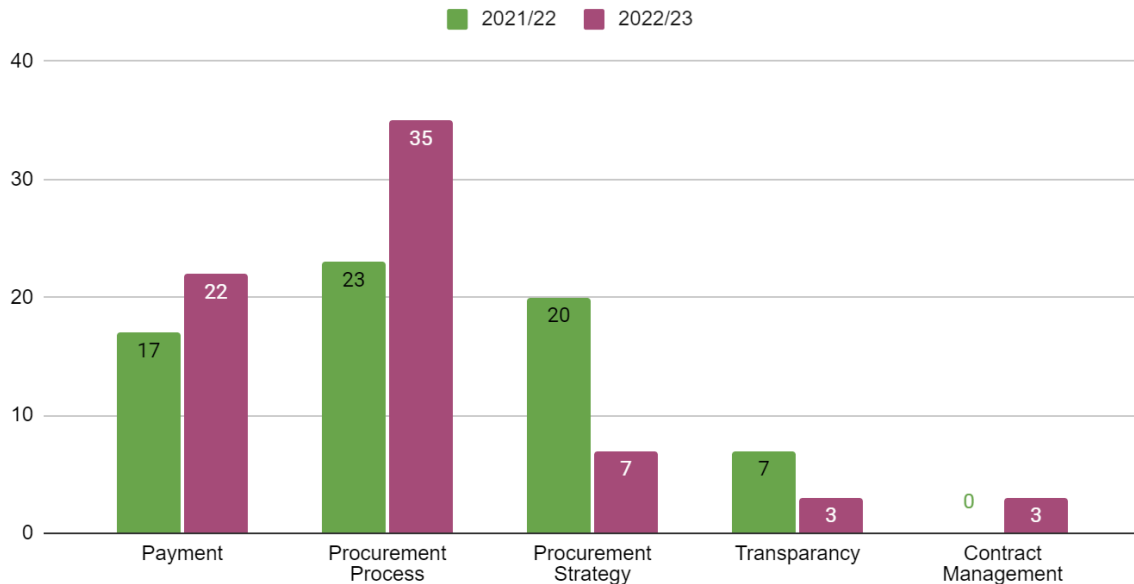
### High Level Classification

We classify enquiries by the overarching nature of the issue. The types of concerns we investigate are categorised at the closure stage of the investigation. These fall under 7 categories:

- Procurement Strategy (the approach to achieving what the contracting authority requires from the procurement)
- Procurement Process (issues relating to the submission or evaluation of tenders),
- Late Payment
- Transparency (where the process was not clear)
- Technology/ Systems (e.g. broken links or issues with eTendering Portals)
- Contract Management (problems at any stage of the contract management process)
- Bureaucracy of the Process (procurement red tape)

This high level classification enables us to produce and analyse trends around the main issues received.

**Chart 2: Types of Issues raised - High Level - 2022/23 comparison against previous year:**



In 2022/23 there was an increase in 'Payment' cases to 22 cases (31.4% of all cases) compared to 2021/22 where 'Payment' cases accounted for 17 cases (25.4%). Due to the high success rate of PPRS unblocking payments, two suppliers accounted for over half the 'Payment' cases as repeat service users.

PPRS routinely reminds contracting authorities of their obligations under the Prompt Payment Policy and the PCR 2015 regulation 113<sup>9</sup>.

'Procurement Process'- now represents half of cases this year as there has been an increase in cases from 23 in 2021/22 (34.3%) to 35 in 2022/23 (50%).

'Procurement Strategy' - there has been a significant decrease in cases from 20 cases in 2021/22 (29.9%) to 7 cases in 2022/23 (10%).

'Transparency' - there was a decrease in cases from seven in 2021/22 (10.4%) to three in 2022/23 (4.3%).

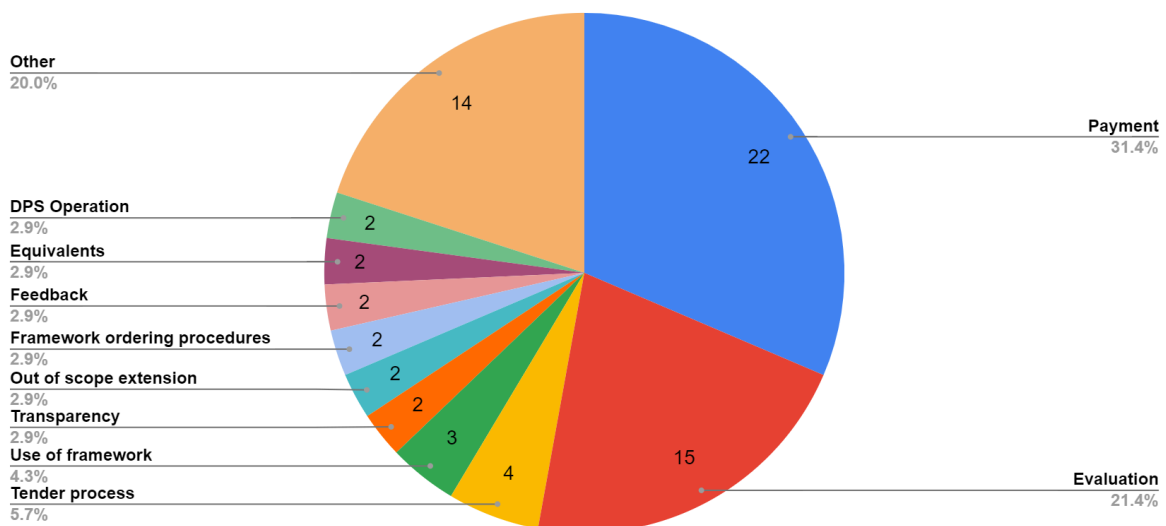
'Contract Management' - there were three cases (4.3%) in 2022/23 where there were zero in 2021/22.

There were zero cases classified as 'Technology/Systems' or 'Bureaucracy of the Process'

### Sub Level Classification

Closed cases are further classified to provide a more granular level of detail to enable us to identify and analyse trends. Within this report we have grouped issues where a single case has been received as 'Other'.

**Chart 3: Types of Issues raised - Sub Level 2022/23**



Late payment accounted for just under a third (31.4%) of all issues reported to PPRS this year compared to just over a quarter (25.4%) of all cases the previous year.

<sup>9</sup><http://www.legislation.gov.uk/uksi/2015/102/regulation/113/made>



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The next highest sub-issues are classified as follows:

- 'Evaluation' 15 cases, 21.4%, with seven complaints upheld.
- 'Tender process' four cases, 5.7%, with one complaint upheld.
- 'Use of framework' three cases, 4.3%, with two complaints upheld.

The concerns recorded under 'Other' include: 'Use of existing contracts', 'Timescales', 'Tender requirement', 'SME exclusion', 'Short deadlines', 'Insufficient detail', 'Costing in bids', 'Contract extension', 'Communication', 'Clarification', 'Changing approach', 'Cancellation', and 'Administration'.

## 6. Top Issues and Action

The main areas of complaints received against contracting authorities are outlined in the table below. ‘Upheld’ represents cases where we have made recommendations for change in the contracting authority’s process and provided signposting to published guidance. ‘Not upheld’ refers to cases where the contracting authority has followed the correct procedure and we were able to educate suppliers. There was an increase in the number of complaints acknowledged by contracting authorities where they acknowledged improvements could be made in the future.

MAIN TRENDS		
Issue	Context	Action
<p>‘Payment’ 22 cases</p> <p>CG - one case WPS - 21 cases</p> <p>(payment complaints are closed at the point where the supplier receives payment)</p>	<p>All of the cases concerned non-payment of valid and undisputed invoices.</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 PCR 2015, public sector buyers must publish the amount of interest paid to suppliers due to late payment. Payment policy PCR 2015 regulation 113.</p> <p><a href="https://www.gov.uk/guidance/pro-mpt-payment-policy">https://www.gov.uk/guidance/pro-mpt-payment-policy</a></p>	<p>We unblocked £229,480.62 in late payments on behalf of suppliers.</p> <p>We remind contracting authorities of their obligations under the PCR 2015<sup>10</sup>, including PPN 02/20<sup>11</sup> and PPN 04/20<sup>12</sup> that sets out information and guidance for public bodies on payment of their suppliers to ensure service continuity during the coronavirus outbreak.</p> <p>PPRS continues to work with NHS England and Improvement through regular best practice meetings to help Trusts and suppliers in improving their processes to ensure prompt payment compliance.</p>

<sup>10</sup><http://www.legislation.gov.uk/uksi/2015/102/regulation/113/made>

<sup>11</sup><https://www.gov.uk/government/publications/procurement-policy-note-0220-supplier-relief-due-to-covid-19>

<sup>12</sup><https://www.gov.uk/government/publications/procurement-policy-note-0420-recovery-and-transition-from-covid-19>

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<p>'Evaluation'</p> <p>15 cases CG - five cases (three upheld) WPS - 10 cases (four upheld)</p>	<p>Concerns were raised on how the evaluation process was run, including the evaluation criteria and potential conflicts of interest within the evaluation panel.</p>	<p>Where complaints were upheld, PPRS recommended that contracting authorities provide clear guidance on the way in which answers will be evaluated, to ensure all opportunities meet the PCR 2015 regulation<sup>18</sup>, Principles of Procurement<sup>13</sup>.</p> <p>For cases where complaints were not upheld, PPRS was able to confirm a fair and transparent process had been followed that aligned with the advertised opportunity.</p> <p>Where improvements could be made in the future PPRS recommended that the Authority should consider the Sourcing Playbook<sup>14</sup> when planning future evaluations to achieve maximum effectiveness when calculating the most economically advantageous tender and delivering the best price to quality ratio and test before implementation.</p> <p>PPRS will also follow-up with the Authority to review the implementation of this recommendation.</p>
<p>'Tender process'</p> <p>Four cases: CG - one case (upheld) WPS - three cases (all were not upheld)</p>	<p>Concerns were raised regarding inaccuracies in tender documentation, specifically around which procurement procedure was being adopted, as well as concerns over bias towards incumbent suppliers.</p>	<p>Where complaints were not upheld, PPRS was able to assure suppliers that the Contracting Authorities had not breached the PCR 2015, specifically that contracting authorities had followed the correct process to ensure conflicts of interest were identified and managed correctly in accordance with regulation 24.</p>

<sup>13</sup><https://www.legislation.gov.uk/ukxi/2015/102/regulation/18/made#:~:text=18..or%20of%20artificially%20narrowing%20competition>

<sup>14</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/987353/The\\_Sourcing\\_Playbook.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/987353/The_Sourcing_Playbook.pdf)) and Bid Evaluation Guidance [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/987130/Bid\\_evaluation\\_guidance\\_note\\_May\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/987130/Bid_evaluation_guidance_note_May_2021.pdf)

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		<p>When the complaint was upheld, PPRS was able to give best practice guidance to the customer, and the customer was able to adjust their live procurement.</p>
<p>'Use of framework'  Three cases WPS, two upheld.</p>	<p>Suppliers were concerned that frameworks were being used for procurements that were out of the scope of that framework or lot.</p>	<p>Where the complaint was not upheld we were able to advise the supplier that the procurement appeared to be in scope.</p> <p>Where complaints were upheld, we advised the customer to consult with the framework authority to ensure framework procurements are in scope going forward.</p>

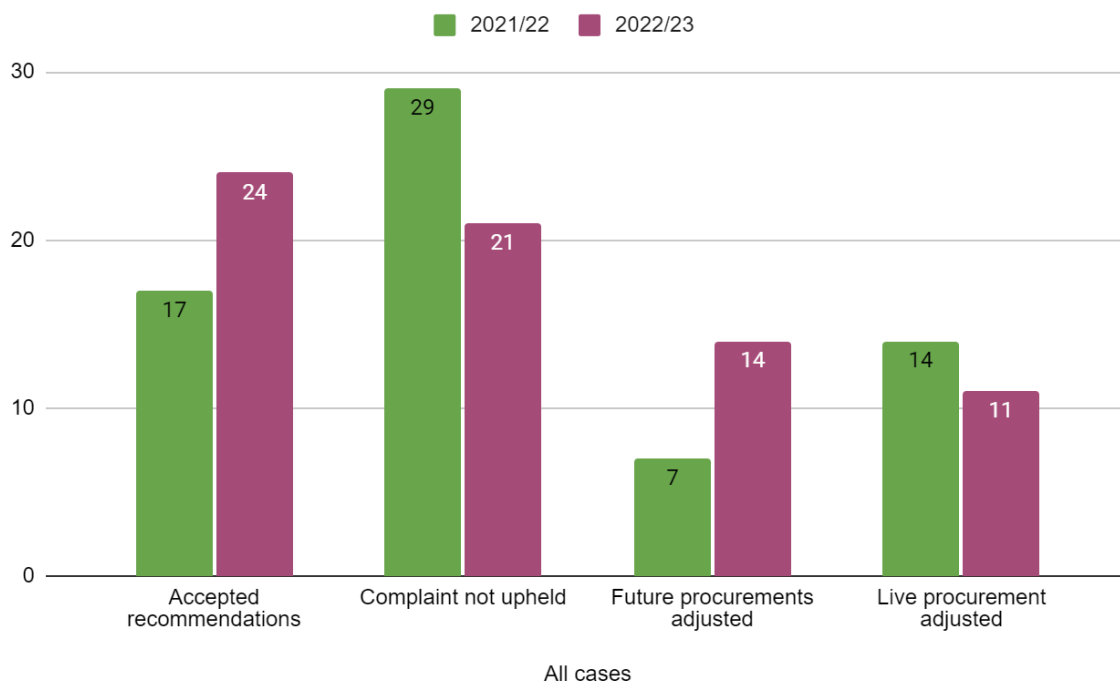
## 7. Case Outcomes

We make recommendations to the contracting authority on how to remedy the specific issue 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 PPN. This year, the majority of cases have seen us direct people to existing guidance rather than driving new policy.

Serious or persistent issues are escalated within contracting authorities and can be raised with the SME Crown Representative in addition to our investigations.

100% of outcomes were considered to be positive, our recommendations were accepted<sup>15</sup>, and areas to improve future procurement practice were identified and agreed. Working at pace resulted in changes being made to 11 live procurements, a decrease from 14 cases the previous year. We handled 21 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 had happened and why. This represented a decrease from 29 cases the previous year. Adjustments made to future procurements have doubled to 14 cases from seven the previous year.

**Chart 4: Outcome of closed cases - 2022/23 comparison against previous year**



### Collapsed and rejected cases

Out of 99 cases managed, seven cases were rejected and 10 cases were collapsed. This compared to 22 cases (10 rejected, 12 collapsed) in the previous year. Cases are rejected if new evidence is identified that the complaint raised falls outside our scope and remit. We

<sup>15</sup> All 'Payment' cases are classified as 'Accepted Recommendations' at the point of closure.

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collapse cases if we lose contact with a supplier, they request to withdraw from the service, or they request to work directly with the contracting authority.

## **8. Service Satisfaction Surveys**

We aim to handle CG cases within 60 days and WPS cases within 90 days. In 2022/23 98.6% of cases were managed through to conclusion within this service level agreement (SLA).

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

### **Supplier Feedback**

A total of 51 surveys have been sent to suppliers. We had 23 responses, giving a 45.1% response rate, down from 57.1% the previous year.

- 78.3% agreed it was easy to find information on PPRS, which has decreased from 81.3% the previous year,
- 91.3% agreed the process and outcome was explained, which has decreased from 93.5% the previous year,
- 90.9% were satisfied with the service provided, which has increased from 78.1% the previous year,
- 91.2% would use the service again, which has increased from 78.1% the previous year, and
- 79.3% would recommend the PPRS to others, which has increased from 78.1% the previous year.

### **Contracting Authority Feedback**

A total of 48 surveys have been sent to contracting authorities that have been contacted by PPRS and we have received 15 responses giving a response rate of 31.3%, an increase from 20.0% the previous year.

- 100% agreed the process and case outcome was explained, which has increased from 88.9% in the previous year,
- 80% agreed that the advice received and recommendations were useful, which has decreased from 85.7% the previous year, and
- 100% agreed that PPRS is a helpful route to question procurement practice, which has increased from 88.9% the previous year.

### **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 include:

- "I feel it was a full and fair assessment. We did get a positive result, the complaint being upheld, but even if it had have been a negative outcome, it would still have been a fair 'hearing'."

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- “I was quite pleased with how prompt the response time was and the fact that you were able to bridge the gap. The follow-up was equally impressive. From beginning to end, your team acted professionally and did the job thoroughly. I felt like they truly were on top of my case and they followed it until the very end.”
- “My complaint was taken seriously and the relevant issue was tackled by the team. Whilst I enjoyed only a partially successful outcome, I was happy with the process.”
- “Clear explanations given during video calls and subsequent telephone conversations.”
- “Process was well communicated and the recommendations are helpful.”

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

You Said	Our response
“Although probably impractical, the only real improvement would be if the main investigators had a legal background to be able to quickly assess the merits of more complex complaints.”	We are looking to increase the level of training we have in this area, particularly in terms of the new Procurement Bill.
“The investigation was good but the service would benefit from greater powers to compel improvements.”	The dissatisfaction of the service users was based on PPRS not being able to enforce recommendations on a contracting authority; this will be considered within the development of the Government’s Procurement Bill.
“I think at the moment the rigour and power of the Public Procurement Review Service is limited and this should be increased.”	The dissatisfaction of the service users was based on PPRS not being able to enforce recommendations on a contracting authority; this will be considered within the development of the Government’s Procurement Bill.
“I would suggest that any finding upheld during a live tender should not be published if the contracting authority agrees to amend the procedure or withdraw, based on the findings of PPRS. It would then be seen as more constructive.”	We will ensure that information about what the contracting authority has done to improve their processes is included in the reports that we publish. The government’s transparency requirement dictates what information is published.



## 9. Forward Look for 2023/24

The service is continually evolving to reflect the 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. We will adapt the service outputs in line with policy, feedback, trends and issues.

We conducted user research with suppliers during 2021/22, and that gave us insight into the supplier experience of using our service. This has also informed our plans for 2022/23.

Our focus for 2022/23 has been in the following main areas:

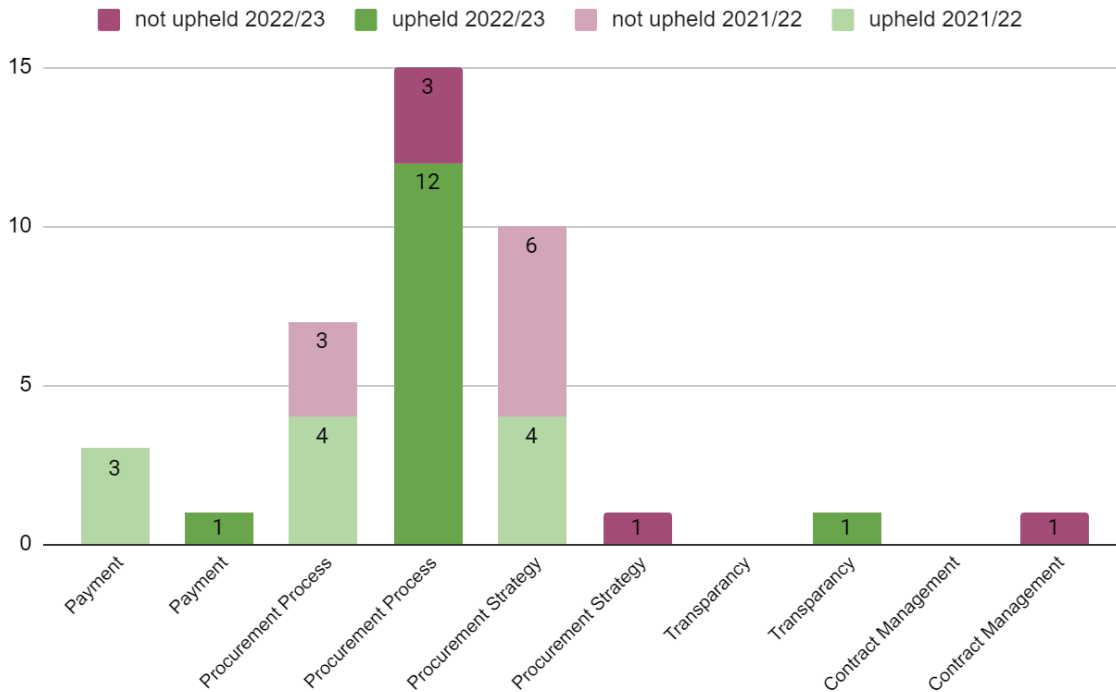
- Improved quality of our reports to increase transparency in how we operate, and to show how we arrive at our conclusions and recommendations. This should increase confidence in the work that we do, and give it greater rigour.
- Engagement with the VCSE sector in order to support that sector in tendering for public sector opportunities.
- Active support of the Small Business Crown Representative in liaising with SMEs when working with the Government. We will also work closely with the Small Business Commissioner<sup>16</sup> 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 our scope.
- Continued stakeholder engagement to improve our services and raise awareness of the trends and issues identified to aid policy development.
- Continuing work with contracting authorities to ensure that our recommendations are taken forward in future procurements.
- Continuing to work with teams across the GCF to feed in the issues that are raised to improve commercial capability.
- Sharing the lessons learned from our reviews more widely in order to increase the quality of public sector procurements.
- A new Procurement Review Unit (PRU) is planned to support implementation of the Procurement Bill in 2023. The existing functions of the PPRS are to continue, with the PPRS being included into the new PRU.

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<sup>16</sup> <https://www.smallbusinesscommissioner.gov.uk/>

## Annex A - Main Trends for Central Government

**Chart 5: Issues investigated with CG - High Level - 2022/23 comparison against previous year**

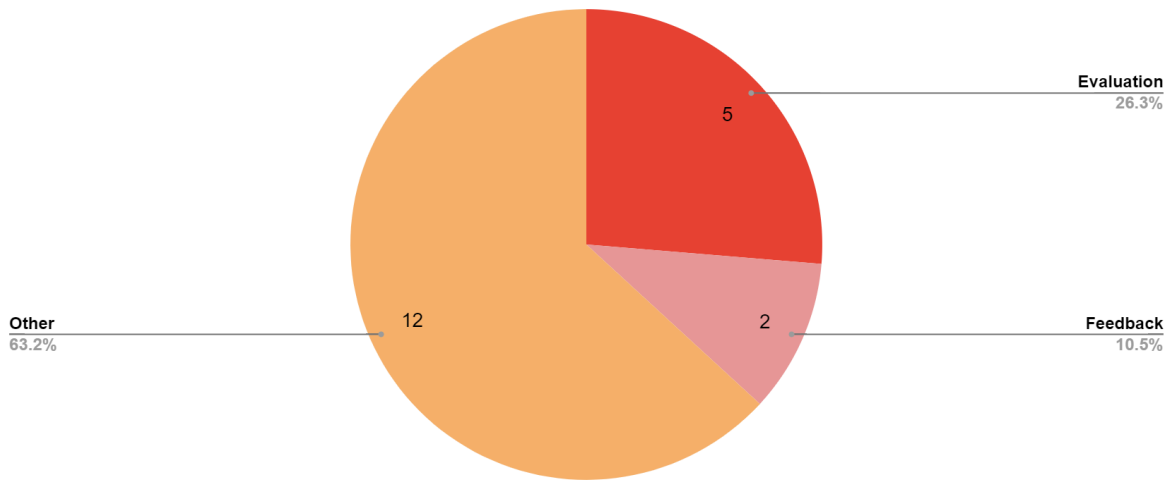


We investigated 19 cases classified as CG in 2022/23, a slight decrease from 20 the previous year. Cases classified as ‘Procurement Process’ had the highest number of complaints with 15 cases, an increase from 10 the previous year, 12 complaints were upheld, which is a significant increase from four cases upheld in 2021/22. Cases categorised under ‘Procurement Strategy’ significantly decreased in this sector this year, accounting for a single case, which was upheld, compared to 10 cases, with four cases upheld, in the previous year.

The Sourcing Playbook<sup>17</sup> was designed to improve how the government works with industry and deliver better public services; the latest version includes a chapter specifically focussing on building and maintaining successful relationships with suppliers. They have worked closely with CG departments to upskill and share best practice throughout the commercial life cycle.

<sup>17</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/987353/The\\_Sourcing\\_Playbook.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/987353/The_Sourcing_Playbook.pdf)

**Chart 6: Issues investigated with CG - Sub Level - 2022/23**

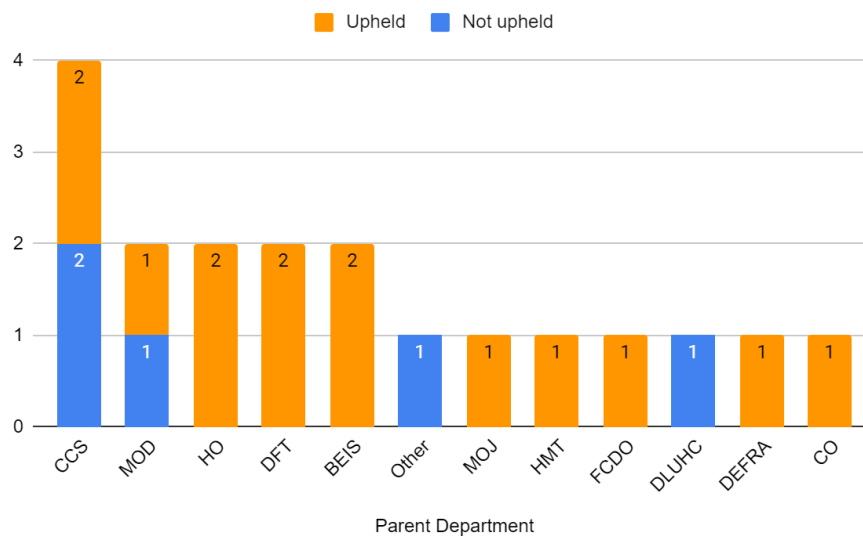


‘Evaluation’ and ‘Feedback’ were the highest reported issues for CG, Three ‘Evaluation’ complaints were upheld, one live procurement adjusted and two cases where the department agreed to change their strategy in the future. Both ‘Feedback’ cases were upheld, one live procurement adjusted and one where the authority agreed to change their strategy in the future.

In the previous year the highest reported issues were regarding ‘Payment’ with three cases, and ‘SME exclusion - Framework strategy’ with three cases.

Individual complaints were received regarding the way opportunities were advertised and communicated, as well as insufficient detail being provided and a lack of feedback.

**Chart 7: CG department split of cases not upheld and upheld 2022/23**

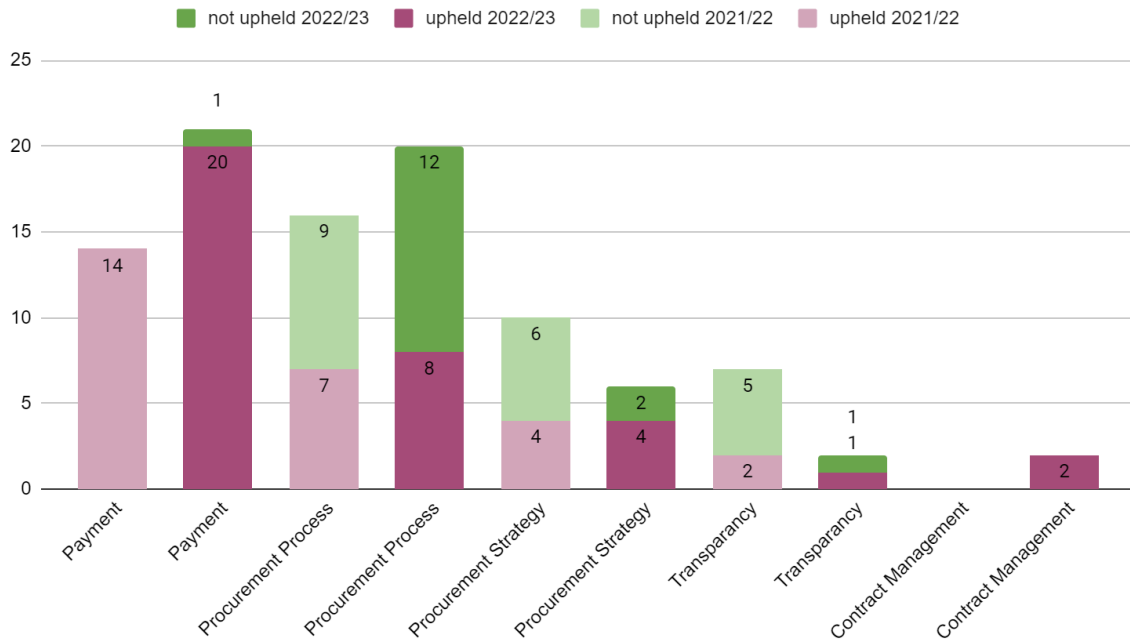


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73.7% (14 cases) of the complaints made on CG cases were upheld in 2022/23 an increase from 55% (11 cases) of complaints that were upheld in 2021/22. A detailed breakdown of complaints upheld can be seen in Section 6: Top Issues and Action above (page 10).

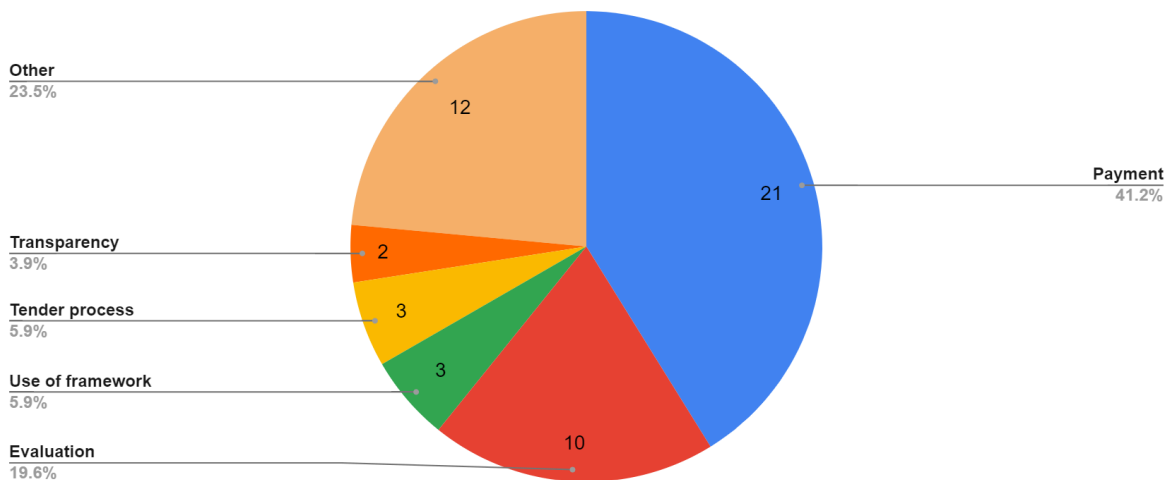
**Annex B - Main Trends for Wider Public Sector**

**Chart 8: Issues investigated with the WPS - High Level - 2022/23 comparison against previous year**



The WPS continued to account for just over two thirds of cases, the number of complaints received increased from 47 in 2021/22 to 51 this year. In 2022/23 ‘Payment’ received the highest number of complaints, 21 cases, an increase from the 14 cases received the previous year. ‘Procurement Process’ cases continued to be prevalent (20 cases), an increase from 16 cases the previous year.

**Chart 9: Issues investigated with the WPS - Sub Level 2022/23**



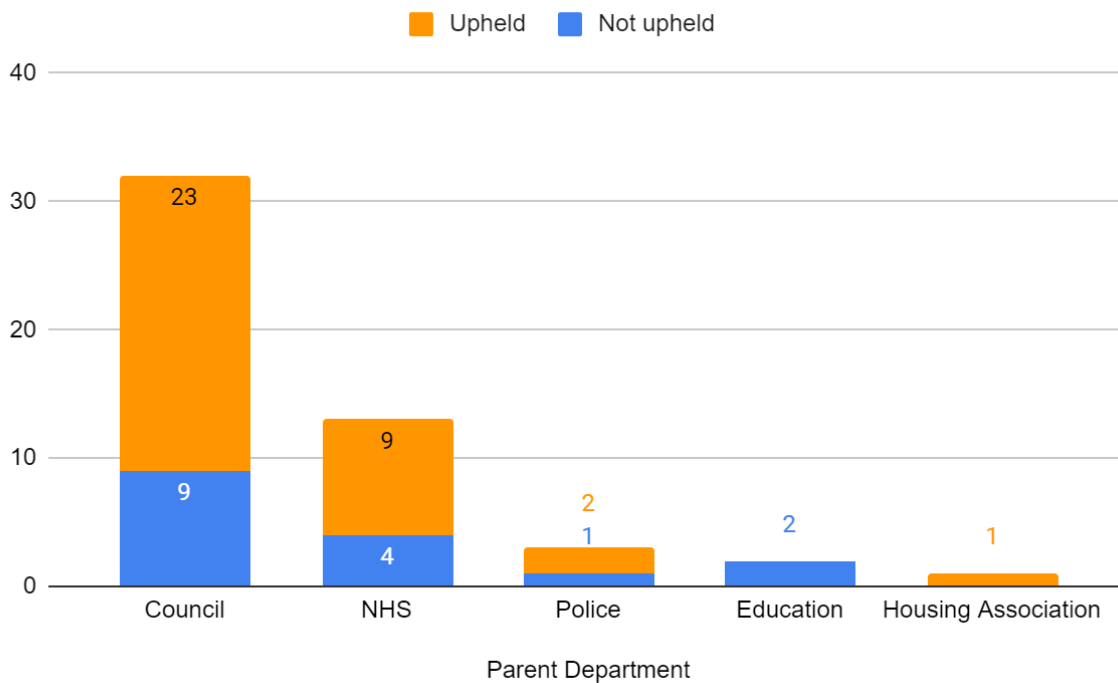
Late payment accounted for 41.2% (21 cases) of all WPS issues reported to PPRS in

2021/22. This is a significant increase from the previous year where 'Payment' represented just 29.8% (14 cases) of WPS complaints. 'Evaluation' at 19.6% is an increase from the previous year at 10.6%, representing the second highest number of WPS complaints in both years. 'Use of framework' and 'Tender process' both received three complaints.

In the previous year the highest reported issues were regarding 'Payment' with 14 cases, 'Evaluation' with five cases, 'Transparency' and 'Award' with four cases, and 'Tender Requirement' with three cases.

The concerns recorded under 'Other' include issues raised with; 'Use of existing contracts', 'Tender requirement', 'Short deadlines', 'Out of scope extension', 'Framework ordering procedures', 'Equivalentents', 'DPS Operation', 'Costing in bids', 'Communication', 'Changing approach', 'Cancellation' and 'Administration'.

**Chart 10: WPS - sector split of cases not upheld and upheld 2022/23**



The majority of WPS complaints were upheld. As a large portion of cases relate to late payments, the complaint is always upheld once payment has been made. Overall 35 out of 51 WPS cases (68.6%) were upheld in 2022/23 representing a small decrease of complaints upheld compared with 47 WPS cases in 2021/22 where 70.1% were upheld. Out of the 30 cases that did not relate to payment, 15 cases (50%) were upheld.

In the previous year the NHS was the subject of 14 cases, where all were upheld. Councils were the subject of 24 cases where nine were upheld.