

A Comprehensive Guide to The Procurement Act 2023 for Suppliers





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Introduction

The Procurement Act 2023 will have a profound impact on the UK public health sector market. With only five months until it goes live, it is imperative that businesses wanting to improve their public health sector procurement strategy understand the changes that will come with it.

This guide aims to be comprehensive and offer insights for businesses of all sizes, including relevant timelines, the main changes, and even some exclusive insights from public health sector procurement experts.

About HCI

HCI is an all in one business intelligence solution which offers tools to help businesses turbocharge their public health sector win rate.



Timeline



Dec 2021
Cabinet Office
publish
government's
response to the
consultation

Jun 2022
Procurement Bill
draft is released
and commences
journey through
House of Lords

Feb 2023
Reviewed at
Committee Stage in
the House of
Commons

Oct 23
Bill achieved Royal
Assent and
secondary
legislation started

May 2022
The government
publishes their
draft Procurement
Bill which is at the
start of its
legislative journey

Dec 2022
Procurement Bill is
passed to House of
Commons by
House of Lords

Jun 23
House of Commons
amendments being
considered by
House of Lords

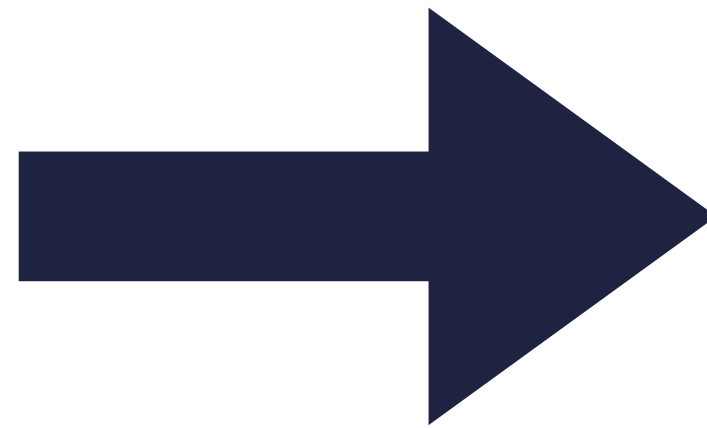
Mar 24
The Procurement
Regulations 2024
published

**28 October
2024
Go Live**

Procurement Act 2023 Changes

PCR2015 Principles

Transparency
Equal treatment
Non-discriminatory
Proportionality



Procurement Act 2023 Objectives

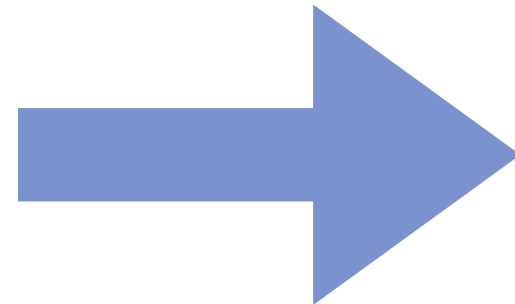
Delivering value for money
Maximising public benefit
Sharing information (linked to suppliers understanding policies and decisions)
Acting with integrity

The Procurement Act 2023 is underpinned by objectives, which commit buyers to acting and procuring in a more stringent way. Value for money and maximising public benefit from spreading are core to the new approach.

Procedural Changes



PCR 2015



Procurement Act 2023

The Procurement Act 2023 sees fewer procedures than under the existing Public Contracts Regulations 2015. However, these are supported by many new and revised notice types which are aimed to increase transparency for suppliers.

Competitive Flexible Procedure

A **competitive tendering procedure** as the contracting authority considers appropriate for the purpose of awarding the public contract

Buyers can design their own procurement process providing it is **fair and proportional** to the procurement. It can include features such as:

Exclusion of suppliers
for stated reasons

Refinement of the
award criteria stated in
the tender

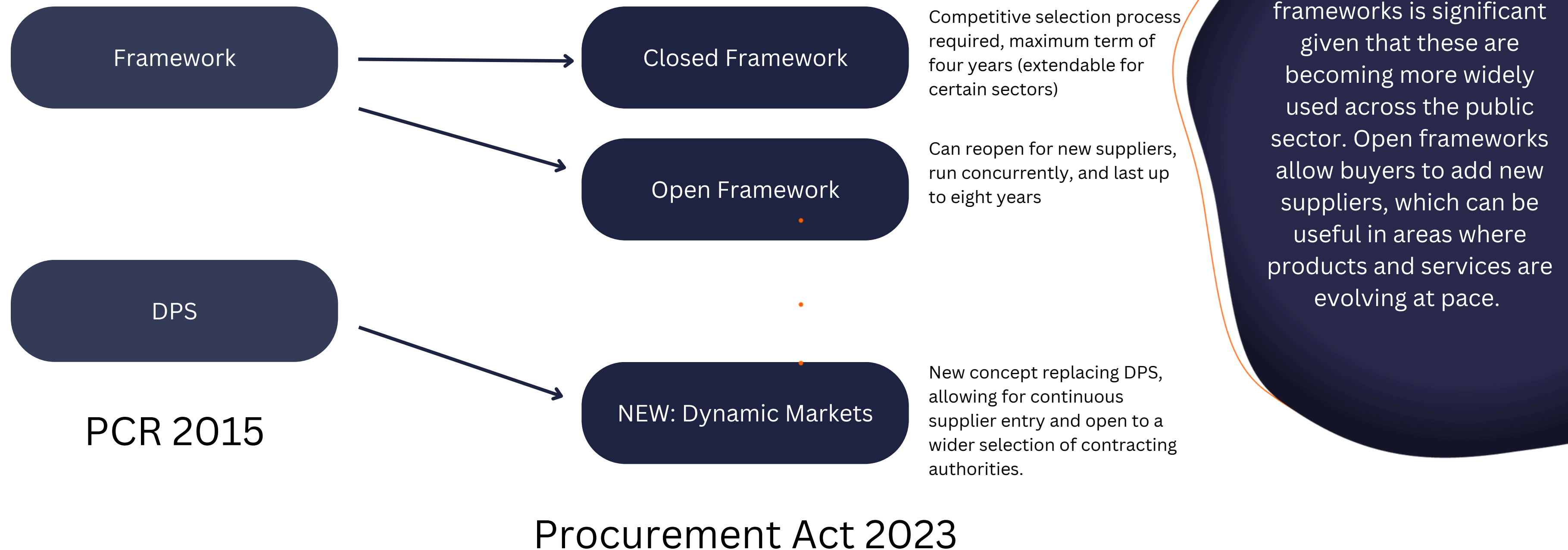
Reducing the number
of candidates
successively

Multiple stages
including negotiations

Production of multiple
versions of tenders

By increasing flexibility in the tendering process it is anticipated that more innovative solutions for requirements can be identified. It will take time for buyers and suppliers to get used to this new procedure.

Frameworks and Dynamic Purchasing Systems (DPS)



Impact on SMEs

OPPORTUNITIES

- More accessible market - removal of barriers for SME participation.
- Improved information access - enhanced transparency helps SMEs understand and prepare for opportunities.
- Flexibility in Procedures - CFP allows SMEs to participate in tailored procurement processes.

RESPONSIBILITIES

- Compliance with new regulations - SMEs must familiarise themselves with the new exclusion grounds and procedural changes.
- Regular updates to Supplier Information System (SIS) - maintain up to date information for procurement processes.

STRATEGIES

- Stay informed - regularly check for new guidance and updates on the Central Digital Platform
- Engage early - participate in preliminary market engagement to understand requirements and build relationships.
- Prepare thoroughly - ensure all required documentation is accurate and up to date.
- Leverage technology - use digital tools like Tracker to monitor procurement opportunities and compliance requirements.

Preliminary Market Engagement - The Future

In The Procurement Act 2023, specific mention is given to pre-market engagement

“Before publishing a tender notice in respect of a public contract, a contracting authority may engage with suppliers and other persons for the purpose of:”

Developing the authority's requirements and approach to the procurement

Designing a procedure, conditions of participation or award criteria

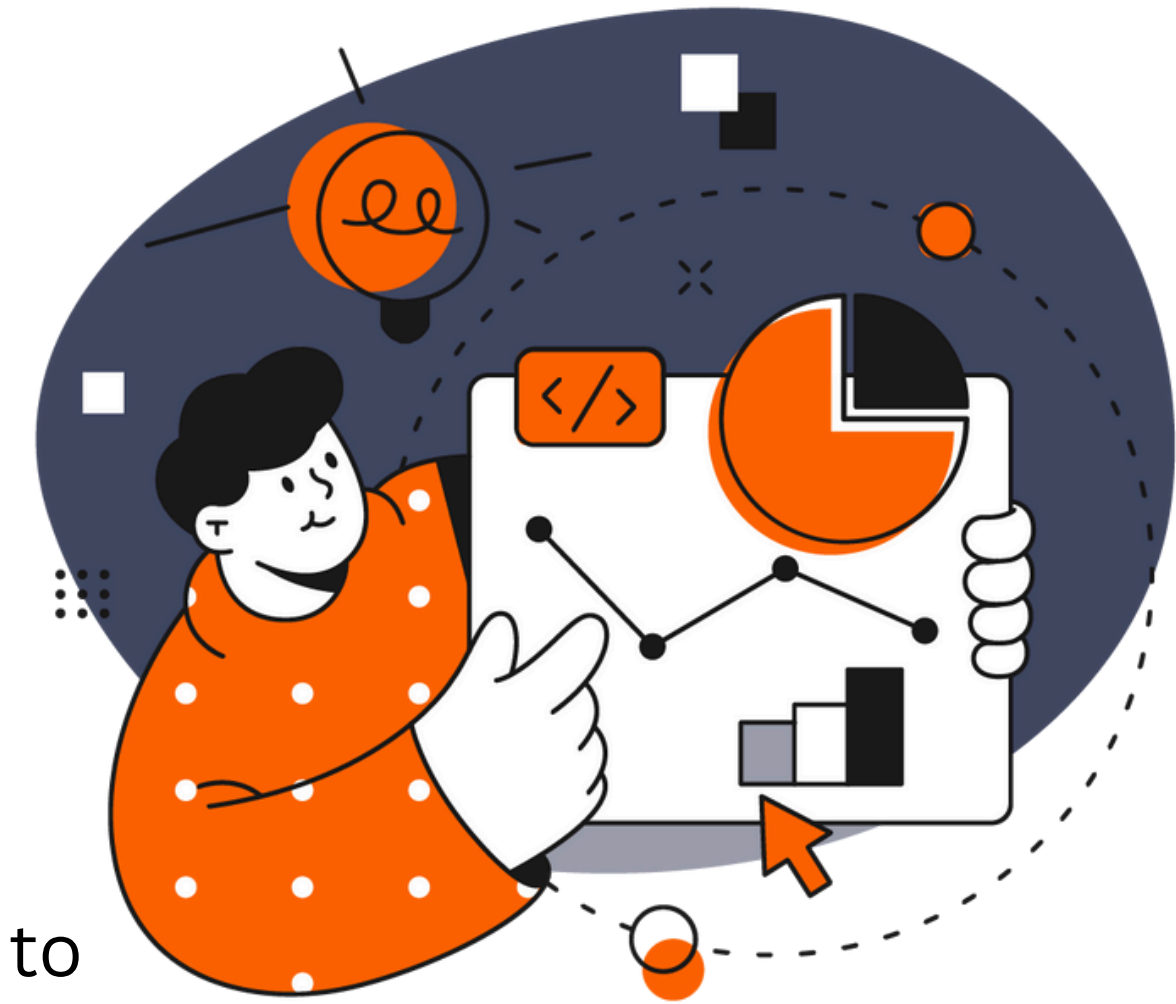
Preparing the tender notice and associated tender documents

Identifying suppliers that may be able to supply the goods, services or works required

Identifying likely contractual terms

Building capacity among suppliers in relation to the contract being awarded

How HCI is helping suppliers manage the transition to the Procurement Act 2023



- **Regular engagement** with senior stakeholders across government to understand and communicate the changes to our customers.
- Presence at market events such as **Procurex National and Procurement Act Expo** to speak directly with customers and the wider supply chain.
- **Tracker platform updates** to ensure it is compliant with both PCR (2015) and Procurement Act (2023) - and including publication of new notice types.
- Access to **webinars, blogs and other content** to support the transition.
- **Discounted rates** on Procurement Act (2023) consultancy and training via PASS.

How to Engage Early with HCI

Ready to get ahead of your competition and win more public sector business?

**BOOK YOUR FREE
PERSONALISED DEMO**

We'll tailor the demo to your specific business needs.

FREE DEMO

Summary

01

The Procurement Act 2023 will come into effect on October 24 2024

02

The new objectives are: Delivering Value for Money, Maximising Public Benefit, Transparency and Integrity

03

The new Act emphasises the importance of social value and early engagement

04

It is recommended that businesses start highlighting social value in their bids now

05

For more insights, or a personalised demo from HCI, visit our website