**HEIF Fund Seminar on Competition and Public Procurement: Wednesday 20 May 2015, University of Sussex**

**Objectives**

The overall objective of establishing **Competition and Procurement Policy** **Research and Knowledge Exchange Network** at Sussex University is to exchange interdisciplinary academic expertise and experience with private sector practitioners in the area of: competition and public procurement policy, law and governance This builds on core areas of expertise in Departments of Law, Politics and Economics at Sussex, fostering mutually beneficial collaboration in this area of shared interest. The seminar builds upon a core of research interests in Law Politics and Sociology relating to the transformation of the welfare state and public service provision in the Member States of the EU. The role of Knowledge Exchange is identified in the HEIF Guidelines as:

“[I]nteractions between higher education (HE) and businesses, public and third sectors, community bodies and the wider public. These interactions increase understanding between HE and the economy and society, raise awareness and use of HE knowledge and develop people outside HE to use this knowledge better. This all leads to positive impact on the world external to HE.”

**Seminar on 20 May 2015: University of Sussex Organised by Professor Szyszczak, University of Sussex and Ian Clarke, Director of Excalibur Procurement Services Ltd**

**Logistics**

The Seminar will be held in the Video Conference Room, Freeman Building, University of Sussex. The size of the Seminar will be a maximum of 20 participants to facilitate a dialogue. The Seminar is free to attend and lunch, tea and coffee will be provided.

Agenda For the Seminar

*From 10 am Registration, coffee and croissants*

10.30 am Introduction: Professor Erika Szyszczak

10.45 am Ian Clarke, Practioner Issues in Financing and Organising Public Services Under the New Procurement and Competition Rules

*11.45 am Coffee*

12 noon Dr Elizabeth David-Barrett: Identifying and Addressing Corruption in Procurement Practice.

*1pm Lunch*

2pm Rita Griguolaite: creating a matrix for value and quality in public service obligations

3pm Round table Discussion, Working With the Procurement, Competition, Internal Market and State Aid Rules, Addressing corruption and Criminal activity (eg bid rigging), Identifying Training Needs in Public Services, Identifying new research areas, identifying funding sources for practical research, discussion of Briefing Notes and Handbook

4 – 4.30pm *End of Seminar*

**Out Puts**

1. Briefing Notes will be written outlining the current gaps in the research literature on the use of competition law, procurement, state aid and EU economic law (ie the four freedoms of goods, services, establishment and capital).
2. Briefing Notes will be written on the proceedings drawing conclusions from the practical use of the new commissioning tools for public services in England.

About The Speakers

Ian Clarke

Public sector procurement modernisation in the form of The Public Contracts Regulations 2015, S.I. 2015/102 has brought with it a number of challenges for procurement practitioners. Those who work in the sector are accustomed to operating in an environment that often has to balance conflicting political policy with the need to maintain the basic principles underpinning the application of the EU Procurement Directives. However the new Directives will provide additional challenges for practitioners, particularly in terms of the interpretation and application of the requirements which will significantly change the environment practitioners are used to working in. In the UK, the recent financial crisis and current austerity measures have intensified the tensions practitioners need to manage as Government undertakes a significant programme of public service reform, including whole sector privatisation and the introduction of complex public, private or staff led partnership service delivery models. Practitioners are finding it increasingly difficult to maintain probity and compliance with the principles of open competition in this environment and are becoming increasingly reliant on legal support to help managed the conflict between political ideology, compliance with state aid and procurement regulations. Using real life examples to describe these tensions and through engagement with the experienced practitioners attending the event, delegates will gain a better understanding of the everyday pressures that practitioners face. This sharing of knowledge will help inform future academic research, ensuring that practical operational issues are also considered as well as the traditional academic resources when undertaking a research project.

Dr Liz David-Barrett

Liz will outline the main areas of corruption risk arising in local government procurement in the UK.  She will highlight the risks that arise at different stages of the procurement process, from the pre-award definition of tenders and selection criteria through to the post-contract implementation phase, drawing on the scholarly literature, evidence regarding cases and allegations of corruption in UK local authority procurement, and interviews with practitioners.  Finally, Dr David-Barrett will reflect on how recent trends in public policy such as increased outsourcing and movement through the 'revolving door', as well as changes in the infrastructure for monitoring local authorities, create new challenges for holding local government in the UK to account.

Rita Griguolaite

**Creating a matrix for value and quality in public service obligations**

The Treaty of Lisbon 2007 enshrined the aim to combine in equal measure both the economic and the social goals of the EU. EU policies in regulated sectors and EU market and non-market values have been discussed at length at the EU level. However, there is a lack of an examination of practical choices, and constraints, of the Member States when implementing EU regulation in the light of the new mix of ‘socio-economic’ goals.

In my presentation I will explain an index, which I am developing as a part of my PhD thesis, for comparison of national implementation of EU energy policy and regulation. The Index identifies both EU energy regulation provisions and their implementation at national level since 2010 in the light of EU market and non-market values. All identified provisions are divided into categories showing different approaches of state, business, and consumers.

The Index allows comparison and evaluation of national legislative measures annually, separately in different categories and subcategories, as well as, to rank countries (i.e. to compare which Member States achieved better results implementing the regulation) and to see overall regulatory picture in the EU. Therefore, it could serve as a tool to provide targeted policy proposals for Member States on how to improve the fulfilment of EU energy policy aims. Even though my research is in the field of EU energy policy, the developed methodology has a potential to be applied to other sectors and services.

**If any UKSALA members would like to attend please contact Professor Erika Szyszczak by email:** [**E.Szyszczak@sussex.ac.uk**](mailto:E.Szyszczak@sussex.ac.uk) **by Friday April 10, 2015.**