



Llywodraeth Cymru
Welsh Government

Caffael Cymdeithasol Gyfrifol

Socially Responsible Procurement

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Y Bil Partneriaeth Gymdeithasol a Chaffael Cyhoeddus

Social Partnership and Public Procurement Bill

Canllawiau statudol - paratoadol

Pwyllgorau ac Adroddiadau

Canllawiau statudol

Cyflwyno'r Bil

Cydsyniad Brenhinol?

Meh / June 22

Tach / Nov 22

Maw / Mar 23

Medi / Sept 23

??

Bill introduction

Royal Assent?

Committees and Reports

Statutory guidance

Statutory guidance - preparatory



Y dyletswyddau caffael

The procurement duties

Beth?

- Nodau llesiant.
- Llesiant cymdeithasol, amgylcheddol, economaidd a diwylliannol

Pwy?

- Rhai o Awdurdodau datganoledig Cymru...gyda'r potensial i fynd yn ehangach.

Sut fydd hyn yn gweithio gyda diwygio'r broses gaffael ar draws y DU?

- Y broses gaffael yn cael ei diwygio ar yr un pryd gan Lywodraeth y DU
- Ffocws ar broses, nid polisi/canlyniad
- Llywodraeth y DU yn deddfu ar ran Awdurdodau Contractio Cymru.

What?

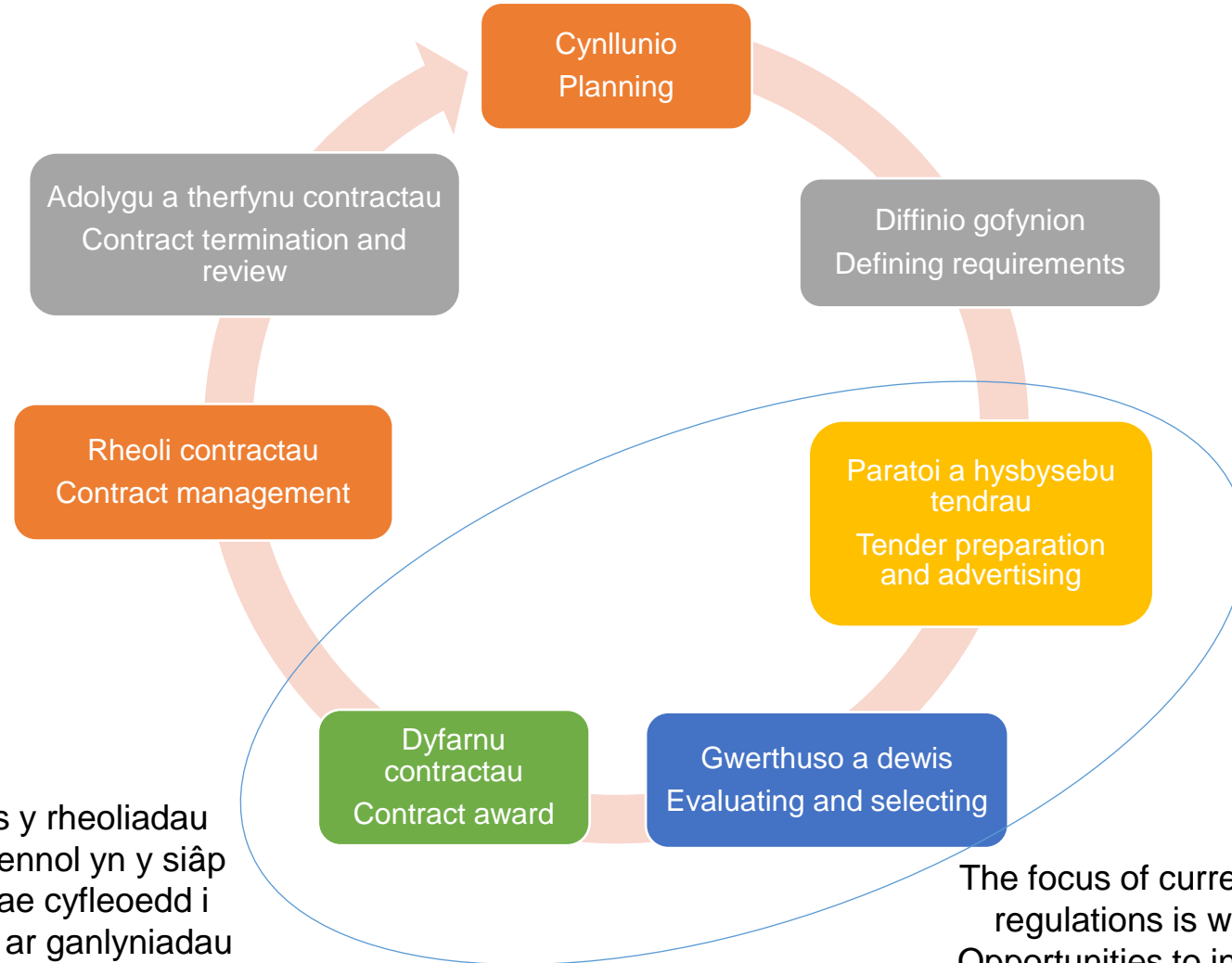
- well-being goals.
- Social, environmental, economic and cultural well-being

Who?

- Some of the devolved Welsh Authorities... with scope to widen.

How will this fit with reform of the procurement process across UK?

- Procurement process being reformed in parallel by UK Government
- Focus on process not policy/outcome
- UK Government legislating for Welsh Contracting Authorities.



Mae ffocws y rheoliadau caffael presennol yn y siâp hirgrwn. Mae cyfleoedd i ddylanwadu ar ganlyniadau sy'n gymdeithasol gyfrifol yn fwy y tu allan i'r siâp hirgrwn.

The focus of current procurement regulations is within the oval. Opportunities to influence socially responsible outcomes are greater outside the oval.



Y Bil The Bill

“Dyletswydd Caffael Cymdeithasol Gyfrifol”

- Dyletswydd trosfwaol o'r dechrau i'r diwedd ar sefydliadau
- .. wrth gynllunio, drafftio, trafod, dyfarnu a rheoli contract.
- Anelu at wella llesiant cymdeithasol, economaidd ac amgylcheddol, drwy
- Sefydlu a chyhoeddi amcanion ar gyfer pob caffaeliad
- Rhaid “cymryd pob cam rhesymol” i gwrdd â'r amcanion ar gyfer “contractau a ragnodir”.

“Socially Responsible Procurement Duty”

- End-to-end, overarching duty on organisations
- .. in designing, drafting, negotiating, awarding and managing a contract..
- to seek to improve economic, social, environment and cultural well-being, by
- Setting and publishing objectives for all procurement
- For “prescribed procurements” must “take all reasonable steps” to meet objectives.



Contractau a ragnodir (contractau mawr) Prescribed (larger) procurements

1. Contractau adeiladu mawr – mwy na £2m (yn cynnwys contractau yn ôl y gofyn o dan fframweithiau)
 2. Contractau allanoli gwasanaethau – Cod y Gweithlu (dwy haen).
 3. Unrhyw gontract arall a ragnodir gan reoliadau – disgwyliad polisi ar hyn o bryd: contractau ar gyfer nwyddau a gwasanaethau sy'n uwch na'r trothwy GPA
1. Major construction contract – estimated value over £2m (includes framework call-offs)
 2. Outsourcing services contracts – Workforce (two-tier) Code
 3. Any other contract prescribed in regulations – current policy expectation: goods and services contracts above GPA thresholds



“Camau penodol” “Particular actions”

Ar **gyfer adeiladu mawr** (1) ac allanoli gwasanaethau (2) uchod:

1. Cymalau gweithiau cyhoeddus cymdeithasol
2. Cymalau gweithlu cyhoeddus cymdeithasol

Mae angen tri cham:

1. Cynnwys mewn contractau
2. Cynnwys drwy gydol y cadwyni cyflenwi
3. Rhoi proses ar waith i sicrhau bod y rhain yn cael eu gweithredu

Hysbysu Llywodraeth Cymru os NAD ydynt wedi'u cynnwys

Gall arwain at gyfarwyddyd gweinidogol, neu adroddiad cyhoeddedig.

For **major construction** (1) and outsourcing services (2) above:

1. Social public works clauses
2. Social public workforce clauses

Three steps needed:

1. Include in contracts
2. Include throughout supply chains
3. Put a process in place to ensure these are implemented

Notify Welsh Government if they are NOT included

May result in ministerial direction, or a published report.



Cymalau contract - categorïau

Contract clauses - categories

Cymalau gweithiau cyhoeddus cymdeithasol:

- Taliad prydlon
- **Cyfleoedd cyflogaeth**
- Cydymffurfiaeth â rheoliadau cyflogaeth
- **Hyfforddiant**
- Cyfleoedd i fusnesau bach a chanolig
- Rheoli amgylcheddol

Social public works clauses:

- Prompt payment
- **Employment opportunities**
- Compliance with employment regulations
- **Training**
- Opportunities for SMEs
- Environmental management



Strategaethau, Adroddiadau a Cydymffurfiad

Strategies, Reports and Compliance

- Cyhoeddi Strategaeth Caffael
- Adroddiad blynyddol
- Adroddiad cryno gan Lywodraeth Cymru
- Pwerau ymchwilio i Weinidogion Cymru ar Gaffael Cymdeithasol Gyfrifol
- Cyngor Partneriaeth Gymdeithasol – Yr is-grŵp statudol ar gaffael
- Cynlluniau polisi i ddatblygu Gwasanaeth adborth, yn amodol ar yr hyn sy'n digwydd gyda diwygio'r broses gaffael yn ehangach
- Publish a Procurement Strategy
- Annual report
- Welsh Government summary report
- Investigatory powers to Welsh Ministers on Socially Responsible Procurement
- Social Partnership Council - Statutory procurement subgroup
- Policy intention to develop a feedback Service, subject to decisions taken on wider procurement reform



Beth nesaf? What's next?

- Mynd â'r Bil drwy ei gamau craffu
- Gweithio ar y cyd ar ganllawiau statudol
- Ffocws arbennig ar y data y mae angen i ni ei gasglu
- .. ac ar gymalau contract ar gyfer adeiladu ac allanoli gwasanaethau
- Cyd-fynd â diwygio caffael Llywodraeth y DU
- Trefnu a darparu hyfforddiant i staff caffael cyhoeddus, ac i fusnes.
- Taking the Bill through its scrutiny stages
- Working collaboratively on statutory guidance
- Particular focus on the data we need to collect
- .. and on contract clauses for construction and outsourcing services
- Aligning with UK Government procurement reform
- Organising and delivering training to public procurement staff, and to business.



Cwestiynau?
Any questions?

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