



Ref: OGPPO002/013/2019

18 October 2019

To Heads of Departments¹

Circular 20/2019: Promoting the use of Environmental and Social Considerations in Public Procurement

A Dhuine Uasail,

The purpose of this Circular is to promote the wider use of environmental and social considerations in public procurement with specific regard to the [Climate Action Plan 2019](#)².

Specifically, the Circular:

- Instructs Departments to consider including green criteria in public procurement processes in the following circumstances where:
 - clearly defined, quantifiable, verifiable and measurable criteria have been developed by the Department of Communications, Climate Action and Environment and are relevant to the specific procurement process; and
 - the cost can be met within a Department's existing budget without impacting on service delivery.
- Informs Departments that the Department of Communications, Climate Action and Environment and the Office of Government Procurement (OGP) will support the implementation process to ensure that Green Public Procurement becomes part of the mainstream public procurement process.
- Requires Departments to incorporate relevant green procurement measures into their planning and reporting cycles.
- Highlights the possibilities for Departments to deliver wider social and environmental aims through public procurement. In this regard, public bodies are encouraged to engage with the OGP to use frameworks which include relevant social and environmental considerations.
- Draws the attention of Departments to the cross-departmental Social Considerations Advisory Group which aims to promote and facilitate the incorporation of social considerations, including environmental considerations, into public procurement projects.

Context

The Government has decided that proposals on the implementation of Green Public Procurement will be developed by the Department of Communications, Climate Action and Environment and the OGP. This decision recognises that the public service must demonstrate its commitment to sustainable development and use its influence to persuade others of the changes required to reduce its impact on the environment. The procurement of goods and

¹ The term 'Department' encompasses Departments and bodies under their aegis.

² <https://www.dccae.gov.ie/en-ie/climate-action/Pages/default.aspx>

services by the State, in line with Government policies, will underpin the credibility of national environmental policy objectives and enhance Ireland's image as a green economy.

The Irish regulations³ require tenderers to comply with applicable obligations in the fields of environmental, social and labour law. The specific agreements and conventions are set out in the OGP's [Public Procurement Guidelines for Goods and Services](#)⁴. The OGP complies with these obligations in the central arrangements (framework agreements) it puts in place for public bodies to procure common goods and services.

Green Public Procurement

Green Public Procurement is a process where public authorities seek to source goods, services or works with a reduced environmental impact. The appropriateness of including environmental measures in public procurement projects will vary from contract to contract and is primarily a matter for individual contracting authorities.

Each stage in the procurement process offers opportunities to take green issues into account. Once a decision has been taken by a contracting authority to include environmental criteria, this should be clearly signalled at all stages of the procurement process from business case and specification stages through to the selection, award and contract management stages.

The key factors in the consideration of environmental issues in public procurement are set out in the OGP's [Information Note on Incorporating Social Considerations into Public Procurement](#)⁵ and are broadly summarised in the Appendix to this Circular.

Support in implementing Green Public Procurement

The Department of Communications, Climate Action and Environment and the OGP will support Departments in the implementation process to facilitate Green Public Procurement. Social Considerations, including green criteria, must be linked to the subject matter of the contract and implementation and monitoring must be met within a Department's existing budget without impacting on service delivery.

The EU Commission has identified specific categories of goods and services that are suitable for the inclusion of green criteria. In this regard, the Department of Communications, Climate Action and Environment provides clearly defined, quantifiable, verifiable and measurable criteria for these categories of goods and services. These criteria can be accessed [here](#)⁶.

Training in the use of environmental considerations will be important in order for procurement officials to know how to consider and incorporate green procurement criteria appropriately. The Department of Communications, Climate Action and Environment will facilitate relevant training with the OGP providing appropriate assistance.

³ <https://ogp.gov.ie/guidelines-sub-menu-procurement-legislation/>

⁴ <https://ogp.gov.ie/public-procurement-guidelines-for-goods-and-services/>

⁵ <https://ogp.gov.ie/information-notes/>

⁶ <https://www.dccae.gov.ie/en-ie/environment/topics/sustainable-development/green-public-procurement/Pages/default.aspx>

Reporting and monitoring of Green Public Procurement

The following Green Public Procurement reporting requirements apply to all Departments:

- a) Each Department and contracting authority should state how it intends to incorporate green considerations in their Corporate Procurement Plan.
- b) Starting with the 2020 Annual Report, each Department must report annually on progress in relation to Green Public Procurement. The Annual Report template with an accompanying guidance note will be made available in 2020 by the Department of Communications, Climate Action and Environment.
- c) Queries related to the development of the templates and guidance can be sent directly to them at gpp@dccae.gov.ie.

Social Considerations

While procurement is primarily focused on enabling the delivery of public services in a sustainable manner by ensuring value for money and broad access to public procurement opportunities for businesses, there are also possibilities for public bodies to deliver wider social aims through their procurement processes. This can be achieved through the inclusion of social considerations as requirements throughout the process, from business case and specification stages through to the selection, award and contract management stages.

Examples of social considerations include, but are not limited to: employment and training opportunities for disadvantaged groups, disability access, promoting social inclusion and social enterprises, and the protection of the environment and combating climate change. EU and national public procurement rules determine what and how such considerations can be successfully incorporated. The OGP's [Information Note on Incorporating Social Considerations into Public Procurement](#)⁷ details these rules.

The OGP and the other Central Purchasing Bodies can assist and advise Departments regarding the appropriate use of social considerations in public contracts and can also support public bodies through the procurement process.

SME Access

The OGP continues to proactively engage with business and strives to enhance the significant measures already in place to support small and medium sized enterprises (SMEs) access to public procurement opportunities as set out in [D/PER Circular 10/2014](#)⁸. The Government is committed to facilitating the participation of SMEs in public sector procurement. Therefore, particular consideration should be paid to any potential impact on SMEs as there may be additional costs associated with the inclusion of social considerations in public contracts, and Departments and contracting authorities must consider the risk of narrowing markets and excluding businesses.

⁷ <https://ogp.gov.ie/information-notes/>

⁸ <https://ogp.gov.ie/990-2/>

Social Consideration Advisory Group

In terms of wider public policy considerations the OGP has established a cross-departmental Social Considerations Advisory Group to promote and facilitate the incorporation of social considerations (which include environmental considerations) into public procurement projects. Its functions include:

- The identification of social policy objectives that could be advanced through public procurement;
- Matching some of those identified social objectives with suitable procurement opportunities, to be trialled on a pilot basis; and
- Advising on the appropriate method for incorporating social considerations into frameworks and contracts.

Dissemination and Implementation of Circular

You are requested to bring this Circular to the attention of (i) all staff in your Department and (ii) all bodies under the aegis of your Department.

Enquiries

Queries in relation to the development and implementation of Green Public Procurement, the annual reporting templates and related guidance can be sent to the Department of Communications, Climate Action and Environment at gpp@dccae.gov.ie.

Any queries in relation to the operation of this Circular regarding the procurement of goods and services can be addressed to support@ogp.gov.ie.

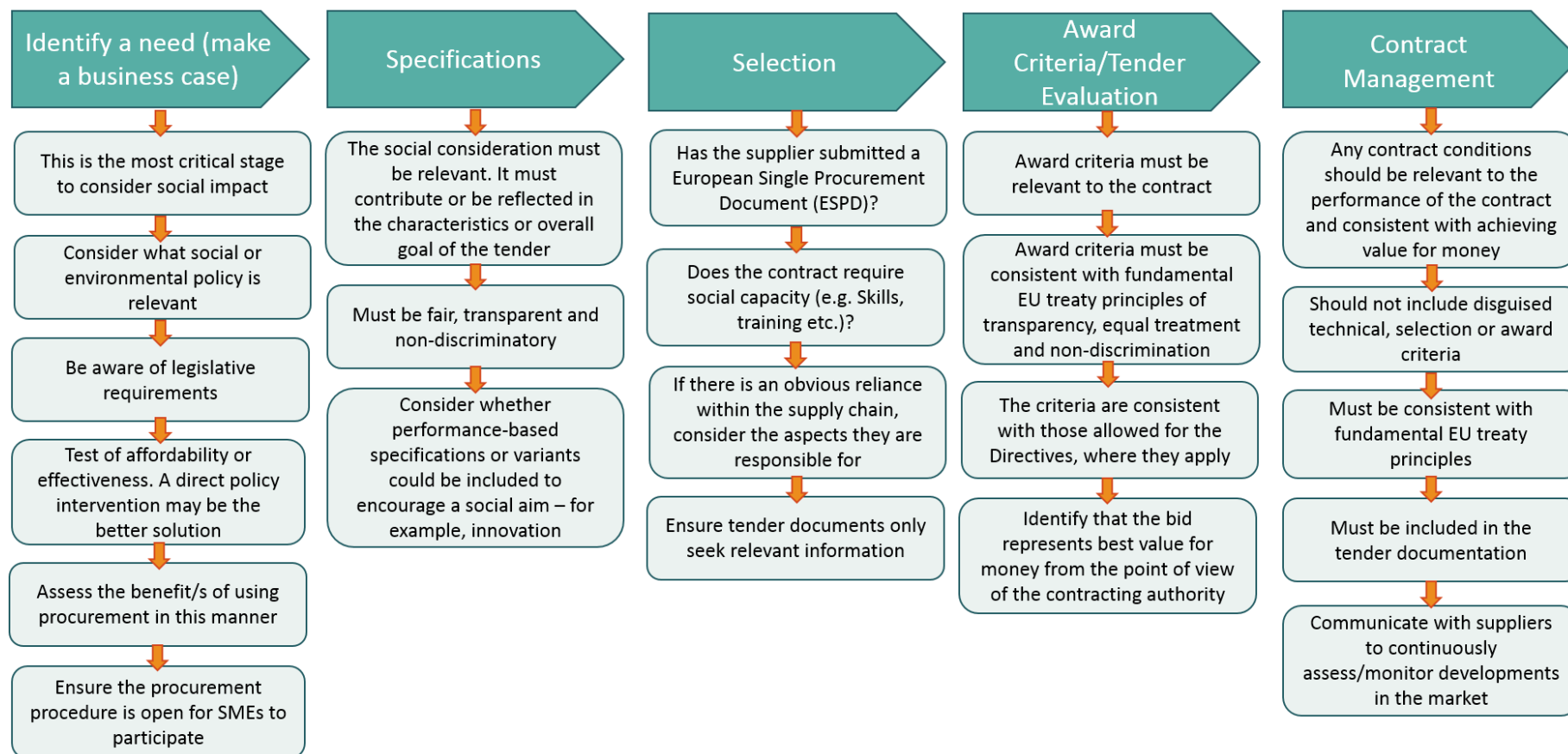
Queries in relation to the procurement of works and works related services should be emailed to construction@per.gov.ie.

Mise le meas,

Paul Quinn
Chief Procurement Officer
Office of Government Procurement

Extract from *Information Note on Incorporating Social Considerations into Public Procurement*⁹

Social Considerations and the Stages in the Procurement Process



⁹ [Social Considerations Information Note](#) (Please refer to the Information Note on the OGP website for any amended versions of this illustration)