

SELLING TO THE PLANNING INSPECTORATE

The purpose of this Guidance is to provide information about the Planning Inspectorate's procurement policy and procedures and the range of goods and services it purchases, and give a contact point for further information.

The Planning Inspectorate retains a specialist Procurement Policy Unit (PPU) whose role is to ensure that all procurement activity undertaken follows best practice. It follows UK government and European Commission (EC) policy on public procurement, which is to comply with the various legal requirements in force and to acquire goods, services and works by competition whenever possible. The Planning Inspectorate's prime objective is to obtain best value for money. This means buying the items that best match its needs, having regard to a number of factors, which may include quality, service, delivery against price and whole-life costs, including maintenance, running and disposal costs.

The Planning Inspectorate liaises closely with the procurement team of its parent department, the Department for Communities and Local Government (DCLG), and the Office of Government Commerce (OGC), an independent office of the Treasury responsible for improving the efficiency and effectiveness of central civil government procurement.

When dealing with suppliers, the Planning Inspectorate's aim is to:

- Treat all suppliers in competitive tendering equally and fairly;
- Provide full supporting information equally to all tenderers;



- Declare any personal interests to ensure unbiased evaluation;
- Always provide feedback to assist both successful and unsuccessful suppliers;
- Act with honesty and integrity.

CONTACTING THE PLANNING INSPECTORATE

The Planning Inspectorate is committed to making it as easy as possible for existing and potential suppliers to trade with the Inspectorate. More specifically, it wishes to promote the PPU as the primary point of contact for companies interested in doing business with the Inspectorate. It seeks effective, collaborative relationships with all its suppliers.

General contact details:

Tel: 0117 372 8925

Fax: 0117 372 8102

Email: procurement@pins.gsi.gov.uk

COMPETITION PROCEDURES

For lower-value requirements, the Inspectorate aims to invite written quotations from a number of suppliers. Formal tendering procedures are usually applied to contracts above a set limit (currently £10,000, but this is reviewed from time to time). Contracts that the Inspectorate estimates will exceed EU financial thresholds are dealt with in accordance with the EU Public Procurement Regulations.

SUBMITTING QUOTATIONS AND TENDERS

When invited to submit a simple quotation or a formal tender, suppliers should ensure that all instructions provided are followed carefully. The Planning Inspectorate uses its own terms and conditions, so suppliers should be aware that they should not submit their own.

The Inspectorate's general instructions to tenderers are available for guidance. Any additional instructions will be made clear in the invitation letter.

EVALUATION PROCESS

The appraisal of submissions is undertaken thoroughly, fairly and with complete impartiality. Bids are assessed against predetermined criteria which may cover elements such as price, delivery date and quality, but, depending on the complexity or value of the requirement, could also include technical, commercial and financial assessments.

DEBRIEFING SUPPLIERS

The Inspectorate will provide unsuccessful tenderers with feedback about their performance during a competition, if they request it. It will do this once the procurement exercise is concluded, or following a key decision point in a lengthy procurement.

PUBLIC PROCUREMENT REGULATIONS

As an Executive Agency of a UK government department, the Planning Inspectorate is subject to a series of EU Procurement Directives, implemented in the UK by the Public Procurement Regulations, which regulate how the Agency purchases works, goods and services. These rules promote non-discriminatory and transparent competition between suppliers of goods, services, works and utilities.

The Inspectorate is able to provide details of contracts awarded since November 2002 which were subject to these procedures, advertised in the Official Journal of the European Union (OJEU) or in any trade journal.

PROPRIETY

Public servants follow a strict code of procurement ethics. They and members of their families may not accept gifts or offers of hospitality from individuals or organisations with whom the Planning Inspectorate has, or could possibly have at some point in the future, a contractual relationship. Please help the Inspectorate by not making such offers.

FREEDOM OF INFORMATION ACT 2000:

GUIDANCE NOTE TO SUPPLIERS

On 1 January 2005, the Freedom of Information (FOI) Act 2000, which obliges public authorities to divulge recorded information when requested to do so, came fully into force. The Act is retrospective and covers all information held within the Planning Inspectorate's files at the time that a request is made, irrespective of when the information was created. In practice, compliance with the Inspectorate's statutory obligations will mean that it will be as open as possible when dealing with a request for information.

Suppliers to the Planning Inspectorate will, understandably, be concerned about the effect of the Act on information supplied. However, the Inspectorate is aware of the need to protect commercially sensitive information, and certain details – including trade secrets or information which, if disclosed, could prejudice a person's commercial interests – are potentially exempt from disclosure. The Inspectorate will seek to rely on those exemptions where it is appropriate for it to do so. There are also specific exemptions for personal data and information provided in confidence, the disclosure of which would constitute an actionable breach of confidence.

Suppliers to the Planning Inspectorate need to be aware that each FOI request received after 1 January 2005 will be considered on a case-by-case basis, in order to determine whether the information is to be disclosed under the Act. This may involve weighing up the public interest in openness against the public interest in protecting commercial confidences. Until the Inspectorate receives a request for information, it is not possible for it to state categorically that particular information is exempt from disclosure.

The Act requires all public authorities to make information available through a publication scheme and, in accordance with the Act, the scope



of information that the Inspectorate holds is included in the publication scheme produced by its parent department, the DCLG. The scheme specifies the categories of information for publication and explains how to obtain that information.

Further details can be found by visiting:

http://www.planning-inspectorate.gov.uk/pins/terms_conditions/privacy/freedom_of_information.htm

The Inspectorate recommends that suppliers obtain their own legal advice about the effect of the Act, but further information is available from the OGC website at www.ogc.gov.uk and the Department for Constitutional Affairs website at www.dca.gov.uk

GOODS AND SERVICES PURCHASED

The Planning Inspectorate buys a variety of goods and services, including:

- IT equipment – workstations, PCs, peripherals and consumables
- consultancy, facilities management and IT maintenance
- telecommunications
- stationery, furniture and general office machinery and equipment
- vehicle hire

In line with government policy on collaboration, other than for very high-value or novel requirements, the Inspectorate makes significant use of OGC, DCLG and other government departments' contracts. Suppliers of such goods and services should not contact the PPU direct, as any requirements will be advertised.

TERMS AND CONDITIONS

Terms and Conditions, including the Planning Inspectorate's Conditions of Contract and Conditions of Contract for the Supply of Goods and Associated Services, can be accessed by visiting:

http://www.planning-inspectorate.gov.uk/pins/agency_info/ppu_selling_to_pins.htm

DISCLAIMER

This Guidance has been produced by BiP Solutions Ltd to provide assistance to those engaged in public procurement. The Guidance has been published in good faith by BiP and BiP shall not incur any liability for any action or omission arising out of any reliance being placed on the Guidance by any organisation or other person. Any organisation or other person in receipt of this Guidance should take their own legal, financial and other relevant professional advice when considering what action (if any) to take in respect of any initiative, proposal, or other involvement with public procurement, or before placing any reliance on anything contained therein.



Expert public procurement consultancy for Buyers and Suppliers at your service



PASS – HELPING YOU MEET KEY OBJECTIVES

The key objective of public procurement professionals is to ensure that the most suitable supplier is selected to provide goods and services on terms which are likely to offer the best value for money. The PASS service helps you meet this requirement and deliver contracts that offer best value-for-money terms with suppliers who will execute them efficiently.

PASS CONSULTANCY

BIP's *Procurement Advice and Support Service (PASS)* provides organisations with access to experts in public procurement practices and procedures, thus helping you develop and deliver effective and efficient procurement. Our team offers a range of services to meet your specific needs. Whichever area you wish evaluated and improved, we have the experts to help.

The PASS consultancy's mission is to help you deliver the best in government procurement through:

- Practical solutions to improve procurement performance
- Innovative approaches to knowledge transfer within government
- Joined-up government
- Improved performance indicators
- Strategic direction and performance
- Opportunities offered by e-government
- Capacity to deliver change to meet identified needs
- Continuous improvement of services and challenging poor performance
- Sustainable development within decision-making processes and delivery of services
- EU-compliant processes
- Best practice procurement training

PASS TRAINING

Our consultants can provide you with bespoke training packages to suit your needs. Consultancy and training is available for the following: environmental purchasing, partnering, evaluation, e-government, supplier debriefing, UK legal processes and precedents, contract management, EU-compliant tendering and much more.

PASS ONLINE GUIDANCE

The PASS service provides online guidances on all aspects of the public procurement process and legal requirements: www.bipsolutions.com/html/briefing.php

PASS – EFFECTIVE DISPUTE MANAGEMENT

Contractual and procurement-related disputes are time-consuming, expensive and unpleasant. They can destroy client/contractor relationships, can add substantially to the cost of the contract, and can nullify some or all of its benefits or advantages. They can also have an impact on value for money. It is therefore in everyone's interest to work at avoiding disputes in the first place. Inevitably, however, disputes do occur and when they do the importance of a fast, efficient and cost-effective Alternative Dispute Resolution (ADR) procedure cannot be overstated. If a dispute arises, it is important to manage it actively and positively and at the right level in order to encourage early and effective settlement. Unnecessary delays and inefficiency can lead to rapid deterioration in relations and entrenchment of opinions. ADR through PADRE mediation involves the use of a trusted expert third party and is an effective alternative to litigation. PADRE mediation is provided by experts in contracting and public procurement. If you would like more details on how PADRE can help your organisation and become your mediation service of choice, telephone the PASS team on **0845 270 7055** or email pass@bipsolutions.com.

PASS HEALTH CHECK

The PASS service can help your organisation examine its current procurement organisational structures, strategies, processes, practices and related strengths and weaknesses. It delivers a detailed *PASS Mark Health Check Outcome Highlight Report (OHR)* that outlines areas of strength as well as those requiring further attention, and provides an outline *Project Initiation Document (PID)* designed to deliver a more effective and efficient tendering process that will help you achieve optimum performance and better value-for-money procurement.

PASS IN-HOUSE PRESENTATIONS

PASS consultancy can provide you with in-house presentations directed to buyer or supplier. Each presentation will be bespoke to your requirements, whether they be with regards to improving your tendering practices or your procurement strategy or processes. Contact: pass@bipsolutions.com



The *PASS Mark Health Check* is a process-based evaluation technique that helps identify how your company can develop more effective processes when tendering for public sector contracts.

For further information on the **PASS** service, contact our **PASS Team** on **0845 270 7055**, email pass@bipsolutions.com or visit www.bipsolutions.com/pass/