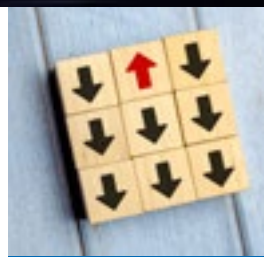


## Road to Net Zero: The role of Procurement in reducing carbon emissions



**SCOPE 3 EMISSIONS  
REPORTING: THE  
FIRST STEP TOWARDS  
NET ZERO**



**SUPPLIER  
DUE  
DILIGENCE  
TOOL**

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System management and development; collection, analysis and reporting of member and supplier data

# Welcome to the autumn edition of Linked Magazine



This edition of Linked Magazine primarily focuses on Responsible Procurement and includes some extremely useful and thought provoking articles, including our title feature, *Road to Net Zero: the Role of Procurement in reducing carbon emissions* on page 11 followed by a deep dive into Scope 3 calculations on page 15 and an introduction to the newly developed Supplier Due Diligence tool on page 17.

There are also other articles including on page 20, where Legal Services provider Shakespeare Martineau breaks down recent court decisions for incorrect or unlawful procurement decisions under the Public Contracts Regulation 2015, in their piece titled *how compliant are your procurement decisions?* We also hear from Jisc on why paying ransomware demands isn't the answer on page 24, and much more. We hope you enjoy reading this edition.

In other news, we are excited to announce that the UKUPC Conference 2023 (formerly known as COUP) will be taking place 6 - 7 September 2023 at the University of Exeter. As we go live with the magazine, we have had an outstanding response to suppliers' expression of interest which we are delighted with and bodes well for a successful conference. We are looking forward to seeing members and exhibiting suppliers coming together at the only HE-specific national conference on procurement. We will be hosting up to 280 delegates and LUPC members will receive a

free ticket, including their meals and accommodation for this excellent learning and networking opportunity.

As always, thank you to those of our members who completed our annual survey. Meeting the procurement needs of our members is core to LUPC's activities and our annual membership survey is key to understanding whether we are doing just that. We have maintained our 100% record in terms of the number of respondents that stated they would recommend us to other organisations, and 100% agreed that LUPC provides good or excellent customer service.

Finally, if you are a Director or Head of Procurement at one of our member organisations, I would like to invite you to apply to one of our five upcoming vacancies on our executive committee. These vacancies are due to current members having served their full maximum three-year term of membership. As you know, LUPC is owned by its members, and everything we do is always with our members foremost in our mind. To ensure we are held to account and continue to reflect your needs, we have a formal governance structure in place. This governance consists of our LUPC Board, who direct the strategic leadership of the organisation and our Executive committee who set the operational priorities of the consortium. Please contact me, [Don Bowman](#) if you are interested.



**National Procurement Conference**  
 formerly known as COUP

University of Exeter

**6 - 7 September 2023**  
 Click [here](#) to learn more





## UKUPC Conference 2023 - Update

We are excited to announce that the **UKUPC Conference 2023** (formerly known as COUP) will be taking place **6 - 7 September 2023** at the *University of Exeter*. LUPC and SUPC are working in collaboration to deliver this event for all members of **UKUPC**, bringing together procurement professionals at the only HE-specific national conference.

A range of ticket options offering exceptional value will go on sale to members in **Spring 2023**. LUPC will be providing each of their full members with a **FREE** place to attend the whole conference. More information will be provided in due course, but for now please **save these dates in your diary!** For more information visit our [website](#).



## Procurement Reform Bill Training Programme

The Cabinet Office have advised that they have now agreed the training programme for the new regs, which are expected to be in place in late 2023. The programme is being led by the Government Commercial Function and will be **free of charge for the wider public sector**, including HEIs. More information will be provided nearer the time, but there will be a range of resources available for different levels of needs. There will be a basic short online overview, 10 one-hour online session for practitioners, as well as advanced practitioner sessions, which will be three days, for Super Users. There will also be user groups set up to share best practice and ideas. We are aware that external training providers are starting to advertise their own training on the new reforms, however at this stage it may be best to wait and see what resources are available to you at no cost. For more details, please see [this slideshow](#) from the Government Commercial Function.

## LUPC Annual Membership Survey Report 2022

Thank you to those of our members who took the time to complete our annual membership survey. We have analysed your responses and compiled this [LUPC Membership Survey Report](#). We pledged to donate £2 for every survey completed to the charity, [Student Minds](#) and a donation of £100 has been made. We are pleased to have maintained our 100% record in terms of the number of respondents that stated they would recommend us to other organisations, and 100% agreed that LUPC provides good or excellent customer service.

**Events** We have lots of events planned for November including our [monthly heads of procurement meeting](#), [legal webinar series](#), [member induction](#), [responsible procurement webinars](#) and [estates coffee morning](#). Please check out the [events section](#) of the LUPC website for full details.

## New member: Department for Work and Pensions

A warm welcome to the [Department for Work and Pensions](#) who joined LUPC in October.



[in](#) Follow us on LinkedIn

## UKUPC Market Insight for September now available

The quarterly [UKUPC Market Insight Document](#) for September 2022 providing detail on what is happening in national and international supply chains, is now available. LUPC members will be able to download the document in the link provided by logging in when prompted. You can also download the [UKUPC Market Insight Summary Document](#). The next update will be circulated at the beginning of December.



## B Banner

Are you on track to reach your **sustainability** goals?

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Banner is a supplier on several framework agreements open to LUPC members: Office, Computer & Library Supplies (OFF3068 NW), Printers and Managed Print Services (ITS2006 NE), Promotional Merchandise (OFF3128 NW), Cleaning & Janitorial Supplies, IT Related Accessories and Parts (ITS4041 SU)

Banner Account Manager Dominic Bagnall E: [Dominic.Bagnall@Banner.UK.com](mailto:Dominic.Bagnall@Banner.UK.com) T: 07877 139 225



Marisol Bernal,  
LUPC's Responsible  
Procurement Lead

### **Responsible Procurement Placements**

As part of my role as Responsible Procurement Lead, I will be carrying out work placements at three LUPC members: the Horniman Museum and Gardens, the British Museum, and one more to be confirmed. If you would like any assistance in this area, please [contact me](#) to discuss either a work placement or other ways in which I can help.

### **UKUPC Responsible Procurement Strategy**

UK Universities Purchasing Consortia and its members are committed to working towards achieving all relevant United Nations Sustainable Development Goals (SDGs). We are proud to share the [UKUPC Responsible Procurement Strategy](#) (UKUPC RP Strategy

## **LUPC retains its CIPS Corporate Ethics Mark**



LUPC has been awarded the Chartered Institute of Procurement and Supply (CIPS) Corporate Ethics Mark for the third year running, demonstrating our on-going commitment to responsible procurement and the adoption and embedding of ethical values in how we source and manage suppliers. The Corporate Ethics accreditation focuses on issues including corruption, fraud, bribery, exploitation, and human rights abuses in supply chains. As well as adopting the principles outlined in the CIPS Code of Ethics across LUPC, our Category Managers have all undertaken the CIPS Ethical Procurement and Supply E-Learning Training and completed the accompanying Ethics Test.

## **Sustainable Procurement international standard ISO 20400**

LUPC is in the process of being independently audited under the Sustainable Procurement international standard ISO 20400, as part of our commitment to being audited every two years. We will share the evaluation report once is completed. You can see our previous reports [here](#) and learn more about the ISO 20400 standard [here](#).

## **Modern slavery BS 25700 standard**

The [British Standards Institution](#) (BSI) has published a new national standard, giving organisations guidance on how to manage modern slavery risks in their operations, supply chains and wider operating environment.

The BS 25700:2022 Organizational Responses to Modern Slavery aims to support organizations in understanding and managing the risk of modern slavery as part of legal and non-legal frameworks. This includes guidance on:

- preventative measures
- identifying, analysing and evaluating exposure to modern slavery risks
- approaches to addressing identified risks
- remedying modern slavery practices
- reporting mechanisms

For more information, you can watch the Action Sustainability webinar '[An introduction to BS25700 - Organisational Response to Modern Slavery](#)' or you can download the standard [here](#).

## **Electronics Watch**

Electronics Watch has published its 2021 annual report and its 2021-2023 Strategic Plan.

The annual report highlights how the pandemic affected workers, how affiliates are taking action and creating impact and how Electronics Watch has strengthened the industry engagement model by negotiating terms of engagement with the Responsible Business Alliance, among others. To find out more, take a look at their [Annual Report 2021](#).

Electronics Watch has also published its new [three-year strategic plan](#), which strengthens their impact model by:

- Expanding the scope of its monitoring and further building the skills and competence of our monitoring partners;



- Enhancing the capacity of its affiliates to drive change in their supply chains; and,
- Strengthening its industry engagement model.

## **LUPC & SUPC Responsible Procurement Event**

A reminder that the online LUPC & SUPC Responsible Procurement Event is on 22nd November 09.30-12.15. This event is open to all UKUPC members Sessions include:

- An overview of the HE TOMs and social value case study from the University of Arts, London.
- A look at the Government Modern Slavery Assessment Tool and how the Grater London Authority has used the tool within their responsible procurement commitments
- An update on the standardised carbon emissions reporting framework

Download the [agenda](#) and register [here](#)

## **LUPC & SUPC Responsible Procurement Meeting**

The LUPC & SUPC joint Responsible Procurement Group meeting took place on 22nd September. John Newcombe and Gareth Ellis from Cranfield University presented on their development of a new solar farm, which is utilising re-purposed electric vehicle batteries to store the electricity generated. You can view the recording of their presentation and the Q&A [here](#).





# BUNZL: SUSTAINABLE SOLUTIONS SUPPORTING SUSTAINABLE BUSINESS

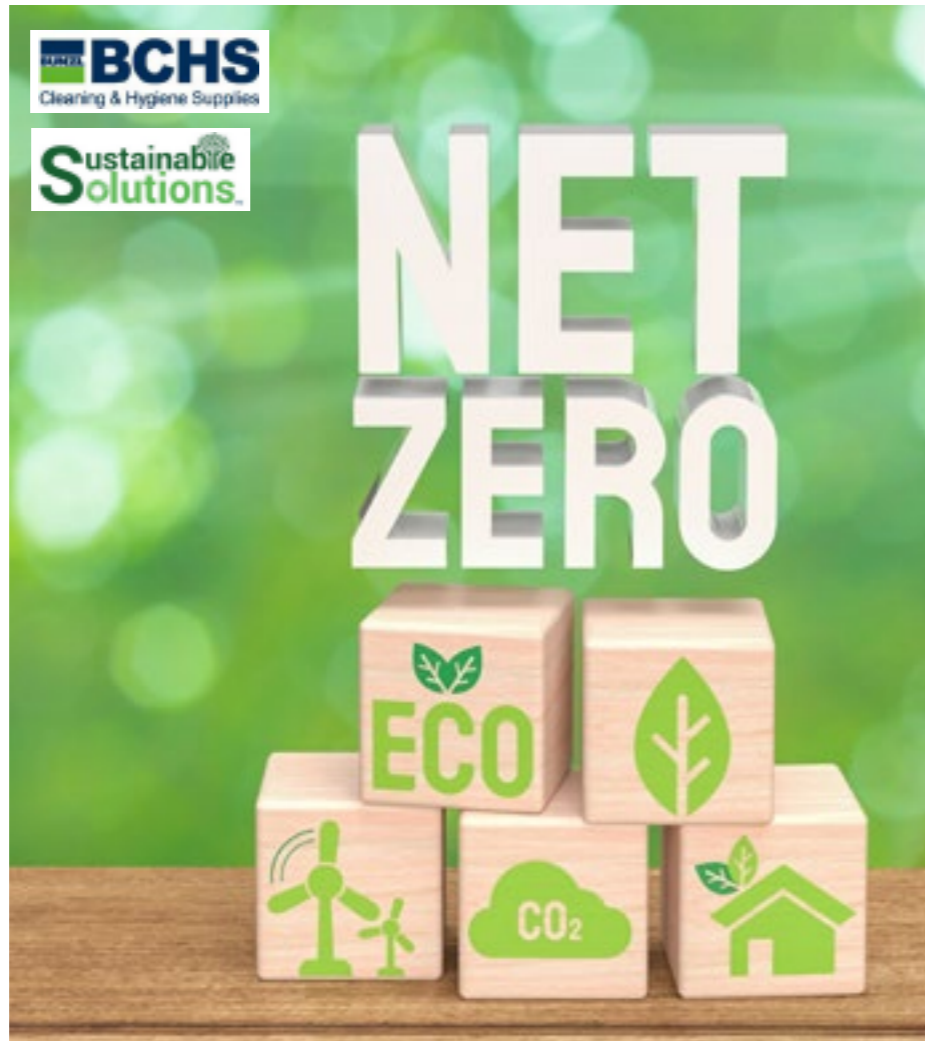
The sustainability team of Bunzl Cleaning and Hygiene Supplies outlines the carbon efficiency initiatives that it has in place to address scope 3 emissions, helping customers make informed choices regarding product selection.

In 2021, Bunzl plc joined the largest alliance on climate change, committing to the UN Business Ambition for 1.5°C and becoming members of Race to Zero. Bunzl plc has announced new, long-term carbon efficiency targets across the group for our Scope 1 and 2 emissions that are aligned to the Science-Based Targets initiative (SBTi), these are;

- 25% improvement in carbon efficiency by 2025
- 50% improvement in carbon efficiency by 2050

We recognise the challenge facing all businesses, big and small, in improving their carbon efficiency. The biggest challenge facing us all is tackling Scope 3 emissions, the emissions that lie within our supply chains but out of our control. That's why Bunzl Cleaning and Hygiene Supplies has developed the Sustainable Solutions; Carbon Forecast, Carbon Offset, Product Award and Regenerate. By combining all four of our solutions, we are able to support our customers on their sustainability journey.

Our **Carbon Forecast solution** is an evaluation tool that allows us to analyse a customers' ordering profile and delivery data to project their delivery emissions associated with their orders from our sites. We can use this analysis to generate a report demonstrating their



monthly impact and develop a personalised carbon reduction plan through minimum order values and decreased deliveries. For those emissions that are currently unavoidable, we offer customers the option to offset through our **Carbon Offset programme** that works with verified offsetting schemes.

Built with our customers in mind, the **Product Award** is a visual indicator of how sustainable a

product is to support decision-making and open discussions around sustainability in the cleaning & hygiene industry. We have defined a comprehensive set of criteria aligned with current best practice and legal requirements to objectively assess the sustainability of our products across four categories: Producer, Production, Product, and Packaging. Each product is given

an overall score of Bronze, Silver, Gold or Unawarded, which is clearly displayed in our catalogue, allowing customers to make informed sustainable choices.

The final solution we offer to customers is **Regeneration**, a collection of closed-loop services to tackle the linear economy, reducing the need for virgin materials and in turn reducing carbon emissions. Such services include the Odorbac Loopbox service by 2Pure and PaperCircle by Essity. Customers engaging with Essity's PaperCircle service can expect reductions in their waste by up to 20% and reductions in their carbon emissions of paper towels by at least 40%. The Tork PaperCircle programme provides free launch

training for cleaners and provides employee communication kits along with washroom sign communication. Through this service, paper hand towels are collected in a separate waste bin to general waste, recycling partners collect the waste hand towels and transfer them to a local Essity mill where they are recycled. During this process, the wastepaper towels are broken down into fine fibres, heat treated to eliminate bacteria and viruses, and repurposed into new paper hand towels, closing the loop.

At BCHS we are always looking inward to improve our own in-house operations. That is why we are on a drive to remove single-use plastics from our operations. During

2022 we have successfully removed plastic packaging tape from our warehouse operations in favour of a water-based gummed paper tape. By making this simple swap across all BCHS branches, we can remove an average of 3942kg of plastic per annum from circulation.

Bunzl Cleaning & Hygiene Supplies are driven to support customers along their sustainability journey with the Sustainable Solutions, a set of tools designed to help our customers in driving radical sustainable change.

Bunzl Cleaning & Hygiene Supplies is a supplier on the [Cleaning and Janitorial Supplies framework](#) agreement. Contact: [Chris Edwards](#).

## IMAGINE DEVELOPING SUSTAINABLE SOLUTIONS FOR THE FUTURE, TODAY.

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## ROAD TO NET ZERO: THE ROLE OF PROCUREMENT IN REDUCING CARBON EMISSIONS

As procurement professionals, we have a duty to consider the impact of our procurement activities on the planet and on society at large. This article focusses on the practical steps you can take to help your organisation reduce its environmental impact and the role procurement can play.

**W**e have tapped into the internal expertise of the LUPC team to write this feature. The overriding advice is that getting buy in from your senior management team is crucial when making your procurement decisions; we need everyone to be involved in order to successfully reduce emissions. We hope this article can be a helpful resource, and that you will share it with your colleagues across your organisation.

### Measure

The first step to reducing emissions is to assess the full environmental impact of your organisation by measuring the different types of emissions, classified as scope 1, scope 2, and scope 3.

- Scope 1: Direct emissions from burning fuels, including company-owned vehicles.
- Scope 2: Indirect emissions produced during the generation of power consumed, not limited to electricity.

- Scope 3: All other indirect carbon emissions, including the **procurement of goods and services**, business travel and commuting.

Scope 3 emissions generally account for the majority of a company's total carbon footprint, with the purchase of goods and services typically accounting for the highest proportion of the total emission. Measuring and understanding these is crucial to reducing your impact. For more details on this, please read our article, *Scope 3 Emission Reporting: The First Step to Net Zero*, on page 14.





**Review, Reduce and Monitor**

Once you have measured your overall impact, it is time to analyse your findings and identify areas for improvement. The first question to ask is whether you need to buy the product at all. Where procurement is necessary, it is important to engage with your suppliers to find greener options, paying attention to product specification, considering its entire lifecycle, and consolidating your deliveries wherever possible.

As part of your ongoing contract management with your suppliers, we recommend you review the responsible procurement elements of the supplier's activities as a standing item on your meeting agendas. This will highlight the importance of responsible procurement to you as the client, ensure that any promises made by the supplier at tender stage are followed up on and provide scope for continuous improvement. This could include social value; equality, diversity and inclusion;

wages; human and labour rights risks in global supply chains and environmental impacts and targets. For more information on supplier due diligence, please see our article on page 17.

When your purchased goods have reached the end of their usable life, there are options available to reduce their environmental impact, with the [waste hierarchy](#) containing useful guidance in this area. Recycling is key at this stage, keeping materials in use and helping to



minimise waste. Electronic Waste is an area of concern for LUPC members. The [IT Equipment Reuse Recycling and Disposal Framework \(ITS3082 NW\)](#) can help as it aims to reduce waste volumes, optimise product utilisation and enable the re-purposing of redundant items for use by others in accordance with the principles of the waste hierarchy.

Recycling can also have societal benefits. For example, this October, LUPC donated old laptops to the Air Ambulance Service through their [IT Asset Reuse services](#). The

air ambulance offers free IT donation collections and data wiping for organisations wanting to clear out unwanted IT equipment. These can then be resold to raise vital funds for the service, reducing the volume that could end up in landfill.

**Offsetting**

Carbon offsetting is one route a company can take to counter their carbon emissions. There are a number of projects organisations can invest in to offset their emissions, in accordance with their route to net zero strategy. Offsetting should, however, be considered as a last resort

for emissions that cannot be eliminated. The inherent risks of carbon offsetting are outlined in this article on page 17 of the [Summer edition of Linked Magazine](#). Currently, it is impossible to eliminate all carbon emissions e.g. old estates and infrastructure emissions, therefore LUPC is working with The Energy Consortium (TEC) and EAUC on a Carbon Offsetting and Validation framework agreement. This will offer compliant access to carbon offsetting projects. For more information please contact, LUPC Senior Category Manager, [Justin McLoughlin](#).



# SCOPE 3 EMISSIONS REPORTING: THE FIRST STEP TOWARDS NET ZERO



Since the days of simple advice such as switching off lights, washing at cooler temperatures and turning the thermostat down, the area of environmental sustainability has grown in both complexity and urgency. Gone are the simpler concepts of a carbon footprint and carbon neutrality, replaced with the similar-sounding but crucially different environmental impact and Net Zero. Michael Flagg, LUPC Systems Manager & Data Analyst, talks us through Scope 3 calculations.

This October marks a full year since the UK government released its Net Zero strategy and this year is the end of the third carbon budget as set out in The Climate Change Act 2008 (Order 2009). Environmental sustainability has been a key target for the government for decades, and similarly for our members, with impetus from students

and the general public.

### Carbon Neutral and Net Zero – What’s the Difference?

At the most basic level, industrial processes generate carbon dioxide and trees take in carbon dioxide during the day. This is the bare bones of the Carbon Cycle which many of us were taught in school and which

forms the basis of carbon neutrality; an organisation is carbon neutral if they contribute zero carbon dioxide overall to this cycle, carbon negative if they cause more to be removed.

However, carbon dioxide is not the only gas to have an environmental impact. Methane and nitrogen oxides are among other such greenhouse gases (GHGs) and even water vapour amplifies the effects of these gases. Each gas lasts a different amount of time in the atmosphere and has a different magnitude of effect – for example, methane has more than 25 times the impact of carbon dioxide – so emissions are measured as the equivalent effect were it all from carbon dioxide. Net Zero takes all GHG emissions into account.

### The First Step Towards Net Zero

Net Zero cannot be attained by an organisation without first knowing its current environmental impact. This is why the first step is to measure GHG emissions, with regular measurement forming a key part of the monitoring process.

An institution’s first measurement will reveal the complexities involved and the extent of the journey ahead of

them. There are many areas where there is less awareness of the impacts caused; the use of fuels (Scope 1), electricity (Scope 2), business travel and the supply chain (parts of Scope 3) are common knowledge, but fewer realise, for example, the inclusion of working from home under the scope of commuting. [The Scope 3 page of the LUPC website](#) goes into greater detail about the various sources of emissions which organisations should be taking into account.

Organisations will also begin their journey at the most basic level of measurement. At the start of the process, the relevant data may not be available retrospectively. Again using the example of commuting, the most accurate measurement of the environmental impact requires a detailed survey of staff, plus data on relevant infrastructure such as track distances.

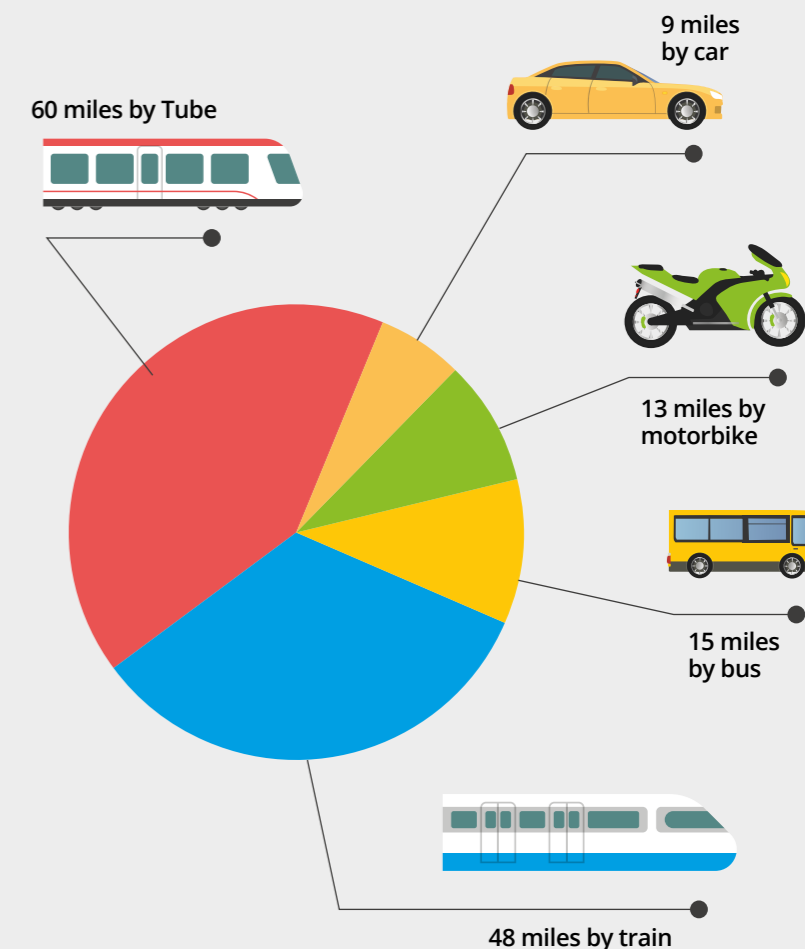
Given the immense complexity of each institution’s supply chain, LUPC offers an annual service to calculate procurement-based Scope 3 emissions, using the Higher Education Supply Chain Emissions Tool (HESCET) calculations, which are powered by DEFRA-published data. This is available to any full member who submits their non-pay spend data (in the required format) to [spend@lupc.ac.uk](mailto:spend@lupc.ac.uk) before the end of October each year. This report provides a firm starting point for the measurement of these emissions, from which individual organisations are encouraged to improve their measurements with precise supplier-based data as part of their routine monitoring.

### Flyer Beware

It is important for organisations to keep up to date with changes in this area and to investigate the data they receive. One particular recent case involves the calculation of the environmental impact of air travel, which is commonly known to be particularly large. The HESCET does not include business travel in its outputs due to the inaccuracies of a spend-based model in that area. The price of travel can vary significantly between providers and depending

### Did you know?

Working from home has less of an environmental impact than commuting, however if the office location remains heated to the same extent, the environmental benefit is outweighed by this additional impact. Working from Home has a daily impact equivalent to:



on the time of booking, even when the emissions caused by a trip would not be different. Emissions data should therefore be sought from the travel management companies, who have much more accurate data for each individual trip.

As a recent and particularly notable example, Google Flights and its emissions calculation methodology is seen as the industry standard in air travel, and with such significant information resource and computing power its figures should be scarily accurate. However, its figures have been reduced by nearly half, returning to pre-2000 levels, as it has excluded some of its non-carbon dioxide effects from its calculations

since July. BBC News revealed this in an article, being alerted to the change over a month after it came into effect, presumably by a member of the public.

Organisations may be able to enquire with their travel management companies about the methodologies they use to calculate the impact caused by travel, now that they are aware. This exemplifies the importance of keeping abreast of changes in markets and industries, and truly interrogating the data, particularly when it comes to internal targets. Members can use the HESCET as a starting point, excluding any data for which more accurate figures can be found.







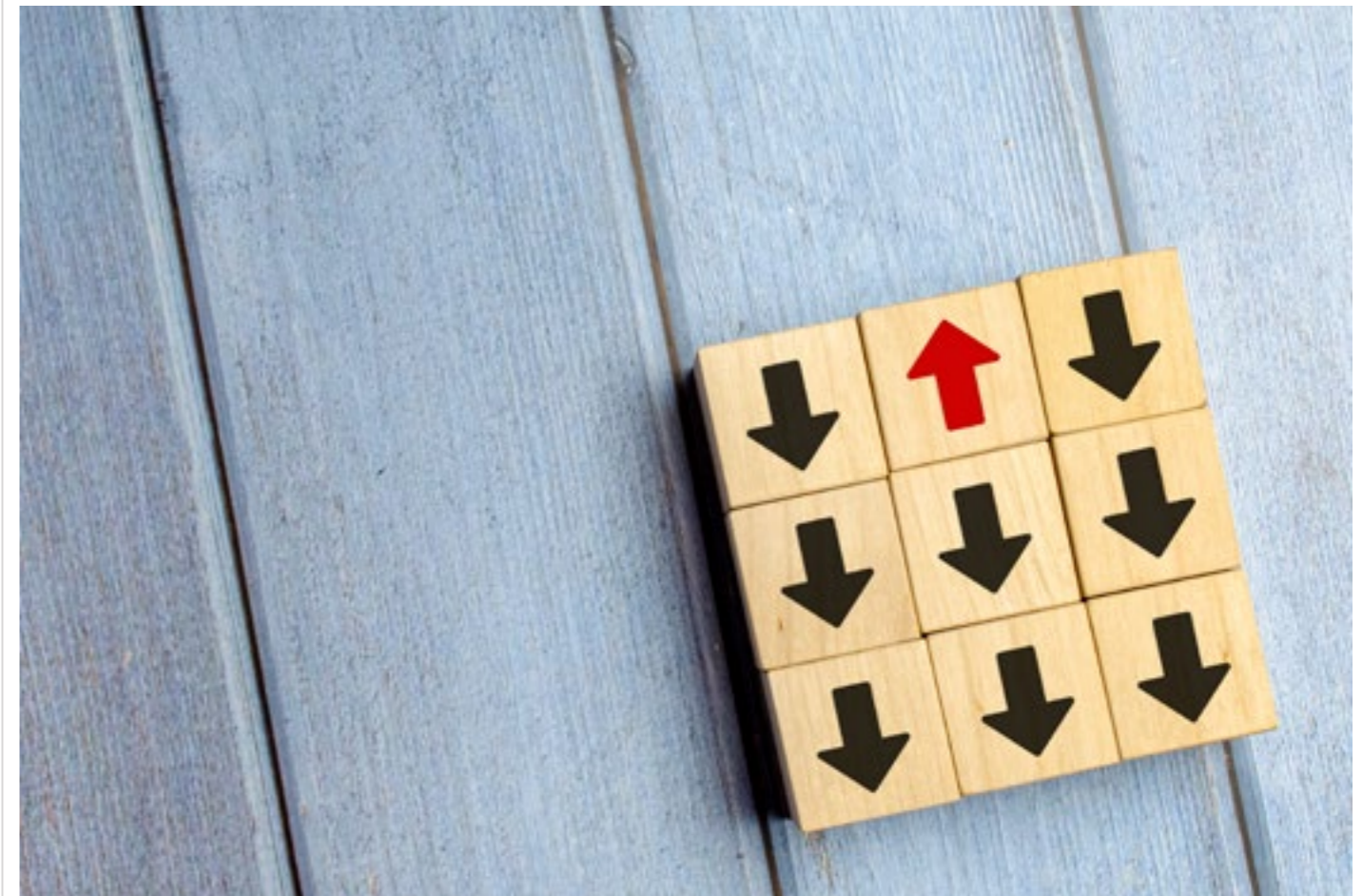
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## LUPC SUPPLIER DUE DILIGENCE TOOL

This year, in-house responsible procurement experts Marisol Bernal and Martina Trusgnach developed a new tool to assess the social and environmental performance of LUPC suppliers. In this article, they discuss the newly developed Supplier Due Diligence Tool.

Responsible Procurement is of paramount importance to LUPC and our members, and this is reflected in our [Responsible Procurement Strategic Plan](#), where we commit to implementing a supply chain evaluation tool. We require all suppliers to sign up to the [Sustain Code of Conduct](#) as part of the tender process. Moving forward, LUPC will require suppliers to complete the Supplier Due Diligence Tool (SDDT), as part of their commitment to the Code. When completing the SDDT, suppliers are asked to answer questions about their

organisation and their practices. The main topics covered are:

- Social value, which should encompass all the sustainability aspects: social, environmental and economic.
- Equality, diversity and inclusion.
- Wages.
- Human and labour rights risks in global supply chains.
- Environmental impacts and targets.

The supplier responses are assessed and scored by Marisol and Martina on a Red-Amber-Green (RAG) scale. The scores are meant to demonstrate the

suppliers' journey towards best practice and do not translate as Pass or Fail. All suppliers are provided with individual feedback on their responses, regardless of their scoring.

Overall, the questions represent a first screening of our suppliers, and have been specifically designed to highlight areas we need to explore further. By reviewing our suppliers' responses, we can get a general idea of their awareness and understanding of specific topics, so that we can decide whether they need any support and encouragement in



Supplier name	Completed SDDT
Atalian Servest AMK Ltd.	Yes
Atalian Servest Ltd.	Yes
Bidvest Noonan (UK) Limited	Yes
Bouygues E&S Solutions Limited	Yes
BTU (Installation and Maintenance) Limited	Yes
Carlisle Support Services Limited	Yes
Churchill Contract Services Limited (AMULET)	Yes
Churchill Contract Services Limited	Yes
City Security Services Ltd.	Yes
CLC facilities Ltd.	Yes
Diamond Build PLC	Yes
G4S Secure Solutions (UK) Ltd.	Yes
ISS Mediclean Limited	Yes
Mulalley and Company Limited	Yes
Nviro Limited	Yes
Property Facilities Group Ltd.	Yes
Salisbury Workplace Services Limited	Yes
Sykes & Son Ltd.	Yes

up with suppliers through contract management meetings throughout the term of the framework agreement, to ensure their practices are improving.

We used the SDDT for the first time with the Estates and Facilities Management Services (maintenance and minor works, security: guarding & reception and cleaning) framework agreement. All 21 suppliers on the agreement were invited to complete the SDDT in May, and we can now report to our members on their participation. We requested suppliers to complete the questionnaire within four weeks from the day of the invitation, but since this was the first time doing this activity, we gave suppliers until July to complete it. We followed up with emails and calls to provide guidance and prepared to extend the deadline if required.

Out of the 21 suppliers we invited, 18 completed the SDDT.

Overall, we found that it was in the area of environmental practice that our suppliers were the most advanced. This reflects a general trend among businesses, as it is only recently that human and labour rights and wider social considerations have come under similar public scrutiny. Since some suppliers only provided us with general statements about their supply chains, we decided to explore this area further through a deep dive into their modern slavery practices. To do so, we asked our suppliers to complete the UK [Government Modern Slavery Assessment Tool \(MSAT\)](#). This is a new risk identification and management tool provided for free by the Government, that aims to help public buyers engaging with suppliers to address exploitation in their

moving forward. At the beginning of the process suppliers are made aware that they may be contacted for follow-up if we deem it necessary.

If we believe that a supplier makes bold statements about their environmental goals, but does not provide sufficient evidence for it, we can request

further information as well as require them to complete additional evaluations. At the same time, when a response is given a Red or Amber score, suppliers are provided guidance to explain their score and suggestions on how to improve in the specific area. LUPC Category Managers are also encouraged to follow

supply chains. According to the SDDT responses, some suppliers have already completed the MSAT, however we now require all 21 suppliers on the framework to do so. The deadline for this is the end of October, and we will report the results in one of the next Linked magazine issues.

Additionally, we have asked suppliers to provide three examples of social value activities that they have carried out in the past three years. In November, LUPC and SUPC will hold a responsible procurement event, where, using these examples, we would like to provide an overview of the added value that suppliers can bring, in addition to the goods or services offered in the framework.

If you are using the Estates and Facilities Management Services framework agreement and would like to have an insight into your suppliers' responses, please contact [Marisol Bernal](#).

Oxford BioSystems is the UK & Republic of Ireland distribution partner for a number of reputable internal manufacturers, supplying a range of quality products for use in life science laboratories and clinical research.



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- miRNA Screening panels
- miRNA / sncRNA Quantification assays
- miRNA Diagnostics

Oxford BioSystems supplies a wide range of Immunoassay kits for respiratory, cardiovascular and cancer research. Individual assay components are also available for research purposes:

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- Diluents and buffers
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# HOW COMPLIANT ARE YOUR PROCUREMENT DECISIONS?

Uddalak Datta, Legal Director at Shakespeare Martineau, talks us through two recent decisions of the High Court clarifying the approach that the Courts will take in awarding damages for incorrect or unlawful procurement decisions under the Public Contracts Regulation 2015 (PCR 2015).

## Consultant Connect

In the Consultant Connect case (CC), *Consultant Connect Ltd v NHS Bath and North East Somerset, Swindon and Wiltshire Integrated Care Board*, [2022] EWHC 2037 (TCC), 29 July 2022, three NHS contracting authorities were looking to run a procurement exercise for a new messaging system to replace pagers. The authorities invited three bidders to provide product demonstrations. Under the PCR 2015, product demonstrations are explicitly permitted as part of a preliminary market engagement exercise, in order to provide early engagement with the market.

However, without telling the

providers, the authorities were in fact marking the products and using that as a basis for a contract award decision. One of the invited suppliers, Cinapsis, was a supplier on the government's G-Cloud framework, a well-known and commonly used framework agreement available to all contracting authorities. Cinapsis was awarded the contract in breach of the PCR 2015.

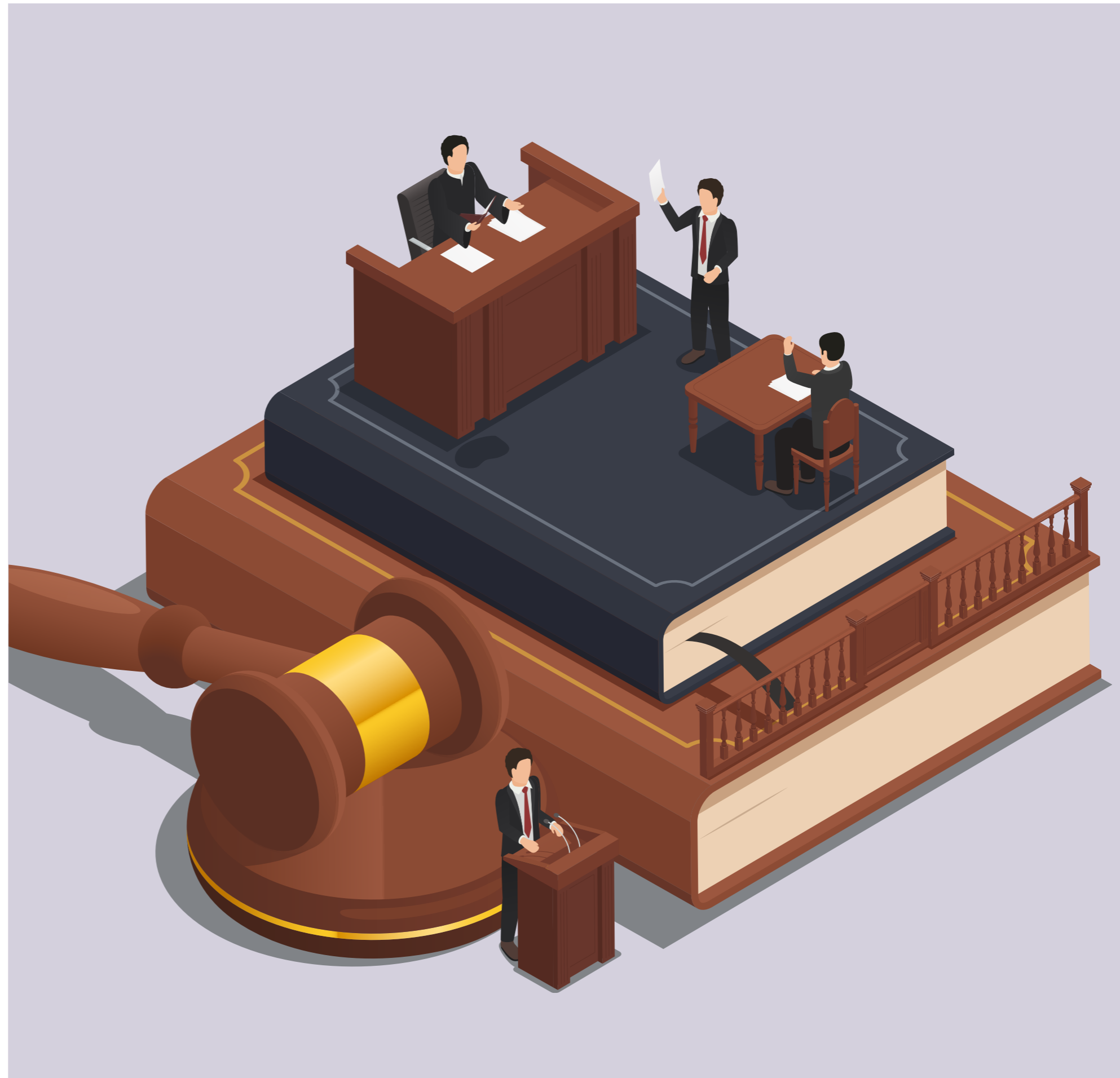
Despite the G-Cloud Buyer's Guide emphasising how negotiations are not allowed, the contracting authorities undertook extensive negotiations with Cinapsis and awarded it with a three year contract. The Court noted: "the [Contracting Authorities]

## Remedies in Consultant Connect case

Even though CC would not have been able to win the contract based on certain technical requirements, the Court took the view that the overall procurement process was "a manipulation of the process to ensure that Cinapsis won the contract".

The Court awarded the following remedies:

- a Contract Shortening Order, which would allow a six-month re-procurement period;
- civil penalties of between £4,000 and £10,000
- damages in favour of CC.





followed neither the call-off procedure in regulation 33, nor the mini-competition procedure in that regulation. The former required that the terms and conditions of the framework set out all the terms governing provision of the services (regulation 33(8)(a)); the latter (where that is not the case) requires a real mini-competition (see regulation 33(8)(c)). You cannot have a lawful mini-competition with only one “competitor”. At least two framework members must be invited to compete and sent a formal invitation to tender.”

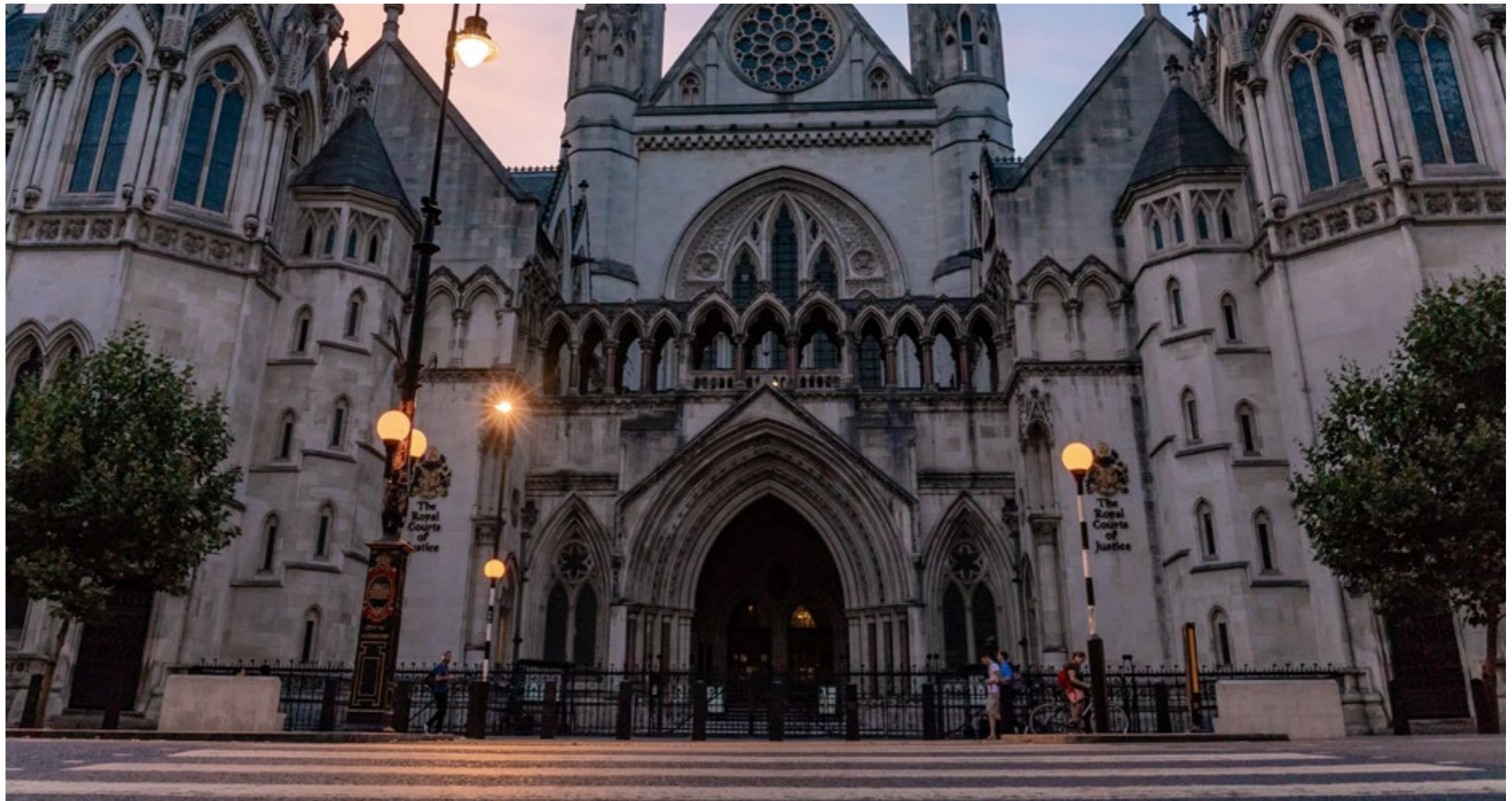
This decision was challenged by CC, who successfully disputed this award. CC were successful, despite not being on the G-Cloud framework at all, nor, being able to provide a product that met the minimum requirements of connectivity to the NHS Spine.

#### Braceurself

By contrast, the now re-named King’s Bench Division of the High Court handed down a decision which came to a different conclusion on the award of damages in relation to a breach of the procurement rules in *Braceurself Limited v NHS England*, [2022] EWHC 2348 (TCC) 16 September 2022.

Procurement professionals will be able to relate to the facts of this case. Braceurself (BU) was the incumbent provider of orthodontic treatment services in one geographical region of England. As part of the procurement of a national framework for orthodontic treatment services for the lot for that region, BU narrowly lost by a score of 2.25% to its only other competitor: BU had come second in a two-horse race.

BU challenged the scoring and succeeded in establishing at trial that a score of 3 (“good”)



in respect of one question, was a manifest error and should have been awarded a 4 (“excellent”). That one point equated to a score differential of 2.5%, which would have meant the difference between

BU winning and losing the contract. Because it had not been correctly assessed, BU lost the contract opportunity and claimed damages of £4.7m for loss of profit, as well as bid costs and loss of goodwill.

#### Remedies in Braceurself case

By contrast to CC, the Court in Braceurself decided that the manifest error of assessment was not a “sufficiently serious” breach and did not award damages to BU. This left the bidder with a classic Pyrrhic victory: it had won the case, but received no financial remedy in respect of an error which had caused it loss.

#### Assessment

Following the *EnergySolutions EU Ltd v Nuclear Decommissioning Authority* decision of the Supreme Court, the award of damages under the PCR 2015 depends on establishing that there has been a “serious and manifest breach”. The Court in CC had no trouble in finding that the authorities had “manipulated” the process to ensure that its preferred supplier was awarded the contract. It is worth adding that the court singled out the role of the head of procurement who “did nothing to

rein in” other decision-makers. This should certainly give authorities pause to consider procurement strategies and the need to play fast and loose with procurement rules in order to meet deadlines.

By contrast to CC, the Court in BU was “impressed with the way in which the evaluators had carried out their functions. On a broader level ... the procurement itself was carefully planned and well organised.”

You can find these cases in full at the following links: [Consultant Connect](#), Braceurself can be

viewed [here](#) and [here](#).

#### Summary

The effect of these two judgments is to provide a degree of clarity on the circumstances by which unlawful decisions can have financial consequences: an error made in the course of a procurement assessment can be excused, if it is minor (e.g. based on a misunderstanding), inadvertent and occurred in good faith. On the other hand a deliberate attempt to appoint a preferred supplier will not.





## WHY JISC MEMBERS SHOULDN'T PAY RANSOMWARE DEMANDS



Steve Kennett, chief information security officer at Jisc, talks us through the impact of ransomware attacks on the education sector and why paying is not the answer.

Recently, the UK's National Cyber Security Centre (NCSC) and Information Commissioner's Office (ICO) have [warned against](#) paying ransomware demands.

Jisc wholeheartedly supports this stance and offers the same advice to members – colleges, universities and research centres.

Over the past couple of years, ransomware has become big business across the globe impacting all sectors, including education. Showing willingness to comply with the demands of these highly organised criminal gangs will only add fuel to that already blazing fire.

### Reasons not to pay

Many Jisc members, particularly the under-funded further education colleges, don't have the means to pay a ransom, but that doesn't stop cyber criminals from trying.

Issuing a demand can provide an opportunity for attackers to demonstrate the extent to which they have infiltrated systems and exert leverage

through the fear factor.

For example, [one college](#) received a demand for the exact amount in its bank account.

There have also been instances where attackers have sought out backups in order to hamper recovery and apply further pressure on the victim organisation to give in to their demands.

For those that can afford to pay out, Jisc strongly urges them not to give in. There are several reasons for this:

- There's no guarantee that once a payment is made, stolen and encrypted data will be restored.
- Even if data is returned, anything of value could have been copied and touted for sale on the dark web.
- Any organisation that has suffered a 'successful' ransomware attack is seen to be weak and may well be [targeted again](#).
- While making a ransomware payment is not currently unlawful, there is a duty on education organisations not to contribute to criminal gain. The points above aren't just



## Feature

suppositions. We know of two UK education providers that were hit by ransomware attacks and their stolen data was posted for sale on the dark web. Personal information and login credentials, for example, can be bought cheaply for the purposes of identity theft.

### Legal advice

During our work to support members experiencing ransomware attacks, we have come across a couple of instances when insurance company representatives suggested paying up. Our advice has always been to the contrary, for the reasons cited above, which is why it was heartening to read the NCSC and [ICO's letter to the Law Society](#) on 7 July.

It said there is evidence of a rise in ransomware payments and solicitors may have been advising clients to pay in the misguided belief that doing so will keep data safe or lead to a lower data breach penalty from the ICO.

### Impact on the education sector

Our sector has experienced a sustained increase in ransomware attacks since the late summer of 2020.

A total of 15 further and higher education providers were impacted by ransomware in 2020, eight of them during the crucial period of clearing and enrolment. A further 18 were hit in 2021 and we've recorded 11 so far in 2022.

Ransomware is now the top



threat identified in Jisc's 2021 [cyber security posture survey](#) of FE and HE providers and it is unlikely this will be any different when the 2022 survey is published in November.

This is a very serious threat to our sector and one which the NCSC has [repeatedly warned](#) against. On many occasions, Jisc has [urged the sector](#) to take urgent action to put in place measures to safeguard against ransomware and other forms of cyber-crime – and yet colleges and universities are still suffering crippling attacks.

As our updated [cyber impact report](#) shows, the fall out can be catastrophic, with some institutions losing their entire digital estates, including back-ups. In terms of financial costs, we've heard from education providers which have reported costs upwards of £2m.

### Preventing attacks

The mass migration to remote working and studying during the pandemic inadvertently opened institutions to attack. Insecure configuration of the remote

desktop protocol (RDP) for example, was a key factor in ransomware attackers gaining initial access to victims' devices.

This underlines the importance of putting in place basic security controls, such as making sure systems are patched and up to date, and that all staff and students are using multi-factor authentication.

But, really, responsibility and accountability for cyber security sits with senior leaders, who should have strategic oversight of the risks and governance required to maintain a robust security posture.

### Further information

To support senior leaders, Jisc has produced this cyber security checklist: [16 questions you need to ask to assess your cyber security posture](#).

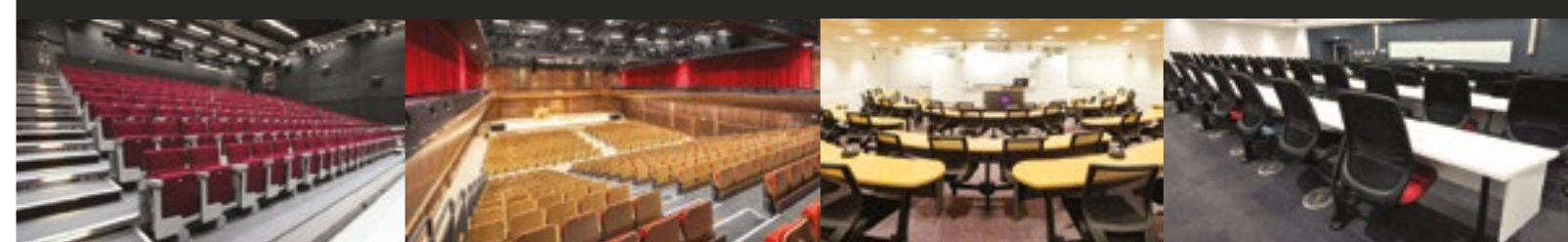
Any Jisc member needing support to prevent cyber security incidents or recover from attacks should contact the [Janet Network computer security incident response team \(CSIRT\)](#) via [irt@jisc.ac.uk](mailto:irt@jisc.ac.uk) or 0300 999 2340.

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## Commodity Updates

This section will give you an update on any new agreements in place, or news on existing agreements. Please note this is not the full list of available agreements, just those where there is some news to report. For the full list of agreements and for further information on any of the agreements listed here, please visit the HE Contracts (HEC) [site](#)



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Other useful contacts:



JISC  
<http://www.jisc.ac.uk>



TUCCO  
<http://www.tucco.org/>



TEC  
<http://www.tec.ac.uk/>

### Audio Visual

#### Broadcasting Equipment and Integration Services - National **MK**

Gravity Media, the single supplier on Lots 5 and 6, has not responded to the request to extend on the agreement until 2023 and as such, the supplier and those Lots have been removed from the framework. The equivalent requirements can be sourced through Lot 8 of the agreement.

Research for the re-tendering of the framework has commenced and the category group has been contacted for TWP participants with the view to having the draft strategy completed when the TWP meets in late October.

#### Audio Visual: Supplies, System Design, Installation and Maintenance - National **MK**

A request will be made in Spring 2023 to seek timely approval for the final year extension of the agreement to be invoked. A request for feedback on Supplier performance will be issued shortly.

### Estates & FM

#### Air Filters **JM**

This is not being retendered by NWUPC due to very low spend in this area.

#### Asbestos Consultancy & Removal - National **M**

NEUPC is looking to renew its current Asbestos Consultancy and Asbestos Removal Frameworks. The current agreements are not accessible by LUPC members. There has been some interest from LUPC members for asbestos consultancy

and removal agreements and therefore LUPC members shall be named on NEUPC's next iteration. NEUPC's current frameworks are independent of each other and expire in May 23 and July 23 respectively. It is probable the new agreements will be run as separate frameworks again (to be confirmed by the tender working party (TWP) in strategy development).

LUPC members can join the TWP for the asbestos consultancy removal project by signing up via this [Link](#). One tender working party will be used to develop both the projects to combine effort and avoid duplication. Any queries for this project can be directed to [Andy Hughes](#).

#### Catering Consultancy Services - National **JM**

This is being added to the Catering Outsourced Services framework as Lot 3. Specification currently being drafted.

#### Catering Outsourced Services - National **JM**

Tender documents are being drafted for publication. A PIN was published including a supplier questionnaire for completion by any organisation wishing to engage with LUPC on the tender process. The ITT is expected to be published by mid-October 2022.

#### Entrance & Access Control Systems & Associated Equipment & Services- National **JG**

This agreement is due to expire on 11 November 2022, however CPC is working with the incumbent suppliers to extend for a short period up until the 31 December 2022. Due to insufficient use by LUPC members (no spend reported on the current agreement), a framework agreement to cover these services will no longer be available for access by LUPC members after the expiry of the current agreement. The LUPC Executive Committee is to confirm whether it agrees

that a framework agreement for these services is not required for LUPC members.

#### Waste Management Services (Sustainable) - National **JG**

The current waste management services framework agreement is due to expire in March 2023.

LUPC has engaged with members and the supplier market. A strategy report has been drafted setting out the approach and route to market in readiness to procure a new agreement. Tender documentation is currently being prepared with the aim to publishing the contract notice at the beginning of November.

### ICT and Telecoms

#### Computing- Data Centre Management Equipment and Infrastructure- National **MK**

The framework will be extended in the New Year for the final 12 months of the agreement. Supplier reviews recently took place and work will commence shortly on the framework strategy for the next iteration. Members interested in joining the tender working party should contact the Contract Manager.

#### Computing- Desktop and Notebook Agreement - National ('NDNA') **MK**

The various elements that constitute the NDNA evaluation - the main Quality section, Sustainability & CSR inc. Electronics Watch, the Hardware testing, Terms and Conditions and Pricing evaluation - have been completed, and the moderated evaluation was shared with the fellow members of the tender working party at the end of September. A meeting was held on 4 October to go through the scoring and the award rationale in its entirety with the standstill letters planned for release by no later than Friday 7 October. The intention remains to commence the new agreement 1 November.

Desktop spend has significantly recovered from the year ending 2021 figures of £29.3m with just under £70.8m spent through Dell (47.0%), HP (28.2%), Stone (14.3%) and Lenovo (10.4%). The framework's Notebook spend over the same period eased slightly from £95.3m to £89.8m led by Dell (51.8%), HP (29.7%), Lenovo (15.7%) and Dynabook (2.2%).

Whole unit device availability has gradually improved over the summer to the backdrop of decreasing demand, particularly in the consumer market. Sites are still recommended to forecast their requirements at least three months in advance, particularly for configure-to-order notebook builds. Accessories such as docks and docking monitors have been experiencing some of the longest lead times.

A cocktail of challenging economic statistics and financial uncertainty continues to hit the value of the UK pound, which at one point fell to its lowest level (sub \$1.05 v £1) against the US dollar in modern times. With most ICT components traded in US\$ and companies recording revenues as such, all ICT agreements including NDNA continue to be under pressure to accept price increases although previous increases in both components and logistics have reversed in certain areas. Recent price escalation meetings have taken place and there was a separate 'next steps' discussion on this subject within the 4 October meeting.

#### Computing- ITRAP (IT Related Accessories and Parts) - National **MK**

The framework is due for renewal in February 2023. The 12-month contract renewal notices will be drafted and issued this December.

#### Computing- Networking Supplies and Services- National **MK**

The SQ was issued 8 June for response by 14 July whereupon an evaluation will be undertaken to determine the bidders to be taken through to ITT stage on each of the main lots. There is a new Lot 2 for low value purchases and projects <150k aimed at SMEs, a direct award option, lease options on Lot 1 and 3 and a managed service option within Lot 3.

The current HENSS Framework has been extended for a period of three months, to the end of December. The majority of suppliers have signed agreement extensions or have been reminded to do so, HE Contracts (HEC) is updated and is noted to show suppliers who have returned extensions. The summary report for the SQ stage of the replacement (HENSS2) is currently being processed for approval, with decision letters in preparation for issue during w/c 10 October and with the ITT to follow to those bidders successful at SQ. Due to the large number of bids this Procurement is run as a restricted procedure which requires a longer evaluation period across the SQ and ITT.

#### Computing PCs with Apple Operating Systems - National **MK**

New products were announced in September 2022 and are now available to order. The products include iPhone 14 and Air Pads Pro. Interest in and demand for the new products is expected to be high.

Updated price lists will be uploaded to HE Contracts and APUC's catalogue once received. Pricing for all products previously available is expected to remain unchanged. Some products lines continue to be in short supply and/or constraint. Regular availability bulletins are disseminated to members as part of the updates provided by the resellers. The key message is for customers to engage with suppliers at the earliest opportunity, particularly where the requirement is high volume.

The annual price review exercise will be undertaken in October 2022. This will enable a rescoring of the basket of goods element of the agreement evaluation. Any new pricing structure is expected to be effective from 1 November 2022.

The next round of supplier review meetings is scheduled for late November 2022. UACG members will be contacted shortly to confirm availability.

#### Computing - Server, Storage and Solutions National Agreement ("SSSNA") **MK**

The current framework was recently extended to 30 October 2022. Evaluation moderation is under way and near completion with an anticipated go live date for 1 December. A further extension will therefore be issued to allow the re-tender to be concluded.

#### Jisc Network Equipment Framework **MK**

Service reviews covering the May - July 22 quarter were held in August with each of the 28 suppliers, covering the usual areas of performance, reporting/invoicing, and framework usage updates.



The uptake on the framework continues to be healthy, during July the spend was just over £4.4m a slight dip to just over £2.2m in August. Monthly reports for September are still being provided by suppliers, who have until the 10 October to submit them.

The next scheduled service reviews are due to take place in November to cover the Aug – Oct 22 quarter. Jisc are in early discussions on the re-procurement of this framework with additional tender working party members welcome to come forward.

#### **Jisc Simulated Phishing Service and Associated Training Framework** **MK**

There have been 35 confirmed orders so far on the framework with a total spend of just above £103k. Service reviews covering the last quarter will be held with suppliers during October.

#### **Jisc SMS Framework** **MK**

The sales report on the framework show order totals were 56 in July and 65 in August. Monthly reports for September are still being provided by suppliers, who have until the 10 October to submit them.

#### **Jisc Vulnerability**

#### **Assessment Services (VAS) and Tools Supply Framework** **MK**

There have been 30 orders so far on the framework with a total spend of just over £299k. Service reviews covering the May 22 – Oct 22 period will be held in November.

#### **Jisc Web Filtering & Monitoring Framework** **MK**

There have been four confirmed orders so far on the framework with a total spend of just above £39k. Service reviews covering the Sep 22 - Feb 23 period will be held with suppliers during March 23.

#### **Software License Resellers (SLRA) – National** **MK**

A face-to-face meeting was arranged with Academia in October to discuss various member issues and the necessary timeframe for their full resolution.

#### **Computing – General Matters not covered elsewhere**

The National ICT Group continues to meet approximately every four weeks with the last meeting 20 September and the next likely to be late October.

There have been 17 orders so far on the Jisc Global Education Access framework with a total spend of just over £321k by 17 different organisations.

The OCRE Cloud framework has now had 226 expressions of interest; of those, 136 (15 more since the previous report of 28 Jun) have now signed call-off contracts with the various suppliers, to a total estimated value of £65m. The conservative, projected saving so far to the sector is £9m over the course of the framework.

The current APUC-led Student Information Systems and Associated Services has been extended until 7 October 2022. The tender process for the replacement was tactically delayed, allowing further input from the sector and some UCISA groups, so that the resultant framework is future proofed and meets the needs of the sector. The framework agreement is divided into 2 lots, one lot is for HE and the other for FE and smaller HEIs. The evaluation is under way with consensus meetings in progress and award is due to take place in October.

The current Similarity Detection Systems and Associated Services framework for plagiarism software has been extended for an additional 12-month period and will expire on 30 September 2023.

This extension has been decided due to the market still settling down following Turnitin's acquisition of Ouriginal. This extension will also allow time for re-tendering a framework with a wider scope, including further eLearning systems such as e-assessment, e-portfolio, grading, feedback, etc. Turnitin have agreed to lower their pricing for their main product, Feedback Studio, which includes Similarity Detection, Grading and Feedback, as part of the extension. A discount of 5% has been applied across all price bands.

APUC has formed a tender working party with the appropriate UCISA Group to develop a procurement strategy for Alumni CRM. The working group has developed a functional specification and is looking to advertise the ITT in October. APUC is looking to develop CRM specifications in several other areas, such as Student recruitment, B2B engagement and Wellbeing and would welcome volunteers wishing to be involved further.

The Student Accommodation, Conference / Event, Catering & Hotel Management Software framework is in progress with the tender working party undertaking the final stages of evaluation. Award is expected in October with the agreement available shortly afterwards.

The present HR/Payroll and Finance Systems Framework will be re-tendered in the latter part of 2022. APUC is looking for working party members, especially system practitioners interested in one or more of the following activities: supplier pre-market Webinars; reviewing the existing Specification for new content, and/or evaluating scorable questions within the supplier framework responses.

The 2022 Electronics Watch Conference will be held 17-18 November in Barcelona and covers an overview of new programmes including Low Emission Vehicles (LEV) and the Food Value Chains and a full panel discussion with Electronics Watch's monitoring partners. Further details including registration can be found [here](#).

## Insurance

#### **Insurance – Regional** **MK**

All policies for the forthcoming year have now been placed for the 30 members of the Insurance Group (IG). The weekly transition meetings with RMP have now moved to every fortnight with around 20 agenda points to discuss. The IG has been reminded that free professional membership to ALARM, the not-for-profit risk management body run by and on behalf of the public sector, is available to all that want it. Personnel Accident and Travel cover, which moved from RSA to AIG in May, is performing well and the next review meeting with AIG is on 11 October.

A well-attended and productive post-renewal and tender meeting was held 21 September, which was an opportunity to hear views and feedback from all IG members on the overall tender process and implementation. Four Travel Risk

Management workshops, which included the new Travel E-Learning Modules as well as a deep dive into the new ISO 31030 Travel Risk Management guidelines, took place on 23 September in London.

The Cyber market remains challenging, a breach response style solution remains an option for those unable to secure full Cyber-insurance cover in the market or only at a commercially unacceptable cost. CFC for example offer a free 24/7 hotline number as they would if they had a CFC policy for all initial triage calls. CFC will then deal with the incident and engage all necessary third parties as usual, differing only in that there will be no indemnity. This includes:

- Threat Monitoring and threat notification via email and;
- Bi-annual meetings with threat briefing and underwriter commentary with a view to add Insurance once minimum requirements are met.

Anita Randell, Insurance Officer at the University of Portsmouth recently agreed to take on one of the two co-Chair roles following the departure of Angela Ireland from Senate House, University of London.

## Laboratories and STEMed

#### **Gases (IUPC) – National** **AR**

This category has been extremely volatile during the last reporting period, where constraints in raw material extraction, refining, distribution and logistics have intersected to create an uncertain and rapidly changing environment.

Main issues are:

- Shortages in CO2 (carbon dioxide) and dry ice have caused previously unseen fluctuations in surcharges of this important gas, all of which saw increases in Augusts and sharp decreases since early September. This is linked to unprecedented cost increases of wholesale energy and the shutdown of the CF fertiliser plant in Billingham.
- Further shutdown of raw material extraction plants in Amur (Russia), Algeria, and issues from upstream suppliers in the USA and Qatar are further affecting framework suppliers.
- Shortages of Xenon are being experienced, used in various laser and physics applications.

#### **High Value Laboratory Equipment (HVLE) – National** **AR**

In preparation for the retender for this agreement, the first two Tender Working Party meetings took place in early August and September, to evaluate the performance of the framework to date. The TWP also discussed the next steps in preparation for its renewal including the commodity strategy, lotting and scope.

#### **Laboratory Consumables and Chemicals - Inter-Regional (IRLA) – National** **AR**

This agreement's framework extension was invoked on 2 September and entered its fourth and final year expiring on 1 September 2023. As part of the renewal process, the number of suppliers was reduced.

#### **Life Sciences – Antibodies and Sera/ Equipment/**

#### **Reagents, Kits & Consumables/ Molecular Biological Research Services (MBRS) – National** **AR**

The following four Life Science related agreements are to be combined in the next re-tender to create a single Life Sciences Framework Agreement LAB2010 NE with multiple lots:

- Life Sciences – Antibodies and Sera
- Life Science Equipment
- Life Science Reagents, Kits & Consumables
- Molecular Biological Research Services (MBRS)

In preparation for this imminent Life Sciences Framework tender, a Supplier Day was held at Aston University in August. This was to pre engage the suppliers and to introduce the consortia's broad contractual expectations to the market.

Another objective was to explain the general framework tendering process to the smaller and niche suppliers with less experience in bidding for public sector contracts. 42 attendees from 33 companies (incumbents and new suppliers) attended the event. It went well with dynamic and open interaction between most of those present. The event was co-hosted by NEUPC, LUPC and Aston University.

In addition, two Tender Working Party meetings were held during this quarter, to discuss the scope of the lots and the ITT documentation. The deadline for tender submissions will be 7 December 2022. The tender evaluation is expected to end on 10 January with a target commencement date of 9 March 2023.

The final framework extension of the Life Science Equipment framework expires on 30 June 2023.

#### **Personal Protection Equipment, Clothing and Uniforms (PPE)** **JM**

This framework has seen a decline in usage as expected following the pandemic.

## Library

#### **Serials, Periodicals and Associated Services Joint Consortia Agreement – Inter-regional Agreement** **RD**

A tender working party is being established for the next version of the framework.

## Professional Services

#### **Ceremonial Gown and Photography Services—National** **JM**

This framework is now live with members reaching out for advice and assistance.

#### **Debt Recovery Services– National** **RD**

Work continues on the next version of the framework. There are some delays and we are currently looking at options to extend the current framework.

#### **Education Recruitment Advertising and Resourcing Services (National) NERARS 2018** **RD**

The ITT has been issued and plans are in place for the evaluation of the bids during November.



## Executive and Senior Strategic Search and Recruitment Services **RD**

APUC has now launched the new framework to members. LUPC members are restricted to England and Wales specific lots.

## Financial Services- National **RD**

NWUPC has issued the extension to this agreement to the fourth year. Further information on the current agreement is available [here](#).

## Franking Machines **RD**

Extensions expected to be enacted on the Framework.

## Intellectual Property Rights Services – National **RD**

NEUPC has taken the decision not to retender this framework due to low activity. This framework has expired. Members may use lot 4 of the legal service agreement for IPR requirements.

## Legal Services – National **RD**

BLM has merged with Clyde & Co, novation documents are pending from Clyde & Co.

The LUPC Legal services series is in place with webinars being provided every two months to UKUPC members.

Further information on the agreement can be found [here](#). If you have any feedback, please contact Roy.

## Occupational Health and Wellbeing for Students and Staff **RD**

Executive summary prepared for the replacement of this framework agreement and TWP preparation plans are underway.

## Temporary and Permanent (TAP) Recruitment Services **RD**

This is at the early stages of the TWP which will start during October/November.

## Supply of Taxi Services including Hybrid and Executive Cars—Regional **JM**

Initial work to start on whether it is a viable framework to retender for. Spend has been low and with the pandemic, these services dried up even further.

## Travel Management Services – National **RD**

Linda Thompson joins SUPC to lead the travel framework and work has started on the TWP for the next version on the framework. Linda has arranged a national category group meeting for members on 15 November.

## Other Activities

Upcoming events

- Heads of Procurement Meeting – 28 October, 25 November, 27 January
- CreditSafe Webinar: Past, Present and the Future – 2 November
- LUPC's Ultimate Guide to Procurement Best Practice – 3 November, 1 December, 8 December
- LUPC Legal Webinar Series: Successfully defending procurement challenges – 8 November
- LUPC New Member Induction – 17 November

- LUPC & SUPC Responsible Procurement Event – 22 November
- LUPC Estates Coffee Morning – 29 November

For further information and to register, please see the [events page](#) on our website.

## Publications

E-bulletins are issued monthly around the 15<sup>th</sup> of each month.

Linked magazine is published quarterly at the end of every January, April, July and October.

The Annual Membership Survey Report was published September 2022.

## Website

The [Jobs Board section](#) of the LUPC website is now available to advertise any procurement vacancies at member organisations.

Full details of all agreements are available at [lupc.ac.uk](http://lupc.ac.uk)

Information correct as of 8 October 2022.

## INTERESTED IN ADVERTISING IN LINKED MAGAZINE?

We offer LUPC approved suppliers the opportunity to advertise in our quarterly magazine.

## Benefits

- Circulation of more than 300 individual buyers at more than 80 member institutions plus all of LUPC's suppliers
- The magazine (including previous editions) is available to anyone who can access the LUPC website



Your support demonstrates to customers your commitment to LUPC agreements.

## Advertisement Rates

- £175 +VAT for quarter page
- £300 +VAT for half page
- £500 + VAT for full page

10% discount available for booking 4 consecutive spaces in advance. We also have advertising opportunities on the LUPC [website](#).

**L U P C L I N K E D M A G A Z I N E**



## Let's talk....

Cristian Martin, Director of Procurement at London School of Economics and Political Science and LUPC Executive Committee Member, shares insights into his procurement career.

**How long have you worked at your organisation?** 3 years

**How did you get into procurement?**

I worked as an agency temp and one day I was sent to process the paper requisitions in a purchasing team. This was at an NHS Trust in Camberwell around mid-2000, by February 2001 I was a permanent employee, with a CIPS qualification by 2004, leading my own team of 5 buyers by 2006.

**What do you most enjoy about your job?**

For where I am now it is working with my team. If you are a believer of the left brain for logical thinking and the right brain for creativity bias, procurement crosses both and therefore attracts logical and creative types to our industry. You need both types in a team so there is no risk of group thinking.

**What's the worst thing that happened in your career and how did you overcome it?**

Shortly after starting my first procurement role, I would have to key in a random code to make requisitions go through. Only in this case, it wasn't a random code, it was the delivery point code. I caused absolute mayhem for the stores team, but they didn't know

what was causing it. Only when a shipment of large (heavy) barrels of chemicals came to the wrong regional distribution centre did I realise what I had done.

**If you weren't in procurement, what would you be doing?** I really like cars and one of my hobbies is competition car audio. It's very technical and through that I have learned a lot. It has presented me job offers in that industry, however I found my true calling in Procurement and our wonderful sector.

**What's the most interesting item or service you've had to buy?**

As part of my role as procurement and contracts officer for the commonwealth secretariat, I managed logistics for election observations. This particular challenge was in the Maldives, and I needed to get the team to different islands when all the internal flights were fully booked. So, I did what anyone else would do in that situation and went shopping for speedboats to hire!

**In your view, what value can working with the Procurement team bring to other areas in Estates, IT etc.**

Their priorities are not ours, for them it is to deliver their services without downtime or

for the construction to be done on time and value for money (VFM) gets the backseat. Working with procurement on the strategy up front puts VFM first but also relieves colleagues from having to justify VFM later.

**What advice would you give to people new to the sector?** If you see something that isn't right, do something about it, if you don't take action, nobody will. Great outcomes for your team happen when you earn the reputation that Procurement gets stuff done.

**What do you think have been the main benefits of joining LUPC?** Most of my career was not in HE and our sector wouldn't be the same without the networking, skills sharing and collaboration that LUPC provides. You only reap these benefits if you are an active member, so ask to be involved!

**What are the key challenges ahead for your organisation, particularly in the current climate?** Inflation will force companies to raise prices, our income isn't increasing. We need to learn quickly to value engineer our specifications, it is unlikely they will have the budget to pay for the status quo. I'd say start with the minimum viable solution and their nice to have's put in priority.

**What achievement are you most proud of (and why)?** My son Charlie who is 12 weeks old at the time of writing and marrying my wonderful wife, Beth. They are all that matters to me.

**What would be your favourite book and luxury on a desert island?** The Humans by Matt Haig, whenever I drink tea, I always remember it being referred to as a cup of comfort. Although, my favourite procurement book is Peter Smiths Bad Buying (for those that want to know how not to do it). My Luxury would be home hifi and CD collection.



# PROCUREMENT 101: GOOD PRACTICE TENDER EVALUATION AND AWARD FEEDBACK

LUPC Senior Category Manager, [Julie Gooch](#), outlines best practice for designing evaluation processes, assessing tender returns, communicating, and providing feedback to suppliers.

Evaluating tender returns when conducting a competitive tender process is key to ensuring that you achieve value for money, have the best supplier available to deliver your requirements and avoid challenge in your procurement process.

The public procurement key principles of transparency, integrity, openness, and fairness should always apply when designing your evaluation process, assessing the tender returns, communicating, and providing feedback to the suppliers.

## Evaluation criteria

Careful consideration will need to be given to what and how you need to evaluate. Your evaluation criteria should be directly aligned to your requirements and business outcomes.

Your specification which set out the requirements of what you are buying is an important document to use when deciding key criteria to assess.

What you are aiming to achieve by setting each criterion is to understand the methodologies and the technologies the bidders use, to assess their ability to satisfy the requirements. Evaluation criteria and how it will be weighted and scored should be clearly identified in your procurement documentation.

## Assessing tender returns

Panel members should be prepared for the evaluation process. Guidance explaining the evaluation process, instructions as to how criteria should be scored, and the scores moderated and how clarifications will be dealt with should be made available, read, and understood by the panel members.

It is good practice for the evaluation panel members to sign a declaration of impartiality and confidentiality to confirm that there is no conflict of interest, safeguard confidential information and confirm that the evaluation will be carried out in accordance with the evaluation procedures.

Scores must be awarded based on the bidder's submission

and in accordance with the published award criteria and scoring methodology. Scores should not be awarded comparatively between bidders.

When scoring the tenders, it is important that the evaluator provides a detailed note of how they have arrived at a score, justifying the reasons for their decision applying consideration of award criteria and the scoring methodology.

## Clarifications

There are two types of clarifications:

- Contracting authority (CA) seeking clarification from the bidders
- Bidders seeking clarification

from the CA in relation to the information provided in the tender documentation.

The Public Contract Regulations (PCR) 2015 (Regulation 56 (4)) states

*"Where information or documentation to be submitted by bidders is or appears to be incomplete or erroneous, or where specific documents are missing, contracting authorities may request the bidders concerned to submit, supplement, clarify or complete the relevant information or documentation within an appropriate time limit, provided that such requests are made in full compliance with the principles of equal treatment and transparency."*

If clarification is sought it is important that those clarifications and any resulting amendments do not result in an opportunity to ask for additional information.

The principles of public procurement should always be observed, and the CA should treat all bidders equally and fairly. Any clarification must not favour or disadvantage the bidder to whom the request is addressed.

A request for clarification of a



particular bid must only be made after you have looked at all the bids.

Any request for clarification must be sent in the same way to all bidders in the same situation unless there is a demonstrable and objective reason to justify different treatment.

## All requests for clarifications must be in writing.

Bidders may need to clarify details set out in the procurement documentation during the tender period. The CA must ensure transparency and equality of treatment. For all non-commercially confidential questions the authority should respond (on an anonymous basis) to the question and circulate to all bidders. The process for responding to clarifications should be set out in the procurement documents, including any deadline for asking questions ahead of the tender closing date.

## Providing feedback

Providing clear and detailed feedback will help bidders understand what they did well and areas that they could improve on, in relation to the evaluation criteria they were being assessed against and standards you were

assessing for your specific requirement. This information could be useful to them when considering future opportunities.

The feedback to unsuccessful bidders should refer to the evaluation approach and scoring criteria and provide their score and winning bidder's score for each criterion. The feedback should be based on the notes provided through the evaluation and any moderation process which should be sufficient to let each bidder understand why they received the score they did. To assist with clarity, it is good practice to give specific examples from their bid.

Remember the principle of equal treatment and provide the same quality of feedback to all bidders.

## Record Keeping

Good record keeping is essential, to ensure transparency and a robust audit trail.

It is important to ensure that all staff involved in the procurement process are aware of their obligations to keep adequate records to justify all decisions made during the process. These obligations are set out in the Public Contract Regulations (PCR) 2015, reg 84 (8).





