



PURCHASING  
CONSORTIUM

**SPRING 2018**

# Linked

The magazine for LUPC Members and Suppliers



***RCM's World-Class Organ***  
***How we played a part...***



**UNIVERSITY  
ADVERTISING**

Avoiding problems  
with the ASA



**DO WE NEED  
CATERING  
CONSULTANTS?**

What a good  
consultant can  
do for you



**RESPONSIBLE  
PROCUREMENT**

The very latest  
updates



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## MEET THE TEAM



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## Welcome to the Spring edition of Linked

I can't believe the time has passed so quickly and the Royal College of Music has its magnificent new organ! It's been two full years from negotiating the deal to hearing David Graham play Bach and Pachelbel at the inaugural performance in January. Our city now boasts a fine new concert hall instrument to match the best of its kind

- read all about how we supported its procurement on page 4.

In a new regular feature for *Linked*, we update you on LUPC's latest activities in the Responsible Procurement arena. As Members, it's important that you keep an eye on what we're doing to promote procurement in a manner that reflects our shared values and that's conscious of its social, ethical and environmental impact. Catch up with all our news on page 9.

On page 10, you can learn about our brand new framework agreement for catering consultancy. Wondering what a catering consultant can do for you and why you probably need one for your institution? It's all here in this special feature. (You may know that our team is busy readying another great new agreement for you for outsourced catering services. Watch this space - it's sure to be very popular.)

Finally, you may also know that this will be the last issue of *Linked* before I leave my post as Director to move on to pastures new. These have been the happiest, most fulfilling years of my working life and I want to thank all our Members, our wonderful team here, the Board and our Chair, Andrew Young for all of their support over the years. My warmest wishes to everyone!

**Andy Davies**  
February 2018

# CATERING FRAMEWORKS LAUNCH EVENT

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Full programme available soon





# RCM's World-Class Organ. How we played a part...

More than two years after an international competition was won by organ builders Flentrop Orgelbouw, the Royal College of Music inaugurated its magnificent new instrument with a celebration of music for invited guests on 8 January. Procurement professionals from LUPC and Ensemble Purchasing have supported the world-renowned College in acquiring its first new concert hall organ in over a century.

The competition involved organ builders selected following a pioneering process, evaluating a number of instruments in cathedrals and concert halls across Europe, not only for their design and workmanship, but also for their tonal quality, balance, touch and reliability against RCM's stringent requirements. The new organ, with 34 'stops', serves as both as a teaching and as a concert instrument, for solo recitals and performances with orchestra and choir of works from the German, French and English repertoires.

With 1,150 students from more than 60 countries, the College is one of the world's great conservatoires, training gifted musicians from all over the world for international careers including composers Holst, Vaughan Williams and Britten, conductors Leopold Stokowski and Sir Colin Davis and performers Dame Joan Sutherland and Sir James Galway. At the celebration, Professor in Charge of Organ David Graham skilfully demonstrated the full range of the instrument, opening with Bach's sprawling *Fantasia* in G Minor, followed by the sombre tones of Pachelbel's *Ciacona* in F minor and closing with the imperious *Nun danket alle Gott* by Karg-Elert. In between, student Xiaoting Chan expertly rendered the *Vivace* from Bach's Sonata in C minor.

The instrument is named in honour of oboist James Zheng Huang HonRCM, who performed the Adagio from Marcello's Concerto for Oboe in D minor with organ accompaniment. The College thanked Kingdom Music Education Group for its generous support in funding the new organ.

Professor Colin Lawson CBE, Director of the Royal College of Music said "I am overjoyed at the results of Flentrop Orgelbouw's expert craftsmanship and their success in turning our vision for this new instrument into a reality. The College's ongoing mission is to enhance our students' experience and I know every musician here will enjoy and learn from our new organ."



Photo credit - © Chris Christodoulou, 2017

The College's triple Grammy-winning Artistic Director Stephen Johns said that the new organ "displays both confidence and exuberance. Its eye-catching casework is resonant with the centuries-old Dutch and North German tradition, and echoes historic instruments from those regions."

Also ground-breaking were the bespoke contract terms and conditions for the organ build, commissioned from LUPC by the College, when builders have traditionally traded only on their own terms. RCM's conditions balanced risk more equitably between builder and client, with the aim of building and maintaining a concert hall instrument for the rest of this century and beyond. LUPC also supported tender evaluation, negotiation, contract award and management of the builder relationship. Flentrop's Erik Winkel and Frits Elshout said that "Even with all the sand casting, all the maths, all the craftsmanship and hard labour, and the full control over the building process, this last occurrence, our ultimate goal, is not an achievement, but a mercy and a grace."

The project demonstrates the versatility of LUPC to support its Members' procurement projects in a consultancy capacity. To find out how LUPC's expert procurement consultancy service could support your project.

Contact: Don Bowman on 020 7307 2760  
or [d.bowman@lupc.ac.uk](mailto:d.bowman@lupc.ac.uk)

# LUPC celebrates 50th anniversary

**It was the year that made us who we are: 1968, the year of the Olympic Games in Mexico City, civil rights marches in America, 2001: *A Space Odyssey* and Apollo 8's flight around the moon.**

We are celebrating our fiftieth anniversary this year and we hope you like our special anniversary logo, just for 2018! LUPC started life as the University of London Bulk Purchasing and Ordering Group, concentrating initially on the bulk purchase of laboratory equipment and consumables for the colleges and institutes that make up the University of London. In our special souvenir issue later this year we'll be looking into the University archives to find out how LUPC came about, who our suppliers were and the names and faces of the pioneers that took part. Watch this space!



## LUPC Director Announces Moving On

LUPC Director Andy Davies has announced that he will be moving on to new offer. Having worked with LUPC for nine years, Andy has accepted an opportunity to join a new team at the Greater London Authority charged with delivering the Mayor's Responsible Procurement Policy and will leave LUPC in mid-April.

Andy said; "LUPC is in a terrific position, with a truly admirable group of people, a highly supportive Board of directors, financial security and a very, very bright future. I'm immensely proud of what we have achieved together with and for our Members and I've particularly enjoyed working with our Members in such a positive, collaborative environment over the years. You have my thanks."

In the meantime, Andy will be working closely with LUPC Board and senior staff to ensure that the transition to new leadership is a smooth one, especially for our Members.

## Annual Review 2016-17 Now available

Each year, LUPC produces an Annual Review which summarises developments and achievements of the year gone. The review is distributed across our membership and supplier base. In the review, you can take look at our latest income and expenditure figures, the very latest member benefits as well as new services that we have developed. Member savings for 16-17 are an impressive £36m which is an increase on the previous years. You should have hopefully received a copy via the post, you can also view the document digitally here:

[lupc.ac.uk/annual-review](http://lupc.ac.uk/annual-review)

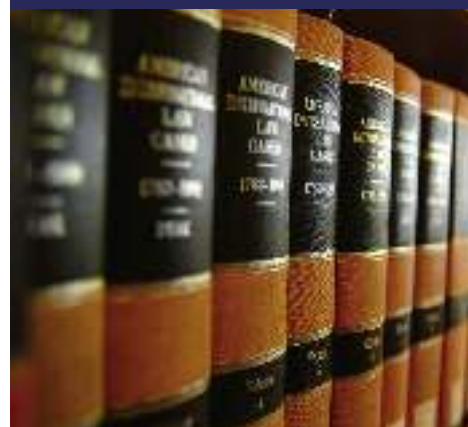


## Third annual statement on Slavery and Human Trafficking published

The statement was published in accordance with Section 54 of the Modern Slavery Act 2015. LUPC Director Andy Davies said: "LUPC has no legal obligation to publish a Section 54 Statement, but given that our Members spend over £200m a year through our supply agreements, our Board feels we have a moral imperative to do so. We also want and need to reflect our Members' strong values when it comes to responsible procurement."

LUPC was the first public buying organisation (PBO) to publish a Statement after the Modern Slavery Act came into force in 2015. This year's Statement was prepared with the support of LUPC's Responsible Procurement Advisory Group and endorsed by the Executive Committee before it was approved by the LUPC Board on 8 December. The statement can be viewed on our website; [lupc.ac.uk](http://lupc.ac.uk)

## NEW AGREEMENTS



**Catering Consultancy Services**  
**Removal & Relocation Services**  
**Legal Services**  
**Training Services**  
**Insurance Service Lots 1-16 (except Lots 4 and 5)**  
**National Desktop & Notebook (NDNA)**  
**Furniture (Lot 1 Office)**

For more information on all agreements visit: [lupc.ac.uk](http://lupc.ac.uk)

## UPCOMING TENDERS

**Catering Outsourced Services**  
**Debt Collection**  
**Electrical Materials**  
**Furniture (Other Lots)**  
**Graduation Services - Ceremonial Gown**  
**& Photography Services**  
**Insurance Services (Terrorism and Fine Arts/Books)**  
**Lab Consumables and Chemicals**  
**Occupational Health**  
**Molecular Biology Research Services**

For full details and award dates visit: [lupc.ac.uk/tenders-progress](http://lupc.ac.uk/tenders-progress)

## DATES FOR YOUR DIARY

**19 April 2018**  
**Catering Frameworks Launch Event**  
 Student Central, London

**24 May 2018**  
**LUPC / SUPC Annual Conference 2018**  
 County Hall, Southbank, London

To keep track of all events visit: [lupc.ac.uk/events](http://lupc.ac.uk/events)

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:

**hecontracts.co.uk**

The initials next to each agreement indicate the LUPC Contract Manager you should contact for further information about a particular agreement, these are as follows:

**CM** Cristian Martin / 020 7307 2771 / c.martin@lupc.ac.uk

**JK** Joyce Kadri / 020 7307 2763 / j.kadri@lupc.ac.uk

**MK** Mike Kilner / 020 7307 2768 / m.kilner@lupc.ac.uk

**SP** Suzanne Picken / 020 7307 2772 / s.picken@lupc.ac.uk

**DW** Darran Whatley / 020 7307 2764 / d.whatley@lupc.ac.uk

Cristian Martin joined LUPC to take over from Jill Christiaens on 22 February 2018.

Other useful contacts:

JISC **jisc.ac.uk** - TUCO **tuco.org** - TEC **tec.ac.uk**

## CATERING

**Catering Consultancy Services – National** **SP**  
Suppliers have been asked to consider suitable subjects for seminars for the framework launch, which will be w/c16 April 2018.

**Catering - Outsourced Services – National** **SP**  
The tender was issued on 15 December, with a closing date of 22 January 2018. The scheduled start date of the Framework is 19 March. A Launch event is being planned for w/c 16 April.

## ESTATES & FM

**Cash and Valuables in Transit – National** **JK**  
The Agreement was extended until 31 December 2017, NEUPC are in the final stage of supplier clarifications for a new agreement and it should be in place for the start of February 2018, details will be available on our website when this is completed.

**Cleaning Services – Regional** **SP**  
Cleaning suppliers have been invited to participate in the LUPC FM Anti Modern Slavery Forum first meeting, being scheduled for the end of February 2018.

**Electrical Materials & Associated Products – National** **MK**  
The new agreement commenced 1 February 2018. The suppliers are as follows:  
CEF • Edmundson • Eyre & Elliston •  
Lancashire Electrical (N.B. does not supply to LUPC region) •  
Rexel • Smith Bros • TN Robinson • YESSS

**Electronics (NUWPEC) National** **MK**  
Each supplier had been tasked with producing a new pricing schedule, which is being collated into a single matrix for all lots under the framework to make the agreement clearer and more user friendly.

Additional LUPC technical representation remains a long-standing objective. If you wish to be involved further please contact m.kilner@lupc.ac.uk

**Security Services (Guarding and Reception) – Regional** **SP**  
The Security suppliers being invited to participate in the LUPC FM Anti Modern Slavery Forum, first meeting being scheduled for end February 2018.

**Sustainable Waste Management Services – Regional** **SP**  
Lots 1-3 have been extended to 31 July 2018. NEUPC are leading on a National Agreement for Waste Management. The current LUPC framework will be replaced by this national one with Suzanne Picken being a member of the tender working party.

**White Goods – National** **MK**  
A review of Stearn's pricing was undertaken in late 2017 after an

initially proposed increase had been rejected, which had largely arisen as a result of direct manufacturer increases. NWUPC subsequently agreed to a rise from January 2018, with a rise equal to 2% across the core basket with individual lines displaying variable increases and some lines subject to a price decrease.

## FURNITURE & FURNISHINGS

**Furniture Supply and Installation – National** **DW**  
The first lot of the new framework agreement commenced in early December, this is Lot 1b which is for Office/classroom/cafe/tertia furniture. The suppliers on this Lot are now on HEContracts. The other Lots are expected to be available for March. The existing framework is still running until July 2018.

## ICT & TELECOMS

**Desktop and Notebook Agreement - National ('NDNA')** **MK**  
The majority of all matters relating to the implementation of the new agreement are now complete. A price benchmarking exercise inclusive of the CCS alternative framework is currently being undertaken.

Misco UK, a reseller partner originally nominated at time of tender by both Acer and Fujitsu, was formally wound up on 19 October 2017.

The process of replacing their presence on the framework is in discussion with both manufacturers at time of writing.

A review of the XMA/NDNA web portal has revealed serious issues with the price information being presented to users of the portal. This is manifested in particular against any specification change from the main tender specification. Users should contact Mike Kilner for further information if they are intending to use the portal.

Toshiba have reviewed their entire pricing strategy for 2018 and a number of models (33 out of 51) are significantly discounted as a result, some as much as £150 ex-VAT. This was on the back of feedback from the original tender submission as well as recent mini-competition submissions, which had made it clear that their go to market pricing had been out of line.

HP recently announced a further battery recall as publicised in both the press [theregister.co.uk/2018/01/05/hp\\_announces\\_global\\_recall\\_laptop\\_battery/](http://theregister.co.uk/2018/01/05/hp_announces_global_recall_laptop_battery/) and the HP site [batteryprogram687.ext.hp.com/](http://batteryprogram687.ext.hp.com/). HP is in the process of proactively contacting those customers affected.

Further discussion continues with the majority as to their full agreement to the Electronics Watch Terms and Conditions on behalf of Affiliate members.

**Computing- ITRAP (IT Related Accessories and Parts) – National** **MK**  
As covered above, agreement reseller Misco UK was formally wound up on 19 October 2017.

A recommendation is presently out with the group to formally exercise the extension option taking the expiry date to 31 May 2020

**Computing - National Education Printer Agreement ('NEPA')** **MK**  
On 1 November 2017, HP announced the completion of its acquisition of Samsung Electronics' printer business, the deal is seen as consolidating HP's share of the A3 MFD market by exploiting Samsung's proprietary multifunction printing technology.

**Computing - Networking Supply & Services – National** **MK**  
The evaluation process is nearing its conclusion, due to unforeseen delays, the present agreement has been extended by NEUPC to the end of February 2018.

**Computing - PCs with Apple Operating Systems – National** **MK**  
The next reviews will be held May 2018 in Edinburgh.

Stone have continued to develop their purchasing portal for the agreement as a means of progressing frictionless procurement and reducing the need for manual interaction. This includes live order status management, improved stock-in-channel visibility and long-term order history visibility. The separate 'GetYourTech' portal aimed at staff and student purchases was likely to be rebranded and relaunched in early 2018. Stone was also able to support the use of multiple DEP (Device Enrolment Programme) registrations.



Academia has similarly made progress with DEP and now had the ability to retrospectively add devices going back to 2010 into the scheme.

XMA announced that they were investing in new on-line, vendor-led training including modules for Apple, which would be under the title of Skills Academy and available to all staff.

Long-term LUPC Apple Account Manager Leonie Gillman was leaving her role to move to another within Apple. Early pre-engagement with Apple over their potential participation on the successor agreement was also discussed during the last set of review meetings with a generally positive outcome if both sides could move towards a closer position over certain matters.

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

Amendments to Huawei's nominated reseller list for Lots 1, 2 and 3B have been made on HEC.

Cisco, an awarded supplier on Sub-Lot 3A, recently advised that they no longer want to be on the agreement directly. They have confirmed they will continue to supply indirectly through Lot 4 (Reseller Led Solutions) and have confirmed they have relationships in place with CDW, Q Associates, SCC and Softcat with further discussions taking place with XMA, OCF and Logicalis. A formal contract termination dated for 10 January 2018 has been served and all HE guides and pages updated.

#### Computing - Shared Datacentre MK

23 organisations have signed an agreement with VIRTUS to utilise the framework, 43 call-off contracts have been received by VIRTUS. There are now >250 racks in place, across 3 Jisc data halls, with a total power commitment of c. 3,200kW.

The latest pricing available for the shared datacentre is showing significant savings being delivered:

*Benchmark market pricing as an average of all bidders for the framework:*

Item	Installation charge	Annual charge (excl Power)
4kW rack	£1,582.00	£5,231.00
10kW rack	£2,028.00	£17,472.00

*Framework pricing at start of the contract (Sept 2014):*

Item	Installation charge	Annual charge (excl Power)	Saving compared to average market rate
4kW rack	£1,315.00	£5,040.00	3.6%
10kW rack	£1,315.00	£12,000.00	31%
20kW rack	£1,315.00	£24,000.00	n/a
30kW rack	£1,315.00	£32,200.00	n/a

*The framework has an aggregated demand model with several pricing break points. At the current time (December 2017) the current breakpoints the pricing is as follows:*

Item	Installation charge	Annual charge (excl Power)	Saving since start of framework
4kW rack	£1,315.00	£4,080.00	19%
10kW rack	£1,315.00	£8,760.00	19%
20kW rack	£1,315.00	£24,000.00	0%
30kW rack	£1,315.00	£22,680.00	34%

**SMS Text Messaging Services – Regional (open to national) led by JISC MK**  
This service is currently being re-procured and the Notice was published at the start of January.

**Telecommunications inc. landline and mobile - (CCS) RM1045 MK**  
Aggregated procurement opportunities continue to be published on the CCS web site at: [csherehelp.uk/how-to-buy/aggregation/](http://csherehelp.uk/how-to-buy/aggregation/)

#### Computing – General Matters not covered elsewhere

The new APUC-led framework for Similarity Detection Software is now completed and the documents and buyers guide are available from HEC. The agreement includes 3 suppliers, in order of ranking: Prio Infocenter – Urkund, Plagscan and Turnitin.

The successor to the APUC-led Finance and HR/Payroll Agreement is likely to begin in early 2018. Potential stakeholders within LUPC are asked to come forward if they are interested in assisting with the agreement's development.

#### LIBRARY

##### Books – National CM

SUPC has been working with ProQuest to clarify the pricing confusion regarding Lots 4.1 and 4.3 and the discounts applicable. During initial discussions with ProQuest, it was clear they had not intended to make discounts available on Lot 4.3 (except for the "Frequent Flyer Programme") and that the interpretation of the wording in their bid and contract was not as intended. SUPC have agreed a way forward that aligns with the wording of the contract. This is set out on the HEContracts site as a clarification to the contract to avoid future confusion.

##### Serials – Inter-Regional (LUPC and NWUPC) CM

We have been working with LM information on an improvement plan for the sector to deal with ongoing service issues. They have also informed us that they believe they have now been in contact with all Members who are due a refund for overcharging on past invoices as a result of errors in exchange rate calculations. Please contact us if you feel this is not the case. LM's new Libnet system will be launched in April 2018 and training for end users will be made available prior to the launch.

#### OFFICE SUPPLIES & EQUIPMENT

##### Cut Paper and Specialist Printing Paper DW

The new Framework Agreement started at the beginning of the year, the suppliers under the framework are as follows:

Antalis UK • Clyde Paper and Print • Elliot Baxtor & Company • Paper 4 Print • Premier Paper Group • Springfield Business Papers • WL Collier

##### Office Supplies – National DW

Office Depot, Banner and Gresswell have requested price reviews which are in different stages of being processed.

#### PROFESSIONAL SERVICES

##### Debt Collection – National DW

The current framework agreement has been extended until July 2018 to allow for the new tender process to take place. Working Party Members are being sought and should contact Cristian Martin. It is intended that the coverage of the new agreement will be broader and include additional student services, including student mental health services.

##### Insurance – Regional MK

The last remaining two Lots, Terrorism and Fine Arts, were formally awarded in November, to Atrium (in partnership with Fiducia FCA and The Risk Factor) and Blackwall Green respectively for commencement 1 December. Both awards produced significant savings for users of the agreement and a Welcome Pack has been produced and circulated on behalf of Atrium's new service to the group as well as by RSA for Financial Lines.

Good feedback had been received regarding the Healix Travel App and additional support provided by the Drum Cussac website, which was perceived as a great resource for pre- and in-travel communication and risk management.

The increasing practice of Social Engineering, which encompasses criminal activity involving human interaction such as phishing and scareware, was discussed and a white paper has been produced by RSA and AJG and circulated to the Insurance Group (IG).

Southampton Solent University, the most recent member to join the

## PROFESSIONAL SERVICES

insurance arrangements, has used its learning experience to assist in the production of a welcome pack for potential new members. The document is presently in its initial draft stage and is being reviewed and amended by LUPC and the other members of the ITSG.

The LUPC ITSG is keen to introduce a 'buddy' support mechanism enabling some of the smaller IG and less experienced bodies to contact a member of the ITSG should they wish to discuss any particular issue you where you feel you could benefit from another members' opinion or support.

The 2018 Renewal Timetable has now been issued to the IG; pre-renewal forms will be loaded to both the AJG and ZM portals by February 6 for members to access and return by no later March 28. Once checked and submitted by AJG to the insurers, the non-ZM bodies are expected to submit their renewal terms back by May 11. AJG and ZM will submit renewal reports to members by way of joint or individual meetings from June 4 onwards. Atrium/TRF is likely to commence its inclusive terrorism exposure review amongst all members once the renewal information is received

**Legal Services – Regional**

JC

The LUPC framework was extended for the final allowed period, to allow Members access to their existing suppliers, without having to switch over to the new national agreement.

Since 2014 Mills and Reeve have held their charge rates for LUPC members, but have now informed us that they need to increase the charging rates from 1 January 2018. The increase agreed with LUPC works out at 2.49 %. The changes to their rates have now been made on HEContracts.

Please note there is no change to their rates on the National legal services framework put in place in 2017, or to any other suppliers on this 2014 procured LUPC framework, which will expire on 31/8/18.

**Occupational Health Services – National**

CM

The current agreement has now been extended until July 2018, with the exception of the supplier Health Management, who did not want to extend, to allow time for the new tender process to take place. Other areas are being considered for inclusion on the new agreement, including the possibility of the framework covering student mental health services. Members to join the Tender Working Party are being sought, if you are interested in being involved, please contact Cristian Martin.

**Temporary Staff – Regional**

CM

This framework will be extended for 6 months from March 2018, to allow a future national agreement tender process to take place with SUPC. It will include London specific Lots to replace the existing agreements and assist SME's. Additional Members of the national tender working party are required and should contact Cristian Martin.

## STEMed &amp; LABORATORIES

**Gases (IUPC) – National**

MK

Minutes from the last supplier review meetings held in September have now been approved, circulated and hosted on HEC together with presentations from BOC and Air Liquide. The next meetings have been organised for SUPC Reading on February 21.

An application for contract-linked price increases was received in November and following negotiations with BOC to ameliorate these, the final outcome was resolved during late December for implementation during mid-February. The negotiations realised savings of over £254,000 for the sector with many lines remaining unchanged including all cylinder gas charges (excluding Helium), Dry Ice and all delivery & transaction charges. It is the first increase on the agreement since its commencement in October 2016.

**General Laboratory Equipment, Supply/Installation – National**

DW

Reviews were held during October, all suppliers presented to a fixed agenda, spend is significantly down compared with the last full year of the previous framework agreement. A review is to be held on data and spend.

**Laboratory Consumables - Inter-Regional (IRLA)**

DW

The first tender working party (TWP) meeting was held on 16 November and a member survey was subsequently issued on 29

## STEMed &amp; LABORATORIES

November. The second TWP was on 11 January, where survey responses were discussed, the ITT strategy and new contract plans were finalised.

The new Fisher Scientific pricing recommendation has been accepted from 1 January 2018.

**Laboratory Chemicals General Purpose- Inter-Regional (IRLA)**

DW

The re-tender of this agreement will commence once Lab consumables has been awarded in spring 2018. If you are interested in joining the tender working party, please contact Darran Whatley.

**Laboratory – Life Sciences – Antibodies and Sera**

DW

SUPC are scheduling a national launch Event for spring 2018, the LUPC implementation has been delayed to await the Launch Event.

**Laboratory – Life Sciences – Equipment First FA**

DW

A Tender Working Party (TWP) of lab managers, researchers, lab category procurement professionals is scheduled for March.

**Laboratory – Molecular Biology Research Services (Life Sciences – Services)**

DW

This new agreement is planned to start in summer 2018. A Tender Working Party is being arranged for early 2018, several LUPC Members have expressed an interest in providing technical support. Market engagement being carried out, with positive reaction from companies. The PIN is due to be published by March.

**Other Laboratory – Updates**

Rob Godfrey (formerly of QMUL) has been appointed as SUPC's interim category manager for STEMed.

## TRAVEL

**Taxi Services – Regional**

JK

A survey of users is expected to be sent out soon to see if there is sufficient demand to retender the agreement when it expires in June.

**Travel Management Services – National**

DW

Supplier Framework Agreement reviews were held on 13 and 14 November.

## UTILITIES

For all TEC news, visit their website: [tec.ac.uk/news](http://tec.ac.uk/news)

## OTHER ACTIVITIES

**Events**

The first Business World Special Interest Group meeting of 2018 is scheduled to be held at the Uni of west of England, near Bristol, on the 1 March 2018, the subject matter will be e-marketplaces and purchasing card interfaces. Please contact Don if you are interested in joining the group.

The 2018 LUPC & SUPC Conference date is 24 May, again this will be held at the wonderful venue of County Hall, on London's South Bank, Member bookings will be available in February 2018.

**LUPC Website**

The new LUPC website has now been launched and includes a number of new features, including a secure Member area, which will be populated for Heads of Procurement to see spend with framework suppliers on a quarterly basis and details of forthcoming tender activities.

**Publications**

All Members should now have received the full report of Members benefits for the 2016/17 year. The Scope 3 emissions Report were due to be sent out in early February.

The LUPC Annual Review is available on our website and hard copies will have been sent to Members before the end of January.

**Staff**

Jill Christiaens will sadly be leaving LUPC in early December for pastures new. We are currently recruiting for a successor for Jill.



# Responsible Procurement Update

## Responsible Procurement Advisory Group (RPAG) – new Chair

Our RPAG's purpose is to formulate and recommend LUPC's Responsible Procurement Policy and Strategy, and oversee activities to deliver the strategy, ensuring that the programme has vigour and reflects our Members' values. It brings together procurement professionals with sustainability managers and students. We are delighted to announce that James Whittingham, Sustainability Manager at London South Bank University, will be our new Chair until 31 December 2020. Stephen Regalado of University of London will be Deputy Chair.

### LUPC's Modern Slavery Project

Our Modern Slavery Project is designed to explore ways of tackling human rights abuses in our supply chains. This has been developed in partnership with academics at the Business, Human Rights and the Environment Research Group at the University of Greenwich, led by Dr Olga Martin-Ortega. The Project involves a number of workstreams:

#### Equiano – LUPC's ethical database

Equiano is designed to gather and store ethical data, to human rights due diligence in our supply chains. The system is designed to allow suppliers to be on-boarded and enter the ethical data we require, graded to provide a benchmark for improvement year-on-year. Equiano will also provide detailed, timed action plans for ethical improvements by suppliers by which they will evidence that these have been put into action to ensure the best ethical guidelines. The system should be live in February and Members will have access then.

#### Supply chain mapping – laboratory gloves

A supply chain mapping pilot focused on gloves in the laboratory consumables market is progressing. We're working with manufacturers in Malaysia to conduct an ethical audit of their manufacturing plants in the supply chain.

Protecting human rights in the supply chain – eLearning available  
As part of this project, LUPC has launched an eLearning Suite to complement our guidance document for public procurement practitioners, *Protecting Human Rights in the Supply Chain*. This is free to any public authority and is also available in SCORM format for loading onto your LMS. Further details can be found on our website.

#### FM suppliers' Modern Slavery training

We're joining with our framework FM suppliers in cleaning and security services to commission further training on this topic to showcase how risks can be mitigated. The training will also be an opportunity for suppliers to ask questions and to put their own plan in place to mitigate risk. The training will be held on 26 February in London.



### Electronics Watch update

A number of presentations are now available following the second successful Electronics Watch Affiliates' Meeting and Annual Conference, held at Queen Mary, University of London in December. These can be downloaded from the Electronics Watch website. Ninety participants from 18 countries attended, while the Affiliates' Meeting including a further screening of Heather White and Lynn Zhang's eye-opening acclaimed documentary *Complicit*, documenting human rights' abuses across several Chinese factories.

Electronics Watch has recently commenced a pilot project collaboration with Stockholm County Council using a new risk screening tool, social@risk™. Developed by Global Works, the tool searches worker grievances on social media and stores all information in a secure database without capturing individual identities. Electronics Watch could use this tool to expand the scope of risk assessments, target on-the-ground activities at especially high-risk facilities, and generate data to analyse risks associated with different brands.

### ISO20400 accreditation

In 2017, we adopted the new ISO 20400 Guidance Standard on Sustainable Procurement, which includes specific guidance on social responsibility in supply chains, becoming the first public body in the UK to adopt the standard. When Action Sustainability assessed us against the new standard, we scored a creditable 3.71 out of 5.

Lead consultant James Cadman said that "LUPC has clearly and unambiguously adopted Responsible Procurement as its methodology for procuring goods and services. LUPC's culture and approach, not least in relation to social issues and matters around modern slavery, are forward thinking, fully embrace best practice and set a good example to emulate."

Following on from the initial assessment, we've been working on an improvement plan, focusing on the more challenging areas. A re-assessment is now scheduled for May 2018, where our aim is to increase our score beyond 4.0.

# What can a good Catering Consultant do for you?

**By Peter Pitham**, Managing Director and Principal Consultant, Catering Consultancy Bureau Limited

When speaking with potential new clients I am often asked, "So what can you do that I cannot?" This is a good question and one that normally takes an hour or so to respond to!

Good business practice dictates that most contracts should be reviewed over a three year or at most, five year period. The exception to this is when investment arrangements have been put in place but even then, procedures will be required to monitor the contractor's performance over the contract period.

One of the reasons a client decides to go out to tender can be due to the relationship with the caterer breaking down. Undertaking a tendering process can be a disruptive process and my initial approach is to establish whether the relationship can be fixed. If at all possible it is better and more cost effective to gain an understanding of the problems and establish a plan to provide a focused, well-structured catering operation. This should be on the basis of setting agreed standards and KPI's and arranging a regular series of structured review meetings. A good catering consultant will be able to advise and guide you through whichever process is the most appropriate.

I have been told on more than one occasion by my clients that they consider the mechanics behind a catering operation, particularly the invoicing, to be a "dark art!" Some organisations and typically those who have procured a catering service themselves, often see the benefits of working with a good experienced consultant through the "once bitten twice shy" idiom, with the client occasionally fronting the process.

Some clients require assistance with understanding phrases used in the catering arena, for example, "I do not understand this jargon about 'free issues' when they aren't free, vat, input and output tax, TUPE, principal or agent, what is a cost and sales sheet? How do I select the most appropriate caterer for me, how do I know how much they should be charging?" Again, a good catering consultant can assist and negotiate with your contractor over any grey areas.

The subject of nil or zero cost contracts often arises, "Why can't we be paid for the caterer providing the service as we provide the premises free of charge, utilities etc?" This is a good question as there are certain criteria that have to be met before a nil or zero cost arrangement can be considered, the first element being volume. A good catering consultant can investigate this option and explain the mechanics behind whether a catering arrangement can be provided at nil cost. We have undertaken this on a number of occasions with often rewarding outcomes! In some cases, however, a nil cost

arrangement cannot be introduced and a good consultant will explain the reasons for this.

Do catering organisations like working with consultants? In a previous life I worked for a number of small and large catering organisations in a number of roles; poacher turned gamekeeper!

In line with my consultancy peers (yes, we do meet and share best practice!), I would like to think that we are sympathetic to catering organisations by not imposing impossible time scales but if we do, there will be a good reason for this which is explained to the caterer at the time. We remove unnecessary processes when working with a client's procurement department, for example, requesting a full month's costed menu together with individual dish costings, and we endeavour to streamline the whole process from start to finish. We bring structure to a tendering project and use 'jargon' that is normally understood by all.

When a catering company is unsuccessful with a bidding process a good catering consultant will give a full debrief to the caterer highlighting those areas where they could have improved.

Managing TUPE is not always as smooth a process as one would wish for and a good catering consultant will have the appropriate mechanics in place to ensure that the information provided is as accurate as possible. We are currently working on a process that will remove the majority of risk from the whole TUPE situation.

A good catering consultant can manage a client's expectations and in particular, explain why the lowest price is not always the correct choice for them.

The services that we provide are just as relevant to in house catering organisations as they are to operations that are contracted out to caterers, often more so. In house catering operations can be refreshed by engaging a consultant who can advise on latest trends and practices. New legislation and different approaches to specific tasks can all be refocused. We often collaborate with other in-house operations exchanging and sharing good practice.

There are a number of good catering consultants within the Industry and a number who are not so good. LUPC has removed the uncertainty from the employment of a catering consultant by undertaking their own selection process relevant to the sector, thus leaving potential clients safe in the knowledge that they will be employing a good one!

Catering Consultancy Bureau are one of the suppliers on the national Catering Consultancy Framework. Full details can be found on [lupc.ac.uk](http://lupc.ac.uk) or contact, Suzanne Picken: [s.picken@lupc.ac.uk](mailto:s.picken@lupc.ac.uk) / 020 7307 2772



# Readers may be interested to learn that the new Commercial Procurement and Supply Apprenticeship has finally been approved and is now up and running at **London Met**



The qualification is appropriate for a range of procurement professionals including:

Commercial Analyst, Sourcing Executive, Procurement Operations support, Buyer assistant, Commercial relationship support, Commissioning and Performance monitoring officer, Framework Management support, contract associate and contract support.

The Commercial Procurement and Supply apprenticeship combines a recognised professional qualification, CIPS Diploma in P & S (level 4) with a work-based element, which includes Personal Development Plans, scheduled workplace visits, and ongoing progress reviews with the apprentices and their line managers.

The apprenticeship takes 2 years (with a minimum of 12 months) and requires a minimum of 20% off the job training delivered via a blended learning approach.

One delegate from the newly launched cohort at London Metropolitan University commented:

*'This is an opportunity for me to increase my skills levels by participating in a nationally recognised programme.'*

For further information on the apprenticeship programmes or CIPS qualifications, please contact:  
Angele Cauthery, Business Development & CIPS Programme Manager/Guildhall School of Business & Law -  
Tel: 020 7320 1630 – email: [a.cauthery@londonmet.ac.uk](mailto:a.cauthery@londonmet.ac.uk) -  
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# Failing to Prevent Tax Evasion in Higher Education

**On 30 September 2017 the Criminal Finance Act 2017 (CFA) came into force, and applies to corporate bodies including universities.**

A HEI will now commit a criminal offence if it fails to prevent the facilitation of UK (or overseas) tax evasion. Only corporate bodies (including universities) can be held criminally liable; the offences cannot be committed by individuals. Corporate entities located outside the UK are also caught. If convicted of an offence, the courts can impose unlimited fines.

A HEI will be guilty of the new offence if all the following occur:

- A person commits a tax evasion **facilitation** offence
- They are a person **associated** with the HEI
- The HEI has no **defence**

Universities will need to assess the risk of associated persons committing tax evasion facilitation offences, and identify and enact appropriate procedures to ensure they have a defence from liability.

## What is Facilitation?

A person commits a UK tax evasion facilitation offence if they:

**Are knowingly concerned in, or take steps with a view to, the fraudulent evasion of tax by another person (or are involved to some extent in the offence); or**  
**Aid, abet, counsel or procure the commission of a UK tax evasion offence.**

## Associated Person

A person is associated with a HEI if they are:

- An employee
- An agent
- A person who performs services for or on behalf of the HEI
- This third category is potentially very wide

## Defences

If an associated person is guilty of a UK tax evasion offence, a HEI will have a defence if it can prove:

**It had in place prevention procedures that in all the circumstances were reasonable to have in place; or**  
**It was not reasonable in the circumstances for the HEI to have any prevention procedures in place.**

## Prevention Procedures

Evaluating and introducing prevention procedures is therefore key to universities managing this new risk.

Universities should carry out risk assessments to identify if there are risks in their business and contractual relationships. They should then implement proportionate procedures that are designed to prevent the facilitation of tax evasion by associated persons.

There are six guiding principles set out in Government guidance:

**Risk assessment:** conduct an assessment the nature and extent of a HEIs exposure to the risk of associated persons criminally facilitating tax evasion offences. The risk assessment should be documented and kept under review.

**Proportionality (risk):** procedures need to be proportionate to the risk the HEI faces.

**Proportionality (supervision):** A HEI should take account of the level of control and supervision it is able to exercise over persons acting on its behalf, and the proximity of those persons to the HEI. Universities are not required to implement excessively burdensome procedures in order to eradicate all risk, but they should pay more than lip-service to preventing the criminal facilitation of tax evasion.

**Top level commitment:** the top-level management of a HEI should be committed to preventing associated persons engaging in criminal facilitation of tax evasion. They should foster a culture within the HEI in which activity intended to facilitate tax evasion is never acceptable.

**Due diligence:** the HEI should apply due diligence procedures, taking an appropriate and risk based approach, in respect of persons who perform or will perform services on behalf of the HEI, in order to mitigate identified risks.

**Communication and training:** the HEI should ensure that its prevention policies and procedures are communicated, embedded and understood throughout the organisation, through internal and external communication, including training. This should be proportionate to the risk the HEI assesses that it is exposed to.

**Monitoring and review:** The HEI should monitor and review its preventative procedures and make improvements where necessary.

Although we have only made reference to UK tax evasion facilitation offences in this article, the legislation similarly applies to associated persons who have facilitated tax evasion overseas.

If you would like to learn more about the new legislation, please contact Jonathan Musty: [jmusty@vww.co.uk](mailto:jmusty@vww.co.uk) / 0117 314 5608



# Collaborations and Partnerships: It Takes (at least) Two

With the increased pressure on the third sector to deliver ever more impressive results on diminishing finances, many are exploring partnerships and collaborations with other organisations to amplify each other's impact and explore new creative possibilities.

However, collaborations often begin with a burst of enthusiasm but fail to achieve their original objectives. As with the foundation of any relationship, the devil is in the details. So, when you are initially sitting down for coffee with your partner, consider these points:

- What is the scope of the collaboration? *Consider both the long and short term.*
- Who is paying for the collaboration? How will the money be handled? *What controls, access and reporting do you need to ensure the money is being spent appropriately? If more than one party is involved, how much will each contribute, and who will make up any overspend?*
- What are each partners' responsibilities?
- How will you talk about the collaboration publicly? Will one party take the lead?
- What will be the outcome of the collaboration? If there is any material developed, who will control how this is used? *Many partners start by promising "joint ownership" because it feels in the spirit of collaboration. And joint ownership can be fine, you just need to anticipate and agree how any material will be used in the future. Otherwise you risk a stalemate with no one being able to use the material produced.*
- Will any personal information be used or exchanged under the collaboration? *The incoming General Data Protection Regulation places the burden of proactive compliance squarely on your shoulders, and so you need to consider personal information from the outset. For example, if you track visitor information and share this with your partner, you will need to have data sharing provisions in place from the beginning.*
- How will it end? *All collaborations come to an end. Consider at the beginning how this might happen. If you want the collaboration to continue, how much notice will you need to find a new partner?*



While many of these points seem obvious, these are the areas which often result in lawyers being brought in and (as much as I love my job) we have a unique talent for killing enthusiasm. If the collaboration involves any significant investment, content development or data sharing, you will need to have a written agreement in place. The agreement does not necessarily need to be complex, or even lengthy, but it does need to be bespoke to address the particular considerations raised by the collaboration. So please do not simply send your partner the standard supplier agreement, because this will need to be amended within an inch of its life.

Discussing these points first may also help avoid legal costs at the outset, as having a clear understanding of the details will simplify drafting and hopefully shorten negotiations. Most importantly, ensuring all parties are on the same page can avoid being dragged down by details later, hopefully sustaining that day-one enthusiasm throughout the life of the collaboration.

Molly advises a wide range of organisations, particularly those in the cultural and creative sectors, on commercial issues including brand management, data protection, marketing, fundraising and intellectual property rights.

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# University advertising: Avoiding problems with the ASA

by Iain Campbell

On 15 November 2017, the Advertising Standards Agency issued guidance to universities on the content of advertising and marketing materials aimed at attracting students.

The guidance follows on from the ASA's regulatory arm (the Committee for Advertising Practice (CAP)) upholding complaints of misleading or unsubstantiated claims against 6 universities ((University of East Anglia, Falmouth University, University of Leicester, University of Strathclyde, Teesside University and University of West London)).

The rationale for the guidance is clearly explained by the ASA – *"Choosing a University can be a difficult decision and a big commitment, and it is important that advertisers do not make claims which could mislead would-be students into making the wrong decisions."* In essence, higher education is expensive and Universities, like all businesses, must observe the rules to ensure students are not misled when making their "purchasing decisions". The ASA's main focus was on those advertising statements which make comparative claims with other institutions, for example, descriptions that the university was *"a top 1% world university"* or *"We're ranked No.1 in the UK"*. So, what assistance does the new ASA guidance provide:

- **Establish what type of comparative claim is to be made** – Universities are required to consider how an applicant may interpret any claim that is made. Difficulties will result where the marketing literature refers to the institution being the "best", "No.1", or "Leading" unless the supporting evidence is there to verify the precise claim that is being made.
- **Relevant evidence** – any institution making a claim must be able to substantiate it. A complaint that advertising claims that a university was *"The UK's Number one creative university"* were upheld as being misleading as the university did not have sufficient evidence to justify such claims.
- **Ensure basis of statement is clear (and include necessary qualifications)** – when making a claim in advertising, ensure that it is clear precisely what is being stated. Making a claim to be a "top modern university" was held to be misleading as there was no clarity over what a *"modern university"* in fact was.
- **Don't exaggerate** – Universities need to ensure that any claims that are made are realistic and do not go beyond the evidence held. To claim a ranking as *"No.1 in the UK"* when relying on only part of the available evidence is not acceptable.



Iain Campbell, Partner, Hill Dickinson

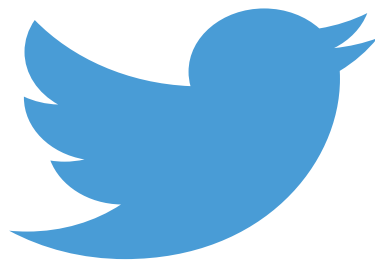
- **Verify** - the ability to verify a comparative claim is key. The Advertising Code of Conduct requires that all comparisons with identifiable competitors must be verifiable. This means that any claims that are made in marketing materials must provide a signpost to verifiable information from which the comparison has been drawn. So, make no more claims of being *"World Leaders"* without proper justification.

Marketing Departments in all institutions are likely to start reviewing existing marketing materials for comparative claims and ensuring that any such claims are clear, reasoned, verifiable and justified. Getting it wrong may result in actions from the ASA/CAP (which may include seeking undertakings from institutions to comply in future and forcing the withdrawal of unverifiable claims) and negative publicity. In addition, marketing materials will need to be changed. Persistent offenders could also be referred to trading standards officers and ultimately face imposition of fines. None of this is particularly attractive to organisations trying to encourage an increased take-up by students. The increased commercialisation of academic life has been much commented on in recent years as the amounts students are required to commit to funding their higher education has increased. The latest rulings and guidance from the ASA is further evidence of the fact that the rules that apply to all commercial entities apply equally to Universities.

**Iain Campbell** is a partner at leading national law firm Hill Dickinson LLP specialising in advising Higher Education institutions and **Moya Clifford** is a Professional Support Lawyer at Hill Dickinson LLP.



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DTUK000544\_03/17



# Let's talk...

Meet **Nicola Milton**, Commercial Manager at Defence Science and Technology Laboratory (Dstl)...

*How long have you worked at Dstl?*

Two Years.

*What do you most enjoy about your job?*

The variety, I am in a team that look after the corporate services for site so everything the scientists need to perform their roles from buildings and IT to travel is managed within the team.

*How did you get into procurement?*

Since I was in school I was fascinated by computers, I have several qualifications in IT. I stated working for an IT company and decided it wasn't a job for me, a role came up in buying IT equipment in 2008 and I was successful due to my IT knowledge. I started the role and realised it was a natural fit as most of the activities I undertake in my personal life to ensure value for money was very similar to procurement roles.

*What's the most difficult aspect?*

As I am responsible for public money, ensuring that each contract I award is a requirement for the organisation and each purchase would stand up to public scrutiny.

*If you weren't in procurement, what would you be doing?*

I would probably be in IT still fixing hardware.

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

A Yeti hard cooler that is certified bear proof and the video evidence can be found on their website.

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

It ensures compliant purchases that can be consolidated by the use of frameworks and ultimately ensure value for money for the organisation.

*Dstl is a member of LUPC – what do you think have been the main benefits of joining the consortium?*

By joining LUPC we now have an alternative route to market and we have found that as most of our purchases reflect what universities are buying there are many frameworks we can utilise rather than placing one off contracts for some of the goods.

*What are the key challenges ahead for your institution?*

As Dstl works within the defence sector you can never be sure what work will be required to be completed and commercially this is a challenge.

*What achievement are you most proud of (and why)?*

Professionally I would have to say getting promoted to a commercial manager in 2017 after only working within the team for a year.

*What was the last film you saw/book you read?*

The last film I saw was *The Greatest Showman* and the last book I read was Terry Pratchett's *Wyrd Sisters*.



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# Innovation at the University of Wolverhampton Transforms Formula One and Formula Three Automotive Design and Racing

By Mike Leach, Lenovo Workstation Technologist

If you're looking for a winning record in racing innovation and performance, where do you go? Daytona Beach? Monaco? The Autobahn? Look again – at the University of Wolverhampton Racing (UWR) in Telford, England; a trailblazing university program innovating car manufacturing and racing from the ground up.

The university engineering program is providing its students with a once-in-a-lifetime opportunity to gain industry experience by working as a professional team in competitive racing. Throughout the course of their education, the students' skills and stamina are put to the test as they are tasked with creating cars that can race the fastest laps and compete effectively against professional national and international racing teams with world-class drivers.

Working out of next-generation workshops, the four UWR racing teams, made up of primarily students, design and assemble every component of their cars to compete in several racing competitions. Among the teams is the Formula Three (F3) team, the first and only university-based team to enter the F3 Cup Championship. This successful team, run professionally by the UWR engineering students, is regularly competing in professional races – and winning. So far, this hands-on approach has ensured 100 percent of UWR's students are working in the automotive industry upon graduation.

UWR takes a data-driven approach to design and race performance. First, students run simulations using various programs to experiment before committing to an official design. Once the design is selected, students move into creating various parts of the car from scratch – combining techniques and materials that are completely new to the race track – and bring those new components to life through complex machining and 3D printing. Then it's time to put the car to the test. Every

car designed by UWR includes built-in software recording for everything from lap times to component performance – allowing students to analyze past races and optimize for the future. To gain the winning edge, UWR teams need hardware that can keep up. Given the program's varied workload and fast pace, every workstation in every lab must run every application, so students can maintain continuous workflows anytime, anywhere. That's where Lenovo comes in. UWR recently stocked its innovative workshop with Lenovo Workstations – allowing the students to seamlessly accomplish everything from heavy data analysis to component design and 3D printing. For the most graphic-intensive work, the students rely on the ThinkStation P900 series to deliver ultimate computational performance that keeps their projects running smoothly.

The team's advanced technology has secured the program a worldwide reputation for automotive innovation and expertise. The ideas and machinery of the F3 team have even persuaded F1 teams to outsource design and manufacturing to UWR, with the F3 team securing a valuable collaborative contract with the Morgan Motor Company.

Race by race, UWR innovations are becoming the new industry standards, attracting the attention of companies like Aston Martin, Rolls Royce and Formula One racing teams. These companies know talent when they see it, and now they are launching the brilliant students of UWR into the industry, one race at a time.

To learn more about the UWR program, visit:  
[wlv.ac.uk/about-us/our-schools-and-institutes/faculty-of-science-and-engineering/uwracing/](http://wlv.ac.uk/about-us/our-schools-and-institutes/faculty-of-science-and-engineering/uwracing/)



# GDPR - Do You Need Balanced Data Privacy Law Advice?

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- data breach management
- establishing the scope of a public body's 'public tasks'
- new government procurement approach to GDPR

**For a free no obligation discussion of your legal issues, please contact Serena Tierney at [stierney@vwv.co.uk](mailto:stierney@vwv.co.uk) or on 020 665 0817.**