

Procurement Bill [HL]

AMENDMENTS TO BE MOVED ON REPORT

Clause 11

LORD HUNT OF KINGS HEATH

Page 8, line 38, at end insert –

“(e) accessibility of procured goods, services or works to disabled people.”

BARONESS WORTHINGTON

Page 8, line 43, at end insert –

“(4) In this section, “public benefit” means economic, social and environmental benefits, including but not limited to benefits through social impacts and environmental gain in mitigating and adapting to climate change and reducing biodiversity loss.”

After Clause 53

LORD HUNT OF KINGS HEATH

Insert the following new Clause –

“Technical specification and disabled persons

- (1) For all procurement which is intended for use by natural persons, whether the general public or staff of the contracting authority, the procurement documents must, except in duly justified cases, be drawn up so as to take into account the accessibility of procured goods, services or works to disabled persons.
- (2) The Equality and Human Rights Commission must give guidance to contracting authorities in relation to the duty imposed by subsection (1).
- (3) Before giving guidance under subsection (2) the Commission must consult such persons, including bodies representing disabled persons, as they consider appropriate.
- (4) In drawing up the procurement documents, a contracting authority must have regard to the guidance given under subsection (2).”

After Clause 101

BARONESS STROUD
LORD ALTON OF LIVERPOOL
LORD COAKER
BARONESS SMITH OF NEWNHAM

Insert the following new Clause—

“Supply chain resilience against economic coercion and slavery

- (1) The Secretary of State must by regulations make provision for reducing the dependency of public bodies upon goods and services which originate in whole or in part in a country considered by the United Kingdom as either a systemic competitor or a threat.
- (2) A country is “considered by the United Kingdom as either a systemic competitor or a threat” if it was defined as such in the latest Integrated Review of Security, Defence, Development and Foreign Policy.
- (3) The regulations under subsection (1) may, in particular, include—
 - (a) provision for an annual review of the dependency of public bodies upon countries which are considered by the United Kingdom as systemic competitors or threats;
 - (b) provision for the setting of acceptable dependency thresholds across all categories of public procurement.
- (4) The Secretary of State must by regulations make provision for eradicating from all public contracts goods or services that are tainted by slavery and human trafficking.
- (5) The regulations under subsection (4) may, in particular, include—
 - (a) provision in connection with the processes to be followed by public bodies in the procurement of goods or services for the purposes of public contracts;
 - (b) provision as to steps that must be taken by public bodies for assessing and addressing the risk of slavery and human trafficking taking place in relation to people involved in public bodies’ supply chains;
 - (c) provision as to matters for which provision must be made in contracts for goods or services entered into by public bodies;
 - (d) provision as to the standards of disclosure and transparency required for all contractors or prospective contractors, which must, at a minimum, include publication and verification of information about the country of origin of all sourcing inputs in their supply chain;
 - (e) provision for the public disclosure of the names of contractors or prospective contractors whose supply chains are considered tainted by slavery and human trafficking;
 - (f) provision for the publication and dissemination of a risk register detailing areas from which goods cannot be sourced without unreasonable risk of slavery and human trafficking being present in supply chains.
- (6) In this section—

“public body” means a body exercising functions of a public nature;

After Clause 101 - continued

“slavery and human trafficking” has the meaning given by section 54(12) of the Modern Slavery Act 2015;

goods or services are “tainted” by slavery and human trafficking if slavery and human trafficking take place in relation to anyone involved in the supply chain for providing those goods or services.”

Member’s explanatory statement

The amendment seeks to improve the UK’s supply chain resilience against dependency and human rights abuse by creating a double regulation making power: to enable the Government to develop a plan to address dependency throughout public procurement; and to bring the human rights standards of wider public procurement in line with the procurement standards of the Department of Health and Social Care.

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16 November 2022
