

**BUILDING BETTER
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Social procurement: an opportunity to build sustainable communities

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Abstract

Social procurement is a powerful tool for addressing targeted aspects of social disparity while also purchasing required products, services or supplies. Infrastructure development, for instance, can also deliver training within a community, employment for local people, or other social benefits as part of the conditions of that development contract. Social procurement has been adopted in Europe, Canada, America and Australia, among other countries, for over 40 years as a means to achieve community development and social equity, but application of this tool has been limited and is only recent in New Zealand.

The opportunities for leveraging social procurement for enhancing a local community when change occurs are considered as they apply to New Zealand more generally but specifically Auckland and in the suburb of Glen Innes. The process for development of a framework for social procurement at Auckland Council is outlined and the efficacy of 'test cases' and identified achievements are discussed.

Information has been sourced from literature, interviews with local government representatives, developers, planners and designers, procurement participants were interviewed about their experiences with social procurement, and the benefits they thought could be returned to the community. The application of social procurement to help build a resilient and sustainable community is considered in Glen Innes, a suburb under large scale change, and the focus of a National Science Challenge research initiative of Building Better Homes Towns and Cities.

The conclusion drawn is that social procurement can deliver benefit to under-resourced communities. Social procurement can be used to reduce poverty and enhance social inclusion and community economic development and sustainability, through training, employment, the use of local businesses and materials, as well as provision of needed resources. Although its adoption by Tāmaki Regeneration Company and Auckland Council is in its infancy there are already 'wins on the board.' The tool needs to be given much greater emphasis and commitment by local and national government and all relevant parties. Social goals need to be developed which recognise the importance of achieving social equity and resilience and can be supported through procurement, especially for larger and longer-term contracts. The outcomes need adequate weighting attributed, and to be monitored and well-managed so that there is genuine benefit; and currently deprived communities can move towards greater vitality and resilience. Private and social entrepreneurs, education providers, non-government organisations, Auckland Council, and Iwi have begun to generate social benefit through social procurement. Strong leadership from Government, particularly for larger, longer term contracts would attract greater commitment from suppliers, and greater benefit for communities.

Key words: Social procurement, social justice, community sustainability, cultural well-being

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1. Introduction

Social procurement to achieve social outcomes as well as provide needed services or supplies has been used as a dual tool since the 19th century. Social procurement refers to a strategic approach to meeting social and economic objectives through contractual purchase of goods, products and services: procurement. Other definitions to explain the term are: ‘an innovative market-based opportunity to create social impact through existing purchasing.’ Social procurement is a tool for ‘ensuring the purchase of goods, services or products generates maximum social value;’ and, ‘the use of purchasing power to create social value; or in the public sector, ‘the utilisation of procurement strategies to support social policy objectives.’ This is achieved by a clause or clauses in a procurement contract which seek a social value or social benefit through a usually weighted procurement evaluation process. Social benefit or social value applies to a range of outcomes which may include poverty reduction, community economic development, social inclusion, and employment and training opportunities.’ Governments’ attention in the 19th century was on labour conditions and fair wages.

Modern procurement systems are argued to have evolved alongside the development of the welfare state, and helped to support welfare goals. However, with greater reliance on neo-liberal economic policies over the past 40 years, social procurement has become an important tool to provide for social issues no longer effectively or otherwise addressed. The welfare state is under extreme pressure, with rapid growth, price competition, globalisation, discrimination, and neo-liberal policies (as well as unsustainable practices) driving competition for scarce resources, but social procurement has now become accepted as a viable tool to address some social policy issues.

Governments in the West adopted neo-liberal economic policies with vigour during the Thatcher/ Regan era (from the 1980’s) as a perceived means of achieving better governance. Margaret Thatcher said that ‘there is no alternative.’ The basis of these policies is market determination of efficiency and competition. However, markets leave little or no choice for those in a poverty cycle with very limited ability to engage. Neo-liberal policy agendas have extended this economic disparity. As a market-based means to address social inequity, administrators in the US and Europe added social benefit to the three previously adopted policy aspects of procurement of goods and services: that is price, quality, and environmental responsibility. These four (price, quality, environment and social benefit) have been termed

‘sustainable procurement.’ Thus began a more focused interest by governments, cities and companies in Europe, Canada, the US and Australia in social procurement as part of purchasing goods and services: using the market to respond to a social agenda.

Social procurement can return social benefit because, through identifying what benefits can be achieved, and prioritising how much these benefits are valued and therefore prioritised by the purchasing organisation, a cost-effective means of social value can be provided for a community. Social procurement is thought to achieve openness, fairness, competitiveness and consistency. The social benefits align spending and purchasing activities with public policy objectives, and businesses have ‘shown willingness to meet contractual obligations and sharpen competitive advantage.’ Social procurement can bring the purchase of works and services, on which agencies such as central, provincial and local government as well as semi-public agencies spend large sums, together with purchasing to achieve social justice. The tool fits into the neo-liberal economic paradigm of market demand, but at the same time addresses community deprivation, unemployment, or other social aspects not provided for by market forces. It has both economic and social outcomes. Social procurement does not demand a line budget item from a government provider for that social aspect, although it does not respond to all social justice aspects.

However, overseas reviews have found that there are real and perceived barriers to changing the culture, policy and practice of procurement to ensure social procurement is effective. Careful and focused efforts are needed to introduce policy and regulation, train staff, develop new business relationships and address barriers. This paper reflects on the introduction and outcomes of social procurement policy into New Zealand, and the likely development of a consistent and effective social procurement approach in Auckland, and the suburb of Glen Innes as an example of a neighbourhood under intense change and economic and social pressure.

The process for development of a framework for social procurement with Auckland Council is outlined and the efficacy of ‘test cases’ and identified achievements discussed. Information has been sourced from literature, interviews with Council and design consulting staff, and in Glen Innes Tāmaki Regeneration Company as procurers, and suppliers. Social procurement participants were interviewed on their experiences with social procurement, and the benefits they thought could be returned to the community. The application of social procurement help build a resilient and sustainable community is considered in Glen Innes, the focus of a National Science Challenge research initiative of Building Better Homes Towns and Cities.

2. Background

Procurement contracts have been adopted since the early 20th century to address unemployment, working conditions and fair wages, and as a tool for labour standards, as well as to address racial inequality and gender discrimination. While procurement was not the only tool it was found effective for 'affirmative action.' The threat of termination of contracts for non-compliance with human rights requirements, child labour employment or principles of non-discrimination was an effective means to advance social policy. As means to address broad inequity issues were considered, those affecting Indigenous peoples were raised by such agencies as the World Bank in the 1990's, in their consideration of environmentally and socially sustainable development. The challenge was to incorporate diversity into development planning through participation and capacity training. Other social thought leaders in Europe identified the asymmetry between policies promoting market efficiency and policies promoting social protection and equality, and promoted building social capital through partnerships with suppliers in public procurement.

A further aspect was the movement which commenced in the 1990's to modify corporate behaviour. Termed Corporate Social Responsibility (CSR), this addresses product production, human resources and governance. CSR aims to integrate social as well as environmental concerns into business culture on a voluntary basis. Starting as a neo-liberal approach (to minimise government regulation) it has developed into leadership for socially responsible investment and support for social procurement. Social procurement policies were adopted at city, government and company level as well as through such international organisations as the International Labour Organisation. By 2004 the use of public procurement to achieve social benefits was 'widespread.'

The European Commission issued directives in 2004 and again in 2011 as well as a social buying guide. The guide was for public authorities as well as private sector purchasers. It noted the sizeable command of the market and that socially responsible public procurement could use that purchasing power 'to opt for goods and services that also deliver good social outcomes.' The directives allow contracting authorities to make better use of public procurement in support of common social goals. These goals include the protection of the environment, energy efficiency, combating climate change, promoting innovation, employment and social inclusion and ensuring the best possible conditions for the provision of high quality social services. They note, 'socially-responsible public procurement is a strategic tool to drive social and labour policies forward in an effective manner.'

Central, provincial and city governments in Europe (including the UK), Canada and Australia have developed regulation and policy on social procurement over the recent 15 years or so, with slightly different emphases. Europe's approach was permissive and encouraged: it was not mandatory until 2016 through national legislation. The policy approach includes buying ethical products and services, creation of job opportunities, 'decent' work, gender equality, social and professional inclusion and better conditions for disabled and disadvantaged people. It also includes not-for-profit social enterprises and 'set-asides' or reserved contracts for disadvantaged people. The UK regulations 2015 note the different stages of the procurement process and compliance requirements; with exclusion of suppliers who have violated certain labour, social or environmental laws. The goal of the City of Toronto Social Procurement Program is poverty reduction and recognises that poverty 'disproportionately and systematically affects some population groups more than others.' These groups include Indigenous, and racial minorities provided for in an Equity Impact Statement.

Both Canadian and Australian Federal governments, as well as provincial governments have introduced regulations to support and encourage Small to Medium-sized Indigenous business enterprises. The Australian Government's rationale is that, 'Indigenous enterprises are around 100 times more likely to employ Indigenous people than non-Indigenous enterprises, and so by strengthening the Indigenous business sector there will be flow-on benefit for Indigenous employment.' This Indigenous Procurement Policy is mandatory and in 2017 numbers and values of contracts awarded were published. The summary states that all portfolio areas exceeded the 3 per cent target for the second year.

3. What is social procurement and how does it work?

The term social procurement is 'an innovative market-based opportunity to create social impact through existing purchasing.' The purpose of social procurement is to address complex social issues including unemployment, discrimination and poverty through existing purchase contracts. 'Social procurement aims to build connections between communities and employers, and to build the capacity of communities to gain employment.' Social procurement strategies are usually implemented by a social procurement clause 'embedded into contracts to ensure that the purchase of goods or services have an equitable impact.' This is achieved by weighting social procurement clauses in a contract so that contract bids with beneficial proposals are given greater weight.

Policies and regulations have been introduced to ensure that the money that central and local government and companies spend on goods, works and services delivers social outcomes, or Social return on investment (SROI). Procurement strategies that value SROI can enable workforce and hiring, purchasing, and investment policies, which may apply to specific programmes, or across an institution, such as local government.

There is some ambivalence in the academic literature as well as government policy about the breadth of application of social procurement as well as the term 'sustainable procurement.' This sometimes includes 'green procurement' but not social procurement. Care is needed in distinguishing what is intended in each instance. In addition, evaluations indicate that one size does not fit all, and that the social procurement approach should be applied to the appropriate contracts and contexts. The topic has produced blogs and more recent consultant-written advice and promotion documents. This includes how to write social clauses, on measurement and evaluation, as well as a toolbox and tips for Indigenous procurement. This activity reflects the size and value of the contract field and the growing interest.

Social procurement has been adopted by cities, provinces such as Ontario, and Queensland and national governments overseas, together with monitoring and reviews of policy and application. Reviews conducted in Canada of Federal and Provincial benefits of social procurement indicate that although changes are needed to better embed the policies, there are both social and economic benefits to be gained.

As an example of social procurement clauses in a contract a consultant advised: In the UK we required the contractor on a large project to meet, and report on, a quota of 'local' staff usage on the project. Local was defined as certain boroughs through which the project passed (it was a railway line) and I believe the Key Performance Indicator was around number of people (as opposed to \$\$\$ through locally based businesses).

A contracting firm contacted had experience from mining contracts in Australia where a quota of Aboriginal and Torres Island employees was required in the contract and this was achieved with success through local involvement. Such affirmative employment clauses have been encouraged and required by Australian Provincial and Federal legislation but are not widely adopted through procurement clauses in New Zealand.

4. Social procurement in New Zealand

The Australian and New Zealand Framework for Sustainable Procurement (2007) was released as a government project in New Zealand. This does not appear to have given emphasis to social issues, and social procurement seems still at the Treasury/Ministry of Business Innovation and Employment working group stage, although there is anecdotal information that interest is growing. A pilot project with central government may be a practical means to develop skills, training and leadership, and resolve issues. Clear leadership on social procurement would help to implement what could be a powerful tool for New Zealand communities, for addressing social disparity.

A key aspect of successful social procurement is the setting of clear goals and the positive weighting of social clauses so that those outcomes can be monitored and addressed, according to the opportunities a contract presents. Design consultants contacted had some knowledge about policy response through social procurement and note that it needs to be outcomes driven and is a 'huge challenge' to make happen at the systems level. Evaluation criteria need careful consideration as does the weighting in assessment, the measures used, monitoring methods, and identifying the social benefits. Education and industry training is also needed.

An ISO Standard on Sustainable Procurement was noted in discussion with procurement staff at Auckland Council, but this contains no cultural aspects. However, there are examples in New Zealand of the innovative application of social procurement. Agreements between the developer of Pegasus Town, Canterbury, and mana whenua resulted in funding for a kaimahi/liaison person. This role 'lead to many positive outcomes for mana whenua, including employment of mana whenua as fieldworkers and resourcing of a mana whenua advisory group to enable regular feedback on designs and plans throughout the duration of the development process. Benefit in this case appears to have been driven by the resource management context, as much as procurement.

Larger contracting firms have experience in longer term contracts which seek the development of skills as well as specific employment through social procurement clauses. They note that such contracts need time to engage with employees or trainees from a community and that the contractor needs to have established processes to properly resource and support such employees so that a positive outcome is obtained. Design staff explain that social procurement requires commitment, and although social procurement may be a 'liked concept' among procurers, they have gained an impression that the contribution to a social agenda has not been taken seriously in decisions on contracts bids. In large infrastructure contracts, for

instance, a social component may often be a small part of other larger factors or weightings and may be insufficiently valued to ensure that well-targeted social benefits result. A construction company manager noted that their firm could not get 'too far ahead,' if social procurement was not genuinely wanted. They could respond well if it came to be commonplace, and already invest in community engagement such as with schools, and in Māori leadership and training. There was thought to be potential power in social procurement, but the goals needed to be weighted and the aims clear.

5. Social procurement in Auckland

Auckland Council has a Procurement Strategy, and a Group Procurement Policy, and both explicitly refer to social return; to use procurement processes to support Te Tiriti o Waitangi/The Treaty of Waitangi relationships; and Māori communities. They are in turn linked to Auckland Council's sustainability goals.

Current application of social procurement clauses in contracts at Auckland Council though depends on the views and enthusiasm of project managers, and their willingness to adopt social procurement goals. A staff member noted that she had never seen a contract supporting social objectives which was not driven by passionate project managers. Project managers in The Southern Initiative, which is a section of Auckland Council based in South Auckland with social enhancement goals, have been able to demonstrate community benefit through social procurement, including for school trainees.

The real opportunity is in supplier diversity, which Council staff saw as a game changer, referencing Australian progress with Aboriginal supplier participation, where the Commonwealth government has achieved \$1bn in contracts to Indigenous businesses since 2015 through targets in the Indigenous Procurement Policy. The previous Aboriginal Opportunities Policy was permissible but with no incentives, requirements or targets, and made little progress.

'The social enterprises and Māori and Pasifika businesses that have been contracted or sub-contracted in the procurements we are involved in are achieving one new entrant per \$25-35k of contract value. CRL has targets on Māori, Pasifika and socially innovative businesses. We have established He Waka Eke Noa as a proxy Supply Nation to facilitate CRL and are working with other clients to introduce supplier diversity targets,' staff advised.

There are obstacles to be overcome and sometimes trade-offs have been made including design quality objectives. In 2016-2017 likely less than 40 contracts had social procurement objectives. Social procurement initiatives which have been achieved include trades training (Auckland Transport includes this aspect in tenders as a weighted attribute); building skills through social procurement (although the main focus has been on trainees); inclusion of Māori and Pasifika enterprises in procurement, and tenderer meetings to encourage engagement in social procurement goals. A key aspect of social procurement is not so much labour employment but 'progressive accelerated professional development', so that those disadvantaged communities can be assisted from the poverty cycle through greater skills and salary increases through acquiring enhanced professional abilities. Auckland Council TSI has salary milestones which they monitor as part of the procurement process. This addresses inequality and is effective in 'creating shared prosperity' rather than encouraging provision of low paying labouring jobs. This thinking aligns with that addressed in the UK, through the term 'decent work,' which refers to employment with meaning, purpose, skills and the ability to improve incomes.

Auckland Council has developed a framework for the introduction of social procurement which includes a cultural aspect, (Principle 2 out of 5 principles is Value to Te Ao Māori), and approved the framework in 2017. The Auckland Council Group Procurement Policy applies to all Council Controlled Organisations. The purpose of the policy is consistency of procurement, and the proposed framework is based on driving social, economic, environmental and cultural well-being. Although social procurement is written into the document, this is not explicit, in contrast to other city documents overseas.

A procurement enabling technology called Ariba has already been set up by Auckland Council with the intention that construction, technical services and works can all be monitored through online management systems. Through group procurement Māori businesses could be encouraged, apprentice training developed and social procurement incorporated into the planning process. After initial test cases the Council has found that social procurement objectives need to be followed up after the contract has been let. The review of the Auaunga (Oakley Creek) project found that integrated social procurement needed to be instigated early into the project, with a focus on community engagement and youth employment. It was not seen as an add-on at the procurement stage.

Procurement staff at the Council agreed that staff training and upskilling would be needed in the next stages of implementation. Council's research department RIMU could review and

publish exemplar procurement projects (as with the Auaunga Project). Case studies could be used in conjunction with staff communication and training so that adoption was not left to the few leaders with a passion for community equity. Much attention has been given to social procurement in the Council recently and the Mayor has given support to additional staffing for a social procurement team.

6. Stakeholder views

Social procurement is quite a complex system and there are various agencies involved. The government could use the strength of the private sector to achieve better social outcomes that cross a number of sectors including Ministry of Housing, Ministry for Social Development, Ministry of Education, Ministry of Justice, Police, and New Zealand Transport Agency. A design consultant commented that the building industry could be a leader, with the significant capital investment with which it is entrusted. The private sector could also be a catalyst for positive change.

Understanding the context of what/how social investment (including procurement) fits within the government system and understanding government outcomes would be a good place to start expanding the role of social procurement. Examples of social benefit which procurement might provide include: reduction of repeat criminal offending, reduction of critical care waiting times, and lower unemployment. Integrating social policy objectives through a programme/project in turn could inform procurement what that activity needed to deliver. A number of the benefits of social procurement are non-monetary, and are also derived from social policy/programmes delivered by a range of social entrepreneurs who may be private or non-government organisations. This is in line with findings from a Canadian review study.

A consultant noted that people have been grappling with this topic for a very, very long time, but progress is being made, albeit a little slower than the community would like. Other project managers agree that long term projects fit best with a social procurement agenda and explain that they are beneficial where infrastructure can be taken over and utilised by a community, such as a plant nursery established for a project, thus continuing trainee employment as well as extending environmental outcomes. Short term office experience can also provide job-ready students and recent graduates, as part of social procurement. They noted Auckland experience with apprentice schemes and working with community groups to establish Key Performance Indicators as benefits provided by social procurement contracts. Mentoring work experience candidates has also provided support to particular communities such as from South Auckland.

Measurement tools have yet to be developed and appear not to have been used on these contracts, but they note that even individual cases can be transformative enough to affect change in a community.

7. Glen Innes benefits from social procurement

The Tāmaki Regeneration Company is undertaking regeneration affecting how people live, and their values and choices. Building change now appears sweeping and rapid but ten years previously property change was ‘non-existent. ‘The sense of pride and care for the future was absent. The retail area consisted of alcohol sales and \$2 shops. There was no feeling of safety, a property developer commented and thought there had been a successful approach for encouraging reinvestment. ‘There are now For Sale signs and two real estate agencies working in the area. So it has taken 10 years to go from unloved, to starting to happen: regeneration.’

The Tāmaki Regeneration Company (TRC) has initiated a process to achieve social outcomes through procurement. They see this involving dialogue with contractors, driven by policy which is derived from the strategic priorities for TRC. The four strategic priorities are: social transformation, economic development, place-making and housing. Place-making includes the provision and development of public open space, lighting, views, markets, and pathways. All contractors are obliged to return a benefit to the community which is termed ‘the Tāmaki Contribution.’ This approximately 1% of the total contract value is to be invested back into the community.

‘We procure social and economic outcomes through the physical design of our neighbourhoods, and through local employment through our jobs and skills hub. This flows through into a clause in developers’ contracts. In addition we support social procurement in our contracts with support for our contract partners to be able achieve these outcomes.

We invest heavily in a partnership with TRC, the Chamber of Commerce, BCITO, MSD, MBIE to get our locals ready for employment opportunities (work readiness), then actively work with employers to match employees to appropriate jobs, and then mentor our local employees for up to a year to ensure the job is sustainable. We also involve community members on our evaluation panels in some cases.’ (TRC).

Examples of social procurement contracts have been diverse and include uniforms for sports teams, scholarships, work experience, and employment through a hub in Tāmaki. Through this hub 274 people have been employed from the community in 2.5 years, providing recruitment

for developers and contractors, and a level of employment which otherwise would not have been reached. The local chamber of commerce provides community information and the project is building relationships with contractors to enhance economic development. The commercial environment is challenging. It keeps us honest as guardians of the TRC principles. We are doing this differently here (TRC). There is a mix of state social housing being retained in state ownership, as well as affordable housing.

Young social enterprise groups are now being initiated, such as Flipping East, and are delivering social benefit and hope in the community. A thought leader in this field states: Buying from a social enterprise is one of the easiest and most effective ways of breaking the cycle of disadvantage and strengthening (Australian) communities. This is also assisting social regeneration and sustainability within Glen Innes. TRC also support local entrepreneurs such as through 'River talks', a community learning project, and other local events.

8. Conclusion

There is a clear need for multiple means to address poverty, community disparity and the long term effects of colonisation on communities. There have been signs of social disparity for over a century and now increasing recognition of homelessness, poverty and the social and cultural impacts of colonisation and neo-liberal economic policies. Policies applied by successive Governments in the last 40 years in New Zealand have exacerbated social impacts and Governments have shown very limited ability to address these issues.

Europe, particularly the UK, as well as Canada, the US, and Australia have tested social procurement delivery and found this beneficial, particularly when social procurement is mandatory, targets are clear, and are monitored. Australian Commonwealth government experience with required supplier diversity has seen a huge increase in contracts let to Indigenous businesses since 2015. Social procurement policies adopted much more widely and effectively with strong commitment to diversity and leadership from the Government could be a useful tool to address the social issues in the wider community.

Glen Innes is an example of a community facing disruption and change where particular attention to social procurement which includes employment training as that change is implemented, has already been demonstrated to be a social compensation and enhancement tool.

As the most socially deprived sector of society it is critical that social procurement be beneficial to Māori communities. Now, while central and local government and allied agencies have many building and infrastructure development projects underway, is an ideal time to implement mandatory social procurement policies with clear targets, to achieve greater community equity, and to monitor the benefits of social procurement to those less resourced. Strong leadership from government sectors is required to leverage this development tool for social equity and resilience.

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