

# Catering for Change

## Buying food sustainably in the public sector

Scottish Procurement Directorate

Scottish Food and Drink Industry Division

January 2011

# Catering for Change

## Buying food sustainably in the public sector

Scottish Procurement Directorate

Scottish Food and Drink Industry Division

January 2011

© Crown copyright 2011

ISBN: 978-0-7559-9883-8

The Scottish Government  
St Andrew's House  
Edinburgh  
EH1 3DG

Produced for the Scottish Government by APS Group Scotland  
DPPAS11087 (01/11)

Published by the Scottish Government, January 2011

For further information:  
Scottish Procurement Directorate  
Scottish Government  
2nd Floor  
Europa Building  
450 Argyle Street  
Glasgow  
G2 8LG

Tel: 0141 242 5466

The text pages of this document are printed on recycled paper and are 100% recyclable

# Contents

<b>Introduction</b>	<b>3</b>
<b>Legal Background</b>	<b>4</b>
<b>What is Sustainable Procurement?</b>	<b>4</b>
<b>The Scottish Sustainable Procurement Action Plan</b>	<b>4</b>
<b>Developing a Sustainable Food Procurement Policy</b>	<b>5</b>
<b>Sustainable Food Procurement – Objectives</b>	<b>5</b>
<b>Value for Money</b>	<b>6</b>
<b>Sustainable Development Principles in Relation to Sustainable Food Procurement</b>	<b>7</b>
<b>Sustainable Food and the Procurement Process</b>	<b>8</b>
<b>The Procurement Journey</b>	<b>8</b>
<b>Planning, Specifying and Structuring the Requirement</b>	<b>8</b>
<b>Protected Designated Origin and Protected Geographical Indication</b>	<b>10</b>
<b>Fair Trade</b>	<b>10</b>
<b>Climate Change</b>	<b>10</b>
<b>Community Benefits</b>	<b>11</b>
<b>Advertising the Requirement</b>	<b>11</b>
<b>Selection of Tenderers</b>	<b>13</b>
<b>Tender Evaluation and Contract Award</b>	<b>13</b>
<b>Contract Management</b>	<b>14</b>
<b>Food Safety and Contract Management</b>	<b>14</b>
<b>Sustainable Procurement Checklist</b>	<b>15</b>

## Introduction

This guidance is aimed at anyone who is involved in the procurement of food or catering services in the Scottish public sector. It tells you how you can use procurement to support economic growth, contribute to health improvement and address national and local climate change targets. Although this guide generally refers to the procurement of food, its principles and its content are equally applicable whether you are buying food directly or using a catering provider.

Where the food and drink we buy comes from is of increasing importance to people across Scotland. It is important for our economy – one in every five manufacturing jobs in Scotland is in the food and drink industry. How we buy food and drink can improve the health, education, animal welfare standards and strength of our communities.

We can also protect the environment. The Food Climate Research Network estimates that in 2008, the food industry produced between 20 and 30 per cent of the greenhouse gases<sup>1</sup> that cause global warming.

Procurement legislation means that the public sector must be open, fair and transparent in the way we buy goods and services. This guide, which replaces guidance first published in 2004, shows you how to buy food sustainably, in a manner consistent with procurement legislation.

You can do this, for example, by:

- specifying fresh and seasonal produce in tender documents
- removing barriers which stop small businesses bidding for work
- structuring contracts in a way that attracts a wide range of suppliers
- working with your suppliers
- addressing quality and nutrition
- buying food which will help to meet the Scottish Dietary Goals
- taking account of how food has been produced and processed
- thinking about its distribution
- considering animal welfare

For more information contact:

Scottish Procurement Directorate  
Scottish Government  
2<sup>nd</sup> Floor  
Europa Building  
450 Argyle St  
Glasgow G2 8LG

[spdccommunications@scotland.gsi.gov.uk](mailto:spdccommunications@scotland.gsi.gov.uk)

---

<sup>1</sup> <http://www.fcrn.org.uk/fcrnPublications/index.php?id=6>

## Legal Background

Procurement legislation for the purpose of this guide includes, but is not limited to:

- EU Treaty obligations
- EU Procurement Directives
- The Public Contracts (Scotland) Regulations
- European Court of Justice and national case law

This legislation is intended, amongst other things, to protect and foster open and transparent public procurement across EU Member States.

This means, for example:

- when selecting or pre-qualifying potential bidders, where they are located within the EU cannot be taken into account
- when evaluating tenders, where the food originates or is processed cannot be taken into account
- “food miles” i.e. the distance food travels, cannot be taken into account when evaluating competing bids

European Procurement Directive 2004/18/EC clarifies how contracting authorities may contribute to the protection of the environment and the promotion of sustainable development, whilst obtaining the best possible value for money for their contracts. The Directive was implemented for Scotland by The Public Contracts (Scotland) Regulations 2006. The Scottish Sustainable Procurement Action Plan offers further advice on promoting sustainable development through procurement, and public bodies should make full use of the flexibility available to them to include sustainability issues in their food procurement activity.

Public sector food procurement can make a significant contribution towards economic, environmental, social, and health related objectives, including taking steps to encourage the involvement of smaller suppliers and improving the quality and health-giving properties of the food we buy.

## What is Sustainable Procurement?

The Scottish Sustainable Procurement Action Plan<sup>2</sup> defines sustainable procurement as “*a process whereby organisations meet their needs for goods and services, works and utilities in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society and the economy, whilst minimising damage to the environment.*” Further guidance on sustainable procurement can be found in the Action Plan.

## The Scottish Sustainable Procurement Action Plan

The Scottish Government produced the Scottish Sustainable Procurement Action Plan to assist the Scottish public sector to build sustainable procurement into corporate culture, to take proper account of sustainability in procurement activity and to be able to demonstrate how this is being achieved. The Action Plan outlines a whole organisation approach to successful sustainable procurement, in order to encourage thinking about more sustainable outcomes at the outset of the procurement process and building in sustainability when requirements are being specified.

---

<sup>2</sup> <http://www.scotland.gov.uk/Topics/Government/Procurement/policy/corporate-responsibility/sspapoct09>

The Action Plan provides generic guidance about sustainable procurement and fulfilling its ten steps will help the public sector to mainstream sustainability and contribute to achieving Best Value and meeting Climate Change obligations. It contains supporting annexes that provide guidance on a range of topics under three headings - social, economic and environmental.

## **Developing a Sustainable Food Procurement Policy**

A successful sustainable food procurement policy should be integrated into the overall strategy of any public body and can play a part in progressing organisational and national aims and objectives relating to sustainable social, economic and environmental development.

Sustainable food means food that, through its production, processing, distribution and consumption, provides a range of benefits. Food can promote sustainable development in a number of ways, including by:

- delivering the benefits of good nutritional quality
- promoting good health and education
- protecting the environment
- avoiding unnecessary use of natural resources
- contributing towards economic development

## **Sustainable Food Procurement – Objectives**

The key objectives of a sustainable food procurement policy should include the following:

- compliance with procurement legislation - this is fundamental to any public procurement and this guidance shows you how to pursue a sustainable approach to buying food without breaching legislation
- seeking opportunities to derive social, economic, and environmental benefit
- value for money, considering whole life costs
- contracts that are structured, written and advertised in such a way that they appeal to the widest possible number of suppliers, including smaller suppliers
- contributing to achievement of the Scottish Dietary Goals
- appropriate quality assurance standards for production, food safety, and animal welfare standards
- consideration of where the main sustainability impacts in food supply may be, for example, in primary production, processing, packaging or distribution

## **Value for Money**

The Scottish Procurement Policy Handbook, which applies to all public bodies, makes clear that the overarching aim of public sector procurement activity in Scotland must be the achievement of value for money for the taxpayer. The Handbook defines value for money as “the optimum combination of whole life cost and quality (or fitness for purpose) to meet the user’s requirement.”. The Handbook also says that, as part of value for money, “due regard to other relevant organisational policies is important, for example, policies in relation to corporate social responsibility/sustainability”.

Value for money does not mean necessarily buying the cheapest products available. It means that you should achieve a balance that takes account of the quality of food as well as its cost.

Sustainability is an important part of value for money in the procurement of food so this guidance note interprets value for money as the optimum combination of whole life cost, quality and sustainability.

Sustainable Development requires conscious strategy and planning.

You should measure the quality of the food you buy not only by the quality of the produce, but also by the extent that the food you buy contributes towards both your own organisation’s and national objectives, such as sustainable economic growth, community planning, health improvement and addressing climate change.



## Sustainable Development Principles in Relation to Sustainable Food Procurement

The following gives an indication of the types of objectives that your sustainable food procurement policy might help to deliver.

### **Economic**

- Secure value for money
- Avoid/Reduce waste
- Reduce energy use
- Encourage participation by social enterprises and SMEs
- Encourage new markets for sustainable foods
- Contribute to the well-being of communities
- Contribute to sustainable economic growth

### **Environmental**

- Reduce use and waste of natural resources by adopting cleaner processes and technologies
- Reduce energy input
- Protect or enhance natural resources and biodiversity
- Reduce waste (fertilisers, food and packaging)
- Reduce water use
- Reduce packaging
- Use of recycled materials in packaging

### **Social**

- Raise awareness of the benefits of healthy foods
- Increasing access to and availability of healthy food
- Contribute to food security
- Promote training and employment
- Promote animal welfare
- Recognise the value of good food, and nutrition with significant impacts for health and the environment

### **Health**

- Promote good nutrition and health
- Maintain or improve food safety and quality
- Guard against negative impacts which may be attributed to high salt, sugar, fat, some preservatives
- Positively influence the diets of staff and customers
- Contribute to the Scottish Dietary Goals

## Sustainable Food and the Procurement Process

### The Procurement Journey<sup>3</sup>

Further guidance on public procurement can be found in the Procurement Journey, which is available for use by public bodies in Scotland. It should support all levels of procurement activities and help manage the expectations of stakeholders, customers and suppliers alike. It facilitates best practice and consistency across the public sector.

### Planning, Specifying and Structuring the Requirement

#### Specifying your requirements

Procurement legislation is less concerned with what you buy than how you buy it. Public bodies are, in general, free to specify sustainable food outcomes, provided that doing so does not distort competition unreasonably, or discriminate against products and suppliers from other EU Member States or from elsewhere in the UK. It is at this stage, when requirements are being specified, that food sustainability issues can have their greatest impact. It is much easier and more cost-effective to build sustainability into the procurement process at the outset, when requirements are being drawn up, than later in the process.

#### Building in sustainability at the outset

As stated earlier, value for money is the optimum combination of cost, quality and sustainability. The advantage of building in sustainability at the outset is that all tenderers will have to satisfy that minimum level. That will make it easier for you to ensure that your contract delivers sustainable outcomes.

#### What sort of things should you think about?

In planning and specifying requirements for food and catering contracts, you should think about what type of suppliers the contract requirement is likely to attract and what you want from your contract. You can also set reasonable requirements relating to quality and service, provided they are not intended to discriminate against non-local suppliers. Your strategy might include consideration of the following, some of which are explained in more detail later in this guidance:

- specifying more fresh, seasonal produce and fewer fruit, vegetables or other produce that has to come from further afield
- specifying recognised quality standards
- placing an obligation in the contract for recording the origin of the produce being supplied and for supplying regular management information
- building into the contract regular meetings to discuss with the contractor on a voluntary basis any further progress that can be made to improve the sustainability of the contract
- the healthy characteristics of food and quality requirements
- shelf life
- specifying Protected Geographical Indication and Protected Designation of Origin standards where justified by menu requirements
- traceability and recall procedures
- organic food
- Climate Change and emissions reductions obligations

---

<sup>3</sup><http://www.scotland.gov.uk/Topics/Government/Procurement/buyer-information/spd/lowlevel/Q/editmode/on/forceupdate/on>

- delivery frequencies
- equal opportunity issues including medical, ethnic, cultural, religious dietary needs
- encouraging participation and competition by as wide a range of suppliers as possible, including smaller businesses
- supplier development programmes, meet the buyer events and advertising contracts widely and in good time for the seasonal production of food
- promoting the use of product and/or geographic 'lots' during the tender process, where this is consistent with value for money. Ensure care is taken with the use of lots, as procurement Regulations prohibit public bodies from splitting contracts below EU procurement thresholds for the purpose of deliberately avoiding associated Regulations
- when appropriate, advertising sub-contracting opportunities in large contracts
- any policy to support fair trade
- opportunities, including sub-contracting opportunities, for supported businesses, social enterprises and third sector organisations
- employment and training opportunities for existing and new staff

### Quality Issues

The Scottish Government's Strategy "A Vision for Scottish Agriculture"<sup>4</sup> and the National Food and Drink Policy<sup>5</sup> promote food which is safe, nutritious and promotes well being of the individual and communities. For the procurement of food these policies are geared towards opportunities for sustainability, encouraging SMEs to compete for contracts and to promote animal welfare standards and accredited assurance standards. All those who are involved in the procurement process, including caterers and customers as well as buyers, should place an appropriate emphasis on quality, which is a key component of value for money. The influence of public sector bodies on caterers and producers can also help to drive up standards more generally with resulting benefits to wider society. Public bodies responsible for awarding contracts should be aware of this so that quality and the benefits of whole life cost are not ignored in favour of simply the lowest initial price.

### Quality Assurance Schemes

Scottish Government policy is to encourage the adoption of assurance schemes. Through the statutory functions of Trading Standards and Environmental Health, all types of businesses in the food industry are independently audited.

Suppliers must be able to demonstrate an adequate Hazard Analysis and Critical Control Point system (HACCP) which addresses the supply, preparation, packaging, storage and distribution of food. Contracts should also require the supplier to be accredited to an appropriate quality assurance scheme such as the Safe and Local Supplier Approval scheme (SALSA<sup>6</sup>), the British Retail Consortium (BRC<sup>7</sup>) Global Standard or Quality Meat Scotland<sup>8</sup>. Public procurement legislation, however, requires buyers to accept other means of proof and, when specifying products covered under assurance schemes, to provide suppliers with the opportunity of providing other evidence such as technical dossiers, auditors' reports and test reports. This is to ensure that the specification does not discriminate against producers who maintain equivalent standards but have chosen not to be accredited against a specified scheme.

<sup>4</sup> <http://www.scotland.gov.uk/Publications/2010/02/10144335/1>

<sup>5</sup> <http://www.scotland.gov.uk/Topics/Business-Industry/Food-Industry/national-strategy>

<sup>6</sup> <http://www.salsafood.co.uk/>

<sup>7</sup> <http://www.brcglobalstandards.com/standards/food/>

<sup>8</sup> <http://www.qmscotland.co.uk/index.php>

## Protected Designated Origin and Protected Geographical Indication

Protected Designated Origin (PDO) and Protected Geographical Indication (PGI) are specific European Union quality schemes that promote and protect the names of quality agricultural products and foodstuffs.

- PDO - covers agricultural products and foodstuffs which are produced, processed and prepared in a given geographical area using recognised know-how
- PGI - covers agricultural products and foodstuffs closely linked to the geographical area. At least one of the stages of production, processing or preparation takes place in the area

It is possible to specify PDO/PGI products when justified by menu requirements. For example, if menus or customers regularly demand Scotch Beef or Orkney Lamb, it is not necessary to specify "or equivalent". If specifying PGI or PDO because of quality requirements alone, however, it is necessary to add the words "or equivalent" and to consider products which meet equivalent quality criteria

Table of PGI and PDO designated products for Scotland at 2010. A full list is available via the footnote<sup>9</sup>

Product	Status	Dossier Number
Scottish farmed salmon	PGI	UK/PGI/0105/0141
Scotch lamb	PGI	UK/PGI/0117/0275
Scotch beef	PGI	UK/PGI/0117/0274
Arbroath smokies	PGI	UK/PGI/0005/0081
Shetland lamb	PDO	UK/PDO/0017/0272
Orkney beef	PDO	UK/PDO/0017/0272
Orkney lamb	PDO	UK/PDO/0017/0273

## Fair Trade

Scottish Government guidance<sup>10</sup> recommends that public procurement should support fair trade food and drink as far as possible. It is not permissible to specify only fair trade items, but the guidance explains how you can support fair trade by other means, for example by encouraging suppliers to include fairly traded options as part of their tenders and working on a voluntary basis with suppliers once contracts have been awarded.

## Climate Change

Section 44 of the Climate Change (Scotland) Act places duties on public bodies relating to climate change. The duties require that a public body must, in exercising its functions, act:

- in the way best calculated to contribute to delivery of the Act's emissions reduction targets
- in the way best calculated to deliver any statutory adaptation programme
- in a way that it considers most sustainable

<sup>9</sup> <http://ec.europa.eu/agriculture/quality/>

<sup>10</sup> [http://www.scotland.gov.uk/Topics/Government/Procurement/policy/SPPN/SPANS/policy-notes/SPPN\(2\)2005](http://www.scotland.gov.uk/Topics/Government/Procurement/policy/SPPN/SPANS/policy-notes/SPPN(2)2005)

The duties came into force on 1 January 2011 and apply to all public bodies, defined as a Scottish public authority. The Scottish Information Commissioner website contains information on Scottish public authorities.

The Act allows Ministers, by order, to require reports on compliance with climate change duties, and to designate one or more bodies or persons to monitor compliance and to carry out investigations. The Act specifically mentions that such reports might include an explanation of how an organisation's procurement policy and procurement activity have contributed to compliance with those duties.

Procurement legislation does not permit consideration of the distance travelled to deliver food, or the locality in which it is produced, as these are discriminatory criteria. There is, however, still scope for supporting climate change obligations through your food procurement contracts by, for example:

- setting reasonable requirements for delivery frequencies, seasonality, freshness and timescales for delivery
- reducing the frequency of individual journeys needed to make deliveries
- requiring suppliers to switch off their vehicle engines when making deliveries
- reducing or avoiding excessive packaging
- using recyclable materials in packaging

## **Community Benefits**

Community Benefit<sup>11</sup> Clauses can legally be included in public procurement contracts. Procurement can be used to achieve social and environmental requirements if this complies with EU procurement legislation, including a duty to specify the requirements in the contract notice published in the Official Journal of the European Union (OJEU). The contracting authority must also have the legal powers to pursue the requirements.

In particular, the principles of equal treatment and transparency must be observed. Community benefit requirements in contracts must be objective and should not favour local suppliers or restrict employment or training to UK nationals. For example, contracting authorities must not express a preference for jobseekers from a particular locality to receive training or employment or require subcontracts to be placed with "local" SMEs. As wide a variety of suppliers as possible should be able to compete for the contract.

## **Advertising the Requirement**

In 2008<sup>12</sup>, the public sector in Scotland spent around £130 million on food and drink. This presents a significant opportunity for suppliers, including Scottish suppliers.

You should try to ensure that contract opportunities attract as much interest as possible from a wide range of suppliers. They should be widely advertised to attract Small and Medium sized Enterprises (SMEs), Social Enterprises, and Third Sector organisations, as well as larger suppliers such as food service companies. You may also consider advertising forthcoming tendering opportunities in advance in order that suppliers and producers can plan ahead, for instance by publishing Prior Information Notices (PINs).

Procurement legislation does not permit preference being given to any sector of suppliers, such as local suppliers, Social Enterprises or SMEs. Supported Businesses are an exception and particular rules apply to them - see below.

---

<sup>11</sup> <http://www.scotland.gov.uk/Topics/Government/Procurement/policy/SPPNSSPANS/policy-notes/sppn032008cbip>

<sup>12</sup> <http://www.scotland.gov.uk/Publications/2009/06/25133322/11>

You can make it easier for a wide range of suppliers to compete for public business by:

- advertising contract opportunities as widely as possible, including on the Public Contracts Scotland portal
- ensuring potential suppliers are aware of where opportunities will be advertised
- making the tender documentation and the tendering procedure as simple as possible for all suppliers
- organising/attending regular meet the buyer events. These events should not be linked to a particular tendering opportunity unless they are advertised to the same extent as the contract opportunity itself

The Scotland Food and Drink<sup>13</sup> website provides further information on the Meet the Buyer events that they run. Public bodies themselves are encouraged to initiate Meet the Buyer events.

### Public Contracts Scotland

The Public Contracts Scotland on-line portal ([www.publiccontractsscotland.gov.uk](http://www.publiccontractsscotland.gov.uk)) provides a single facility for suppliers and purchasers alike, where Scottish public sector requirements can be advertised. The portal supports publishing contract advertisements in the OJEU (where above EU threshold requirements must still be advertised) but can also be used for below threshold requirements. Facilities are free to suppliers. Additionally it supports individual organisations' micro-sites - called "buyer profiles" - enabling organisations to provide a local interface to Public Contracts Scotland from their own website, while providing a consistent approach. All public bodies should adopt the portal and make sure it is widely used throughout the organisation.

A further facility available through Public Contracts Scotland is 'Quick Quote'. This is an online request for quotation facility and can be used to obtain competitive quotes for low value/low risk procurement exercises.

Bringing in more suppliers will often bring greater competition to the market place, offering greater value for money to purchasers and potentially reducing the costs of procurement. Social enterprises, micro enterprises and SMEs are key to developing greater competition and a greater choice in the food that can be offered through menus.

### Supported Businesses

Article 19 of the European Union Procurement Directive 2004/18/EC (Regulation 7 of The Public Contracts (Scotland) Regulations 2006) makes it possible for public bodies to reserve the right to participate in a particular competition to supported businesses, a supported employment programme or supported factories. Where a public body wishes to reserve the right to tender for a requirement in this way its decision to do so must be specified when advertising the requirement, including when advertising in the Official Journal of the European Union (OJEU).

In Regulation 7, a supported business, supported employment programme, or supported factory means a service, scheme or establishment where more than 50% of the workers are disabled persons who by reason of the nature or severity of their disability are unable to take up work in the open labour market.

---

<sup>13</sup> <http://www.scotlandfoodanddrink.org/>

Information on supported factories and businesses is provided at:

<http://www.scotland.gov.uk/Resource/Doc/116601/0105625.pdf>

[http://www.ogc.gov.uk/documents/Supported\\_Factories\\_Businesses.pdf](http://www.ogc.gov.uk/documents/Supported_Factories_Businesses.pdf)

## **Selection of Tenderers**

Selection criteria must focus on potential suppliers' economic and financial standing, technical capacity and experience. At this stage in the procurement process you cannot ask questions about potential suppliers' general policies on sustainability issues unless they relate directly to the subject matter of your contract and then only as part of the assessment of whether potential suppliers have relevant and appropriate experience that would make them a suitable candidate to be invited to tender. At this stage you are not allowed to consider how their policies might influence their performance of the contract.

## **Tender Evaluation and Contract Award**

Only two options are available – (1) Lowest Price and (2) Most Economically Advantageous Tender (MEAT). The Scottish Procurement Policy Handbook specifies that in determining the criteria for the award of contracts, buyers should rarely rely on price alone. This is because awarding contracts on the basis of the most economically advantageous tender allows buyers to strike an appropriate balance between quality and price when arriving at a value for money judgement.

The emphasis on whole life cost encourages the consideration of sustainability issues. Criteria for determining the most economically advantageous tender must be relevant to the subject matter of the contract and appropriately weighted, according to their relative importance to the performance of the contract. The criteria must be notified to tenderers in advance, for example, in the Contract Notice and other advertisements, so that tenderers are able to consider them when preparing their submissions.

Tenderers may at this stage refer to various policies they have in relation to sustainability. Many of these schemes are general high level statements or refer to achievement of voluntary standards or membership of voluntary schemes. You should not score these policies or voluntary standards or schemes. Other tenderers may have equal or better standards but choose not to join a particular scheme.

The important thing is to ask tenderers to say exactly what part those policies would play and how they would influence the day to day operation of your contract and then score them according to how relevant they are to the performance of that particular contract.

## Contract Management

The contract management responsibilities of named individuals must be clearly defined and understood, preferably through a documented scheme of delegation. Tender documents should explain the expectations and policies of the organisation, and all requirements for performance and management information through the life of the contract.

As with any procurement, after a food contract has been awarded, you are free to work co-operatively with suppliers to voluntarily improve the sustainability of the contract including reducing their environmental impact, and that of their supply chain, by for example, reducing packaging, making use of recycled packaging and looking at delivery frequency and scheduling.

Some caution must be exercised to ensure that any such voluntary improvements do not amount to a material or significant change to the contract, as this might lead to unsuccessful tenderers complaining that their tenders would have been different, had they known what the revised requirement was going to be. Material or significant changes to contracts might mean that the contract has to be re-tendered.

## Food Safety and Contract Management

The Pennington Report<sup>14</sup> on the Outbreak of *E.coli* in South Wales was published in March 2009, and has significant implications that will require all public sector organisations, food producers and suppliers to review and improve where necessary their processes and compliance mechanisms. The following recommendations quoted directly from the Pennington Report are pertinent particularly when considering contracting for food supplies with SMEs that do not have the resources of large producers and foodservice distributors. The importance of this cannot be overstated.

**Recommendation 16;** Businesses contracting for the supply of high-risk foods, such as raw and cooked meats, to public sector organisations must be subject to independent food hygiene audits.

**Recommendation 22;** Good practice advice and guidance issued by public bodies should be subject to follow-up and/or more detailed evaluation.

---

<sup>14</sup> <http://wales.gov.uk/ecoliinquiry/report>



## Sustainable Food Procurement Checklist

The following checklist identifies some of the aspects of sustainability that might be relevant to public sector food and drink contracts. It is not intended to be exhaustive. Each organisation should take account of its own priorities and requirements when deciding which can have the greatest impacts.

	<b>FOOD &amp; DRINK PROCUREMENT CHECKLIST</b>	<b>REFERENCE</b>	<b>CHECK</b>
1.	Does the contract account for relevant sustainable development policies? Does it take advantage of the social, economic and environmental principles of sustainable procurement which support the delivery of Government policies, Community Planning and Community Health Partnerships and other organisational objectives, to produce wider community benefits?	Consider Scottish Government and Local Policy & Guidance such as the: <ul style="list-style-type: none"> <li>• Sustainable Procurement Action Plan<sup>15</sup></li> <li>• The Duty of Best Value, Guidance and Policies of your organisation</li> <li>• The Single Outcome Agreement and Community Health Partnerships.</li> <li>• National Food and Drink Policy<sup>16</sup></li> <li>• The Procurement Journey<sup>17</sup></li> </ul> <p>Procurement strategies used by Public Sector organisations should place an appropriate importance on sustainability and take full advantage of the scope in procurement legislation for progressing sustainability through public procurement activity.</p>	
2.	Does the contract commit to continuous improvement to improve sustainability with existing suppliers?	Sustainable Procurement Action Plan. The Procurement Journey	
3.	Will tenders be assessed for general sustainability risks which can be identified, for example risks to continuity of supply, or risks of a supplier working contrary to social, economic, environmental or health interests.	Sustainable Procurement Action Plan. The Procurement Journey	
4.	Does the contract evaluation consider the 'whole life cost' of food and drinks and the balance between price, quality, and sustainability, including energy and environmental costs, health and climate change?	The Climate Change (Scotland) Act 2009 <sup>18</sup> Sustainable Procurement Action Plan. The Procurement Journey	
5.	Is this a MEAT evaluation and in the evaluation is there an appropriate weighting achieved between competitive price, quality and sustainability criteria in order to uphold the value of sustainably produced food and drinks?	National Food and Drink Policy <sup>19</sup> The Procurement Journey	

<sup>15</sup> <http://www.scotland.gov.uk/Publications/2009/10/sspap>

<sup>16</sup> <http://www.scotland.gov.uk/Topics/Business-Industry/Food-Industry/national-strategy>

<sup>17</sup> <http://www.scotland.gov.uk/Topics/Government/Procurement/buyer-information/spdlowlevel/O/editmode/on/forceupdate/on>

<sup>18</sup> <http://www.scotland.gov.uk/Topics/Environment/climatechange/scotlands-action/climatechangeact>

<sup>19</sup> <http://www.scotland.gov.uk/Topics/Business-Industry/Food-Industry/national-strategy>

6.	Procurement organisations should work actively to engage SMEs and Social Enterprises in order to increase competition for contracts. Has the development of the tender benefited from dialogue, meet the buyer events and other examples of effective communication? Has engagement been pursued in advance? Is there effective engagement with the wholesale food service sector as major purchasers and distributors of food and drinks which underlines the importance of sustainable procurement for public bodies?	Sustainable Procurement Action Plan National Food and Drink Policy The Procurement Journey	
7.	Has the contract been publicised adequately in advance to allow food producers and suppliers to forward plan?	National Food and Drink Policy	
8.	To increase competition has consideration been given to dividing the requirement into lots, for example by product and/or defined geographical area?	National Food and Drink Policy The Procurement Journey	
9.	Has consideration been given to collaboration with other public bodies? Do collaborative arrangements exist, or can they be put in place, which might deliver sustainability benefits as well as the advantages of scale and competitive pricing?	Sustainable Procurement Action Plan National Food and Drink Policy The Procurement Journey	
10.	Do food requirements optimise the use of fresh, nutritious and seasonal food?	National Food and Drink Policy	
11	Does the specification require fish and shellfish from sustainable and well managed sources, and has this been checked against independent sustainable certification schemes?	Scotland's fishing industry operates a licensed, regulated and well managed industry which operates fully within the scope of the EU Common Fisheries Policy. A number of Scotland's fisheries have, in addition to this, attained optional independent sustainable certification for herring, mackerel, langoustine, haddock & mussels and further fisheries for herring, lobster, langoustine, crab and scallops are currently undertaking certification programs. The aquaculture industry in Scotland farms salmon and has a global reputation for quality.  <a href="http://www.goodcatch.org.uk">www.goodcatch.org.uk</a>  <a href="http://www.seafoodscotland.org">www.seafoodscotland.org</a>	

12.	Does the contract require recognised industry standards and certification through production, food safety and quality assurance schemes? Has PDO/PGI status been considered in tenders?	National Food and Drink Policy	
13.	Has consideration been given to a reduced specification e.g. calling for less than Grade 1 fruit and vegetables where appearance is less important but nutritional quality is maintained and the opportunity for SMEs to tender is increased?	National Food and Drink Policy	
14.	Is the tender documentation straightforward for tenderers? Are the resources required to produce a tender proportionate or are there avoidable requirements which would discourage SMEs from tendering?	National Food and Drink Policy Sustainable Procurement Action Plan The Procurement Journey	
15.	Does the invitation to tender request details of how the supplier's sustainability and environmental policies will impact on the performance of the particular contract in question? Does the invitation to tender seek proposals for environment-friendly actions such as reducing food and packaging waste, using recycled packaging, energy and water efficiency and actions in support of Climate Change targets?	Sustainable Procurement Action Plan National Food and Drink Policy The Procurement Journey Climate Change (Scotland) Act 2009	
16.	Does the type of food and drinks specified meet the voluntary or statutory nutritional standards, food standards and sustainability criteria appropriate to your organisation? Is this providing for continuous improvement?	National Food and Drink Policy	
17.	Does the contract monitor the origin and traceability of food?	The Climate Change Act - Public Bodies Duties Guidance.  National Food and Drink Policy	



© Crown copyright 2010

ISBN: 978-0-7559-9883-8

This document is also available on the Scottish Government website:  
[www.scotland.gov.uk](http://www.scotland.gov.uk)

APS Group Scotland  
DPPAS11087 (01/11)

**[www.scotland.gov.uk/procurement](http://www.scotland.gov.uk/procurement)**