



Department for
Energy Security
& Net Zero

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Lord Alton
Chair of the Joint Committee on Human Rights
House of Lords
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2nd July 2025

Dear Lord Alton,

Thank you for your letter of 13 June 2025 in which you asked follow-up questions to my letter dated 4 June 2025. Please find below my responses to your questions.

How will accountability be sought if Contracting Authorities do not publish a procurement or tender notice as required by the Procurement Act 2023?

All Contracting Authorities (as identified in section 2(1) of the Procurement Act 2023 (the “**Act**”)) are required to follow the processes outlined in the Act. For example, a Contracting Authority must publish a tender notice when inviting suppliers to submit a tender as part of a competitive procedure, and a transparency notice when a Direct Award without competition has been made. Breaches of these statutory duties of Contracting Authorities are enforceable in civil proceedings by virtue of section 100(1) of the Act.

Non-compliance can be reported to the Public Procurement Review Service, which forms part of the Procurement Review Unit (“**PRU**”) in the Cabinet Office. Pursuant to section 108(1) of the Act, the PRU has the authority to investigate compliance by Contracting Authorities with the requirements of the Act and may, under section 109(2), issue a recommendation to any Contracting Authority engaging in action giving rise, or likely to give rise, to a breach of the Act’s requirements.

There may be instances where goods and services are procured under the previous Public Contract Regulations 2015. In these instances, the rules around notices as defined in that regime will apply.

How is data on excluded supplier decisions provided by Contracting Authorities to the Procurement Review Office used? For example, does this inform investigations, and are trends analysed?

The PRU oversees the implementation, guidance, and interpretation of the Procurement Act 2023.

PRU is designed to raise standards across public sector procurement through early identification and rectification of systemic and institutional breaches. It will consider the evidence provided by suppliers in order to assess whether the circumstances giving rise to an exclusion ground are continuing or likely to occur again. Furthermore, the PRU will be responsible for conducting investigations into suppliers to determine whether they are excluded or excludable suppliers, and whether they should be added to the public debarment list.

Great British Energy (GBE) will be an industry-leader in ensuring that forced labour does not take place in its business or its supply chains.

Thank you for your letter, I welcome your continued work to ensure human rights considerations across government's work.

Best wishes,

A handwritten signature in black ink, reading "Michael Shanks" with a stylized flourish at the end.

MICHAEL SHANKS MP
Minister for Energy