



HOUSE OF LORDS

Common Frameworks Scrutiny Committee

House of Lords
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The Rt Hon Michael Ellis QC MP
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Dear Michael,

Thank you for sharing the Public Procurement Provisional Common Framework with us in advance of its release. The framework was considered by the Committee on 1 February. We welcome the framework and believe it provides a good foundation for cooperation. The Committee recognise that it is a very important framework due to its scope and the vast amounts of public money involved in procurement. The fact that Scotland has already taken its own position on public procurement suggests that significant divergence between devolved governments is highly likely. It is therefore essential that the framework is robust enough to deal with such divergence and to manage any disputes that may arise.

We were particularly pleased to see that the provisional framework had been revised so that the finalised version includes more information on the roles and requirements of various meeting groups.

We are disappointed to note the absence in these frameworks of any ongoing commitment to engaging with Parliament. In your [5 May 2021 letter](#), you told the Committee that the framework would see the “addition of the reporting process that will facilitate ongoing scrutiny”. However, we note the absence of any commitments in the text of the framework to publish reviews of the framework or to update legislatures on the outcomes of reviews.

We recommend that the framework should be updated to include a commitment to regularly update the House of Lords, House of Commons and the three devolved legislatures on the ongoing functioning of these frameworks.

We were also disappointed that the terms of reference for the liaison group did not outline that the periodic reviews take place in already-scheduled Liaison meetings, rather than in addition to them. This was confirmed in earlier correspondence with you.

We recommend that Annex A is updated so that it is made clear the Common Framework Liaison Group will conduct their periodic reviews in their biannual meetings, rather than holding separate meetings.

We understand that each of the four governments are currently receiving views on this Provisional Framework from their respective legislatures. We therefore look forward to your response to this letter once these have been received, and our recommendations have been considered, together with the final version of the framework.

Yours sincerely,

Baroness Andrews
Chair of the Common Frameworks Scrutiny Committee