

Public Sector Integrity Division
Public Governance and Territorial Development Directorate

Leading Practitioners on Public Procurement

DRAFT AGENDA

17-18 June 2014

OECD Conference Centre

Paris, France



About the OECD

The OECD provides the forum where countries compare and exchange policy experiences, identify good practices, discuss emerging challenges and adopt recommendations for better policies. The OECD's mission is to promote policies that improve economic and social well-being of people around the world.

About the Leading Practitioners on Public Procurement Network

Public procurement is a visible, high-spend activity that accounts annually on average for 13% of GDP, amounting to €4.3 trillion and 30% of total public expenditures, in OECD countries. An efficient and effective public procurement system is the backbone of a well-functioning government.

The network of Leading Practitioners on Public Procurement provides a global view of leading procurement practice through knowledge-sharing on effective approaches to strengthening public procurement systems and consolidating best practices. The network brings together senior procurement officials from OECD countries, accession and key partner countries and the EU. Debates are enriched by the participation of key procurement actors from:

- Private sector, including the Business and Industry Advisory Committee to the OECD, private sector companies and organisations such as FIDIC and CICA;
- International organisations with long-standing experience in this field, such as WTO, UNCITRAL, the World Bank, the EBRD and the IADB.

Effective OECD support to countries in reforming public procurement systems is strengthened by this procurement community of practice which shares and shapes future directions, which adds to the policy dialogue with the private sector and the evidence-based framework established by the Organization through comparative data analysis, international benchmarking or peer reviews.

For any questions concerning the content of the June 2014 meeting, please contact Paulo Magina (paulo.magina@oecd.org). Please direct any questions regarding practical arrangements to Sophie O'Gorman at sophie.ogorman@oecd.org.

AGENDA

17 June 2014

09:15 – 10:30

Dialogue with stakeholders: The role of Supreme Audit Institutions in enhancing good public governance

OBJECTIVES

Supreme Audit Institutions (SAI) perform an important oversight function by holding governments to account for their stewardship of public resources. In addition to performing traditional financial audits, SAIs are increasingly responding to pressures to evaluate the effectiveness, economy and efficiency of government policies and programmes to ensure that they deliver value to citizens.

This session will present an ongoing multi-country project sponsored by the Brazilian SAI that looks at the role of SAIs in supporting and enhancing good governance at the national level in the areas of government budgeting, internal control, regulatory policy and centres of government. The presentation will be followed by a discussion on the project, welcoming input from PIN delegates based on their experience of enhancing integrity and accountability in the public sector.

10:30 – 11:00

Coffee Break

Coffee will be provided outside the Conference Room

Seminar: Re-visiting Whistleblower Protection: From commitments to effective protection

Jointly organised with the OECD Network of Leading Practitioners in Public Procurement

The risk of corruption is significantly heightened in environments where the reporting of wrongdoing is not supported or protected. Whistleblowing is an essential element for safeguarding the public interest and for promoting a culture of public accountability and integrity. The majority of OECD countries have recently passed legislation protecting whistleblowers and yet, despite being high on the agenda, successful whistleblowing stories are rare.

For over a decade the OECD has promoted the protection of whistleblowers, because it is an essential element of an integrity framework. In 2011, the OECD developed the G20 Guiding Principles for Whistleblower Protection Legislation as a reference for enacting and reviewing the rules in G20 countries. Re-visiting whistleblower protection and reflecting on what countries have learned in recent years is timely. The seminar provides the opportunity to advance discussions and identify key conditions for providing effective protection to whistleblowers.

11:00 – 11:15

Welcome and introductory remarks

11:15 – 12:45

Ensuring comprehensive legal protection: One dedicated law or several laws?

OBJECTIVES

Protection of whistleblowers is generally framed through either dedicated laws and/or through specific provisions in different laws. Most countries have followed the latter approach, and others rely solely on the witness protection framework. Regardless of the approach followed, it is essential to ensure that no legal loopholes may leave whistleblowers unprotected and deter them from reporting wrongdoing and corruption.

This session will explore the different options for legal frameworks and how to ensure that there are no loopholes, as well as the main differences with witness protection. Discussions will also centre on whether legal protection should also be afforded to private sector employees.

12:45 – 14:15 Lunch Break

14:15 – 15:45 Protection mechanisms: What makes them effective?

OBJECTIVES

Although an increasing number of OECD countries have established legal protection and introduced guidance on reporting procedures to encourage and facilitate whistleblowing, cases of whistleblowers that are not effectively protected from retaliation are abundant. Most people that have blown the whistle report afterwards that they would not do it again.

This session will discuss the current challenges to providing effective protection to whistleblowers, focusing in particular on the common elements (e.g. reporting channels, anonymity) and their application in specific areas such as public procurement.

15:45 – 16:15 Coffee Break *Coffee will be provided outside the Conference Room*

16:15 – 17:30 Changing the culture: From betrayal to loyalty to the public interest

OBJECTIVES

Producing real change to encourage reporting of misconduct and corruption and protecting those that suffer retaliation ultimately requires a change of culture. In most countries, for cultural and historical reasons persons that report misconduct in the workplace are considered as traitors or snitches. Changing the negative perceptions and public attitude towards whistleblowers requires effective awareness-raising, communication and training efforts.

This session will discuss trends and effective means to raise awareness about whistleblowing and the value added of reporting wrongdoings.

17:30-18:00 Conclusions

18:00 Cocktail. Jointly organised with the Public Integrity Network. George Marshall Room

18 June 2014

8:45 -9:15 Welcoming of participants with coffee in the meeting room

9:15 – 9:35 Welcome of participants and opening remarks

OBJECTIVES

Welcoming participants and setting out the objectives of the meeting, in context of the OECD work on the strategic state and the G20 agenda.

Speakers:

- *Rolf Alter, Director, Public Governance and Territorial Development, OECD (tbc)*
- *Lorna Prosper, Senior Director, Procurement Policy, Office of the Comptroller General, Treasury Board of Canada Secretariat*

Background document: [PWB 2015-2016](#)

9:35-10:45 Smart Procurement: the OECD Recommendation on Public Procurement

OBJECTIVES

The session will discuss the draft OECD Recommendation on Public Procurement which will update the 2008 OECD Recommendation for Enhancing Integrity in Public Procurement. The draft Recommendation aims to support governments by providing a comprehensive set of guidelines for public procurement reforms and streamlining, at national or subnational level.

The Recommendation intends to provide decision-makers with a holistic approach on how to construct the strategic function of public procurement systems, improving the procurement process and providing sources of growth. Governments are lead users of private sector goods and services and can help create new markets and foster competitiveness and innovation.

Speakers:

- *Bernard Welschke, Secretary General, Business and Industry Advisory Committee to the OECD (BIAC) TBC*
- *Paulo Magina, Head of the Public Procurement Unit*

Background document: [Draft OECD Recommendation on Public Procurement \(update of the OECD Recommendation for Enhancing Integrity in Public Procurement\)](#)

10:45-11:15 Coffee Break

11:15-12:45 Smart Procurement: the OECD Recommendation on Public Procurement

The session will provide an opportunity for procurement officials to comment on the draft OECD Recommendation on Public Procurement.

The objective of the session is to:

- Discuss the draft Recommendation against countries' experiences;
- Explore forms of supporting the implementation and monitoring of the draft Recommendations, in particular fields like the overload of policy objectives.

Background document: [Draft OECD Recommendation on Public Procurement \(update of the OECD Recommendation for Enhancing Integrity in Public Procurement\)](#)

12:45-14:00 Lunch Break

14:00-15:00 Smart Procurement: Going Green

This session will present the draft report of the OECD work on green procurement and the work plan of the UNEP-OECD Joint Working Group on promoting Green Public Procurement practices.

The objective is to review practices mainly related to cost/benefits analysis and the use of public procurement to achieve policy objectives, in this case the protection of environment, through country examples and best practices.

Speakers:

- *Despina Pachnou, Policy analyst, OECD*
- *Farid Yaker Programme Officer, Division of Technology, Industry and Economics, UNEP*

15:00-16:00 Smart Procurement - Key procurement performance indicators: How do we stand?

Built on the results of the stocktaking report on procurement information collected by the countries which was presented last November, this session will present the draft of the first set of key procurement performance indicators.

The session aims to:

- Review the draft set of indicators
- Discuss on the viability of the indicators in a specific country context
- Explore the possibility to pilot these indicators in countries

Speakers:

- *Emma Cantera, Policy analyst, OECD*

[Background document: Set of indicators](#)

16:00-16:30 Coffee Break

16:30 – 17:30

Smart Procurement: Compendium of Good Practices for Integrity in Public Procurement; Contribution to the G20 agenda

This session will present the Compendium of Good Practices for Integrity in Public Procurement requested by G20 countries in mapping good practices and sharing experiences in order to shape the global agenda and set examples for fighting corruption and promoting integrity in public procurement. This session will provide an opportunity for OECD countries to review the compendium and share examples of good practices in promoting integrity in public procurement.

The session aims to:

- Review the Compendium of Good Practices for Integrity in Public Procurement.
- Map out good practices for fighting corruption and promoting integrity in public procurement.
- Share lessons learned and conditions to successful implementation of policies
- Encourage other OECD countries to provide additional examples.

Speakers:

- *Emma Cantera, Policy analyst, OECD*

Background documents: Compendium of Good Practices for Integrity in Public Procurement

17:30-18:00

Concluding session

The concluding session will present the relevant work streams of the Public Governance Committee's Programme of Work and Budget for 2015-2016 and update participants on the OECD work related to country accession processes and on-going projects. It will draw on the meeting discussions to focus the scope of OECD work on public procurement in particular regarding the adoption of the OECD Recommendation on Public Procurement and the 2015 Government at a Glance publication.

Speakers:

- *Paulo Magina, Head of the procurement Unit*
- *Lorna Prosper, Senior Director, Procurement Policy, Office of the Comptroller General, Treasury Board of Canada Secretariat*
- *Janos Bertok, Head of Division, OECD*

Background document: PWB 2015-2016

<http://www.oecd.org/gov/ethics/procurement.htm>
(coming soon)

