



## Pre-implementation checklist to prepare for new procurement regulations



This document has been produced to assist contracting authorities in Wales as they prepare for the introduction of the legislative changes associated with the Procurement Act 2023, the Social Partnership and Public Procurement (Wales) Act 2023, and the Health Service Procurement (Wales) Act 2023.

The checklist provides some potential considerations for Contracting Authorities as they prepare for the changes being introduced. The checklist does not constitute an exhaustive list of considerations, and contracting authorities are encouraged to undertake their own due diligence to ensure they are prepared for the new regimes coming into force.



Has your organisation developed a programme plan for the implementation of the new procurement regime?	
Does the organisation have an up-to-date procurement strategy which is aligned with the organisation's overarching corporate strategy?	
Is procurement reform included on your organisation's corporate risk register?	<ul style="list-style-type: none"><li>• Have you identified the various risks and opportunities associated with implementing procurement reform in your organisation?</li><li>• Have you analysed and evaluated the risks, and established appropriate mitigation strategies to respond to the risks?</li><li>• Have you nominated a person specifically responsible for overseeing the management and minimisation of these risks?</li><li>• Have the right people been appointed as risk owners for each of the risks?</li><li>• Have you got an appropriate escalation process in place to deal with the risks?</li></ul>
Does the organisation have an up-to-date contract register?	<ul style="list-style-type: none"><li>• Is the contract register up-to-date?</li><li>• Are the details correct?</li><li>• Who is responsible for maintaining the contract register?</li><li>• If you have a contract register, is it available on your organisation's website?</li></ul>



Does the organisation have a comprehensive commercial pipeline?	<ul style="list-style-type: none"><li>• Have you identified the organisation's planned procurement activity over the next 2 years?</li><li>• What are the end dates of your existing contracts?</li><li>• What are the proposed dates for new opportunities?</li><li>• Whose input do you need to populate your organisation's pipeline?</li><li>• Should you create a working group to review, prioritise, collate opportunities, and gather information necessary to complete the pipeline notice?</li><li>• Have you developed a process for the collection of this information and how and by whom this will be maintained?</li><li>• What planned contracts <b>must</b> be included on your organisation's pipeline?</li></ul>	
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<p>Have you updated your organisation's existing processes and procedures in line with the new legislative requirements?</p>	<ul style="list-style-type: none"> <li>• Have you undertaken a review of your organisation's current Standing Orders (or similar) to identify where changes will be required? Including: <ul style="list-style-type: none"> <li>◦ New processes needed for updating the pipeline notice and by when.</li> <li>◦ New/amending the processes for notifiable below threshold contracts.</li> <li>◦ Changes for key areas such as pre-market engagement, conflicts of interest, supplier evaluation and assessment, and contract management.</li> </ul> </li> <li>• Have you engaged with colleagues in similar organisations across the Welsh public sector to determine what changes they are making to their Standing Orders and identify opportunities for alignment?</li> <li>• Have you sought approval from the relevant decision-makers in the organisation to approve the changes required to the Standing Orders, and do you have a process in place for maintaining and updating the Standing Orders?</li> <li>• Have you updated existing process maps / routes for different types of procurement to ensure a consistent internal strategic approach for procurement across the organisation?</li> <li>• Do you have robust governance documents in place to record key decisions throughout the commercial lifecycle?</li> <li>• Have you updated existing internal processes and procedures to reflect the requirements of the new noticing regime?</li> </ul>	
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Have you updated existing internal templates and documentation?	<ul style="list-style-type: none"><li>• Are your current procurement checklists up-to-date?</li><li>• Have you identified the changes that will be required to your organisation's standard terms and conditions?</li><li>• Have you identified the changes that will be required to your organisation's tender documents?</li><li>• Have you updated any internal guidance documents, and have you identified what new guidance materials you might need to create (beyond what will be provided by the Welsh Government)?</li><li>• Have you sought approval from the relevant decision-makers in the organisation to approve the changes required to relevant guidance documents, and do you have a process in place for creating, maintaining, and updating internal guidance documents?</li></ul>	
Have you reviewed your existing internal systems in readiness for the new procurement regime?	<ul style="list-style-type: none"><li>• Have you engaged with your organisation's payments / finance team to ensure the requirements for the prompt payments can be met?</li><li>• Have you identified where relevant procurement-related data currently resides in your existing e-procurement systems?</li><li>• Who in the organisation is responsible for ensuring compatibility and readiness with the new data requirements and updated digital systems?</li><li>• Have you identified who in your organisation uses Sell2Wales and who might need to use it in the future? Who will require training now and potentially in the future?</li><li>• Have you undertaken a gap analysis to identify any potential changes that might be required to your systems?</li></ul>	



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Do you have a communications plan with key messages of any internal changes to procurement processes along with a training plan?	<ul style="list-style-type: none"><li>• Do you have a communication strategy in place?</li><li>• Have you identified key senior stakeholders within your organisation who will want to know about change?</li><li>• Do you have a plan in place to communicate internal changes to key operational staff, such as contract managers, internal customers with procurement responsibility, and so on?</li><li>• Do you have a plan in place for communication with your suppliers and supply chains?</li></ul>	
Have you engaged with your organisation's learning and development co-ordinator to establish training and development requirements?	<ul style="list-style-type: none"><li>• Have you identified everyone in the organisation that will need to undertake procurement training?</li><li>• What type of training will they require?</li><li>• When is the training required?</li><li>• Have you identified and provided numbers of staff from your organisation who will require training on procurement reform to the Welsh Government?</li></ul>	
Have you started engaging with your organisation's suppliers and supply chain on how the changes will affect them?	<ul style="list-style-type: none"><li>• Have you identified your organisation's key suppliers?</li><li>• Do you have a supplier page on your organisation's website, and if so, is it up-to-date?</li><li>• Have you engaged with them to advise them what they can do to prepare for the changes, e.g. signpost to the <a href="#">knowledge drop</a>?</li></ul>	