



Llywodraeth Cymru
Welsh Government

RESEARCH, DOCUMENT

Social Partnership and Public Procurement (Wales) Act: Theory of Change (summary)

The report describes the Theory of Change (ToC) for the Act, describing why the Act is necessary and what it aims to achieve. The ToC is the first step in developing a framework for future evaluation work.

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Contents

[Aims and methodology](#)

[Findings](#)

[Contact details](#)

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Aims and methodology

The Social Partnership and Public Procurement (Wales) Act (the Act) became law in May 2023. The Act fulfils a **Programme for Government commitment** to “put social partnerships on a statutory footing” in Wales (Welsh Government (WG), 2021), providing a framework for improving well-being through social partnership working and promoting fair work. The Act also changes how public spending in Wales is allocated and the ways goods and services are procured through socially responsible public procurement.

At the end of a five-year post-implementation period, Welsh Minister’s must report to the Senedd findings from an evaluation on how the Act has worked and whether it has achieved what it set out to do. The overarching aim of the research presented here is to support the Act’s post-implementation evaluation provision, by developing a ToC as the first step in establishing a framework for future research.

The ToC presented in the main report describes why the Act is necessary and what it aims to achieve. In doing this, the ToC establishes the resources, inputs, activities and outputs required for the Act to achieve its anticipated impacts. The risks and assumptions which underpin the realisation of the ToC, the data requirements and potential sources for monitoring and evaluating the Act’s effectiveness, are also outlined.

Overall, the ToC provides an assessment of the pre-Act conditions from which change and progress can be measured. The ToC will inform the development of an evaluation framework, providing a basis from which future evaluators can assess how the Act has been implemented and what outputs it produces (for example, through a process evaluation); and robustly monitor and evaluate the Act’s impact over its first five years.

The underlying ToC is summarised in four logic models which cover the Act’s

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key provisions: the Social Partnership Council (SPC), the Social Partnership Duty (SPD), Fair Work, and Socially Responsible Public Procurement. The logic models were first developed internally with Welsh Government policy leads; then, the logic models for the SPC, SPD and Fair Work were further tested and refined in a workshop with internal and external stakeholders, representing Welsh Government, local government, businesses, and trade unions. It was not possible to test the procurement logic model with stakeholders due to the low number of responses to the workshop invite for this provision.

This research was conducted between November 2022 and June 2023, which overlapped with a period when the Act (then Bill) was still undergoing Senedd scrutiny. The draft logic models produced with WG policy leads were developed in December 2022 during Stage 2 of the Bill. The stakeholder workshop took place in March 2023, after Stage 4 proceedings of the Bill.

Findings

Stakeholder workshop participants generally supported the outcomes presented in the initial logic models. Additional feedback from participants is summarised below.

Social Partnership Duty

- Participants suggested reducing societal and workplace inequalities could be an additional benefit of the Act.
- There were calls for seamless integration with the Well-being of Future Generations (WFG) Act.
- To achieve the intended outcomes, participants recommended increased workforce involvement; greater engagement from employers and government; statutory guidance to clarify expected changes; and a

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foundational framework for future reporting.

- Education and training were seen by participants as vital to help employers and workers understand social partnership principles.
- Participants also identified risks to the successful delivery of the SPD. These risks included limited understandings of the WFG Act amongst employers and workers; political challenges hindering stakeholder engagement; limitations due to devolved powers; token stakeholder involvement; resource and time constraints; and potential imbalances of influence among partners.

Social Partnership Council

- Participants expressed concerns that the high-level nature of the outcomes could make it difficult for those involved with the SPC to identify what was expected from them.
- Participants recommended the Act clarify the responsibilities of different groups at national, regional, and local levels in Wales.
- It was also suggested distinctions between the SPC and the SPD needed to be clearer.
- For participants, adding lower-level outcomes to the ToC could help clarify the SPC's goals and values, and what was expected from stakeholders.
- Participants proposed resource allocation, education, guidance and training to support social partners and ensure the SPC's effectiveness.
- Risks to the successful running of the SPC identified by participants included advice from the SPC not being of sufficient quality; losing the benefits of adversarial dialogue amongst stakeholder groups; resource constraints; and potentially, a lack of understanding of the legislation amongst stakeholders.

Fair Work

- Participants' suggested embedding the Anti-racist Wales Action Plan within the Fair Work provision for improved accountability.

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- Integration with the WFG Act was proposed by participants as another goal for the Fair Work provision.
- For participants, the voices of those affected by the Act should be included when assessing outcomes for future evaluation purposes.
- Proposed activities suggested by workshop participants to achieve the intended Fair Work outcomes included sharing best practice across sectors; Welsh Government providing support for organisations to better understand their workforce; and promoting education on Fair Work.
- Risks identified by participants as potentially affecting the delivery of the Act's Fair Work provision included concerns around the potential impact of broader economic conditions on fairness in the workplace; challenges around balancing the Act with existing legislation; concerns about token stakeholder engagement; and increased costs and workload for businesses.

Future monitoring and evaluation

As a conclusion to the ToC research, the following is recommended for consideration when developing an evaluation framework for the Act's five-year post-implementation period:

1. The framework for evaluation should be agreed by Welsh Government officials when reasonably possible, in part to allow sufficient time for procuring its first stages. The funding required for the various evaluation components should be confirmed by financial year soon after the Act's implementation.
2. External contractors should be appointed to undertake key aspects of the research. The contracted requirement could include undertaking an evaluability assessment and a baseline study, building on the ToC analysis presented in this report, as an early step in planning and conducting the post-implementation review.
3. An evaluation framework could be developed around the three stages of evaluation scoping and planning (which could include and evaluability

assessment and baseline study); a process evaluation; and as the final stage, an impact evaluation.

The logic models produced as part of the ToC should be revisited regularly as the Act develops. The logic model for socially responsible public procurement should be revisited as an early evaluation activity, to include external partner scrutiny.

4. The logic models produced as part of the ToC should be revisited regularly as the Act develops. The logic model for socially responsible public procurement should be revisited as an early evaluation activity, to include external partner scrutiny.
5. The post-implementation review should, where possible, reduce burden and avoid duplication when it comes to data collection. A collaborative and systematic approach to data collection should be developed which works to avoid duplication and use established data collection or reporting processes reporting cycles (for example, via the SPC) as much as possible. Reporting processes, alongside considerations on how data can be best shared with evaluators, should be outlined as part of evaluation scoping and planning.

Contact details

Report authors: Internal Research Programme

Views expressed in this report are those of the researchers and not necessarily those of the Welsh Government.

For further information please contact:

Kate Mulready

Internal Research Programme

Email: RhYF.IRP@gov.wales

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