



The Social Partnership and Public Procurement (Wales) Act 2023

The Act brings together 4 principles:



Social Partnership

Working to achieve a mutually agreed goal, to the benefit of all involved groups.



Socially Responsible Procurement

Taking action when purchasing goods, works and services, to improve economic, social, environmental and cultural well-being.



Fair Work

A wide range of potential activities undertaken by employers in agreement with the workforce, which contribute to well-being and improved public service delivery.



Sustainable Development

Doing things now in a way that takes into account the impact on people living their lives in Wales in the future.

The Act fulfils a Programme for Government commitment to place social partnership on a statutory footing in Wales. It provides for a **framework** to enhance the well-being of people in Wales by improving public services through **social partnership working, promoting fair work** and **socially responsible public procurement**.

Main provisions of the legislation

<p>The establishment of a statutory Social Partnership Council</p>	<p>The Social Partnership Council (SPC) is a tripartite statutory advisory body, chaired by the First Minister, with representation from a range of social partners that represent employers and workers in Wales.</p>
<p>A statutory Social Partnership Duty on certain public bodies</p>	<p>Public bodies listed in section 6 of the Well-being of Future Generations (Wales) Act 2015 (WFG Act) must, in so far as is reasonable, seek consensus or compromise with their recognised trade unions, or (where there is no recognised trade union) other representatives of their staff when:</p> <ul style="list-style-type: none"> • setting well-being objectives under section 3(2)(a) of the of the WFG Act, and • when making decisions of a strategic nature about the reasonable steps the body takes to meet those objectives under section 3(2)(b) of the WFG Act.
<p>A statutory Social Partnership Duty on Welsh Ministers</p>	<p>A duty on the Welsh Ministers to consult employer and worker representatives through the SPC when making decisions of a strategic nature about the reasonable steps they take to meet their well-being objectives set under the WFG Act.</p>
<p>Amendment of section 4 of the Well-being of Future Generations (Wales) Act 2015</p>	<p>By replacing `decent work` for `fair work` within the existing “A prosperous Wales” well-being goal, public bodies subject to the WFG Act will need to consider `fair work` when setting and publishing well-being objectives that are designed to maximise the public body’s contribution to the well-being goals.</p>
<p>A statutory duty on certain public bodies to consider socially responsible public procurement</p>	<p>A statutory socially responsible procurement duty on certain contracting authorities set out in the Social Partnership and Public Procurement (Wales) Act 2023. This duty requires contracting authorities to set and publish socially responsible procurement objectives, that are designed to maximise their contribution to achieving the well-being goals under the WFG Act.</p>
<p>Certain public bodies to carry out contract management duties</p>	<p>To ensure that socially responsible outcomes are pursued by using contract clauses which flow through whole supply chains for large construction projects. The duty also requires that these are monitored.</p>
<p>Reporting duties on public bodies and Welsh Ministers</p>	<p>Welsh Ministers and public bodies must publish annual reports on their compliance with the Social Partnership Duty. Welsh Ministers and contracting authorities who have awarded prescribed contracts must publish annual reports on procurement. Welsh Ministers must lay reports before the Senedd.</p>