

Social Procurement

The Olympic, Commonwealth & Pan Am Games,
and the growing case for Social Procurement Policy in Canada

Sandra Hamilton

EMBA – Social Enterprise Leadership

University of Fredericton

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*“Not all profit is equal. Profits involving a social purpose represent a higher form of capitalism,
one that creates a positive cycle of company and community prosperity.”*

Michael Porter, Harvard Business Review, February, 2011

About the author

Sandra Hamilton is the former business manager to John Furlong, CEO, Vancouver 2010 Olympic & Paralympic Winter Games; Senior Partner, Twentyten Group; Director of Marketing, Vancouver Sun and Publisher of BC Woman Magazine. Hamilton's consultancy work spans 20 years, working primarily with Olympians managing the transition from sport to business, and with charities pursuing new revenue streams.

Today, Hamilton works to advance social enterprise within the not-for-profit sector, social innovation policy within the public sector and social entrepreneurialism in rural communities. She is a BC Partner for Social Impact, pursuing graduate studies in the field of Social Enterprise Leadership. More at SandraHamilton.ca

Social Procurement: Moving from ‘Do no harm’ to ‘Do some good’

Earning an Olympic medal and a place on the podium has always represented excellence, a triumph over adversity and a celebration of the strength of the human spirit. At the Vancouver 2010 Winter Games the creation of the bouquets, the construction of podiums and the development of the athletes village, also represented the opportunity to change lives.

The Vancouver 2010 Olympic Games were a catalyst for social procurement; the first Olympic Games to include social considerations in their sustainability strategy. For example, the floral supply contract required the provision of a community benefit. The successful proponent committed to train and employ marginalised women, many recently released from prison. The podiums were built by at-risk-youth learning carpentry skills; and contractors bidding on the construction of the athletes village were required to provide employment opportunities for low income residents from the neighbouring, downtown eastside.

In 2012, London’s Olympic Games added ethical objectives to the procurement strategy; equality, diversity and human rights, were considered alongside environmental and social considerations. The 2014 organising committee of the Glasgow Commonwealth Games built further upon the Olympic knowledge. Scotland is one of the first countries to enact supportive legislation, placing social procurement at the very heart of their economic recovery model. It has been calculated that the school food reform program in East Ayrshire returns £6 of social value, for every £1 spent, (“United Nations” 2014), a six-fold social return on investment (SROI).

Procurement is a powerful policy lever for driving innovation and change down through supply chains. In British Columbia, local governments and school districts alone spend over \$6.7 billion every year (Stats Canada 2012). Is it possible that traditionally risk-adverse, public sector procurement officers are about to emerge as powerful change agents, at the vanguard of social innovation?

Procurement: Moving from ‘Do no harm’ to ‘Do some good’

With each major games comes the generation and codification of knowledge; elevating organisational intelligence, and contributing to a greater understanding within governments of how procurement can be leveraged to achieve social impact. With lessons learned from each event, and from the environmental movement of the 1970’s, procurement is now poised to move from a reduce-the-risk, and protect the earth, philosophy of ‘Do no harm;’ to a more proactive and strategic approach which actually ‘Does some good.’

What is social procurement?

At this emergent stage there appears to be many definitions and opportunities, but very little empirical evidence to demonstrate and measure impact. Social procurement can mean socially responsible screening to mitigate risk in the supply chain; it can mean leveraging procurement dollars to generate a value-added, social impact; or it can mean procuring social services in a way which moves beyond traditional philanthropy and grants (Burkett 2010). We could further consider consumer, organisational and public sector approaches to social procurement. However, for the purpose of this paper, the focus will be social procurement within the public sector.

“Social procurement provides a mechanism for linking and integrating social and economic agendas both in public policy terms, and more broadly in societal and commercial terms”(McCrudden, 2007).

“Social procurement focuses on the procurement of goods, services and works that do not ordinarily have such requirements as defined outcomes” (Collins 2006).

“Social procurement can be understood as the use of purchasing power to create social value. In the case of public sector purchasing, social procurement involves the utilization of procurement strategies to support social policy objectives” (Barraket & Weissman 2009).

“In the context of the public sector, research in this area has shown that government procurement is a key part of a demand-oriented innovation policy” (Aschhoff & Sofka 2008, Edler

& Georghiou 2007). Social procurement, when combined with environmental and ethical considerations, is collectively described as sustainable procurement.

According to the UK Task Force on Sustainable Procurement within the Department of Environment, Farming and Rural Affairs (DEFRA), sustainable procurement is a process whereby organisations meet their needs for goods, services and capital projects, in a way that achieves value for money on a whole life basis; in terms of generating benefits not only to the organisation, but also to society, the economy and the natural environment (DEFRA 2006). Within this context, socially responsible public procurement (SRPP), capitalises on the significant contracting power of governments to advance social equality and cohesion.

In 2000, the work of Carter and Jennings recognised the inclusion of a social consideration as a significant shift in supply chain management and within procurement practices. “To the best of our knowledge, ours is the first study that has empirically examined how the involvement of a functional area of logistics management in a broad-based group of socially responsible activities affects supply chain relationships.” Their research suggested that buyer-seller relationships in the upstream supply chain were enhanced through Purchasing Social Responsibility (PSR). A 2004 meta-analysis of 52 CSR studies also found a positive and reciprocal relationship between social performance and financial performance, especially in the measurement of reputational advancement (Neef, 2004). Soloman’s (1996) ‘Good Management Theory’ suggests a virtuous circle where companies “Do good by doing well, and do well by doing good.”

Hutchins and Sutherland (2008) described social procurement as a dimension of sustainable and responsible purchasing and procurement practices. “It adds the social facets of sustainability, which have often been overshadowed by environmental and economic dimensions”.

“The world is changing and so must we – the demand for public services is going up, whilst resources are going down. Our public sector must change to meet the long-term challenges and ensure that we live within our means” said Francis Maude, UK Minister for the Cabinet Office.

How can we better look after one another?

Progressive governments are changing and driving social innovation. The surge of aging baby boomers will add further stress to medical systems already struggling; pensions and education are considered sacrosanct by most, leaving social services as one of the most likely areas for governments cut backs, re-organisation and innovation. The UK's Social Value Act (2013), the 2014 European Union directive on reform of procurement in the public sector, and social procurement guidelines from the Australian state of New South Wales all leverage public spending to drive positive and targeted social impacts of broad benefit to society.

In *Public Spending in the 20th Century* (2000), noted economists Vito Tanzi of the International Monetary Fund and Ludger Schuknecht of the European Central Bank, found increased public spending since the 1960s produced little advance in public welfare, yet resulted in high levels of government debt. Furthermore, the authors argued that “much government spending could be reversed with minimal harm”.

The UK leads social enterprise globally

It is widely accepted that the UK, under a politically right wing government, is the global leader the field of social enterprise. There are now 70,000 social enterprises in the UK, contributing £18 billion to the economy which, according to research compiled by Social Enterprise UK, are more diverse, often minority owned and are growing faster than other SME's. In 2012, UK public spending as a percentage of GDP was 45.46%, considerably higher than the 40.02% found in Canada. According to IMF data (2012), government spending in the UK is predicted to shrink from 45.46% of GDP (2012) to 39.17% (2017) - a remarkable fall of 6.29% points. Such a drop would reduce UK public spending to levels lower than Canada, where government spending is predicted to remain static at 40.54% through to at least 2017. Canada's current fiscal policy limits spending to inflation and population growth. In most of the developed world, government spending, as a percentage of GDP, is trending down. As the relative size of government declines, the private sector must inevitably expand. When public sector salaries are removed from total expenditures, it is estimated that 10 to 13% of GDP is available to drive social change through procurement in most developed countries (United Nations 2008).

Globally, the UK is reducing the size of government faster than any other developed nation, while growing GDP at a rate equal to, or better than, most other developed nations. If leveraging public procurement triggers market demand, and ignites entrepreneurialism within traditionally risk-adverse, not-for-profit cultures, while simultaneously reducing the size of government and delivering whole-life cost savings to the public purse, it would seem to be an idea worthy of consideration in Canada.

Perhaps, now is the time to ask, exactly what kind of private sector does government wish to foster? More enterprising non-profits generating shared value, where profits are re-invested locally, and are of service to society; or more private wealth generation, corporate, multi-national growth and the resultant off-shoring of profits?

There is no limit to the size of company a charity can own, albeit, it may have to be an independent subsidiary of the charity. The German multi-national Bosch, is a global leader in research and design and, since 1964, has been 92% owned by a charitable foundation and eight percent owned by the Bosch family. Twenty years ago, Atira Women's Resource Society, a registered charity, created a wholly owned for-profit subsidiary. Today, Atira Property Management is a \$70 million social enterprise, which employs 320 people, 280 of which, have been recruited from the depressed streets of the downtown eastside. In 2013 Ernst & Young calculated that Atira Property Management generates \$3.69 in overall societal value for every dollar of revenue earned (2013 Ernst & Young SROI report, *Atira.ca*). This report has made a significant contribution to the evidence-based literature in the field of social procurement. Porter and Kramer (2011) also write about early studies of cocoa farmers, whereby fair trade increased their incomes by 10% to 20%, but shared value investments can raise incomes by more than 300% (HBR 2011).

Shared value is a relatively new hybrid concept, which blurs the lines between for-profit and non-profit organisations. This is a more meaningful wave of capitalism, which appeals to younger generations, many of whom have become distrustful of traditional big business. At the same time governments are looking to social procurement as a way to better leverage tax dollars; to deliver more shared societal value, whilst also stimulating innovation and economic growth.

What is social procurement, and how does it work?

Perhaps, the most succinct explanation comes from Burkett (2010) in Australia, who identified three key components to success. 1. Content and Catalyst. 2. Culture and Champions. 3. Clarity and Communication. A summary of the literature available would concur that, the process requires innovative bold leadership, internal champions willing to challenge inertia within risk adverse cultures; to build trust between partners and to achieve clarity surrounding the rules.

In the social procurement market exchange, the purchaser wants delivery of a quality product at a competitive price, plus a social value (LePage, 2014). Social value is a term used to mean both social benefit and social impact. Whereas, a benefit is a positive improvement in people lives, an impact recognises a measurable effect following a deliberate intervention. The key being that an impact is measurable.

History

Far from being a new and radical idea, the concept of positive discrimination within public sector procurement has over 100 years of history. After World War I, the UK government made accommodations to ensure employment for returning disabled veterans. By 1938, the USA was also leveraging government procurement to direct targeted supply contracts to blind workers. In 1971, the USA passed legislation, still in effect today, which extends priority status to non-profit organisations employing the disabled, and able to provide goods and services to the US government.

McCudden's *Buying Social Justice* (2007) explored the history of government procurement being used, or withheld, to advance trans-national human rights in South Africa and in Northern Ireland; and to drive important redistributive and development social policy goals. Set asides in international trade agreements have been successfully negotiated to enable governments to advance a domestic policy agenda. Canada secured an Aboriginal set aside in NAFTA, and the USA secured the same for all minority owned small business development.

Local Government

Some municipal governments in Canada are starting to pilot the practice of social procurement and, once again, a major sporting event has provided the catalyst. Toronto is hosting the 2015 Pan Am Games. In April 2012, Toronto City Council voted unanimously to adopt social

procurement criteria for all municipal contracts associated with the event. City staff are developing a social procurement framework, based on international best practices, targets and benchmarks in advance of implementation. This framework will inform an ongoing process for social procurement in city business beyond the games in 2015 (*Toronto.ca*). In 2007, Calgary created a sustainable, environmental and ethical procurement policy, which first applied to food, apparel and custodial services. Phase two involves a roll out into appliances, cleaning products, courier and freight, before eventually being applied to all goods and services. In 2012, the City of Winnipeg issued an RFP for environmental professional consulting services (# 631-2012, P5) which had a 5% value assigned for delivery of a community benefit. This RFP was probably the first use of a community benefit clause by government in Canada.

Community Benefit Clauses

Community benefit agreements (CBA's in the UK), or Community benefit clauses (CBC's in Canada) are contractual clauses added to RFP language, which then form part of the proponents obligation within the final contract. They are levers, which can be used by local governments to secure employment for marginalised populations; boost training and apprenticeship opportunities; foster the growth of social enterprises and small business; to strengthen local economies; to increase social inclusion and to move people out of poverty.

Community Benefit Clauses (CBC's) are designed to ensure that the benefits of public sector expenditure goes beyond the ownership group of the successful bidder, extending out for the greater good within local communities. Clauses can be specific, or left open for the proponent to suggest ways in which the bid could best contribute more broadly to community. The Glasgow 2014 Commonwealth Games has placed a 10% value within the contract evaluation matrix for CBA's. Proponents are encouraged to develop a conventional bid, while also describing how the bid could benefit the local residents and small businesses in the area. Toronto Metolinx has used a CBC in a recent procurement process. As of August 2013, the City of Vancouver was developing a Community Benefit Clause Policy (CBCP), which expands on the existing *Ethical Purchasing Policy* and *Supplier Code of Conduct*. The framework provides the guidelines and template, a path if you will, for including and evaluating a social benefit analysis for the purchase of all goods and services. Additionally, it is proposed that the CBCP be applied to development and rezoning applications (City of Vancouver, 2013 Discussion Paper).

Each bid is weighted against four criteria; quality, price, environmental and social impact. At this early stage, quality and price are more heavily weighted than environmental and social impact. However, procurement experts recommend this being increased to equal weightings over time, as the marketplace develops.

Ready for Business Scotland has developed an excellent FAQ guide to assist procurement professionals in this area. The guide states that the courts have found the practice to be entirely lawful, and confirms that adding CBC's to government contracts can be achieved in ways that do not contravene trade agreements.

Canada

Canada's public sector procurement is under performing. By failing to consider the whole life cost and wider societal goals, Canada's public procurement is increasingly out of step with societal values. In the area of ethical and sustainable public procurement, leading practitioners globally now consider social value, in addition to environmental impact and price considerations. In this area, Canada's national and provincial government policies have fallen behind and are failing to maximise value for Canadian taxpayers. Policy and legislation enacted in the UK, Europe, the USA and Australia, offer Canada an important road map to guide the development of Socially Responsible Public Procurement policy (SRPP).

OECD - Developed Countries

In a recent study (July 2014), OECD, predicted a slowdown in global economic growth along with a continuing rise in income inequality for the coming decades through to 2060. Governments will have to do more with less, learn to respond to society's changing values and consider strategies to address the growing income disparity. Managing the relationship between procurement and social policy will be an increasingly important function. In 2008, with the goal of enhancing integrity, all OECD countries committed to reforming public procurement practices. Ethics cannot be siloed in one department or another. How we take care of one another is everybody's business. Social procurement lifts the social policy agenda out of the welfare ministry, embedding social responsibility across all government departments and employing all

available resources. An important goal of social procurement is the desire to move beyond welfare relief, grants and philanthropic handouts, toward a more economic democracy where mainstream society enjoys equal access to the benefits of public procurement.

Public procurement is siloed, still viewed as administrative rather than an important strategic function, and lacks performance based management. Research (Carter 2006) suggests that moving away from compliance and into a more managerial, strategic approach to Purchasing Social Responsibility (PSP), effectively drives innovation, entrepreneurial thinking and cultural change, leading to significant organisational learning in the private sector. Perhaps the same could be true in government?

Throughout my research, I have failed to find any financial levers used to incent the practice of social procurement in government. Using the Social Impact Bond model, perhaps the savings achieved through the actions of one level of government should be shared with another? For example, if a local government contract provides employment to the long term unemployed, the welfare savings achieved could provide a new source of revenue to local governments. Policies such as this would help advance social innovation by incenting one level of government to explore more opportunities to save money within another.

United Kingdom

In tough economic times, governments must work to achieve maximum value for money. The UK government has created an Academy in Whitehall, London, to train commissioners in Socially Responsible Public Procurement (SRPP). The Social Value Act requires all public sector procurement commissioners to consider the economic, environmental and social benefits before starting the formal procurement process. It is during the pre-procurement process that the real magic happens. For this reason, where appropriate to the size of contract, the commissioner must contact stakeholders in advance of writing the RFP. For example, *Meals on Wheels* is a UK food delivery service for people unable to prepare food for themselves. Upon meeting with the clients being served, the procurement officer learned that instead of procuring transportation for the food, the clients preference was to be transported to a central place, such as a community centre, where the social service client could get out of the house and eat in the company of others, thereby addressing the bigger issues of loneliness and isolation.

Scotland - Public-Social Partnerships

In 2011, the Scottish Government created Public-Social Partnerships (PSP's), which are based on a co-planning approach with the third sector, (voluntary, charity and social enterprise organisations). PSP's are a strategic partnering arrangement, which involve the sector much earlier and more deeply in the design and commissioning of public services. New services, based upon user needs are developed, trialled, evaluated and fully costed. Successful new service approaches can then be commissioned for the long-term at greater scale, through a competitive tendering process (*readyforbusiness.org*). PSP's build on the depth of firsthand knowledge found in the third sector and foster innovation within organisations with the greatest understanding of the client group. With a focus on prevention and knowledge transfer between partners, it is hoped that the model will help break down intra-organisational bureaucratic barriers within traditionally, risk adverse cultures.

Europe

The Dutch Government uses its procurement power to mobilise the innovative capacity of Dutch companies to solve major societal challenges, such as mobility, sustainability, safety and health. At the same time, we promote innovation, especially in small and medium- sized companies, strengthen the business climate and increase the competitiveness of Dutch companies. **Maxime Verhagen,**
Minister of Economic Affairs, Agriculture and Innovation Holland

In Rome, 2% of all food served in schools is purchased from social co-operatives employing former prisoners, working on land seized from the mafia.

In January, 2014, the European Union issued a directive which modernised and reformed Public Procurement. The directive specifically included new guidelines for social procurement providing clarity that the practice was legal throughout the EU, and may now be actively encouraged. Procurement evaluated on price and quality of goods, was to be replaced by a more ethical approach, named M.E.A.T., most economically advantageous tender. Furthermore, the directive stated that SP could be conducted in ways which would not contravene international trade agreements and should be used strategically to address new challenges and to achieve societal goals. National governments within the EU, have until April 2016 to add the new rules to their own laws.

USA

SP policy frameworks in the USA have a particular emphasis on avoiding discrimination and providing equal opportunities in line with the constitution (McCrudden, 2004). These issues have most clearly been crystallised in the development of federal policies that promote procurement from women and minority owned businesses with some emphasis on purchasing from black and indigenous peoples. Non-discrimination also shaped US policies regarding overseas procurement, placing pressure on the UK Government to stop religious discrimination in Northern Ireland, and upon the South African government to end apartheid (McCrudden, 2004).

The Small Business Development Act (1982) is a tried and tested way in which the US government has successfully stimulated market development of innovative solutions to societal issues. In 2006, the model was adopted by Holland, where the instrument and Dutch public procurement is being leveraged to accelerate desired social transitions through innovations being developed by small and big business.

Australia

The nature of the welfare state in Australia has historically been to offer greater levels of income protection, rather than promoting entrepreneurial mechanisms for addressing unemployment and poverty. “There has been a welfare-based approach to social policy, rather than the more enterprising support policies, which are the focus of targeted procurement strategies in the USA (Burkett 2010).” Australia, does however, have a long standing focus of promoting place based policies to grow small business and this could be seen as an important foundation from which to explore social procurement policies. Australia has an Indigenous Opportunities Policy, which applies to contracts being awarded in areas with high indigenous populations. Queensland has a 20% Indigenous Employment Policy. There are 600 Australian Disability Enterprises (ADE’s), employing 20,000 people. Contracts with ADE’s are not required to go to public tender.

Brazil

In 2009 Brazil passed a law which required 30% of all food purchased by government for the school meal program, to come from small family farms. The initiative directs \$337 million in to 130, 000 small farms every year.

The Challenges

There is a lot of fear and defensiveness among public sector procurement officers, with many still wondering, if this practice is even legal. Education, training and policies, which clearly define the rules, will help overcome the nervousness which exists today. Incentivising the practice and embedding the work into performance appraisals will further enhance legitimacy and drive behavioural change.

Even among the early adopters the gap is huge. “Purchasers and suppliers are on different planets. Purchasers are driven by price, quality and risk avoidance, they follow rules. Suppliers are driven by the desire to create social value (LePage, March 2014).”

Social Procurement: A summary of key components

A review of the literature consistently suggests a number of key components, the first of which is Pre-Procurement. This is the vital stage. It requires meeting with stakeholders and building trust between buyer and supplier. Extending timelines for RFP’s can help a wider marketplace prepare to respond to upcoming opportunities. By providing sufficient time for innovative partnerships and consortia to mobilize, market development and supplier diversity is improved. Unbundling of contracts also provides more accessible bidding opportunities to social enterprises and small business. Diversity brings strength to fragile supply chains. “Sometimes you might have to go to a higher cost structure to make your supply chain more robust and reliable” says Vinod Singhal, professor of operations management, Georgia Institute of Technology.

Research

There is a dearth of evidence-based research to support social procurement. The sector must continue to develop metrics and simple measurement tools. Complex metrics and onerous reporting requirements will deter officers from engaging in the practice. The simple human desire for fairness and doing the right thing, may effectively drive SP, as long as risk-adverse, public sector procurement officers have legal clarity and easy to understand rules to guide their actions.

Carter (2005) found no direct relationship between PSR and increased costs; the research found organizational learning and supplier performance were key, acting as mediating variables between PSR and costs, with PSR leading to organizational learning, improved supplier

performance, and ultimately reduced costs. Nonetheless, the effects of organizational learning within a supply chain context remain largely unexplored. Organizational learning allows a firm to expand the range of its potential behaviors (Huber, 1991); including behaviors of socially complex phenomena which others may not be able to systematically manage, such as supplier relationships (Das and Teng, 2000).

To facilitate organizational learning, firms and governments must encourage experimentation and risk taking, provide supply management employees with problem-solving tools that allow them to assess underlying causes, and establish a creative environment in which employees can use these tools (Garvin, 1993).

Ethical decision making

Ethics are the bedrock of civil society. Government is responsible for preventing serious risks to our system, and for holding companies accountable for the ‘externalities they create. “Externalities are costs to society, such as environmental damage, that are produced by companies but not reflected in the company’s cost structure” (Donaldson, 1996). Companies are changing; Unilever has committed to sustainable growth over the long-term, and has taken the bold decision to stop releasing quarterly results, thereby no longer pampering to the whim of short-term investors.

Society is responsible for holding democratic governments to account. Governments, which fail to keep pace with changes in societal values, will pay the price and lose power. To succeed over the long-term successful companies must employ excellent business systems, sound fiscal policy and socially responsible business practices. So too must government. In their book, *Managing Business Ethics*, (2014), authors Trevino and Nelson, suggest an eight step process to sound ethical decision making, which could be used effectively to guide social procurement within governments.

1. Gather the facts
2. Define the ethical issue and avoid knee jerk reactions. Consider who will be harmed and who will benefit?
3. Identify the stakeholders
4. Identify the consequences for each stakeholder group. Think long-term and short-term.

Consider the symbolic consequences, as every decision and action sends a message.

5. Identify the obligations and duty involved
6. Consider your own integrity and character. How will the decision be viewed within your own moral community? Consider the disclosure rule and any potential reputation damage in the media.
7. Think creatively about potential actions or solutions.
8. Consider your gut instinct. Human beings are hard wired to be empathic and to value fairness. Pay attention to your gut, but follow a rational decision making process.

In Summary

In 1973, BC farmers produced 86% of the small fruit & vegetables consumed in BC (BC Ministry of Agriculture), today it is 43%, exactly half. 96% of all food arriving on Vancouver Island arrives in a refrigerator, on a truck, on a ferry. The BC agricultural sector is in decline and in the spring of 2014, the last John Deere dealership on Vancouver Island closed down.

How much longer can the BC government, a large and most influential, institutional food buyer, continue to encourage BC residents to buy local, while failing to do so itself? How aligned is this practice with social values? How environmentally, socially and ethically responsible will this procurement practice be judged to be by the moral community, the electorate? Would this practice pass the eight stage ethical decision making process? By failing to consider the social price of best price, the BC government is contributing to the demise of agriculture in BC, adding unnecessary carbon to the atmosphere, while holding BC farmers to higher food safety standards than are currently applied in Mexico.

As society evolves, so too must government policy. I would argue that public sector procurement remains siloed and compliance focussed, out of step with societal values and increasingly at risk of being viewed as unethical. Furthermore, the practice is threatening the food security and food sovereignty of all British Columbians. The time is right for British Columbia and Canada to develop public policy that better reflects changing societal values. It is time for Social Procurement to be added to public policy, both in BC and in Canada.

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