

SETTING A COURSE TOWARDS SOCIAL PUBLIC PROCUREMENT: A GLOBAL GOOD PRACTICES REPORT



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SELCO Foundation

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About

Client – The SELCO Foundation

The [SELCO Foundation](#) was founded in 2010 and is headquartered in Bangalore, India. The SELCO Foundation represents the not-for-profit component of the SELCO family microcosm. There are three other SELCO initiatives:

1. SELCO India is a social enterprise that provides rural energy services.²
2. SELCO Incubation nurtures enterprises that provide clean energy to underserved communities.
3. SELCO Fund is a Social Venture Fund providing capital to last mile energy access enterprises.

The SELCO Foundation's policies are end user and grassroots level focused, and open source. The Foundation has a research lab-based approach to innovation, as in scaling via replication. It uses philanthropic capital to enable high risk social innovation in areas such as livelihoods, education and health in order to assist underserved communities. The Foundation's goals are to alleviate poverty, build an ecosystem for sustainable energy, support social enterprises, and help people without energy access be seen as shareholders, not stakeholders.³

UBC Team

The following project was completed by four UBC Master of Public Policy and Global Affairs students. Throughout the program, their varied interests include the intersection of Indigenous topics and environmental issues in Canada, social development for rural communities, and climate change mitigation.



Julia Brown (she/her/hers) recently completed a work placement with the First Nations Health Authority in British Columbia. In this position, Julia appreciated working with an Indigenous organization where she gained accountability surrounding her positionality as a policymaker. Julia previously held a position with the YMCA where she developed her interest in community-based initiatives for youth engagement.



Tasha Carruthers (she/her/hers) has worked with several innovative start-ups whose common theme has been efficiency maximization or niche positions in established sectors. After working on a housing initiative with Canadian public policy professionals for remote Northern regions, Tasha was motivated to continue exploring the intersection of development, climate justice and engagement through policy.



Katherine Pease (she/her/hers) completed a work placement with the Canadian Department of Fisheries and Oceans, where she worked as a junior analyst for the Pacific Salmon Strategic Initiative. Previously, as a trade commissioner for Global Affairs Canada, Katherine gained insight into the importance of government funding and support programs to help grow small businesses.



Annabel Steidl (she/her/hers) has been working as a research assistant for the past year, where she is examining global food governance. As a research assistant, Annabel has developed her data collection skills through social media data mining and analytics. Annabel has explored a variety of issues throughout her academic career, including environmental issues, human rights, development, and migration.

Positionality

The UBC team brings diverse educational backgrounds and work experience to this project. The recommendations provided represent a convergence of primary and secondary research and do not insinuate a complete understanding of the Indian context. It is the team's intention that the insights drawn from their research will be taken up by those working on the ground in social public procurement in India.

Acronyms

MSMEs – Micro, small and medium enterprises

SC/ST – Scheduled Caste/Scheduled Tribe

SDGs – United Nations Sustainable Development Goals

SE – Social enterprise

SEWF – Social Enterprise World Forum

SPP – Social public procurement

Key Terminology

Below are two key terms for this project. Globally, these terms do not have a universal definition due to their complex nature and recent emergence as a global initiative. Instead, these explanations serve as internal working definitions within the scope of this report.

Social Public Procurement: When governments use their “buying power to generate social value above and beyond the value of the goods, services or construction being procured,”⁴ thus contributing to the “governments’ broader environmental and social policy goals.”⁵

“Whether it is sustainable public procurement, social public procurement, etc. — the thing in common are the outcomes. What outcomes are we trying to achieve? Public procurement is just a lever to achieve the change you want.” *Frae Cairns (Capability Manager at Amotai in New Zealand)*

Social Enterprise: Typically fulfills the following set of standards: “mission focused, surplus invested in mission, ownership tied to mission, ethically transparent and accountable, trade generated income, [and] asset locked.”⁶

Executive Summary

Social public procurement (SPP) practices are emerging globally to help achieve social, environmental, and financial sustainability. SPP is a variation of standard public procurement that prioritizes social impact and can help countries achieve their Sustainable Development Goal (SDG) commitments. Take up of SPP in India is increasing, such as the procuring of food from small-scale farmers to supply government food programs in Odisha, operated by the Odisha Millets Mission. However, SPP practices in India have not yet realized their full potential in engaging social enterprises to respond to community needs and progress towards achieving the SDGs. SPP in India would derive more social value by engaging social enterprises because it would result in more profits being reinvested in the local economy. As such, 15 interviews across India and four case study countries (Brazil, Malaysia, New Zealand, and the United Kingdom) were conducted to determine what enabling ecosystem is required to further social enterprise engagement through SPP in India. The findings were named good practices as the term 'best practices' may suggest universal solutions to complex and context specific challenges. Eight good practices emerged: SPP-specific legislation, political will, intermediaries, social enterprise accreditation, SPP champions, policy window, data, and e-procurement.

This report identified that SPP adoption is aided when there is **SPP-specific legislation** and the **political will** to grow SPP initiatives. SPP legislation allows for key social outcomes to be prioritized and consistent enforcement mechanisms to be developed. Pilot projects allow SPP policy to be developed on a smaller scale, introduced in select ministries as a proof-of-concept, and be gradually adopted government-wide over time.

Intermediaries, such as social enterprise hubs, have emerged as a support system for the growth of social enterprises in SPP by connecting SEs directly to SPP tenders, acting as advocates, and helping to build networks. They help to navigate many of the bureaucratic challenges placed on social enterprises throughout the procurement process and provide resources to assist in the navigation of contracts. **Social enterprise accreditation** has also proven to be an effective tool, providing SEs with a broad definitional scope which can help with their scalability to establish them as competitive players when provided with resources and access to SPP market opportunities.

Policy windows and **SPP champions** provide an opportunity for the growth of SPP within government. Policy windows, such as the adoption of public procurement into the SDGs, have sparked global uptake of SPP initiatives that promote sustainable procurement practices. Key actors in initiating these policy windows are SPP champions. These champions are individual

government employees who advocate for SPP, working to influence superiors for greater investment of time and resources into SPP initiatives.

Data collection and analysis are key to tracking the impact of SPP and improving the effectiveness of SPP policies. The adoption of an **e-procurement** platform helps streamline the data collection process. Asking small businesses with limited capacity, including social enterprises, to collect complex data places an additional burden on them and acts to exclude the very organizations that SPP seeks to engage.

To better support SPP adoption in India, the following four recommendations are actionable measures that stakeholders can take to advance India towards a more integrated SPP ecosystem which maximizes the engagement of social enterprises. First, the SELCO Foundation should position itself as a comprehensive **SPP resource hub**. Second, SELCO Incubation should expand into an **intermediary** organization with the purpose of connecting social enterprises to SPP opportunities. Third, a government **SPP pilot project** should be launched under the Ministry of Finance. Finally, potential **amendments** to the Government of India's Public Procurement Policy for Micro and Small Enterprises Order should be identified to incorporate SPP targets.

Project Description

Social public procurement (SPP) practices are emerging globally to help achieve social, environmental, and financial sustainability. Different countries and organizations use slightly different terms and definitions that capture this relationship between public procurement and achieving broader social outcomes. Meaning, green, sustainable, social, and social impact are all terms for the type of public procurement in which a government is using its “buying power to generate social value above and beyond the value of the goods, services or construction being procured.”⁷

SPP has significant potential impacts and benefits. A recent World Bank report estimates that, globally, \$13 trillion is spent on public procurement and accounts for 15% of global GDP. The COVID-19 pandemic stimulated an important conversation regarding effective government spending and raised expectations for governments to consider socioeconomic policies as countries recover from the recent crisis. The potential impacts and benefits of SPP are directly tied to the amount of spending that could be directed to social and environmental projects, while still supporting economic growth.⁸ Public procurement presents an undeniable opportunity for social development, as it creates an overlap between the public and private sectors, inspiring innovation and greater benefits for everyone.

Similar to SPP, ‘social enterprise’ is a term with synonyms, subcategories and myriad definitions. An example of a synonym for social enterprise used by the Malaysian government is social impact business. An example of a subcategory of social enterprise is a B Corporation, which is certified by a third-party standard and is for-profit. Social enterprises typically prioritize their social impact over profits. According to the Malaysian government, a social enterprise should have a “clear social and/or environmental goal,” allocate “a significant amount of resources towards achieving their goal,” and be “equipped with a sustainable business model for long-term impact.”⁹

Public procurement has traditionally favoured large enterprises over small ones due to economies of scale.¹⁰ Thus, traditional public procurement misses out on the social value that is derived from engaging with small, local, or social enterprises. For example, when the Odisha state government began collaborating with the [Odisha Millets Mission](#), they were able to procure food for the government food programs in ways that supported small scale farmers, women’s self-help groups, ecologically friendly indigenous-led land practices, and the economy of the region, rather than buying industrially produced food products with fewer external

benefits. Engaging social enterprises in public procurement results in profits being reinvested into the local economy or towards the mission of the SE.

SPP adoption has been growing, as “effective government policy has the greatest potential to grow the social enterprise movement and help transition the world to a global impact economy” and to achieve the SDGs.¹¹ This is represented in SDG indicator 12.7.1 to implement “sustainable public procurement policies.”¹² Because India spends 20-30% of its GDP on public procurement (over \$300 billion USD annually),¹³ it is in a great position to advance the SDGs through social public procurement. However, SPP practices in India have not yet realized their full potential in engaging social enterprises to respond to community needs and progress towards achieving the SDGs.

This project takes a high-level approach to social public procurement in India. This report illustrates how other countries navigate the implementation of social public procurement and how these lessons can benefit stakeholders in India. The central part of the report is formatted thematically into four chapters named after ‘good practices’ in SPP and their applicability to India’s procurement system. These good practices are based on analysis of SPP ecosystems through interviews and literature reviews in four case study countries: Brazil, Malaysia, New Zealand, and the United Kingdom. Lastly, the report makes recommendations on actionable measures that stakeholders can take to help move India towards becoming a more integrated social public procurement environment.

Case Study Highlights

Brazil

- Brazil was chosen as a case study because of its similarity to India: BRICS status, large young population, rural poverty, and its history of innovative food procurement.
- Food Purchase Program (PAA) and National School Feeding Program (PNAE) which are part of the Zero Hunger strategy are strong examples of SPP in Brazil.
 - PAA is legally binding, requiring government to buy from family farms.
 - PNAE program mandates that 30% of ingredients for state-led school lunch program must come from PAA farms.
- Since the election of Bolsonaro in 2019 Brazil has been in a period of constitutional austerity, reducing funding for social and redistributive policies.
 - As a result, undernourishment has increased again in Brazil.
- Social enterprises are only a small part of the Brazilian economy, but 'creative' or social enterprises (CSEs) are growing at a faster rate than the rest of the Brazilian economy and have proven to be adaptable to complex socio-economic contexts.

Malaysia

- Malaysia spends 24–33% of its GDP on public procurement,¹⁴ an amount similar to India's 20-30%.
- Malaysia does not have legislation on SPP. In 2021, the government launched the Program Perolehan Impak Sosial Kerajaan (PPISK) [Government Social Impact Procurement Programme] as a proof-of-concept initiative to introduce and promote social procurement across public sector entities in Malaysia.
- The government's SPP program serves as the intermediary, by providing a platform for social enterprises. Thus, Malaysia has a direct procurement with the government system.
- Malaysia's social enterprise accreditation program is run by the government.

New Zealand

- New Zealand spends 20% of its GDP on public procurement (approximately \$51.5 billion spent).¹⁵
- The Ministry of Business, Innovation, and Employment is responsible for public procurement policy in New Zealand (called the Government Procurement Rules).
 - 'Broader Outcomes' added to Government Procurement Rules in 2019 - which are "the secondary benefits that are generated by the way a good, service or works is produced or delivered[.] These outcomes can be social, environmental, cultural or economic benefits."¹⁶
- Intermediaries are crucial for connecting New Zealand social enterprises with public procurement opportunities:
 - *Ākina* connects businesses and government agencies with certified social enterprise suppliers for social procurement opportunities.
 - *Amotai* helps Māori and Pasifika-owned businesses access procurement opportunities.

United Kingdom

- The United Kingdom spends 16.1% of its GDP on public procurement.
- The central piece of legislation in the United Kingdom on SPP is the Social Value Model, which was first introduced in 2012¹⁷:
 - Initially required public bodies to 'consider' the economic, social, and environmental impacts of the services being commissioned or procured.
 - Altered in January 2021, now requiring a minimum of 10% of every procurement decision to be based on the scoring of a social value proposal attached to a procurement bid, often enough to separate winning and losing bids.
 - Social value is classified under 5 themes, accompanied by policy outcomes: COVID-19 recovery, tackling economic inequality, fighting climate change, equal opportunity, wellbeing
- Social enterprises play a significant and impactful role in the economy of the United Kingdom as it is estimated that there are approximately 100,000 SEs in the UK.¹⁸
- Intermediaries have proven to be influential in advocating for SPP and social enterprises:
 - *Social Enterprise UK* was instrumental in the passing of the Social Value Model, sparking a widespread commitment to social public procurement through initiatives such as the Buy Social Challenge.¹⁹

Good Practices

To better grasp global SPP activities and existing good practices, [four case study countries](#) were analyzed (see appendix for additional case study backgrounds). These case studies were selected due to their high public procurement spending (over 15% of their GDP), potential ecosystem similarities to India, or existing SPP practices. To better understand SPP practices in these country case studies, 1-4 semi-structured interviews per country (15 in total) were conducted with a variety of legal, government, academic and NGO experts with SPP experience. Interviews and literature reviews were used to map out the existing ecosystems that fostered successful SPP activities.

The case study analysis revealed examples of successful SPP practices, which were varied and unique to the context of the country. By comparing common lessons and themes that emerged, the following good practices were selected to derive opportunities and challenges as they pertain to India. The choice of naming them ‘good practices’ is intentional, as the term ‘best practices’ may be problematic without adequate contextual understanding of public procurement in India or suggest the existence of universal solutions to complex and context specific challenges. The good practices can be grouped into four themes: political ecosystem, intermediaries, championship, and data.

Good Practices 1 and 2: SPP-specific Legislation and Political Will

Legislation

Public procurement legislation emerged as a significant contributor to successful SPP adoption throughout the case studies. India’s public procurement ecosystem does not include comprehensive central legislation, rather is composed of various rules from ministries and states.²⁰ The principal guidelines for public procurement in India are:

1. The General Financial Rules (GFRs)
2. Manual on Procurement of Goods (MPGs)
3. Other administrative guidelines, ministry-specific procurement rules, and state-level transparency legislation. For example, the Karnataka Transparency in Public Procurement Act (1999) and the Rajasthan Transparency in Public Procurement Act (2012).²¹

Prior to analyzing SPP legislation good practices from the case studies and considering its applicability to the Indian context, it is important to note that approaches to procurement legislation are heavily impacted by whether the countries are federal or unitary, their level of

decentralization, and distribution of responsibilities.²² Therefore, the case studies provide insights into a variety of examples of SPP-legislation and policies that range in scale and approach.

An example of central public procurement legislation can be found in [New Zealand](#). The Ministry of Business, Innovation, and Employment governs the country's public procurement policy through the Government Procurement Rules. The most recent update of the Government Procurement Rules now includes the expectation that government procurement activities will support Broader Outcomes.²³ These [Broader Outcomes](#) help New Zealand leverage SPP and are designed to support social, environmental and economic outcomes. The government identified four key outcome areas: increasing access for New Zealand businesses, construction skills and training, improving conditions for New Zealand workers, and reducing emissions and waste. Dr. Barbara Allen, Senior Lecturer in Public Management at the Victoria University of Wellington, shared in an interview that Broader Outcomes moved SPP forward in New Zealand by providing an umbrella term to capture many social priorities that have been emerging and actionable guidance to engage with them through procurement.²⁴ This legislation requires agencies to consider the priority areas and incorporate them appropriately.²⁵

The case studies also revealed the importance of pilot projects to introduce SPP initiatives. In [Malaysia](#), the [Government Social Impact Procurement Programme](#) was introduced in 2021 as an initiative to promote SPP across the government. As a proof-of-concept pilot program, five ministries in the Malaysian government are participating in the program: Ministry of Finance, Ministry of Science, Technology and Innovation, Ministry of Women, Family and Community Development, Ministry of Rural Development, and Ministry of Education. The goal of this policy is to utilize the purchasing power of the government and increase positive social and environmental outcomes from procurement activities. The Malaysian government aims to support social enterprises by increasing procurement opportunities and therefore increasing the SEs' capacity.²⁶ A Malaysian government agency officer highlighted in an interview that the government can play an important role in leading by example and committing to SPP. Introducing SPP through government policies requires political will, and therefore funding and managing a program should be seen as a long-term investment.²⁷

In [Brazil](#), SPP has not yet been integrated in the country's central public procurement law. However, Brazil has implemented public procurement policies that promote social and environmental impacts. The government introduced the [Programa de Aquisição de Alimentos](#) (PAA) in 2003. The main focus of the policy was to empower family farming and reduce food insecurity. The policy was significant as it was legally binding. The program was designed to target rural development, providing benefits for both suppliers and consumers.²⁸ Stemming from the PAA is the Programa Nacional de Alimentação Escolar (PNAE), which is one of the largest food public procurement programs globally.²⁹ In 2009, it was mandated that 30% of PNAE funding is used to procure from PAA and the family farmers the program supports.

Within India, the [Public Procurement Policy for Micro and Small Enterprises \(MSEs\) Order](#), that was introduced in 2012, has ties to SPP. The goal of this policy is to support micro and small

enterprises while still respecting equitable and transparent procurement practices. The policy's most significant rules include: ministries and departments annual 25% MSE procurement target, 4% (of 25% MSEs) procurement target from SC/ST entrepreneurs, and 3% (of 25% MSEs) from women entrepreneurs.³⁰ These targets include specific caste, Indigenous, and women entrepreneur groups that are in line with other employment equity goals leveraged in other case studies. However, data reported for the policy indicates that these targets have not been reached yet, with both women and SC/ST entrepreneurs receiving less than 1% of the government procurement.³¹

Political Will

Political will is complex, it requires having the support of decision-makers who have a shared grasp of the issue and support for a potential policy intervention.³² India's experience exploring green public procurement indicates decision makers share an understanding of the potential India's public procurement activities could have on the environment. India approached sustainable public procurement in 2011, when the Ministry of Environment and Forests put forward a committee to explore Green Public Procurement. Following the recommendations of this committee, the Government of India created a draft public procurement bill in 2012, which stated that public procurement evaluation criteria may include: price, cost of operating, maintenance or repair costs, characteristics of the procurement, and functional or environmental characteristics.³³ While this bill did not move forward, the inclusion of environmental consideration into public procurement criteria is significant. Following this focus on green public procurement, the Planning Commission of India advocated in 2014 for public sector procurement playing a role in pursuing a low-carbon economy, justifying costs by using the life-cycle analysis. In 2018, the Indian Government launched a Sustainable Procurement Task Force to draft an action plan, review international best practices, and assess India's ongoing sustainable procurement practices.³⁴ The deliverables from this Task Force have not yet been released. This signals an appetite for sustainable procurement in India and potential to expand social procurement that reaches both green and social development goals.

The [United Kingdom](#) is an example of gradual SPP adoption through legislation. When first announced in 2013, the [Social Value Model](#) asked public procurement practitioners to consider social and environmental benefits within procurement bids. Most recently updated in 2021, the Social Value Model now requires every procurement decision to weigh at minimum 10% of the procurement bid score on its social value proposal.³⁵ This gradual increase in SPP enforcement required political will to keep SPP on the political agenda.

In summary, legislation and political will play an important role in the adoption of SPP within public procurement systems. The case studies showcase interesting approaches countries have taken to implement SPP practices, such as a pilot project, gradual legislative changes, targeted policies, and a central ministry approach. This analysis also highlights ongoing public procurement policies in India that could provide opportunities for SPP adoption or indicate a potential willingness to pursue larger SPP projects.

Opportunities: India could implement incremental amendments to its existing procurement policy, targeting social outcomes that align with India's SDG goals. As seen in numerous case studies, governments have the opportunity to lead by example and adopt SPP practices through SPP-specific legislation and public procurement policies. Making these changes increases SEs and impact-driven enterprises' ability to participate in public procurement.

Challenges: Adoption of SPP legislation in India requires alignment of shared social outcome priorities and vision for long term implementation.

Good Practices 3 and 4: Intermediaries and Social Enterprise Accreditation

Intermediaries

In the last decade, India has experienced significant growth in its social enterprise activity.³⁶ As a result of this growth, intermediary organizations have become a part of the enabling ecosystem for social enterprises in India. India now has a multitude of active forums where the social enterprise community can discuss, network and engage more closely with other stakeholders, allowing organizations to share updates, opportunities, and challenges across sectors and locations. For example, [Ashoka](#) is a prominent intermediary organization with a strong presence in India, who were the first to introduce the term 'social entrepreneur' in 1981. Ashoka provides important institutional support for practitioners in the field of social entrepreneurship.³⁷

The prominence of intermediaries is also growing in India, helping to connect social enterprises to promote local social entrepreneurship in the pursuit of specific social outcomes.³⁸ The [Sankalp Forum](#) is currently the largest networking opportunity held in India. It is an initiative created to establish an ecosystem for business-led inclusive development, and it hosts one of the largest gatherings of social enterprises and their stakeholders in India.³⁹ Such organizations help social enterprises that lack capacity due to their small business size to become more engaged in business activities. While their prominence in India is growing, there is currently little involvement of these intermediaries working to connect social enterprises with social public procurement bids as the involvement of social enterprises in SPP is an emerging phenomenon.⁴⁰

In other contexts, intermediaries have proven to hold great potential to influence social public procurement policy through advocacy and network building. For instance, in the [United Kingdom](#), [Social Enterprise UK](#) has been highly successful in influencing policy, acting as the national membership and campaigning body for the social enterprise movement. Social

Enterprise UK was also instrumental in the passing of the Social Value Model, sparking a widespread commitment to social public procurement by levelling the playing field for social enterprises who are often left out of procurement bids.⁴¹ Similarly, [New Zealand](#) has multiple influential intermediaries working to promote the engagement of social enterprises in social public procurement. [Amotai](#) promotes the growth of Indigenous entrepreneurship of the Māori and Pasifika peoples by connecting them with buyers wanting to purchase goods, services, and works. Additionally, [Ākina](#) provides advisory support to social enterprises to help them grow to meet increasing market opportunities.

These intermediaries can also help social enterprises overcome bureaucratic challenges faced in SPP by providing additional resources to assist with the navigation of contracts. For instance, in New Zealand, the procurement process is quite prescriptive and arduous, often requiring extensive time and resources from the supplier side to comb through buyer requirements. In smaller businesses, particularly Māori businesses, limited time and resources often cannot be dedicated towards having an explicit role for tendering, making it less likely that these small businesses will be able to participate in SPP.⁴² This is where Amotai becomes involved to help connect these businesses directly with buyers, removing the bureaucratic liability otherwise placed on the social enterprises.⁴³

Social Enterprise Accreditation

Social enterprise accreditation is a tool undertaken by global, country-level, and intermediary organizations to promote the growth of the social enterprise community, as well as the social impact that accompanies this growth. India does not have an explicit model for the accreditation of social enterprises. This partially stems from the fact that there is no universal definition of social enterprises. As members of a fast-growing part of the formal and informal economies, the social enterprise sector in India is incredibly large and diverse, meaning that finding a common definition which includes all aspects of work undertaken by these organizations would be virtually impossible. Holding social enterprises accountable to a specific definition would also be exclusionary and more damaging to their potential for growth.⁴⁴

However, there are examples where the broad interpretation of social enterprises has led to successful accreditation mechanisms, ultimately allowing SEs to be more scalable and take actionable steps towards broader market engagement,⁴⁵ such as the criteria offered by the SEWF. Based in Scotland, the [Social Enterprise World Forum \(SEWF\)](#) is the leading global organization for the social enterprise movement that is working to accelerate the global transition to a new impact economy. They offer opportunities for networking, idea sharing, inspiration and learning, support the development of effective social enterprise policy and strategy, and hold an [extensive bank of resources](#), which includes a global mapping project, a video archive, a database for strategies, and social public procurement policies and research. Accreditation done through the SEWF provides guidelines for a SE definition so as not to be exclusionary but works to set forward the goals of social enterprises of becoming more involved in market opportunities. Their accreditation is based on their broad social enterprise characteristics.

Looking at more localized examples, smaller scale intermediaries also have their own social enterprise verification processes. Ākina offers ‘impact certification’, inviting any business that has positive outcomes from their operations to join their social procurement program.⁴⁶ Amotai also provides support by having Māori and Pasifika-owned businesses register for free as a supplier, giving access to a directory of buyers, additional resources to navigate contracts, and a network of support for like-minded businesses.⁴⁷ In the United Kingdom, Social Enterprise UK also uses a certification process that allows social enterprises to officially become members, granting them access to the various services provided by SEUK.⁴⁸

Overall, intermediary organizations play a very important role in connecting social enterprises with SPP opportunities. Intermediaries in India are already well situated by providing networks and resources to SEs to become more involved in SPP. The examples of Ākina, Amotai, and SEUK have shown that accreditation, global or local, with a broad definitional scope can help with the scalability of social enterprises to establish them as competitive players when provided with resources and access to SPP market opportunities.

Opportunities: Global and national intermediaries who act as networks and resource hubs for social enterprises can serve as examples for India’s intermediaries to help connect Indian social enterprises to SPP opportunities. Implementing a social enterprise accreditation system in India can also help with their scalability.

Challenges: Implementing an accreditation model for social enterprises in the Indian context without being exclusionary in its definitional requirements is difficult considering the growth and diversity of these organizations across the formal and informal sectors.

Good Practices 5 and 6: Policy Windows and SPP Champions

Policy Windows

A policy window is a convergence of several factors that result in favourable conditions for a policy to be implemented. Policy windows are “an important agenda-setting opportunity that arises when problems, politics, and policies coalesce.”⁴⁹

Events that open policy windows can be domestic or international. The policy window for SPP has opened in many parts of the world, evidenced by the adoption of acts, criteria, and quotas that mandate, incentivize or encourage social value to be incorporated into government procurement supply chains. The SDGs have played a key agenda setting role by offering policy makers a cohesive picture of development and showing the interconnectedness of systems and how global action can lead to human development. SDG target 12.7 ‘promote public

procurement practices that are sustainable, in accordance with national policies and priorities' points directly at procurement as a mechanism to drive social impact outcomes.⁵⁰ Because of India's size, the SDGs cannot be met globally without being met by India.

A study in [Brazil isolated ten key limiting factors](#) to successfully implementing SPP. In summary the biggest obstacles were related to a general lack of awareness about SPP, lack of tools to monitor and implement SPP and a lack of government stability under which SPP practices can develop and flourish.⁵¹ Political instability can alter or close policy windows altogether because the resources dedicated to, or general saliency of an initiative become diminished or outcompeted by other political events. In the case of Brazil, the election campaign run by Bolsonaro which focused on austerity measures, reduced market intervention and increased competition in the market was a clear indication of the reduction in social investments that were to come during his presidency. Brazil's shift towards a more conservative government acted to defund a successful food acquisition program, which increased its rates of hunger, undoing a decade of the progress of the PNEA, a food acquisition and distribution program, which significantly reduced hunger in the country while also helping to abate favela growth by employing people in rural regions.⁵²

Similarly in [Malaysia](#), the government has been pursuing an "interactive approach to economic and social development" since the 1960s.⁵³ There was awareness around the social impacts that procurement could have, yet SPP was not formalized until it found its policy window. The correct alignment of problems, politics and policies did not coalesce until 2014 when MaGIC was created and SPP was able to gain traction in government.

Policy windows do not arise by chance. Much work goes into orchestrating or enabling the ecosystem in which events converge to make a policy shift. Some of this work is the result of advocacy and championship.

SPP Champions

Individual employees who advocate for SPP within their organization are referred to as 'SPP champions'. In Public Procurement these champions are found within government ministries. According to our interviews, these individuals either bring SPP to their role/organizations/ministry of their own accord or volunteer to take on the role of SPP champion delegated to them by their supervisor. These individuals tend to fulfill multiple important roles and perform work 'above and beyond' their typical responsibilities in order to advance innovative practices. From there, the champions are able to influence those above them to adopt their championed cause, invest resources in it, and implement it in an effective manner.

In an interview with Dr. Seán Barnes, the significant impact that individual champions have was emphasized, referencing a story about two women in Australia who brought SPP into parliament and advocated effectively to the extent that it was adopted in Australia and in turn was a major motivation for the eventual exploration of SPP in New Zealand.⁵⁴

Different people have different motivations for their interest in SPP. Researchers Loosemore, Keast and Barraket (2022) published “A Typology of Social Procurement Champions” that analyzed the motivations of different individuals who were SPP champions. Their research identified 5 types of champions ranging from ‘champions of organizations’ who saw the strategic business case that SPP had to differentiate their business or organization and enhance their reputation, down to ‘champion of people’ where individuals might have a personal connection to one of the beneficiary groups. Assessing the different types of champions helps to illustrate two key points: 1) there is no single path to SPP and 2) influence can start with one person but must spread throughout the organization in order to be effective.⁵⁵

While exploration and advocacy of SPP is a great starting point, it will not be successful unless it is adopted broadly. It is crucial for individuals at every level to understand and integrate SPP or else it will get stuck at one level and fail to influence decision-making at the organizational level. Interviewees emphasized the essential role that top managers, middle managers, and entry-level workers inside the government play to advance SPP. This concept of SPP champions at all levels can be imagined as an ‘advocacy sandwich’.

Getting everyone in an organization on board with a change to the status quo is no small task. Frae Cairns, Capability Manager at Amotai, expressed how repetitive the role of the champion can be.⁵⁶ It takes a long time for people at all levels to integrate these principles and spoon-feeding simple and implantable information is a key to disseminating the information. Setting targets and checklists can be effective, but it is important to make these reactive and avoid turning them into either meaningless checklists or overly long and prescriptive processes that become arduous especially for already overloaded government officials.

Intermediaries and large advocacy groups external to government can also assist SPP champions to succeed by providing resources, networking opportunities and information that can help the champion in their task.

In India, the NGO and private social enterprise landscape is very dynamic and responsive, yet slow bureaucratic processes can hinder uptake by government bodies for initiatives that attempt to cross into the public sector.⁵⁷ SPP faces barriers if people in positions of power do not champion the cause and advocate for their adoption. Similarly, while advocacy usually starts with one individual, there is little that a single advocate can do in a large organization if resources do not exist to help them champion and implement these shifts in policy. Eventually, advocacy must spread to all levels in order to fit SPP principles into procurement systems in a way that makes sense and maximizes the utility.⁵⁸

Opportunities: Providing resources to the right people who are motivated to champion SPP and can leverage their position towards advancing it has been shown to be effective.

Challenges: Champions must see the benefit or be personally motivated in order to take on the additional work of advocating for SPP. They require resources, capacity and an ability to break siloes.

Good Practices 7 and 8: The Role of Data and E-Procurement

Data

Data is key. Policy decisions are guided by data and evidence. Without comprehensive data surrounding social public procurement outcomes, legislative decisions are harder to make because data serves as evidence to persuade governments to adopt SPP.⁵⁹ According to Frae Cairns, in New Zealand, having defined targets such as key performance indicators (KPIs), as opposed to only having broader goals and definitions, is effective because it helps move a project along: “If project managers cannot measure it, they do not want to do it.” This also includes pilot projects. Pilot projects require data in order to justify turning the project into an official government program and enacting legislation on it.⁶⁰

High quality data is important in SPP to measure the impact of and progress on specific government programs through monitoring and evaluation.⁶¹ Data intelligence is also required if one wants to maximize the impact of programs and reveal “the best places to invest for the biggest impact against specific welfare indicators.”⁶² Thus, high quality data is highly relevant for SPP in order to justify the implementation of social values into the procurement system and measure its progress.

Challenges surrounding data generally arise during two phases: data collection and data analysis. Simply put, there is a lack of quantity and/or quality of data.

Data collection is important in social public procurement in several areas:

- Experts in the private market need to collect baseline data. Setting a specific target to collect baseline data is useful if the experts are not yet collecting it. The government can then use that baseline data to measure progress on social goals.⁶³
- Collecting data on social enterprises in order to create “a public and regularly maintained national” SE database is useful in order “to foster better networks and learnings and assist future research in the [SE] sector.”⁶⁴

Data is also closely linked to transparency in public procurement. According to the 2017 General Financial Rules, Indian federal public procurement data should be easily accessible to the public. However, this is a challenge as can be seen with contract awards often not being published because of a lack of monitoring and enforcement of said award publications. The missing contract awards negatively impact the quality of data analysis. There are three opportunities here:

- “Make the publication of contract awards mandatory throughout the federal public procurement system and communicate the requirement to all stakeholders.”

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- “Monitor and enforce clear rules for procuring entities to collect and publish relevant public procurement data in a consistent and timely manner, including publication of contract awards.”
 - “Publish all data in one place (ideally the [Unified Procurement System] website) in machine-readable format (e.g., CSV, JSON, XML) to improve usability.”⁶⁵

One external actor in India already helping with the dissemination of public procurement data to the public are procurement observatories. They are “small, civil society organizations [...] that have started collecting government procurement data and presenting it to the public in an understandable way. These observatories drill down into government data and information that is often kept in disparate places. Their job is also to demystify procurement policies and information around contracts and government purchasing.”⁶⁶ One such example is the [CivicDataLab](#), an award-winning organization focused on conveying [healthcare procurement data](#) in India to the public in order to improve transparency and accountability.

It is important to note that not everything in social public procurement can be data driven. A lot of decisions by actors in the SPP space are based on intuition and made after conversations with stakeholders.⁶⁷ Data collection and analysis requires large amounts of time and data quantity in order to arrive at an appropriate, evidence-based decision. Social enterprises sometimes do not have the capacity for that type of data collection and analysis. Instead, they make an educated, intuition-based decision. Social enterprises and intermediaries take an evidence-based, data informed approach to SPP. They are “winning people over with statistics and facts.”⁶⁸ Hence, building up better data across all areas of SPP is crucial in order to get more people on board with SPP. Measuring baseline data in particular and SPP in general requires a behavioral change, until these actions and programs become normalized. For example, New Zealand is at a point where they ask themselves: “How do we get to a point where everyone tries to achieve added value?”⁶⁹ While the public sector can be very slow to change, these types of behavioral changes have been achieved before.⁷⁰

E-Procurement

E-procurement offers several key benefits to SPP:

- E-procurement offers a unified space where data collection and analysis can occur.
- E-procurement increases transparency in the procurement contract process.
- E-procurement increases the standardization of the bidding process. This is especially beneficial to smaller businesses like social enterprises.
- E-procurement reduces the entry barrier for social enterprises to participate in SPP.

In October 2020 the Indian government announced that the Government eMarketplace (GeM) would be merged with the Central Public Procurement Portal (CPPP) to become the Unified Procurement System. This new e-procurement platform “will combine the whole public buying of goods and services onto one platform.”⁷¹ Vendors from all previous procurement portals and all government buyers, including defence and railways, will interact in the new system. The

government buyers agreed “to publish their high value tenders” above \$65,000 USD (Rs. 50 lakh) on the Unified Procurement System. “It would also lead to a good price discovery and spread the best practices” in public procurement.⁷² The Unified Procurement System is “developing end-to-end contactless and paperless systems, to bring standardization and transparency in government bidding process, starting with the panchayat and urban local body levels.”⁷³ A standardized bidding document and process will be immensely helpful for actors in procurement with fewer resources, such as social enterprises, MSMEs, the panchayat and urban local body levels.⁷⁴ In a way, COVID-19 has presented an opportunity for e-procurement as the adoption of the contactless ‘procure anywhere’ system was accelerated during the pandemic. As of now, almost all states in India have moved to e-procurement. Whether a state actually uses e-procurement depends on their level of understanding of how the e-procurement system works. The focus is now to bring in the maximum number of geographical areas and entities into e-procurement.⁷⁵

“The umbrella is good, now we need to bring everybody under it.” Dr. Prabir Panda (IT professional)

E-procurement is rightfully promoted as a step towards transparency in SPP. Yet, corruption on the margins of an e-procurement system can be hard to detect because there is no guarantee that while e-procurement is being used, companies are not submitting bids outside of the platform.⁷⁶

According to Dr. Panda, the biggest challenge in any procurement system is the entry barrier. Social enterprises and MSMEs are particularly affected by the entry barrier. E-procurement as an enabling platform reduces the entry barrier. However, Sri Murniati Yusuf (Deputy Research Director at the Institute for Democracy and Economic Affairs Malaysia) notes, small businesses are still disadvantaged in e-procurement because they lack the resources to participate.⁷⁷ Frae Cairns agrees that “accessibility is an actual barrier” for social enterprises in e-procurement. Challenges present themselves when the e-procurement portal is clunky, it is very difficult to find information, and there is only a short time to respond to offers, all of which creates confusion.⁷⁸

Opportunities: The recently announced Unified Procurement System offers a streamlined, comprehensive approach to e-procurement. Having a single e-procurement portal with a standardized bidding process is advantageous for all parties, including social enterprises.

Challenges: It is often not the structures for data collection in place that are lacking, but the enforcement of said data collection and follow-up with data analysis.

Findings at a Glance

After exploring SPP at a global level, key lessons were identified:

- Implement incremental amendments to existing procurement policy, targeting social outcomes that align with SDG or other goals. Seen in numerous case studies, governments have the opportunity to lead by example and provide frameworks that ministries and other enterprises can leverage.
- The support of international or nationwide intermediary organizations: Organizations that provide resources and networking opportunities have been shown to get buy in for SPP. Going a step further, some intermediary organizations also provide services like capacity building or accreditation services that can fast track government uptake.
- Championship within government: Individual actors are key to governments adopting SPP. Intermediary organizations can support these champions.
- Data collection is key to setting a baseline and tracking the benefits of SPP. The adoption of e-procurement platforms can help streamline the data collection process.

And these challenges to implementation:

- Ensuring that values and incentives for implementing SPP are consistently prioritized across different ministries and sectors.
- Inconsistent definitions for SPP and Social Enterprise make communication on the subject opaque and vulnerable to misunderstandings.
- Dumping the entire burden of SPP either on one government department or on social enterprises themselves without the considerations for their capacity leads to overload and failure of SPP projects. This in turn leads to future resistance of implementation.
- Asking social enterprises, small businesses or the 'supply-side' of SPP to collect complex data. This additional burden can act to exclude businesses or sectors with lowest capacity, the very one SPP seeks to engage.

Recommendations

The following recommendations are structured into two parts:

1. Actions the SELCO family can take to promote the understanding of SPP and its benefits (A & B).
2. Government interventions for which SELCO can advocate that would create a more SPP friendly ecosystem in India (C & D).

A. Positioning of the SELCO Foundation as a comprehensive SPP Resource Hub.

The goal of this recommendation is to introduce the SELCO Foundation as an SPP advocate. This could be accomplished through building on and expanding SELCO's role in knowledge sharing to offer inter-organizational communication services. As discussed in [Good Practice 5 and 6: SPP Advocacy Championship and Policy Windows](#), SPP champions are often adding championship to their already full workload. It can take a long time and a lot of patience to continuously advocate for SPP, any resources like information or events where champions can direct their colleagues can be effective ways to support the sea-change needed to get everyone on board.

The SELCO Foundation could expand their existing library of resources. They could do so by leveraging their large size, visibility and good reputation as well as the functionality of their new website to be a destination for private companies, NGOs, SEs and government ministries who are looking for information about SPP. Existing checklists and toolkits, or those developed in the future, could be linked in the SPP Resource Hub so that organizations would have a concrete location to facilitate the discussion around SPP and be provided with initial and implementable steps to take.

This role could also include information-sharing events such as conferences or networking opportunities that would connect Indian organizations and help raise awareness across sectors of the benefits of SPP. Such opportunities would help to foster conversation and collaboration and to break down silos. The [Social Enterprise World Forum](#) could be a model for this type of resource hub. This forum would foster greater awareness which could then lead to more targeted government advocacy.

B. The Expansion of SELCO Incubation into an intermediary organization with the purpose of connecting social enterprises to social public procurement.

This recommendation is grounded in [Good Practices 3 and 4: Intermediaries and Social Enterprise Accreditation](#). This research has established that there is a clear gap between social enterprises and their engagement in SPP in India. This recommendation seeks to fill this gap by suggesting that SELCO Incubation use their existing mentorship ecosystem to ensure that social enterprises can become engaged in public procurement. For example, in New Zealand, [Amotai](#) bridges this gap by directly connecting Māori and Pasifika businesses with buyers to fulfill procurement tenders, by removing the bureaucratic liabilities placed on the social enterprises due to a lack of capacity, and by providing them with additional resources to navigate contracts. By directly connecting SEs to public procurement tenders, removing associated barriers, and providing SEs with the capacity to pool resources to respond to contracts, SELCO Incubation can facilitate greater opportunities for SE engagement in public procurement. Intermediary organizations also frequently take on the role of accreditors and define criteria to determine which enterprises to work with. As discussed, defining a social enterprise is a challenge, therefore evaluating enterprises based on their measurable social impact can be effective for determining which SEs to include in the network. Focusing accreditation criteria on social impact ensures that all businesses who consider social outcomes can be included.

C. Launch a pilot SPP program under the Ministry of Finance in India.

By creating an SPP pilot project, an SPP framework specific to India's prioritized social outcomes can be developed. The government can incrementally acquaint itself with the concept of SPP and connecting SEs into public procurement over time. Incremental adoption of SPP policies can be integrated into ministries, and evaluation for the program can be developed. The goal is to make the targets within the pilot project achievable.⁷⁹ The [Malaysian Government Social Impact Procurement Programme](#) is a relevant example of a national SPP system that is currently in the pilot stage. Malaysia's pilot project targets a handful of ministries to implement the SPP. A pilot project would be the first step in a long-term commitment from the Government of India to implement and raise awareness around SPP. This recommendation is linked to both [Practice 1 and 2: SPP-Specific Legislation and Political Will](#) and [Practice 7 and 8: The role of Data and E-Procurement](#). Evidence-based policy decisions require high quality data. A pilot project can help justify and support the development of a fully formed SPP government policy in the future.

D. Identify potential amendments to the Government of India's *Public Procurement policy for Micro and Small Enterprises (MSEs)* in order to incrementally introduce SPP targets into India's government procurement.

India has implemented public procurement policies that have potential for amendments. These changes could allow for SPP adoption, a clear example of this is the *Public Procurement Policy for Micro and Small Enterprises (MSEs) Order*. These SPP amendments could include establishing targets for enterprises that focus on social impact. This amendment could be incorporated into the existing MSE (including SC/ST and women entrepreneurs) public procurement targets of the policy. Here the Government of India could apply lessons learned from case studies that were successful in the integration of social outcomes as an integral component of awarding public procurement contracts. The [United Kingdom's Social Value Model](#) first encouraged considering social outcomes voluntarily, and later implemented a mandatory minimum 10% social outcome criteria for evaluating each procurement decision. As discussed in [Practice 1 and 2: Legislation and Political Will](#), India has the opportunity to lead by example and integrate SPP into existing public procurement policy frameworks that can support social enterprises and social outcomes. The implementation of this will likely evolve and importance should be placed on reaching across states and government departments, avoiding a siloed approach.

Looking Forward

This report has identified that SPP practices in India have not yet realized their full potential in engaging social enterprises to respond to community needs and progress towards achieving the SDGs. In response, this report provides an in-depth analysis of the enabling ecosystem required for the successful implementation of SPP. Through the four case studies, Brazil, Malaysia, New Zealand, and the United Kingdom, multiple good practices were identified, including: SPP-specific legislation and political will, intermediaries and social enterprise accreditation, policy windows and SPP champions, and the role of data and e-procurement. The recommendations build on the good practices to suggest appropriate opportunities for SPP growth in India.

An interesting future avenue for research that goes beyond the scope of this project is the examination of SPP practices on a larger scale than the country level. India is incredibly diverse and large, so looking at how the European Union is tackling SPP as a single unit might be an interesting case study for comparison, as it is comprised of 27 countries which may better reflect a vastly diverse context. Going back to the country level, Bangladesh's procurement in the garment sector is worth looking into as a good practice case study.⁸⁰

The global SPP landscape is constantly evolving. New SPP programs are popping up across the globe on national and subnational levels, while existing programs are being upgraded. Norms are evolving to reflect the idea that public procurement should be based not only on immediate economic cost, but also on the social and environmental impact. Governments are currently focused on implementing SPP programs and regulating social enterprises in this space. Once governments realize that engaging social enterprises is a smart business choice and heavily regulating social enterprises reduces their economic efficiency, the next step will be to move from regulation to governance, such as capacity building. This will create an enabling environment for SEs and foster their business behaviour.⁸¹

Appendix

Case Study: Brazil

Context

Brazil is a country of 214 million inhabitants with a per capita GDP of 6,796.84 USD, Gini coefficient of 53.9, a 0.993 GDI and HDI of 0.761. Brazil's key sectors are mining, agriculture, and manufacturing, and it has a strong and rapidly growing service sector. Public procurement took up an average of 13.8% of the GDP during 2006-2012.⁸²

Social enterprises are still a small part of the Brazilian economy. Creative or social enterprises (CSEs) are growing at a quicker pace than the rest of the Brazilian economy and have proven to be adaptable to complex socio-economic contexts.

A survey done by PipeSocial on social enterprises found that 46% were working in green technology and 43% in citizenship. Education (32%), health (26%), social finance (23%) and cities (23%) were other areas, with considerable crossover accounting for the above 100% rate.⁸³

Brazil has many historical examples of Public Procurement initiatives that can be considered under the broader category of SPP like the Food Purchase Program (PAA) and National School Feeding Program (PNAE) embedded in Brazil's Zero Hunger strategy. PNAE is Brazil's oldest public food procurement program and one of the largest school feeding programs in the world. The example of the Food Acquisition Program provides clear evidence that procurement powers can be mobilized to reduce hunger even on the supply side. By decentralizing the supply chain, the production of food has been encouraged everywhere in the country which has helped to build resilience across all regions and has allowed people to remain in the rural countryside rather than be forced to move into favelas on the outskirts of urban areas. Furthermore, the Acquisition program can give preference to women and extremely low-income farms, targeting regions of high food insecurity. This targeting can help address intergenerational equity by mediating the market towards these equitable practices.⁸⁴

Since 2013, Brazil has been in a period of constitutional austerity, reducing citizen participation in policymaking and significantly reducing funding for social and redistributive policies. As a result, undernourishment has increased again in Brazil. Without much support from federal government, there have been a growing number of incubators in Brazil, mostly associated with public universities or third sector entities such as SEBRAE a non-profit private entity with the mission of promoting the sustainable and competitive development of small businesses. For social enterprises, it seems that this kind of support has not been able to reach its full potential: institutes and foundations, and accelerators and incubators reached only 11 per cent and 10 per cent of the social enterprises mapped by PipeSocial in 2019.⁸⁵

SPP Policy

Brazil's procurement policy is a shared responsibility between The Ministry of Planning, Budget, and Management (MPOG) is responsible for establishing the procurement policy of the federal government formulation and implementation of the procurement is done within the General Services System (SISG). Ministry of Agrarian Development (MDA) and the Ministry of Social Development and Fight against Hunger (MDS) were also instrumental in the creation and implementation of the Zero Hunger strategy.

On 1 April 2021, Brazil passed its New Public Procurement Law (Law No 14,133/2021), revoking Law No 8,666/1993 after almost 28 years in force. The new law aims to simplify the government procurement and contracting system, improving efficiency and reducing bureaucracy. It consolidates case law by the Judicial Branch and control entities (such as Accounts Courts). The intention of this legislation is to target corruption as well as increased efficiency and has reduced some protectionist aspects that are in line with quotas or preferences for Brazilian-produced products over imports. This is the result of recent politics that have moved away from Brazil's legacy of being progressive or innovative. The reduction of preference for Brazilian-made goods, which were considered to be good for SPP, has further reduced the social value or equity considerations, giving preference to traditional narrow cost savings practices.⁸⁶

In 2019 B. B. F. Da Costa & A. L. T. S. Da Motta at the Federal Fluminense University conducted a Delphi Study where they interviewed 20 procurement specialists from different fields about the barriers to SPP. In this study, SPP was defined as sustainable public procurement but included environmental protection, societal well-being and economic development in the definition which we would accept as tenant of social public procurement and therefore conclude that this study examined the same aspects that we are considering as S(ocial)PP. The top 10 barriers to applying sustainable/ social public procurement according to this study were:

1. Lack of long-term planning
2. Lack of methods to measure sustainability
3. Lack of knowledge about the social and environmental impacts of sustainable products
4. Lack of procurers training and education to adopt SPP
5. Lack of suppliers training and education to adopt SPP
6. Lack of organizational culture to support SPP
7. Lack of government incentives
8. Higher costs/prices resulting from the option for sustainable items
9. Lack of top management support
10. Perception that the option for sustainable items can restrict competition⁸⁷

Key Takeaways from Research

1. Policy Window and administration invested in broader outcomes is critical to interconnected goals.
2. Good practices in SPP in Brazil include long term planning and management support.

Case Study: Malaysia

Context

Malaysia has a population of 32.4 million people and a GDP of \$905.8 billion (2017 PPP).⁸⁸ The country is considered an emerging economy with an Inclusive Development Index score of 4.3 and also a 4.3% GDP growth rate in 2019.⁸⁹ Additionally, Malaysia has a Gender Development Index (GDI) of 0.972 and a Gini coefficient measuring income inequality of 41. Malaysia has been pursuing an “interactive approach to economic and social development” since the 1960s.⁹⁰

The most important reason why Malaysia is a case study is because it spends 24–33% of its GDP on public procurement,⁹¹ an amount similar to India.

Malaysia also makes an interesting case study because there is no external intermediary to the government-social enterprise relationship. Instead, the government’s social public procurement (SPP) program serves as the intermediary, by providing a platform for social enterprises. Thus, Malaysia has a direct procurement with the government system.

SPP Policy

While Malaysia does not have any legislation on social public procurement, it does have the national-level Program Perolehan Impak Sosial Kerajaan (PPISK) [Government Social Impact Procurement Programme] that was launched by the Government of Malaysia in April 2021. PPISK is a proof-of-concept initiative to introduce and promote social procurement across public sector entities in Malaysia. For this 1-year pilot phase, five out of more than 20 ministries have committed to the program. The main reason that the SPP program is not being adopted by more ministries and onboarding more social enterprises and products is the lack of data analysis. The program data has been tracked, partially by the e-procurement portal, but it is not analyzed deeper to understand the potential demand for SPP by the government ministries. Thus, the intermediary should be allowed to analyze the data due to their interest in growing the role of social enterprises, especially smaller and rural ones, in SPP.⁹²

The PPISK aims to provide a platform to access and develop the capacity and capability of social impact businesses (social enterprises) in providing impact-driven products and services at scale. Both accredited and non-accredited social enterprises can apply for PPISK. Approved PPISK applicants will be onboarded to the national e-procurement system (e-Perolehan) as registered and preferred vendors for the Government of Malaysia. The approval process enhances the credibility and investability of social enterprises with a proven potential for growth and scaling of social impact. The Government of Malaysia has announced a total of RM20 million (\$4.8 million USD) worth of social procurement opportunities available to be tapped on.

Certification Program

Malaysia is unique among the four case studies in that the SE certification program is run by the government. So far there are 29 social enterprises certified by the Ministry of Entrepreneur Development and Cooperatives (MEDAC) under the National Social Enterprise Accreditation. 414 non-accredited social enterprises are validated by the Malaysian Global Innovation & Creativity Centre (MaGIC).⁹³ Given that there are an estimated 20,749 social enterprises in Malaysia as of 2018,⁹⁴ this indicates that the registration of SEs is a big issue, due to the limited capacity of small enterprises to engage in such a bureaucratic hassle and because the social enterprise accreditation program is temporarily put on hold to refine the criteria. The latter is due to a recent change in government that led to MaGIC being moved under a new ministry.⁹⁵

Key Actors

Intermediary: The Malaysian Global Innovation & Creativity Centre is a government agency for tech commercialization under the Ministry of Science, Technology and Innovation. MaGIC is Malaysia's intermediary organization, featuring 461 SEs, and partnering with the government and corporations to expand SPP and help SEs get accredited.⁹⁶ This makes Malaysia stand out amongst the four case studies as the only country in which the intermediary is part of the government. It fosters startups as opposed to MSMEs (the distinction being lack of innovation in the latter). MaGIC recently merged with the Technology Park Malaysia to become [MRANTI](#), a technology and innovation commercialization agency.

Social enterprises: Social impact businesses are defined as “those who offer measurable social benefits as part of the projects, products, and/or services offered to the Government” and can be equated to social enterprises.⁹⁷ There are three social enterprise criteria: 1. “A clear social and/or environmental goal. 2. To allocate a significant amount of resources towards achieving their social or environmental goal. 3. Be equipped with a sustainable business model for long-term impact.”⁹⁸

Key Takeaways from Interviews

1. Access to data analysis and data collection through a single agency is more efficient than a multi-pronged data collection approach where data flows top-down and bottom-up from different government ministries, as well as from social enterprises themselves.⁹⁹
2. Government stability may prevent the slow-down of SPP programs, such as the slow social enterprise accreditation process in Malaysia. A potential solution is housing social public procurement under a senior ministry such as the Ministry of Finance that is independent of political change. Alternatively, one can enact legislation on social public procurement.¹⁰⁰
3. Spoon feeding, including teaching all government bodies about the advantages of SPP, and hand holding (by an intermediary) through trouble shooting is important, especially in the first year of the pilot project.¹⁰¹
4. Instead of competition between social, green and local procurement, all procurement programs should be synchronized. SPP tackles complex problems such as sustainability where SEs benefit from knowledge sharing in order to achieve the desired outcomes efficiently. Collaboration amongst SEs is encouraged when they can pool their resources to respond to a larger contract, such as manufacturing personal protective equipment during a shortage.¹⁰²

Case Study: New Zealand

Context

While considerably smaller and facing different development challenges than India, New Zealand's SPP practices can still be considered for the Indian context. Looking at New Zealand's economy, the five million person population has a GDP per capita of \$44,025.¹⁰³ With a Gini coefficient of 34.9, New Zealand faces higher inequality than other advanced economies, the poorest 20% make up 7.3% of total country income.¹⁰⁴ While New Zealand has pledged to address its role in climate change and the country's carbon emissions, its 2030 and 2050 abatement goals are not on track to be met. These setbacks have been attributed to New Zealand's low carbon pricing and lack of supporting environmental measures.¹⁰⁵ These inequality and environmental challenges are evidence of why there is a need to adopt SPP policies and leverage the buying power of the government.

New Zealand's spending on government procurement increased 2% from 2019 to 2020, with approximately \$51.5 billion spent. The government attributes this increase in spending to higher levels of investment in transportation services, health care, education, and wellbeing. New Zealand's government also states that public service spending plays an important role in increasing economic, environmental and social outcomes.¹⁰⁶

SPP Policy

New Zealand's public procurement landscape is a "collection of expectations, principles, rules, regulation, procedure and best practice guidelines, sitting under an umbrella of trade agreements and domestic law."¹⁰⁷ The Ministry of Business, Innovation, and Employment is responsible for public procurement policy in New Zealand, publishing the Government Procurement Rules. These rules were introduced in 2013, having evolved from previous rules. The Rules apply to any government procurement that is "worth more than \$100,000 (or \$9 million for new construction works) and you're from: a government department, New Zealand Police, the New Zealand Defense Force, or most Crown entities."¹⁰⁸

The current fourth edition of the Government Procurement Rules introduced a new component, 'Broader Outcomes'.¹⁰⁹ New Zealand defines 'Broader Outcomes' as "the secondary benefits that are generated by the way a good, service or works is produced or delivered. These outcomes can be social, environmental, cultural or economic benefits, and will deliver long-term public value for New Zealand."¹¹⁰

The government identified four priority areas: increasing access for New Zealand businesses, construction skills and training, improving conditions for New Zealand workers, and reducing emissions and waste.¹¹¹ New Zealand was facing pressure to replicate Australia's Commonwealth Indigenous Policy, which created mandatory set-asides for Indigenous business.¹¹² The outcomes require agencies to consider the priority areas and incorporated where appropriate.¹¹³ The Government Procurement Rules include clear language where rules "must" be complied, or "should" consider them a best practice.¹¹⁴

Key Actors

Ākina is an impact consultancy, working with government, social enterprises and businesses to address social and environmental problems. Ākina is a large advocate for social public procurement in New Zealand. This social enterprise acts as an intermediary, connecting businesses and government agencies with certified social enterprise suppliers for social procurement opportunities. Ākina offers 'impact certification', inviting any business that has positive outcomes from their operations to join their social procurement program.¹¹⁵

Amotai is an intermediary for Māori and Pasifika-owned businesses, helping these businesses access procurement opportunities. By working with both Māori and Pasifika-owned businesses and buyer members, Amotai engages both sides of procurement to address supplier diversity. This support is provided by having Māori and Pasifika-owned businesses register for free as a supplier, giving access to a directory of buyers, additional resources to navigate contracts, and a network of support of like-minded businesses.¹¹⁶

Auckland Council is an instrumental stakeholder, developing the Auckland Council Sustainable Procurement Framework, policy and strategy in 2017.¹¹⁷ With an annual procurement budget over 1 billion, the Auckland Council wants to effect positive economic, environmental, and

cultural outcomes.¹¹⁸ The Council developed the Sustainable Procurement Framework, which focuses procurement efforts on; Māori and Pasifika owned businesses and social enterprises, local suppliers, employment opportunities for target communities, zero waste by 2040, and reducing carbon emissions.¹¹⁹ Auckland Council saw the development of this framework as guidelines for advocating that “value does not mean the lowest price” and can lead the development of social public procurement across New Zealand.¹²⁰

Key Takeaways from Interviews

1. Progress within SPP in New Zealand has been made possible due to greater communication within procurement in different sectors. Effective public procurement is procurement that is constantly being improved.¹²¹
2. SPP policy is driven by data and evidence. Collecting comprehensive data that captures SPP outcomes is critical, as this evidence informs future legislative decisions.¹²²
3. Implementation and support for SPP is driven by champions within the public and private sector. Adoption of SPP is made possible when advocacy spreads top to bottom, bottom to top, and horizontally throughout all departments and teams.¹²³

Case Study: United Kingdom

Context

With a population of 32.4 million and a GDP of \$2.708 trillion USD,¹²⁴ the United Kingdom is the largest economy of the case study countries. GDP by sector is made up primarily by services (79%), industry (20%), and agriculture (0.7%). The United Kingdom’s Human Development Index is 0.932, which holds a global ranking of 13.¹²⁵ The UK is a parliamentary democracy under a constitutional monarchy, led by Prime Minister Boris Johnson, a member of the Conservative party. The United Kingdom spends 16.1% of GDP on public procurement.

SPP Policy

The central piece of legislation in the United Kingdom surrounding social public procurement is the Social Value Model, first introduced in 2012. Initially, this legislation obliged public bodies to ‘consider’ the economic, social, and environmental impacts of the services being commissioned or procured, but recent changes in January of 2021 require the explicit evaluation of social value. Under this updated model, a minimum of 10% of every procurement decision is based on the scoring of a social value proposal attached to a procurement bid, often enough to separate winning and losing bids.¹²⁶ Under this model, social value is classified under 5 themes: COVID-19 recovery, tackling economic inequality, fighting climate change, equal opportunity, and wellbeing. Each theme is accompanied by policy outcomes (see Figure 1).

Figure 1: Social Value (5 themes)

Themes		Policy
Theme 1	COVID-19 Recovery	Help local communities to manage and recover from the impact of COVID-19
Theme 2	Tackling economic inequality	Create new businesses, new jobs and new skills
		Increase supply chain resilience and capacity
Theme 3	Fighting climate change	Effective stewardship of the environment
Theme 4	Equal opportunity	Reduce the disability employment gap
		Tackle workplace inequality
Theme 5	Wellbeing	Improve health and wellbeing
		Improve community cohesion

Key Actors

Social enterprises play a significant and impactful role in the economy of the United Kingdom. It is estimated that there are approximately 100,000 in the UK.¹²⁷ Historically, they have not been well engaged by the UK government in terms of the economy more broadly, but especially in the public procurement process. The procurement process has further complicated the ability of social enterprises to become involved by favouring larger businesses who have better capabilities at tendering and through the bundling of contracts that make them too large for social enterprises to deliver.¹²⁸ Now that the scoring of social value is part of procurement bids, social enterprises have an opportunity to reflect the true value of their organizations when delivering their services.

Intermediaries, such as Social Enterprise UK (SEUK) have worked to incorporate social enterprises into the local economy. SEUK acts as a network for social enterprises, performing as an advocate for the engagement of social enterprises in all sectors. They help to build markets and connect social enterprises with each other and with all sectors. SEUK was instrumental in the passing of the Social Value Model, sparking a widespread commitment to social public procurement through initiatives such as the Buy Social Challenge.¹²⁹

Key Takeaways from Interviews

1. A gradual change in legislation has led to a gradual change in political procurement behaviour that holds the government and organizations more accountable to their broader impact on society. This has aided outcomes to line up with defined social goals.¹³⁰
2. The social value model is a good tool for organizations to determine what they still need to work on and how they can better their corporate social responsibility and service engagement to maximize social value.¹³¹

Notes

¹ Specific to our Odisha Millets Mission interview, we would like to acknowledge that the work of OMM is in support of Indigenous peoples and women's groups who work every day to uphold good and inclusive practices that ameliorate their region and increase equity and visibility within it.

² SELCO India, "Who We Are."

³ SELCO Foundation, "SELCO's Values and Philosophy."

⁴ Victoria State Government, "Social Procurement Framework."

⁵ UNFSS, "Scaling up Voluntary Sustainability Standards through Sustainability Public Procurement and Trade Policy," 25.

⁶ SEWF, "About Social Enterprise."

⁷ Victoria State Government, "Social Procurement Framework."

⁸ Fagan et al., "A Global Procurement Partnership for Sustainable Development."

⁹ MaGIC, "Program Perolehan Impak Sosial Kerajaan (PPISK)."

¹⁰ OECD, "Chapter 3."

¹¹ SEWF, "Policy."

¹² UN, "Goal 12."

¹³ Kumar et al., "Mapping public procurement practices in India," 101.

¹⁴ Adham and Chamhuri, "Transformation of Government Procurement in Malaysia," 1620.

¹⁵ New Zealand Government Procurement, "Growth in government procurement spend."

¹⁶ New Zealand Government Procurement, "Rule 16."

¹⁷ Cabinet Office, "Procurement Policy Note 06/20."

¹⁸ SEUK, "Who We Are."

¹⁹ SEUK, "Who We Are."

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- ²⁰ Deshpande and Mara, “India.”
- ²¹ Deshpande and Mara, “India.”
- ²² OECD, “Making Decentralisation Work.”
- ²³ New Zealand Government Procurement, “Government Procurement Rules.”
- ²⁴ Dr. Barbara Allen (Senior Lecturer, Victoria University of Wellington), interview, November 17, 2021.
- ²⁵ New Zealand Government Procurement, “Rule 16.”
- ²⁶ MaGIC, “PPISK.”
- ²⁷ Anonymous (officer, Malaysian government agency working with social enterprises), interview, December 1, 2021.
- ²⁸ Sambuichi et al., “The Food Acquisition Program (PAA) as a strategy to face the challenges of COVID-19.”
- ²⁹ Da Silva, Pedrozo, and da Silva, “PNAE (National School Feeding Program).”
- ³⁰ Ministry of MSME, “Public Procurement Policy.”
- ³¹ MSME Sambandh, “Procurement From Central Ministries.”
- ³² Post, A. N.W. Raile, and E. D. Raile, “Defining Political Will.”
- ³³ Hasanbeigi, Becqué, and Springer, “Curbing Carbon from Consumption.”
- ³⁴ Confederation of Indian Industry. “Sustainable Public Procurement in India.”
- ³⁵ Cabinet Office, “Procurement Policy Note 06/20.”
- ³⁶ British Council, “The State of Social Enterprise in India.”
- ³⁷ Ashoka, “Ashoka India Annual Report 2019-2020.”
- ³⁸ Ganesh et al., “The Indian Social Enterprise Landscape.”
- ³⁹ Sankalp Forum, “Sankalp South East Asia Summit.”
- ⁴⁰ Dr. Prabir Panda (IT professional), interview, January 15, 2022.
- ⁴¹ SEUK, “Social Value 2032.”

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- ⁴² Frae Cairns (capability manager, Amotai), interview, November 17, 2021.
- ⁴³ Amotai, “About Amotai.”
- ⁴⁴ Rahul Rishi (Social Sector Practice Leader, Nishith Desai Associates), interview, February 23, 2022.
- ⁴⁵ Rishi, interview.
- ⁴⁶ Ākina, “Impact Certification.”
- ⁴⁷ Amotai, “About Amotai.”
- ⁴⁸ SEUK, “Who We Are.”
- ⁴⁹ Kingdon and Thurber. *Agendas, Alternatives, and Public Policies*.
- ⁵⁰ UN, “Goal 12.”
- ⁵¹ Da Costa and Da Motta, “Key Factors Hindering Sustainable Procurement in the Brazilian Public Sector.”
- ⁵² Anonymous (professor, University of British Columbia), interview, January 21, 2022.
- ⁵³ Naguib and Smucker, “When Economic Growth Rhymes with Social Development,” 109.
- ⁵⁴ Dr. Seán Barnes (Director of Social Procurement, Ākina Foundation), interview, December 14, 2021.
- ⁵⁵ Loosemore, Keast, and Barraket. “A typology of social procurement champions in the construction and engineering industry.”
- ⁵⁶ Cairns, interview.
- ⁵⁷ Rishi, interview.
- ⁵⁸ Barnes, interview.
- ⁵⁹ Cairns, interview.
- ⁶⁰ Anonymous (Malaysian government agency), interview.
- ⁶¹ Schreiner, “Data for Social Good Case Study”; Ambika Sangaran (program director, Me.reka Digital Entrepreneur Programme, Biji-biji), interview, December 18, 2021.
- ⁶² Schreiner, “Data for Social Good Case Study.”

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- ⁶³ Cairns, interview.
- ⁶⁴ British Council, “The State of Social Enterprise in Bangladesh, Ghana, India and Pakistan,” 21.
- ⁶⁵ Adam, “India’s Federal Procurement Data Infrastructure.”
- ⁶⁶ Lal, “Shining Some Light on Public Procurement in India.”
- ⁶⁷ Dinesh Balam (Associate Director, WASSAN), Aashima Choudhury (state coordinator, Odisha Millets Mission), Rama Chandra Tosh (regional coordinator, Odisha Millets Mission), interview, January 19, 2022.
- ⁶⁸ Cairns, interview.
- ⁶⁹ Cairns, interview.
- ⁷⁰ Cairns, interview.
- ⁷¹ GKToday, “Government E-Marketplace Integrated with CPPP.”
- ⁷² GKToday, “Government E-Marketplace Integrated with CPPP.”
- ⁷³ Mishra, “GeM to Standardize Bidding Process.”
- ⁷⁴ Mishra, “GeM to Standardize Bidding Process.”
- ⁷⁵ Panda, interview.
- ⁷⁶ Sri Murniati Yusuf (Deputy Research Director, Institute for Democracy and Economic Affairs), interview, January 13, 2022.
- ⁷⁷ Sri Murniati Yusuf, interview.
- ⁷⁸ Cairns, interview.
- ⁷⁹ Anonymous (Malaysian government agency), interview.
- ⁸⁰ Shantanu Paul (social enterprise innovator, Ashoka), interview, March 11, 2022.
- ⁸¹ Panda, interview; Rishi, interview.
- ⁸² Ribeiro et al., “Unveiling the Public Procurement Market in Brazil,” 2.
- ⁸³ PIPE, “Mapa 2019.”

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- ⁸⁴ Uehara, “Public Procurement for Sustainable Development.”
- ⁸⁵ British Council, “Creative and Social Enterprise in Brazil.”
- ⁸⁶ Pagotto, “New Public Procurement Law Focuses on Environmental, Social and Governance Compliance.”
- ⁸⁷ Da Costa and Da Motta, “Key Factors Hindering Sustainable Procurement in the Brazilian Public Sector.”
- ⁸⁸ Data Commons, “Malaysia”; UNDP, “Malaysia.”
- ⁸⁹ Jacobs and Simetrica-Jacobs, “Before & Beyond the Build,” 11; Data Commons, “Malaysia.”
- ⁹⁰ Naguib and Smucker, “When Economic Growth Rhymes with Social Development,” 109.
- ⁹¹ Adham and Chamhuri, “Transformation of Government Procurement in Malaysia,” 1620.
- ⁹² Anonymous (Malaysian government agency), interview.
- ⁹³ MaGIC, “Social Innovation.”
- ⁹⁴ British Council, “The State of Social Enterprise in Malaysia,” 27. This number is not statistically robust, according to the British Council who produced the number, and serves as a first attempt at estimating the number of social enterprises in Malaysia.
- ⁹⁵ British Council, “The State of Social Enterprise in Malaysia.”; Sri Murniati Yusuf, interview; Anonymous (Malaysian government agency), interview.
- ⁹⁶ MaGIC, “Social Innovation.”
- ⁹⁷ MaGIC, “PPISK.”
- ⁹⁸ MaGIC, “PPISK.”
- ⁹⁹ Anonymous (Malaysian government agency), interview.
- ¹⁰⁰ Anonymous (Malaysian government agency), interview.
- ¹⁰¹ Anonymous (Malaysian government agency), interview.
- ¹⁰² Sangaran, interview.
- ¹⁰³ OECD, “New Zealand.”
- ¹⁰⁴ OECD, “New Zealand Economic Snapshot.”

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- 107 Allen, "Broader Outcomes in Procurement Policy," 2.
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- 109 New Zealand Government Procurement, "Government Procurement Rules."
- 110 New Zealand Government Procurement, "Rule 16."
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- 114 New Zealand Government Procurement, "Government Procurement Rules."
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- 116 Amotai, "About Amotai."
- 117 New Zealand Government Procurement, "From policy to practice," 202.
- 118 Auckland Council, "Sustainable procurement."
- 119 New Zealand Government Procurement, "From policy to practice."
- 120 Auckland Council, "Sustainable procurement."
- 121 Allen, interview.
- 122 Cairns, interview.
- 123 Barnes, interview.
- 124 Data Commons, "United Kingdom."
- 125 UNDP, "United Kingdom."
- 126 Cabinet Office, "Procurement Policy Note 06/20."

¹²⁷ SEUK, “Who We Are.”

¹²⁸ British Council, “UK social enterprise in a global context.”

¹²⁹ SEUK, “Who We Are.”

¹³⁰ Shailee Howard (Principal Associate, Mills & Reeve LLP), interview, November 16, 2021; Dan Gregory (Director of International and Sustainable Development, Social Enterprise UK), interview, November 18, 2021.

¹³¹ Howard, interview; Gerry Higgins (Founder and Managing Director, Social Enterprise World Forum), interview, December 2, 2021; Gregory, interview.

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