



Procurement Policy Note – References and Public Procurement

Information Note 11/14 10th December 2014

Issue

1. There is evidence that commercial staff in some contracting authorities believe that as a matter of policy and procedure they are unable to provide references for suppliers. Suppliers have contacted the Crown Commercial Service (CCS) to ask for clarification of this matter.
2. References are important for suppliers, especially for SME suppliers seeking to grow their businesses. Often a successful contract with the public sector is a valuable potential reference for a small firm, and refusing to provide references can act as a barrier to the growth for business, having a negative impact on the marketplace and the overall economy.

Dissemination and Scope

3. The contents of this Action Note apply to all Central Government Departments including their Executive Agencies and Non Departmental Public Bodies (In-Scope Organisations). Please circulate this document within your organisation, drawing it to the attention of those with a purchasing role.

Timing

4. Immediate. All In-Scope Organisations should note the policy with regard to providing references.

To Note for Information:

5. Recommended policy is to accept requests for references, especially if the supplier has performed well and/or has exceeded expectations.
6. There is no legal impediment to providing references but any opinions offered must be backed by contemporaneous records. For example if commenting on supplier performance, such evidence might include the achievement (or not) of delivery milestones or performance against KPIs. Subjective assessments, for example of customer satisfaction, suppliers' performance, aptitude, helpfulness, cultural fit with the authority, etc. should be avoided.
7. Before giving a reference it should be established whether the request is being made pursuant to the policy on taking account of bidders' past performance set out in PPN 09/12. If this is the case then In Scope Organisations' must follow the procedures set out in PPN 09/12 with regard to providing certificates of performance.



8. References should normally be in support of a specific contract and In-Scope Organisations should avoid providing "open" references (i.e. a general statement about a supplier not related to any specific contract).
9. Only staff who are formally authorised to speak for the contracting authority should provide references. Where necessary feedback should be sought from contract managers and end-users on the supplier's performance.
10. References should normally be given in writing and copies should be kept; where references are given through a telephone call or a meeting, a basic record should be made of who was on the call or attended the meeting.

Contact

11. Enquiries about this Information Note should be directed to the Crown Commercial Service Helpdesk (telephone 0345 410 2222, e-mail info@ccs.gsi.gov.uk).