Social and inclusive commissioning

Social Return on Investment and other Mainstreaming Tools in Public Procurement
Towards social commissioning for inclusive cities

• Decades of experience with social return on investment
• Repressive approach
• Preventative/pro-active approach
The focus on public procurement

• Public contracts account for 120 billion euros annually in the Netherlands.

• Nature of public contracts offers more opportunities than e.g. subsidies due to the use of award criteria.
Broad possibilities for the creation of social value

- Art. 3(3) TEU, art. 8 and 10 TFEU, sustainable development goals
- Directive 2014/24
- Dutch public procurement law

- Gender, lgbtiq+-community, low level of literacy, etc.
Tension between achieving social value and the principles of public procurement

- Equality, non-discrimination, transparancy and proportionality
  
  - Beentjes, ECLI:EU:C:1988:422.
  
  - Tim, ECLI:EU:C:2020:58.
Tension between SROI and the principles of public procurement

• Local labour market

• Link to the subject-matter of the contract

• Social labels
Effectiveness of social return on investment

• Effectiveness *ex post*
  • How to measure ‘social value’?

• Effectiveness *ex ante*
  • Testing the legality of instruments that create social value

• Cooperation with city of Amsterdam
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