



SME Advisory Group

Meeting 21 June 2021

By Video Conferencing

Minutes

Attendees:

Minister of State Ossian Smyth - Chair		Brendan Whelan - OGP
Fergal Grogan – OGP	OGP Secretariats	Tom Kelly – EI
Síona Ryan - CCPC	Jonathan Small - CCPC	Grant Gilmore – InterTrade Ireland
Sean Downey – CIF	Sheema Lughmani - ISME	Shane Conneely – Chambers Ireland
Laura Byrne – D/ETE	Stephen Browne – SFA	

Apologies:

Margaret Hearty – ITI	Tonia Spollen Behrens - EI
Caroline Sweeney – ITI	Emma Kerins – Chambers Ireland
Declan Hughes - DETE	Neil McDonnell – ISME
Christine Murray – D/ETE	Aidan Sweeney – IBEC
Sarah Smithers – D/ETE	Ciaran McLoughlin – D/ETE

Note: Apologies for the inconvenience in rescheduling the meeting which arose as the Minister's attendance was required in the Dáil and Seanad at short notice in relation to the Climate Action Bill.

1. Previous Minutes and Actions Arising

The Minister of State welcomed new members who have joined the Group, including Stephen Brown who has taken over from Elizabeth Bowen of the SFA, in addition Síona Ryan and Jonathan Small from the CCPC.

Minutes of the previous meeting of 10 March were agreed. The actions from the previous meeting were noted.

2. Covid-19 & Brexit

The Minister confirmed that Covid-19 and Brexit would remain as standing items on the Agenda and invited the Group to take the opportunity to share any related matters arising in these areas.

CIF made reference to an assessment completed by their peers within a member company concerning the impact of the UK not accepting CE marked products. CIF advised that we are still in the transition period up to 31 December 2021 and proposed for the OGP to consider a webinar at the end of the summer alerting of this significant change. It was highlighted that once this transition



period ends CE marked products will no longer be accepted within the UK market and noted that products will be required to be marked CE UK thereafter.

The OGP noted that they were in the process of updating their Brexit Information Note. CIF acknowledged that their particular interest would be specifically on the construction side and referred to an analysis carried out in relation to the reciprocal arrangements for certification and standards, offered to share the useful information with OGP, which is related to NSAI.

The Minister agreed that a webinar could be useful and is happy to engage with CIF regarding same.

Action: Consideration for a webinar concerning CE marked products - OGP.

3. Social and Green Public Procurement

The Minister highlighted new guidance for European contracting authorities on how to introduce social criteria into public tenders published by the European Commission, *'Buying social: A guide to taking account of social considerations in public procurement (2nd edition)'*. The Minister noted that the EPA were in the process of finalising their updated 2014 publication *'Green Procurement: Guidance for the Public Sector'* which will be put on line shortly, in addition the EPA training courses were highlighted.

The Minister opened the floor to the Group to discuss any issues in this sphere to which none were received.

Action – OGP to circulate ['Buying social: A guide to taking account of social considerations in public procurement \(2nd edition\)'](#).

4. Circular 10/14: Turnover and Insurance levels.

The Minister made reference to the previous meeting in which the group highlighted the impact that Circular 10/14 had and there was a general consensus to re-affirm the measures within same. Given that insurance and turnover requirements were a particular talking point at the last meeting, the Minister invited the group to share their views on the matter.

There was a general discussion on the communication networks with contracting authorities, the OGP advised of the Key Account Managers who assist and support Procurement Officers within Government departments and public bodies. In addition, the Public Procurement Guidelines for Goods and Services and Tender Advisory Service (TAS) were noted.

With regard to insurance levels, the OGP advised that they had commenced engagement with the State Claims Agency (SCA). The SCA are to review the Insurance Levels included within Circular 10/14 and the Public Procurement Guidelines for Goods and Services. Once an update is received the OGP will revert to the Group.

CIF noted that PI Insurance was a particular issue and brought to the attention of the Group the 'PII Stakeholder Meeting' hosted by OGP Construction in November and a further meeting scheduled for this Thursday, 24 June 2021. CIF expects this event to have a deeper discussion on insurance from a construction perspective.

Action: The Group to consider the implications of Circular 10/14 – All.



5. Private Members Bill - Quality in Public Procurement (Contract Preparation and Award Criteria) Bill 2021

The Minister provided a brief synopsis of the Bill that had been circulated to the Group, noting that a time limited amendment for twelve months was agreed at the Seanad to allow for a comprehensive consideration of the implication of the Bill. The Minister asked the members of the Group for their opinions and any issues they perceived going forward.

The Minister acknowledged that a webinar maybe considered to get deeper insight into the pros and cons of such a Bill being enacted within legislation and was very keen to get engagement surrounding same.

Action – The OGP to re-distribute the Bill and for the Group to reconsider – *All*.

6. Any Other Business

Chambers Ireland made reference to the EU proposal for a Corporate Sustainability Reporting Directive and noted the impact of this on SMEs. Chambers Ireland queried whether the OGP would be creating guidance regarding same. OGP advised that they were not the lead Department for this topic and it was under the remit of the Department of Enterprise, Trade and Employment (DETE), however, if Chambers Ireland wished to advise of their issues in writing, it could be of assistance to DETE. The OGP noted that DETE were hosting a public consultation (on their website) concerning the EU proposal for a Corporate Sustainability Reporting Directive which is due to close on 23 June 2021, noting that Chambers Ireland could highlight their concerns via this channel also.

The Minister brought to the Groups attention the roll out of the new eTenders platform. OGP advised that the eTenders Project Team are requesting engagement with suppliers to listen to their experience and garner lessons learned from the implementation of the current eTenders system. The OGP noted that if the Group or their members were users of eTenders during the previous roll out and are happy to engage with the eTenders Project team can advise.

Action: OGP to circulate details of the eTenders Project Team engagement piece.