



EU Training, Advice and Support for Procurement Professionals

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Achilles EU Services

- Where do you go for comprehensive EU procurement guidance and advice?
- Finding it hard to understand EU Procurement Legislation?
- Would you like to keep up-to-date with the latest developments in UK Procurement Regulations?
- Would you like to have the tools to meet their complex needs?
- Where do you go to reduce your risk?

Achilles has a dedicated EU team who provide a number of EU procurement services, all of which aim to help those sectors involved in regulated procurement and manage successfully the risks involved.

The internal team deliver open and in-house courses in EU procurement legislation, provide guidance and advice via THEMIS, and ad hoc consultancy.

THEMIS is a unique EU procurement legislation system which gives purchasers in regulated procurement the tools to help comply with EU rules including the “Ask Achilles” function.

Achilles EU services include:

- EU procurement legislation consultancy
- THEMIS
- EU procurement legislation training

EU Procurement Advice and EU Consultancy

EU procurement rules are complex and most organisations need quick comprehensive and accurate advice. Achilles has a dedicated team of experts within the field of EU procurement legislation.

Achilles EU policy team has a deep understanding of the practical implications of the procurement rules, having close links with the European and UK Government. This ensures that the Achilles EU team are up to date with current rules and changes.

Our clients include central government, local authorities, universities, NHS, police forces and utility companies.

Our EU and procurement consultancy services are available in many forms depending on a company's individual requirements and can include long term partnerships or short term contracts.

Advice can be offered as:

Annual EU consultancy and advice retainer

- This gives flexibility to ask and receive EU advice as and when required
- Dedicated advisor
- Fixed price.

Contract by contract

- Dedicated advisor will follow the process through to completion
- Fixed price
- Hourly rate to suit organisations requirements.

EU Processes and internal procedures

- Health check of processes and procedures
- Daily rate
- Dedicated advisor.

EU project strategy

- As required.

EU Audits

- Daily rate
- Fixed price.

As part of the THEMIS system

Annual subscription

Premium – questions answered within 48 hours

Platinum – questions answered within 7 hours



“THEMiS provides us with authoritative and up to date advice on this complex area of law. We find it helps us to comply with the law without losing commercial advantage.”

Tim Burton, Loughborough University

THEMiS - EU knowledge bank at your finger tips

THEMiS is an online subscription-based system which provides purchasers with the tools to help them to comply with EU regulated procurement.

It allows you to:

- Have easy access to EU help and guidance via FAQs
- Access up-to-date information on changes to EU procurement
- “Ask” your EU questions to dedicated experts in the field of EU procurement legislation
- Excellent source of information
- Quick response to questions asked
- Create and submit your Notices to OJEU electronically.

THEMiS provides:

- The ability to “Ask Achilles” advisors your EU question, answered via email
- A ‘Give me guidance’ section, with over 350 frequently asked questions, linked to other documents within THEMiS
- UK, European and Irish Court Cases, summarised by Professor Sue Arrowsmith, Professor of Law at Nottingham University:
 - Key Issues
 - Facts
 - Judgments
 - The only system to include Professor Arrowsmith’s summaries
- EU Directive and UK Regulations consolidated to include the latest amendments
- Policy guidance from the European Commission, OGC and Scottish Government
- Infraction cases
- EU Articles written by experts in the field of EU procurement legislation
- Full search facility: product codes, CPV, CPC, Nace and Nuts codes
- Notice creation and submission tool allowing you to send notices to the OJEU electronically.

There are three levels of subscription for THEMiS:

Standard - notification only

Premium - 48 hour response time to “Ask Achilles” function

Platinum - 7 hour response time to “Ask Achilles” function

EU Training

Overview

Procurement legislation is complex and continually changing. Achilles is a leading provider of specialist training in the management of EU procurement legislation.

Case law can change the face interpretation of the directives, so to maintain commercial benefits and value for money whilst minimising the risk of challenge, it is vital that procurement professionals are kept up to date with the changes.

Achilles provides EU courses for professionals with training needs at all levels. Dedicated EU trainers have over 20 years combined experience, design their courses with the customers in mind using a mixture of slides and case studies to deliver interactive training workshops, seminars and conferences on the real understanding of the EU rules and how it fits with every day requirements within your organisation.

With the rules constantly changing, Achilles programmes are continually amended - ensuring delegates are given the most up-to-date information available.

This brochure provides sample programmes. The courses can be delivered either as open courses or in-house. Details of open courses can be found at www.achilles.com/ectraining.

Keeping your company’s professionals up to date with the EU rules

Achilles offers a series of training modules known as “The EU Academy” to ensure that all procurement professionals understand the EU procurement rules and regulations. The training is delivered either through an ‘open course’ route or in-house.

Solicitors Regulation Authority CDP points

CPD points are attributed to all of Achilles courses and conferences.

For more information and to discuss your specific requirements, contact the EU Team:

Training, Advice and Consultancy

T: 01235 838115

E: eclegislation@achilles.com

THEMiS

T: 01235 838115

E: themis@achilles.com



Introduction to EU Procurement

Length of course

1 Day

Overview

Understanding EU procurement rules is important. The penalties for breaching the rules and getting a procurement process wrong are even more onerous following the implementation of the new Remedies Directive into the UK regulations. Understanding the complexities of the rules is essential in order to stay within the boundaries of procurement legislation and procurement professionals and their advisors need to be aware of these complexities.

This full day interactive course has been developed for those new to public procurement, or who require a refresher. The course utilises a mixture of slides and interactive case studies and group working to ensure that delegates will take away an understanding of the principles of the legislation, its key risks and processes.

Programme

- Introductions
- Overview and EU principles
- Who and what is covered?
 - Types of contracts including Part B services
 - Valuing the requirement
- Options, lots, the aggregation of contracts and frameworks
- Applying the Treaty principles to less regulated procurements
- Procedures and timescales
 - Which procedure can we use and how long does it take?
- Selection and award criteria
 - What is the difference between selection and award?
- Frameworks
 - Setting up a framework
 - Calling off under a framework
- Notification, standstill and remedies
 - What we must tell suppliers and when?
 - What happens when we get it wrong?
- Questions.

Who should attend?

An interactive course for procurement professionals, legal and consultants, and stakeholders. The course has been developed for those new to public procurement or who require a refresher.

CPD

4.5 Solicitors Regulation Authority CPD points available for this course.

EU Procurement Intermediate and Refresher Course

Length of course

1 Day

Overview

This is an interactive course, which has been developed for procurement professionals who would like to progress to the next level or as a refresher. The course covers practical issues and works through case studies and exercises for further learning.

Programme

- Overview
- Practical issues
 - Negotiated and competitive dialogue procedure
 - Frameworks
- Less regulated procurement – have court cases changed the way we think?
- Practical issues
 - Sustainability, diversity and corporate social responsibility
 - Selection v award criteria
- How the law will change?
 - Remedies
- Court cases
 - New cases and their implications on the EU rules
- Questions.

Who should attend?

This course is aimed at purchasers and advisors with some knowledge of EU rules.

CPD

4.5 Solicitors Regulation Authority CPD points available for this course.



“LUPC has arranged an Introduction to EU with Achilles. The training was tailored to suit the needs of the consortium. The knowledge of the trainer is to the highest degree.”

Charlotte Reichard, LUPC Marketing Manager

Advanced Masterclass

Length of course

1 Day

Overview

This course looks at the challenges purchasers face and at the more challenging areas of EU procurement legislation.

The course enables delegates to explore ways to manage more effectively the complex issues involved in delivering commercial value and other organisational agenda whilst minimising the risk of challenge under the EU procurement rules.

This is an interactive course that explores actual topics that the delegates are working on. Therefore the programme below is a sample based on previous courses.

Programme

Session 1

- Introductions
- Selection and award criteria
 - The differing rules in the law and court cases for selection and award
 - Setting the right criteria
 - Disclosing and amending criteria
 - Case study on disclosure of criteria
- Relevant UK and ECJ cases

Session 2

- Frameworks and collaboration
- Make or buy – whose framework to use
- Flexible frameworks – how much can we change criteria and other terms?
- Fragile frameworks – how safe is a framework from cancellation by the courts?

Session 3

- The risk of challenge
 - Case law review
 - Trends in challenges
 - Implication of the Remedies

Session 4

- Ask Achilles – live session
- Submit your questions beforehand.

Who should attend?

This course is aimed at experienced procurement professionals, advisors and lawyers practising in procurement law who have been working with the EU procurement rules for some time. The course is tailored for experienced professionals only.

CPD

4.5 Solicitors Regulation Authority CPD points available for this course.

For booking and latest course dates, contact the EU Team on:

T: 01235 838115
E: eclegislation@achilles.com
W: www.achilles.com/ECtraining

Achilles EU trainers and advisors

Glenn Fletcher, Director of EU procurement

Glenn has worked within the regulated procurement sector for over 20 years. He has a background in purchasing in the energy industries as well as in government and works closely with public sector and international authorities. Glenn delivers EU training and advice to the Public Sector and Utilities in the UK and Europe.

Prior to working with Achilles, Glenn led a team within the UK Treasury's procurement policy division concentrating on international procurement issues.

Liz Wilson-Lamb, EU Advisor and Trainer

Liz works closely alongside Glenn Fletcher in the EU Legislation team within Achilles. She has worked within the regulated procurement sector for over three years, previously responsible for account management and training with the company's utility sector.

Prior to joining Achilles, Liz worked in the private sector. In particular, she has experience of training within commercial supply chain organisations.

Steve Kay, EU Advisor and Trainer

A fully qualified member of the Chartered Institute of Purchasing & Supply, Steve has worked within the public sector for 20 years. Steve delivers EU training and EU advice to a number of Public Sector and utility organisations. Before joining Achilles, Steve worked as a purchaser within the NHS, for the Environment Agency and in local government.

Simon Butt, EU Consultant

Simon has worked in public procurement for 28 years; he was previously a buyer in the food and pharmaceutical industries. Until March 2011, he was responsible for procurement compliance at the Environment Agency, which he joined in 1992. He let his first contract under the European Procurement regime in 1984. He is a member of the Chartered Institute of Purchasing & Supply.

Gail Wilson, EU Service Manager

Gail has worked for Achilles EU team for over 9 years. Gail delivers EU training and systems training to both public sector and utility organisations. Before joining Achilles, Gail worked within the private sector.

Courses continued...

Completing OJEU Notices Workshop

Length of course

½ Day

Overview

Are you having problems completing OJEU notices? The contract notice is one of the most important pieces of paper within the contract folder. If you are challenged by a supplier, the first place examined is the contract notice.

This workshop is an interactive course where we work through various notices and use a number of exercises to ensure that you understand the complexities. Each field on the notices is explained, what is meant and what information is needed.

It is a practical, hands on, course that ensures delegates are aware of the law that underlies the key EU documents.

Programme

- Purpose of a notice
 - Why and how it fits within the procurement process
- Contract classification
 - Completing a compliant contract notice
- Review a contract award notice
- Review of a corrigenda
- Purpose of a VEAT
- Other notices for consideration
- Practical problems with completing notices
 - Coding
 - Options
 - Variants
- Questions.

Who should attend?

This course is aimed at purchasers, administrators and advisors whose responsibilities include completing OJEU notices.

CPD

2.5 Solicitors Regulation Authority CPD points available for this course.

Selection and Award Criteria Course

Length of course

½ Day

Overview

Recent contracts have been cancelled by the UK courts as a result of errors in assessment of tenders. There have been a number of major cases in the European and UK courts exploring the implications of transparency of selection and award criteria.

By attending this course, you will be able to appreciate the differences between selection and award criteria, understand the legal requirements of prior disclosure and the consequences of getting it wrong. This information is all needed to reduce risk of challenge for your organisation. Using a mixture of slides and exercises, delegates take away a full understanding of the differences.

Programme

- Introduction and objectives of the course
- Selection
 - Principles
 - What is a selection online and what is not
 - How should criteria be set?
 - Disclosure – when and what? What must suppliers be told before and after selection?
 - Selection rules
 - Changing selection criteria
 - Case study
- Award
 - Principles - what is an award online and what is not
 - Disclosure of award criteria
 - Awarding a contract where there is a 'dead heat'
 - Use of discretion when assessing contracts
 - Post tender negotiation - when is it permitted?
 - Changing and amending award criteria
 - Case study
 - Relevant case law
 - Notification and standstill rules selection v award criteria
- Questions.

Who should attend?

Procurement advisors and lawyers with knowledge of the rules.

CPD

2.5 Solicitors Regulation Authority CPD points are available for this course.



“The Central Legal Office of NHS Scotland (CLO) has arranged various master classes and surgery sessions with Achilles. The training was tailored to suit our needs and the trainer was happy to deliver the courses on a basis which met our specific requirements. The trainer was a true expert in his field and gave information and engaging sessions.”

**Lynne Trendell, Team Leader/Senior Solicitor,
NHS National Services Scotland**

Frameworks Workshop

Length of course

½ Day

Overview

Framework agreements are used extensively in the UK, accounting for perhaps 60% of public expenditure on goods and services. Government pressure to drive cost reduction through collaboration will lead to maximisation of the use of framework and lead to calls to rationalise the large number of existing (very similar) frameworks.

There are, however, large gaps in our knowledge of what can and should be done through frameworks and a constraint is the many grey areas that exist in EU procurement legislation in respect of setting up and operating frameworks. These uncertainties are important in assessing the risk of challenge when frameworks are used.

The course covers the key questions arising from the establishment and use of frameworks including which framework to use and the use and scope for revision of award criteria. Using exercises and case studies, this interactive course ensures delegates understand this complex process.

Programme

- Introduction to frameworks and overview
 - Definitions
 - Key points
- The EU regime for frameworks
 - When is a framework a contract?
 - How are frameworks awarded?
 - How should contracts be called off against a framework?
 - Direct award
 - Mini competitions
 - Award criteria and frameworks
 - Who can use a framework and when?
- Workshop - delegates work with the trainer using a number of case studies and exercises
- Risk of legal challenge
 - The ineffectiveness remedy and frameworks
 - Using the standstill period to reduce risk
 - Q&A surgery

Who should attend?

This course is aimed at purchasers, administrators, advisors and lawyers.

CPD

2.5 Solicitors Regulation Authority CPD points available for this course.

Using the Competitive Dialogue

Length of course

½ Day

Overview

The competitive dialogue procedure was introduced within the 2006 UK regulations. Purchasers experience with this procedure is still developing. This course looks at the competitive dialogue procedure, how it fits with other procedures, the issues which need to be managed in order for the procurement to be successful and experience so far.

This is an interactive course.

Programme

- Introduction and objectives
- The procedures compared
 - Competitive dialogue vs. restricted procedure
 - Competitive dialogue vs. negotiated procedure
- The competitive dialogue
 - The process
 - Purpose and intentions
- Key Issues
 - The EU rules around the competitive dialogue
 - Experience so far
 - Implications for resources, timings etc
 - Guidance available
- Questions and answers.

Who should attend?

Procurement professionals, advisors and lawyers.

**For booking and latest course dates, contact
the EU Team on:**

T: 01235 838115

E: eclegislation@achilles.com

W: www.achilles.com/ECtraining

Courses continued...

Remedies in Practice

Length of course

½ Day

Overview

Following the implementation of the Remedies Directive to the UK Regulations, attention has been focused on changes and how they will affect you.

This course runs through the amendments, how they affect you and what the implications for your organisation are. Delegates will be given the full appreciation of the impact on procurement practices and be able to reduce risk of challenge.

Programme

- Introduction and objectives
- Overview and principles
- Outline of the procurement rules
- The increased risk of challenge by the Commission and the courts
- The implications of the Remedies Directive
 - Termination by the courts of concluded contracts
 - Additional information for suppliers
 - Implication for the use of frameworks
 - Civil penalties
- Conclusions drawn as to areas of risk
- The forthcoming changes - what we know
- Questions.

Who should attend?

Procurement professionals, advisors and lawyers.

CPD

2.5 Solicitors Regulation Authority CPD points are available for this course.

EU Procurement Update Course

Length of course

½ Day

Overview

By its very nature the EU procurement legislation is constantly evolving. We need to understand how the courts considered in some detail, issues such as legal challenge, the extent contracts can be changed and requirements such as the standstill period and cancellation of concluded contracts.

With court cases at an all time high and the review of the Directives, all these points have had significant impact on the risk experienced by purchasers and these impacts have not always been reflected in changes in purchasing practice.

The programme sets out key issues that are likely to arise as a result of this very dynamic situation and inevitably will be modified as developments occur.

Programme

- Introduction and overview
- Legal challenges
 - How do you know if you have been challenged?
 - What happens if you are challenged?
 - When can the contract be cancelled?
- Supplier notification
 - Notification of failure at pre-qualification stage
 - Notification of award decision through the standstill letter
 - What to disclose and when
 - Practical exercise – case study
- What happens when suppliers fail?
 - Novation: - is it allowed?
 - Re-qualification of suppliers
 - Changes: - how much is too much?
- Collaboration
 - Shared services
 - Frameworks
- Review of Procurement Directive
- Questions.

Who should attend?

Procurement professionals, advisors and lawyers.

CPD

2.5 Solicitors Regulation Authority CPD points are available for this course.



“The Big Lottery has attended several open courses at different levels of EU training. Each course we have attended has delivered to a high standard.”

Tony Carpenter, The Big Lottery Fund

Sustainability and CSR Under the EU Regime

Length of course

½ Day

Overview

Sustainability and corporate social responsibility are increasingly important to organisations. The EU procurement rules limit the scope for these policies to a certain extent. This course looks at what is possible under the EU rules.

Programme

- Introduction and overview
- Socio-economic issues
 - What is socio-economic
 - EU rules around socio-economic
- Sustainability
 - What is sustainability
 - Commission and UK view
- The EU process and sustainability risk issues
 - Scope and specifications
 - Pre-procurement activity
 - Contract conditions
 - Contract award
- Questions.

Who should attend?

Procurement professionals, technical clients and advisors.

CPD

2.5 Solicitors Regulation Authority CPD points available against this course.

EU Risk Management for Technical Clients

Length of course

½ Day

Overview

This course is specifically designed to help purchasers sell the EU message to managers within their organisation whose job is impacted upon by the EU rules but who are not purchasing professionals. Technical clients play a large part in the requirement of a contract and their understanding of how the rules can affect procurement is extremely important.

Programme

- Background to the legislation – why it matters
- Key risks
 - Technical specification and standards
 - The need for competition – why purchasers have to do what they do
 - What does “value for money” mean – what do you want, how do you manage the assessment?
- Selection of tenderers
 - Who can take part?
 - How do you get the right supplier?
- Tender assessment
 - Evaluating the tenders – open, non-discriminatory and transparent
- Contract award and debriefing
- Remedies – the real cost if a purchaser gets it wrong
 - Legal sanctions
 - Contracts set aside
 - Costs
- Questions.

Who should attend?

Technical clients/procurement customers, procurement professionals and advisors.

For booking and latest course dates, contact the EU Team on:

T: 01235 838115
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W: www.achilles.com/ECtraining



"It's been a great opportunity to get the whole team together, set aside any prior experience, and to take everyone right back to the principles behind the EU procurement legislation. The end result is a team who have a common understanding of the legislation, backed up by the excellent resources of the

THEMiS service."

Clive Wilkinson, ENW

Achilles EU Academy – keeping your procurement professionals up to date with EU rules

The Academy is a series of EU training modules helping to give procurement professionals a level of training that ensures full understanding of the complexities of EU procurement legislation from first principles to complex EU projects. In-depth understanding of the EU rules will help professionals to reduce risk for their organisations.

The Academy is made up of modules tailored to your individual sector. Each module has been specifically designed to ensure a full understanding of EU procurement legislation. An exam at the end of each ensures full understanding. Solicitors Regulation Authority CPD points available with this series of modules.

There are two routes:

- Run in-house for up to 15 delegates
- Via open route (monthly at Achilles)

What are the benefits to the organisation?

- Ensures procurement have full understanding of EU rules, thus helping to reduce risk for the organisation.
- Provides depth of knowledge within the organisation to deliver EU compliant procurement projects.
- Helps organisations identify gaps in their EU knowledge for personal development plans.
- Flexibility of module content to meet specifics of the organisation or individual.



Achilles Information Limited

30 Park Gate, Milton Park, Abingdon, Oxon, OX14 4SH, UK

T: +44 (0) 1235 820813 **F:** +44 (0) 1235 821093 **E:** enquiries@achilles.com **W:** www.achilles.com

005-06/2011

