

## **IE Procurement Monitoring Report** **under the Directives 2014/23/EU, 2014/24/EU and 2014/25/EU**

### **Scope of reporting**

This report covers the period between 1st January 2018 and 31st December 2020. For quantitative data based on procurement notices, this means that the contract award notice should have been published in this period.

#### **I. Key quantitative indicators**

<b>I.1. The number of procurement procedures</b>	<p><i>Information to be provided on a yearly basis:</i></p> <ul style="list-style-type: none"> <li><i>the number of notices announcing a call for competition and,</i></li> <li><i>the number of awarded contracts.</i></li> <li><i>the number of contract award notices</i></li> </ul> <p><i>The numbers should be reported separately for:</i></p> <ul style="list-style-type: none"> <li><i>above EU thresholds procurement (i.e. procurement covered by the directives) and,</i></li> <li><i>below EU thresholds (i.e. procurement, which would have been covered by the directives if its value had exceeded the relevant thresholds).</i></li> </ul>					
		<b><u>2018</u></b>		<b><u>2019</u></b>		<b><u>2020</u></b>
		<b>Above Threshold</b>	<b>Below Threshold</b>	<b>Above Threshold</b>	<b>Below Threshold</b>	<b>Above Threshold</b>
		<b>Below Threshold</b>		<b>Below Threshold</b>		<b>Below Threshold</b>
	• the number of notices announcing a call for competition	1,103	3,454	1,337	3,800	1,540
	• the number of awarded contracts	803	1,389	942	1,523	945
	• the number of contract award notices	803	-	942	-	945

I.2. The total value of procurement	Information to be provided on a yearly basis (chose one from below, depending on which one will produce the most reliable estimate):						
	<ul style="list-style-type: none"><li><u>the total value of awarded contracts.</u></li></ul>						
	<u>Or</u>						
	<ul style="list-style-type: none"><li><u>the total value of contract award notices.</u></li></ul>						
	<u>The value should be reported separately for:</u>						
	<ul style="list-style-type: none"><li><u>above EU thresholds procurement (i.e. procurement covered by the directives) and,</u></li><li><u>below EU thresholds (i.e. procurement, which would have been covered by the directives if its value had exceeded the relevant thresholds).</u></li></ul>						
	<u>If the reported value is an estimate, the methodology used for its computation should be explained in <b>Annex I.</b></u>						
		<u>2018</u>		<u>2019</u>		<u>2020</u>	
		Above Threshold	Below Threshold	Above Threshold	Below Threshold	Above Threshold	Below Threshold
	<ul style="list-style-type: none"><li><u>the total value of awarded contracts</u></li></ul>	€4.14 B	€313 M	€5.79B	€347 M	€6.005 B	€333 M

II. Most frequent sources of wrong application or of legal uncertainty, including possible structural or recurring problems in the application of the rules

<b>II.1. Qualitative reporting on application of public procurement rules</b>	
Main sources of wrong application or of legal uncertainty	<p><i>The information should focus on:</i></p> <ul style="list-style-type: none"> <li>- the most frequent cases of wrong application of the rules and of legal uncertainty <ul style="list-style-type: none"> <li>• in what phase of the process do the contracting authorities make the most mistakes, in what procedures, what type of contracting authority, what subject matter type etc.</li> </ul> </li> <li>- the key causes for the wrong application of the rules and the legal uncertainty, including their relative importance, as well as the circumstances that explain their occurrence <ul style="list-style-type: none"> <li>• for example: lack of knowledge/skill, lack of staff, staff retention issues, internal organisation, planning issues etc.</li> </ul> </li> <li>- what are the persistent patterns, what are the lessons learned?</li> </ul>
Specific legal provisions (from EU or national law) which appear to raise significant problems of application	<p><i>The information should focus on:</i></p> <ul style="list-style-type: none"> <li>- the specific legal provisions in question and how often then occur in practice <ul style="list-style-type: none"> <li>• for instance: is it badly worded, is it too strict/vague, is it difficult to interpret, are different interpretations possible, is constant guidance required/given etc.</li> </ul> </li> <li>- a description of the type of difficulties identified, if any <ul style="list-style-type: none"> <li>• i.e. what specific issues arise from such problems? Are certain procedures avoided, are there many appeals, many cancellations of procedure by decision of the contracting authority etc.?</li> </ul> </li> </ul>
An assessment of patterns and behaviours that are not illegal or non-compliant, but still indicate possible problems	<p><i>The information should focus on:</i></p> <ul style="list-style-type: none"> <li>- the specific type of problems identified <ul style="list-style-type: none"> <li>• for instance: preference for lowest price as award criteria irrespective of the context, overly frequent use of derogatory procedures or shortest possible deadlines, recurrent, particularly low number of bidders or of non-domestic bidders</li> </ul> </li> <li>- any possible assessment of the impact of these difficulties on the efficiency of the public procurement process <ul style="list-style-type: none"> <li>• for instance: is it difficult to achieve environmental protection policy goals because of low use of green PP criteria? Is there low competition, always the same bidders, market lock-in?</li> </ul> </li> </ul>

	<p>The Office of Government Procurement (OGP) is responsible for the legislative and policy framework for public procurement in Ireland. In this regard, the OGP has progressed the National Public Procurement Policy Framework which enables a more consistent approach to public procurement across the public sector by setting out the procurement procedures to be followed by public bodies.</p> <p>The OGP's <a href="#">Public Procurement Guidelines for Goods and Services</a> document was launched in 2018 and are updated regularly with the next update due in April 2022. They are a comprehensive interpretation of the public procurement directives designed to improve consistency and promote best practice in the application of the public procurement rules. The guidelines facilitate and enable compliance with public procurement rules. It is the responsibility of each contracting authority to ensure they adhere to these rules.</p> <p>Responsibility and accountability for compliance with procurement regulations is a matter for each public body. Matters arising in the course of procurement may be the subject of bi-lateral discussions between a public body and the OGP as an advisory dialogue. Such interactions would be specific to an individual procurement and would not be collated in any manner leading to a wider assessment.</p>
<b>II.2 Supporting documents</b>	
Please provide any available evidence of the issues identified under section II.1.	<p><i>Possible relevant (non-exhaustive) documents for consideration may be as follows (please provide a link to the document, and if possible, a summary of the document in English, if the document is in another language):</i></p> <ul style="list-style-type: none"> <li>• <i>Audit reports on identified irregularities related to public procurement, including auditors specialising in ESIF irregularities</i></li> <li>• <i>Existing typologies of the most frequent errors in public procurement</i></li> <li>• <i>Reports on the most frequent requests for guidance</i></li> <li>• <i>Additional interpretative guidance documents published in order to clarify legal issues</i></li> <li>• <i>Policy or other administrative documents discussing issues in relation to the implementation of the rules</i></li> </ul> <p>As required under the procurement Directives each public body retains the documentation relevant to each procurement competition. It would be a matter for each public body to review this corpus of material over time to assess whether particular issues of concern were a recurring feature.</p> <p>Ireland does not operate a centralised procurement oversight system which would collate relevant documentation in this respect.</p>

<b>II.3. Quantitative indicators</b>	<i>This section contains quantitative indicators related to section II.1. Other indicators can also be included in the report.</i>
Indicators about the national review system	<p><i>The following three indicators have been defined based on the findings of a study commissioned by DG GROW in 2017 and further discussed with the Member States in the framework of the Network of first instance public procurement review bodies.</i></p> <ol style="list-style-type: none"> <li><i>1. <b>Number of first instance review decisions</b> - It shall include all the first instance review decisions.</i></li> <li><i>2. <b>Median length of first instance reviews</b> - It shall be the median length of all the first instance reviews. Length is defined as the number of calendar days between a starting date and an end date. The starting date is when the complaint is registered or an ex officio proceeding initiated. The end date is when the review decision is issued.</i></li> <li><i>3. <b>Number of first instance review decisions that were appealed to the (next) judicial level and its results</b> - It shall include all the first instance review decisions that were appealed to the (next) judicial level, both on merit or procedural reasons. For first instance judicial review bodies, “next judicial level” refers to the second judicial level; for first instance administrative review bodies, “next judicial level” refers to the first judicial review. Furthermore, it shall include the number of first instance review decisions that were a) (primarily) upheld; b) (primarily) rejected; or c) neither upheld nor rejected by the (next) judicial level (e.g. because they were not yet decided, retracted).</i></li> </ol> <p><i>The following definitions will help with the understanding of the key elements for the above indicators :</i></p> <ul style="list-style-type: none"> <li><i>• Public procurement procedures falling under the EU public procurement directives (i.e. above EU thresholds, including exemptions and exceptions). For those Member States that cannot disaggregate the data based on the EU thresholds or have only a part of the data available (e.g. no information on post-contractual review, regional information not shared), if possible, please give your “best guess” estimate of the additional/missing information in the relevant comments section.</i></li> <li><i>• Reviews made both before and after contract signature.</i></li> <li><i>• Review of all relevant bodies, regardless of whether they are administrative or judicial; regardless of whether they are national, regional or local. In case of multiple level administrative review, it shall only include the data from the first instance.</i></li> <li><i>• The data on reviews started following a complaint and ex officio<sup>1</sup> shall be collected separately.</i></li> <li><i>• Figures are requested per year. Decisions should be included in the calculation for the calendar year in which they were issued (i.e. dates relating to years where the complaint was submitted, or where decisions were appealed to a higher instance should be excluded/ignored).</i></li> </ul>

<sup>1</sup> A review initiated upon review body’s own motion.

	<ul style="list-style-type: none"> <li>• <i>“Decision” means a binding outcome of the review (be it started following a complaint or ex officio). It includes decisions to reject a complaint decision on interim measures containing an assessment of the case and not followed by any other decision, and decisions regardless of whether multiple decisions are linked to the same procedure. Decisions not on the merits, i.e. “procedural” or “technical” decisions should not be included (e.g. decisions on nomination of experts to provide expert view).</i></li> </ul> <p><i>Annex III provides a suggestion on how to present the indicators about the national review system.</i></p> <p>The national review systems consistent with the provisions of Remedies Directives are within the purview of the Courts Service. Challenges brought to procurement award procedures are made by application to the High Court. The volume of such challenges is low and, thereby, is not readily amenable to any useful analysis for indicators or metrics.</p> <p>In parallel the Tender Advisory Service (TAS), launched in December 2014, provides an informal outlet for potential suppliers to raise concerns in relation to live tender processes. The service became operational in February 2015 and is managed by the Office of Government Procurement (OGP). TAS liaises with potential suppliers and contracting authorities to clarify or query tender documentation and, where necessary, makes suggestions to contracting authorities aimed at resolving the concerns that have been raised. The volume of enquiries in this area continues to be low and does not facilitate informing of issues of broader import.</p>
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III. Prevention, detection and adequate reporting of cases of procurement fraud, corruption, conflict of interests and other serious irregularities

<b>III.1. Qualitative reporting on fraud, corruption, conflict of interests etc.</b>	
<p>Describe the actions undertaken and/or mechanisms put in place to ensure compliance with the new provisions on the prevention, detection and adequate reporting of public procurement irregularities including fraud and corruption and conflicts of interests.</p>	<p><i>The information should focus on:</i></p> <ul style="list-style-type: none"> <li>- <i>how these actions/mechanisms have been implemented including key measures that have been put in place</i></li> <li>• <i>what are the relevant sources of law (i.e. legal provisions in PP law, general anti-corruption rules, whistle-blower protection, criminal law, guidance, codes, declarations etc.)</i></li> <li>• <i>Institutional arrangements made</i></li> <li>• <i>Soft-law and soft measures (for example Guidance documents, Codes of conduct, Declarations of absence of conflict of interest, training, awareness raising etc.)</i></li> <li>• <i>Use of data analysis to perform control such as red-flag systems.</i></li> <li>• <i>Any specificities of the regime for conflict of interest, such as a broader definition or additional institutions or other measures.</i></li> </ul> <p>As stated, the Office of Government Procurement (OGP) has responsibility for developing and setting out the overarching policy framework for public procurement in Ireland. In this regard, the OGP has designed the National Public Procurement Policy Framework and associated Public Procurement Guidelines. As appropriate, these structures support a legally consistent, as well as administratively coherent approach to public procurement across the public sector by setting out the procurement procedures to be followed by public bodies. The framework supports contracting authorities when awarding contracts for works, goods and services, enables public bodies to adopt procedures to meet their public procurement requirements, and facilitates compliance with EU and National procurement rules, while the guidelines offer a practical resource for ensuring compliance in the procurement of public contracts. This includes a definition of conflict of interest. While the guidance offered by the OGP facilitates and enables compliance with public procurement rules, it is the responsibility of each contracting authority to ensure they adhere to these rules.</p> <p>Procurement professionals within and without the OGP are guided by the policies of each organisation. To support those policies, the OGP publishes guidance notes on the roles and responsibilities of procurement officials who are required to make a specific declaration in relation to conflict of interest, with bespoke forms for each category of procurement used to reflect the unique needs of each</p>

	<p>competition. The operating model for public procurement in Ireland has moved towards centralisation for common goods and services with professional procurement practitioners providing greater focus on compliance and separating procurement award from contract operations.</p> <p>The OGP, within the Department of Public Expenditure and Reform, is the Office charged with policy responsibility in the area of public procurement. The Competition and Consumer Protection Agency (CCPC), operating under the aegis of the Department of Enterprise, Trade and Employment is the agency responsible for enforcing competition and consumer protection law. With regard to public procurement, the CCPC works to prevent bid rigging, cartels and other fraudulent procurement activities. It offers training for procurement professionals and operates a confidential whistleblowing service.</p>
<b>III.2. Supporting documents</b>	
Please provide any available evidence on the actions/mechanisms and measures described under section III.1. above demonstrating compliance with the new provisions on the prevention, detection and adequate reporting of public procurement irregularities and conflicts of interests.	<p><i>Possible relevant (non-exhaustive) documents for consideration may be as follows (please provide a link to the document, and if possible, a summary of the document in English, if the document is in another language):</i></p> <ul style="list-style-type: none"> <li>• <i>Policy or other administrative documents discussing issues in relation to the implementation of the actions/mechanisms</i></li> </ul> <p>The EU suite of procurement directives were transposed into Irish law via several Statutory Instruments, and with regard to serious irregularities they are supported by the Criminal Justice (Corruption Offences) Act 2018 and the Criminal Justice (Theft and Fraud Offences) (Amendment) Act 2021, the latter of which is the transposition of EU Directive 2017/1371. EU Directives harmonising protections for whistle-blowers and further empowering competition authorities were at the final stages as 2021 concluded and will be in force imminently.</p> <p>The CCPC publishes <a href="#">annual reports</a> detailing their actions taken in a given year to protect competitiveness. The <a href="#">2020 report</a> features a detailed section (commencing pg. 38) on addressing gaps in the Irish competition law enforcement regime, making reference to the above named bills as well as</p> <ul style="list-style-type: none"> <li>- The Enforcement and Modernisation Directive 2019/2061</li> <li>- The Sale of Goods Directive 2019/771</li> <li>- The Digital Content Directive 2019/770</li> <li>- The Better Enforcement and Modernisation of Consumer Protection Rules Directive 2019/2161</li> </ul>



	<p>In 2018 the CCPC were members of a review group along with representatives of various government departments. The report <a href="#">“Review of structures and strategies to prevent, investigate and penalise economic crime and corruption”</a> (The Hamilton Report) was published in December 2020 and made a number of structural and legislative recommendations to enhance the capacity of state agencies to tackle fraud and corruption.</p>
<b>III.3. Quantitative indicators</b>	<p><i>This section contains examples of quantitative indicators related to section III.1. Other indicators can also be included in the report.</i></p>
Quantitative assessment of collusion risks	<p><i>Please elaborate on the methods or tools put in place at national level enabling central procurement authorities or contracting authorities to detect and assess the collusion risks, and on the relevant data on which they are based upon. Please mention the impact of the above measures, especially as regards how many cases were detected and pursued further by the competent national authorities (central procurement authority, competition authority or individual contracting authorities).</i></p> <p>The Competition and Consumer Protection Commission (CCPC) is responsible for the investigation of cartels. Bid-rigging is due to be recognised as a specific offence in the forthcoming Competition (Amendment) Act 2022, currently before the Houses of the Oireachtas (Parliament).</p> <p>The lack of capacity to screen relevant public procurement data was identified as a significant weakness in the 2020 Hamilton <i>Review of Structures and Strategies to Prevent, Investigate and Penalise Economic Crime and Corruption</i>. Recommendation 18 of the published report called for specific legislation be introduced to enable the collection, collation and analysis of all public procurement data to detect and deter bid-rigging.</p> <p>The CCPC is currently driving the future implementation of such legislation through both an internal project and its participation in the Hamilton Forum.</p> <p>The proposed legislation will provide the necessary legal basis for the CCPC’s access to procurement data, and the screening of that data.</p>
Risk of undiscovered conflict of interest	<p><i>Please elaborate on the methods or tools used to detect undiscovered conflict of interest, and on the relevant data on which they are based upon. Discuss the results of the above analysis or provide links to studies or other documents related to the quantitative analysis of undiscovered conflict of interest.</i></p>

	<p><i>Information for this indicator should be available in central registers of beneficial ownership, which are to be established by all Member States under the 4<sup>th</sup> Anti-Money Laundering Directive (2015/849 Art. 30) by June 2017.</i></p> <p><i>For more context for this indicator, please see the Commission's Anticorruption Report available at <a href="http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/corruption/anti-corruption-report/index_en.htm">http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/corruption/anti-corruption-report/index_en.htm</a>.</i></p> <p>The central Register of Beneficial Ownership (RBO) of Companies and Industrial and Provident Societies is an office of the Department of Enterprise, Trade and Employment which holds information on the beneficial ownership of companies and societies in Ireland. The Registrar of Companies was appointed as the Registrar of Beneficial Ownership of Companies and Industrial and Provident Societies and the new Register opened in July 2019.</p> <p>Regulation 20(3) of Statutory Instrument 110/2019 states that if a 'designated person' carrying out customer due diligence on an entity, or otherwise, forms the opinion that there is a discrepancy between the information in the RBO and the information the entity must hold in its internal beneficial ownership register, then the designated person shall deliver a notice to the Registrar specifying the particulars of the discrepancy. Since its formation in 2019 the RBO has received two discrepancy notices and both have been resolved, with no prosecutions to date.</p>
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#### IV. Level of SMEs' participation in public procurement

SMEs are defined in the Commission Recommendation (2003/361/EC) as having less than 250 persons employed and an annual turnover of up to EUR 50 million or a balance sheet total of no more than EUR 43 million. Further information is available at [http://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition\\_en](http://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en).

<b>IV.1. Qualitative reporting on SME participation</b>	
<b>New developments</b>	<p><i>The information should focus on the new developments regarding the participation of SMEs in public procurement since the previous reporting exercise, and especially on the new measures taken in the respective Member State in order to support the participation of SMEs in public procurement.</i></p> <p><i>These measures could include:</i></p> <ul style="list-style-type: none"> <li>• <i>policy and legislative initiatives launched to support SMEs participation in public procurement;</i></li> <li>• <i>measures targeting SME participation in different techniques for aggregated procurement (framework agreements, dynamic purchasing systems, and centralised procurement activities);</i></li> <li>• <i>measures targeting the participation of start-ups and scale-ups in public procurement;</i></li> <li>• <i>measures ensuring that payment for public contracts are made on time, especially in the case of SMEs;</i></li> <li>• <i>measures addressing the payments to subcontractors;</i></li> <li>• <i>guidelines or instructions for contracting authorities on how to treat grouping (e.g. consortia) of SMEs;</i></li> <li>• <i>guidelines for contracting authorities on the application of 'divide or explain' principle;</i></li> <li>• <i>targets for SME participation in public procurement.</i></li> </ul> <p><i>The information could also include the difficulties still existing in the Member State, concerning SMEs' participation in public procurement.</i></p> <p>SME participation in Public Procurement remains a crucial element of ensuring sustainable delivery of public services, while adhering to the principles of fair competition and transparency.</p> <p>As mentioned in the previous iteration of this report, the suite of policy measures as set out in circular 10/2014 include:</p> <ul style="list-style-type: none"> <li>- Proportionate financial capacity criteria</li> </ul>

- Contracting Authorities encouraged the divide public contracts into lots
- Provisions for consortia bidding to assist SMEs in collaboratively bidding for tenders
- Requirement for Public Bodies to advertise contracts for goods and services valued above €25,000 on the national eTenders portal

A review of Circular 10/2014 is under consideration at present. This review is being conducted in collaboration with the Advisory Group for the SME sector. This Group reflects a close working relationship with industry representative bodies (ISME, IBEC, SFA, Chambers Ireland, and CIF) and allows not only direct communication between government agencies and representative bodies, it ensures that the newest iteration of guidance documents represents the needs of SMEs in the field of public procurement, and addresses any difficulties in their participation in the field.

In this regard it may be noted that several initiatives to support SME access are on-going. These include:

- The SupportingSMEs.gov.ie portal, operated by the Department of Enterprise, Trade and Employment which can offer unique assistance to SMEs via a short questionnaire to establish the most appropriate sources of assistance.
- As part of the National Development plan 2018-2027, Enterprise Ireland's Finance for Growth initiative features a range of measures to improve access to finance for SMEs at affordable costs. These will address identified market failures to greater protect SMEs in times of uncertainty.
- The OGP's roll-out of eInvoicing systems allows SMEs to realise the opportunities available by transitioning to a greener, cheaper way to send invoices that makes it easier for SMEs to transact with public administrations.
- Though published prior to the previous iteration of this report, the Competition Authority (now CCPC) guidance note on consortia bidding remains an invaluable resource for both contracting authorities and SMEs, offering guidance on not only on joint bidding but also on competition law to ensure compliance when applying.
- With regard to prompt payment to SMEs, since 2011 it has been a government requirement that all central government departments and public sector bodies pay their suppliers within 15 days of receipt of a valid invoice. As part of the prompt payment requirements, relevant bodies are required to publish, on their respective websites, their quarterly payment performance reports. SMEs can attach an Official Notice of the 15 day prompt payment requirement to relevant invoices.

	Additionally, in 2019 the OGP established the Commercial Skills Academy to enhance the commercial delivery capabilities of key spending departments through a focused training programme. The complexity of public procurement projects means procurement professionals need to be armed with the commercial skills to address any issues that might arise. In this regard representatives of the SME sector have played an important part in the roll-out of the Academy’s programme.				
IV.2. Quantitative indicators	<i>The following list includes suggested indicators for the participation of SMEs in public procurement (acting as a unique bidder or in a consortium):</i>				
	<ul style="list-style-type: none"><li>• <i>SMEs winning in above EU threshold procurement :</i><ul style="list-style-type: none"><li>○ <i>the value of contracts awarded to SMEs over the total value of contracts awarded irrespective of bidder’s size class;</i></li></ul></li><li>• <i>SMEs winning in below EU threshold procurement<sup>2</sup>:</i><ul style="list-style-type: none"><li>○ <i>the number of contracts awarded to SMEs over the total number of contracts awarded irrespective of bidder’s size class;</i></li><li>○ <i>the value of contracts awarded to SMEs over the total value of contracts awarded irrespective of bidder’s size class.</i></li></ul></li><li>• <i>If available, estimates of indirect participation<sup>3</sup> of SMEs in public procurement above threshold;</i></li><li>• <i>If available, estimates of indirect participation of SMEs in public procurement below threshold;</i></li><li>• <i>If applicable, current attainment rate of the target set for SMEs participation.</i></li></ul> <p><i>This list is not exhaustive. In case your Member State collect other indicators that you may find useful to track and measures the achievements in this area, please include them in the reporting.</i></p>				
	Section IV.2: Quantitative reporting on SME participation	2018	2019	2020	
Quantitative data (statistics, etc.) regarding SMEs’ participation in public procurement	• SMEs winning in above EU threshold procurement :	volume	507	582	478
	○ the value of contracts awarded to SMEs over the total value of contracts awarded irrespective of bidder’s size class;	SME Value	N/A	N/A	N/A
	<input type="checkbox"/>	Total Value	N/A	N/A	N/A
	• SMEs winning in below EU threshold procurement:				
	○ the number of contracts awarded to SMEs over the total number of contracts awarded irrespective of bidder’s size class;	SME Volume	1,040	1,173	1,292
		Total Volume	1,389	1,523	1,409
		74.87%	77.02%	91.70%	

<sup>2</sup> This request is not mandatory as this type of procurement is not covered by the 2014 Directives.

<sup>3</sup> Indirect participation is intended to mean participation of an SME as either a subcontractor or a "significant supplier" (supplying for more than 10% of the contract value) to the company/consortium signing the contract.

	o the value of contracts awarded to SMEs over the total value of contracts awarded irrespective of bidder's size class.	SME Value	€ 254.8m	€ 277m	€ 366.6m
		Total Value	€ 288.8m	€ 306.5m	€ 405.3m
			88.25%	90.42%	90.45%
	• If available, estimates of indirect participation of SMEs in public procurement above threshold;	no data	314	1,063	
	• If available, estimates of indirect participation of SMEs in public procurement below threshold;	no data	24	80	

V. Information on the practical implementation of national strategic procurement

<b>V.1 Green procurement ('GPP')</b>	<p><i>Green Public Procurement ('GPP') is defined as "a process whereby public authorities seek to procure goods, services and works with a reduced environmental impact throughout their life cycle when compared to goods, services and works with the same primary function that would otherwise be procured."</i><sup>4</sup> A voluntary target of 50 % GPP per Member State in number and value of relevant procedures was proposed by the Commission and welcomed by the Council in 2008.</p> <p>'Green Tenders – An Action Plan on Green Public Procurement', adopted in 2012, is Ireland's first National Action Plan on Green Public Procurement (GPP). Green Tenders defines GPP as a process whereby public bodies meet their needs for goods, services, works and utilities by seeking and choosing outcomes and solutions that have a reduced impact on the environment throughout their estimated economically useful life, as compared to alternative products / solutions. Green Tenders explains that GPP is a tool for sustainable development and 'involves the integration of environmental criteria into public procurement processes. In specifying such criteria, public bodies may encourage the spread of environmental technologies and the development of environmentally sound products. Where possible, public procurement policies should encourage the use of all types of environmentally friendly products – energy efficient, water conserving, recyclable, non-toxic, and low in emissions of volatile organic compounds'.</p> <p>Green Tenders seeks to promote life-cycle thinking. It prioritised eight product / service groups for GPP in Ireland: construction, energy, transport, food and catering services, cleaning products and services, paper, uniforms and other textiles, and ICT. These groups were chosen according to proportion of public expenditure, scope for environmental improvement, potential impact on suppliers, potential for setting an example to private or corporate consumers, political sensitivity, existence of relevant and easy-to-use criteria, and market availability and economic efficiency.</p> <p>Ireland's Sustainable Development Goals (SDGs) National Implementation Plan 2018-2020 provides a whole-of-government approach to implement the UN's 17 SDGs. The plan designates the Office of Government Procurement (OGP) as leading on target 12.7, with Green Tenders indicated as the relevant national policy.</p>
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<sup>4</sup> Commission Communication (COM (2008) 400) "Public procurement for a better environment".

	<p>Climate Action Plan 2019 required the phased introduction of GPP (Action 148). Every local authority in Ireland signed a Climate Action Charter in 2019, which includes commitments relating to GPP.</p> <p>To address Action 148 in Climate Action Plan 2019, in October 2019 the Department of Public Expenditure and Reform published Circular 20/2019: <a href="#">Promoting the use of Environmental and Social Considerations in Public Procurement</a>. Under the Circular:</p> <ul style="list-style-type: none"> <li>• Each contracting authority should state to each line department how it intends to incorporate green considerations in its Corporate Procurement Plan</li> <li>• Departments are instructed to consider using green criteria in procurement, where defined and measurable criteria exist</li> <li>• Public bodies are encouraged to engage with the OGP to use frameworks that include relevant social and environmental considerations</li> <li>• Reporting of green public procurement was introduced. GPP data for 2020 is currently with the EPA and reports on GPP will be available for subsequent reporting exercises.</li> </ul> <p>In response to this Circular:</p> <ol style="list-style-type: none"> <li>1. The OGP updated its Information Note on the Corporate Procurement Plan (<a href="#">CPP</a>) to emphasise the need to include strategic public procurement in the CPP</li> <li>2. The cross-department Social Considerations Advisory Group, which includes representation from all central purchasing bodies as well as key policy divisions across government, was refocused as the Strategic Procurement Advisory Group</li> <li>3. The Environmental Protection Agency (EPA) piloted a GPP training programme</li> <li>4. The OGP and Central Purchasing Bodies are incorporating green considerations in frameworks as they come up for renewal</li> </ol> <p>The Waste Action Plan for the Circular Economy published in 2020 includes a chapter on GPP. The Programme for Government published in 2020 commits to updating all procurement frameworks in line with green public procurement practice by summer 2023; evaluating and managing the environmental, economic, and social impacts of procurement strategies within the State; developing a sustainable procurement policy; and regarding the nutritional value and sustainability of food available in public sector bodies such as hospitals and schools.</p>
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<b>V.1.1 Qualitative reporting</b>	<div></div> <div> <i>The information should focus on:</i> <ul style="list-style-type: none"> <li>- key challenges encountered in using green public procurement</li> <li>- measures taken to overcome them</li> </ul> </div>
Key challenges encountered	<p><b>Key challenges</b></p> <p>A 2014 study (Keaveny and Butler 2014) identified the perception that greener products and services are more expensive, lack of resources, lack of training, and lack of support from higher authorities as the key barriers to the use of GPP in achieving a more sustainable construction industry. When the first iteration of EPA Green Public Procurement Guidance was being developed (published in 2014), stakeholder organisations identified some concerns and barriers to the implementation of GPP including the perception that GPP costs more, annual budget constraints, lack of support for GPP from senior management, risk of legal challenges, complexity of verification, and the effect of central procurement frameworks. In preparing a GPP4Growth Action Plan under the EU Interreg project GPP4Growth, the then Department of Communications, Climate Action and Environment (DCCAE) in 2020 stated that these challenges are mostly still relevant.</p> <p><b>Measures taken to overcome key challenges</b></p> <p>These are focused on raising awareness and providing training. Most notably, the EPA developed and piloted a GPP training programme for procurement officers in 2020 and this will be supported and expanded in the post-pandemic era.</p>
<b>V.1.2. Supporting documents</b>	<div></div> <div> <i>Possible relevant (non-exhaustive) documents may be as follows (please provide a link to the document, and if possible, a summary of the document in English, if the document is in another language):</i> <ul style="list-style-type: none"> <li>• National definition of 'green public procurement';</li> </ul> </div>

	<ul style="list-style-type: none"> <li>• <i>Targets for the uptake of GPP and the way they are defined i.e. for overall procurement, for specific product groups, by value, by number of contracts;</i></li> <li>• <i>Any legal obligation to include green or circular requirements in tenders;</i></li> <li>• <i>Any recommendations to use the GPP criteria developed by the European Commission, respectively for which product groups. If different criteria are recommended, please specify whether they are similar to/inspired by the EU criteria;</i></li> <li>• <i>Activities in the area of capacity-building for procuring 'green' (institutionalised or ad-hoc training, helpdesks, etc.).</i></li> </ul>
Please report any available evidence or supporting document for point V.1, illustrating the measures, achievements or challenges faced, relating to the use of green public procurement.	<p><b>Key supporting documents:</b></p> <ul style="list-style-type: none"> <li>• The national definition of 'green public procurement' is included in 'Green Tenders – An Action Plan on Green Public Procurement': <a href="https://www.gov.ie/en/publication/74075-green-tenders-an-action-plan-on-green-public-procurement/">https://www.gov.ie/en/publication/74075-green-tenders-an-action-plan-on-green-public-procurement/</a>.</li> <li>• Circular 20/2019: Promoting the use of Environmental and Social Considerations in Public Procurement exhorted departments to consider using green criteria in procurement, where defined and measurable criteria are produced by the DCCAE (now the Department of the Environment, Climate and Communications): <a href="https://www.gov.ie/en/circular/circular-20-2019/">https://www.gov.ie/en/circular/circular-20-2019/</a></li> <li>• Circular 20/2019 directs queries regarding GPP to <a href="mailto:gpp@dccae.gov.ie">gpp@dccae.gov.ie</a></li> </ul> <p><b>Other relevant documents:</b></p> <ul style="list-style-type: none"> <li>• Sustainable Development Goals National Implementation Plan 2018-2020: <a href="https://www.gov.ie/en/publication/7cde9f-the-sustainable-development-goals-national-implementation-plan-2018-/">https://www.gov.ie/en/publication/7cde9f-the-sustainable-development-goals-national-implementation-plan-2018-/</a></li> <li>• Climate Action Plan 2019 – <a href="https://www.gov.ie/en/publication/ccb2e0-the-climate-action-plan-2019/">https://www.gov.ie/en/publication/ccb2e0-the-climate-action-plan-2019/</a></li> <li>• Programme for Government: Our Shared Future: <a href="https://www.gov.ie/en/publication/7e05d-programme-for-government-our-shared-future/">https://www.gov.ie/en/publication/7e05d-programme-for-government-our-shared-future/</a></li> <li>• Local Authority Climate Action Charter – <a href="https://www.gov.ie/en/publication/d914a-local-authority-climate-action-charter/">https://www.gov.ie/en/publication/d914a-local-authority-climate-action-charter/</a></li> <li>• Waste Action Plan for a Circular Economy – <a href="https://www.gov.ie/en/publication/4221c-waste-action-plan-for-a-circular-economy/">https://www.gov.ie/en/publication/4221c-waste-action-plan-for-a-circular-economy/</a></li> <li>• Butler P &amp; Keaveney M (2014) An Analysis of the Barriers to and Drivers of Green Public Procurement in Achieving a More Sustainable Construction Industry, International Virtual Conference, University of Zilina, Slovakia, 24-28 March 2014. doi:10.21427/kdwh-na85: <a href="https://arrow.tudublin.ie/cgi/viewcontent.cgi?article=1098&amp;context=beschrecon">https://arrow.tudublin.ie/cgi/viewcontent.cgi?article=1098&amp;context=beschrecon</a></li> <li>• GPP4Growth Action Plan (2020):</li> </ul>

	<a href="https://www.interregeurope.eu/fileadmin/user_upload/tx_tevprojects/library/file_1584706237.pdf">https://www.interregeurope.eu/fileadmin/user_upload/tx_tevprojects/library/file_1584706237.pdf</a>
<b>V.1.3. Quantitative indicators</b>	
	<p><i>Possible relevant (non-exhaustive) documents for consideration may be as follows:</i></p> <ul style="list-style-type: none"> <li>• <i>Percentage of public procurement procedures incorporating green or circular criteria out of the whole volume of procurement at national level and if available, for the GPP product groups (e.g. <a href="http://ec.europa.eu/environment/gpp/eu_gpp_criteria_en.htm">http://ec.europa.eu/environment/gpp/eu_gpp_criteria_en.htm</a>) for which monitoring is being done, measured by number and value.</i></li> </ul>
Please provide, when available, any quantitative data (statistics, etc.) illustrating the achievements and challenges identified under section V.1.1 above. To the extent possible, these indicators should be further grouped by type of legal problem.	The OGP's Client Satisfaction Research 2020 ( <a href="https://www.gov.ie/en/organisation-information/8c1ad-office-of-government-procurement-what-we-do/">https://www.gov.ie/en/organisation-information/8c1ad-office-of-government-procurement-what-we-do/</a> ) consisted of an online survey sent to all users of the OGP service. 386 responses were received, from diverse public bodies, but mainly from government departments or agencies or other government bodies. None of the respondents considered that ensuring reduced environmental impact was the top priority when procuring goods; 14%, however, considered it to be the second or third highest priority, with a further 3% placing it fourth or fifth in order of priorities. When procuring services, environmental impact was ranked as second or third highest priority by 12% of respondents.
<b>V.2 Socially responsible public procurement ('SRPP')</b>	<i>Socially Responsible Public Procurement ('SRPP') is defined as procurement that takes into account one or several social considerations for advancing social objectives. SRPP covers a wide spectrum of social considerations, such as for example employment opportunities, decent work conditions, compliance with social and labour rights, social inclusion, equal opportunities and accessibility.</i>
<b>V.2.1 Qualitative reporting</b>	<p><i>The information should focus on:</i></p> <ul style="list-style-type: none"> <li>- <i>key challenges encountered in promoting socially responsible public procurement, if any</i></li> <li>- <i>measures taken to overcome them</i></li> <li>- <i>difficulties still existing in the Member State.</i></li> </ul>
Key challenges encountered	As highlighted in Ireland's report of 2017, inclusion of Social clauses in public procurement contracts can be challenging as result of the need to ensure that procurement procedures remain competitive, transparent and accountable. These challenges are particularly relevant with regards SME participation,

	<p>as a broad legislative insistence on social clause inclusion would be the most onerous on economic operators with a lower turnover, thus making them by nature inequitable.</p> <p>The Community Action Network (CAN) published a report in 2020 titled “Social Clauses in Public Procurement: The Irish Experience” Included in its recommendations the need for training and education, finding that “Literature and practical experiences with sustainable procurement still show a clear bias towards the environmental dimension in the EU” and that “There is a need to encompass the multidimensionality of sustainability.”</p> <p>The OGP’s information note on the inclusion of social considerations in public procurement was published in late 2018, and provides comprehensive guidance for contracting authorities seeking to include social clauses in their procurement procedures. The planning stage or any procurement procedure is crucial, as it is most often the phase with the greatest scope for the inclusion of SRPP.</p> <p>The Strategic Procurement Advisory Group (previously Social Considerations Advisory Group) was established in March 2019. The group meets quarterly, and is chaired by the OGP, with the membership comprising of procurement professionals from throughout the government. The role of the Group is to identify sectors suitable for SRPP and advance them. It further acts to facilitate knowledge sharing between procurement professionals and is a further point of contact for external bodies, who often present to the group.</p> <p>Inclusion of SRPP is an ongoing process, and while the difficulties identified above have been ameliorated, each procurement is unique and only through continued dialogue with stakeholders at all levels can they truly be addressed.</p>
<b>V.2.2. Supporting documents</b>	
	<p><i>Possible relevant (non-exhaustive) documents for consideration may be as follows (please provide a link to the document, and if possible, a summary of the document in English, if the document is in another language):</i></p> <ul style="list-style-type: none"> <li>• <i>National SRPP definition;</i></li> <li>• <i>List and brief description of national policy initiatives launched in the area of SRPP;</i></li> </ul>

	<ul style="list-style-type: none"> <li>• Any obligation to include socially responsible criteria or contract performance clauses in the tender documents imposed by your national system, and the contracting authorities or contracting entities which are required to comply;</li> <li>• Any information on social labels in use.</li> </ul>
Please report any available evidence or supporting document for point V.2.1 illustrating the measures, achievements or challenges faced, relating to the promotion of SRPP.	<p>The Department of Further and Higher Education, Research, Innovation and Science launched the <a href="#">Action plan for Apprenticeship 2021-2025 in April 2021</a>. The action plan seeks to increase the number of apprenticeships to 10,000 by 2025, with specific focus given to the inclusion of underrepresented groups and simplifying routes of entry into specialised fields.</p> <p>The Department of Rural and Community Development announced the <a href="#">National Social Enterprise Policy in July 2019</a>. Inter Alia, the policy seeks to enable greater market participation by social enterprises in procurement processes, specifically highlighting workshops and training as capacity-building supports.</p> <p>At present there is no specific requirement to include socially responsible criteria in tender documents, though under the eForms regulation of 2019 the criterion categories are due to be updated.</p> <p>Other supporting documents:</p> <p><a href="#">CAN report and webinars</a>. – Report includes detailed reporting on Dublin City Council Regeneration Projects, social clauses included in the procurement of the new National Children’s Hospital and SRPP initiatives undertaken by the National Development Finance Agency</p> <p><a href="#">Incorporating Social Considerations Into Public Procurement</a></p>
<b>V.2.3. Quantitative indicators</b>	<i>This section contains examples of quantitative indicators related to section V.2. Other indicators can also be included in the report.</i>
	<p>Possible relevant (non-exhaustive) documents for consideration may be as follows:</p> <ul style="list-style-type: none"> <li>• Number of public procurement procedures incorporating socially responsible award criteria. Please specify how many of those are regulated under the 'light regime' of Title III Chapter I (Articles 74-77 of Directive 2014/24/EU and Articles 91-94 of Directive 2014/25/EU);</li> <li>• Number of public procurement procedures reserved to sheltered workshops and economic operators in line with article 20 of the Directive;</li> </ul>

	<ul style="list-style-type: none"> <li>• Number of public procurement procedures for the provision of health, social or cultural services as referred to in article 77.1 reserved to organisations fulfilling the conditions listed in article 77.2.;</li> <li>• Number of public procurement procedures incorporating socially responsible contract performance clauses criteria. Please specify how many of those are regulated under the 'light regime' of Title III Chapter I (Articles 74-77 of Directive 2014/24/EU and Articles 91-94 of Directive 2014/25/EU).</li> </ul>
Please provide, when available, any quantitative data (statistics, etc.) illustrating the achievements and challenges identified under section V.2.1 above.	At present it is not possible to isolate data on SRPP procedures. The updated eForms due to be adopted will allow for greater specification in these areas. New, mandatory fields will improve data capture and allow for greater stakeholder engagement.
<b>V.3 Public procurement of innovation</b>	<i>An innovative solution is defined in 2014/24/EU Art.2 (1.22) as "a new or significantly improved product, service or process". This includes not only those solutions resulting from R&amp;D but also those solutions resulting from activities, "including but not limited to production, building or construction processes, a new marketing method, or a new organisational method in business practices, workplace organisation or external relations." Please report both dimensions of innovation procurement: procurement of R&amp;D and procurement of innovative solutions.</i>
<b>V.3.1 Qualitative reporting</b>	
Key challenges encountered	<p>Engagement with the SME sector and other stakeholders indicates that broad definitions, allied with a perceived lack of access, hamper the promotion of innovation procurement. Further, the highly technical aspects of innovation procurement can be daunting for even experienced procurement officers. As such, dissemination of information on innovation procurement is essential. Given the devolved nature of many innovation friendly procurement categories - health and education most obviously, but also local government, where the smaller scale can greater afford the uncertainty inherent in trying something new – support for contracting authorities is highly specialised. This is very effective in some fields, but can lead to an unequal provision of knowledge.</p> <p>Innovation policy falls under the aegis of the Department of Enterprise, Trade and Employment (formerly the Department of Business, Enterprise and Innovation), and in 2020 it launched Innovation 2020, a strategy seeking to capitalise on Ireland's strong research and innovation base to drive the state forward as a global innovation leader.</p>

	<p>The Department of Further and Higher Education, Research, Innovation and Science is in the process of developing a National Research and Innovation Strategy, with an accompanying Work Programme for 2022-2024. The Strategy seeks to further unlock the potential of public procurement to drive innovation.</p> <p>Health Innovation Hub Ireland (HIHI), established by DETE and the Department of Health in 2020, works across the health sector to innovatively improve patient care. They provide guidance and monitoring in their field, and act as a connection point between economic operators of all sizes and relevant clinical bodies.</p> <p>The recently established Commercial Skills Academy offers training for procurement specialists of all categories and is instrumental in inculcating innovation.</p> <p>Pre-market consultation is a key aspect of innovation procurement which would allow contracting authorities to assess the innovative capabilities of prospective economic operators. Further guidance on pre-market consultation ensuring the principles of transparency and fairness are respected, would be welcome.</p> <p>Greater communication between innovation bodies and those in procurement can always be improved, and staying abreast of emerging technological trends is a permanent, ongoing process.</p>
<b>V.3.2. Supporting documents</b>	<p><i>Possible relevant (non-exhaustive) documents for consideration may be as follows (please provide a link to the document, and if possible, a summary of the document in English, if the document is in another language):</i></p> <ul style="list-style-type: none"> <li>• <i>National (or Regional) Action Plan and/or targets for innovation procurement and its stage of implementation. Information on how are they defined;</i></li> <li>• <i>Any additional provisions for innovation procurement in your national legislation that go beyond the provisions in the EU public procurement directives (e.g. more detailed definition of innovative solutions and/or R&amp;D, specific provisions on innovation procurement Art 33 of 2014 EU State aid rules on R&amp;D&amp;I);</i></li> <li>• <i>National (or Regional) guidelines on innovation procurement (e.g. on IPR handling, joint procurement to create demand pull for buying innovative solutions, on R&amp;D procurement);</i></li> <li>• <i>National (or Regional) activities on capacity-building on innovation procurement (institutionalised or ad-hoc training, helpdesks, etc.);</i></li> </ul>

	<ul style="list-style-type: none"> <li>• <i>Information about outcomes e.g. impact on demand side (increase in quality and/or efficiency of public services), impact on the supply side (increase in sales/company growth, intensified investments in R&amp;D/innovation and/or IPRs), wider market impacts (number/value of contracts awarded to SMEs, amount of contracts awarded to non-domestic providers);</i></li> <li>• <i>Activity report on the follow-up and the evolution of the measures put in place.</i></li> </ul>
Please report any available evidence or supporting document illustrating the measures, achievements or challenges faced, relating to the promotion and implementation of innovation procurement.	<a href="#">Health Innovation Hub Ireland</a>  <a href="#">Innovation 2020 Strategy</a> <ul style="list-style-type: none"> <li>• Innovation Procurement is not labelled currently, but as mentioned above, updated eForms submissions will allow for greater monitoring of this category.</li> </ul>
<i>For purchases made under the EU thresholds, please report any information or document demonstrating that purchase of innovative solutions have been made (e.g.: innovation partnerships or the use of the innovation criterion).</i>	

## VI. Information on monitoring and reporting bodies



*This section should include a list of the body/bodies performing the public procurement monitoring activities required by the public procurement directives and the entities in charge with the drafting of the report to be provided to the European Commission on the results of the monitoring activities (e.g. review bodies, anti-corruption bodies).*

The Office of Government (OGP) is the central government body with responsibility for oversight of procurement policy and practice. It acts as the principal interface body between Ireland and the European Union in most matters relating to public procurement. Four governmental departments – Education, Defence, Health and Local Government – oversee procurement directly in their fields, with the OGP operating in an advisory capacity and formalising guidance to ensure best practice. This report was drafted by the OGP with assistance in particular areas from the Registry of Beneficial Ownership (RBO) and the Competition and Consumer Protection Commission (CCPC).

## VII. Replicability

*This section should provide information allowing anyone to fully replicate the quantitative results presented in the report. The data and methodologies used to compute quantitative indicators should be clearly indicated in the report or by providing the relevant documents, (this is valid for all quantitative indicators of this template)*

This source data used to comprises data analysis from the national eTenders database, which is the operational, live database for public procurement activity in Ireland. This data contains identifying information of contracting authorities and economic operators. With due care to confidentiality, especially regarding financial information, the datasets cannot be provided in full.

Links to datasets used to prepare the report	N/A
Files used to obtain the results from the datasets	N/A
Other complementary data	N/A

### Annex I:

**Methodology for estimating the value of procurement, which would have been covered by the directives if its value had exceeded the relevant thresholds and for the estimation of the aggregated total value of procurement above EU thresholds**

## **1. Classification and methodology**

Indicate the basic characteristics of the methodology used by selecting from the options below. Description of the methodology is to be given in the subsequent section.

### **1.1. General approach:**

- a) Data available on eTenders platform.

### **1.2. Source of data:**

Source of data: \ Scope:	above national publication thresholds [✓]	below national publication thresholds [✓]	Above EU thresholds [✓]
[e-notification platforms]	eTenders	eTenders	eTenders
[e-submission platforms]	eTenders	eTenders	eTenders
[invoices]	n/a	n/a	n/a
[budgets]	n/a	n/a	n/a
[other]			

## **2. Methodology description**

The turnover data in each calendar year in respect of public procurement in Ireland was derived from the national tendering platform (eTenders.gov.ie ), having regard to the volume of contract notices and contract award notices published. This methodology incorporates both above and below threshold. TED forms submitted by contracting authorities are used to determine the values of both contract notice and contract

award notice. In respect of the generality of below threshold competitions, tenderers are expected to input the appropriate estimated value at the beginning of the tendering process under the procedures for national level procurement on the eTenders platform.

#### Annex II:

	2018	2019	2020
Number of notices announcing a call for competition above thresholds	1,103	1,337	1,540
Number of notices announcing a call for competition below thresholds	3,454	3,800	4,011
Number of awarded contracts above thresholds	803	942	945
Number of awarded contracts below thresholds	1,389	1,523	1,409
Total value of procurement above EU thresholds (EUR/National currency)	CN: €12.91 B CAN: € 4.17 B	CN: €6.85 B CAN: €5.79 B	CN: €12.48 B CAN: €6.005 B
Total value of procurement below EU thresholds (EUR/National currency) *	CN: €935 M CAN: €313 M	CN: €946 M CAN: €347 M	CN: €1.4 B CAN: €333 M

\* These Values are based on non published  
Original Estimated Values

**Annex III:**

Ireland does not operate a centralised procurement oversight system which would collate relevant documentation in this respect.

	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>Number of decisions</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>upon a complaint</b>			
<i>ex officio</i>			
<b>Comments</b>			
<b>Median length of the review</b>			
<b>upon a complaint</b>			
<i>ex officio</i>			
<b>Comments</b>			
<b>Number of review decisions challenged</b>			
<b>Number of decisions (primarily) upheld</b>			
<b>Number of decisions (primarily) rejected</b>			
<b>Number of decisions – other</b>			
<b>Comments</b>			