BS EN 17687:2022

BSI Standards Publication

Public procurement — Integrity and accountability — Requirements and guidance

Documents
Document Sharing Hub

Full document details: BS EN 17687:2022

National foreword

This British Standard is the UK implementation of EN 17687:2022.

The UK participation in its preparation was entrusted to Technical Committee QS/1/2, Quality Management System Standards.

A list of organizations represented on this committee can be obtained on request to its committee manager.

Contractual and legal considerations

This publication has been prepared in good faith, however no representation, warranty, assurance or undertaking (express or implied) is or will be made, and no responsibility or liability is or will be accepted by BSI in relation to the adequacy, accuracy, completeness or reasonableness of this publication. All and any such responsibility and liability is expressly disclaimed to the full extent permitted by the law.

This publication is provided as is, and is to be used at the recipient's own risk.

The recipient is advised to consider seeking professional guidance with respect to its use of this publication.

This publication is not intended to constitute a contract. Users are responsible for its correct application.

© The British Standards Institution 2022
Published by BSI Standards Limited 2022

ISBN 978 0 539 14669 1

ICS 03.100.02; 03.100.10; 13.020.20; 91.010.20

Compliance with a British Standard cannot confer immunity from legal obligations.

This British Standard was published under the authority of the Standards Policy and Strategy Committee on 30 September 2022.

Amendments/corrigenda issued since publication

Date	Text affected

Documents
Document Sharing Hub

Full document details: BS EN 17687:2022

EUROPEAN STANDARD

NORME EUROPÉENNE

EUROPÄISCHE NORM

EN 17687

August 2022

ICS 03.100.02; 03.100.10; 13.020.20; 91.010.20

English Version

Public procurement - Integrity and accountability - Requirements and guidance

Achats publics - Intégrité et responsabilité - Exigences et recommandations

Öffentliche Beschaffung - Integrität und Verantwortlichkeit - Anforderungen und Leitfaden

This European Standard was approved by CEN on 17 July 2022.

CEN members are bound to comply with the CEN/CENELEC Internal Regulations which stipulate the conditions for giving this European Standard the status of a national standard without any alteration. Up-to-date lists and bibliographical references concerning such national standards may be obtained on application to the CEN-CENELEC Management Centre or to any CEN member.

This European Standard exists in three official versions (English, French, German). A version in any other language made by translation under the responsibility of a CEN member into its own language and notified to the CEN-CENELEC Management Centre has the same status as the official versions.

CEN members are the national standards bodies of Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Republic of North Macedonia, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Türkiye and United Kingdom.

EUROPEAN COMMITTEE FOR STANDARDIZATION
COMITÉ EUROPÉEN DE NORMALISATION
EUROPÄISCHES KOMITEE FÜR NORMUNG

CEN-CENELEC Management Centre: Rue de la Science 23, B-1040 Brussels

© 2022 CEN All rights of exploitation in any form and by any means reserved worldwide for CEN national Members.

Ref. No. EN 17687:2022 E

Documents
Document Sharing Hub

Full document details: BS EN 17687:2022

Contents

Page

European foreword 4
Introduction 5
1 Scope 7
2 Normative references 7
3 Terms and definitions 7
3.1 Terms related to concepts 7
3.2 Terms related to organizations 9
3.3 Terms related to procurement 11
3.4 Term related to people 12
3.5 Terms related to data, information and documents 12
4 Fundamental principles 13
4.1 General 13
4.2 Integrity 13
4.3 Accountability 13
4.4 Transparency 15
5 Governance 15
5.1 General 15
5.2 Policies 16
5.3 Ethical behaviour and social responsibility 16
5.4 Leadership 17
6 The public procurement process 17
6.1 Context of the buyer organization 17
6.2 Managing risks to ensure integrity and accountability 18
7 Stakeholder management 19
7.1 General 19
7.2 Internal interested parties 19
7.3 Market engagement 20
7.4 Suppliers and supply chain 21
7.5 Consumers and end-users 21
8 People 22
8.1 Competence 22
8.2 Training and development 22
8.3 Work culture 23
8.4 Incentives 23
8.5 Control mechanisms and other tools to ensure compliance 23
8.6 Code of conduct 24
9 Performance evaluation 25
9.1 General 25
9.2 Method and process 25
9.3 Evidence-based data for measurement 25
10 Improvement 26
10.1 General 26
10.2 Non-conformity and corrective actions 26
10.3 Improvement 26

Documents
Document Sharing Hub
Full document details: BS EN 17687:2022

Annex A (informative) **Guidance on the use of this document** 27
Annex B (informative) **Risk management during the public procurement process** 31
Bibliography 40

Documents
Document Sharing Hub

Full document details: BS EN 17687:2022

European foreword

This document (EN 17687:2022) has been prepared by Technical Committee CEN/TC 461 "Public procurement", the secretariat of which is held by SIS.

This European Standard shall be given the status of a national standard, either by publication of an identical text or by endorsement, at the latest by February 2023, and conflicting national standards shall be withdrawn at the latest by February 2023.

Attention is drawn to the possibility that some of the elements of this document may be the subject of patent rights. CEN shall not be held responsible for identifying any or all such patent rights.

Any feedback and questions on this document should be directed to the users' national standards body. A complete listing of these bodies can be found on the CEN website.

According to the CEN-CENELEC Internal Regulations, the national standards organisations of the following countries are bound to implement this European Standard: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Republic of North Macedonia, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey and the United Kingdom.

Documents
Document Sharing Hub
Full document details: BS EN 17687:2022

Introduction

0.1 Background

This document has been developed following the acceptance by CEN to deliver the European Commission's Pilot Project on Increased use of standards in Public Procurement - Output 3 (Integrity and Accountability Standard). The main objective with Output 3 is to deliver a European Standard focusing on integrity and accountability in public procurement.

The United Nations, together with international organizations such as the OECD, the European Union, International Financing Institutions and NGOs such as Transparency International, have played leading roles in recognizing the importance of good governance and developing technical guidance to enhance integrity in public procurement.

Failure to commit to the fundamental principles of integrity, accountability and transparency in public procurement can create room for corruption, undermine the effectiveness of public services and have a negative impact on the cost-efficiency of public spending. As an indirect result, such deficiencies can harm the public interest, undermine public trust and have a negative impact on citizens. Risks relating to corruption and fraud are important aspects of public procurement globally. The EU regulatory framework on public procurement and applicable national legislation provide a strong preventative mechanism against the occurrence of potential irregularities. The EU legal system is based on the fundamental principles of equal treatment, non-discrimination, mutual recognition, proportionality and transparency, with clear rules on how to conduct public procurement processes to comply with these principles.

A new generation of EU directives was adopted in 2014 that further underline the need for increased integrity and the inclusion of specific rules for situations of conflicts of interest and more stringent requirements on the exclusion of suppliers. However, the main challenges are normally not weak or absent regulatory or institutional frameworks at the member state level, but rather the implementation and practice at the level of contracting authorities and entities.

Integrity refers to the consistent alignment of, and adherence to, agreed ethical values, principles and norms. In other terms, it is not just about being true to oneself but also about being accountable to key stakeholders and operating in a transparent manner, such as how the procurement function is organized and managed to secure internationally recognized frameworks for integrity and accountability. Integrity and accountability are two components of good public governance, including sound financial management, and are closely linked to each other.

This document aims to provide a sound framework for generally accepted principles of integrity and accountability in public procurement.

Information marked as “NOTE” is for guidance in clarifying the associated requirement. “Notes to entry” used in Clause 3 provide additional information that supplements the terminological data and can contain provisions relating to the use of a term.

0.2 Structure of this document

Striving for integrity and accountability, which are objectives for any buyer organization, involves managing various constraints in different proportions. In this document, this is reflected in the balance between requirements and guidance.

Documents
Document Sharing Hub
Full document details: BS EN 17687:2022

In order to enable the buyer organization to address integrity and accountability in its public procurement processes, this document is structured in the following way:

— Clause 1 to 3: the scope, normative references, which there are none, and terms and definitions which apply to this document;

— Clause 4: the fundamental principles underlying this document: integrity, accountability and transparency;

— Clause 5: governance within the buyer organization, including policies, behaviour and leadership;

— Clause 6: the public procurement process and the risks involved;

— Clause 7: stakeholder management, particularly in relation to market engagement, supply chain and end-user levels;

— Clause 8: consideration of the human factors within the buyer organization, particularly the skills and development of its workers, but also the mechanisms and measures taken by the buyer organization to apply this document;

— Clause 9: evaluation of the performance of the public procurement process;

— Clause 10: continuous improvement of the public procurement process;

— Annex A: guidance for the interpretation of the requirements;

— Annex B: guidance on common risks in the public procurement process.

To simplify referencing in this document, every requirement and recommendation in Clauses 4 to 10 has been placed in a numbered subclause.

The following verbal forms are used in this document:

a) “shall” indicates a requirement;

b) “should” indicates a recommendation;

c) “may” indicates a permission;

d) “can” indicates a possibility or capability.

Documents
Document Sharing Hub

Full document details: BS EN 17687:2022

1 Scope

This document specifies requirements and guidance for buyer organizations, with regards to integrity and accountability in public procurement processes from the identification of needs throughout the delivering of goods, services or work contracts.

This document is applicable to use by:

a) buyer organizations;

b) contributors;

c) decision makers and their staff.

This document can have an impact on:

— individuals;

— suppliers and individuals acting in support of or on behalf of suppliers, including subcontractors; the official bodies of the member states and of the European organizations which intervene, directly or indirectly, in the public procurement process;

— organizations representing suppliers at the member state or European levels.

NOTE Further guidance for the interpretation and application of the scope and requirements of this document is provided in Annex A.

2 Normative references

There are no normative references in this document.

3 Terms and definitions

For the purposes of this document, the following terms and definitions apply.

ISO and IEC maintain terminological databases for use in standardization at the following addresses:

— ISO Online browsing platform: available at https://www.iso.org/obp

— IEC Electropedia: available at https://www.electropedia.org/

3.1 Terms related to concepts

3.1.1
accountability
state of being answerable for decisions and activities to the buyer organization's governing bodies, legal authorities and, more broadly, its stakeholders

[SOURCE: EN ISO 26000:2020, 2.1, modified — The word “organization” has been replaced with “buyer organization”.]

3.1.2
integrity
consistent alignment of, and adherence to, agreed ethical values, principles and norms

[SOURCE: OECD Recommendation on Public Integrity, 2017.]

Documents
Document Sharing Hub
Full document details: BS EN 17687:2022

3.1.3
integrity pact
contract between a buyer organization and suppliers bidding for public contracts that they will abstain from corrupt practices and will conduct a transparent procurement process

Note 1 to entry: An integrity pact may be monitored by an independent third party.

3.1.4
transparency
open, comprehensive and understandable presentation of information

[SOURCE: EN ISO 14040:2006, 3.7.]

3.1.5
value for money
most advantageous combination of cost, quality and sustainability to meet customer requirements

3.1.6
international norms of behaviour
expectations of socially responsible organizational behaviour derived from customary international law, generally accepted principles of international law, or intergovernmental agreements that are universally or nearly universally recognized

Note 1 to entry: Intergovernmental agreements include treaties and conventions.

Note 2 to entry: Although customary international law, generally accepted principles of international law and intergovernmental agreements are directed primarily at states, they express goals and principles to which all organizations can aspire.

Note 3 to entry: International norms of behaviour evolve over time.

[SOURCE: EN ISO 26000:2020, 2.11.]

3.1.7
competence
ability to apply knowledge and skills to achieve intended results

[SOURCE: EN ISO 9000:2015, 3.10.4, modified — The notes to entry have been removed.]

3.1.8
effectiveness
extent to which planned activities are realized and planned results are achieved

[SOURCE: EN ISO 9000:2015, 3.7.11, modified — Note 1 to entry has been removed.]

3.1.9
risk
effect of uncertainty on objectives

[SOURCE: ISO 31000:2018, 3.1, modified — The notes to entry have been removed.]

Documents
Document Sharing Hub
Full document details: BS EN 17687:2022

3.1.10
risk appetite
amount and type of risk that an organization is willing to pursue or retain

[SOURCE: ISO Guide 73:2009, 3.7.1.2.]

3.2 Terms related to organizations

3.2.1
organization
person or group of people that has its own functions with responsibilities, authorities and relationships to achieve its objectives

Note 1 to entry: The concept of organization includes, but is not limited to, sole-trader, company, corporation, firm, enterprise, authority, partnership, association, charity or institution, or part or combination thereof, whether incorporated or not, public or private.

[SOURCE: EN ISO 9000:2015, 3.2.1, modified — Note 2 to entry has been removed.]

3.2.2
project
temporary endeavour to achieve one or more defined objectives

[SOURCE: ISO 21500:2021, 3.15.]

3.2.3
governance
system by which the organization is directed, controlled and held accountable to achieve its core purpose over the long term

Note 1 to entry: Governance is about the whole organization and encompasses everything that the organization is and does.

[SOURCE: BS 13500:2013, 2.7, modified — Notes 2 and 3 to entry have been removed.]

3.2.4
top management
person or group of people who direct and control the organization at the highest level

[SOURCE: EN ISO 9000:2015, 3.1.1, modified — The notes to entry have been removed.]

3.2.5
business model
organization's approach to operating in its environment

[SOURCE: ISO 30400:2016, 3.4.]

AVA Documents
Document Sharing Hub

Full document details: BS EN 17687:2022

3.2.6
buyer organization
organization defined as contracting authority or contracting entity by public procurement rules

Note 1 to entry: In the case of Public Administration, buyer organization can include all the administrative bodies that take part in the whole life cycle of public procurement.

[SOURCE: Directive 2014/25/EU of the European Parliament and of Council of 26 February 2014 on public procurement.]

3.2.7
supplier
organization that provides products, services or works

Note 1 to entry: A supplier can be an economic operator as defined by Directive 2014/24/EU of the European Parliament and of Council of 26 February 2014 on public procurement.

Note 2 to entry: A supplier can also be any other economic operator in the supply chain, for example a subcontractor or second tier supplier.

[SOURCE: EN ISO 9000:2015, 3.2.5, modified — The word "works" has been added to the definition, the example and notes to entry have been removed and a new note 1 to entry has been added.]

3.2.8
works
outcome of building or civil engineering activities taken as a whole which is sufficient in itself to fulfil an economic or technical function

[SOURCE: Directive 2014/24/EU of the European Parliament and of Council of 26 February 2014 on public procurement.]

3.2.9
interested party
stakeholder
person or organization that can affect, be affected by, or perceive itself to be affected by a decision or activity

[SOURCE: EN ISO 9000:2015, 3.2.3, modified — The example and note 1 to entry have been removed.]

3.2.10
policy
intentions and direction of an organization as formally expressed by its top management

[SOURCE: EN ISO 9001:2015, 3.2.10.]

3.2.11
ethical behaviour
behaviour that is in accordance with accepted principles of right or good conduct in the context of a particular situation and is consistent with international norms of behaviour

[SOURCE: EN ISO 26000:2020, 2.7.]

Documents
Document Sharing Hub
Full document details: BS EN 17687:2022

3.2.12
social responsibility
responsibility of an organization for the impacts of its decisions and activities on society and the environment, through transparent and ethical behaviour

[SOURCE: EN ISO 26000:2020, 2.18, modified — The word "that" followed by a list in the definition have been removed and the notes have been removed.]

3.2.13
key performance indicator
KPI
indicator of performance deemed by an organization to be significant and giving prominence and attention to certain aspects

[SOURCE: EN ISO 14031:2013, 3.17.]

3.2.14
code of conduct
agreement on rules of behaviour for members of a group or organization

3.3 Terms related to procurement

3.3.1
procurement
activity of acquiring products, services or works from suppliers

Note 1 to entry: The procurement process considers the whole cycle from identification of needs through to the end of a services contract or the end of the life of products.

[SOURCE ISO 20400:2017, 3.18, modified — The word "works" has been added to the definition, note 1 to entry has been changed and note 2 to entry has been removed.]

3.3.2
public procurement
procurement by a buyer organization regulated by public procurement rules

Note 1 to entry: Rules can be international, national, regional or local, including from governing bodies such as the EU.

3.3.3
supply chain
sequence of activities or parties that provides products or services to the organization, directly or indirectly

[SOURCE: ISO/TS 26030:2019, 3.3, modified — Note 1 to entry has been removed.]

3.3.4
contributor
person or organization directly or indirectly involved in the public procurement process in support of, or on behalf of, a buyer organization

Note 1 to entry: A contributor can be an internal party (for example a buyer, technician, Data Protection Officer, company lawyer or director), an external party (for example a consultant, an auditor or architect) or a semi-external party (for example a member of a ministerial cabinet or an agent preparing the decisions of decision-making bodies).

Documents
Document Sharing Hub

Full document details: BS EN 17687:2022

3.3.5
decision maker
individuals or official bodies responsible for making high level decisions for a buyer organization

Note 1 to entry: High level decisions can include approving the type of procedure for each contract, approving the call for tender and formally awarding the contract.

3.4 Term related to people

3.4.1
worker
person who performs work, whether an employee or someone who is self-employed

[SOURCE: EN ISO 26000:2020, 2.27.]

3.5 Terms related to data, information and documents

3.5.1
documented information
information required to be controlled and maintained by an organization and the medium on which it is contained

Note 1 to entry: Documented information can be in any format and media and from any source.

[SOURCE: EN ISO 9000:2015, 3.8.6, modified — Notes 2 and 3 to entry have been removed.]

3.5.2
contract
binding agreement

[SOURCE: EN ISO 9000:2015, 3.4.7.]

3.5.3
evidence
data supporting the existence or verity of something

[SOURCE: EN ISO 9000:2015, 3.8.3, modified — The word “objective” has been removed from the term.]

3.5.4
feedback
opinions, comments and expressions of interested parties on the activities, decisions and practices of buyer organization

3.5.5
requirement
need or expectation that is stated, generally implied or obligatory

Note 1 to entry: Requirements can be generated by different interested parties or by the buyer organization itself and can include legal, statutory and regulatory requirements.

[SOURCE: EN ISO 9000:2015, 3.6.4, modified — Note 4 to entry has been changed, and renamed to Note to entry 1, and the other notes to entry have been removed.]

Documents
Document Sharing Hub
Full document details: BS EN 17687:2022