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Reinforcing the capability of the public procurement workforce

This chapter discusses the capacity of the public procurement workforce in Malta. It provides an overview of the recent efforts of the government of Malta in professionalising the public procurement workforce, including the recognition of public procurement as a professional task. The chapter also shows key results and takeaways from the ProcurComp^{EU} survey which was carried out with fifteen entities to identify competences that require more capability-building initiatives. It identifies major challenges and provides recommendations on reinforcing the capability of the public procurement workforce in Malta, including through trainings, methodological assistance, and certification frameworks.

Given its high volumes of public spending and strategic relevance, public procurement is a key governmental activity that has significant impact on the country's economic and social development. In 2019, public procurement accounted for 12.6% of GDP and 29.6% of total government expenditures in OECD countries. (OECD, 2021^[1]) Under the global pandemic crisis that arose from Covid-19 outbreak, public procurement was at the front runner to deliver essential public services (e.g. vaccines and personal protective equipment) and managing critical infrastructures. (OECD, 2020^[2])

Public procurement has become a more complex function than ever, requiring public procurement officials to be equipped with higher-level capabilities to implement public procurement procedures. They are expected to have not only technical knowledge and skills such as knowing the regulatory framework and drafting tender documents but also soft skills such as project management, in order to fulfil their tasks. This requirement is further driven by the increasing global use of public procurement as a strategic tool to pursue broader policy objectives aligned with the 2030 Agenda for Sustainable Development (SDGs), as detailed in the previous chapter. The most common are recapped here: promoting circular and green economy, stimulating innovation, supporting small-and medium-sized enterprises' (SMEs), and promoting ethical behaviour and responsible business conduct.

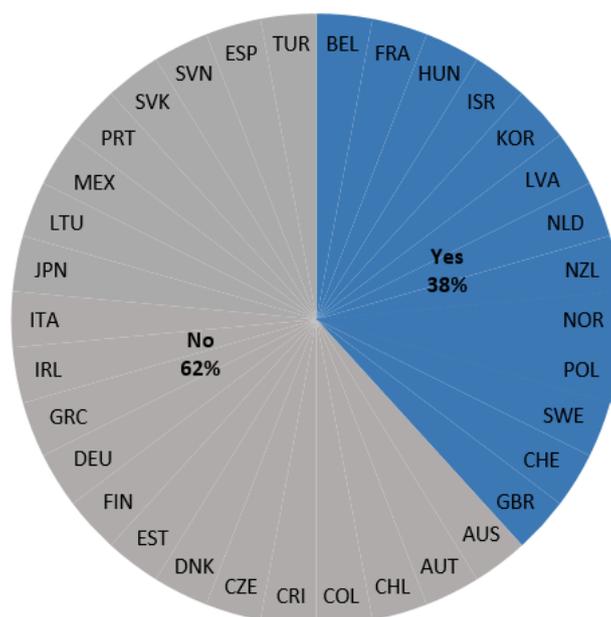
Indeed, the adequate capacity of the public procurement workforce is a key element to ensure a sound procurement system in order to deliver efficiency and value for money in the use of public funds. The OECD Recommendation has one principle dedicated to the capacity of the public procurement workforce. It calls upon countries to develop a procurement workforce with the capacity to continually deliver value for money efficiently and effectively. (OECD, 2015^[3])

This chapter overviews the recent efforts of the government of Malta in advancing the professionalisation of the public procurement workforce such as the recognition of public procurement as a professional task and its capacity-building system. The chapter also shows key takeaways from the ProcurComp^{EU} survey carried out to the 15 contracting authorities that are part of this project. It identifies major challenges and provides key recommendations on reinforcing the capability of the public procurement workforce in Malta.

5.1. Recognition of the procurement function

Countries have been advancing on the agenda of professionalisation of the public procurement. As Figure 5.1. shows, in 2020, 38% of OECD countries recognised public procurement as a standalone profession, marking an increase from 32% of OECD countries in 2018. (OECD, 2021^[1])

Figure 5.1. Public procurement recognised as a standalone profession in OECD countries (2020)



Note: Data for Canada, Iceland, Luxembourg, and the United States are not available.

Source: (OECD, 2021^[1])

Public procurement is not recognised as a standalone profession in Malta, however a public procurement career path is recognised through job profiles. It follows the classification established by the People and Standards Division within the Office of the Prime Minister. This classification includes four job profiles for the public procurement career stream: (i) Assistant Manager (Procurement), (ii) Manager I (Procurement), (iii) Manager II (Procurement), and (iv) Senior Manager (Procurement). Indeed, each job profile has a description of specific tasks related to public procurement. (European Commission, 2020^[4]) It should be noted, however, that the use of these job profiles is limited to the DoC and the public service (within Ministries). It is not adopted by entities that fall under the public sector.

In addition, the government of Malta, through the collaboration between the DoC and the Institute for the Public Services (IPS), launched a pilot programme on Recognition for Prior Learning (RPL) in procurement in July 2020. It is worth noting that RPL started from the procurement stream. RPL aims at identifying on-the-job skills and knowledge not currently addressed or supported by academic qualifications, providing recognition, and rewarding experience. (Office of the Prime Minister, 2021^[5])

RPL in the pilot of the procurement career stream intends to get rid of the bottleneck of career promotion. It offers the opportunity of on-the-job trainings to public servants working in public procurement who wish to promote their career in public procurement but do not possess the necessary qualifications to be eligible for promotion. The requirement of the academic backgrounds was considered as the key bottleneck to the promotion of public officers that have rich professional experiences in public procurement. For example, the promotion to Manager I requires a bachelor's degree in procurement, accounting, or finance or an equivalent professional qualification, while the promotion to Manager II calls for the master's degree in the same fields or an equivalent professional qualification. RPL intends to address this bottleneck.

This pilot project does not provide an accredited certificate. However, it takes into account the knowledge and skills gained through trainings, identifies any necessary competencies to reach the next career level, and provides the necessary training to fill in the identifies gaps. This pilot initiative supports public procurement officials to achieve career development and promotion to higher position.

RPL initiative is considered as an innovative solution to alleviate the key bottleneck in the career development in public procurement. It is worth mentioning that the RPL pilot was carried out built upon the competency matrix provided by European competency framework for public procurement professionals (ProcurComp^{EU}). Thus, the RPL initiative has played key role in recognising the public procurement function as a major pillar in the career stream of the public sector in Malta.

Regardless of this strong initiative, however, Malta does not have a professionalisation strategy of public procurement, although the DoC embarked on developing it. (Department of Contracts, 2021^[6]) Malta could benefit from elaborating a public procurement professionalisation strategy that describes the roadmaps and actions to promote the professionalisation of the public procurement workforce.

5.2. Key takeaways from ProcurComp^{EU} survey

This section presents the key takeaways and results of the survey of the European competency framework for public procurement professionals (ProcurComp^{EU}), which was carried out with 119 procurement officials of 15 contracting authorities including the SPD in 2022.

5.2.1. ProcurCompEU as a tool to assess the capability level

It is critical to identify and assess the gaps of capabilities and skills of the public procurement workforce to develop better professionalisation strategy and a solid capacity-building system. ProcurCompEU is a practical tool to facilitate these assessments. ProcurComp^{EU} was launched by the European Commission in December 2020, in order to support the professionalisation of public procurement. ProcurCompEU provides practical tools to advance the professionalisation agenda such as the competency matrix including 30 key competencies for public buyers, self-assessment tool, and generic training curriculum. (See Box 5.1)

Box 5.1. European competency framework for public procurement professionals (ProcurComp^{EU})

ProcurComp^{EU} is a tool designed by the European Commission to support the professionalisation of public procurement. ProcurComp^{EU} consists of three elements:

- Competency Matrix, which defines 30 procurement-related and soft competences along four proficiency levels;
- Self-Assessment Tool that allows users to set targets for the different competences and assess their proficiency levels against them and identify any gaps;
- Generic training curriculum which lists all learning outcomes that public procurement professionals should know and be able to demonstrate after having attended a training for a certain proficiency level.

The Competency Matrix describes 30 competencies (knowledge, skills and attitudes) that public procurement professionals should demonstrate in order to perform their job effectively and efficiently and carry out public procurement procedures that bring value for money. The competences are grouped in two main categories: procurement specific competences, and soft competences. The categories are then divided into six clusters, three per category:

- Procurement-specific competences (19 competences):
 - Horizontal: 9 competences applicable to all stages of the public procurement lifecycle

- Pre-award: 6 competences required to perform all the tasks and activities taking place before the award of a public contract
- Post-award: 4 competences necessary for the contract management after the award of a public contract.
- Soft competences (11 competences):
 - Personal: 4 competences on behaviours, skills and attributes that public procurement professionals should possess, as well as the mind-set that they should display according to their job profile
 - People: 3 competences enabling public procurement professionals to interact and cooperate with other professionals, and to do so in the most professional manner
 - Performance: 4 competences public procurement professionals need to have in order to increase value for money in public procurement procedures

Each competence is described along four proficiency levels based on the breadth of knowledge and skills: Basic, Intermediate, Advanced, and Expert.

The ProcurComp^{EU} Self-Assessment Tool is composed of several key elements:

- A self-assessment questionnaire
- Templates for job profiles
- A calculation tool for computing individual and organisational assessment results.

The ProcurComp^{EU} Reference Training Curriculum lists all learning outcomes that public procurement professionals should know and be able to demonstrate after having attended a training for a certain proficiency level.

ProcurComp^{EU} is a quite flexible, voluntary and customisable tool. Getting value from ProcurComp^{EU} does not require using each and every component of the framework, nor does it require the use of each and every competence defined in the ProcurComp^{EU} Competency Matrix.

Source: (European Commission, 2020^[71])

Before its official launch in December 2020, the DoC piloted the ProcurComp^{EU} tool to a limited extent in Malta by assessing its own organisational maturity (European Commission, 2020^[61]). In October 2021, DoC disseminated a Contracts Circular N° 17/2021 to contracting authorities on the ‘ProcurComp^{EU}: European Competency Framework for Public Procurement Professionals’ in order to encourage contracting authorities to use ProcurComp^{EU} and assess and identify competency gaps. (Department of Contracts, 2021^[61])?

5.2.2. ProcurCompEU survey structure

The ProcurComp^{EU} survey was prepared in the EC digital platform (EUSurvey) by adapting the standardised survey questionnaire of ProcurComp^{EU} to the Maltese context. It was carried out to public procurement officials in 15 public entities (14 contracting authorities and the SPD) for the four classified job profiles of the public procurement career stream in civil service in the country: (i) Assistant Manager, (ii) Manager I, (iii) Manager II, and (iv) Senior Manager.

The survey aimed at measuring the organisational maturity of 15 participating public entities and identifying the competences that need more capacity building, by:

- Calculating the self-assessment results of each of four job profiles for 30 competences (23 competences for Assistant Manager)

- Comparing the self-assessment results (average points) with the set targets for each profile
- Collecting feedbacks on capacity-building needs

The survey consisted of the four sections:

- Section I General questions: Information on the respondent such as the current position and experiences on public procurement and completed training
- Section II Public procurement competences: self-assessment of the current level for the 19 procurement specific competences
- Section III Soft competences: Assessment of the current level for the 11 soft competences
- Section IV Feedback on capacity-building needs: Selection of top 5 competencies that need more capability-building activities in the opinion of the respondent

In the Section II and III, the participants were requested to self-assess their proficiency levels of knowledge and skills for 30 competences from the following levels that were converted to the points (0 to 4):

- Less than basic: 0 point
- Basic: 1 point
- Intermediary: 2 points
- Advanced: 3 points
- Expert: 4 points

A webinar to launch the survey was organised by the OECD and DoC on 16 February 2022, in order to explain the purpose and structure of the exercise to the participants. The survey was closed on 16 March 2022.

5.2.3. Profiles of participants of ProcurCompEU survey

This section shows the basic profiles of the 119 officials that participated in the ProcurComp^{EU} survey from 15 public entities. (See Table 5.1.)

Table 5.1. Participants of the ProcurComp^{EU} survey

Name of entity	Participants
Armed Forces of Malta	6
Central Procurement Unit – MGOZ	13
Foundation for Medical Services	6
Heritage Malta	8
Housing Authority	4
Infrastructure Malta	4
Local Government Division (DLG)	2
Malta Financial Services Authority	2
Malta Information Technology Agency (MITA)	8
Malta Tourism Authority	2
Planning Authority	2
Transport Malta	2
University of Malta	11
Wasterserv	17
Sectoral Procurement Directorate (SPD)	32
TOTAL	119

Source: ProcurComp^{EU} survey result for 15 public entities in Malta (May 2022)

The followings are the snapshots of the 119 participants:

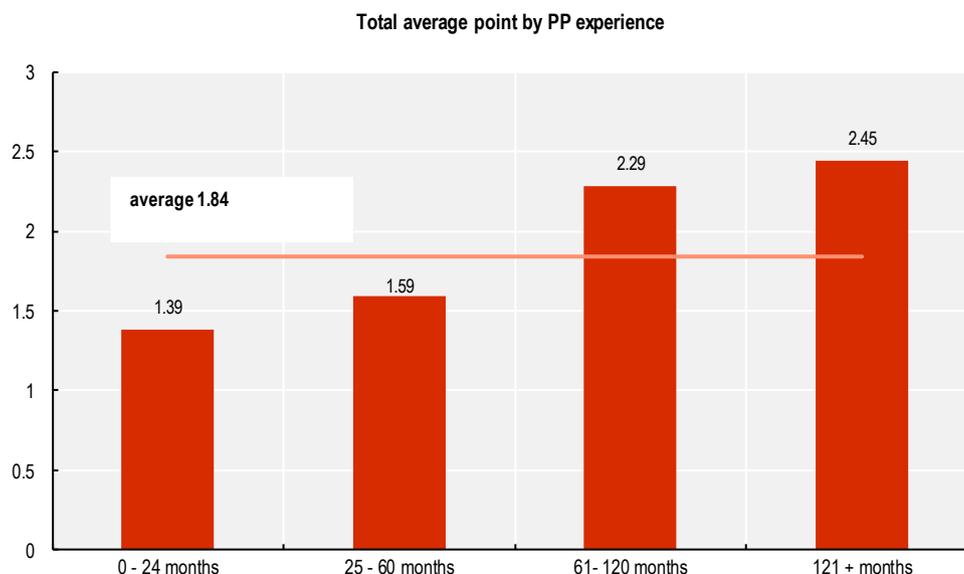
- 96.8% (114 out of 119 officials) work full-time for public procurement.
- Average experiences in the current position is 33 months
- Average experiences in public procurement is 68 months
- Breakdown by job profile under the classification used across the Public Service in Malta:
 - Assistant Manager: 36 participants (30.3%)
 - Manager I: 30 participants (25.2%)
 - Manager II: 35 participants (29.4%)
 - Senior Manager: 18 participants (15.1%)

5.2.4. ProcurCompEU survey result

A follow-up webinar was organised by the OECD and DoC on 24 May 2022 in order to share with the participants the key findings from the analysis of the aggregated self-assessment results of the 119 participants. The survey results for each of the 15 public entities was sent to each institution individually, to maintain the confidentiality of their individual results. Therefore, this section only shows the key findings of the aggregated result of the 119 participants, which are still useful to meet the objective of identifying the competences that need more capacity building on a country-wide level.

The total average point of the 30 competences of all the 119 participants was 1.84. The total average point of procurement specific competences (No. 1 - 19) amounted to 1.79, while the one for the soft competences (No. 20 - 30) was 1.92. Figure 5.2. shows that the capability level increases proportionally with more professional experiences in public procurement and with higher-ranked job profile.

Figure 5.2. Total average point by PP experience and by job profile

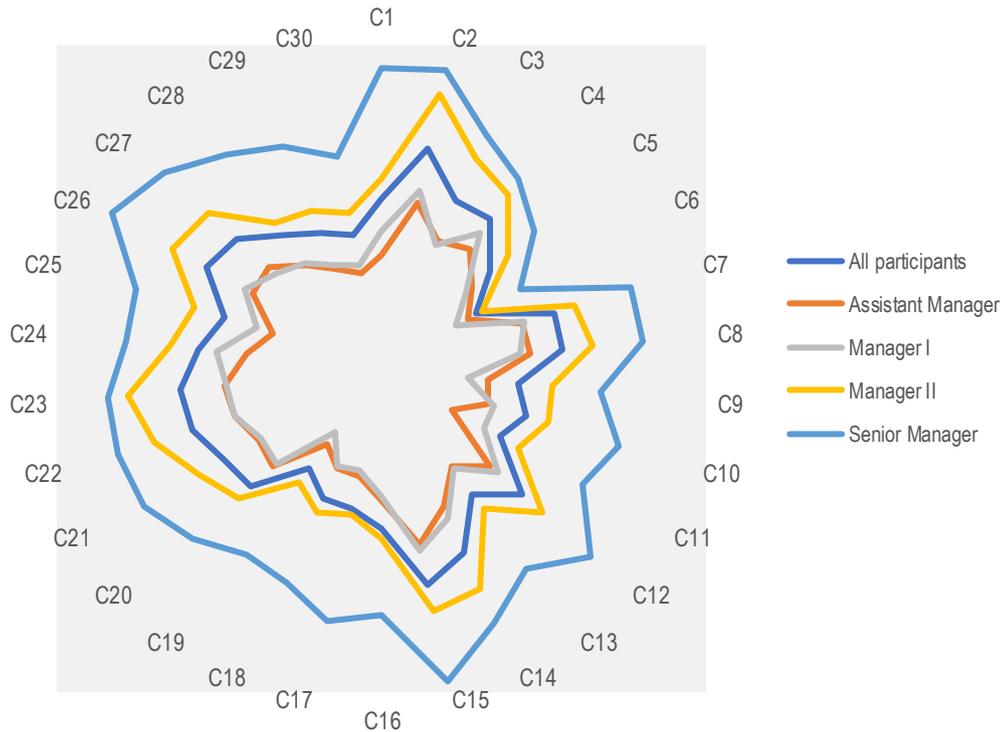


Source: ProcurComp^{EU} survey result for 15 public entities in Malta (May 2022)

Figure 5.3. shows the average point of each competence (No.1 – 30) by all the 119 participants and by four job profile. This is coherent with the result for all the 30 competences that capability level increases

proportionally with higher-ranked job profile. For example, Senior Manager (the highest-ranked job profile) performed best in all the 30 competences. However, the exception was identified for the 13 competences between Assistant Manager and Manager I, in which Assistant Managers performed better than Manager I. Regardless of this exception, the aggregated result showed the overall conclusion that higher-ranked officials performed better.

Figure 5.3. Average point by competence (by total and job profile)

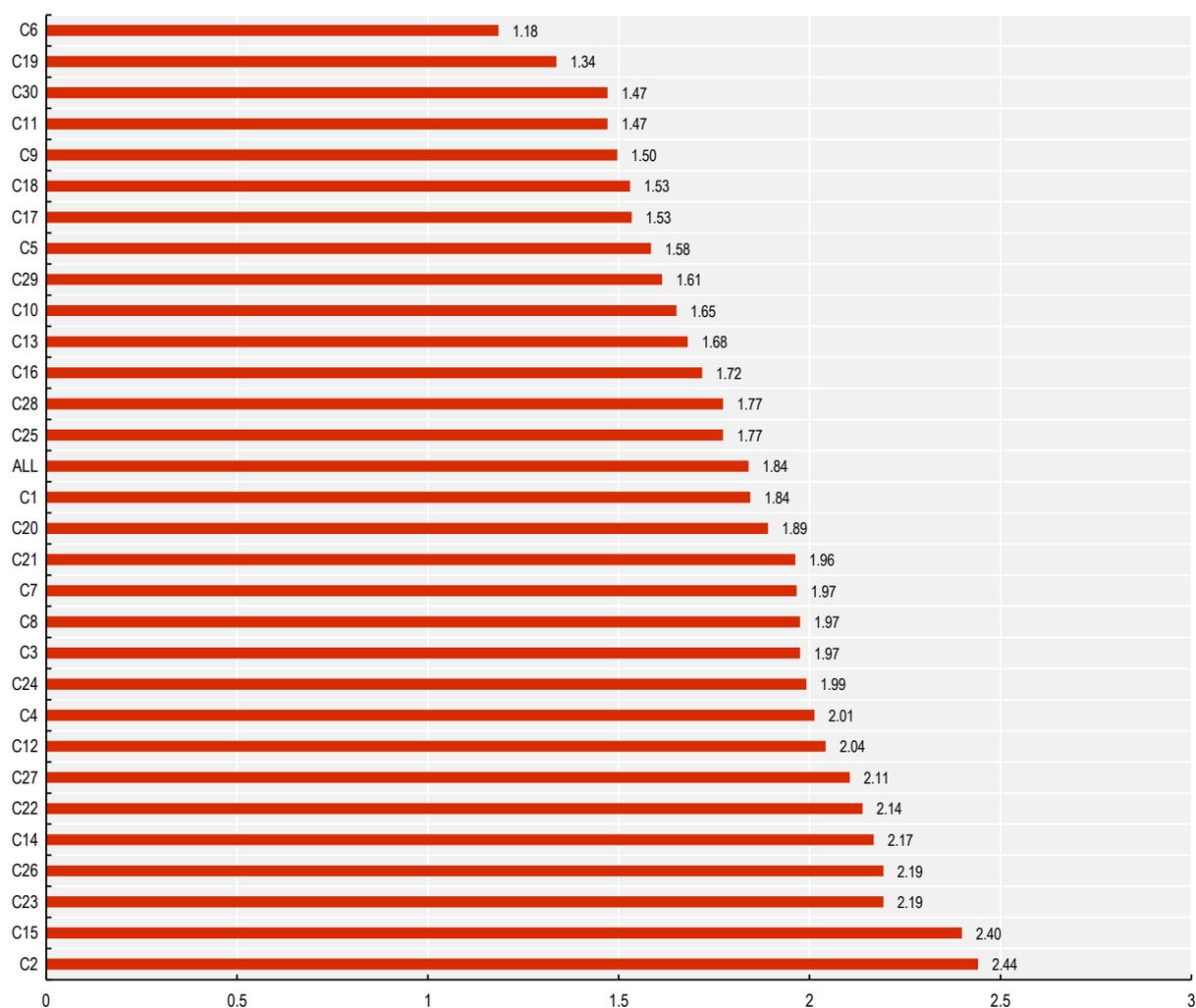


Note: C1 Planning, C2 Lifecycle, C3 Legislation, C4 e-Procurement and other IT tools, C5 Sustainable procurement, C6 Innovation procurement, C7 Category specific, C8 Supplier management, C9 Negotiations, C10 Needs assessment, C11 Market analysis & engagement, C12 Procurement strategy, C13 Technical specifications, C14 Tender documentation, C15 Tender evaluation, C16 Contract management, C17 Certification and payment, C18 Reporting and evaluation, C19 Conflict resolution / mediation, C20 Adaptability and modernisation, C21 Analytical and critical thinking, C22 Communication, C23 Ethics and compliance, C24 Collaboration, C25 Stakeholder relationship management, C26 Team management and leadership, C27 Organisational awareness, C28 Project management, C29 Performance orientation, C30 Risk management and internal control

Source: ProcurComp^{EU} survey result for 15 public entities in Malta (May 2022)

Figure 5.4. shows the average points of all the 119 participants by competence in ascending order. The self-assessment result identified C6 (Innovation Procurement) as the weakest competence of the participants with the lowest average point of 1.18, followed by C19 (Conflict resolution / mediation), C30 (Risk management and internal control), C11 (Market analysis and engagement) and C9 (Negotiation). This result resonates well with the arguments and findings made in the previous chapters. For example, innovation procurement and risk management are not a common practice yet in Malta.

Figure 5.4. Average points of all the participants by competence

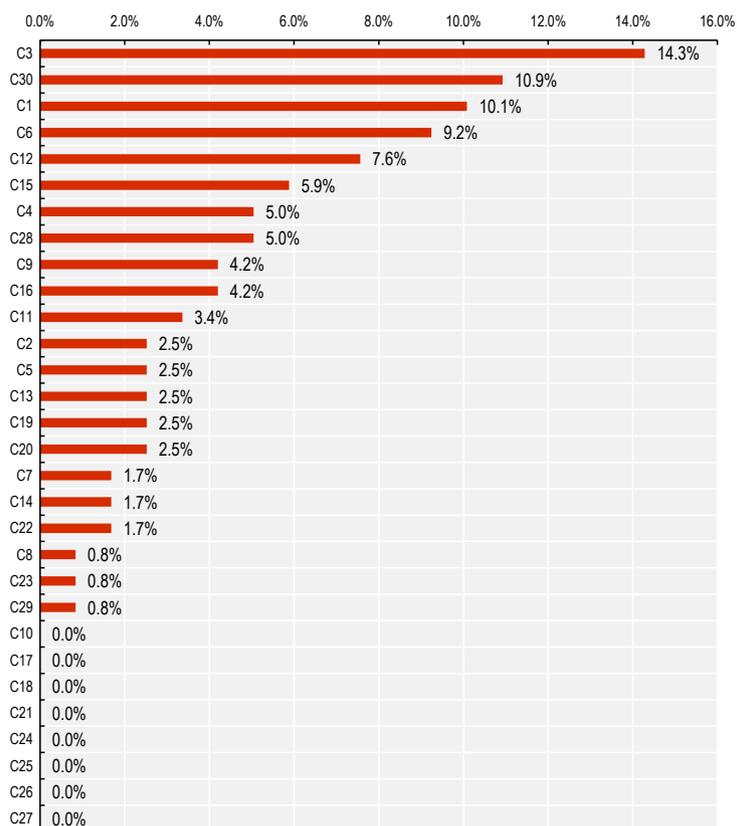


Source: ProcurComp^{EU} survey result for 15 public entities in Malta (May 2022)

In addition to the self-assessment exercise, all the participants were requested to select five competences of his or her top five choices that require more methodological assistance (such as trainings, guidelines, manuals etc).

Figure 5.5. shows competences selected most as the 1st-priority competence that requires more methodological assistance, in descending order.

Figure 5.5. Training needs (first priority of all the participants)

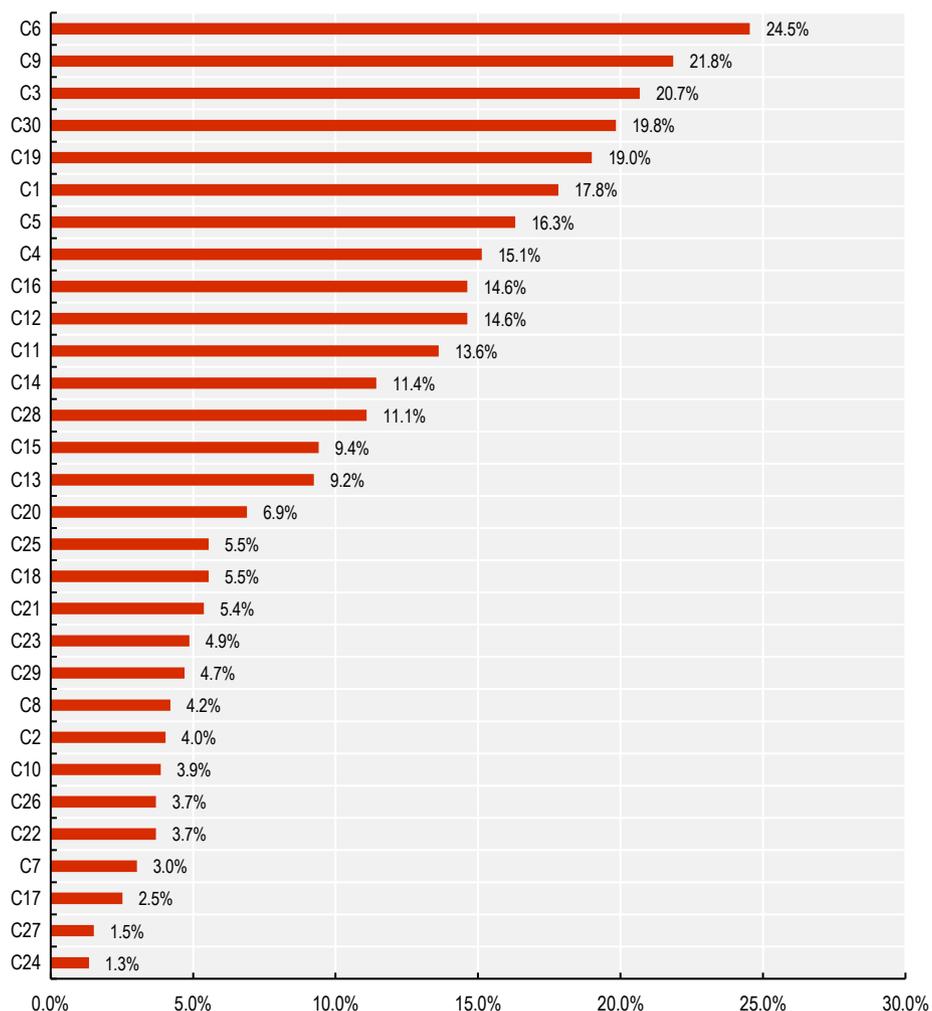


Note: % of the participants that selected each competence as the first priority competence that requires more methodological assistance. For example, 17 out of 119 participants (14.3%) selected C3 as the first priority competence that requires more methodological assistance. Source: ProcurComp^{EU} survey result for 15 public entities in Malta (May 2022)

C3 (Legislation) is selected most as the 1st-priority competence that requires more methodological assistance, followed by C30 (Risk management and internal control), C1 (Planning), C6 (Innovation procurement) and C12 (Procurement strategy). Regarding the legislation, some stakeholders pointed out that the provisions and applicability of contract modification are still considered to be a technical and unclear for contracting authorities. Indeed, 42% of the contracting authorities that answered to the OECD short survey flagged the frequent contract modification as a risk in the contract management phase.

Figure 5.6. shows competences identified most as the ones that require more methodological assistance, taking into account the 1st-5th choices.

Figure 5.6. Training needs (1st – 5th priorities of all the participants)



Note: Each participant was requested to select 1st to 5th competence that requires more methodological assistance. Then, the result was summed up after the conversion in accordance with the following scoring rule: 1st priority (greatest challenge) = 5 points, 2nd priority = 4 points, 3rd priority = 3 points, 4th priority = 2 points, 5th priority = 1 point. Finally, the total score of each competence was divided by the potential maximum score (in this case, 595 points: 5 points X 119 participants)

Source: ProcurComp^{EU} survey result for 15 public entities in Malta (May 2022)

C6 (Innovation procurement) is identified most as the competence that requires more methodological assistance, followed by C9 (Negotiations), C3 (Legislation), C30 (Risk management and internal control), C19 (Conflict resolution / mediation). This aggregated result of trainings needs that consider 1st-5th choices is aligned with the result of the self-assessment shown in Figure 5.4. .

Table 5.2. lists the five competences based on the self-assessment and the training needs.

Table 5.2. Summary of the ProcurComp^{EU} survey result for all the participants

Ranking	Average point of self-assessment	Training needs (selected most as the first priority competence)	Training needs survey (selected most as the 1st - 5th priority)
1	C6 Innovation Procurement (1.18 point)	C3 Legislation (14.3%)	C6 Innovation Procurement (24.5%)
2	C19 Conflict resolution / mediation (1.34 point)	C30 Risk management and internal control (10.9%)	C9 Negotiations (21.8%)
3	C30 Risk management and internal control (1.47)	C1 Planning (10.1%)	C3 Legislation (20.7%)
4	C11 Market analysis & engagement (1.47 point)	C6 Innovation Procurement (9.2%)	C30 Risk management and internal control (19.8%)
5	C9 Negotiations (1.50 point)	C12 Procurement strategy (7.6%)	C19 Conflict resolution / mediation (19.0%)

Source: ProcurComp^{EU} survey result for 15 public entities in Malta (May 2022)

In accordance with the ProcurComp^{EU} self-assessment survey, Malta could benefit from considering the identified top priority competences for further development of capabilities.

5.3. Reinforcing a capacity-building system

Sound public procurement system requires a highly skilled public procurement workforce. Lack of capacity is nonetheless a risk identified by many contracting authorities over the three stages of the procurement cycle, according to the OECD short survey. Indeed, 33% of contracting authorities identified it as a risk during the pre-tendering phase, 25% during the tendering phase and 58% during the contract management phase.

Strengthening the capability of the public procurement workforce requires the development of a solid capacity-building system. Key elements of the capacity-building system consist of trainings and a series of methodological assistance. The methodological assistance constitutes a key pillar to strengthen the capacity-building system of the public procurement workforce, in addition to the development of an adequate training system (See Figure 4.7).

Methodological assistance includes manuals/guidelines, standardised templates, and help desks. Guidelines and manuals provide practical information on specific procedures and topics. Standardised templates are ready-to-use forms that contracting authorities can use to facilitate their work. The help desk is a contact point centre to assist contracting authorities and/or economic operators in clarifying their inquiries related to their daily tasks of public procurement. It functions as an efficient tool to provide quick and tailor-made information. Developing a methodological assistance contributes to supporting procurement officials and economic operators to undertake the processes related to public procurement effectively, and complements what is learnt through training courses.

This section overviews the current state of play of the capacity-building system in Malta.

5.3.1. Trainings

Strengthening the training system

Strengthening the capability of the public procurement workforce requires the development of an adequate training system. DoC, through the Institute for the Public Services (IPS), provides a series of training opportunities on public procurement. IPS is an entity within the People & Standards' Division, Office of the Prime Minister, and functions as the main provider of public procurement training and learning

development opportunities for public procurers in Malta. (The Institute for the Public Services, n.d.^[9]) Table 5.3. lists the public procurement trainings provided by the DoC through the IPS. Trainings for the members of the Tender Evaluation Committee (TEC) are not mandatory, however they are recommended. Given their role in the procurement process, Malta could benefit from making some trainings mandatory for the TEC members and provide a realistic timeline for the entry into force of such provision, taking into account the IPS capacity.

Table 5.3. Public procurement trainings provided by the DoC through the IPS

Course name	Duration	Mandatory for whom
Procurement by Contracting Authorities (introductory level)	8 hours	Optional
Continuous Development Award in Public Procurement Regulations (intermediate)	25 hours	Recommended for Chairperson and secretary of the TEC (*)
Public Procurement in Practice - A follow up programme (advanced)	24 hours	Optional
Electronic Public Procurement	12 hours	Recommended for Chairperson and secretary of the TEC
Evaluators Training for e-Tenders	4 hours	Recommended for all TEC members
Introduction to Green Public Procurement	5 hours	GPP officer One of the TEC members
Using Best Price Quality Ratio (BPQR) as Award Criteria in Public Procurement	4 hours	Optional

Note: A Tender Evaluation Committee (TEC) shall be composed of a minimum of five persons: a Chairman, a Secretary and three or an odd number of evaluators

Source: Prepared based on the information available in (The Institute for the Public Services, n.d.^[10]) and provided by the DoC

Procurement by Contracting Authorities is an introductory course. This course offers a general overview of procurement procedures. It delves into the basic principles of public procurement, procedures to follow, the various thresholds applicable, estimates, types of tendering procedures, selection criteria, technical specifications and terms of reference, adjudication of tenders, implementation of the contract and compliance. (The Institute for the Public Services, n.d.^[11])

Continuous Development Award in Public Procurement Regulations is an intermediate course. It consists of the modules: Procurement and Planning, Procurement Procedures and Award Criteria, ESPD (Exclusion Criteria/Blacklisting/ Selection Criteria), The Evaluation Process and Compliance, Modifications and Post-Contracting Issues. Completing the introductory course was a prerequisite to register for this intermediate-level course, but it is not required anymore now. (The Institute for the Public Services, n.d.^[12])

Public Procurement in Practice - A follow up programme is an advanced-level course. Participants need to have successfully completed the intermediate-level course at least one year ago to be eligible for this course. It consists of various modules: Concessions, Competitive Dialogues and Innovation Partnerships, Compilation of a procurement document, Award Criteria preparation, The Evaluation Process in practice, Application of Modifications, and Fraud and Corruption. (The Institute for the Public Services, n.d.^[13])

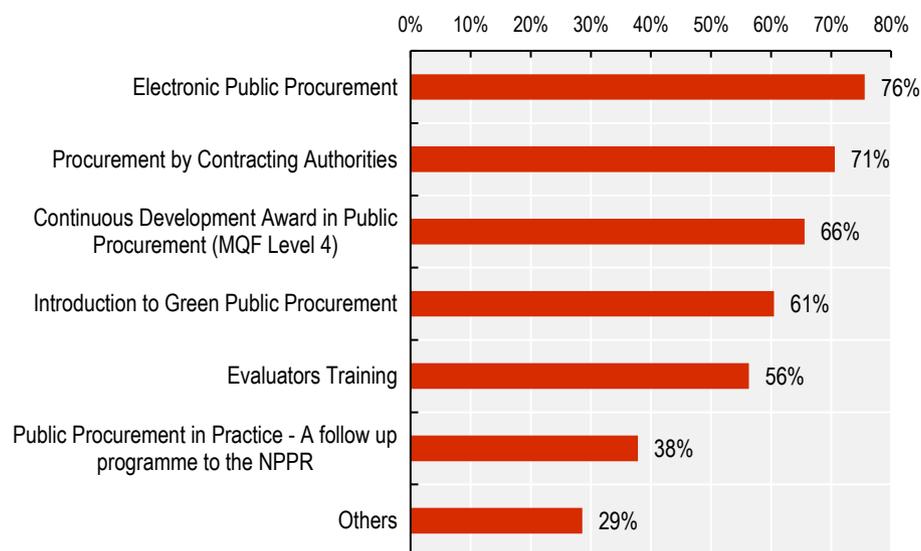
Introduction to Green Public Procurement (GPP) includes the topics such as the concept of GPP, the evolution of GPP in Malta, the second National Action Plan, GPP criteria, GPP in practice, and practical case studies. (The Institute for the Public Services, n.d.^[14])

Trainings related to Electronic Public Procurement covers the different stages of the procurement process through the Electronic Public Procurement System (ePPS).

In addition to these training packages, the DoC also coordinates, through the IPS, ad-hoc trainings which are tailor-made to the needs of contracting authorities. The IPS also sponsors a three-year full-time bachelor degree program in Procurement & Finance delivered at the Malta College for Arts, Science and Technology (MCAST). (Malta College for Arts, Science and Technology (MCAST), n.d.^[15])

According to the ProcurComp^{EU} survey result for 15 public entities in Malta (May 2022), 94% (112 out of 119 officials) have completed at least one IPS training course in the past 6 years. 16.8% (20 officials) have completed all the IPS training courses. Figure 5.7. shows the share of ProcurComp^{EU} survey participants that completed each IPS training. The completion rate of the advance-level training, Public Procurement in Practice, is the lowest because participants need to have successfully completed the intermediate-level course at least one year ago to be eligible for this course.

Figure 5.7. Share of ProcurComp^{EU} survey participants that completed each IPS training



Source: ProcurComp^{EU} survey for 15 public entities in Malta (May 2022)

Malta has a well-structured training system for public procurement but could benefit from developing and reinforcing trainings for selected relevant competences of ProcurComp^{EU} competence matrix.

Table 5.4. summarises the benchmarking exercise of 30 ProcurComp^{EU} competences by (i) set target level (1: basic, 2: intermediate, 3: advanced, 4: expert) for each job profile (AM: Assistant Manager, MI: Manager I, MII: Manager II and SM: Senior Manager) for the ProcurComp^{EU} pilot project of DoC in 2020 and the ProcurComp^{EU} for 15 public entities in 2022 (See section 5.2), (ii) availability of training and manual, and (iii) level covered in training and manual.

Table 5.4. Mapping of the set target for each job profile and availability of training and manual

#	Competence	Set target level for each job profile in the ProcurComp ^{EU} pilot survey in 2020				Availability		Level (Up to what level do training and manual cover?) T: Training, M: Manual			
		AM	MI	MII	SM	Training	Manual	Basic (level 1)	Intermediate (level 2)	Advanced (level 3)	Expert (level 4)
C1	Planning	1	2	3	3	Yes	No	T	T	-	-
C2	Lifecycle	1	2	3	3	Yes	No	T	T	T	-
C3	Legislation	1	2	3	3	Yes	No	T	T	T	-
C4	e-Procurement and other IT tools	1	2	3	4	Yes	Yes	T, M	T	T	-
C5	Sustainable procurement	1	1	2	3	Yes	Yes	T, M	-	-	-
C6	Innovation procurement		1	2	3	Yes	No	-	-	T	-
C7	Category specific		2	3	4	No	No	-	-	-	-
C8	Supplier management	1	2	3	3	No	No	-	-	-	-
C9	Negotiations		1	2	3	No	No	-	-	-	-
C10	Needs assessment	1	2	3	3	Yes	Yes	T, M	T	-	-
C11	Market analysis & engagement	1	2	3	3	Yes	Yes	T, M	T	-	-
C12	Procurement strategy		1	2	3	Yes	No	T	T	-	-
C13	Technical specifications	1	2	3	3	Yes	Yes	T, M	T, M	T	-
C14	Tender documentation	1	3	3	4	Yes	Yes	T, M	T	T	-
C15	Tender evaluation	1	2	3	4	Yes	Yes	T, M	T	T	-
C16	Contract management	1	2	3	3	No	No	-	-	-	-
C17	Certification and payment	1	1	2	2	No	No	-	-	-	-
C18	Reporting and evaluation	1	2	2	3	Yes	Yes	M	T	T	-
C19	Conflict resolution / mediation		1	2	2	No	No	-	-	-	-
C20	Adaptability and modernisation	1	2	3	3	No	No	-	-	-	-
C21	Analytical and critical thinking		2	3	4	No	No	-	-	-	-
C22	Communication	1	3	3	4	No	No	-	-	-	-
C23	Ethics and compliance	2	3	4	4	Yes	Yes	M	T	T	-
C24	Collaboration	2	3	3	3	No	No	-	-	-	-
C25	Stakeholder relationship management	1	2	3	3	No	No	-	-	-	-
C26	Team management and leadership		1	3	3	No	No	-	-	-	-
C27	Organisational awareness	2	3	4	4	No	No	-	-	-	-
C28	Project management	1	2	3	4	No	No	-	-	-	-
C29	Performance orientation	1	2	3	4	No	No	-	-	-	-
C30	Risk management and internal control	1	2	3	4	No	No	-	-	-	-

Source: Prepared based on the information provided by the DoC and short benchmarking exercise carried out by the DoC

This mapping exercise resulted in identifying key challenges related to training. First, the proficiency level 4 (expert) is not covered in any of the 30 competences under the current trainings and manual, although the competence level 3 (advanced) and 4 (expert) are set as the target level in many competences of Senior Manager and Manager II. In other words, the ProcurComp^{EU} proficiency level is covered up to advanced level in the existing IPS trainings, namely, (i) Procurement by Contracting Authorities (introductory course), (ii) Continuous Development Award in Public Procurement Regulations (Intermediary course), and (iii) Public Procurement in Practice - A follow up programme (advanced course).

Second, there are no trainings nor manuals available for the six procurement specific competences such as C9 (Negotiations) and C16 (Contract management).

Third, there are no trainings nor manuals available for the soft competences except C23 (Ethics and compliance). For example, according to the short OECD survey, all the contracting authorities reply that none of their officials have ever taken the training related to risk management in procurement and therefore highlighted their strong needs for capacity building activities on risk management in public procurement. It should be noted, however, that the IPS provides senior-level civil servants with training programmes that include trainings for some soft competences. Those programmes are, to name a few, Induction Programme for Newly-Appointed Principals / Managers I, Preparatory Programme for the post of Senior Principal / Manager II, and Entry to Senior Management Programme. Training topics of these senior-level programme cover many ProcurComp^{EU} soft competences. These include, but are not limited to, communication, performance management, leadership, teamwork, stakeholder management, strategic management (analytical thinking), strategic change management, and risk management. As already mentioned earlier, however, these trainings are only open to senior-level civil servants, and oriented to general aspects without being customised to the context of public procurement.

Therefore, Malta could benefit from further developing trainings currently not available and reinforcing further the coverage of proficiency levels. The priority shall be determined by considering the results from the ProcurComp^{EU} self-assessment survey.

Providing the trainings to other key stakeholders within contracting authorities

Carrying out public procurement processes is not the sole responsibility of public procurement officials. Indeed, procurement processes involve different actors within contracting authorities, although the procurement departments are usually responsible for the overall procedure. For example, technical departments or the end-users play critical role in defining the technical aspects of procurement such as market analysis and technical specifications. Finance department is a key actor to make payments. (See Table 5.5.) They contribute to achieving the desired outcome of public procurement.

Table 5.5. Division of tasks at contracting authorities and interaction with other entities

Procurement Tasks	Public procurement Department	Technical Departments	Other Department(s) or bodies	SPD / DOC*
i. Needs Analysis / procurement planning	✓	✓		
ii. Market analysis	✓	✓		
iii. Preparation of tender documents	✓	✓		
iv. Preparation of technical specifications		✓		
v. Call for tender	✓			✓
vi. Clarification on tender documents from potential bidders	✓			✓
vii. Tender opening				✓
viii. Evaluation of tender	✓	✓	✓ Evaluation Committee, DCC/GCC	
ix. Issuance of contract award				✓
x. Signing of contracts			✓	✓
xi. Overall contract management	✓	✓		
xii. Modification of contract	✓	✓		
xiii. Payment		✓	✓ Finance	

Note: * SPD and DOC administer procurement on behalf of Schedule 16 entities. In the case of Schedule 3 entities, they manage their own procurement. The respective head of department generally approves needs analysis, market analysis, tender documents, technical specifications whilst the SPD or DOC approves clarification on tender documents, tender opening, and modification of contracts.

Source: Prepared based on the information obtained through the fact-finding interviews with contracting authorities

Fact-finding interviews show that procurement officials sometimes encounter arguments with the end-users that are not familiar with the principles of public procurement such as the transparency and equal treatment required for the preparation of technical specifications. Therefore, the trainings shall be provided not only to procurement officials but also to key actors within contracting authorities such as the end-users at technical departments.

In addition, public procurement trainings shall be also provided to the top management of contracting authorities such as CEOs, board members or heads of departments. The management staff of contracting authorities play a key role in increasing the uptake of strategic procurement. However, fact-finding interviews show that most of them are not familiar with the concept of public procurement including its strategic importance to pursue broader policy objectives such as circular economy, SMEs development, and innovation, and RBC. Therefore, Malta could benefit from developing a procurement training programme oriented to the top management of contracting authorities to raise their awareness of the strategic role of public procurement.

5.3.2. Methodological assistance

Methodological assistance constitutes a key pillar to strengthen the capacity-building system of the public procurement workforce, in addition to the development of an adequate training system. Methodological assistance includes standardised templates, manuals/guidelines, and help desks.

Standardised templates

Standardised templates are ready-to-use forms that contracting authorities can use to facilitate their work. The DoC provides standardised tender documents since 2010. It was updated on a regular basis in order to adapt quickly to the reality and needs of public procurement. However, some contracting authorities expressed their concern that the templates are updated too frequently, bringing unnecessary administrative burdens. In fact, CAs are required to prepare tender documents again from zero based on the new templates if they are published before the approval or vetting by the SPD or DoC's Operations Directorate. Contracting authorities would also welcome prior notice and consultation on the new templates to allow for their feedback. DoC is aware of this situation and decided to limit the update to twice per year. It is indispensable to avoid the situation in which contracting authorities are obliged to prepare tender documents again when the new templates are published. Malta could benefit from setting a clear cut-off date for using the updated templates with decent prior notice and providing the opportunity of public consultation on the updated content.

Guidelines and manuals

Guidelines and manuals provide practical information on specific procedures and topics. The DoC provides a wide range of guidelines and manuals: Manual of Procedures, Contracts Circulars, Guidance Notes, Procurement Policy Notes, Standard Operating Procedures for the SPD, Standard Operating Procedures / Guidelines For Tender Evaluation. For example, short manual is available for BPQR (Best Price Quality Ratio) criteria in Procurement Policy Note # 8 (Utilisation of the BPQR) and # 25 (BPQR – Precarious Services). These documents briefly provide examples of the actual use of BPQR. However, contracting authorities consider that most of the guidelines and manuals could be more user-friendly. For example, the Manual of Procedures has more than 200 pages, but this is very similar to what is found in the PPR and has not been updated since 2016. Malta could benefit from developing more user-friendly manuals and guidelines. In addition, it is beneficial to prepare manuals aligned with the training programme.

Help desk

The help desk is a contact point centre to assist contracting authorities and/or economic operators in clarifying their inquiries related to their daily tasks of public procurement. It functions as an efficient tool to provide quick and tailor-made information. In Malta, a help desk is not formally established, but the DoC receives any kinds of questions through phone calls, e-mails, and online forms, which can be found in the DoC website. The DoC could benefit from collecting statistics on the number and category of questions received from the different stakeholders. These statistics could for instance inform the decision on developing relevant guidelines. It should be noted that the Ministry for the Energy, Environment and Enterprise (MEEE) administers a help desk exclusively for green public procurement.

5.4. Competency model and certification framework

Currently, Malta does not have a competency model. The Government of Malta set up four job profiles for the public procurement career stream: (i) Assistant Manager (Procurement), (ii) Manager I (Procurement), (iii) Manager II (Procurement), and (iv) Senior Manager (Procurement). However, the use of these job profiles is limited to the DoC and the public service since 2020, and it is still not used by all contracting authorities. In fact, contracting authorities use different job titles for their procurement officials. In addition, there is no certification framework that could certify the capabilities associated to these four job profiles through certain requirements such as the completion of trainings and exams.

However, Malta has a strong basis to establish a competency model and a certification framework. Firstly, Malta has already set up the aforementioned four job profiles that contain a description of tasks associated with their scope and mandate. Secondly, Malta specified the target competency levels of 30 ProcurComp^{EU} competencies for these job profiles when DoC carried out the pilot project in 2020. Additionally, the RPL pilot was also built upon the ProcurComp^{EU}. (See Table 5.4). Indeed, the same target levels were also used in the ProcurCompEU survey for 15 public entities carried by the OECD. (See Section 5.2) Therefore, Malta is in an advantage position to develop a competency model, built upon the said favourable conditions and the result of ProcurComp^{EU} pilot survey.

Malta could benefit from developing a competency matrix by adjusting ProcurComp^{EU} competency matrix to the local context and reflecting the key takeaways from the ProcurComp^{EU} pilot survey. In addition, Malta could benefit from developing a national certification framework of the public procurement workforce, aligned with the competency matrix to be developed for each job profile. Training courses should be updated and aligned with the competency models and certification framework to be developed.

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