



**THE NEW PUBLIC
PROCUREMENT DIRECTIVE
A STEP FORWARD FOR THE QUALITY
AND SUSTAINABILITY OF SSGI?
- *THE IMPACT OF THE PUBLIC
PROCUREMENT IN FINLAND***

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A PERSON'S HOME MUST NOT BE A COMMODITY JUST BECAUSE THE PERSON HAPPENS TO BE DISABLED!

- The Finnish Disability Forum and the Advisory Board on Housing for People with Developmental Disabilities propose:**
- The new Finnish Public Procurement Act must exclude housing and the assistance and support services which citizens with disabilities need on a regular basis in housing due to their disability from the scope of application of public procurement rules.**



**REASONS WHY
PUBLIC PROCUREMENT RULES
SHOULD NOT BE APPLIED
IN HOUSING AND HOUSING SERVICES
OF PERSONS WITH DISABILITIES**



LIFE-LONG AND INDIVIDUAL NEED

- Disability is often for life, which is why the need for services is life-long and personal. The needs of an individual are also affected by changes in the individual's health and circumstances.
- The continuity of services that are vital for persons with disabilities cannot be guaranteed by fixed-term service contracts or within the framework set by the current Finnish procurement procedure.
- Public authorities have a special responsibility to provide housing and daily assistance and support services for persons with disabilities in a manner that guarantees their fundamental human rights and autonomy.



THERE IS NOT A COMPETITIVE MARKET

- Housing for persons with disabilities is not a competitive market: The end customer who uses the service is not the person paying for it.
- Buyers, and sometimes also the users, do not have a full information and understanding of the produce of housing services for person with disabilities.
- In Finland there are only few service providers relative to demand. There is often only one buyer.
- The market for providing housing and associated services for persons with disabilities is not open for all and instead subject to licensing and personnel competence requirements.



END USERS ARE MINORITY GROUP AND HAVE NO VOICE IN PROCUREMENT PROCEDURE

- Procurement based on public contracts rules does not allow the end users of the services to participate in planning and choosing their services because they are not contract partner.
- The procedural requirements laid down in the Finnish Public Procurement Act apply to mass-produced services and are not compatible with the procurement of housing and assisted living services for a small minority such as persons with disabilities.



SHORT-TERM CONTRACT – LIFE-LONG NEEDS -> PROMOTE PART-OPTIMISATION

- Short-term service contracts are not a suitable form of providing comprehensive, life-long and highly personal assistance and support services that define an entire aspect of an individual's life.
- The standardised service descriptions given in invitations to tender have no flexibility to cater for customers' personal and changing needs for assistance and support in different stages of their lives.
- Public procurement and contracts rules can promote part-optimisation.



BAD DEVELOPMENT IN HOUSING SERVICES

- It is evident that public contracts rules promote group-specific package solutions, centralised markets, mass production and heavy service structures.
- The short-term nature of procurement also prevents the development of the entire sector and long-term investments, especially with regard to personnel training and increasing their know-how.
- The provision of services targeted at persons in vulnerable positions must not be organised without adequate know-how.



NO SAVINGS, MANY HIDDEN COSTS

- Public procurements rules has increased the costs incurred by local authorities from administrative duties and transaction fees and not produced the expected savings.
- Assisted living services for persons with disabilities has become a similar race as doping is in sport: The goal is to put out as low a bid as possible in order to win the tender by any conceivable means.
- This creates many hidden costs that are passed on to both the buyer (local authority) and the end user.



SIMPLE SSGI PROCEDURE

- Long-term social housing and housing services for persons with disabilities could be classified as social services of general interest (SSGI) and therefore left outside of the scope of application of public procurement rules by a political decision.
- There must be specific SSGI-contract procedure.
- Providing these services in a manner other than putting them out to tender would give end users more choice, an opportunity to influence the scope of services and a chance to participate in the implementation of the services.



MULTITUDE OF WAYS TO PROVIDE SERVICES

- Allowing a multitude of ways in which to provide services would ensure that different kinds of needs can be catered for and encourage not just public service providers but also businesses and non-governmental organisations to begin providing these kinds of services.
- Small businesses and service providers who promote local economy should be given an opportunity to participate in service provision in order to prevent centralisation resulting from public tenders in Finland and a takeover of the market by large, international corporations.



THANK YOU FOR YOUR HEARING!

- **The Finnish Disability Forum and**
- **The Advisory Board on Housing for People with Developmental Disabilities**

