

UNIVERSITY OF TWENTE.

Faculty of Behavioural, Management and Social Sciences
Department of Technology Management and Supply

Master Thesis

Master of Science (M.Sc.) Business Administration
Purchasing & Supply Management

Purchasing More Than Just Food

What requirements should German public procurement institutions require of bidders in their food tenders to encourage fair and ethical trade?

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Number of pages: 87
Number of words: 29.2227

19.10.2022

Acknowledgements

Here is the final version of my dissertation for the master's programme in Business Administration, which I am now proud to share with you. I want to thank my primary supervisor, Professor Dr. Louise Knight, who guided and mentored me throughout the project, as well as my secondary supervisor, Dr. Carolina Belotti Pedroso, who provided very valuable feedback for my work. Furthermore, I am appreciative of the Christliche Initiative Romero e.V. for giving me insights into the working world of socially responsible public food procurement. Finally, I also wish to thank my wonderful family, partner, and friends for being such amazing supporters throughout this program.

Münster, 10.10.2022

Alina Topp

Abstract

Introduction

It is widely known that minimum social standards are disregarded in the production of many everyday consumer goods (Engagement Global, 2021). This also applies to the food sector. Oxfam (2019) detected severe human, labour, and women's rights violations in its investigations and concludes that food supply chains "are in crisis" (p.3). A question that arises from this is how the demand for globally produced and traded food should be shaped to support a fair and protected work environment for the exposed employees. Concretely, this paper concerns what role German public procurement, such as in municipalities, can make through their tenders, to foster fair and ethical food trade.

Purpose

The aim of this work is to provide a practical guide for public institutions, in the form of an artefact that assists in designing food tenders with higher social requirements, and thereby fostering socially responsible public procurement in Germany.

Design

In the first instance, a literature review was conducted to gain insights about the food trade and public procurement's role in it. In the second instance, a qualitative design was chosen, and 9 (expert) interviews were carried out, which were finally reviewed by means of a thematic analysis.

Findings

Relevant findings refer to barriers to implementing higher social standards in public procurement and content-related as well as verification-related tender requirements that are in favour for higher social standards, such as the use of solid certificates and clearly defined, ambitious criteria. Moreover, it was addressed what are enablers and future potentials of public procurement and current some of the limits and the achievable were identified.

Contributions

The developed artefact is an easy-to-use guidance for procurers interested in socially responsible public procurement that want to contribute to a positive shift. Insights from this work further complement the rather under-researched domain of how public procurement can be used to foster fairer food trade, and contribute to a more holistic consideration of sustainability issues in public purchasing.

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1. Social Standards in Public Food Procurement

1.1. Situation: Human Rights and Labour Law Violations on Our Plates

It is widely known that minimum social standards are disregarded in the production of many everyday consumer goods (Engagement Global, 2021). This also applies to the food sector. Oxfam (2019) detected severe human, labour, and women's rights violations in its investigations and concludes that food supply chains "are in crisis" (p.3). The report further emphasizes that one-third of the global food originates from low to middle-income countries.

The currently ongoing consequences of the global Covid-19 pandemic are putting additional strain on the fragile economic situation in many of these countries where social protection against earning loss is commonly deficient (Gerard et al., 2020). This circumstance depicts an additional burden for many employees in global food supply chains.

As citizens of the global north collectively belong to the consumers drawing from the work done in the production countries, the question arises of how the demand for globally produced and traded food should be shaped to support a fair and protected work environment for the exposed employees. Concretely, this paper concerns what role German public procurement, such as in municipalities, can take through their tenders to foster fair and ethical food trade.

Public institutions are among the largest purchasers of goods and services. About 12 percent of GDP in OECD countries accounts for public procurement (PP) (OECD, 2020). In Germany, the share is even estimated to be 15 percent of the GDP which is equal to 500 billion euros (Engagement Global, 2021). This makes PP a strategic instrument for implementing political goals. Due to its economic importance, PP has the potential to influence the market regarding production and consumption trends on a large scale. The European Union stresses that procurement decisions affect numerous people and how purchasing power can actively be used to provide positive social outcomes (Tepper et al., 2020).

Concerning the food sector, public institutions are relevant due to their large purchase volumes. PP is involved in out-of-home catering in Germany with a large share (Christliche Initiative Romero e.V., 2019a). Among other things, they arrange catering in schools, daycare centers, hospitals, retirement homes, and canteens. The potential becomes obvious, considering that day-care facilities of public institutions open for lunch accommodated 1,355,512 children in 2021 alone (Statistisches Bundesamt, 2021).

1.2. Problem Definition: Public Procurement Leaving its Potential Behind

German public procurement's initiative to encourage higher social standards in global food supply chains leaves room for improvement. An EU-wide study concluded that contracting authorities rarely take social and environmental criteria into account in tenders, especially for food and catering services (Renda et al., 2012). In light of these findings, the term 'socially responsible public procurement' (SRPP), by Semple (2017) defined as "an approach to the award and delivery of public contracts which aims to generate social benefits and/or to prevent social harms" (p. 293) shall be introduced for this study. The idea of including social concerns in purchasing decisions, here in the PP context, has gained more attention over the last years, however, it is lacking implementation (Stoffel, 2020).

The majority of purchasing decisions are still made based on cost-related aspects. The Single Market Scoreboard by the European Commission estimates the share of procedures awarded because the offer was the cheapest available to be 68 percent for German public procurement procedures (European Commission, n.d.-a). Concerning social requirements in tenders, only a basic legal framework is provided in Germany based on the implementation of the PP law reform in 2016 related to Directives 2014/23/EU, 2014/24/EU, and 2014/25/EU, next to the conventions on the ILO core labour standards. Further inclusions of social-related criteria in the tenders are voluntary. The situation is additionally complicated by missing reliable proof of compliance.

Furthermore, The World Agriculture Report states that the food system is not only one of the main causes of climate change, species extinction, pollution, water scarcity, preventable diseases also but also for child labour, poverty and injustice (International Assessment of Agricultural Science and Technology for Development, 2009). Whether current efforts for more sustainable, especially socially responsible, conditions in global supply chains and the pace at which they are progressing are sufficient to address growing environmental, social, and economic risks is unclear.

Considering municipalities have the largest share of PP expenditures with a share of approximately 50 percent (Stoffel, 2020), it makes them relevant actors in terms of a more socially responsible food supply. The highly decentralised structure of PP processes leaves municipalities with major responsibilities while supportive measures through institutions on the higher political levels are missing (Stoffel, 2020). Many municipalities miss the required resources, such as enough personnel or know-how, to handle food tendering in a manner that voluntarily includes higher social standards.

1.3. Research Goal: Socially Responsible Public Procurement of Food

The need for SRPP is evident. Considering the worrying circumstances in global food supply chains, public authorities should use their influence to strengthen compliance with labour and human rights and to encourage rethinking in favour of more responsible behaviour in food trading. At the same time, it is acknowledged that the alarming conditions, such as labour law violations and exploitation of people and the environment, in global supply chains are a complex and multidimensional problem. Although PP might not be the main influence for these conditions, it is believed that favourable PP practices can send a signal to the market and shift the demand in a favourable direction.

Therefore, the goal of this research project is to address these issues by answering the research question: “*What requirements should German public procurement institutions demand from bidders in their food tenders to encourage fair and ethical trade?*”. The following objectives and sub-questions further provide an overview of the project’s focus:

1.3.1. Objectives and Sub Questions¹

- 1) Encouraging SRPP for food in Germany through tender requirements
- 2) Providing practical guidance for public institutions to design their food tenders with high social standards
 - What are the barriers to increasing social requirements in food tenders?
 - What content-related requirements in food tenders encourage social responsibility?
 - What method-related requirements in food tenders encourage social responsibility?
 - How far can SRPP requirements be currently pushed to encourage a positive shift towards more social responsibility in the market?

1.4. Academic Relevance: Sustainable Public Food Procurement Not Only Green but also Social

From an academic perspective, social concerns in procurement practices are lacking scientifically founded research. Especially in comparison to the environment-related considerations in tenders, the social dimension is noticeably lagging behind (Hepperle, 2016). While environmental-related incorporations into PP have a more dominant standing, considered social practices are more particularly related to strengthening supply relations with domestic

¹ Chapter 1.8 clarifies what understanding underlies the terms used.

producers (Hughes et al., 2019). The examination of the social dimensions in this paper, especially relating to purchasing from more distant suppliers, shall contribute to a more balanced and, thus, holistic consideration of sustainability issues in public purchasing. It is further to note that, although SRPP is an established term occurring in official documents of the European Union, only very few sources appeared on Elsevier's platform ScienceDirect.

Besides that, the food trade is an important component of today's modern food system, playing inter alia a critical role in international food security (Karakoc & Konar, 2021; Sun et al., 2018). In the context of procurement, however, research is missing a discussion of ethical and social-related aspects in trade practices along food supply chains. This paper aims to draw more attention to this matter. Moreover, orientation towards principles of design science research complements more traditional approaches in investigating the potential of PP practices for more social trade of food including a highly problem-oriented elaboration of the topic (Van Aken & Romme, 2009).

1.5. Practical Relevance: Making Acting Easy

The practical contributions from the derived guidance are likewise manifold. First, the information provided is based on current regulations and trends and thus offers practical assistance that meets current requirements. The compilation of academic findings and experts' impressions combines knowledge that will be available for parties involved in the PP of food. Furthermore, the results will facilitate the integration of social concerns into public tenders, eventually lowering the inhibition threshold and motivating actors to demand higher social standards from their bidders. Stoffel's findings (2020) that SRPP is implemented relatively little, among others, in Germany shall thereby be counteracted. The project's findings additionally provide guidance in identifying how extensively socially related requirements could be claimed before potentially reaching a limit in terms of feasibility. Thus, the findings shall also reveal the restrictions of encouraging SRPP practices at this state. In addition, socially oriented public procurement is seen as having the potential to promote a change of mindset in society as well, creating more awareness for sustainability issues.

1.6. Research Outline

This paper consists of six sections. After a general introduction to the topic and an outline of the aim of the thesis, academic findings on the key elements of the question, such as *public procurement*, *socially responsible procurement*, *buyer power*, *tender design*, and *fair and ethical food trade*, are presented. This is mainly based on a literature review, which

constitutes the foundation for further steps of this study. The methodology chapter is then intended to present the approach that was followed for the systematic processing of the research question. This is to ensure transparency and comprehensibility. Finally, the findings derived from the secondary and primary data are presented and examined in the context of the research question. Afterward, a discussion of the results as well as the project's limitations follows. The findings are finally summarised, and a conclusion is drawn from the previous elaborations.

1.7. A Change Agent as Cooperation Partner

The question posed in this paper was inspired by an employment relationship with the Christliche Initiative Romero e.V. (CIR), a German non-governmental organisation with its headquarter in Münster. The organisation was founded in 1981 and focuses on Central America (Deutsches Zentralinstitut für soziale Fragen, n.d.). As a human rights organisation, the CIR draws attention to grievances in the globalised world and focuses, among other things, on procurement practices of private and public actors for the product groups textiles, raw materials, toys, and food. With their investigations and counseling offers and political initiative, the organisation aims to contribute to fairer world trade (Christliche Initiative Romero e.V., n.d.-b). During this project, the CIR helped to establish contact with suitable interview partners. However, the author alone is responsible for the content of this work. However, the author alone is responsible for the content of this work. Neither can a position of the CIR be derived from it, nor are the results reconciled with the organization.

1.8. Delimitation of Terminology

The research question “*What requirements should German public procurement institutions require of bidders in their food tenders to support fair and ethical trade?*” consists of several concepts. This section is intended to explain and delimit those elements to ensure a coherent understanding of the research goal.

The **requirements** to be made can relate to the content level on the one hand and methodological aspects on the other. For example, a bidder can declare that certain social standards apply to its offer (*content*) and establish criteria as to how the compliance will be ascertained or how it is dealt with potential risks for the declared social standards (*method*). In the context of this research, **public institutions** refer to entities on a local level, such as municipalities. A reason for focussing on the local level is, that most of the public sector is governed through municipal administration (Stoffel, 2020). **Bidders** comprise companies that see themselves as

being able to satisfy the tendered demand of the public institution with their offer. **Food tenders** include public institutions inviting suppliers to bid for food-related contracts, aiming to cover their future needs. Here, **ethical and fair trade**, whereby fair trade in this sense is not only to be equated with the certificate by the Fairtrade Label Organizations International, comprises PP practices pursuing the intention to use their purchasing power to achieve broader social impact objectives. Besides, the term **socially responsible public procurement** is used to cover those intentions. While ethical trade can be understood as “having confidence that the products and services we buy have not been made at the expense of workers in global supply chains enjoying their rights” (Ethical Trading Initiative, n.d., para. 1). the concept of fair trade and SRPP will be integrated in this work at a later point.

2. Literature Review

2.1. Food Industry: A look Beyond

2.1.1. *Why We Should Talk About Food*

Although food trade and related ethical issues are prominent topics in research, the author argues that it deserves additional attention in the context of PP due to its particular relevance. The reasons why the food sector deserves attention are manifold.

The way a society's food supply is understood and shaped has an immense impact on people and the planet. Today's food system has major influences on climate change, social concerns such as poverty and injustice and people's health (International Assessment of Agricultural Science and Technology for Development, 2009). Related to the last point, Kickbusch et al. (2016) claim in a comment that we live in “a global economic system that currently prioritises wealth creation over health creation” (p.2) and that this shows in the rise in non-communicable diseases. They see those key problems concerning global health issues lying outside the health sector, though, listing international trade beside international finance and investment policies (Kickbusch et al., 2016).

The relevance of the food industry becomes additionally clear when considering that the second Sustainable Development Goal (SDG) reads the end of hunger, food security, facilitation of better nutrition as well as the promotion of sustainable agriculture (Federal Ministry for Economic Cooperation and Development, n.d.), which stresses that the importance of the food sector, thus reliable food supply chains, is well known and prioritized. Speaking of agriculture, the concept of planetary borders can be mentioned. This framework comprises nine processes that govern the resilience and stability of the Earth system providing boundaries

within which (future) human generations can continue to thrive (Stockholm Resilience Center, n.d.). In the context of this frame, agriculture can be called out as a main influential domain. This is as agriculture is practiced on more than one-third of the world's habitable land and, globally, is responsible for 70 percent of biodiversity loss, 80 percent of deforestation, and 70 percent of global water withdrawals (Jering et al., 2013; WWF, 2020). Between 21 and 37 percent of total global greenhouse gas emissions are attributable to our diets (Mbow et al., 2019). Thus, the severe consequences of irresponsible practices in the food supply are already known in the context of environmental issues and are considered highly threatening.

Current political developments, particularly those since the February 2022 invasion of the Russia-Ukraine war, highlight the fragility of food supplies and the impact this has on global food security. This is partly due to the fact that Ukraine and Russia are among the world's largest agricultural producers (Heidland, 2022). For classification: Ukraine is considered a large net producer and produced around 30 percent of global sunflower oil in 201, while Russia produced another 27 percent. Less significant in percentage terms but even more crucial for the worldwide calorie supply are about 19 percent of the world's production of barley, 13 percent of wheat, and 4.4 percent of corn (Heidland, 2022). These developments encounter a world community that continues to be confronted with the far-reaching consequences of a global pandemic, and the change in the markets exacerbates famines. Before the Russian invasion of Ukraine, the United Nations World Food Program (WFP) had already warned that 38 countries worldwide were on the brink of famine, with Ukraine playing a special role in supplying these countries as the most crucial supplier of grain and sunflower oil (Heidland, 2022). On the Website of The Federal Agency for Civic Education it is further stated that, in view of the current situation, the WFP has had to reduce food rations in Yemen, a country facing one of the greatest humanitarian disasters today, where an estimated 19 million people are in need of acute food aid (Heidland, 2022). This exemplifies that a non-functioning food system primarily affects societies and classes that are already vulnerable. On a side note, the shortage of grains also meets an increased demand which is mainly due to the high meat consumption. In Germany, for illustration, 70 percent of the grain produced is used in animal fattening, indicating that consumer choices could have significant effects if the demand for meat would thereby decrease (Heidland, 2022).

These points proxy for a wide range of difficult problems, showing the complex conditions to which international food supply chains are subject. They underline what it can mean when food trade is managed negligently. The food industry is a domain that highly influences everybody's life. One part of acknowledging its role in dealing with global issues like the ones

mentioned is taking care of the social concerns connected to international supply chains. Though it is also to note, that not all facets of global food supply are within the sphere of influence.

2.1.2. The Special and the Ordinary of Food Procurement

The points mentioned above show why food can be attributed to a high level of importance globally, but what challenges and special features does public procurement face when it comes to food supply?

On the one hand, it is evident that some foods are subject to rapid perishability and in some cases require complex cooling chains over long distances. Compared to other product groups, this can make processes along the supply chain more complicated and require particularly effective time management. It is also assumed that the food trade is subject to particular price pressure. Margins can be low, which in turn could be at the expense of employees and possible sustainability measures. Another challenge for procurement in the future will be the significantly increased demand. By 2050, the demand for food is expected to increase by 59 to 98 percent, which will lead to a significant change in the agricultural markets (Elferink & Schierhorn, 2016). It can be assumed that also public procurement institutions will be confronted with more difficult conditions in their tenders.

Despite these particularities food procurement is based on a similar legal framework as the procurement of other product groups. It can therefore be assumed that comparable components can be used in tenders, such as the demand for a credible and verifiable quality mark, and thus useful lessons can be learned and adapted from success stories in other sectors. In addition to content-related building blocks, comparable methods can also be used to develop a more socially responsible tender process, for example with regard to bidder dialogs, control or sanction measures (Christliche Initiative Romero e.V., 2019b). Moreover, other industries are also confronted with, for example, complex supply chains and the fact that environmental problems are given higher priority than social grievances in the supply chain, even though the specifics might differ.

2.1.3. Which Foods to Focus on?

This paper concentrates on the social dimension of wide-ranging problems related to the food industry. Concretely, the investigation relates to public purchasing of foods that are identified to contain an especially high risk of labour law and human rights violations down

their supply chains. As the list in table 1 reveals, these products tend to go along with high distances, a factor that is likely to complicate employment structures in the supply chains.

Table 1:

Selection of food products at risk (adapted from Christliche Initiative Romero, 2019a)

Products
Tropical fruits (fresh, dried and as juice): Bananas, pineapples, mangoes, ...
Coffee, tea and cocoa
Cane sugar and honey
Quinoa and rice
Confectionery with cocoa
Spices: Pepper, vanilla, ...
Nuts and coconut products
palm oil

Severe labour and human rights violations were uncovered, for example, on fruit plantations in Costa Rica and Ecuador as part of investigations by Oxfam. It is inter alia reported that employers deliberately do not inform their employees about the rights they have, employees do not receive a copy of their employment contract, employees are exposed to pesticides without appropriate protective equipment or workers do not get a living wage (Humbert & Brassel, 2016; Zahn et al., 2022). In particular, labour unions and structures that could foster them are systematically suppressed on the orchards studied. Among the methods observed is the hiring of migrant workers often not having valid residence and work permits and the dismissal of labour union members and their relatives (Humbert & Brassel, 2016; Zahn et al., 2022). Such observations were inter alia made on plantations certified by organization such as the Rainforest Alliance (Humbert & Brassel, 2016; Zahn et al., 2022).

An additional issue that is displayed in the findings of the organisation refers to discrimination, especially against females. At all plantations that were included in the survey, individual female workers reported to have taken a pregnancy test before being hired (Humbert & Brassel, 2016). In the sample of plantations certified by WWF in cooperation with Edeka, one of Germany's most prominent supermarket chain, 41 percent of the respondents reported taken a pregnancy test (Humbert & Brassel, 2016). This further depicts how well-known

certifications such the one from WWF do not necessarily cover severe violations of worker's rights.

The unequal power structures along food supply chains are also illustrated by the fact that import prices for fruits like pineapples fell by around 45 percent between 2002 and 2014 despite rising production costs (Humbert & Brassel, 2016). Power imbalances are characterized by the fact that large corporations exert price pressure on the producers and determine the terms of delivery. In its investigation, Oxfam overall clarifies that German supermarket respectively discounter chains are substantially responsible for these the inhumane conditions for the workers on the orchards due to their trading practices and supply structures (Humbert & Brassel, 2016; Zahn et al., 2022)

Although Oxfam's findings do not directly refer to public procurement practices, they show how the behaviour of stakeholders in the consuming world affects, specifically deteriorates, working conditions in the global south.

It is relevant to stress that the components of the food industry looked at in this paper are limited to such food products produced in the global south, thus, internationally traded. The examples given about the conditions on plantations for bananas and ananas are believed to provide a comprehensible incentive for the chosen focus. In this paper, tropical foods, coffee, tea, and cocoa are specifically tried to be covered.

It is acknowledged that this listing neither does include all products mentioned in the table nor that the table is complete. The chosen focus is just one of several options that is derived based on literature and previous workings done by the CIR. There can be other foods that are at high risk and come along with long-distance supply chains. Not included in this study are PP practices related to the local food market and how working conditions can be positively influenced in this domain.

2.2.Public Procurement: A Powerful Tool

2.2.1. The Complex Role of PP

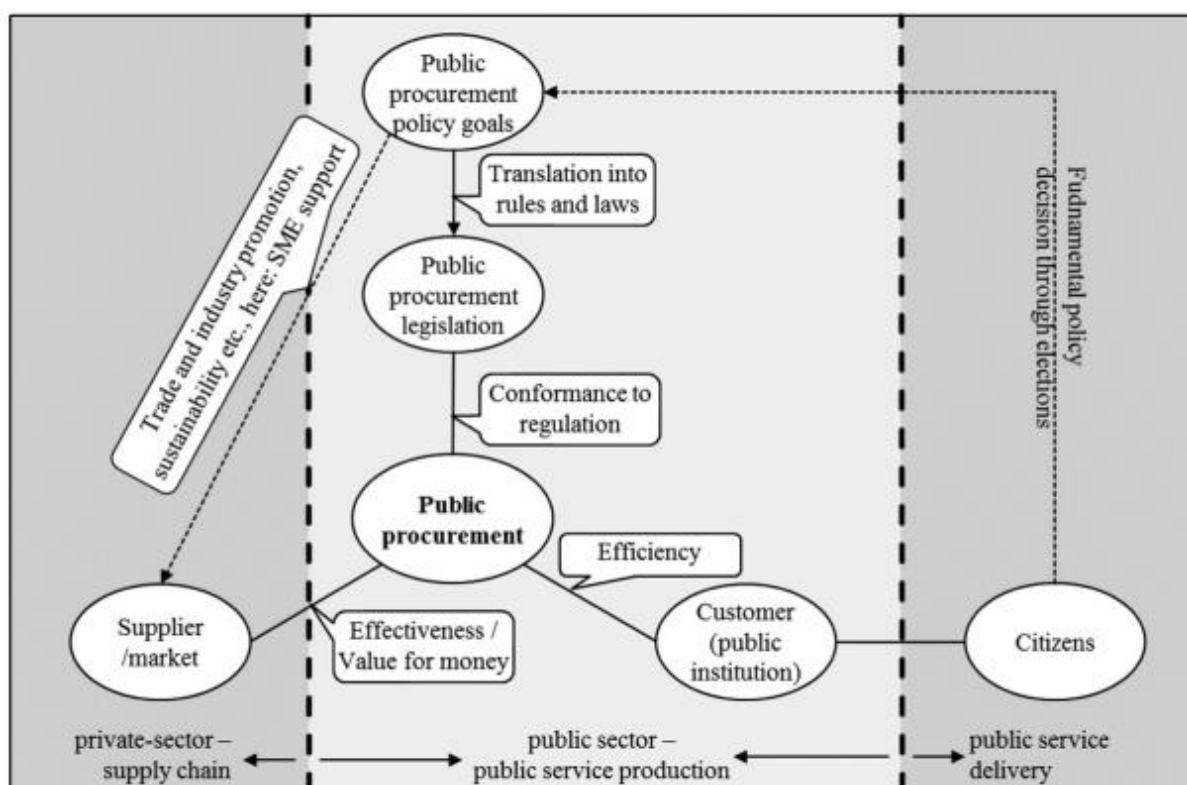
According to the OECD, PP comprises “the purchase by governments and state-owned enterprises of goods, services and works” (n.d.). In OECD countries, PP accounts for 12 percent of GDP. At 15 percent of GDP, equivalent to approximately 500 trillion euros, the PP market in Europe's largest market economy, Germany, is particularly high (Engagement Global, 2021; OECD, 2019b). According to OECD, public procurement is the key to the delivery of public services, whether in health, education, infrastructure or public safety (OECD,

2019a). In accordance with this, Hughes et al. (2019) assume that the main focus when conducting state purchasing lays in the value for money ratios rather than excess profits.

This can also be related to the fact that expenditures in PP involve taxpayers' money. Requirements that are placed on PP are accordingly high, justifying exacting standards of conduct to assure the public interest. Moreover, Glas and Eßig (2018) elucidate how PP interacts in a triadic relationship, including requirements from private suppliers in the upstream supply chains, provisions of public services/products for citizens in the downstream supply chains, while living up to procurement law and political goals. Glas and Eßig's (2018) framework displays the complex environment of PP, including its multidimensional goals, illustrated in figure 1.

Figure 1:

Triadic Relationship of Public Procurement according to Glas & Eßig (2018)



They further argue that all aspects of the PP triangle must be aligned in order for PP to be conducted successfully which means that it has to serve the buyer-supplier interface as well as conforming legal requirements indicating broader political goals (Glas & Eßig, 2018). Thus, PP faces the necessity to balance multiple goals. Besides Glas and Eßig (2018), other researchers also recognise the complex role of PP. Horner (2017) for example, points out how states

can take the role of buyers in so-called global value chains and global production networks next to other roles such as facilitator, regulator, and producer.

Viewed as a whole, PP plays an essential role in society and helps shape its living conditions. Through the provision of basic services in infrastructure, the energy sector or health care, as well as through the implementation of political goals, PP is of high strategic importance (OECD, 2019a). Thus, achieving innovative, environmental and social objectives can be promoted by the right procurement practices.

2.2.2. What is SRPP and How Far Has It Come?

Promoting social objectives is the purpose of SRPP. As stated in the introduction, it can be understood as an approach to use PP in a way that creates social value and avoids social harm. This indicates that the buying power of public institutions is used to create a benefit that goes beyond the value of the goods that are bought. According to Stoffel (2020) SRPP can be subordinated to the more general approach of sustainable public procurement (SPP), including environmental and economic dimensions beside social ones, thus being a potential lever to reach societal goals in a context of broader sustainability efforts.

Beside the aspect of social value creation, the concept of SRPP includes a facet of responsibility, concretely the responsibility for the social dimension of purchasing that is to be fulfilled by public institutions in the frame of SRPP. In the context of responsibility, Hughes et al. (2019) refer to Shamir's concept of responsabilisation to theorise their understanding of ethical trade in the public sector. This includes recognising that today's governance takes place in a neo-liberalising world with voluntary standards and codes (Hughes et al., 2019). It further assumes a context where the economy and society are no longer clearly separated anymore, and market logic increasingly shapes social and moral concerns that were previously dealt with by the governing body (Hughes et al., 2019).

In agreement with that underlying understanding of structures, SRPP is assumed to happen in an environment that increasingly locates responsibility for social practices in businesses. SRPP can thus be understood as a part of a broader sustainability approach that aims for social value creation through PP practices, locating responsibilities for social outcomes in the public sphere. While this approach can also show effects on the local labour market, this paper concentrates on the role of SRPP in positively influencing the working and living conditions of workers in producing countries in the global south.

Speaking about SRPP, what is the current state of it? In a study of Keulemans and Van de Walle (2017) the public view in European countries on state procurement was investigated

while revealing that European citizens are most supportive for the goals of sustainable procurement practices. This shows sustainability-related issues are a public interest. Overall, environmental sustainability is currently being integrated preferably in state's procurement, while social responsibility is less prominent and rather connected to fostering links to the supply from producers in the local market (Hughes et al., 2019). Moreover, Hughes et al. (2019) stress how socially responsible procurement in the context of trading relationships with distant suppliers is under-researched.

When it comes to SRPP, there are currently several challenges that can be derived: One aspect that already is noted is the higher prioritization of environmental concern that might come at the cost of social problems in supply chains. In investigations of the Berlin Social Science Center it is further concluded that key challenges in conducting SRPP are reasoned in the high workload of staff in contracting functions that are faced with additional responsibilities when they are asked to consider SRPP (Raj-Reichert & Gräf, 2020). In addition, lacking experiences and knowledge can come along or institutions do not select an employee responsible for SRPP (Raj-Reichert & Gräf, 2020). Those circumstances can be traced back to insufficient financial resources according to the Social Science Center of Berlin. As a countermeasure, the Servicestelle Kommunen in der Einen Welt (SKEW), funded through resources from the Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (BMZ), provides special coordinator positions to strengthen Fair Trade and Fair Procurement in municipalities for up to four years (Raj-Reichert & Gräf, 2020). This can be seen a favourable step into the right direction increasing knowledge and awareness through pilot projects, the limited time frame however might obstruct long-term programmes (Raj-Reichert & Gräf, 2020).

Beside personnel challenges, Raj-Reichert and Gräf (2020) name the difficulties of monitoring compliance of the ILO core conventions as well as missing guidelines concerning SRPP that go beyond the ILO related minimum requirements in tenders as major. In a later chapter it is additionally considered on which legal framework SRPP relies on to display a more extended view on SRPP's current base.

The CIR supported Berlin in implementing an SRPP practice in the food sector with success which show that food service covered through PP can be more socially responsible. In 2020 the city included fair trade criteria for food for the first time: It was required that pineapple, rice and bananas for 165,000 daily school meals need to have a fair trade origin with corresponding proof (Christliche Initiative Romero e.V., n.d.-a). A bidding dialogue in August 2019 that also included catering companies' and wholesalers' perspectives on the topic was

called a key factor to succeed in this pioneering project. (Christliche Initiative Romero e.V., n.d.-a).

Although the findings of this work cannot influence personnel capacities directly or strengthen the legal frame for SRPP, the aim is to find clues that help making SRPP easier and encourage SRPP to an optimal extent through providing guidance, thus indirectly making it less time-consuming and providing additional knowledge in this field. Product-related, it is the goal to achieve this higher level of guidance and clarity specifically for foods at high risks of human rights and labour law violations and traded from the global south. Thereby, the initiation of good practice examples such as the school catering in Berlin shall be promoted.

2.3. Making Public Food Tendering More Socially Responsible: The Current Foundation, Good Practices and Challenges

2.3.1. *International and National Regulations*

When talking about public food tendering, there are several underpinning domains that can play a role when designing such tenders, one of them being regulations that exist for it. Hughes et al. (2019) are stating that legal regulations by the EU have been rather an impediment than an enabler of more ethical trading until 2014. The revision, made in 2014, now enables the integration of social criteria in tendering processes of public institutions, thus placing public sector buyers in a position of greater responsibility for circumstances in global supply chains (Hughes et al., 2019).

In Germany, the Federal Ministry for Economic Affairs and Climate Action (BMWK) determines the principles and legal framework for national PP on the basis of the applicable legal provisions (BMWK, n.d.-c). This comprises PP law as well as price law for public contracts. Since the entry into force of the comprehensive reform in 2016, which transposed three EU Directives of 2014 on PP, public purchasers have been given more flexibility in the procurement process (BMWK, n.d.-b). The new regulations allow for the consideration of strategic and sustainable aspects, which must, however, be related to the subject matter of the contract (BMWK, n.d.-a). Thus, among other things, social concerns can be regarded in a special way.

The Act against Restraints of Competition (GWB) and the Regulation on the Award of Public Contracts (VgV) provide the legal framework for the inclusion of such criteria in procedures above the EU thresholds (BMWK, n.d.-a). The BMWK (n.d.-a) explains how that can be done, for example in the description of services (cf. Section 121 GWB, 31 para. 3 VgV), the award criteria (cf. Section 127 GWB, 58 para. 2 p. 2 VgV) and the conditions of performance (cf. Section 128 para. 2 GWB, 61 VgV). In addition, contracting authorities may require certain

quality marks as proof that the goods or services comply with the characteristics required in the specifications, provided that the legal conditions (Section 34 (2) to (5) VgV) are met (BMWK, n.d.-a).

For the award of public contracts below the EU thresholds, the Sub-Threshold Regulation (UVgO) contains comparable provisions: for the specification of services in Section 23 (2), for the determination of award criteria in Section 43 (2) to (4) and for the conditions of performance in Section 45 (2) UVgO (BMWK, n.d.-a).

2.3.2. ILO Core Labour Standards: Against Abusive Employment Structures

Beside the international and national procurement regulations, the International Labour Organisation (ILO) plays a particular relevant role in combating abusive employment structures along the supply chain. It was founded in 1919, being the first specialised agency of the United Nations since 1946 (Internationale Arbeitsorganisation, n.d.). The ILO is responsible for the development and implementation of international labour and social standards.

Four concepts build the core of its work: (1) freedom of association and the effective recognition of the right to collective bargaining (2) the elimination of all forms of forced or compulsory labour (3) the effective abolition of child labour and (4) the elimination of discrimination in respect of employment and occupation (International Labour Organization, n.d.-a). Those basic principles have been expressed in eight conventions, also known as core labour standards, which have the status of international legal instruments (Internationale Arbeitsorganisation, n.d.). Table 2 lists the corresponding conventions which have been acknowledged by the ILO's member states, including Germany.

Table 2:

Overview of ILO Fundamental Conventions (International Labour Organization, n.d.)

ILO Fundamental Conventions	Identification
Forced Labour Convention	No. 29
Freedom of Association and Protection of Right to Organised Convention	No. 87
Right to Organise and Collective Bargaining Convention	No. 98
Equal Remuneration Convention	No. 100
Abolition of Forced Labour Convention	No. 105
Discrimination (Employment Occupation) Convention	No. 111
Minimum Age Convention	No. 138

Occupational Safety and Health Convention	No. 155
Worst forms of Child Labour Convention	No. 182

Beside the core conventions, the ILO adopted 190 conventions and 206 recommendations (International Labour Organization, n.d.-b). To demand decent working conditions in global supply chains additional conventions such as convention 26 and 131 for the payment of living wages as well as convention 155 for occupational safety and health can representatively be called.

2.3.3. *Fair Trade: A Movement on a Voluntary Basis*

Unlike the term *organic*, terms like *fair* or *fair(ly) trade(ed)* are not legally protected in Germany (Christliche Initiative Romero e.V., 2019a). According to this, they can be used by companies in their communication without hesitation. It is thus not advisable for public procurers to rely merely on such declarations in the tender process. The clarification of the term is intended to counteract related issues. In 2009, the EU Commission shared a set of fair trade characteristics to serve as a guide (Commission of the European Communities, 2009)². The criteria set out in the document can be operationalised in procurement procedures. Table 3 provides a list of these criteria.

Table 3:

Fair Trade Criteria (adapted from Commission of the European Communities, 2009)

Fair Trade Criteria

- 1** Fair producer price, guaranteeing a fair wage, covering the costs of sustainable production and living. This price needs to be at least as high as the Fair Trade minimum price and premium where they have been defined by the international Fair Trade associations*
- 2** Part payments to be made in advance if so requested by the producer
- 3** Long-term, stable relations with producers and producers' involvement in Fair Trade standard-setting*
- 4** Transparency and traceability throughout the supply chain to guarantee appropriate consumer information*
- 5** Conditions of production respecting the eight International Labour Organization (ILO) Core Conventions*

² Mentioned criteria were defined by the Fair Trade movement and recalled in the 2006 European Parliament report (Commission of the European Communities, 2009).

- 6 Respect for the environment, protection of human rights and in particular women's and children's rights and respect for traditional production methods which promote economic and social development*
 - 7 Capacity building and empowerment for producers, particularly small-scale and marginalised producers and workers in developing countries, their organisations as well as the respective communities, in order to ensure the sustainability of Fair Trade
 - 8 Support for production and market access for the producer organisations*
 - 9 Awareness-raising activities about Fair Trade production and trading relationships, the mission and aims of Fair Trade and about the prevailing injustice of international trade rules
 - 10 Monitoring and verification of compliance with these criteria, in which southern organisations must play a greater role, leading to reduced costs and increased local participation in the certification process
 - 11 Regular impact assessments of the Fair Trade activities*
-

The underlying dimension of these criteria can be seen in the attempt to influence the trade relationship in a way that improves the conditions and thus benefits the producers. Criteria that are marked with `*` are considered to be especially relevant for reaching that goal. Thus, the attempt to benefit workers in the production countries is to be the focus dimension in the frame of this work. Member organisations of the World Fair Trade Organization (WFTO) as well as label holders of the Fairtrade Labelling Organizations International (FLO) meet the above-mentioned requirements. In the same year, those two organisations initiated the design of the International Fair Trade Charta and developed the³ following definition of fair trade:

"Fair Trade is a trading partnership, based on dialogue, transparency and respect, that seeks greater equity in international trade. It contributes to sustainable development by offering better trading conditions to, and securing the rights of, marginalized producers and workers – especially in the South."

(World Fair Trade Organization, n.d.)

The Fair Trade movement further emphasises that goods produced, traded and sold according to the Fair Trade principles should be verified by credible, independent monitoring systems wherever possible (World Fair Trade Organization et al., 2009). Regarding the implementation, two distinguishable approaches are named. The first discussed concept

³ https://wfto.com/sites/default/files/2018_FTCharter_English_SCREEN.pdf

encompasses products imported or distributed by organisations whose main concern is about fair trade itself (*integrated supply chain*). The alternative concept covers the certification of products being handled in accordance with the specific fairtrade standards (*product certification*).

Other than the eight ILO core conventions, criteria for fair trade and related practices for higher social standards in global trade promoted by the movement are voluntary. Compliance of the standards is not presupposed for being involved in the market.

Considering the above-mentioned information and with the help of the literature, the underlying concept of fair trade for this paper shall be stipulated. Walton (2010) constitutes that fair trade is best conceptualised as “an attempt to establish a form of interim global market justice in a non-ideal world” (p.431). This implies that the current situation contains an absence of justice is established on a global level, which makes fair trade a second-best option (Walton, 2010). This is in alignment with the mentioned aspects of fair trade, such as the criteria and the derived dimension, which is why the understanding of Walton shall be the fundament for the concept of fair trade in this paper.

2.3.4. What Challenges Need to be Faced?

The OECD (2019a) claims that the implementation of strategic sourcing approaches ultimately depends on the ability of procurers to make use of these approaches in their daily work. It stresses that including further criteria in tenders can be a complex matter that competes with the recommendation to keep tenders easily understandable (OECD, 2019a). Furthermore, it is stated that OECD countries stressed that they see a risk of overloading public procurement with complementary objectives such as environmental protection in addition to the main objective in a study (OECD, 2019a). In addition, the central European electronic platform Tenders Electronic Daily (TED) shows that German contracting authorities publish fewer procurement projects using MEAT criteria than the rest of the EU, whereby it can be observed that EU countries generally use the lowest bid price as the sole award criterion (European Commission, n.d.-b). These characteristics depict a burden for a more strategic PP fostering socially responsible trading practices. The OECD report also refers to Procura+, a sustainable procurement network, which says that a lack of understanding of the benefits of sustainable procurement among policymakers and budget managers remains a barrier to strategic sourcing (OECD, 2019a). To support an account of the benefits of sustainable procurement, the German government has developed the electronic platform *Kompass Nachhaltigkeit*, which supports and advises clients and contractors in problem-solving at each stage of the procurement and

contracting process. It inter alia shares relevant legal information, provides text modules for tenders, contains a product catalogue and a best practice map, risk self-checks, and a tool to compare and analyse certificates (Kompass Nachhaltigkeit, n.d.).

Some states, however have found that guidance and training alone are not sufficient to help procurers balance and reconcile the many factors of a strategic sourcing process and develop tools to operationalize strategic sourcing guidance in response. Exemplarily, two sustainability analysis tools, the CO2 performance ladder and DuboCalc, have been introduced in the Netherlands, and Germany introduced an automated tool for lot splitting public institutions can rely on (OECD, 2019a).

Additional challenges can be derived from the circumstances that there are product groups where it can be challenging to be informed about all stages of the supply chain. Hughes et al. (2019) conclude that the hidden nature of various materials used to cover public service needs inter alia inhibits the reputational risk for public purchasers on the one hand and limits the power of civil society organisation's campaigning on the other hand. Following this, transparency about the supply chain can be seen as an elementary need for fostering fair and ethical trade of food and other products, as workers' rights cannot be protected through tendering requirements when information about their existence or their production conditions is unknown.

An option that can be used in tendering to ensure a sustainable origin of products is relying on certificates. There exists a variety of certifications but examples from Oxfam's investigations show that labels like the ones from WWF or the Rainforest Alliance might say little to nothing about how workers are treated (Humbert & Brassel, 2016; Zahn et al., 2022). Hence, purchasers would need to have specific knowledge about different certificates, especially about ones that focus on social aspects like the ones from Fairtrade or Fair for Life, to be able to tell whether or whether not a label covers the social requirements that should be covered within the tender. Another concern that arises connected to the use of labels is to what extent relying on and handing over responsibility to third-party stakeholders lives up to the potential public tenders can have in the food domain and whether a higher degree of responsibility would be more favourable in terms of successful SRPP.

The literature shows that the food industry has an immense impact on societies. Unequal power structures and the exploitation of people in food producing countries shape the trading conditions. Severe human rights and labour law violations have been revealed when it comes to foods from the global south, like tropical fruits. PP, accounting for 15 percent of the GDP in Germany, takes part in global food trading as it is responsible for the catering of public

places like school and hospitals. Due to its market power, it is interesting to address the potential it can have in shaping higher social standards along food supply chains. There is the frame of SRPP where buying power of public institutions is used to create a social value that goes beyond the value of the goods that are bought. The ILO Core Conventions and Fair Trade Criteria can be taken into account for the implementation. However, SRPP faces some burdens such as missing attention and the higher prioritisation of environmental issues.

3. Methodology

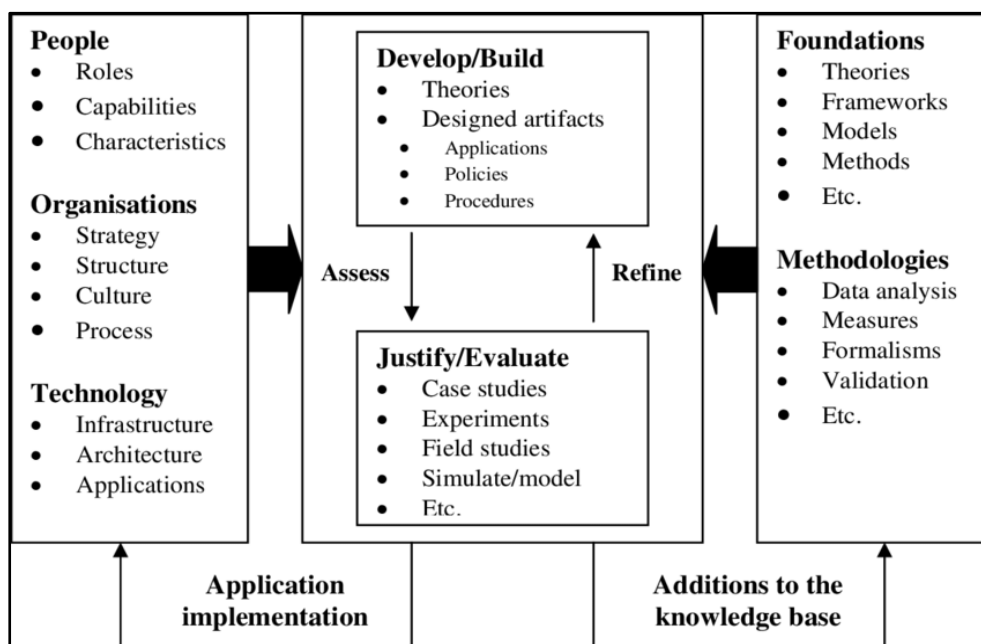
3.1. Design Science Research

This project is guided by the principles of the Design Science Research Paradigm which is rooted in the engineering sector and the science of the artificial (Simon, 1996; Venable, 2006) given a pragmatic nature (Hevner, 2007). Design Science Research (DSR) aims to develop new results in form of artefacts through a practice-oriented research approach (Benner-Wickner & Kneuper, 2020; Van Aken & Romme, 2009). Van Aken and Romme (2009) explain how DSR is interested in “systems that do not yet exist or in improved performance of given systems.” (p.7) and further driven by field problems, with respect to the research interests at hand more closely defined as improvement problems. Accordingly, it can be said that DSR differs from traditional approaches aiming at investigating existing phenomena as its focus is on finding a new respectively better solution for a problem.

Hevner’s framework (2004) segments the DSR process into three cycles, shown in figure 2. Hevner (2007) elucidates how the relevance cycle links the design science activities with the context-dependent environment of the project, while these very activities are brought into relation with existing scientific fundamentals and expertise in the rigor cycle. He further depicts the central design cycle as an iteration between the design and the assessment of the artefact and associated research. (Hevner, 2007).

Figure 2:

DSR Framework (Campbell, 2008; adapted from Hevner et al., 2004)



This research intended to create practical guidance for municipalities to reach higher social standards in supply chains through their tendering. However, due to limited temporal and financial resources within the project, application and evaluation of the designed guidelines were not conducted. Thus, not all requirements of Hevner's framework are met. Instead, the principles of DSR serve as orientation.

3.2. Qualitative Research Design

The research chose a qualitative research design. The nature of qualitative research, defined as an "iterative process in which improved understanding to the scientific community is achieved by making new significant distinctions resulting from getting closer to the phenomenon studied" (Aspers & Corte, 2019, p. 155) and characterised by analysing non-numeric data is regarded as beneficial for the purpose of this exploratory research. This is, as answering the research question required in-depth insights. Quantitative methods, however, are unlikely to provide such insights. This is as their high level of standardisation inhibits deviating answers and "deeply immersing in the in the setting and among the participants" (Bickman & Rog, 2009, p. 108). The possibility for interaction and reaction in interviews made it an adequate method to generate the needed data.

3.3.Data Collection Procedure: Literature Review & Interviews

3.3.1. Literature review

The information for the research is derived in a two ways. First, a literature review was conducted to gain insights into existing knowledge about the status quo, concepts, and underlying issues regarding SRPP of food in Germany, anticipating some insights prior to the conduction of expert interviews.

Elsevier's platform was used to identify suitable academic literature as it comprises peer-reviewed journal articles about procurement issues. Intuitive key word searches were conducted to get an overview of potentially relevant journals in the areas of interest. Thus, a list of peer-reviewed journals emerged. Those journals were scanned to identify potentially relevant articles on the topic. All publications between January 2021 and January 2022 were considered. The time frame was restricted to concentrate and start with the most recent publications and because a large quantity of potential sources had already emerged. Articles were assessed for suitability based on title, abstracts, or keywords. Appendix 1 shows more detailed information on the processed information.

Then a keyword search was conducted, whereby the keywords were derived from the aim of this project and from the keywords of useful articles in the previously considered magazines. The terms in the following list were the base for identifying interesting sources, differently combined in the search commands: *public procurement, tenders, tendering process, social criteria, social clause, fair trade, ethical trade, buyer power, food industry, human rights, labour law, global supply chains, social sourcing*.

Although several academic articles were assessed to be relevant, most of them were not fully applicable to the specific context of this study. Consequently, certain required information was not covered by the systematic research. Besides the neglect of social standards in tenders and associated research, this result could be due to the practical orientation, the specific, narrowed context, and the need for high topicality. Therefore, a less systematic approach was resorted to, considering findings from diverse international and national policy actors as well as research institutions. In addition, the content of this work required the use of documents on policies and initiatives of institutions such as the EU and German public institutions, among others, to present the legal framework and potentials of good practices.

The snowball method enabled the identification of further relevant sources for this work. Priority was given to sources published between 2016 and 2022 to include the latest information. However, exceptions were made for sources rates as especially valuable or fundamental for reaching the research goal.

3.3.2. Interviews

The two unstructured expert interviews conducted with employees from an advisory organisation provided knowledge of field professionals into the imminent research process. It was decided to conduct unstructured interviews in the first instance to ensure a flexible course and allow that the experts can elaborate on the aspects that they perceive to be crucial for finding answers to the research question “*What requirements should German public procurement institutions require of bidders in their food tenders to encourage fair and ethical trade?*”.

Based on the captured ideas in these first expert interviews and insights from the literature, semi-structured interviews with professionals involved in ethical purchasing or the food sector were to follow. Approximately 20 interviewees were approached, out of which seven had the capacity for a conversation. Invitations were mainly made based on contact lists of the CIR, supplemented by researching potential conversation partners via the internet. It was aimed to talk to people working on SRPP in a strategic, legal as well as operational field and other experts on fair traded foods. By this, different perspectives on the problem should be included and reveal information about the environment of SRPP for food. In general, those two domains, SRPP and food sector, were perceived to be most valuable to generate expert insights which was then helpful to identify how far SRPP can be currently encouraged in food tenders of German public institutions. Figure 3 displays a matrix which shows the domains interlocutors are assigned to. As interviews are suitable to disclose the experiences and aspirations of interlocutors (Garcia et al., 2012), their application was expected to be beneficial to gain valuable in-depth insights for the guideline.

Figure 3:
Dimensions of Interviewees' Expertise

<i>Ethical PP</i>	SRPP Food Expert (procurer) 1	SRPP Food Expert (advisor) 1
	SRPP Textile Expert (advisor) 1	SRPP Food Expert (advisor) 2
	SRPP IT Expert (advisor) 1	SRPP Food Expert (advisor) 3
	SRPP Expert (lawyer) 1	
<i>No Ethical PP</i>		Food Expert (fairtrade bidder) 1
		Food Expert (fairtrade certifier) 1
	<i>Non-food industry</i>	<i>Food industry</i>

To ensure that the research project and interviews met the ethical standards of the BMS faculty, it was asked for ethical approval in advance. With the affirmation, the collection of primary data started. The participants were informed about their rights and the interview procedure. Moreover, the time allotted for an interview was estimated at approximately 60 minutes. All interviews took place online via Microsoft Teams as the options for personal meetings were still limited due to the ongoing Covid-19 pandemic and it offered a greater degree of flexibility. The aim of the interviews was to receive an answer to the research questions. Specifically, interview partners were asked to express their thoughts on aspects that provided clues for answering the following research sub-questions:

- *What are barriers to increasing social requirements in food tenders?*
- *What content-related requirements in food tenders encourage social responsibility?*
- *What method-related requirements in food tenders encourage social responsibility?*
- *How far can SRPP requirements be currently pushed to encourage a positive shift towards more social responsibility in the market?*

The questions were designed in such a way that they guided the partner through the main topics - hurdles - content- and method-related requirements and thresholds - while stimulating the participant's imagination.

Depending on the interviewee's profession, the questions were adapted. The reference to the food sector was only made when the person had experience in the field. Alternative questions were used for people with specific knowledge in a certain domain such as certificates or

legal regulations to gain the most insights from the person's expertise. Table 4 shows the set of questions that was asked to interviewees with expertise in both domains.

Table 4:

Set of Questions

- *Invitation to share thoughts about the topic:* After hearing this short introduction, what comes to your mind when you think about this topic?
 - How do you experience the current situation of social requirements in public tenders (for food)?
 - Could you tell me about the burdens you see when it comes to increasing social requirements in food tenders?
 - Can you think of a good practice example? Can you tell me what makes it a good practice example?
 - Imagine you could create a mostly ideal socially responsible public food tender: How would it look like and what elements would it cover?
 - Follow-up questions depending in the depth of the answers:*
 - Could you share your thoughts about what contentwise requirements you perceive to be useful in creating a public tender for food that is socially responsible?
 - Talking about method-related aspects: Could you tell me what tools and techniques you perceive to be successful / have potential for making PP more socially responsible?
 - In the attempt to develop higher social standards in public food tenders:
 - Could you tell me what you see as the optimum that can be currently achieved in your opinion?
 - Could you also share your thoughts about what requirements cannot be asked for from bidders at this moment?
-

-
- What do you think are the top three important things purchasers can do to make their public food tender more socially responsible?

 - Extra: Who do you see responsible for high social standards in public food tenders?
-

Open questions were used in the interest of allowing the participants to prioritise/weight what is important in their eyes and to avoid biases through predefining tendencies. The risk of participants acting according to social desirability was counteracted through assuring anonymity, whereas social desirability is understood as the tendency of interviewees to comply with what the interviewer or other people involved supposedly expect from them, exemplarily based on social norms (Bogner & Landrock, 2015).

Irrespective of whether an interview followed the earlier or later approach, the conversation began with appreciating the participation, informed consent beside the information about the procedure and their rights and concluded with appreciating their time once again along with giving them the opportunity to ask questions and expressing concerns as well as sharing information about the following research steps and availability of the final paper.

3.4. Sampling Procedure: Non-probability Sampling

For the purpose of this study, two unstructured in-depth interviews as well as seven semi-structured interviews were carried out with experts in the field of interest. For accepting the number of semi-structured interviews, it was taken into account that saturation, the moment in which no further themes occur in the data, sets within the first twelve conducted interviews (Guest et al., 2006). Guest and his colleagues (2006) however additionally expose, that fundamental elements for metathemes can already be derived within six interviews.

To get a more holistic impression about the topic, interviewees belonged to different stakeholder groups, thus increasing the representability. The dimensions displayed in figure 3 already implied that it was necessary for interview partners to be a) an expert in ethical public procurement, b) in the food industry or c) both. The interviewees had their origin in the strategic as well as operational domain and represented a wider field of perspectives. A list of the interview partner's professions can be read of table 5.

Table 5:*Professions of Interviewees*

Interviewee Identification	Position
<i>SRPP Food Expert (advisor) 1</i>	Expert of SRPP for food in NGO
<i>SRPP Food Expert (advisor) 2</i>	Expert of SRPP for food in NGO
<i>Food Expert (fairtrade bidder) 1</i>	Importer of Fair Trade Food
<i>SRPP Food Expert (advisor) 3</i>	Independent Expert of cross-sector SRPP
<i>SRPP Food Expert (procurer) 1</i>	Strategic Buyer in Municipality
<i>SRPP Textile Expert (advisor) 1</i>	Expert of SRPP for textiles in NGO
<i>SRPP IT Expert (advisor) 1</i>	Expert of SRPP for IT in NGO
<i>SRPP Expert (lawyer) 1</i>	Legal Expert of SRPP
<i>Food Expert (fairtrade certifier) 1</i>	Representative of Fair Trade Label

The participants were chosen through non-probability sampling method, meaning that not every person in the population had an equal chance to be chosen as a participant and involved in the study (Babbie, 2016). Suitable interview partners for the semi-structured interviews were mainly identified and contacted by the help employees working for the German non-profit organisation CIR or through researching for suitable interviewees via Internet. Correspondingly, the chosen non-probability sampling method can be further distinguished as purposive sampling, which is most commonly used for non-probability sampling (Babbie, 2016; Guest et al., 2006).

In general, probability sampling methods are considered to be more generalizable. However, the chosen non-probability sampling method is viewed as appropriate, given the fact that not the whole population is known, and it enabled the author to find attendees in an acceptable quantity within the limited given time frame (Babbie, 2016).

3.5. Data Analysis Procedure: Thematic Analysis

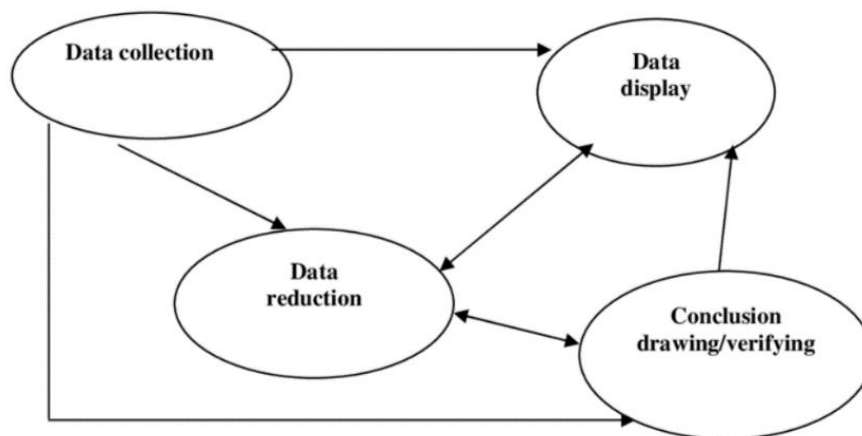
A thematic analysis process was followed to reduce the qualitative data into themes or patterns. Thereby, the six-phases by Braun and Clarke (2006) built the base which comprises the following steps (1) Data familiarisation (2) Generation of initial codes (3) Search for themes (4) Review of themes (5) Definition and naming of themes (6) Report Production. DeSantis and Ugarriza (2000) define a theme as “ an abstract entity that brings meaning and identity to a recurrent experience and its variant manifestations” (p. 362). They further point out how a

theme thus “unifies the nature (...) of the experience into a meaningful whole” (p.362). Braun and Clarke (2006) also utter that there is not only one right way of performing thematic analysis. However, abiding by the given steps increases the quality of the research regarding Nowell et al. (2017).

Precisely, the first step includes the researcher being actively engaged in the data, documenting initial ideas. On this basis, features of the data that appear meaningful are identified to initial codes. With the third step, the interpretative analysis begins as the data is allocated to overarching themes. Those themes are then reviewed by the researcher. This evaluation shall indicate whether themes need to be combined, refined, rejected or the like, to have a senseful organisation of the relevant data. Refining and defining of the themes takes place next. The final step implies relaying the analysis’ results in a convincing way, exceeding a mere description and providing an answer to the research question. The thematic analysis unfolds new themes, which complies with inductive approach, while some themes were disclosed deductive through findings in the literature review. Accordingly, the study contains a mixed coding (Braun & Clarke, 2006).

Figure 4:

Interactive Model according to Miles & Huberman (1994)



To further address how the whole process of analysing the data is interdependent and that it is necessary to go back to the data to check the drawn conclusion the interactive model by Miles and Huberman (1994) was chosen as an illustration, displayed in figure 4. There, it is shown how data collection, data condensation, data display and conclusion drawing respectively verifying is connected. This framework additionally helped to identify and investigate discrepancies in the data as the recurring consideration of it goes along with it. Pointing to

controversial findings is seen as a relevant component of this study, especially as the number of interview partners limited whereby also the generalisability of the insights is.

4. Results

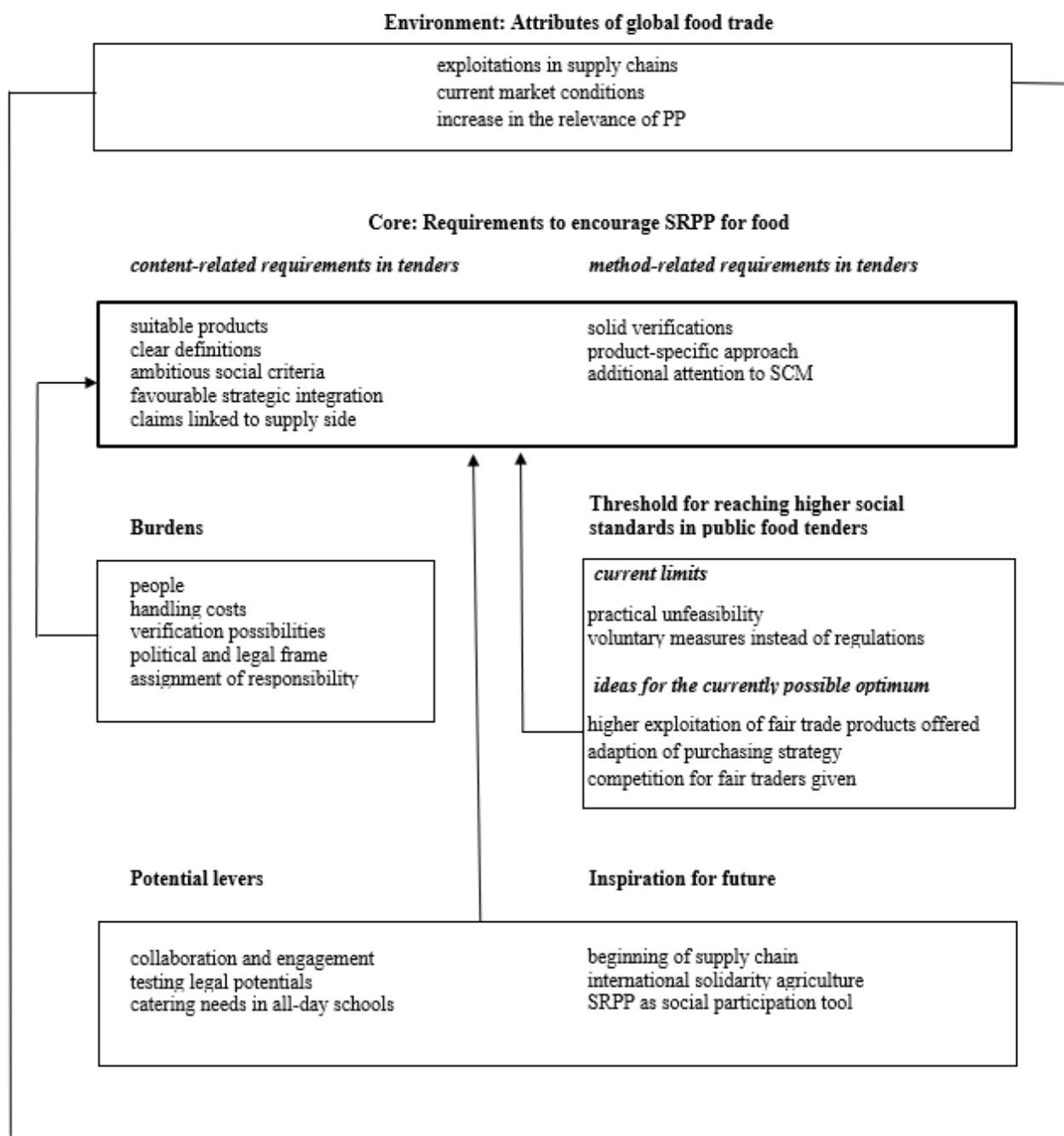
4.1. Insights From the Experts and What They Mean

To show which insights have been extracted by means of the interviews, appendix 5 shows the codes that were identified according to the thematic analysis approach. This is intended to provide an initial overview of which aspects were considered noteworthy by experts in terms of the research topic. The process revealed 582 initial codes. After organising the codes through inter alia merging similar and deleting irrelevant codes six overarching themes relevant for the research topic were identified.

It was further aimed to present the insights in figure 5 as a thematic framework. The structure of it developed throughout the data analysis and puts the main themes into relation. In addition, detailed information is presented differentiated by the sub-questions that were developed at an earlier stage of the project and additional facets that emerged through the analysis. The sections also correspond with the components of the framework: Environment (4.1.1.), burdens (4.1.2.), content-related requirements (4.1.3.), method-related requirements (4.1.4.), threshold (4.1.5.), potential levers (4.1.6.) and inspiration for future (4.1.7.). However, the explanations are for illustrative purposes and do not claim to reflect the entire content of the interviews.

Figure 5:

Thematic Framework (own illustration based on the data analysis)



4.1.1. What Are Characteristics of Global Food Trade Impacting SRPP?

Before taking a closer look at food tenders in public procurement, it is also important to consider the environment in which they take place. Through the insights from the interview, several relevant factors about the current state of global food trade have been addressed, revealing a group of factors that originally not have been considered to be topic of the interviews.

Exploitations in Supply Chains

Prominent was the variety of exploitation that occurs through global food supply chains. Land conflicts, discrimination of women, environmental destructions and little bargaining power of farmers are to mention among the problematic conditions stressed. Speaking of soy *Food Expert (fairtrade certifier) 1* comments “large quantities of genetically modified soy are imported from South America. There, the indigenous peoples are being driven out, the rainforest is being deforested” while *SRPP Food Expert (advisor) 2* elaborates the phenomenon of indirect deforestation “Soy plantation owners, some of whom are also certified, then buy land from former cattle farms. And these cattle farms then clear new land for themselves. This means that this soy is then partially certified, because it was not deforested for this purpose”.

Current Market Conditions

In addition, there were statements that referred to the market itself. Observations made by *Food Expert (fairtrade certifier) 1* refer inter alia to the following: “we have a blatant globalisation that does more harm than good (...), it makes little sense to continue this over-globalisation, because it has serious disadvantages in terms of climate protection, in terms of the economy of the individual states⁴” and the fact that the Eco-market developed well while it is questionable whether eco-certified discounter products can also meet high social standards at their low prices.

Increased Relevance of PP

Moreover, the role of PP was discussed by several interviewees. For example, *Food Expert (fairtrade certifier) 1* says that “in the whole field that surrounds us, so to speak, we have just noticed that public procurement is becoming an increasingly important topic” and *SRPP Food Expert (advisor) 3* means that “basically, a lot of adjustments have to be made, and they have to be made significantly. And one of them is eco-fair procurement by municipalities”. Statements like that indicate a relevant role of PP in supporting fair global trade conditions in the food domain. *SRPP Food Expert (advisor) 1* also embeds PP in a broader sense mentioning the goal of social criteria in public tenders – “minimise exploitation and human rights violations, but also environmental violations, as far as possible” – and stating how “of course it also has something to do with the governments and so on the ground. But through procurement, it is definitely possible to exert some kind of influence on it from here”.

⁴ which are not countries from the global south

4.1.2. *What Are Barriers to Increasing Social Requirements in Food Tenders?*

A number of relevant factors emerged through the interviews that are categorised as burdens for encouraging higher social standards in public food tenders. Previous to the interviews it was not expected that people-related aspects as well as certain components related to verification possibilities and political frame would be addressed in that now existing manner.

People

People are crucial for reaching higher goals in establishing social requirements in tenders. While they can be huge enablers for that topic, several circumstances can be called obstructive. One aspect that was mentioned frequently is the fact that procurers face a situation in which they are not sure what responsibilities are attributed to them, leaving them with an unclear framework for action. This goes hand in hand with the lack of backing from the instances above such as “boards”, “management level” and “politics”. Similar to *F*, *SRPP Food Expert (advisor) 3* puts it like this: procurers need “to be able to feel comfortable and to say ‘yes, we are now putting fair criteria into it, and it is not a bad thing that it is a bit more expensive, because we also have the backing’ so to speak.” *SRPP Food Expert (advisor) 3* further comments “framework conditions must be created. That is really just another important message for me, that it cannot always be up to those who draw up the tender documents alone.”

The individual level of commitment and interest in sustainability issues has been pointed out as another relevant factor. How interested individual procurers are and how much they are willing to take on additional effort affects the success of how socially responsible public procurement is conducted.

Next to the insecurities procurers have inter alia due to lack of backing and their individual engagement, preconceptions play a role in restricting progress in encouraging higher social standards. *SRPP Food Expert (procurer) 1* exemplifies by means of procurers having an miserly attitude: “We don't give our own money. So it's often seen as staff and workers saying 'it's a nuisance, it takes a long time and someone wants my budget'”.

Speaking about influenced people have of SRPP, not only the procurers themselves but also the society, the end consumers might have an influence. Citizens can also be relevant through their role as payers of some of the costs. During the interviews it was mentioned that parents are only willing to pay a certain amount before they change their mind as *SRPP Food Expert (procurer) 1* illustrates: “When it comes to school lunches, which somehow exceed this

strange value of 4.25 or 4.50, parents are no longer willing, then they prefer to give their children the money and the children then buy something at the chip shop”.

Assignment of Responsibilities

It occurs an additional burden that is reasoned in the discord concerning who is seen as responsible for higher social standards in public (food) tenders. Some of the interviewees were asked to give their opinion on that and the answers varied. While some stressed the responsibility of politics and legislators, others focused on the procuring entities, including the municipalities, awarding authorities and individual procurers. Also, the responsibility of end consumers was considered to be crucial. It can be deduced that the question of responsibility could not be clarified, and that it seems like multiple stakeholders certainly play a role in achieving higher social standards in PP (of food). Discrepancies like this might be seen as a wide-ranging problem, especially if this picture gets validated through a larger population, as not agreeing on who is responsible for achieving the goals complicates the situation.

Handling of Costs

There is currently a structural competitive disadvantage for fairly produced and traded products on the market, as conventional products are offered at prices that do not cover and correspond to the true costs. *Food Expert (fairtrade certifier) 1* expresses how these “prices do not speak the ecological and social truth” and “this disadvantage in the market then requires consumers to be more willing to pay. And that is actually the great injustice of the matter”.

In addition to that, keeping the costs as low as possible is usually given a high weighting in PP: “In the end, the price is simply a central issue, especially in public tender” (*Food Expert (fairtrade bidder) 1*). E further explains: “The audit office would like to have the price weighted relatively high. The absolute lower limit is still 40% for the price. They won't go any lower than that”.

Classically, the PP's budget is also limited and was frequently mentioned as a hurdle for higher social requirements in the tenders. Furthermore, it is also easier for the procurement authorities to accept the offer with the lowest costs that having complex tender requirements which need to be evaluated for each participant.

Since more socially responsible food tenders can be accompanied by additional costs, the distribution of these costs must also be clarified. However, this is the source of another burden for SRPP. “Both when the parents have to pay, it becomes very difficult, and when the

city has to pay, then we have the audit office, which goes on the warpath. We have real difficulties there” (*SRPP Food Expert (procurer) 1*).

Verification Possibilities

Verification possibilities have arisen as an additional impeding topic. It was stressed how PP institutions are lacking overall personnel resources and how extensive checks of whether requirements are truly fulfilled in general and especially after the awarding can be unrealistic as illustrated by *SRPP Food Expert (procurer) 1*: “We will not be able to conduct lengthy testing procedures. There we have a real limit (...) The goods arrive at the demand centres and the demand centres often do not have the time to do so”.

Connected to this, it was also stated that public procurers should not be expected to have particularly detailed knowledge about the variety of certificates that exists nowadays as this would eventually be overwhelming. Speaking of certificates, a problematic characteristic that was mentioned inter alia by *SRPP Food Expert (advisor) 3* refers to the fact that certification cost can exceed the realm of feasible farming entities in the global south have which would display a relevant disadvantage in reaching higher social standards in PP through this kind of verification measure.

Another insight that emerged through the interviews also relates to certificates, leaving some room for controversy. For one thing, certificates are common in PP and called to be an easy to use tool to verify a product with a fair origin, provided it based on a reliable certificate with high social standards: “I find it relatively easy for the bidders to use quality marks as evidence” (*SRPP Food Expert (advisor) 1*), “Especially when you work with quality marks, it is actually relatively easy to implement, even for small municipalities and for large municipalities or procurement bodies” (*SRPP IT Expert (advisor) 1*).

On the other hand, it turned out that certificates still can be connected to a significant additional effort. Burdens may be attributed to the fact that the connection between a product and a certificate is not obvious because the product is not market with the corresponding certificate. Also, the options for bidders to submit ‘equivalent’ proof can lead to more work for the procurers as *SRPP Food Expert (procurer) 1* explains: “When we ask for the seals or other comparable proof, the traders just throw in everything they have, 'Oh seal, let's throw it in, let's just do it, don't even look at whether it fits together at all', and that's always difficult for us, whether we can judge it, how we can judge it”. Being considered as one of the least complex proofs by the interviewees, certificates practically still hold the potential to be a considerable overhead for procurers.

Something mentioned as a point in favour of certificates is PP's need for justification as public funds and a somehow objective verification base is needed. However, especially this situation can be seen as a burden: PP overall being in a vulnerable position where every move, inter alia how and why proof of origins are demanded in a certain way, needs to be justifiable.

Furthermore, it shall be noted that *SRPP IT Expert (advisor) 1* clarified how it is difficult to have a proof of origin for a food product that is likely to not exist at the time of the award. It is exemplified as follows: "So especially when we talk about contracts like school or day-care food, it might be three years in the future. And the sustainably desired fish is now swimming somewhere in the North Atlantic and does not yet know that it will end up on our plates in half a year" (*SRPP Expert (lawyer) 1*). Most of the demanded proofs thus refer to the future, making the difficulty of proper verification even more complex.

Political and Legal Frame

Current political and legal frames are potentially delivering some extra burdens. With reference to the lack of backing for public procurers from politics, the impression is given that guidelines are missing. Statements like that support this assumption: "That's a whole bunch of challenges. On the one hand, as already mentioned, there are also political requirements, which means that there is sometimes a problem with the fact that there are no political requirements. Um, and then it is simply difficult for employees in the administration to implement this on their own" (*SRPP IT Expert (advisor) 1*).

A law-associated side topic further concerns the Supply Chain Law and how it seems to be unclear so far how its regulations can be concretely used for achieving corresponding goals in public procurement projects. Inter alia it seems to be ambiguous what exactly can be demanded from bidders based on the law to reach higher social standards et cetera.

Another law that attracted attention during the interviews is the German Tariff Compliance and Procurement Act and especially its handling of the ILO Core Conventions. *SRPP expert (lawyer) 1* states "So if the question is, was it useful to include that, to throw that out? In any case, from my point of view, it had no significant effect" (...) no one has ever checked this in any form. And so, in principle, it was a pure self-declaration without any resilience. And if anything, the honest ones were the stupid ones". *SRPP Food Expert (procurer) 1* also described how offers of various product groups have declined considerable under this law and purchasing companies have finally been asked to "simply sign" the self-declaration.

While it is argued that this law still led to more municipalities being more engaged in the topic, encouraging higher social standards: "At that time, we had the feeling that in North

Rhine-Westphalia, this Tariff Compliance and Procurement Act, which no longer exists in its present form, made a major contribution to the fact that more and more municipalities set out on this path. Many municipalities were also very dissatisfied with it and found it to be quite a bureaucratic mess. But in the end, this law has already contributed to the fact that so many municipalities have addressed the matter” (*SRPP Textile Expert (advisor)1*). This example shows, how there might be different perspectives on when laws and regulations are useful and in what way as certain market signals might be better than nothing. Not having solid evidence relates to other new problems, exemplarily corruption-related, though, so it is revealed a potential conflict of goals here.

Similarly controversial is how and to what extent the purchasing policy of a bidder can be taken into account when awarding. One obstacle is that requirements must be related to the subject matter of the invitation to tender, at least this is how it is communicated. The problem here is that public procurement law seems to be ambiguous, and it is not known how far PP can go in awarding companies that are especially in exemplarily fashion when it comes to high social standards in their supply chains and acting in accordance with ethical trade practices. As *SRPP Food Expert (advisor) 3* has said, it is problematic to find ways how striking socially responsible bidders like fair traders can be awarded for their ambitions by objective criteria in tenders. *SRPP Food Expert (procurer) 1* says in this context: „We then have a bit of difficulty in including this in the suitability (...). And we had now considered including this in the evaluation matrix, via this possibility to consider the process and the organisation”. Additionally, *SRPP Textile Expert (advisor) 1* states: “Exactly that is ultimately also a bit of a matter of interpretation, but yes, you have to somehow see how far you can push it”.

Packaging Sizes and Market Unavailability

An additional aspect that shall be noted here is the concern regarding bigger packaging sizes. The topic came up several times in the interviews being inter alia described as a “chicken egg problem” by *SRPP Food Expert (advisor) 3* as public procurers claim to need their food in larger containers, one could imagine rice, while at the same time bidders clarify that having products in large container sizes in stock is unfavourable if it is not clear whether there will be customers for it.

Side topics that also emerged and refer to burdens in SRPP are market unavailability such as that certain combinations of requirements cannot be delivered. An example *SRPP Food Expert (procurer) 1* mentioned from the general sustainability topic: “The municipality wanted to have only organic meat and it wanted to have it regionally, which is a very difficult aspect

in all food procurement. And the market then reflected ‘you can have organic, you can also have regional, but as much organic meat as you want is not available regionally’”. And then the classics "I do not have time for it or it is too expensive" as *Food Expert (fairtrade certifier)* I calls them.

The author wants to stress how it shall be noted that the different facets of obstacles are often interlinked as evident in the previous sections. This can be inter alia the case for issues that are person-related but cost- or politics-related at the same time.

4.1.3. What Content-Related Requirements in Food Tenders Encourage Social Responsibility?

One goal of this study was to investigate what contents in public food tenders are favourable to support a fair and ethical trade. Thereby, a focus was given to foods from the global south that are at high risk of human exploitation. Through the interviews, some products were identified to be relevant in this regard. Moreover, it was found that formulating specific contents is not always possible due to the high variability of demands, however certain indicators help to find the specific requirement depending on the individual situation of the tender. Those indicators shall also play a major role in this chapter.

Suitable Products

Starting with the products that can be demanded in a quality with high social standards and how to choose them, there is a list of products for which experience has confirmed that they are available in appropriate quality, also for PP projects. Products that belongs to this list and were mentioned by the interviewees are: rice, tropic fruits like bananas and pineapples, coffee, tea, lemonade and “most products containing cocoa” (*SRPP Food Expert (advisor) 3*) when the fair origin is referred to the cocoa part of the product. It is accordingly assumed that it is generally feasible to demand these products of the appropriate quality from bidders. *SRPP Food Expert (advisor) 3* further addresses how quinoa, beans and lenses are likely to be also convertible to fair origin as fair traders offer the product. However, those products require extra market before confidentiality saying that there are available in the desired fairtrade quality.

An associated point refers to good practice examples, like the one in Berlin, which also offer insights about what has shown to be possible in terms of high social standards for food. The products just mentioned are partly also based on the insights from these practical successes. It is thus suggested that such good practice examples can be used as a benchmark and to find out what requirements shall be included in a specific tender.

What was also noted in the interviews is, that procurers should focus on the big impact products. Accordingly, high social criteria should arguably especially be demanded for products at high risk of human rights violations et cetera in their supply chains and products that have a higher relevance. The following illustration clarifies that: “An example would be that there are somehow more points for three products than for one product. But if I somehow choose pepper, vanilla, and some other spice as the three products, which is minimally present in my dishes, I get the same. So, I get a lot of points in the surcharge criterion area without changing the goal much” (*SRPP Food Expert (advisor) 1*).

Clear Definitions and Ambitious Social Criteria

Another obvious sounding but crucial need in tenders is to use unequivocal definitions. It must be clear what the bidder is expected to deliver. Especially as terms like ‘fair’ are not legally protected requirements have to be defined so that a certain quality can be granted as *SRPP Food Expert (advisor) 1* clarifies. A definition that is mentioned in this context is the definition of fair trade criteria from the European Commission. As *SRPP Food Expert (advisor) 2* mentions it, a further aspect is already addressed: “There is this definition from the EU Commission, which we also work with. Exactly, but it is based primarily on the ILO core labour standards. And yes, I think it is more important to go further”.

Just demanding bidders to comply with the ILO Core Conventions is clearly stated as not sufficient by the interviewees. Instead, several interview partners mentioned the requirement of “ILO plus X”. However, it is not as clear how the plus X should look like. As *SRPP expert (lawyer) 1* expresses “the X then totally depends on the object of the subject of agreement”. Exemplarily the following requirements for the plus X were mentioned: “Fair trade criteria” (*SRPP Food Expert (advisor) 1*), “Living wages, minimum prices (...), then long-term relationships with the buyers. So that it is precisely the local farms that can count on this security that the products are purchased” (*SRPP Food Expert (advisor) 2*). The reason for demanding an additional standard might inter alia be seen in the fact that the market is capable to deliver more as *SRPP Food Expert (advisor) 3* clarifies “There are simply far too many good products on the market, where there really is more to them than just complying with the most basic labour standards”. Here, *SRPP Food Expert (advisor) 1* mentions the criteria as a basis with room for improvement. Overall, it is stated that procurers should reach for and formulate exacting social criteria (*SRPP Textile Expert (advisor) 1*, *SRPP expert (lawyer) 1*).

There was also great agreement among the participants that social requirements in tenders should not be thought of alone but should be integrated into a wider sustainability context.

This could be *inter alia* be understood as a specific form of ‘plus X’. *SRPP Food Expert (procurer) 1* explains: “I have always said that I do not want to fight the procurement battle twice: I don't want to come up with fair now and then in three years I'll come up with environment again and then I immediately said that we'll put it all together.” Others came up with similar notes: The food should be solicited “at least fair, preferably organic and fair.” (*Food Expert (fairtrade bidder) 1*), “Organic should always be included in food” (*SRPP Food Expert (advisor) 3*), “How can a product be called sustainable, if it is only eco?” (*Food Expert (fairtrade certifier) 1*). Accordingly, it is arguable that criteria related to fair trade should perhaps be combined with further sustainability requirements. *SRPP Food Expert (advisor) 3* further notes that the organic origin of food can be used as an argument for those paying, such as parents for school meals.

Favourable Strategic Integration

Related to demanding high social requirements, there is a strategic component that was addressed during the interviews: A gradual conversion of the products. “So maybe something could be implemented much more quickly, especially in the food sector, because you can proceed in a very gradual way and not have to change everything immediately” (*SRPP Food Expert (advisor) 3*), “I would definitely recommend that when you convert, you change one product at a time. Let's take rice for example, that you simply say okay, all rice is organic and fair and not 50 % of the rice is conventional and 50 % is organic and fair or something like that” (*Food Expert (fairtrade certifier) 1*). The experts declared in favour of purchasing food in fair trade quality step by step, rather than working with quantity specification – “I would simply not advise it for reasons of complexity” (*SRPP Food Expert (advisor) 2*) - but then using an explicitly high social standard for the chosen products.

Interviewees also addressed whether social criteria should be integrated as minimum or award criteria or both. In total, the interviews conveyed the picture that social requirements should be covered via selection criteria when possible. Thereby, it can be granted that a certain social standard is given and that no company with comparably low social standards will be awarded for having higher points through a specifically low price. It was also preferred over award criteria: “I think it is somehow a better approach for certain products to demand this specifically as a must requirement” (*SRPP Food Expert (advisor) 1*).

Although the interviewed experts prioritise minimum criteria over award criteria, they also addressed how award criteria can add value, especially when it comes to combining minimum and award criteria in a “dual strategy” (*SRPP IT Expert (advisor) 1*) where second can

be designed as a stimulus for the market: “I think this is a good combination, because on the one hand it has a minimum standard where I say, okay, that's okay in terms of human rights, and at the same time it provides an incentive to go the extra mile” (*SRPP Expert (lawyer) 1*).

While the majority of the interviewees agree in that it is not easy to define a certain percentage for social or sustainability criteria in general, their assessments slightly vary. Rating social efforts very low (5%-10%) in an evaluation matrix for selecting a bidder is considered redundant as *SRPP Food Expert (advisor) 3* puts it “they might as well leave it alone and save themselves the work, because then there is so little impact on the final price that it does not make sense.” (...). Whether award criteria for social standards are giving a relevant effect from 20 percent upwards or need to be at least 30 percent was not derivable as interviewees gave different indications. “We spoke with SKEW, which is the service point, and we said that we make 30%, which we have in all procedures. This also applies to all other groups everywhere, if the market is either not explored enough by us, i.e. we don't know it well enough, or alternatively, if we know that the market is not yet ready, we always put 30% into the evaluation matrix, whereby we put 15% on the environment and 15% on fairness” (*SRPP Food Expert (procurer) 1*) *C* further states that 40 percent weighting of social or sustainable criteria was the best ration that was seen so far.

SRPP expert (lawyer) 1, however, points out that it is the method of assessment that matters rather than the percentage weighting of social criteria, as it depends on how the award criteria is related to the price. A fact that has not been addressed by other interviewees, making it a relevant topic if the meaning of price valuation methods broadly considered. In this context, *H* states “I think the best tender in the area of food, for example, is the one that specifies a fixed price. The one that takes price completely out of the equation”. Thus, bidders compete not on price but on what they offer for a same price. This leaves the potential for discussing the use of price integration in favour of social standards. Considering price assessment and especially fixed prices in thereby suggested to be considered when designing the tender.

Claims Linked to Supply Side

A major relevance in defining the requirements for bidders is the environment in which the tender takes place. Concretely, requirements need to be linked to the supply side and what is communicated with it. This is as the above-mentioned suggestions and points of reference may lose their meaning if the demand does not match supply option. Whereby, this does not mean social requirements shall only be oriented towards what already exists on the market. Instead, this should be seen as a reality check.

A suggestion that was frequently addressed is that requirements in a tender should be tied to market research: “That market research is carried out beforehand so that nothing is demanded in the tender that no company can offer” (*SRPP Expert (lawyer) 1*). This is especially noteworthy if it is not known what bidders can deliver as *SRPP Food Expert (advisor) 3* elaborates.

By the interviewee it is in addition stressed how “bid dialogue is really the order of the day at the moment” as it is further explained how this can be used as a communication and information tool whereas it is further explained how this form of consultation does not only need to lead to matching understandings: “Also to inform the bidders about where they say 'but we disagree'”.

This linkage of requirements to the market and bidders is expected to then reveal insights about what content requirements should be included in the tender to encourage a higher level of social responsibility.

4.1.4. What Method-Related Requirements in Food Tenders Encourage Social Responsibility?

In terms of what method-related requirements should be demanded from bidders, this work mainly focused on tools of verification. Again, every requirement must be clear, allocable, and sanctionable⁵, making it a highly relevant topic how compliance with the requirements can be verified.

Solid Verification

Two main aspects were repeatedly addressed during the interviews, namely that self-declarations are usually not reliable and among the least favourable ‘proofs’ as well as that certificates are the verification suggested for PP. Among others, typical statements are: “the worst thing you can do is simply demand self-declarations. And then, in principle, you have no proof” (*SRPP IT Expert (advisor) 1*), “Yes, I’ll put it this way, in principle it’s only about certificates, because otherwise everyone has their own claim somehow” (*Food Expert (fairtrade bidder) 1*), “how useful certificates are... Yes, well, I think they are definitely a good means to an end right now” (*SRPP Food Expert (advisor) 2*). So, although also the weaknesses of certificates were elaborated during the interviews, they are still predominately seen as the

⁵ Sanctionability emerged as a necessary backup for content- and method-related requirements covering the handling of bidders’ non-compliance with agreements.

currently most suggestable verification option for SRPP for food. Nevertheless, it was commonly recognised that they leave room for improvement.

Procurers need to face another matter: The methods on which they rely, including the verification measures, must in some way be objective in order to sustain a vendification. For example, there might be certificates that seem to fulfil high requirements in terms of social responsibility, however, they might not be suitable if certain information is not publicly available, or the standard does not cover perspectives of various stakeholder groups. *SRPP Food Expert (advisor) 3* explains: “In my opinion, the public sector has the problem that it has to justify itself to the outside world in case of doubt and that it is also difficult to leave it up to everyone to determine for themselves what is fair and what is not fair, precisely because it is not a protected term (...) In the food sector, I think it is relatively low-threshold to get certificates in the first place compared to other product lines and that is why I would always suggest that the public sector do so”. *SRPP Food Expert (advisor) 3* further listed four PP suitable labels based on recommendations of the forum fair trade: Naturland Fair, Fairtrade from the organisation fairtrade international, Fair for Life and Símbolo de Pequeños Productores (SPP).

Product-Specific Approach and Attention to Supply Chain Management

Distinguish between product groups for which there are existing detection options and those for which there are not can be listed as an extra component. It was inter alia clarified by *SRPP expert (lawyer) 1* how product-specific the availability of proofs is: “Evidence and which possibilities for evidence I have, what is useful, depends very much on the respective topic”.

Beyond the initial verification, a topic that also deserves more attention is the management of the supply chain and how it is designed and developed in order to achieve higher social responsibility goals. *SRPP expert (lawyer) 1* told about a tender in which bidders were asked ‘How do you monitor your supply chain?’ and points were then given based on a catalogue of measures, whereby bidders needed to fulfil certain minimum criteria in order to be taken into account for these ratings. When elaborating on the supply chain law, also *SRPP Textile Expert (advisor) 1* mentioned something related: “And then we could also consider how to formulate criteria that go beyond the Supply Chain Act, so that good management in relation to the depth of the supply chain can also be assessed with additional criteria, for example”. Related to this, *Food Expert (fairtrade certifier) 1* further explains how a certain solid label also works with process certification, covering more than the initially demanded requirements: “That means that when someone is fairly certified, there is a certain minimum level, so to speak, and it should go on and on and develop higher. This means that they develop a strategy with

concrete points that they want to implement step by step”. Giving this more thought in general or getting inspiration from tenders where such additional requirements for the management were at least partly covered could lead to an added value in terms of social goals.

4.1.5. How Far Can SRPP Requirements be Currently Pushed to Encourage a Positive Shift Towards More Social Responsibility in the Market?

One goal of this project was to clarify what where the limits of SRPP of food currently are and where the achievable optimum could be.

Current Limits

Among the limits for PP are land rights and its coverage through requirements in public food tenders. This includes issues related to who owns the land on which the plantations are located. Unethical practices can, for example, lead to indigenous populations being disadvantaged and displaced. This highly relevant topic just starts to get more attention from politics, thus not being considered as a PP topic yet. *SRPP Food Expert (advisor) 2* elaborated it like this: “So I don't think that public procurement has the responsibility yet to really take action, also with this ILO Convention on the Rights of Indigenous Peoples, because this is only just beginning to be considered by politicians”.

Similarly, the approach of international solidarity agriculture, which possibly holds great potential for higher social standards and stable supply relations, is a topic for future consideration “but that is really far, far away from any practice and pragmatics that we have in the field of procurement at the moment” (*SRPP Food Expert (advisor) 3*). An example of international solidarity-based agriculture: a German municipality establishes a partnership-based trading relationship with coffee farmers in the global South and receives a share of the harvest in return for helping to finance the farmers' livelihoods.

Another observation further refers to the fact that voluntary measures cannot be as effective as binding regulations. Whatever is done in terms of SRPP might be better understood as a second-best alternative for missing laws. *SRPP expert (lawyer) 1* brings a clear argument “It is possible to somehow introduce certain, let's say, checks and balances so that a certain product does not even come onto the European market. And I would like to see the same for social standards. That would be the simplest method“. Thus, it is possible to ban certain products from the German, respectively European, Market when corresponding political and legal requirements are called out. Achieving comparable successes in the food domain and in general without the back of political and legal guidelines is questionable.

Food Expert (fairtrade certifier) 1 states how “at the end of the day, all trade - this may sound utopian - would have to be ecological, social and fair. Then we would have made ourselves superfluous and would no longer need to work”. Given the fact that such extensive and binding regulations, among other things, do not exist, support the concern, that the situation *Food Expert (fairtrade certifier) 1* describes stays utopian in the near, maybe also distant, future. This means that there is likely to be a cap for efforts making PP more socially responsible, so to speak.

Besides these aspects, it is quite likely that public food tenders will not be budget-independent in the near term. As a result, cost aspects continue to play a decisive role in determining the area of tension in which social criteria can be formulated: “The problem is that, especially in the food sector, there is always a tension between what the bidders can deliver and what I can pay” (*SRPP Expert (lawyer) 1*), “And then it always depends on the money what is possible” (*SRPP Food Expert (advisor) 3*).

Ultimately, the circumstances also lead to the fact that there is not and perhaps cannot be a perfect tender at this time as the interviews revealed that there is no perfect tender known that fulfils all requirements and *SRPP IT Expert (advisor) 1* for example acknowledges “unfortunately, I do not have quite have the magic solution for getting there either”.

Ideas for the Currently Achievable Optimum

One aspect that have been noted several times by interviewees is that, although certain combinations might not always be available, the supply side of fair-traded products overall has a surplus and could offer more than Germany and Europe in general takes. In this context *SRPP Food Expert (advisor) 1* also mentions that supply bottlenecks are frequently expressed as a concern and comments “so far, it has not yet been confirmed that there were any major bottlenecks”. Product-wise it furthermore seems like a wide range of food products can be covered through a reliable fair certificate or bypassed by an alternative product that can be procured with a certificate. These circumstances indicate that there is potential to further exploit the supply opportunities for fair food.

There is also potential in the adaption of purchasing strategies. Prioritising SRPP over inter alia cost-cutting measures might be an effective tool. Several statements actually suggest that will is a crucial component in the implementation of high social standards in public procurement eventually playing a more prominent role than cost-related question or at least moderating them: “And I believe that municipalities like Berlin, Bremen or Dortmund, which are

not the richest municipalities in Germany, but rather the opposite, show that this is also possible when there is the political will” (*SRPP Food Expert (advisor) 2*).

In accordance with a need for strategy adaption, it was mentioned how “this claim to simply use every tender in principle is not yet really anchored” (*SRPP Textile Expert (advisor) 1*) in procurement bodies yet when it comes to pushing social requirements.

Other relevant factors possibly playing a role for identifying the current achievable optimum in terms of social criteria in public food tenders are for one thing the optimized design of meals. Here exists an interface with adapting the strategy. An illustration is made by *SRPP Expert (lawyer) 1*: “It requires a smart approach. For example, saying I want organic meat, but not such a big portion, because organic meat is simply more expensive. That we have a vegetarian day more often, things like that. Then money is freed up again somewhere, for example for fair trade products”.

Then a unique selling proposition for fair traders was addressed by *SRPP Food Expert (advisor) 3* stating that such “would be totally legitimate, I think. Because there is a market, there is also competition. There are at least three companies that can offer something like that.”. This in turn raises the question of how such a unique selling point can be created for fair traders in tenders. Based on the interviews, it can be assumed that no satisfactory solution has yet been found for this.

4.1.6. What Are Potential Drivers for Higher Standards in Public Food Tenders?

Closely related to where the limits and possibilities in SRPP for food can be detected, it additionally emerged a pattern of insights concerning potential levers for SRPP. It is to question whether these parameters could influence, thus shift, the current limit and optimum.

Catering Needs in All-Day Schools

SRPP Expert (lawyer) 1 explains how “especially the increasing all-day care in schools has been a huge driver from my point of view, because the school meals have to be provided and it is pretty much hell to put school meals out to tender, because you cannot do it properly. It must be organic, vegetarian, vegan, kosher, halal anti-allergy, taste good and not cost more than 2.50 €. That is not possible, so to speak. But for the first time, in many parts, this has also put a focus on food, because they said, okay, we now need food on a larger scale, we have a lever for, for example, the topic of tropical fruits”.

Engagement and Collaboration

One main topic that was mentioned refers to PP making use of its market power which was inter alia related to bundling several times. Besides *SRPP Food Expert (advisor) 1* and *SRPP IT Expert (advisor) 1*, *SRPP Food Expert (procurer) 1* summarizes what is hoped to achieve by this: “We also include bundling, because we hope that this will generate more purchasing power (...) If we could make a big tender, we would have a certain purchasing power, and on the other hand we could encourage the market to offer the sustainable and fair products that we want. And at the same time, we could possibly keep the prices better, because then the market has a certain planning security, if it knows that it will get a huge amount and we also have a certain planning security”. So, bigger tenders would influence planning and could also be an incentive for bigger container sizes that were mentioned as a burden besides other things.

Another statement made by *SRPP Expert (lawyer) 1* refers to society’s awareness for PP and that it can be influenced: “I would simply like to see civil society actively demanding this and consciously asking for it. I think that is a very important point, because we are not just users and consumers.” Political engagement thus is seen as a potentially influential factor for what is prioritised in PP.

Most of the interviewees moreover agreed that the importance of and interest in social and sustainable procurement issues has increased significantly in recent years. *SRPP Food Expert (advisor) 3* further mentioned that especially the younger generation in PP is interested in sustainability issues.

Also a more active contract management after the award could be influential: “And then I would say that it is also about having an active contract management and not only at the time of the tender but also during the contract period to remain in constant dialogue with the bidder or with the company that has been awarded the contract and to keep working towards improvements.” (*SRPP IT Expert (advisor) 1*).

Another point that has been addressed by several interviewees, which can be seen as some more controversial, refers to advisory services: *SRPP IT Expert (advisor) 1* states that procurement bodies can get assistance through advisory and elaborates that “there is simply a lot of support from SKEW, from NGOs like CIR, WEED, Femnet or Südwind. These are all organisations that are very active in this area and that also provide advice and where procurement agencies are really taken by the hand”. However, there seems to be some dissonance, especially regarding the responsibility of advisory as *SRPP Food Expert (advisor) 1* makes a point stating that counselling services are “not really the task of NGO”. *SRPP Food Expert (advisor) 1* further explains “we would rather see this as a state task. Actually, there should be

a competence centre in every federal state where the municipal visitors can turn to with their questions and needs” but that they “are always ready to support pilot projects and somehow support something new, innovative”. Once again the question arises: Who is responsible for what?

Testing legal potentials

Furthermore, a strong supply chain law as well as stronger cooperation with policy makers, which are not considered a given at this stage, could possibly have a beneficial effect on higher social requirements in public food tenders in the future.

It turned out that there are ambiguities regarding whether and how much the market should be put under pressure to encourage higher social standards. While lawsuits are considered to be unlikely among the interviewees *SRPP Food Expert (advisor) 3* questions whether it is sensible to make a municipality vulnerable by demanding certain requirements, such as the ILO Core Labour Standards for a product, from bidders when it is unlikely that any bidder can supply that quality: “I just do not know what would happen if a company started to sue because [the requirement] was there and the company knew that the competitor who might have been awarded the contract would not be able to comply with [the requirement]”. Nevertheless, *SRPP Food Expert (advisor) 3* also expresses that “the market must be stimulated a little more to consider alternatives“ and states that, depending on state laws, building up some pressure can be done, it just needs to be carefully deliberated how it is done wisely.

4.1.7. Looking PP Ahead: Possible Inspirations

Another pattern that arised unexpectedly, depicting more than just current limits, refers to inspirational aspects of and ideas for PP. The issues concerning land rights and exploitation of indigenous people stressed the need of re-considering the beginning of a supply chain, which does not only start with the first production steps but before. Moreover, the approach of international solidarity agriculture, as it is demonstrated by a municipality in Bavaria collaborating with a coffee farm, incentives to rethink PP and trading relations.

Although these ideas are considered to be far away from current PP practices, considering them in the future might have potential for higher social standards in procurement practices. A facet that has also been mentioned refers to the fact that SRPP of food, leading to fair

traded, and ideally eco, products, can constitute social participation⁶ (depending on how the costs are covered). As then, every person gets the same high quality of a meal.

4.2. The Guide - Suggestions for More Socially Responsible Food Tenders in Public Procurement

Ultimately, the research conducted up to this point should contribute to the creation of a guideline. Accordingly, the expert knowledge of the interview partners and the background information obtained through the literature review form the basis for the guide on the presented topic of *practical guidance for public institutions to design their food tenders with high social standards*. The guide is attached in Appendix 6.

Overall, the interviews showed that a variety of factors play a role in the design of socially responsible food tenders. On the one hand, the global food trade is very complex. An increasing importance of PP can be seen, while exploitation of people continues to shape the industry. Ambiguous or absent legal frameworks and non-consideration of true costs hinder higher social standards. However, potential levers of SRPP might be engagement and collaboration and exploring legal possibilities. A list of products likely available in fairtrade quality and the names of solid certificates were provided along with suggestions on defining appropriate tender requirements. It was also addressed how far SRPP can currently go, and it seems like the offer for fair-traded products exceeds the demand. The interviewees further introduced ideas that may play a role in SRPP's future showing that people already are working on a more sustainable PP today.

5. Discussion and Conclusion

5.1. Assessment of The Findings

While chapter four and especially the framework presented in figure 5 show what factors play a role for encouraging higher social criteria in public food tenders, this section aims to put the insights into a broader context and emphasise controversial findings.

⁶ Social participation is the basic prerequisite for democracy and means equal living conditions, social justice, integration of all people (Forschungs- und Entwicklungszentrum der Fachhochschule Kiel, n.d.)

What Are The Barriers to Increasing Social Requirements in Food Tenders?

People, what they know and how they behave, are one possible source for blocking higher social standards. While missing individual engagement and a lack of backing for public procurers were among the barriers, something else is striking: As stated in the beginning of the paper, citizens of the global north collectively belong to the consumers drawing from the work done in the production countries which also includes food processing in the global South. However, the work did not include an arc on the role of end consumers and that only one person mentioned it in the interviews. The question should be asked why this stakeholder group is not given more consideration and whether this work shows an untypical picture. Connected to this, however, it was derived how political engagement can be a potential lever for SRPP, indicating that individual positioning does matter. It is common knowledge that society, bottom-up, can decide and shift political directions and bring awareness to issues. Movements such as Fridays for Future or Black Lives Matter show what impact bottom-up initiatives can have, which makes it reasonable that end consumers' and society's role in SRPP (of food) should be investigated.

There is also a need for top-down approaches and clearer frameworks for fair public procurement that can be recognised through the interviews. A call especially for politics but also higher levels than the operational procurement would be to check for discrepancies regarding the fact that fair procurement of products such as food is desired but not concretely realisable. In accordance, the perceived lack of backing for procurers creating food tenders with higher social standards should be addressed by the decision authorities.

Interviewees further assigned the responsibility for high social standards in public food tenders to different authorities. This means, that there is a disagreement. Not having a matching understanding of what parties need to be involved to tackle SRPP related issues can cause problems as resources are likely to be used ineffectively and inefficiently.

What Content-Related Requirements in Food Tenders Encourage Social Responsibility?

To just mention some of the insights of this work that can be valuable in practical public procurement it is noted that, although every tender is unique and needs to be embedded into its unique market environment, there are products that public procurers can be keen to demand in a fair quality. As an example, this can be rice, bananas, pineapples, and coffee. To gain insights about what the market is capable, bidder dialogues are mentioned as a crucial component in the tendering process which helps to find appropriate requirements for the tender. The controversy surrounding the Tariff Compliance and Procurement Act in North Rhine-Westphalia indicates that the linking of requirements to the market is to be considered a relevant influencing

factor. The experts also see sustainability issues in procurement as a whole and suggest fair plus organic/ environmentally friendly products where possible. Additionally, it is advised to rather aim for a gradual conversion of products but with a high social standard instead of trying to switch the whole assortment at one but with a low standard. A potentially obvious sounding advice is also seriously acting in the spirit of sustainability, meaning that procurers should focus on products that really make a difference and are at high risk of human rights violations. The interview partners also mentioned several advisory options that can be called if support for creating tenders with a high social standard is necessary. However, it was also criticised that these counselling services are necessary in the first place and are not provided by state actors.

As literature and interviews revealed, social requirements are also frequently connected to overall sustainability requirements. Talking about food, the organic origin is a prominent topic. To get a more holistic impression of what requirements are favourable in terms of sustainable public procurement it might be advisable to integrate further sustainability-related components.

Another concrete requirement made by the interviewees refers to demanding a '+X' to the ILO Core Conventions but what the '+X' concretely is has not become entirely clear. Different ideas about that like living wages were mentioned but as this seems to be very product-dependent no concrete advice on that could have been derived.

What method-related requirements in food tenders encourage social responsibility?

Solid certificates are the verification suggested for PP. Several interviewees stressed how the use of such is relatively easy for public institutions. However, the only participant working in a municipality's public procurement elaborated how checking bidder's certificates can be very time consuming. This is inter alia as the relation between a product and a certificate is difficult to detect when it is not placed on the product itself. The person also explained how bidders tend to send every certificate they have without checking whether those are suitable for the demanded requirements. Although reliable certificates are commonly suggested and have benefits, such as being relatively objective, the effort they still cause in operational procurement might be underestimated.

In the context of certificates, it would potentially also be interesting to have a closer look at the understanding of responsibility for social conditions and to whom it is assigned. Is the PP institution responsible (internal) or is responsibility put to external parties? There might be the risk that the responsibility for high social requirements is transferred to the certificate issuers, and would that live up to the idea of SRPP? However, this work was interested in

finding clues about what is possible in SRPP at the current state and even though one can argue about where the responsibility should be assigned to, missing financial sources et cetera might be seen as circumstances that justify, similarly to the mentioned concept of fair trade, the use of labels as a second-best option.

Next to the certificate-related concerns, it was advised to avoid unsolid self-declarations and stressed how appropriate verification is product and industry dependent. The latest, however, has not been elaborated extensively as the food industry was of interest for this work and many certification options can be considered here. Same applies to supply chain management related measures, which was called holding potential for higher social standards.

How Far Can SRPP Requirements Be Currently Pushed to Encourage a Positive Shift towards More Social Responsibility in The Market?

Answering the sub-question regarding the currently achievable optimum was not answered unambiguously. While the data revealed insights about current limits and potential factors playing a role in defining the achievable optimum, it cannot be said that a certain point can be called as an optimum based on the findings. Rather indices were addressed that are considered noteworthy for encouraging social standards to the highest possible extent.

The role and implementability of unique selling propositions solely for fair traders is especially interesting here as well as the question about how much the market should be put under pressure with demanding high social standards. The interviews implied that there are legal uncertainties which potentially prevent a higher optimum for SRPP. There is a need for clarifying such legal issues.

It is also difficult to say as many factors influence the optimum which are not exploited. Examples are municipalities not using every tender for improving SRPP but sticking with pilot projects and the need for strategic adaptations like intelligent design of meals. Therefore, it is not even exploited what can be done already.

More About The Context

With regard to the main research question, it shall further be acknowledged that although it was aimed to find an answer on what PP should demand, indicating concrete suggestions, some findings rather meet the character of a could-question as they are more loose. To not only address the possibilities in SRPP for food but to reveal more directive suggestions for tender requirements, asking a should-question instead of a could-question was and is seen as value-adding by the author though as it goes beyond even though no explicit answer was found.

Moreover, PP in Germany is responsible of a variety of different kinds of food tenders and one major field is school catering. School meals also were the most prominent field during the interviews which is why findings may specifically match requirements for this area. Other areas, for example hospital catering, have been neglected in the study's frame, therefore the insights are more vulnerable and the reappraisal of other areas is necessary.

An interesting addition to the topic of the study could further be the consideration of (global) health issues which can be seen as an interface with the topic under discussion as well as food sovereignty. While the effects PP can have on circumstances in food trade are addressed in that study, it would be valuable to connect several nutrition-related topics and investigate how PP can be a favourable influential factor there.

Additionally, it is arguable that conditions for workers on plants in the global south are mainly affected by the demand that is formulated by German public institutions or public institutions in general. Conditions are likely to be influenced by a variety of players, staying in Germany's impact area inter alia the responsibility of Supermarket Chains like Lidl and Edeka were stressed as relevant factor in Oxfam's studies. These are subject to complex power structures which should be focused on in further complementing studies.

5.2. Link to the Literature

As pointed out at the beginning of this paper, the author has the impression that the topic around SRPP and how it is connected with the fair and ethical trade of food is under-researched. Relating the findings to previous findings should ideally be a part of the discussion. However, only limited options result from this. Accordingly, integrating the findings into what literature already reveals and discusses is conducted with reservations. Especially the fact that concrete, valuable contents and measures were at the heart of this research was limiting as those were hardly verifiable by academic literature. The author thus still has the impression that related academic literature about how public tendering can contribute to higher social standards in the global food market is missing. Nevertheless, to place the findings of the study in a broader perspective, alternative references were considered.

Publication 1

The first source is a document from Tepper et al. (2020) published by the European Commission which presents good practice examples of socially responsible public procurement. This compilation of case studies was considered to inter alia compare findings from this

work, especially insights derived from the interviews, with what was presented as good practice by the European Commission.

The city of Oslo *inter alia* used selection criteria and demanded coffee as well as bananas in a 100 percent fair trade quality and awarded marks for other fair-traded products, thus combining minimum with award criteria while concentrating on a few products. This procedure matches with suggestions made in the artifact: a dual strategy to have a certain minimum standard with an incentive function, focussing on big-impact products and demanding a high social standard. In terms of certificates Oslo accepted Fairtrade, UTZ or an equivalent. In a good practice example of Madrid the standards World Fair Trade Organisation, FairTrade, Naturland Fair, EcoCert, Símbolo de Pequeños Productores, Rainforest Alliance Certified and UTZ certified were accepted. It shows that there is no agreement on accepted certificates in these good practice examples and those standards recommended by the interviewees. Knowing that severe labour and human rights violations were uncovered on Rainforest Alliance certified plantations, it should be questioned whether this standard is enough for a good practice example, though. Nonetheless, seeing that these examples also include certificates for verification, it supports the assumption made by the experts that certificates are a suitable tool for PP.

Overall, the compilation gives the impression that many examples include award criteria for social concerns. In 22 of the 71 presented examples, it was worked with award criteria. Scanning the cases from different sectors, it was noticeable that the percentage consideration was around 10 percent in several cases. Although this study revealed that it is not primarily about the percentage given to social efforts and without elaborating the other circumstances of these tenders, considering rather low award criteria as good practice might be questionable.

Explanations for award criteria as well as contract performance conditions given in the document state that social considerations can be included in the tender provided, they “are linked to the subject-matter of the contract and advertised in advance” (Trepper et al., 2020, p.247). This in turn gives an indication of the extent to which purchasing policy, or rather product-unspecific characteristics, can be factored in and that there might be reservations for testing the limits.

In the document it was additionally explained how market research is “an important tool to ensure public buyers receive competitive bids capable of delivering the desired products or services” (p.7), an aspect that was also emphasised by several experts interviewed.

It is not only interesting what is mentioned in the document but also what is explicitly not addressed. It is noticeable that methods of price assessment cross-sectoral is not explained in the case studies looked at, indicating that the effect price assessment has in relation to social

award criteria is not considered worth mentioning or, possibly more likely, not given more thought.

Publication 2

In their policy recommendations the Food Policy Coalition (2021a) elaborates how procurement should be used for a systematic food transformation, where it is inter alia stated that minimum mandatory food procurement criteria should not stop at green public procurement but instead include social and health concerns beside environmental ones. It is noted how elements like fair trade, organic practices, and food waste should be thought of, stressing how procurement should include more than one perspective to generate a positive shift towards more sustainability and be holistic. This is in accordance with what experts mentioned in the interviews as they supported the idea of not thinking SRPP alone but in a broader context of sustainability issues.

The paper moreover states that it is favourable to formulate ambitious criteria that should be progressive over time. It is elaborated how “Their definition should consider local/regional/national food systems, in particular food production, to avoid creating negative market distortions and to achieve circular, climate friendly and healthy food consumption and production, across EU member states“ (p.2). Two important overlaps with what has been revealed in the interviews become clear here: the suggestion to go for ambitious criteria and the need for definitions. The aspect of progressive criteria over has only been a side topic in the interviews, but might should be considered to be included in the guide.

In terms of SRPP, the paper additionally states that procurers need to ensure that no labour law and employment laws and agreements, especially the ILO Core Conventions are violated. Although the ILO Core Conventions were a prominent topic during the interviews, it was even more prominently stressed that criteria should go beyond the ILO Core Conventions. This results in a discrepancy as the paper recommends demanding criteria but remains with the Core Conventions in terms of the required standards and is thus below the expectations of the interviewed experts which state that those are not sufficient.

Publication 3

In another paper of the EU Food Policy Coalition (2021b) it is admitted how, here in terms of organic products, higher costs can be caused when choosing more sustainable alternatives, yet numerous European cities have demonstrated that the systematic use of sustainable procurement, coupled with sensitisation and capacity-building efforts, has the potential to

provide sustainable, healthy meals at no extra cost. Among the measures are child-friendly portions and intelligent menu planning, latest being addressed by the interviewed experts as well. Market engagement and dialogue is also mentioned once again as a successful lever, being a component that was considered as highly relevant for high social standards in tenders throughout the interviews.

The paper further mentions dividing bids into smaller lots and offering extended contract periods as a successful lever to encourage longer-term partnerships and thereby ensure better conditions, for example in terms of price. The division into lots was mentioned incidentally in the interviews but did not emerge as a major issue. It was mentioned by several experts that splitting can make sense, but this depends on how much more effort it would cause at the demand side, so how practical it would be. Given the fact that the paper considers lot splitting as a success factor, it is assumed that this aspect should have received more attention, as a valuable gain in knowledge could have been anticipated.

It further explains how “ensuring sustainable healthy school meals in all European schools (from nurseries to universities), leaving no child behind, is a ‘low hanging fruit’ for the implementation of the F2F strategy and the SDGs“ and how school food procurement has the potential to approach things like health inequalities and appropriate nutrition independently from income. The interviewees stressed the importance of school meals too and named them as a powerful driver. Besides that, the aspect of social participation through SRPP occurred. The relevance of both aspects can be found again and is confirmed in the paper.

Eventually, the author draws a parallel to what has been mentioned earlier in terms of understanding fair trade as an “interim global market justice in a non-ideal world” (Walton, 2010, p.431). Not only fair trade but also efforts made in the frame of SRPP are considered to just be a second proxy. Arguably, the ultimate goal of SRPP is making itself superfluous as those requirements would not be necessary if the market would not allow products with human rights and labour law violations or other sustainability destructions.

5.3. Practical Implications

One objective of this project was to provide practical guidance for public institutions to design their food tenders with high social standards. The developed guide portrays the result. It provides input on how to determine appropriate content for food tenders and how to assure a high quality, for example in form of reliable certificates. In particular, it is meant to help operational public purchasers that are interested in social and sustainable procurement practises but no experts yet. In addition, existing socially responsible tenders and advisory services are

made visible. Eventually, the guide was designed to provide procurers with as much relevant information about SRPP of food as possible without requiring readers to process long, complicated documents.

Speaking of strength, the guide points out to the relevant components of requirements as experts mentioned them: content, verification and sanction. The document clearly addresses how these aspects are necessary to cover when designing a socially responsible public tender for food, although the sanction is not addressed on a practical level. Moreover, additional resources, good practice examples and contacts are provided, which should lower the threshold to further deal with the topic. To expand the horizon and promote a view of innovative and effective PP in the future some additional ideas, inter alia about changing the understanding of the beginning of the supply chain, were included. Although such aspects might not be topic of today's PP, it potentially contributes to a more holistic understanding of it. Besides that, there is restraint in calling strengths of the guide as it is not clear yet what benefit it brings in the practical world.

The term 'simplification' is necessary to mention here. Delivering guidance for tender requirements is a complex topic and the presented information simplify the situation to deliver an entry point for social standards in public tenders. The focus here, is to strengthen an initial understanding of which elements are relevant for a socially responsible food tender. Therefore, components such as the environment, burdens and future potentials were also included to embed the topic and see it as a holistic challenge without creating an overload of information. Final advisory for the tender documents is suggested and was not the goal of this work. Instead, it is hoped that public procurers use the impulses of this work, especially from the guide, to gain some clues of where to start.

Next, the suggestions made are based on experiences of individual cases and people involved in the business. One thing that results from this is that the derived conclusions might be biased and speaking to other experts might have revealed other suggestions. As the focus on social concerns in public procurement is rather perceived as a background topic there are no mass of tenders exploring possibilities for greater social responsibility that may be used for validating the suggestions.

To classify the value of the guideline it inter alia needs more evaluation and testing which is in accordance with the DSR approach. Although the author sees potential in delivering the guide to the audience, it is appropriate to be critical with the presented document, at least as long as it is not used practically.

5.4. Limitations

There is a variety of limitations, which are justified in the procedure followed in that project. These need to be transparently addressed to classify what has been discovered in the study.

As the topic of the paper is highly complex, many perspectives are relevant to get a holistic view of the problem. Although it was aimed to cover a variety of interests when conducting the interviews, it is unlikely that all possible perspectives could have been covered. In this context, it should also be stressed once again that the number of interviews conducted is relatively low. Of approximately 20 interview partners requested, 9 agreed to participate. This is not enough to reach a saturation, which limits the validity of the findings. It is further noteworthy to say that a few of the experts on the topic at hand know each other. By participating in professional events and projects together, it can be assumed that there is a higher intersection of matching knowledge. Correspondingly, the possibility of confirmation bias should be considered. One way to overcome this limitation would be to extend this study by interviewing more experts.

With respect to DSR it is necessary to mention that the designed guide was not applied in a practical environment yet and thus has not been evaluated. First attempts for validation were made through inviting interviewees for feedback on the guidance draft. However, not all steps of the DSR were conducted although a more extensive validation and evaluation of the guidelines are seen as crucial. In terms of DSR, the author sees the current state of the guide as incomplete and acknowledges that relevant steps are missing respectively still need to be conducted outside this project to identify the real value of the guide. The gained insights are expected to offer a comprehensive overview of current possibilities in the integration of higher social standards in public food tender.

After looking at the results and especially the coding scheme with some time lag, the author also got the impression that the discriminatory power of some codes could have been worked out more precisely. s and a starting point for further research though.

5.5. Future Research

A comprehensive problem was addressed in this study and although valuable practical insights could be derived from it, a variety of aspects were not or not sufficiently investigated. Some of them are presented here and may inspire future research:

In the paper, the focus was to discover practices that lead to higher social standards in PP when it comes to purchasing foods that are at high risk. It was stressed how sanction

mechanisms are crucial for the success of a tender. This component, however was not integrated into the findings of this work. To guide public institutions towards a more SRPP, it is further not enough to communicate what they should do to increase social standards but also provide clues how they can measure their success. This measuring component needs more concrete research and is considered to be a crucial extension for the derived insights to offer reliable guidance.

It is suggested that the role of sanctions and measurement possibilities should be topics of future studies.

Moreover, it would be interesting to investigate more on supply chain management related potentials in terms of method-related requirements for encouraging high social standards as this project developed a focus for verification measures and especially certificates. Speaking of favourable contents, it was mentioned frequently how requirements should go beyond the ILO Core Conventions, also included in the coding as 'ILO CC + X'. Researching what the extra requirements could be for certain products could be a work facilitation for procurers.

Coming back to the sub-question related to the currently achievable optimum, it would be interesting to further investigate on this. While limits were identified more easily, findings the current optimum was more difficult. This is possibly because SRPP is not prioritised and its potential is not exploited. Also, legal uncertainties may play a role which is why it is advised to consider the issue from a legal perspective. Another approach to the question would be to analyse the supply on the fair-trade food market as it was mentioned how there is a supply surplus. The author sees a value in conducting further expert interviews and developing case studies to generate more insights about the topic.

5.6. Closing Comment

Overall, it shall be acknowledged that PP is not the only tool to inhibit human rights violations in global supply chains and tackle all facets of wide-ranging sustainability issues. But the food system, which nowadays is strongly related to international trade, is considered to be a crucial component in everybody's life. It plays a relevant role for the future direction of global sustainable and fair developments. Thus, PP and its positive effects are argued to be one out of several tools that should be used to tackle global issues by fostering positive developments in international supply chains for foods at high risks.

The study had the goal to find an answer to the question *What requirements should German public procurement institutions demand from bidders in their food tenders to*

encourage fair and ethical trade? Associated, a guide was developed to provide practical guidance for public institutions to design their food tenders with high social standards. The gained insights and the guide shall be used to further exploit the potential PP has, especially in the food sector. The findings are a low threshold offering for procurers interested in SRPP for contributing to a positive shift. The suggested requirements consider current characteristics of the global food trade and are based on expert's opinions from the PP and fair-trading sphere. An extension and verification through more researchers would be a welcomed added value to this work.

6. References

- Aspers, P., & Corte, U. (2019). What is Qualitative in Qualitative Research. *Qualitative Sociology*, 42(2), 139–160. <https://doi.org/10.1007/s11133-019-9413-7>
- Babbie, E. (2016). *The practice of social research (Fourteenth)*. Boston: Cengage Learning. (Fourteenth). Cengage Learning.
- Benner-Wickner, M., & Kneuper, R. (2020). *Leitfaden für die Nutzung von Design Science Research in Abschlussarbeiten*.
- Bickman, L., & Rog, D. (2009). *The SAGE Handbook of Applied Social Research Methods* (2nd ed.). SAGE Publications, Inc. <https://doi.org/10.4135/9781483348858>
- BMWK. (n.d.-a). *Nachhaltige, strategische Beschaffung*. Retrieved 4 July 2022, from <https://www.bmwk.de/Redaktion/DE/Artikel/Wirtschaft/strategische-beschaffung.html>
- BMWK. (n.d.-b). *Reform der EU-weiten Vergaben*. Retrieved 4 July 2022, from <https://www.bmwk.de/Redaktion/DE/Artikel/Wirtschaft/reform-der-eu-weiten-vergaben.html>
- BMWK. (n.d.-c). *Übersicht und Rechtsgrundlagen auf Bundesebene*. Retrieved 4 July 2022, from <https://www.bmwk.de/Redaktion/DE/Artikel/Wirtschaft/vergabe-uebersicht-und-rechtsgrundlagen.html>
- Bogner, K., & Landrock, U. (2015). Antworttendenzen in standardisierten Umfragen (GESIS Survey Guidelines). *Mannheim: GESIS - Leibniz-Institut Für Sozialwissenschaften, Version 1.*, 1–12. <https://doi.org/10.15465/gesis-sg>
- Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3(2), 77–101. <https://doi.org/10.1191/1478088706qp063oa>
- Christliche Initiative Romero e.V. (n.d.-a). *Berliner Schulessen in Zukunft fair*. <https://www.ci-romero.de/berliner-schulessen-fair/>
- Christliche Initiative Romero e.V. (n.d.-b). *Kritischer Konsum*. <https://www.ci-romero.de/kritischer-konsum/>
- Christliche Initiative Romero e.V. (2019a). *Sozial verantwortliche Beschaffung von Lebensmitteln*.
- Christliche Initiative Romero e.V. (2019b). *Spielzeug sozial verantwortlich beschaffen. Ein Pilotprojekt der Stadt Köln*.
- Commission of the European Communities. (2009). *Contributing to Sustainable Development: The role of Fair Trade and nongovernmental trade-related sustainability assurance schemes*. <https://eur-lex-europa-eu.ezproxy2.utwente.nl/legal-content/EN/TXT/PDF/?uri=CELEX:52009DC0215&from=EN>
- DeSantis, L., & Ugarriza, D. N. (2000). The concept of theme as used in qualitative nursing research. *Western Journal of Nursing Research*, 22(3), 351–372. <https://doi.org/10.1177/019394590002200308>
- Deutsches Zentralinstitut für soziale Fragen. (n.d.). *Christliche Initiative Romero e.V.* <https://www.dzi.de/organisation/christliche-initiative-romero-e-v/>
- Elferink, M., & Schierhorn, F. (2016). *Global Demand for Food Is Rising. Can We Meet It?* <https://hbr.org/2016/04/global-demand-for-food-is-rising-can-we-meet-it#:~:text=Food demand is expected to,we have not seen before.&text=Many other factors%2C from climate,challenging to produce enough food>
- Engagement Global. (2021). *Für menschenwürdige Arbeitsbedingungen. Kommunen setzen auf fairen Handel und faire Beschaffung*. Welt-sichten.
- Ethical Trading Initiative. (n.d.). *What is ethical trade?* <https://www.ethicaltrade.org/faq/what-ethical-trade>
- European Commission. (n.d.-a). *Public Procurement*. https://single-market-scoreboard.ec.europa.eu/policy_areas/public-procurement_en

- European Commission. (n.d.-b). *Strategic Procurement*.
- Federal Ministry for Economic Cooperation and Development. (n.d.). *SDG 2: Kein Hunger*.
<https://www.bmz.de/de/agenda-2030/sdg-2>
- Food Policy Coalition (EU FPC). (2021a). *POLICY RECOMMENDATIONS : USING PROCUREMENT FOR A SYSTEMIC FOOD*. December.
- Food Policy Coalition (EU FPC). (2021b). *Sustainable Public Procurement of Food: a Goal Within Reach*. 68(3), 411–434.
- Forschungs- und Entwicklungszentrum der Fachhochschule Kiel. (n.d.). *Gesellschaftliche Teilhabe*. <https://www.fh-kiel-gmbh.de/de/leistungen/forschungsschwerpunkte/gesellschaftliche-teilhabe.html>
- Garcia, C. M., Eisenberg, M. E., Frerich, E. A., Lechner, K. E., & Lust, K. (2012). Conducting go-along interviews to understand context and promote health. *Qualitative Health Research*, 22(10), 1395–1403. <https://doi.org/10.1177/1049732312452936>
- Gerard, F., Imbert, C., & Orkin, K. (2020). Social protection response to the COVID-19 crisis: options for developing countries. *Oxford Review of Economic Policy*, 36, S281–S296. <https://doi.org/10.1093/OXREP/GRAA026>
- Glas, A. H., & Eßig, M. (2018). Factors that influence the success of small and medium-sized suppliers in public procurement: evidence from a centralized agency in Germany. *Supply Chain Management*, 23(1), 65–78. <https://doi.org/10.1108/SCM-09-2016-0334>
- Guest, G., Bunce, A., & Johnson, L. (2006). How Many Interviews Are Enough?: An Experiment with Data Saturation and Variability. *Field Methods*, 18(1), 59–82. <https://doi.org/10.1177/1525822X05279903>
- Heidland, T. (2022). *Der Ukrainekrieg und die globale Ernährungssicherheit*. The Federal Agency for Civic Education. <https://www.bpb.de/kurz-knapp/hintergrund-aktuell/509582/der-ukrainekrieg-und-die-globale-ernaehrungssicherheit/>
- Hepperle, F. (2016). *Nachhaltigkeit in der öffentlichen Beschaffung: Eine empirische Studie auf ... - Florian Hepperle - Google Books*. Wiesbaden: Springer Gabler.
- Hevner, A. (2007). A Three Cycle View of Design Science Research. *Scandinavian Journal of Information Systems*, 19(2), 87–92.
- Hevner, A. R., March, S. T., Park, J., & Ram, S. (2004). Design science in information systems research. *MIS Quarterly*, 75–105.
- Horner, R. (2017). Beyond facilitator? State roles in global value chains and global production networks. *Geography Compass*, 11(2), 1–13. <https://doi.org/10.1111/gec3.12307>
- Hughes, A., Morrison, E., & Ruwanpura, K. N. (2019). Public sector procurement and ethical trade: Governance and social responsibility in some hidden global supply chains. *Transactions of the Institute of British Geographers*, 44(2), 242–255. <https://doi.org/10.1111/tran.12274>
- Humbert, F., & Brassel, F. (2016). Süsse früchte, bittere wahrheit. In *Oxfam Germany*.
- International Assessment of Agricultural Science and Technology for Development. (2009). *Agriculture at a crossroads: International assessment of agricultural knowledge*.
- International Labour Organization. (n.d.-a). *History of the ILO*. <https://libguides.ilo.org/c.php?g=657806&p=4649148>
- International Labour Organization. (n.d.-b). *NORMLEX Information System on International Labour Standards*. Retrieved 21 January 2022, from <https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:1:0::NO::>
- Internationale Arbeitsorganisation. (n.d.). *ILO Kernarbeitsnormen*. <https://www.ilo.org/berlin/arbeits-und-standards/kernarbeitsnormen/lang--de/index.htm>
- Jering, A., Klatt, A., Seven, J., Ehlers, K., Günther, J., Ostermeier, A., & Mönch, L. (2013). Globale Landflächen und Biomasse - nachhaltig und ressourcenschonend nutzen.

- Umweltbundesamt.De*, 110.
http://opus.kobv.de/zlb/volltexte/2012/16129/%0Ahttp://www.umweltbundesamt.de/sites/default/files/medien/479/publikationen/globale_landflaechen_biomasse_bf_klein.pdf
- Karakoc, D. B., & Konar, M. (2021). A complex network framework for the efficiency and resilience trade-off in global food trade. *Environmental Research Letters*, 16(10).
<https://doi.org/10.1088/1748-9326/ac1a9b>
- Keulemans, S., & Van de Walle, S. (2017). Cost effectiveness, domestic favouritism and sustainability in public procurement: A comparative study of public preferences. *International Journal of Public Sector Management*, 30, 328–341.
- Kickbusch, I., Allen, L., & Franz, C. (2016). The commercial determinants of health. *The Lancet Global Health*, 4(12), e895–e896. [https://doi.org/10.1016/S2214-109X\(16\)30217-0](https://doi.org/10.1016/S2214-109X(16)30217-0)
- Kompass Nachhaltigkeit. (n.d.). *Kompass Nachhaltigkeit*. <https://www.kompass-nachhaltigkeit.de/>
- Mbow, C., Rosenzweig, C., Barioni, L. G., Benton, T., Herrero, M., Krishnapillai, M., Liwenga, E., Pradhan, P., Rivera-Ferre, M., Sapkota, T., Tubiello, F., & Xu, Y. (2019). Food Security. In *Climate Change and Land: an IPCC special report on climate change, desertification, land degradation, sustainable land management, food security, and greenhouse gas fluxes in terrestrial ecosystems* (pp. 437–550). <https://burundi-food-securityhealthywealthywise.weebly.com/food-security.html>
- Miles, M. B., & Huberman, A. M. (1994). *Qualitative Data Analysis: An Expanded Sourcebook*. SAGE Publications, Inc.
- Nowell, L. S., Norris, J. M., White, D. E., & Moules, N. J. (2017). Thematic Analysis: Striving to Meet the Trustworthiness Criteria. *International Journal of Qualitative Methods*, 16(1), 1–13. <https://doi.org/10.1177/1609406917733847>
- OECD. (n.d.). *Public procurement*. Retrieved 21 January 2022, from <https://www.oecd.org/gov/public-procurement/>
- OECD. (2019a). *Öffentliche Vergabe in Deutschland: Strategische Ansatzpunkte zum Wohl der Menschen und für wirtschaftliches Wachstum*. <https://doi.org/https://doi.org/10.1787/48df1474-de>.
- OECD. (2019b). *Public Procurement in Germany: Strategic Dimensions for Well-being and Growth*. <https://doi.org/https://doi.org/10.1787/1db30826-en>.
- OECD. (2020). *Integrating Responsible Business Conduct in Public Procurement*. OECD. <https://doi.org/10.1787/02682b01-en>
- Oxfam. (2019). *Workers' rights in supermarket supply chains*. <https://doi.org/10.21201/2019.4917>
- Raj-Reichert, G., & Gräf, H. (2020). *Socially responsible public procurement by the city and districts of Berlin: protecting workers in global supply chains* (Issue June, pp. 1–4). Berlin Social Science Center.
- Renda, A., Pelkmans, J., Egenhofer, C., & Schrefler, L. (2012). *The Uptake of Green Public Procurement in the Eu27*. February, 10202.
- Semple, A. (2017). Socially Responsible Public Procurement (SRPP) under EU Law and International Agreements. *European Procurement & Public Private Partnership Law Review*, 12(3), 293–309. <https://www.jstor.org/stable/26695465>
- Simon, H. A. (1996). The Sciences of the Artificial. In *Technology and Culture* (Vol. 11, Issue 1). <https://doi.org/10.2307/3102825>
- Statistisches Bundesamt. (2021). *Statistiken der Kinder- und Jugendhilfe. Kinder und tätige Personen in Tageseinrichtungen und in öffentlich geförderter*. 49(0), 1–85.
- Stockholm Resilience Center. (n.d.). *Planetary Boundaries*. <https://www.stockholmresilience.org/research/planetary-boundaries.html>

- Stoffel, T. (2020). ... *procurement (SRPP) in multi-level regulatory frameworks: Assessment report on policy space for SRPP regulation and implementation in Germany and Kenya*. <https://www.econstor.eu/handle/10419/215855>
- Sun, J., Mooney, H., Wu, W., Tang, H., Tong, Y., Xu, Z., Huang, B., Cheng, Y., Yang, X., Wei, D., Zhang, F., & Liu, J. (2018). Importing food damages domestic environment: Evidence from global soybean trade. *Proceedings of the National Academy of Sciences of the United States of America*, 115(21), 5415–5419. <https://doi.org/10.1073/pnas.1718153115>
- Tepper, P., McLennan, A., Hirt, R., Defranceschi, P., Caimi, V., & Elu, A. (2020). *Making socially responsible public procurement work : 71 good practice cases*. (Issue May). <https://doi.org/10.2826/844552>
- Van Aken, J. E., & Romme, G. (2009). Reinventing the future: Adding design science to the repertoire of organization and management studies. *Organisation Management Journal*, 6(1), 5–12. <https://doi.org/10.1057/omj.2009.1>
- Venable, J. R. (2006). The Role of Theory and Theorising in Design Science Research. *Proceedings of the 1st International Conference on Design Science in Information Systems and Technology (DESRIST 2006)*, 1–18.
- Walton, A. (2010). What is fair trade? *Third World Quarterly*, 31(3), 431–447. <https://doi.org/10.1080/01436597.2010.488474>
- World Fair Trade Organization. (n.d.). *Who we are*. Retrieved 21 January 2022, from <https://wfto.com/who-we-are#definition-of-fair-trade>
- World Fair Trade Organization, Organization, & Fairtrade Labelling Organizations International. (2009). *Eine Grundsatzcharta für den fairen Handel*.
- WWF. (2020). Living Planet Report 2020 - Bending the curve of biodiversity loss. In Wwf.
- Zahn, T., Vogel, S., Röttsch, F., & Knapp, J. (2022). Grenzenlose Ausbeutung: Arbeitsmigrant * innen in den Lieferketten deutscher Supermärkte. In *Oxfam Germany*.

7. Appendices

Journal	Papers in period (2021-2022)	Papers relevant according to title & keywords	Keywords
Sustainable Production and Consumption	539	6	Social sustainability practices, Sustainable supply chain management, Public Purchasing, Supplier assessment
Journal of Purchasing & Supply Management	42	5	Supplier selection, Scoring methods, Sustainable supply chain, Purchasing & Supply Chain Management, Skills & competences, Value
Journal of Public Procurement	20 ⁷	4	Public sector procurement, Sustainability, tendering process
Ecological Economies	423	10	International Trade, Unequal exchange, Labour, Compliance, SDGs, Sustainability
Cleaner Logistics & Supply Management	28	0	
Journal of Cleaner Production	6,189	20 (+)	Public procurement, Sustainable food, food supply chains, Public sector catering, Fair trade, Social criteria

⁷ No publications in 2022 at this point

Keywords	Initial hits	Perimeter ⁸	Search key
Public Procurement	4,370	770	TITLE-ABS-KEY (“public procurement”) AND (LIMIT-TO (OA , "all")) AND (LIMIT-TO (PUBYEAR , 2022) OR LIMIT-TO (PUBYEAR , 2021) OR LIMIT-TO (PUBYEAR , 2020) OR LIMIT-TO (PUBYEAR , 2019) OR LIMIT-TO (PUBYEAR , 2018)) AND (LIMIT-TO (SUBJAREA , "SOCI") OR LIMIT-TO (SUBJAREA , "BUSI") OR LIMIT-TO (SUBJAREA , "ECON"))
Tendering process	2,459	378	TITLE-ABS-KEY (“tendering process”) AND (LIMIT-TO (OA , "all")) AND (LIMIT-TO (PUBYEAR , 2022) OR LIMIT-TO (PUBYEAR , 2021) OR LIMIT-TO (PUBYEAR , 2020) OR LIMIT-TO (PUBYEAR , 2019) OR LIMIT-TO (PUBYEAR , 2018)) AND (LIMIT-TO (SUBJAREA , "SOCI") OR LIMIT-TO (SUBJAREA , "BUSI") OR LIMIT-TO (SUBJAREA , "ECON"))
Tenders AND social criteria OR social clause	202	28	TITLE-ABS-KEY (tenders AND “social criteria” AND “social clause”) AND (LIMIT-TO (OA , "all")) AND (LIMIT-TO (PUBYEAR , 2022) OR LIMIT-TO (PUBYEAR , 2021) OR LIMIT-TO (PUBYEAR , 2020) OR LIMIT-TO (PUBYEAR , 2019) OR LIMIT-TO (PUBYEAR , 2018)) AND (LIMIT-TO (SUBJAREA , "SOCI") OR LIMIT-TO (SUBJAREA , "BUSI") OR LIMIT-TO (SUBJAREA , "ECON"))
Fair trade OR ethical trade	6,528	836	TITLE-ABS-KEY (“fair trade” OR “ethical trade”) AND (LIMIT-TO (OA , "all")) AND (LIMIT-TO (PUBYEAR , 2022) OR LIMIT-TO (PUBYEAR , 2021) OR LIMIT-TO (PUBYEAR , 2020) OR LIMIT-TO (PUBYEAR , 2019) OR LIMIT-TO (PUBYEAR , 2018)) AND (LIMIT-TO (SUBJAREA , "SOCI") OR LIMIT-TO (SUBJAREA , "BUSI") OR LIMIT-TO (SUBJAREA , "ECON"))
Public procurement AND buyer power OR buying power	3,835	226	TITLE-ABS-KEY (“public procurement” AND “buyer power” OR “buying power”) AND (LIMIT-TO (OA , "all")) AND (LIMIT-TO (PUBYEAR , 2022) OR LIMIT-TO (PUBYEAR , 2021) OR LIMIT-TO (PUBYEAR , 2020) OR LIMIT-TO (PUBYEAR , 2019) OR LIMIT-TO (PUBYEAR , 2018)) AND (LIMIT-TO (SUBJAREA , "SOCI") OR LIMIT-TO (

			SUBJAREA , "BUSI") OR LIMIT-TO (SUBJAREA , "ECON"))
Food industry AND human rights	525	76	TITLE-ABS-KEY ("food industry" AND "human rights") AND (LIMIT-TO (OA , "all")) AND (LIMIT-TO (PUBYEAR , 2022) OR LIMIT-TO (PUBYEAR , 2021) OR LIMIT-TO (PUBYEAR , 2020) OR LIMIT-TO (PUBYEAR , 2019) OR LIMIT-TO (PUBYEAR , 2018)) AND (LIMIT-TO (SUBJAREA , "SOCI") OR LIMIT-TO (SUBJAREA , "BUSI") OR LIMIT-TO (SUBJAREA , "ECON"))
Global supply chains AND human rights OR labour law	5,133	866	TITLE-ABS-KEY ("global supply chains" AND "human rights" OR "labour law") AND (LIMIT-TO (OA , "all")) AND (LIMIT-TO (PUBYEAR , 2022) OR LIMIT-TO (PUBYEAR , 2021) OR LIMIT-TO (PUBYEAR , 2020) OR LIMIT-TO (PUBYEAR , 2019) OR LIMIT-TO (PUBYEAR , 2018)) AND (LIMIT-TO (SUBJAREA , "SOCI") OR LIMIT-TO (SUBJAREA , "BUSI") OR LIMIT-TO (SUBJAREA , "ECON"))
socially responsible public procurement OR social sourcing OR ethical trade OR fair trade	2,667	132	TITLE-ABS-KEY ("socially responsible public procurement" OR "social sourcing" OR "ethical trade" OR "fair trade") AND (LIMIT-TO (OA , "all")) AND (LIMIT-TO (PUBYEAR , 2022) OR LIMIT-TO (PUBYEAR , 2021) OR LIMIT-TO (PUBYEAR , 2020) OR LIMIT-TO (PUBYEAR , 2019) OR LIMIT-TO (PUBYEAR , 2018)) AND (LIMIT-TO (SUBJAREA , "SOCI") OR LIMIT-TO (SUBJAREA , "BUSI") OR LIMIT-TO (SUBJAREA , "ECON")) AND (LIMIT-TO (LANGUAGE , "English") OR LIMIT-TO (LANGUAGE , "German"))

⁸ 2018-2022; All open access; Social science, Business Management and Accounting, Economics, Econometrics and Finance; English, German (if applicable)

Appendix 2: Interview Guide & Backup Protocol

Interview guide & backup protocol

Before the interview

Send consent form + information sheet beforehand and ask for permission to record and work with data

Aspects to keep in mind during the interview

Avoid biased formulations and aim for open questions

Do not interrupt thinking processes by commenting or heading to the next question

Aim for a good flow and ask (follow up) questions when useful but not when already been answered through another question

Use (listening) techniques when possible, to deepen the interviewees thoughts through (e.g. Fill in the Blanket-method, asking “why”)

Introduction

Hello xy, thank you very much for meeting with me for an interview today. It is conducted for my master’s project at the University of Twente. Our interview will take approximately 60 minutes. You are free to take breaks, ask questions and decide not to answer questions as well at any time. Also, you are free to stop the interview situation if you do not feel comfortable with it. Moreover, your answers and identity will stay anonymous which shall give you the opportunity to freely think about the topic that we are going to talk about today.

Would you like to comment on that or have a question?

Short introduction about myself

Invitation for the interviewee to introduce him- or herself

Before we start with the question, would you mind if I record the interview? (*Yes/No*)

Introduction to the topic and explaining the research question “*What requirements should German public procurement institutions demand from bidders in their food tenders to encourage fair and ethical trade?*” including clarifying the focus of the research.

Questions

- Could you tell me about the burdens you see when it comes to increasing social requirements in food tenders?
- *Imagine a good example for a socially responsible public food tender: How would it look like and what elements would it cover?*

Follow-up questions depending in the depth of the answers:

- o Could you share your thoughts about what contentwise requirements you perceive to be useful in creating a public tender for food that is socially responsible?
- o *Talking about method-related aspects:* Could you tell me what tools and techniques you perceive to be successful / crucial / have potential for making PP more socially responsible?
- Do you have a good practice example in mind you could tell be about?

In the attempt to develop higher social standards in public food tenders:

- a) Could you tell me what you see as the optimum that can be currently achieved in your opinion?
- b) Could you also share your thoughts about what requirements cannot be asked for from bidders at this moment?
- Wrap up question: What do you think are the top three important things purchasers can do to make their public food tender more socially responsible?

Additional questions if interviewee is quick

Who do you see responsible for a fair and ethical trade of food?

Speaking about Top-Down-Processes: What actions would you like to see from politics?

Specifically talking about sustainable public procurement, what developments do you hope to see in the future?

Closing Situation

Thank you very for answering my questions, that was highly interesting, and I appreciate that you took the time to help me with my thesis.

- Is there anything that has not been covered through my questions that you think deserves attention and you want to share your thoughts about?
- Do you have any additional sources or contacts in mind I should check out for answering my thesis 'question?

I hope you enjoyed our interview. The results of the research will be available after my graduation via the University of Twente Thesis Repository. Have a nice day and again, thank you for your time!

Appendix 3: Interview Consent Form

Einverständniserklärung zur Erhebung und Verarbeitung von Interviewdaten

Teilnahme an der Studie

- Ich habe die Studieninformation vom [xx.xx.xxxx] gelesen und verstanden, oder sie wurde mir vorgelesen.
- Ich hatte die Möglichkeit, Fragen zur Studie zu stellen, und meine Fragen wurden zu meiner Zufriedenheit beantwortet.
- Ich erkläre mich freiwillig bereit, an dieser Studie teilzunehmen, und verstehe, dass ich sowohl die Beantwortung von Fragen verweigern als auch jederzeit von der Studie zurücktreten kann, ohne dafür Gründe angeben zu müssen
- Mir ist bekannt, dass die Teilnahme an der Studie eine Audio-/Videoaufzeichnung des Interviews beinhaltet, die für die Zeit der Auswertung gespeichert wird. Neben der Audio-/Videoaufzeichnung werden schriftliche Notizen gemacht. Die Aufzeichnung wird in Textform transkribiert und nach der Auswertung vernichtet.

Mit der Teilnahme an der Studie verbundene Risiken

- Es besteht kein unmittelbares Risiko für die befragte Person, an der Studie teilzunehmen. Alle Daten werden vertraulich behandelt.

Verwendung der Informationen in der Studie

- Mir ist bekannt, dass die von mir gemachten Angaben zur Beantwortung der Forschungsfrage in der Masterarbeit des Interviewers verwendet werden und diese auf der Website der Universität veröffentlicht wird.
- Ich bin damit einverstanden, dass meine Angaben anonymisiert in Forschungsergebnissen zitiert werden können

Einverständnis

Unter diesen Bedingungen erkläre ich mich dazu bereit, das Interview zu geben und bin damit einverstanden, dass es aufgezeichnet, verschriftlicht, anonymisiert und ausgewertet wird.

Name Teilnehmer:in

Unterschrift

Datum

Kontaktinformation für weitere Informationen zur Studie:

Alina Topp, a.topp@student.utwente.nl

Kontaktinformationen für Fragen zu Ihren Rechten als Forschungsteilnehmer:in

Wenn Sie Fragen zu Ihren Rechten als Studienteilnehmer:in haben, Informationen einholen, Fragen stellen oder Bedenken zu dieser Studie mit einer anderen Person als der Forscherin besprechen möchten, wenden Sie sich bitte an das Sekretariat der Ethikkommission der Fakultät für Verhaltens-, Management- und Sozialwissenschaften der Universität Twente unter ethicscommittee-bms@utwente.nl.

Studieninformationen für Teilnehmende an Interviews

Masterarbeit | University of Twente

Einleitung

Mein Name ist Alina Topp und ich möchte Sie einladen, an einem Interview für mein Forschungsprojekt *Purchasing More Than Just Food* teilzunehmen. Gemeinsam mit Ihnen möchte ich gerne eine Antwort auf die folgende Frage finden: *What requirements should German public procurement institutions require of bidders in their food tenders to encourage fair and ethical trade?*

Zweck der Untersuchung

Ziel ist es, gemeinsam mit Branchenexpert:innen wie Ihnen, die sozial verantwortliche öffentliche Beschaffung von Lebensmitteln voranzutreiben, indem vorteilhafte Anforderungen in der Vergabe beleuchtet werden. Akteur:innen sollen so mehr praktische Anleitungen und Indikatoren dazu geboten werden, wie eine sozialere Beschaffung gelingen kann und was zum jetzigen Stand möglich ist.

Art der Forschungsintervention

Die Untersuchung wird auf der Grundlage von Interviews durchgeführt und konzentriert sich auf Potenziale der sozial verantwortlichen öffentlichen Beschaffung von Lebensmitteln in Deutschland.

Auswahl der Teilnehmenden

Sie wurden als Teilnehmer:in für diese Untersuchung ausgewählt, da Ihre Expertise in einer der folgenden Bereiche als besonders wertvoll für die Beantwortung der Forschungsfrage erachtet wird: a) sozial verantwortliche öffentliche Beschaffung, b) Lebensmittelbranche oder c) Kombination aus a und b.

Freiwilligkeit der Teilnahme

Sie können frei entscheiden, ob Sie an dieser Untersuchung teilnehmen möchten und Sie das Interview jederzeit abbrechen. Fragen können außerdem übersprungen werden, wenn Sie sich nicht dazu äußern möchten.

Verfahren

Je nachdem zu welchem Zeitpunkt der Studie Sie interviewt werden, erfolgt das Gespräch in unstrukturierter oder semi-strukturierter Form. Nachdem Sie Ihr Einverständnis gegeben haben, wird das Interview durchgeführt und aufgezeichnet. Anschließend wird die Aufzeichnung transkribiert. Die Aufzeichnung wird daraufhin vernichtet und das Transkript in der digitalen Universitätsumgebung gespeichert.

Dauer

Für die Interviews wird eine Dauer von maximal 60 Minuten angesetzt.

Risiken

Möglicherweise werden Sie gebeten, sich zu sensiblen Themen und institutionellen Praktiken zu äußern, aber Ihre Daten werden vertraulich behandelt und, wenn nicht anders abgesprochen, anonymisiert.

Vorteile

Mit den Ergebnissen dieser Studie erhalten Sie möglicherweise neue Ansatzpunkte dazu, welche Möglichkeiten aktuell bestehen, um die Vergabe in der öffentlichen Beschaffung sozialer auszurichten.

Studienergebnisse

Die Ergebnisse des Projekts werden nach Abschluss in der Datenbank der Universität Twente gespeichert und sind öffentlich einsehbar. Auf Wunsch werden Sie gerne informiert, sobald die Informationen zur Verfügung stehen.

Vertraulichkeit

Ihre persönlichen Daten werden vertraulich behandelt. Sofern nicht anders gewünscht, wird Ihr Name beziehungsweise der Name Ihrer Institution in der Studie und der Veröffentlichung anonymisiert.

Ablehnungs-/ Rücktrittsrecht

Ihre Teilnahme ist vollkommen freiwillig und Sie haben jederzeit das Recht, die Teilnahme zu widerrufen.

Kontakt

Alina Topp, a.topp@student.utwente.nl

Appendix 5: Coding Scheme

Main-Theme	Sub-Theme	Codes	
attributes of global food trade	exploitation in supply chains	little bargaining power for farmers	
		discrimination against women	
		land conflicts	
	current market conditions	environmental destruction	
		over-globalisation	
		more supply than demand of fair products	
		eco market developed faster than fair market	
		current price developments	
	relevance of PP increases	lack of proof for food from global north & east	
		market power and role model function	
burdens for SRPP of food	people	procurer	
		level of commitment	
		unfavourable preconceptions	
		lack of backing	
		missing framework of action	
		society	
		low level of awareness for PP	
		limited willingness/possibility to pay	
		handling costs	true costs not depicted
			high price weighting in PP
	limited budget		
	distribution of additional costs		
	verification possibilities	PP has lack capacity for examinations	
		missing link between proof and product	
		food does not yet exist with application	
		need for justification in PP	
	political and legal frame	certification costly for small farms	
		ambiguities in public procurement law	
		level of consideration of the purchasing policy	
		missing legal and political guidelines	
lack of backing for procurers			
unclear how to ideally integrate LKG in tenders			
NRW tariff compliance and procurement act			
disagreement whether useful			
unreliable self-evidence requested			
assignment of responsibility	decrease of offers		
	requirements not linked to market		
	procuring entity		
	awarding authority		

		individual procurers municipality consumers politics legislator
	Lack of availability of certain container sizes	chicken egg problem for supply and demand
	market availability	basis for exclusion of bidders certain combinations not deliverable
	limited time frame	...
requirements to encourage SRPP for food	content-related requirements in tenders	suitable products
		concentrate on big impact products preference of regional products based on good practice successes clear definitions ambitious social criteria ILO CC+ X fair trade criteria fair + eco strategic integration priorisation of minimum criteria dual strategy minimum and award criteria award criteria as incentive graduated transition importance of price embedding claims linked to supply side tied to market research tied to bidder dialogue
	method-related requirements in tenders	using solid verifications 4 valued labels certificates relatively easy self-declarations often not reliable control via delivery notes product-specific approach consideration of justification function Additional attention on supply chain management
threshold for reaching higher social standards in public food tenders	current limits	practical unfeasibility protection of land rights approach of international solidarity farming

		<ul style="list-style-type: none"> food trade exclusively fair tender independently of budget and cost increases voluntary measures instead of regulations perfect tender for food
	ideas for the currently possible optimum	<ul style="list-style-type: none"> higher exploitation of fair trade products offered market can offer more fairly certified products than purchased very large range of fairly certified products concerns about supply bottlenecks unfounded adaption of purchasing strategy claim to use every tender for SRPP priorisation of SRPP intelligent design of dishes competition for fair traders given
enabler of higher social standards in PP food tenders	possible levers	<ul style="list-style-type: none"> cooperation and engagement making use of counselling services establishing contact to pioneers political engagement of society stronger cooperation with politics bundling active contract management growing interest in sustainability issues testing legal potentials <ul style="list-style-type: none"> new supply chain law (LKG) putting market under pressure (legally uncertain?) catering needs in all-day schools
	future potentials	<ul style="list-style-type: none"> understanding of supply chain beginning SRPP for social participation international solidarity farming

Appendix 6: Guide

GUIDE

Suggestions for raising social requirements in public food tenders

A. Why you should read this paper:

When you are a public procurer looking for guidance to create more socially responsible food tenders, you are in the right place. The information below shall help you find the appropriate requirements you should demand from bidders.

You will get some ideas about

- ✓ how to find the proper content requirements for your tender,
 - ✓ what you should think of when demanding proofs
 - ✓ and that sanction mechanisms for non-compliance are essential.
- Moreover, you get
- ✓ an overview of helpful resources
 - ✓ and some ideas for public procurement's potentially future directions.

Background:

The suggestions are based on a literature review and on interviews with German experts from the area of socially responsible public procurement and fair trade. While creating this guidance, also current conditions in the food trade and public procurement were considered so that the notes fit today's situation.

Socially responsible public procurement and corresponding measures are understood as a second-best option in a world in which the favourable solution – (food) trade exclusively under fair, ethical, and overall sustainable conditions – is far away from the current achievable.

B. Design the right content of your tender

When designing a food tender with high social standards, you need to be aware of a few relevant components for finding appropriate content-related requirements.

Speaking of **products** that can be demanded with high(er) social standards itself, the following list shall give you an overview of foods that should be considered:

- Shown to be available: **rice, tropical fruits (bananas, pineapples, mangos), coffee, tea, cocoa, lemonade, cane sugar**
- (also check out fairtrade options for quinoa, beans, and lentils)

You should further concentrate on products with **severe human rights violations problems** in their supply chains and choose those products in the range that have **a big impact** (example: rice vs. spices). You might also consider choosing **regional alternatives**, as this is often in the interest of greater sustainability.

Accessible good practice examples can deliver more clues about what products could be transferred to a fair trade origin.

Then it is important to **formulate ambitious social criteria**. Just demanding bidders to comply with the ILO Core Conventions is clearly stated as not sufficient as the market offers more than products just complying with the social minimum. In Public Procurement, we should aim for '**ILO + X**', meaning that certain requirements should go beyond the ILO Core Conventions, depending on the product.

Among this, social requirements should arguably be **embedded into the broader sustainability context** instead of thought of alone. Linking social requirements to environmental ones is valuable, inter alia, by demanding a **fair and organic** origin of the product at once.

Another obvious sounding but crucial need in tenders: Use **unequivocal definitions!** It must be clear what the bidder is expected to deliver. Especially as terms like 'fair' are not legally protected, requirements have to be defined so that a certain quality can be granted. An advanced but not perfect foundation offer the definition of fair trade criteria by the EU Commission.

In terms of the strategic design of the tender, go for the **gradual conversion of products**, from conventional to fair, while then demanding a high social standard for the prioritised product(s). The approach of converting one product completely to fair step-by-step was also preferred as it is less complex than working with (percentage) quantities or other.

Predominantly, you should cover social requirements via **selection criteria where possible**. Thereby, it can be granted that a certain social standard is given and that no company with comparably low social standards will be awarded. A **dual strategy of selection criteria and award criteria** might be your choice whereas the second can be designed as a stimulus for the market to provide an incentive to companies going the extra mile.

Important: Although a low percentage for social/sustainability requirements when working with award criteria is needless, the weighting of social standards is not so much about the percentage, but it depends on the **assessment method**, especially what **ratio of social concerns vs. price consideration** results from it. A way you bypass the enormous effect price weighting normally has is by **taking fixed prices into account**. Otherwise, you should make sure that points for social/sustainable requirements have an effect that weights (20 – 40 % for sustainable aspects *in relation* to the price weighting was mentioned as an anchor. This is, however, not verified by the study at hand).

Lastly, it is highly suggested that you align the requirements in the tender to its environment and especially to the supply side. If it is not known, whether a certain product is available in the desired quality, a **market research** should be conducted to make sure that there are bidders that can deliver the products. Experts stress how **bidder dialogues** should be used to gain knowledge about what is doable and how the communication is extremely valuable for avoiding unrealistic tender requirements.

C. ...and now a suitable evidence of supplier's performance

When you have an idea about what you want to cover with your tender, how do you make sure that you actually get it?

Although certificates have their weaknesses, it seems to be one of the tools most suitable for the conditions in public procurement. Here, however, it is important that you refer to solid certificates with a high standard. The following four labels are considered to be suggestable for public food tenders: **Naturland Fair, Fairtrade from the organisation fairtrade international, Fair for Life and Símbolo de Pequeños Productores (SPP)**.

Thinking one step further than the initial verification, a topic that deserves more attention is the **management of the supply chain** and how it is designed and developed in order to achieve higher social responsibility goals. Although no standard solution for incorporating supply chain management is known so far, examples like the textile tender in Karlsruhe (see link below) can exemplarily show you how this can be done.

What verification is appropriate is further **product-dependent**. Distinguishing between product groups for which there are existing detection options and those for which there are is key.

In contrast, **avoid unreliable self-declarations**.

D. Do not forget about the sanction!

Besides precise requirements in terms of content and verification, it is **crucial to have a form of sanction option** in your contract in case the awarded bidder does not comply with the agreements. Although this component was not specifically the topic of the investigation done here, the importance shall be acknowledged, as it showed that the success of appropriate content- and verification-related requirements depend on the way you in the public procurement authority handle non-compliance.

E. Where to start?

You, as a public procurer, are not alone in the attempt to encourage higher social standards in tenders. There is a variety of contacts you can call for counseling services. Some good practice examples of socially responsible public procurement are also accessible, inviting you to build up connection to those pioneer municipalities. The list below shall give you a brief, incomplete overview of useful contacts, examples and some further valuable resources.

Advisory Contacts

Christliche Initiative Romero e.V.: <https://www.ci-romero.de/>

WEED - Weltwirtschaft, Ökologie & Entwicklung e.V.: <https://www.weed-online.org/>

SÜDWIND e.V.: <https://www.suedwind-institut.de/startseite.html>

FEMNET e.V.: <https://femnet.de/>

SKEW - Servicestelle Kommunen in der Einen Welt: <https://skew.engagement-global.de/>

Kompetenzstellen für nachhaltige Beschaffung: https://www.nachhaltige-beschaffung.info/DE/Home/home_node.html

Ressourcenwunder: <https://www.ressourcenwunder.de>

Good Practice Tenders

Berlin Friedrichshain-Kreuzberg – Schulmittagessen: <https://www.kompass-nachhaltigkeit.de/kommunaler-kompass/berlin/lebensmittel/schulmahlzeiten#c177424>

Regensburg - Nachhaltige Mittagsverpflegung mit Musterunterlagen: <https://www.kompass-nachhaltigkeit.de/kommunaler-kompass/bayern/lebensmittel/zubereitete-mahlzeiten-und-catering#c1152950>

Solingen - Rahmenvertrag für Pulverkaffee: <https://www.kompass-nachhaltigkeit.de/kommunaler-kompass/nordrhein-westfalen/lebensmittel/kaffee#c157666>

Oldenburg i.O. - Dienstleistungsvertrag für die Schulverpflegung: <https://www.kompass-nachhaltigkeit.de/kommunaler-kompass/niedersachsen/lebensmittel/schulmahlzeiten#c1129890>

Karlsruhe - Persönliche Schutzausrüstung und Arbeitskleidung mit Eignungskriterien: <https://www.kompass-nachhaltigkeit.de/kommunaler-kompass/baden-wuerttemberg/bekleidung-textilien/arbeitsbekleidung#c18882>

Additional Sources

Kompass Nachhaltigkeit: <https://www.kompass-nachhaltigkeit.de/>

Forum fairer Handel: <https://www.forum-fairer-handel.de/>

Label Checker: <https://www.ci-romero.de/labelchecker/>

F. Think bigger!

This is not only about how special tenders should be designed but also to think about what PP could possibly stand for in the future. For this purpose, we need to understand procurement as a piece of the puzzle of global trade.

Here are a few impulses to help you with this:

- What do you think of when you think of the beginning of a pineapple supply chain? Probably the plantation where the pineapple is grown and not the land on which the plantation is located, which

has been part of the cultural heritage of an indigenous tribe for generations. We need to understand that supply chains start before plantation, degradation, and production processes.

- Maybe you know the approach of solidarity farming already, but have you considered solidarity farming in an international frame? Your municipality might have partner locations that have the potential for long-term relationships.
- Social participation: With Public Procurement, we have access to all people, independently of their background. In this way, fair food also reaches people who originally do not have the resources to access this quality themselves. You might want to use that argument for your next discussion about whether or not higher sustainability standards are justifiable.

Please beware that the ideas presented here are simplifications and are intended to serve as suggestions. There is no guarantee that measures will work or be the best course of action in an individual case.