mySociety

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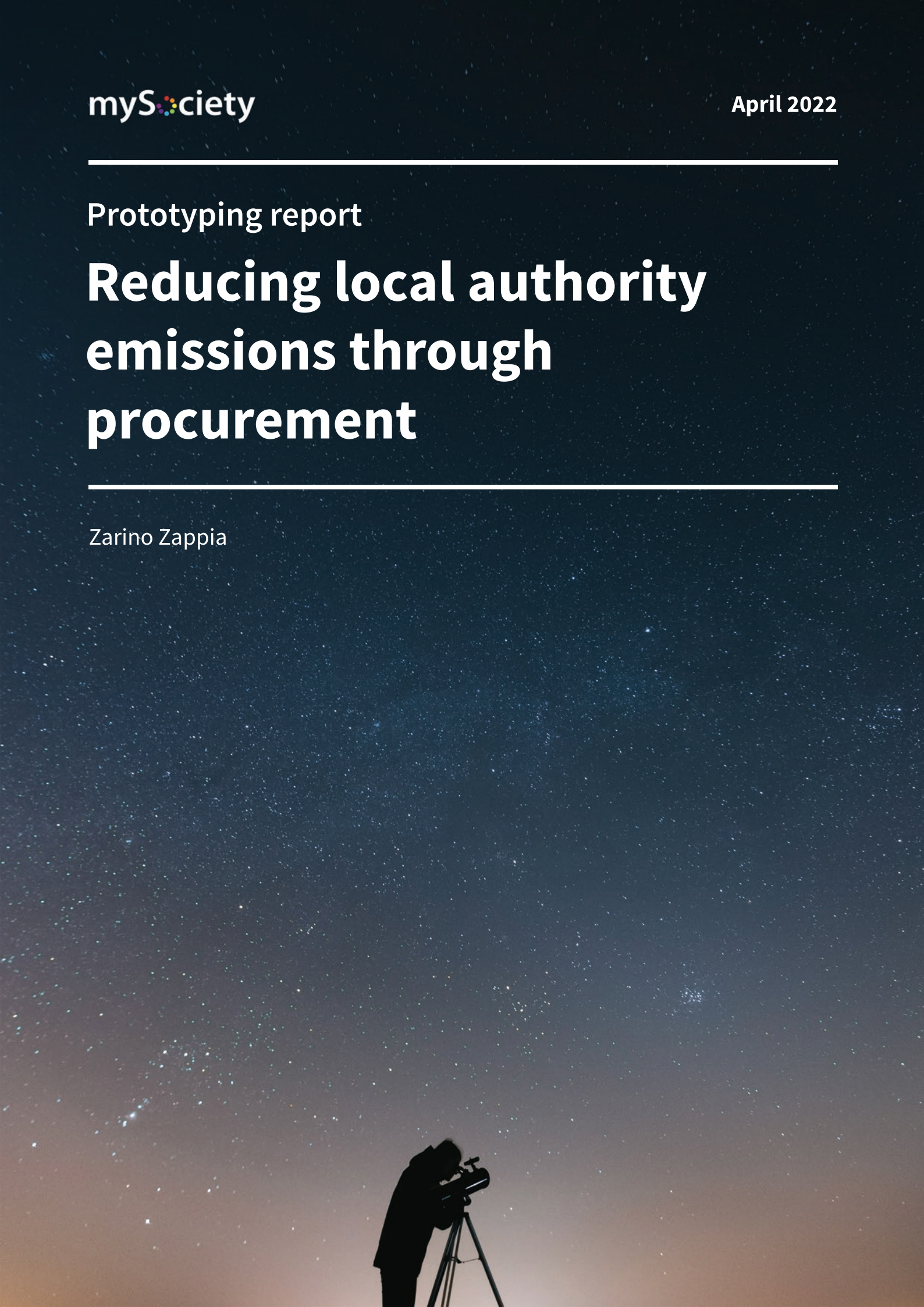
Prototyping report

Reducing local authority emissions through procurement

Zarino Zappia



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Summary

This is a report on the first of a series of "prototyping weeks" run by mySociety in 2022. The central question for the week was:

How might digital services enable councils to reduce emissions through procurement?

According to an LGA survey in 2020, a majority of councils were not measuring their own procurement emissions, but intended to. The intersection of procurement and climate is a space many local authorities think they could do better in, and it's also the subject of current policy thinking at a national level (for example in the recent Cabinet Office paper and consultation on public procurement, and Scottish government consultation on the role of public sector bodies in tackling climate change). Procurement is exciting as an area in which local authorities can influence business emissions, in addition to addressing their own and their area's emissions.

We brought together a selection of local government actors, technologists, climate campaigners, and procurement data specialists, to identify the challenges and opportunities in this space. Areas for further investigation included enabling scrutiny of local authority contracts and tenders, improving the volume and quality of contracting data, and leveraging existing power dynamics within councils to enact faster change.

Enabling better scrutiny of current and upcoming contracts gained the most support, so we prototyped a "Contract Countdown" service that brings together open contracting data, emissions estimates, email alerts, and case studies, to give journalists and local climate campaign groups the ability to scrutinise the climate credentials of local authority contracts, and the plans for integrating climate and social value considerations into future re-procurements.

Testing the prototype with a sample of relevant users confirmed that this could be a valuable service for giving local campaign groups advance notice to look into local authority contracts, potentially building a larger campaign around tenders of particular interest to the community. It was also suggested that council officers themselves might find the service useful – for example, a climate officer wanting to keep an eye on the carbon impact of upcoming procurements inside their own council, or wanting to be notified about potential collaborations with nearby councils.

Finally, we put together some guiding principles and questions to be answered by anyone who takes this project further, including the need to better understand the size and motivations of the potential audience, and how we could partner with other organisations to spread awareness of the service.

About the prototyping weeks

mySociety is the charity behind UK civic services like TheyWorkForYou, WriteToThem, and WhatDoTheyKnow. We build open, digital solutions to help repower democracy, in the UK and around the world.

Our climate programme has the goal of reducing the ~30% of UK carbon emissions that are either directly controlled or influenced by local government. We are doing this by deploying data and digital services to support a faster, fairer, more collaborative response to climate, enabled by local democratic institutions and processes.

We believe that digital services have a role to play via:

- More public participation to drive political action
- Local government learning, action and innovation
- A better information ecosystem around local democratic climate action

We're exploring ideas for new digital services, and actively looking to identify opportunities to work with and in support of other organisations. One way we're doing this is through prototyping weeks – where we work with others to research, explore, prototype and test ideas.

Themes for each prototyping week are chosen in advance, and participants for the week are invited from our own network, as well as relevant industry / public sector networks.

The theme for the prototyping week at the subject of this report was **reducing local authority emissions through better procurement**. What follows is a summary of what we did and found during that prototyping week.

Background: Procurement and climate

UK100's Power Shift report (2021) noted that:

> *"Procurement represents a strong lever that local authorities can use to drive down or lock-out emissions from a wide range of areas and support the growth and innovation in their supply chains."*

Procurement is the process of finding and agreeing to terms, and acquiring goods, services, or works from an external source, usually via a tendering or competitive bidding process. Given the focus of mySociety's climate programme, we're particularly interested in how local authorities' procurement processes can work to operationalise and reinforce their climate commitments.

There are a number of actors in this space, including:

- Local authorities, and the suppliers they're buying from.
- Local government bodies, such as the LGA, Local Partnerships, UK100, the WLGA, and the Improvement Service in Scotland, as well as more climate-related bodies like Climate Northern Ireland.
- National government agencies such as the Crown Commercial Service, Innovate UK, the Catapult network, the Strategic Investment Board in Northern Ireland, and the Future Generations Commissioner for Wales.
- Supplier bodies, such as the Federation of Small Businesses.
- Bodies interested in sustainable procurement, such as Supply Change, and CLES the National Organisation for Local Economies.
- Bodies interested in social value, such as Social Value UK, and the Social Value Portal.
- Research groups, such as the Government Outcomes Lab at the University of Oxford.
- Technology and data standards organisations, such as Open Contracting Partnership.

Legislation also plays an important role in the standards of procurement followed by local authorities in the UK—from the Local Government Acts of 1997 and 1999 which define local authorities' powers to enter into contracts and their requirement to find 'best value' in procurement, to the Public Services (Social Value) Act 2012 which requires local authorities to consider wider social, economic and environmental impacts during procurement—as well as in the devolved regions, for example, through the Well-being of Future Generations Act 2015 in Wales, and executive policy PPN 01/21 in Northern Ireland, both of which embed social value within the local authority procurement process.

The UK's withdrawal from the EU has provided a political opportunity for changes in how public procurement is performed. The UK Government, for example, published a green paper in 2020 on Transforming Public Procurement, which includes the proposal that a principle of 'public good' should be enshrined into procurement law, requiring a balance of economic, social, ethical, environmental interests. On the other hand, prominent government ministers have gone on the

record to say that Brexit offers the opportunity for a focus on “value for money” at the expense of social value (The Telegraph, February 2022).

At a more local level, local authorities around the UK have been experimenting with innovative approaches to procurement as a solution to continued financial austerity and tightened budgets – from co-designing £2.4m of public transport in the Outer Hebrides in 2014, to the expansion of the “Preston Model” of community wealth building by local authorities including Birmingham, Salford, Southampton, and Bristol since 2016.

Alongside legislative and behavioural changes at public authorities, we’ve seen a steady increase in technological solutions to transparency and accountability in procurement. Since its launch in 2015, the Open Contracting Data Standard (OCDS), developed by the Open Contracting Partnership, World Bank, and Word Wide Web Foundation, has spawned an active ecosystem of complementary tools and extensions, and has been adopted as the standard public procurement reporting format in countries including Canada, Mexico, Ukraine, and the UK. Standards like ODCS and BODS (the Beneficial Ownership Data Standard) are enabling commercial and third sector organisations alike to monitor and improve the fairness of public procurement – and some organisations, such as Spend Network, have begun combining these data sources with emissions estimates to understand the impact of government contracts on climate change.

Meanwhile, there is a growing ecosystem of online platforms and tools that enable local authorities to involve their citizens in the procurement process – from public consultation platforms like Citizen Space and Your Priorities, and participatory budgeting tools like CONSUL and Decidim, to tools that enable local authorities to manage successful citizens assemblies on important decisions such as public spending.

Problems and solutions

We were joined by participants from organisations in procurement, local government, and data standards, for the week's opening prototyping workshop, aimed at uncovering the challenges and opportunities around local authority procurement and climate goals.

Successes

We used a Lightning Decision Jam format to first uncover successes and challenges. Successes included:

- Examples of local authorities incentivising more procurement from local providers (eg: Preston model, community wealth building).
- Regional devolution as an opportunity for local authorities in, eg, Wales and Scotland, to try new approaches to procurement.
- Changes within the private sector, incentivising greener operations by default (albeit with a danger of "greenwashing").
- Increased visibility of local authority climate targets and approaches (eg: via CAPE and Climate Emergency UK's Scorecards project).
- Inspiration and precedents set by forward thinking authorities and organisations outside the UK (eg: case studies from CityMart in the USA, OpenContracting in South America and Europe).

Challenges

Challenges experienced by participants included:

- Power imbalances inside of local authorities (eg: between the procurement, finance, and front-line services) and between local authorities and large suppliers.
- Limited ability for 'ordinary citizens' to influence purchasing decisions.
- A lack of competition amongst local authority suppliers, resulting in less innovation.
- A lack of support for smaller, local suppliers, who are less optimised around tendering for local authority contracts.
- Large, complex contracts make it hard to unbundle services that could be provided more sustainably by local suppliers.
- A tendency to optimise for carbon savings, at the expense of other social value indicators.
- A lack of supply chain transparency, making it hard to measure or even understand the climate or social value impacts of a tender – and a tendency to strip all useful contract information from the public domain via exemptions like FOI Section 43.
- Daunting scale of change required, and danger that officers get misled by greenwashing, or get sidetracked on single issues (eg: waste collection/disposal) ignoring the bigger picture.

- A lack of data across the board, despite the existence of standards like OCDS, resulting in a further lack of transparency and a reliance on estimates when it comes to reporting.

Themes

Challenges were then sorted into affinity groups, and investigated through the generation of "How Might We" statements on four overall themes. Through consideration of the "How Might We"s, rapid-fire "Crazy Eights" ideation, and open discussion, a number of potential ideas for prototyping emerged, which we have listed below, under each theme:

Scrutiny of contracts and tenders

How might we **get advance notice of contracts** coming up for renewal (18 months ahead), so that we can leverage council for more sustainable alternatives? How might we **enable cross-checking** of contracts with climate policy? How might we open up the procurement system to **non-specialist evaluation**? And how might we **incentivise citizen journalism** on contracting?

Ideas for testing included:

- "Contract Countdown" – display local authority contracts with their climate impacts, and time left until renewal. Push viewers to take the next step of asking council what their plans are for replacing the contract with something more climate-friendly.
- Email alerts to civil society on contract renewals.
- Twitter bot that tags procurement exercises – encourages people to join a citizen panel?
- Public register of the most polluting contracts and tenders that people need to lobby on.
- Map climate impacts of contracts to electoral wards, to leverage councillor pressure around election time.
- A "how to ask your councillor about procurement emissions" guide.
- Provide a way for climate officers / procurement officers to flag when things GO RIGHT – things they're proud of.
- Microsoft Clippy but for WhatDoTheyKnow, to help people ask councils / suppliers about carbon emissions.

> "There's no need to wait for contract renewal. Given the right information, we can work with our prime contractors on improving the situation right now."
>
> *— Council procurement expert*

> "How might we cover climate procurement contract authoring as if it were a premiership-level sport?"
>
> — *Workshop participant*

Better contracting data

How might we get local authorities to follow a **minimum quality / format** for contracting data? How might we make emissions data / contract data **more findable**? And how might we **enable people to enrich the existing data** to tell their own stories?

Ideas for testing included:

- Write a contract term that makes it a condition of winning a contract that the supplier must publish their emissions / performance data, and convince local authorities to include the term in their contracts.
- Make a simple, open source mechanism for reporting CO2 in line with the Government's Procurement Policy Note 06/21.
- Provide free, value-added procurement analytics tools that only work if your data is good enough.
- Develop a simple, easy to use extension of the Open Contracting Data Standard that records lifetime carbon emissions for a contract.

> "Can we make FixMyStreet tell people when their pothole was fixed carbon-free?"
>
> — *Workshop participant*

Leveraging power dynamics

How might we **level the playing field** for a green, diverse procurement system? How might we **shift more power to local authority officers** to make effective action on emissions? How might we help local authorities build internal capacity to **differentiate between high and low performing climate contracts**? Or how might we **send long-term, stable demand signals** to councils, eg: from communities considering setting up community energy solutions?

Ideas for testing included:

- Name and shame ‘too-large’ contracts – try to push balance towards higher quantity of lower budget contracts, to enable greater piecemeal development.
- Learn more about, and publish case studies of, companies that are owned by and procure on behalf of clusters of councils – big opportunity for change.
- Push a standard for contract requirements that are pegged to company size and contract size – to incentivise smaller contracts and smaller suppliers.
- Awards for officers / authorities, recognising excellence in using procurement to reduce emissions. (“Local authorities love an awards dinner.”)

> “A procurement officer told me: ‘I’ll buy anything you want me to buy, you just have to tell me what you want.’ There’s no point in exhorting the procurement professional, it’s the person who has the business need that matters. Reach them.”
>
> *— Workshop participant*

Procurement in the community

How might we take a **deliberative approach** to climate-friendly procurement? How might we **surface relevant procurement to citizens** who are engaging with council services/plans from a particular angle, eg: looking at their council’s Climate Plan? Or how might we **balance the climate imperative with ‘common sense’ social goods**, like a thriving ecosystem of local SMEs?

Ideas for testing included:

- ‘Bluffers guide to assessing contracts for climate friendliness.’
- Use citizens panels to validate the idea that residents believe climate weighting should be in procurement (they may not!)
- Generate summary statistics / visualisations that allow sense-making by journalists.
- Run unofficial citizen panels that review what was said in a contract versus what was delivered.

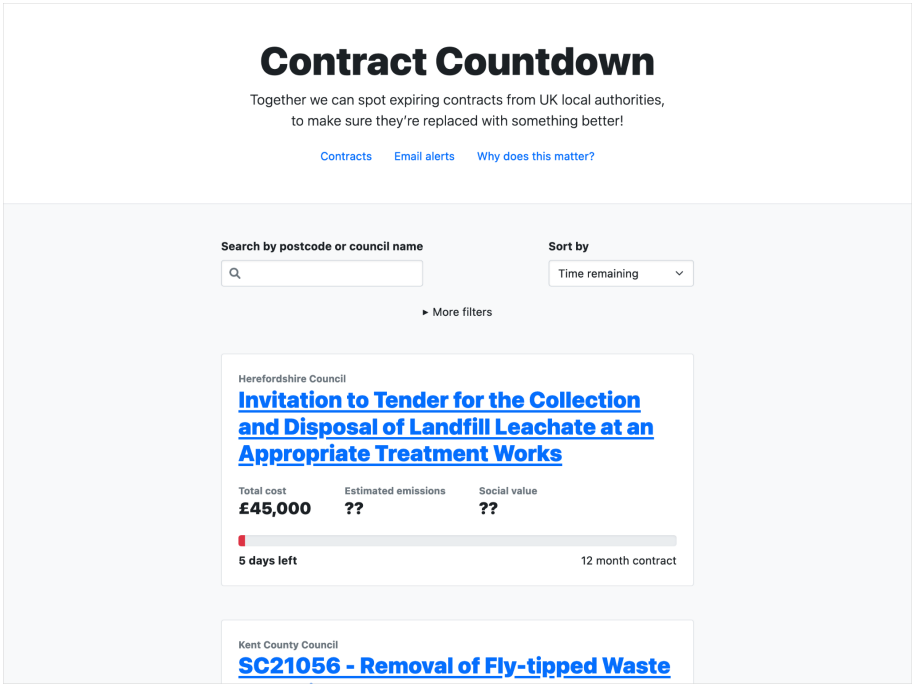
Prototype: Contract Countdown

We chose to prototype a solution around the scrutiny of current and expiring contracts, and upcoming tenders. We hoped a prototype would help us answer the following questions raised in the workshop:

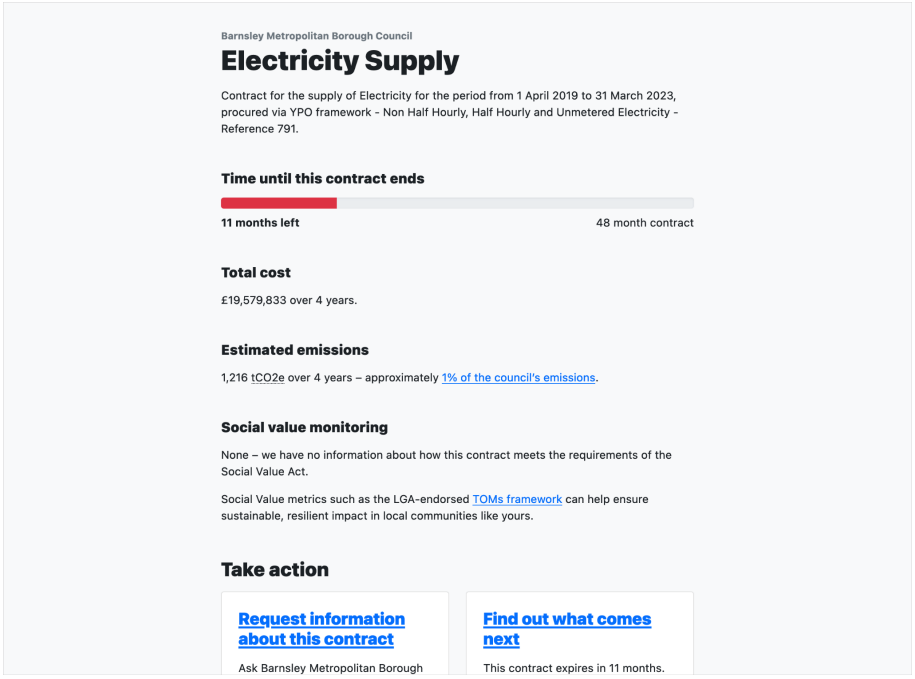
1. Who would find this sort of tool useful? Would anyone find it *indispensable?*
2. Could we get hold of the contracts data to build a service like this?
3. Could we get hold of emissions data, to show an estimated carbon footprint for the contracts?
4. Would it be useful to include the social value of contracts, alongside their carbon footprint? (Even if data on social value is currently very hard to find.)
5. What timescales do users care about? Does the notice required before renewal differ based on the attributes (eg: size, cost, length) of the contract?
6. Are email alerts a more convenient way to keep up to date on upcoming contract renewals? If so, how often should we email, and what should the emails contain?
7. What calls to action should we display, for users to take next?
8. Is this an opportunity to share case studies of how other councils have successfully innovated around contracts of the given type? If so, how should we select relevant case studies?

We quickly storyboarded and built a point-and-click prototype that would help us explore these questions, available at https://mysociety.github.io/contract-countdown.

The prototype was built in Jekyll, using an export of real contract data from UK Contracts Finder. It's open source, and anyone is welcome to pick it up and work on it. The source code is available here: https://github.com/mysociety/contract-countdown.



Above: Contract Countdown homepage, featuring search by location or postcode, and list of expiring contracts from all UK councils, sorted with the soonest expiring at the top.



Above: An individual contract page, showing details of the contract, time left until expiry, financial cost, estimated emissions, social value, and potential next actions for the viewer to take.

Prototype feedback

We tested the prototype with eight target users:

- Two climate officers at two different English local authorities
- A climate change officer at Climate Northern Ireland
- Two open data / contracting data specialists
- A procurement specialist
- An outreach officer at a Welsh climate change charity
- An ex-journalist, now director at an environmental charity

This is by no means a representative sample of users, and future rounds of testing would benefit from the inclusion of more participants from a campaigning background, in particular local, grassroots campaign organisations.

Still, these users' feedback helped us answer our prototype's questions:

Who is it for?

When we workshopped this idea, the two initial target users were local news media / journalists (looking for a steady feed of climate/finance-related stories about the local authority) and local climate activist groups (looking for a way into climate discussions with the local authority).

A couple of our testers confirmed a tool like this **would likely be useful for local action groups**. Keeping track of local authority procurement would typically be something beyond their current abilities, so anything that could automatically filter contracts and present them to the group at the most opportune moments, would be valuable.

One potential use-case that emerged from testing was that of **council officers themselves**. One climate officer said: "if a neighbouring council was procuring solar panels or EV infrastructure it would be useful to know, because maybe we could collaborate", and another said that, while it might not be useful to see *everything* a nearby/similar council was procuring, there might still be inspirational solutions in there, which would be worth surfacing, with the right filters/controls.

> "I think it's the beginnings of a clever nudge. Flagging imminent renewals to activists, to engage with the council on taking a more environmental approach."
>
> — *Contracting data specialist*

Can we get contract data?

The prototype featured real contract data from UK Contracts Finder, made available by the government in OCDS standard format. Contracts Finder *should* include all contracts from local and national government agencies in the UK, over £10,000.

We filtered the dataset to just buyers with "council" in their name, and contracts in a handful of example CPV classifications (eg: 09* Fuel, 905* Refuse and Waste). Most importantly, the Contracts Finder data included:

- Information about the buyer (the local authority)
- Information about the selected supplier (although we didn't use this in the prototype)
- Contract title, description, and CPV classification (type)
- Contract start date, initial end date, and extensions
- Contract price

Should we continue to develop this prototype into a fully-featured service, it would **certainly be possible to routinely import live contract data** from the Contracts Finder OCDS API.

Can we get emissions estimates?

The emissions estimates in the prototype were hard-coded. But they clearly sparked excitement in a number of our testers. This is data that isn't routinely available, and provides another angle through which to prioritise tenders of different scales and types.

We know that Spend Network have worked on a dataset of fairly clean, consistent **category analysis and emissions estimates for UK government tenders**, and in our Show & Tell they confirmed they would be happy to partner with interested organisations to make the most of this data.

> "I love the idea of adding a time element to Spend Network's carbon data estimates."
>
> — *Procurement specialist*

Should we include the social value of contracts?

Social value considerations in procurement came up a number of times in the workshop stage, so we were keen to trial it in the prototype. The response was mixed.

One tester noted that **tracking the social impact of projects is tricky** – suppliers might commit to certain social value goals, but council capacity can make it challenging to monitor. Social value requirements might also not feature in the contract itself, further hampering monitoring.

One tester suggested that the best time to put pressure on local authorities around social value goals would be **at the time the contract is signed** and suppliers are working out how to deliver it (perhaps providing an opening for the local authority, or a third party, to offer advice on how the supplier could best structure their work, to benefit the local community). Another tester, however, felt that social value goals should be baked into suppliers' proposals from the start, and so influencing local authorities' social value requirements, before a tender goes out, would be the most effective point to intervene.

At our closing Show & Tell, one attendee was sceptical of the benefit of even including social value in the service, given the **lack of consistent data on social value delivery**, and the complexities around what social value could look like in different situations and locations.

However, it was clear that many public authorities *are* required to include social clauses in their requirements/contracts, and **many are required to report annually on wellbeing goals** – for example, local authorities in Wales, as a result of the Well-being of Future Generations Act 2015. If data could be gathered on social value goals in the devolved regions, this *could* potentially be included in a service like the Contract Countdown, to highlight the lack of consistent *national* reporting on wellbeing and social value as part of the procurement process.

Timescales

The prototype displayed a list of contracts, sorted with the soonest to expire at the top, in an attempt to stimulate discussion over which timescales and sorting options would be useful.

While some testers gave hard deadlines on when input on a contract was most useful (eg: "probably the last 20% of the contract lifetime" or "the last 3 months"), others noted that, for some large contracts, preparations for renewal might start on day one.

One tester noted that there are multiple potential touchpoints at which observers could exert pressure on (re-)procurement decisions:

- **Before the tender:** Writing to the local authority to say what you expect should be included in tender documents.
- **When the tender goes up:** Asking the local authority for access, to check it includes the right commitments.
- **When the tender is awarded:** Requesting the contract, or details about the contract (potentially via FOI) to check it includes commitments and relevant monitoring.
- **For big projects, throughout the lifetime of delivery:** Conversing with the relevant portfolio holder at the local authority, on the progress of the project and its delivery of its climate or social value commitments.

There is potential that a tool like Contract Countdown could assist at each of these touchpoints – highlighting contracts that are nearing the final stages of their delivery (and are therefore likely to be re-tendered), highlighting new tenders that have been published, and highlighting newly signed contracts.

Sorting contracts by **percentage completion**, rather than absolute time remaining, is one immediate improvement that could be made. As would "digest" email alerts, featuring a summary of contracts at various upcoming touchpoints.

It was noted that **contracts often include one or more opportunities for extension**, and this data *is* often communicated in the OCDS data, so any future service would need to consider how potential extensions are communicated to users.

> "If there are five days left, it's too late. You'd need at least 3 months to intervene, maybe more. I tried to intervene too late on the replacement of an oil boiler in a council-operated building, but couldn't stop it in time, and missed the opportunity to replace it with something better, like a biomass source, or heat pump."
>
> — *Council climate officer*

Email alerts

Testers were enthusiastic about the potential for email alerts, but the main challenge will be **ensuring the alerts are relevant** to the intended user – alerting them *only* about contracts they care about, and at the most relevant times.

One tester noted that, as a council officer, if a neighbouring/similar council were intending to procure a large investment—such as solar panels or EV infrastructure—then email alerts could be useful way to **flag up potential collaboration**, if it's not too late to get involved.

Another said they could imagine the email alerts being used by suppliers, to keep track of which councils were procuring what sorts of services, and which opportunities might be opening up. This could be especially useful to smaller, local suppliers, who **might not have subscriptions to expensive, commercial contract notification services**.

Two testers felt that email notifications would be an attractive proposition for local climate action groups, to receive a regular reminder of their local authority's procurement activity, and to give **advance notice of campaigns they might want to run**.

And, as mentioned above, a "digest" structure, with a summary of contracts at various stages in their lifecycle, would likely provide the most relevant results for users.

Calls to action

The prototype presented two calls to action for users viewing a contract page:

1. Be guided through the process of requesting information about the contract, from the local authority, via FOI.
2. Contact your local councillor or your local authority's cabinet member for climate, to discuss the local authority's plans for re-tendering / renewing the contract.

Testers agreed that **councillors were a good first step** for conversation, as internal enquiries from an elected member often carry more weight amongst council officers. Even though your local councillor likely won't know about re-procurement plans unless they're a relevant portfolio holder or cabinet member, if they don't know, they should know *who* to ask on your behalf.

While OCDS does provide a field for contract documents to be included in releases, the reality is that local authority contracts are very rarely published, due to commercial confidentiality concerns. Testers noted that this **will likely make uncovering those contracts via FOI a challenge** – although mySociety *does* have relevant experience in helping WhatDoTheyKnow users to overturn FOI refusals. Challenging a refusal can also introduce **significant time delays**—sometimes upwards of 6 months, if the issue is referred to the Information Commissioner—so users would need to factor this potential delay into their timescales, to avoid missing the opportunity to uncover a contract before it expires.

One attendee at our closing Show & Tell suggested that maybe a tool like this could encourage particularly motivated locals to **"adopt" a contract**, becoming the person ("sherpa" was the term used!) who gathers information about the contract details and renewal plans, helping others use the data, and even collecting or selecting relevant case studies.

By encouraging individuals to take on the responsibility for a single contract, the otherwise impossible task of maintaining up-to-date information about potentially thousands of contracts each year, is more feasibly shared between activists across the local area. Thought would need to be put, however, into how to incentivise this behaviour from individual contributors.

> "It's not just about contract details. The FOI could include details like whether the supplier has a public commitment to source 100% sustainable palm oil, or what steps they are taking to protect indigenous rights. If you don't ask, you don't get!"
>
> *— Climate change outreach officer*

Case studies

The prototype included the suggestion of two case studies at the bottom of the contract page. We were interested in knowing what sorts of case studies would be valuable to users, and how we could collect them.

One tester saw the value in case studies as a way to **surface alternate options to simple re-procurement**, such as the participatory exercises some local authorities have done to solicit ideas before going back to tender.

Another wondered whether relevant case studies could perhaps help local residents and campaign groups to present nicely packaged **examples of best practice**, to their elected representatives, as part of the process of communicating the importance of climate and social value considerations during procurement.

We found there were a few sources of potential case studies, such as those from CityMart and Open Contracting Partnership. With some more outreach to potential partners and users, we expect enough case studies could be gathered, on different procurement categories and different scales of project, to provide fairly relevant suggestions for further reading on most contracts.

> "Case studies would be a dream for local councils. If we got onto this page, and saw that another council had procured something differently, we'd want to learn more."
>
> *— Council climate officer*

Next steps

We'll be continuing to test and iterate the Contract Countdown prototype over 2022, alongside the outputs of our other prototyping weeks, to explore whether any of these starting points might evolve into a useful contribution to the challenge of reducing local authority emissions in the UK.

As part of this research, we're particularly interested in answering the following questions:

- **How wide is the audience for this service?** – What is the right balance between the size of the audience, and the impact those audience members might have on local authority emissions? Is it worth building a tool for multiple audiences, or should we focus on a single one?
- **Who does the service benefit, and who does it harm?** – Might the service bring about unintended consequences? How can we mitigate against unfairness or abuse?
- **How would the intended audience discover it?** – Are there existing workflows or behaviours we can tap into? Or partners / networks that can encourage use of the service?
- **Who would we need to partner with, to make the service a success?** – For example, for data/development expertise, content like case studies, or cross-promotion.
- **Could it become self-sustaining?** – Is there a viable, long-term business model for the service? Or will it always be dependent on grant funding?

In addition to the findings outlined above, in this report, we're also conscious of the following recommendations given by our participants so far:

- **The importance of bringing suppliers with you** – as one workshop participant put it, "everybody wants to blame suppliers – but it's very rarely their fault." How could a service like this work *with* suppliers, to align incentives and encourage lower emissions across the board?
- **Legislative differences across the devolved nations of the UK** – some things that may not be possible in one nation might be possible in others. How can you leverage this, to bring the nations up to a common level?

If you'd like to help us answer these questions, or you're interested in adopting the work we've done so far, and taking it in your own direction, please get in touch!

Otherwise, if you're interested in updates on this project and many others from our Climate programme, subscribe to our newsletter.