

## **GSS23415 Prior Information Notice – Pubs Code Adjudicator communications programme**

UK Shared Business Services Ltd (UK SBS) on behalf of Pubs Code Adjudicator (PCA), are looking to engage with the market to identify suppliers that would be able to strengthen its strategic communications capacity and expertise to meet its objectives outlined in its 3-year strategy. [3-year strategy](#)

This Early Engagement Notice is being issued in order to undertake a market consultation exercise with regard to the current view of requirements contained within this notice. If you believe that this will be of interest to you and/or your organisation, please register your interest, confirming if you are able to offer the services outlined in this notice by sending an email to [coreservices@uksbs.co.uk](mailto:coreservices@uksbs.co.uk) ensuring that the subject heading includes the following: GSS23415 - Early Engagement.

By providing your information you will be engaging in non-competitive dialogue which will enable the PCA to develop and assess the market's appetite, concerns, and views on formulation of its requirements both for the short term and potential longer term. The PCA may consider the information and responses received as part of the preliminary market consultation to help inform future appointments.

The forecasted spend for the services as outlined below is estimated at £50,000 excluding VAT per annum.

### **The Requirement**

#### **Mandatory constraints/ services needed**

Mandatory priority on contract award

- Development of PCA's brand identity in conjunction with new PCA website (website development services are being procured separately)

#### **Services to be available with deliverables to be agreed:**

- Social media communications and content strategy to increase engagement across the PCA's channels
- Identification of case studies and advocates to tell engaging stories about the use of their Pubs Code rights and the regulated relationship between pub companies and tied tenants
- Event organisation/management, and identification of opportunities for event attendance and speaker slots
- Identification of opportunities for strategic partnership working with stakeholders (including regulated pub companies) to promote the Pubs Code and PCA's work
- Support with hosting webinars, virtual conferences etc
- Press release writing/distribution and identification of opportunities for articles, opinion pieces etc
- Research and insights into PCA communications and industry perceptions to support strategic planning
- Visual content creation to engage a hard-to-reach audience
- Support for communications campaigns
- Press office support
- Media training

#### **Constraints that may preclude agencies from accepting this brief**

If currently undertaking work for one or more of the regulated pub companies (or anticipated to be within the next 12 months). These are: Stonegate, Admiral Taverns, Star Pubs & Bars, Punch Pubs, Greene King, Marston's.

### **Budget**

Estimated budget £50,000 excluding VAT

### **Timescales**

Anticipated contract length 12 months

### **Outcome goals**

To increase:

- Awareness of and familiarity with the Pubs Code amongst tied tenants (to be monitored through the PCA's annual tied tenant survey)
- Trust in the PCA to regulate independently of UK government and the regulated pub companies (to be monitored through the PCA's annual tied tenant survey)
- Awareness of the Pubs Code Adjudicator's work across the wider industry
- Awareness of how pub companies are complying with the Pubs Code and best practice
- Tied tenant engagement to enable the PCA to understand their experiences and needs
- Tied tenant use of (and confidence to exercise) their Pubs Code rights

### **Business/ brand/ channel objectives**

- Build trust and confidence in the PCA as an independent, knowledgeable, clear, and effective regulator
- Increase social media engagement/reach and website usage, particularly amongst tied tenants and industry professionals
- Provide accessible information for tied tenants in an engaging and relatable way, such as through bitesize information, videos, stories, and journey maps
- Use the tied tenant voice to raise awareness of Pubs Code rights and increase confidence in using those rights

### **Policy objective**

To ensure effective compliance with the Pubs Code and build tied tenant confidence to use their rights by promoting the Pubs Code and Pubs Code Adjudicator's work through strategic communications, branding, events, engagement, and media handling.

### **About our organisation**

The Pubs Code Adjudicator (PCA) is the independent regulator responsible for enforcing the statutory [Pubs Code](#) (the Code). The Code regulates the relationship between all pub companies (referred to as pub-owning businesses in the Code) owning 500 or more tied pubs in England and Wales and their tied tenants. Tied tenants are those that are obliged to purchase some or all the alcohol from their landlord. They may be tied for other products and services too.

The pub companies currently covered by the Code are:

- Admiral Taverns
- Greene King
- Marston's
- Punch Pubs
- Star Pubs & Bars
- Stonegate

The Code has two over-arching principles – to ensure:

1. fair and lawful dealing by pub companies in relation to their tied tenants
2. that individual tied tenants should not be worse off than they would be if they were free of the tie (the ‘no worse off’ principle).

The Code imposes (among others) information and transparency obligations on the pub companies. An important element of the Code is the introduction of the option for tied tenants in certain circumstances to request a [Market Rent Only \(or MRO\) option to go ‘free of tie’](#).

The PCA has published a series of factsheets on the Code on its website which can be accessed [here](#).

The PCA is an arm’s length body sponsored by the Department for Business & Trade.

### **Outline of the policy context**

After the government deemed that self-regulation had not made sufficient progress, and with a perceived imbalance of power, the statutory Pubs Code was introduced in 2016 to regulate the relationship between large pub companies owning 500 or more tied pubs in England and Wales and their tied tenants. The Code includes dispute resolution and enforcement by an independent Adjudicator.

The Pubs Code includes (amongst other rights) an important right to break the tie at certain points in the tenancy, called the Market Rent Only (MRO) option. Tenants can also use the MRO option to compare a free of tie deal to their tied offer at rent review, even if they have no intention of going free of tie. This is an important way in which they can check they are no worse off as a tied tenant than being free of tie. However, in the 2023 tied tenant survey, six years on from when the Code was introduced, 36% of respondents were unfamiliar with this right to MRO.

### **Data, research and useful links**

In 2020/21 the PCA commissioned independent research into Pubs Code communications with the aim of discovering:

- The awareness of the PCA among tied tenants
- The views of tied tenants who have not previously engaged in research
- How the PCA can provide a better understanding of what the Code can do for tied tenants
- What tied tenants want to know and how
- What are the most effective ways to interact with tied tenants
- What are the barriers to tied tenants engaging with the PCA

The [report](#) was issued in March 2021 detailing the findings and recommendations from the discovery user research exercise undertaken by Hive IT.

The PCA conducts an annual tied tenant survey through research company, Ipsos (except for 2020 and 2021 where the surveys were not carried out due to the pandemic). The results of the tied tenant survey for 2023 are available on the PCA’s website [here](#).

Relevant findings from the 2023 survey, in which 1200 tied tenants of the regulated pub-owning businesses were interviewed are:

84% have ever read, seen or heard anything in relation to Pubs Code  
 78% are aware of the Pubs Code  
 54% are aware of the PCA  
 57% trust the PCA to regulate the pubs industry independently of the pub companies  
 56% trust the PCA to regulate the pubs industry independently of the UK government  
 75% have not visited the PCA website in the past 12 months

#### Previous communications activity

The PCA has attended industry trade shows, such as Northern Restaurant & Bar (March 2022 and 2023) and the Pub22 Show (March 2022). The PCA also held its own event for the first time in an historic pub in Manchester in March 2022 to coincide with the Northern Restaurant & Bar show. In June 2023, the PCA held a roundtable event in a Central London pub to launch the results of its annual tenant survey and was joined by pub companies, trade bodies and media. Attendance at other industry events includes those run by the British Institute of Innkeeping and the Society of Independent Brewers.

The PCA writes a monthly column for the Morning Advertiser and has participated in their [Lock-in podcast](#) in June 2022 talking about the ongoing impact of the Pubs Code.

The PCA has four social media channels (and is open to considering others):

Twitter: 946 followers  
 Facebook: 174 followers  
 LinkedIn: 77 followers  
 YouTube: 7 subscribers (limited posting)

#### Audiences (insight)

Audience data

Circa 8,000 tied tenants across six regulated pub companies

Current audience insight

Tied tenants are busy people running businesses that are open outside office hours and as such they can be a hard-to-reach audience. Most tied tenants operate a single pub (88% of respondents in the last tied tenant survey).

Demographics from our last survey show 7 in 10 respondents were 45 years or older, 61% were male and 95% were of white ethnicity. 1 in 10 reported having a disability or long term illness.

#### Customer journey

The PCA offers an enquiry service, which can be accessed by a call back request, email, or enquiry form on the website. The PCA also has a statutory arbitration service, which is managed by the Chartered Institute of Arbitrators on the PCA's behalf. In most cases, the PCA appoints external arbitrators to allow the PCA to focus on its regulatory functions.

#### Stakeholders and influencers

- Tenant representatives and campaigners such as the British Institute of Innkeeping (including their accredited advisor panel); UK Hospitality; Licensees Association; Campaign for Pubs; British Pub Confederation; Pubs Advisory Service.
- Regulated pub companies and their trade body, the British Beer and Pub Association.
- Industry media and commentators such as the Morning Advertiser, Propel, Big Hospitality.
- Professional bodies and other professionals such as Chartered Institute of Arbitrators and the Pubs Code panel of arbitrators (appointed by the PCA); Royal Institution of Chartered Surveyors; tied tenant and pub company representatives such as surveyors, lawyers, accountants and business consultants.

- Department for Business & Trade as the PCA's sponsorship department.

### **Think/ feel/ do**

The PCA aims to increase tied tenant knowledge of the Pubs Code and confidence in using their rights. This involves translating legal language into plain English and delivering information in an accessible manner for a lay audience. We aim to increase awareness amongst tied tenants of their Code rights and show how those rights have been used by tied tenants to encourage others to do so. We want to build trust with tied tenants in the PCA as a regulator, including to regulate independently of government and the pub companies.

### **Strategy**

### **Existing strategy**

The PCA published its [3-year strategy](#) in August 2022, setting out its short, medium and long term priorities.

### **Known sensitivities**

The PCA is a small team of circa 10 staff, internal capacity is therefore sensitive to change. Funding of the PCA is through a levy on pub-owning businesses which is set annually and subject to approval by the Secretary of State.

### **Branding arrangements**

The PCA has an exemption to develop a new website independently of gov.uk, which hosts its existing website. <https://www.gov.uk/government/organisations/pubs-code-adjudicator>

Conflicts of interest/ reputational constraints – To disclose if currently working for one or more of the regulated pub companies or anticipated to be in the next 12 months.

### **Agency requirement (implementation)**

- a) Requirements - To be available to start supporting the PCA immediately following contract award
- b) Role of the agency - Consultancy / support
- c) Key achievement milestones - Branding to be developed in conjunction with website development (timetable to be agreed)