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Public Procurement in the cultural sector: the need for innovation and place-based challenges

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Executive summary

The cultural sector is dominated by SMEs and freelancers who rely on short-term, publicly commissioned projects, meaning many lack the resources, personnel, and expertise to navigate complex procurement processes, while local authorities often struggle to understand the unique value cultural organisations provide.

Furthermore, the investment in cultural infrastructure is outdated, with heavy dependence on local authority spending and arts funding bodies like Arts Council England (ACE). SMEs in the sector are increasingly looking to diversify income streams by exploring commissions in adjacent fields such as education and public health. The cultural sector is deeply connected to local identity and heritage, meaning that one-size-fits-all solutions won't work. Locally tailored, place-based strategies are essential to ensure that innovation in procurement and commissioning supports sustainable growth in the sector.

This research brief examines procurement in the cultural sector in Birmingham and examines the barrier to innovation within the sector.

Birmingham presents a unique challenge since the city's cultural sector urgently needs transformation as the Birmingham City Council (BCC) has withdrawn all public investment due to Section 114 constraints.

Both cultural organisations and local authorities must innovate, but there is risk aversion on both sides—caused by funding instability and bureaucratic rigidity—which poses a challenge. A shift in business models is needed within the cultural sector, and innovation in procurement can help stimulate this transformation. Creating mechanisms for better engagement between cultural organisations and local authorities can facilitate participation in the commissioning process and unlock new opportunities.

Cultural organisations are naturally agile and innovative, but their potential is often underutilised in public procurement. Strengthening links between cultural institutions, procurement teams, and commissioning bodies could enable a flow of innovative practices into the public sector.

Introduction

The aim of this brief is to offer some discussion on the role of public procurement in the cultural sector, and the barriers and opportunities to innovation within that process. To that end, it utilises the context of the cultural sector in a major UK city, Birmingham, to highlight some of the key challenges, both specific to the city and more widely to the cultural sector. Additionally, it explores what opportunities exist to offer both innovations in the process of public procurement and mechanisms to facilitate the procurement of more innovative products.

Procurement involves acquiring goods, services, or works from providers and overseeing them through a contract. While a commissioning strategy may lead to procurement, it can also result in policy changes or information campaigns. There are multiple ways to achieve desired outcomes. A key element of the commissioning process - but not to be used interchangeably with 'commissioning' (LGA, 2012) - public procurement is a key element of the cultural sector's business models, including acquiring or commissioning artwork for public spaces and facilities, hosting design competitions for municipal buildings, and organising or promoting events like arts fairs (Wahba and Chun, 2021).

The cultural sector is of particular interest in the context of procurement. Defined 'as those industries with a cultural object at the centre of the industry' (DCMS, 2016; Arts Council England, 2020), including; built heritage, libraries, literature, museums and galleries, performing arts, public broadcasting, and the visual arts, the cultural sector overlaps with, and is a subset of, the wider Cultural and Creative Industries (CCIs), which broadens to

include TV, Film production and Games. For the purposes of clarity, this paper concerns itself with organisations that operate within those areas listed above, and hereafter will be referred to as 'the cultural sector.'

Commissioning serves as the primary funding source for most organisations in the cultural sector. Those that successfully secure contracts, typically won one or two per year, and the majority of organisations rely heavily on winning contracts for arts-specific projects (Bagwell, Bull, Joy and Svistak, 2014).

To that end, this article considers the following. It offers some discussion on the nature of innovation, both as a product and process and how that relates to the cultural sector. It highlights the barriers and challenges that organisations in the cultural sector face in their attempts to secure public contracts. Finally, it looks to some solutions and ways to encourage innovative process, and where policy might offer levers to facilitate such change. To begin, we shall consider the characteristics of the cultural sector in more detail.

2. The cultural sector in the UK

Nationally, the UK cultural sector nationally is a specific case, encompassing a wide range of organisational sizes, some (e.g. orchestras, national ballets, museums) big enough to act as commissioners of contracts themselves, but proliferated by many SMEs whose predominant source of income is through public money, especially large national funders like Arts Council England and Local Authority spending, and face additional barriers in securing public contracts (Burger, 2020; Davies and Lyons, 2025). The wide range of organisations within the cultural sector has a couple of implications. Firstly, such breadth allows organisations of different sizes to potentially act as both suppliers and commissioners, creating the value chains themselves. Larger organisations like orchestras and ballets may enter into temporary contracts with SMEs within the same sector as suppliers. Additionally, the small scale of many organisations, their limited resources, lack of track record and experience in bidding for public sector contracts can limit their opportunities when interacting with larger commissioning frameworks and events, as evidenced during the 2012 Olympic Games in London (Calvo, 2014).

Organisations in the cultural sector have the potential to address complex challenges, yet they often do not align easily with traditional commissioning frameworks (Bagwell, Bull, Joy and Svistak, 2014). This issue is compounded by a broader context of sustained underinvestment in arts and culture, alongside external shocks such as rapid inflation, and the residual impact of the COVID-19 pandemic, which have left funding for these organisations lagging behind (Davies & Lyons, 2025). Even those experiencing an

increase in visitor numbers struggle to expand, as survival and resilience take precedence over growth and development.

Local governments can support the creative economy through public procurement of goods, works and services produced by the cultural sector in support of public initiatives. Wahba and Chun (2021) argue that this function is equally applicable in both centralised and decentralised systems. With so much of cultural work based on temporary and short-term contracts, social capital and relationship building are key (El Bizri et al., 2023; Long, McDonald and Vaudreuil, 2012). In the context of public procurement, in particular, this also provides further strains on the limited capacities of SMEs within the sector, who do not possess the personnel and knowledge to effectively navigate the commissioning landscape effectively (Davies and Lyons, 2025). This is particularly an issue when the local governments are facing acute financial pressures.

Within this wider context, we present the example of Birmingham, with a City Council under Section 114 since September 2023, and which, as of 2025, has removed all funding for arts and culture within the city. Set against the growing wider interest in place-based policymaking (McCann, 2023), and the highly embedded nature of local culture based on heritage and identity (Lee, 2014), it seems salient to consider how these two elements can be reconciled. Wahba and Chun (2021) explored the key roles local governments can create an enabling environment for cultural and creative industries, providing support through their core functions, including public procurement, service delivery, regulation of public and private spaces, and the facilitation of enterprise support and incentives.

However, the case of the City of Birmingham's cultural sector poses a question; what is the course of action when the Local Authority is unable to carry out these tasks? The vast majority of cultural activity is reliant on public money, both from Local Authority funding and Arts Council England (Davies and Lyons, 2025). It would seem reasonable to argue that a considerable reimagining of the way local and regional sectors interact with their governance structures in the UK is required, looking for innovations in the processes through contracts and commissioning are conducted, as well as mechanisms that can facilitate the procurement of innovation itself, through a sector that is inherently innovative and creative (Potts and Cunningham, 2008).

The following section outlines some of the barriers faced by the cultural sector when looking to secure commissions, and public procurement contracts. It considers the nature of risk aversion, both on the parts of suppliers and commissioners, the temporary and short-term business models the majority of the cultural sector operate within, and the failings in organisational culture, as well as the wider funding landscape for culture, with an historic focus on economic rather than social indicators of value, and an extended period of underinvestment in culture.

3. How can innovation in procurement for cultural sector address these challenges?

The UK Government adopts the OECD's widely used definition of innovation, as:

“a new or improved product or process (or combination thereof) that differs significantly from the unit's previous products or processes and that has been made available to potential users

(product) or brought into use by the unit (process)” (OECD/Eurostat, 2018, 20).

This definition highlights the link between innovation as both an activity and its outcome. One often leads to the other, with new products driving incremental and eventually radical process innovations (Bruner, 2016). There has, of course, been prior discussion of the need for innovation within the sphere of public procurement (LGA, 2017), both in terms of the innovative nature of the products and services that are procured (the procurement of innovation), as well as the need for a shift and reconsideration of some of the processes of public procurement, for both commissioning bodies and suppliers (the need for procurement in innovation).

Generally, innovation drives organisational growth in both financial and operational capacity. Firms with high innovation activity grow faster, with young companies that survive early years doing so by outperforming rivals through innovation (Mason et al., 2009). Innovation also benefits competitors by spreading knowledge and technology (Griliches, 1992) and fostering job creation and new businesses (Kirchhoff, 1992; Wennekers & Thurik, 1999). Strong innovation correlates with economic growth (Hasan & Tucci, 2010), something that the cultural sector is in severe need of (Davies and Lyons, 2025).

The size and composition of cultural sector organisations vary widely: some are big enough to operate as commissioners and R&D hubs themselves, whereas the majority are either SMEs, micro-businesses or individual freelancers, lacking the capacity and knowledge to bid on public contracts.

Public procurement has traditionally adhered to a complex legal framework designed to uphold equity, transparency, and cross-border mobility. Compared to economic operators, public contracting authorities have less flexibility, but greater responsibility in organising and executing procurement processes (Tavares, 2019). Within this context, it would be salient to suggest that, in the case of public procurement in the cultural sector specifically, there is a need for a concentration on innovating the processes surrounding procurement practice in the first instance.

This argument is based on three primary justifications. Firstly, most cultural sector organisations are small, and won't have the capacity to innovate or procure innovative products immediately. There is concern about mismatching scales, and that large-scale frameworks limit innovation resulting in supplier complacency, supporting the view that rewarding suppliers for volume not excellence can stagnate market innovation (Caldwell et al., 2005; Walker et al., 2013; Meehan et al., 2016). Public sector commissioning isn't suitable for all and may force compromises (Bagwell, Bull, Joy and Svistak, 2014). Secondly, cultural sector organisations are facing a need for a shift in their business models, seeking diversified funding streams and new audience profiles as traditional funding structures for arts and culture stagnate or disappear, as in the case of Birmingham (Davies and Lyons, 2025). In that context, a need to be able to communicate with these new parts of the ecosystem is essential, and to better communicate the various forms of cultural value (both economic, cultural and social) that such organisations provide. The traditional public procurement framework and infrastructure is rigid, and limits creative autonomy and ability to innovate within the contracts that it awards.

Finally, there is inherent creativity and ingenuity in the cultural sector (Potts and Cunningham, 2008), as such it is a sector of the economy that is practiced in resilience and agility. The argument here is that an overhaul of traditional and inflexible restrictions in local government public procurement, as well as a better appreciation of locally specific, place-based challenges, will facilitate greater engagement with cultural sector for relevant contracts, both for projects with an overtly arts and culture remit, and those linked to wider, statutory agendas like well-being, education and public health. The following sections explore these arguments in further detail.

4. Challenges

The notion of risk aversion is something that is prevalent on both sides of the relationship between the cultural sector and local authorities, and the source of a great deal of previous discussion (LGA, 2017). The cultural sector, particularly SMEs and freelancers, are averse to risk as a result of short-term funding cycles, and a prolonged period of under-investment that results in such organisations operating in a perpetual state of 'boom or bust', unable to plant the foundations of longer-term strategies and reticent to take risks (Lee and Nott, 2021; Davies and Lyons, 2025). Conversely, there is a considerable resistance to change (LGA, 2017), a reliance on mainstream models and conservative interpretations of EU laws to avoid legal challenges (Bagwell, Bull, Joy and Svistak, 2014) amongst commissioners that impact the public procurement landscape more generally. In such a context, innovation is understandably scarce.

However, the cultural sector – and wider CCIs by extension – are inherently innovative (Potts and Cunningham, 2008), and significantly more likely to introduce organisational innovations (Gkypali and Roper, 2018), which suggests the constraining factor on the part of the organisations is that of the funding structure.

How can you engender and sustain innovative practice where neither side is incentivised to do it? On the part of the organisations, there is a necessity to offer some longer-term stability in the funding landscape and allow the ability to innovate without the risk, on the part of commissioners, there is a need to relax some of the regulatory restrictions, and recognise the existing flexibility within the rules (Bagwell, Bull, Joy and Svistak, 2014), and offer some fluidity in the commissioning process with regards to culture, to allow the natural creativity inherent in the sector to thrive. This shift is ultimately largely a bit dependent on a shift in organisational culture within local authorities (Tavares, 2019). While strong 'top down' leadership is needed to overcome risk aversion, reject the comfort of existing solutions and embrace innovative opportunities (LGA, 2017), commissioning contracts involving cultural sector organisations can also utilise bottom-up approaches to tap into grass roots creativity and artistic ingenuity.

However, on the side of organisations, there remains a lack of knowledge, business acumen and capacity to interact with complex tendering processes required for bidding for public contracts (Burger, 2020; Davies and Lyons, 2025). Many cultural sector organisations may not be of a size or scale that can meet the requirements of complex tendering processes, and as a result, these bureaucratic commissioning processes could

exclude organisations offering useful approaches (Bagwell, Bull, Joy and Svistak, 2014). There are two further considerations here. Firstly, in spite of this, the vast majority of contracts for UK cultural sector are for public money (Greer, 2021; di Novo and Easton, 2023) either through Local Authorities (LAs) or Arts Council England (ACE), suggesting that improving this relationship and communication between LAs and the cultural sector would be a considerable step in alleviating some of the pressures on the current funding landscape more generally. Secondly, in the case of Birmingham, where the City Council has currently suspended all cultural investment due to the financial constraints of Section 114, the cultural sector in the city, particularly SMEs, are looking to diversify their income stream via bidding for projects that contribute to statutory agendas, including public health, well-being and education (Davies and Lyons, 2025).

In such a climate, simplifying the bidding process for SMEs in procurement contracts, along with providing targeted support and guidance, is essential. It is also crucial to recognise the barriers to public procurement, as many small creative businesses struggle to secure contracts due to high fixed costs. Additionally, the requirement for an extensive track record limits innovative approaches, favouring established players and hindering the emergence of fresh ideas (Burger, 2020).

Traditionally, general commissioning processes have tended to focus on money and staff, procurement and performance management in individual services (LGA, 2012). Despite the Social Value Act, cost-effectiveness remains a major focus in decision-making (Bagwell, Bull, Joy and Svistak, 2014).

More generally, cultural policy in the UK has prioritised economic considerations (Scott, 2004; Lee, Champion and Kelly, 2022; Davies, 2024) over the wider forms of social value, to which the activities of cultural sector make great contributions. DCMS's Cultural Heritage Capital Framework (Saggar, Philips and Haque, 2021) offers a more nuanced way to understand cultural contributions economically, and the Centre for Cultural Value has guidance on methodologies to better quantify those more intangible social value metrics (Neelands and Garcia, 2023). A greater understanding of this social value, and an incorporation of such considerations into the commissioning process may open up the possibilities to understand how cultural activity can contribute to wider – statutory – agendas, demystify the contribution of cultural activity to commissioners and allow cultural change within local authorities to more effectively be the catalyst for innovative practices in public procurement (LGA, 2017). With that in mind, the following section outlines some factors that could contribute to making this shift.

5. Ways forward

In this broader context, culture plays a vital role in all aspects of public life, extending beyond the economic contributions of theatres, museums, and live performances to include initiatives such as local arts forums that support public health and wellbeing, as well as Music Hubs that offer education services. The majority of the spillover effects from cultural investment remain within the local economy (Davies and Lyons, 2025). Public investment is crucial in fostering the conditions necessary for innovation, which in turn strengthens both the UK's economic health and its global standing (Cauldwell-French and Lydford, 2019). The cultural sector

is currently at a pivotal moment of transformation in its business models, driven not only by economic factors such as rapid inflation, but also by shifting demographics and evolving consumption and production patterns. Local governments play a key role in stimulating demand for creative industries through public procurement—whether by organising local competitions and events, commissioning public art, or offering targeted support to promote the transmission of intangible cultural heritage (Hunka et al., 2023).

With public cultural commissioning becoming increasingly limited, larger organisations are reducing their commissioning of smaller ones, while smaller organisations are seeking alternative funding beyond traditional arts streams by aligning more closely with statutory agendas such as public health and education. Historically, local governments have played a crucial role in delivering public investment and procurement programs, particularly during economic downturns, as these interventions help creatives navigate periods of low or unpredictable demand while retaining their talent (Hunka et al., 2023). It's where it can help the most, but with the cultural sector so heavily reliant on public funding, as evidenced in the case of Birmingham, the removal of public funding for culture is devastating (Lyons and Davies, 2025). As such, there is a need for cultural business models to shift significantly in order to survive. Whether through a pivot of attention to where cultural initiatives can contribute to wider statutory agendas like health and education, an increased reliance on corporate investment and philanthropic giving as a core funding model, there remains a need for an organisational - small c - 'culture' shift within the Cultural sector.

Public investment in the UK's creative organisations stimulates private and commercial investment, ensuring the long-term prosperity and sustainability of these organisations. Publicly funded entities also foster the growth of numerous innovative SMEs that achieve commercial success and contribute to the development of their local economies (Cauldwell-French and Lydford, 2019). The issue arises when the public funding is stymied, cut or removed entirely, and alternative strategies must be embraced.

Conversely, the organisational culture of local authorities needs to shift to better recognise the social – and economic value – of their cultural sectors. Such shifts are beset on both sides with a natural risk aversion, through financial precarity on the part of the sector, and regulatory conservatism on the part of the commissioners. Commissioners and procurement professionals should feel empowered to adopt a nuanced, locally tailored approach to commissioning, rather than defaulting to the most risk-averse strategy, which may exclude effective providers. Guidance and support from central authorities would be helpful in facilitating this approach (Bagwell, Bull, Joy and Svistak, 2014). A national and even regional procurement infrastructure ultimately conflicts with sustainable public procurement, as it hinders the opportunity to use local SME suppliers in their immediate communities, supporting extant research in local government contexts (Walker et al., 2013; Meehan et al., 2016).

Collaboration is essential for fostering innovation in public procurement of culture. Joint procurements and projects can help create networks between organisations, enabling the sharing of best practices, commissioning knowledge, and collaborative efforts to generate greater social value regionally (LGA, 2017). These changes will also help policy brokers reach organisations that currently lack them. Establishing clear goals and top-down strategies, which are then adapted at each organisational level, could further support an innovative shift in public procurement (Hunka et al., 2023). This activity has already been underway for some time, with many

groups have moved to greater collaborations – to share the workload and work together in new ways relevant to the new challenges (LGA, 2012). In Birmingham specifically, there was a recognised need to operate with an effective collective voice to mitigate the severity of the current investment challenge more generally (Davies and Lyons, 2025), suggesting more can still be done, and regionally sensitive manner. Generally, the collective voice of the cultural sector is weak (Bagwell, Bull, Joy and Svistak, 2014).

Innovative solutions in procurement are driven by asking open questions (LGA, 2017). Relieving the pressure on the part of the cultural sector in places like Birmingham can afford them the opportunity to bring their creativity to the commissioning process, embrace new technologies with ingenuity and introduce innovative ideas. Their ability to do so is stymied by prescriptive solutions and bureaucratic restrictions. Conversely, there is a need within the cultural sector to be more agile, more open to opportunities and a need to lower the reliance on public funding.

Revising the language around public procurement contracts for cultural activity is key, better support for SMEs to develop their bidding capacity and vocabulary, and a better understanding on the part of local governments can help address risk aversion on the part of both commissioners and suppliers. Even when funding is precarious, LAs can help foster collaborations and cross-sector partnerships within their cultural sector, and communicate the wider social value of cultural activity to regional economies through a place-based lens and nuanced understanding of sectoral organisational behaviour. Ultimately, innovation is imperative of both sides of public procurement for culture. A change in business models and a shift in organisational culture to recognise the need for local specificity can result in innovative shifts in both process and product, but with regards to the cultural sector – and any other sector reliant on short-term public contracts – there is a need to address the process element first.

6. Conclusion

When considering the nature of innovation in public commissioning and procurement, the cultural sector is a particular challenge; populated with SMEs and freelancers that depend almost exclusively on relatively short-term, publicly commissioned projects to survive. This poses problems for capacity, as such organisations don't always possess the means, personnel and knowledge to bid for contracts, but also communication, as local authority procurement teams can struggle to understand the myriad forms of value that cultural sector organisations can provide.

The consideration of how to innovate within the sphere of public procurement commissioning and the cultural sector offers an opportunity, because we are at a point where the investment in infrastructure for culture is substandard and outdated, reliant too heavily on public commissions from Local Authority spend and arts specific public bodies like ACE.

The organisations within the sector that are suffering, particularly the SMEs, are looking to diversify their income streams. As such, they are looking to innovate in the ways in which they bid for commissions beyond their traditional streams, branching out into adjacent, statutory fields such as education and public health. As a result, there is a need for a shift in business models within the cultural sector, and innovation in the procurement process can help stimulate that. Additionally, the cultural sector is an inherently resilient, agile and innovative one, and so in better linking it to local authorities, their procurement teams and their commissioning teams some of that inherent innovative practice will bleed through if cultural sector organisations are given mechanisms and facilitated to engage more with the commissioning process.

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