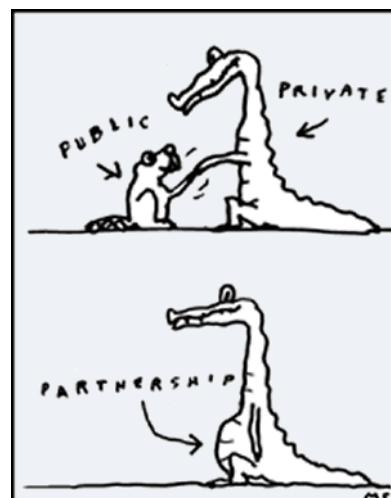


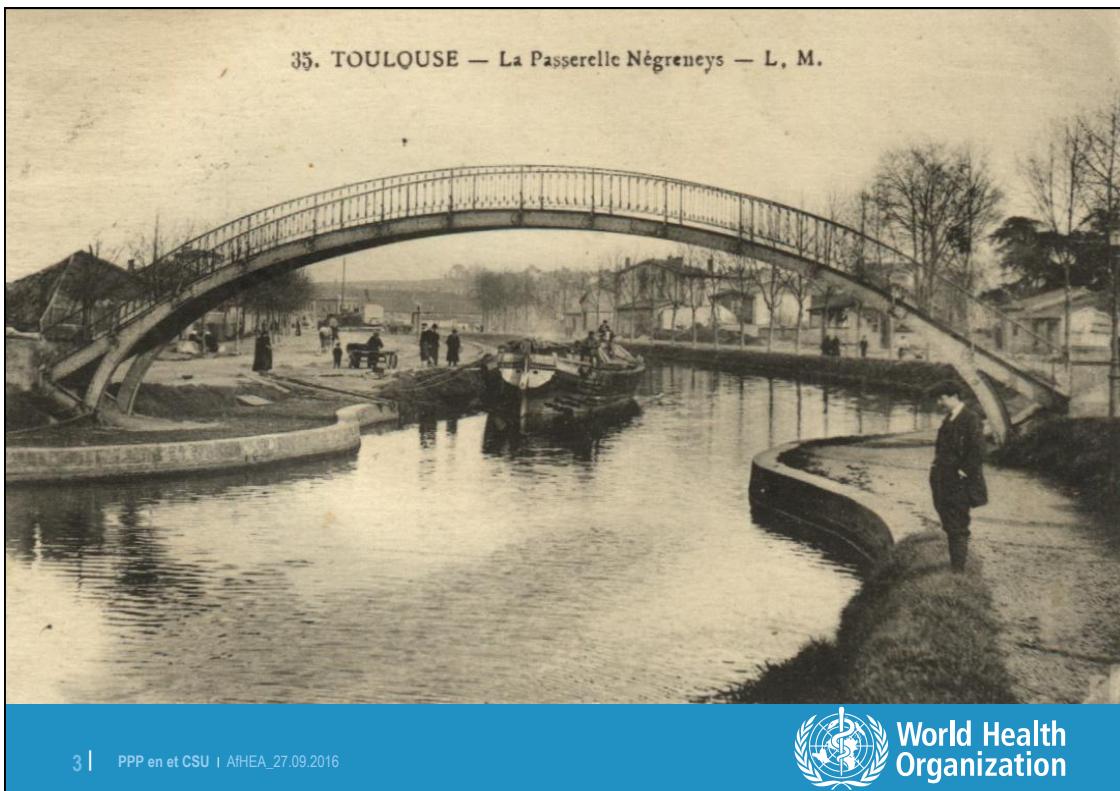
Gwenael Dhaene, PhD  
Health Systems Governance and  
Financing Department

## PPP et CSU: Quel rapport?



### Qui a peur des PPP?





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## Approche générale

- Les PPP sont « une initiative partagée entre les secteurs public et privé, fondée sur les compétences de chacun des partenaires, afin de répondre au mieux à des besoins d'intérêt général clairement définis, par une mobilisation pertinente de ressources, et un partage des risques comme des retombées positives »
- “co-operative ventures between public and private sector based upon the expertise of each partner and that best meets a clearly defined public need through the appropriate allocation of resources, risks and rewards”
- Les PPP ont pour objectif d'aider les décideurs publics à améliorer la qualité et la performance des services de santé, tout en poursuivant un but d'efficience
- Ce ne sont pas des Global Health Partnerships!

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## Defining PPP – somewhat blurry

- **UNECE (United Nations Economic Commission for Europe)** PPPs aim at financing, designing, implementing and operating public sector facilities and services. Their key characteristics include: (a) Long-term (sometimes up to 30 years) service provisions; (b) The transfer of risk to the private sector; and (c) Different forms of long-term contracts drawn up between legal entities and public authorities. They refer to 'innovative methods used by the public sector to contract with the private sector, who bring their capital and their ability to deliver projects on time and to budget, while the public sector retains the responsibility to provide these services to the public in a way that benefits the public and delivers economic development and an improvement in the quality of life'.
- **OECD** A PPP is an agreement between the government and one or more private partners (which may include the operators and the financers) according to which the private partners deliver the service in such a manner that the service delivery objectives of the government are aligned with the profit objectives of the private partners and where the effectiveness of the alignment depends on a sufficient transfer of risk to the private partners
- **Australian government (Infrastructure Australia)** A PPP is a long-term contract between the public and private sectors where government pays the private sector to deliver infrastructure and related services on behalf, or in support, of government's broader service responsibilities. PPPs typically make the private sector parties who build infrastructure responsible for its condition and performance on a whole-of-life basis. PPP projects cover economic and social infrastructure and typically include both a capital component and an ongoing service delivery component of non-core services.
- **ADB** The term "PPP" describes a range of possible relationships among public and private entities in the context of infrastructure and other services. Other terms used for this type of activity include private sector participation (PSP) and privatization. While the three terms have often been used interchangeably, there are differences (...)
- **The World Bank** The public-private partnerships (PPPs) are often long-term arrangements in which the government purchases services under a contract, either directly or by subsidizing supply to consumers. In other PPPs the government bears substantial risks—for example, by guaranteeing revenue or returns—on projects that sell directly to consumers.
- **S&P's (Standard and Poor's, Public Private Partnerships: Global Credit Survey 2005, S&P's, 2005)** PPP is any medium- to long-term relationship between the public and private sectors, involving the sharing of risks and rewards of multisector skills, expertise and finance to deliver desired policy outcomes

## Tailor made

- Les partenariats public-privés constituent des contrats de droit public par lesquels une personne morale de droit public s'associe avec un ou plusieurs prestataires de droit privé, afin d'assurer une mission de service public nécessitant un partage de risques avéré entre les cocontractants, en fonction de la capacité respective de chacun d'entre eux d'assumer le risque correspondant à la mise à disposition de son expertise et de ses compétences. Le rapport contractuel, généralement d'une durée longue (comprise en moyenne entre 10 et 30 ans), peut comporter une délégation portant sur l'exercice de la mission de service public, sous la supervision de la personne publique contractante, et/ou porter sur tout ou partie de la conception, la construction, l'exploitation, la maintenance et l'équipement d'infrastructures destinées à la mission de service public.
- Le partenariat public-privé résultant de ce rapport contractuel peut reposer sur un investissement public préfinancé par le cocontractant privé, à concurrence des prestations qu'il devra assurer, accompagné d'un transfert de maîtrise d'ouvrage sur les infrastructures, et éventuellement la constitution de droits réels sur le domaine public. Le partage et le transfert d'une partie des risques entre les contractants constituent généralement des critères déterminants pour emporter la qualification de partenariat public-privé.

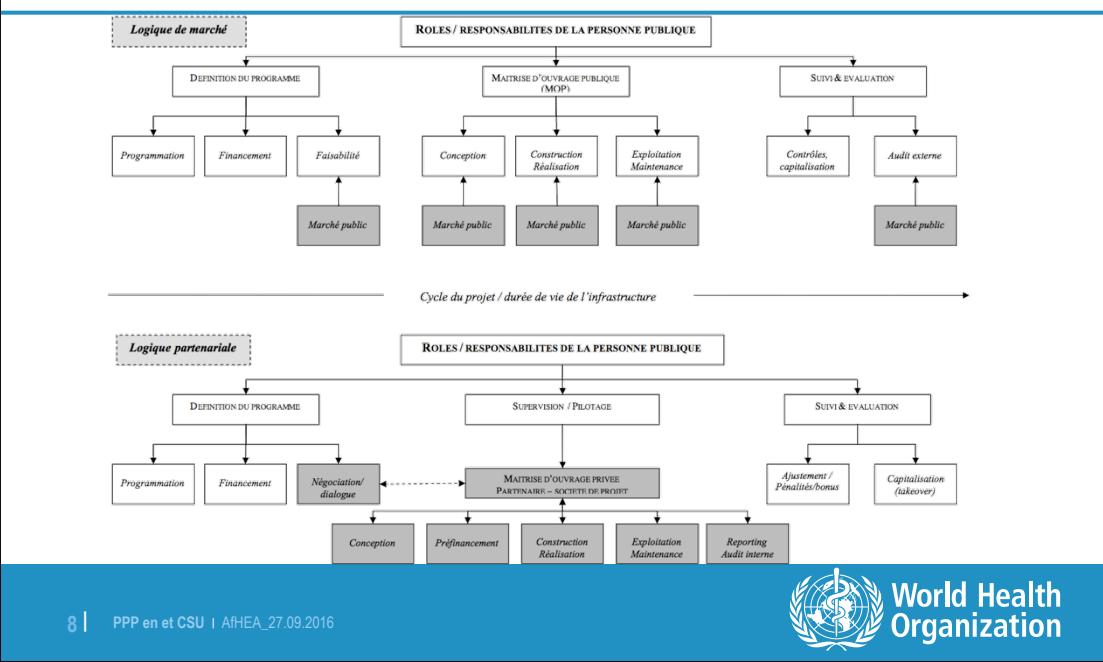
## Commande publique

	Marchés publics	PPP
<b>Maîtrise d'ouvrage</b>	Maîtrise d'ouvrage publique (MOP)	maîtrise d'ouvrage privée principalement
<b>Cas de recours</b>	Droit commun de la commande et de l'achat publics	Urgence, complexité, efficience économique démontrée du projet
<b>Modes de publicité</b>	Selon les seuils (information, publication, BOAMP, JOCE)	Selon les modèles de PPP (BOAMP, JOCE)
<b>Procédures de passation/attribution</b>	Mise en concurrence	Négociation, dialogue compétitif
<b>Transfert de risque</b>	Non	Oui
<b>Rémunération</b>	Prix sans étalement de paiement	Rémunération basée sur la performance, paiements étalement
<b>Prestations envisageables</b>	Fournitures de travaux, services, équipements, exploitations d'ouvrages	Conception, préfinancement, construction, exploitation, maintenance d'ouvrages publics, participation à des activités de service public/fourniture de services publics

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## Gestion de projets complexes



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## Variété des rôles

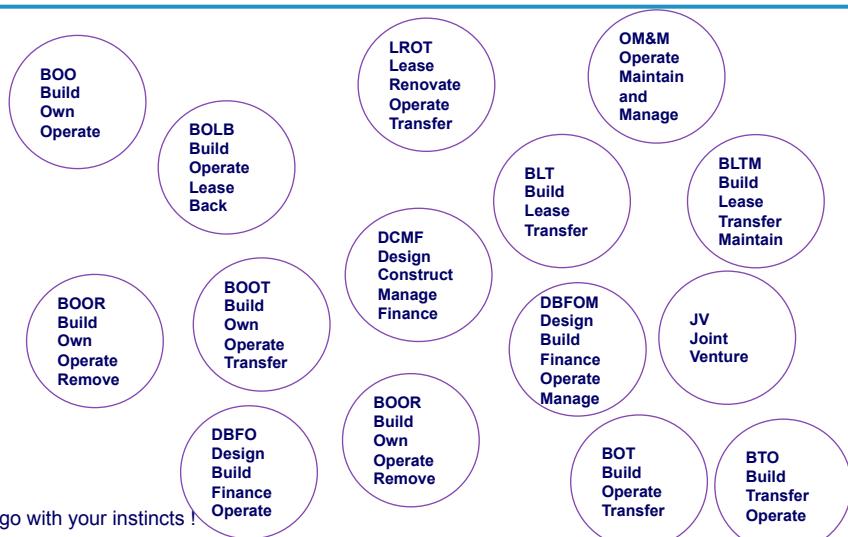
Implication du partenaire privé				
Rôle du secteur privé	Responsabilité des ouvrages et infrastructures seulement	Responsabilité des ouvrages et fourniture de services annexes	Responsabilité des ouvrages et mission limitée de service public	Responsabilité des ouvrages, équipements et de la mission de service public
Rôle de la personne publique	Responsabilité de l'ensemble des services fournis aux usagers	Responsabilité de la mission pure de service public	Responsabilité de la mission pure de service public	Responsabilité du contrôle, pilotage, pas de rôle opérationnel
Exemples	BEH, exploitation et maintenance d'ouvrages publics	Service annexes non médicaux d'un hôpital (blanchisserie, restauration), contrat de partenariat	Services non hospitaliers d'accueil hôtelier, facilités gérées en concessions de travaux publics	Concessions hospitalières, contrat de construction/exploitation assorti d'une délégation de gestion hospitalières

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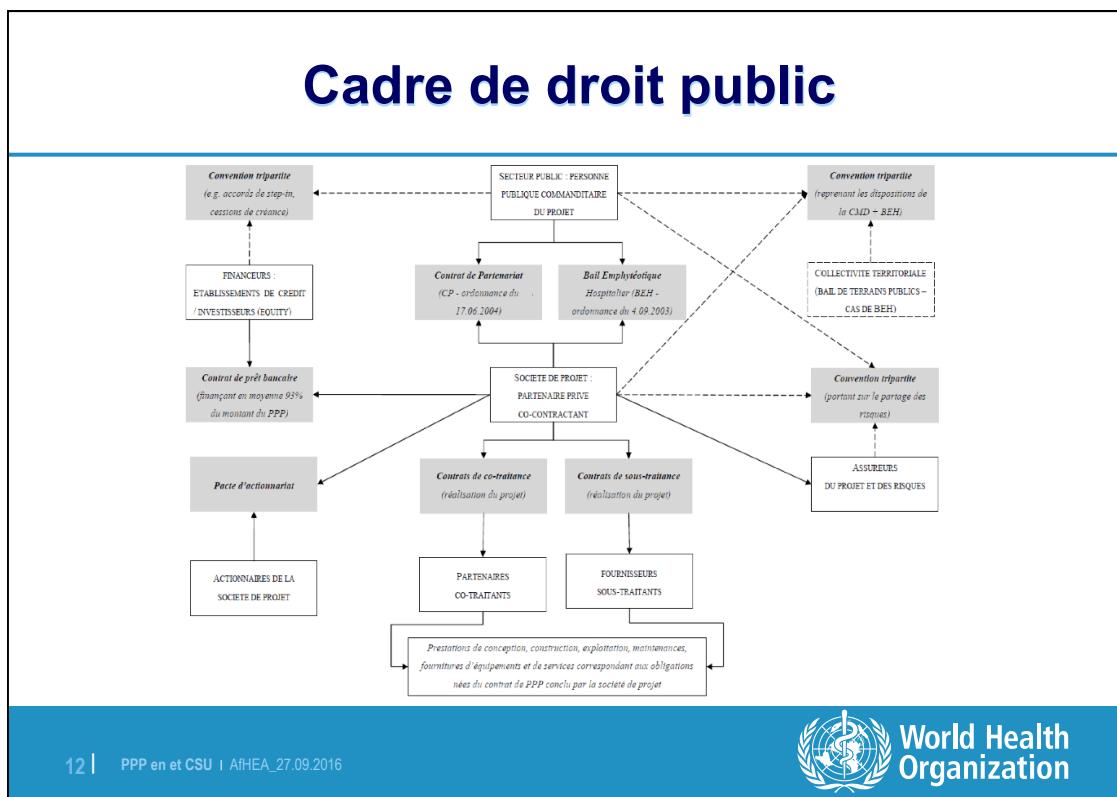
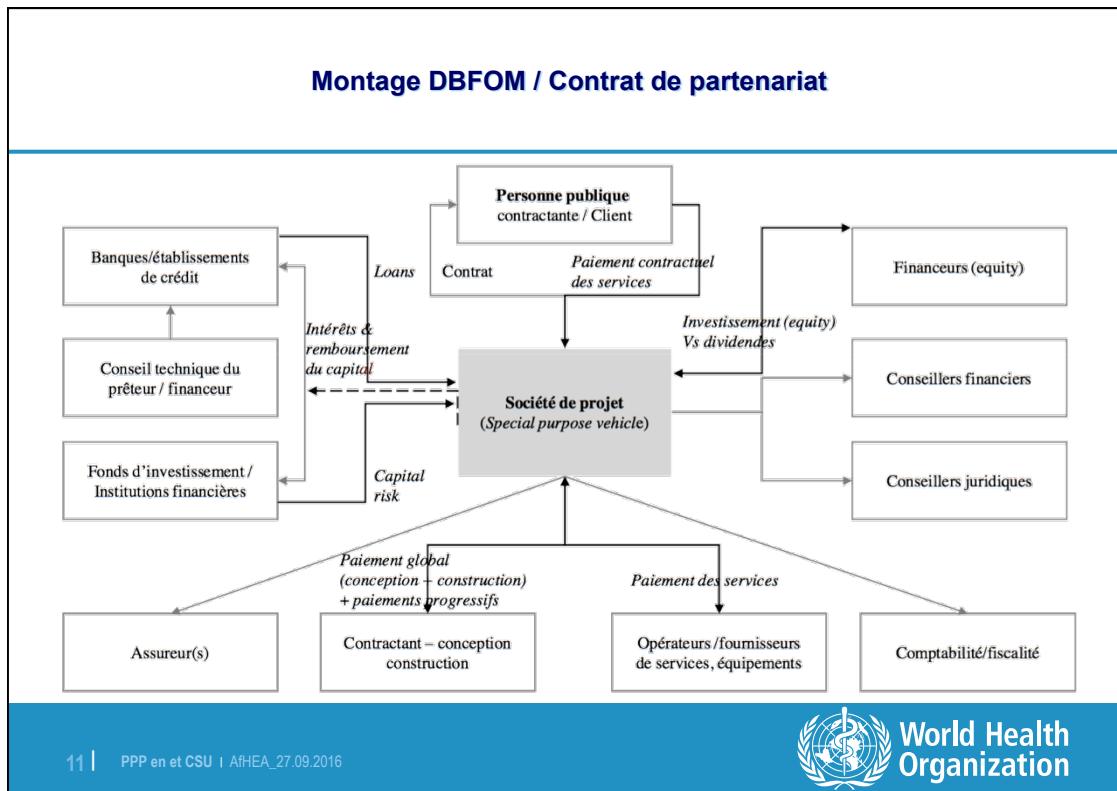
## PPP « alphabet soup »

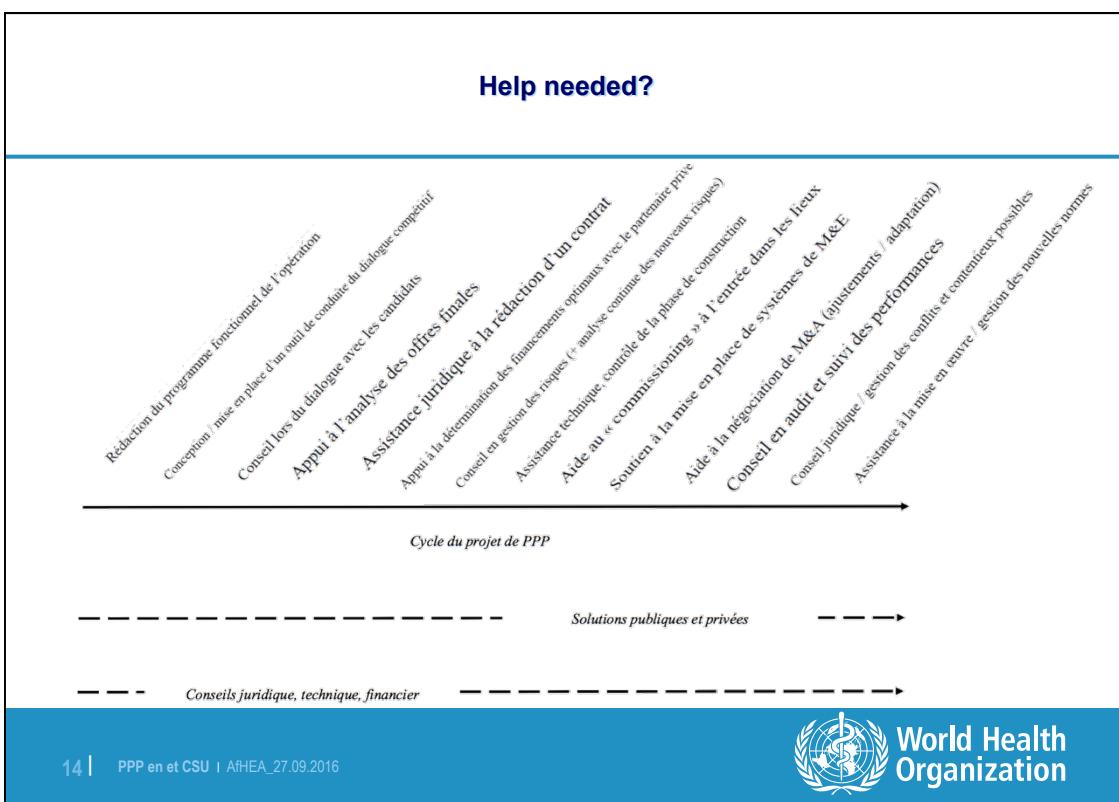
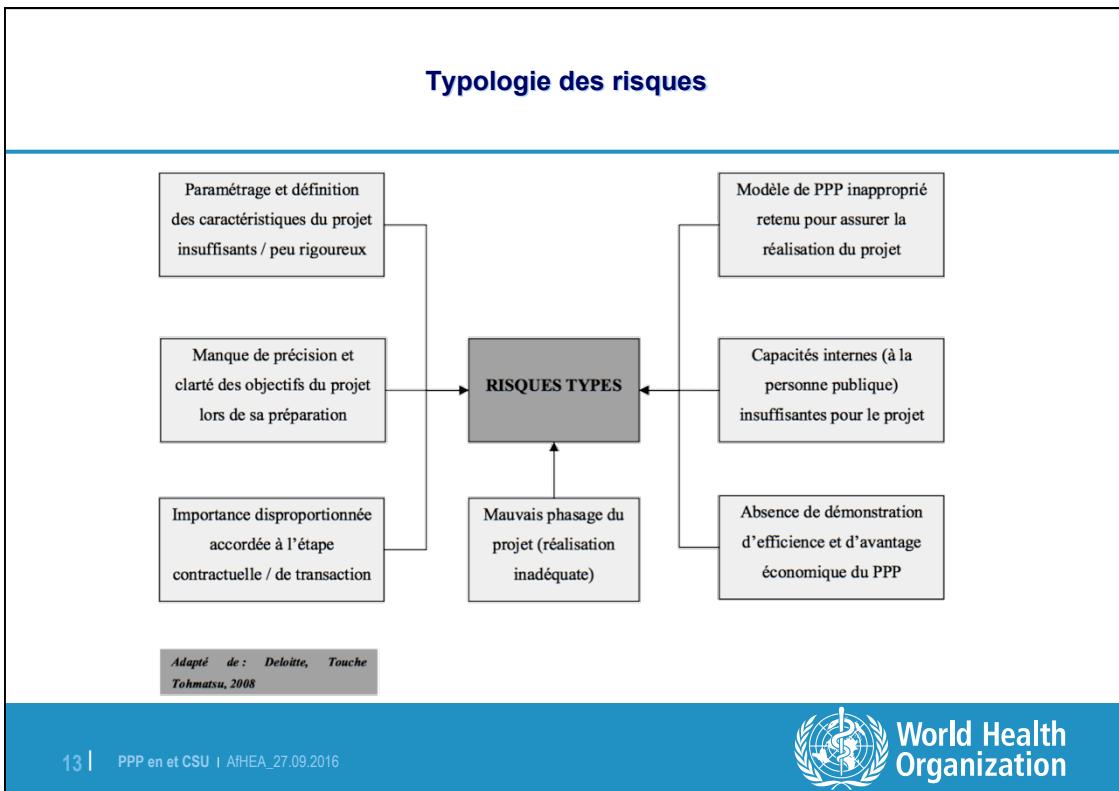
- Service contracts
- Management contracts
- Lease contracts
- Concessions
- PFI contracts
- Joint Ventures
- « Hybrid contracts »....go with your instincts !



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## Attractivité investisseurs

*Analyse de fiabilité / viabilité / faisabilité réalisée par les investisseurs potentiels*

**GUIDES ET RECOMMANDATIONS**

**GUIDE**  
LES CLAUSES SOCIALES DANS LES PARTENARIATS PUBLIC-PRIVE

- 2012 -

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World Health Organization

### The Hospital Company (Dartford) Limited (THC Dartford): Shareholders and Main Contractors

**Shareholders at time of refinancing (March 2003)<sup>1</sup>**

- 10%<sup>2</sup> UME Investment Co Ltd
- 30%<sup>3</sup> Carillion Private Finance Ltd<sup>4</sup>
- 30%<sup>3</sup> Innisfree PFI Fund LP
- 30%<sup>3</sup> Barclays UK Infrastructure Fund LP

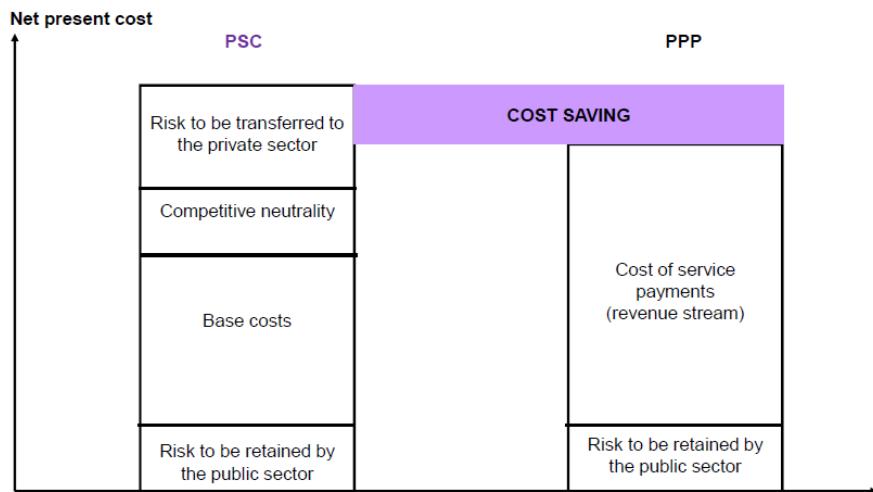
**NOTES**

- 1 Shareholdings in THC Dartford are through various holding companies.
- 2 All investors invested proportional to their overall holding [as shown] in both ordinary share capital and shareholders' loans.
- 3 Carillion Private Finance Ltd sold its shareholding in THC Dartford to Barclays Infrastructure Ltd (a general partner of Barclays UK Infrastructure Fund LP) in December 2003.
- 4 Carillion Services Ltd has overall responsibility for the provision of services except for car parking which is contracted for by THC Dartford directly with Meteor. Mediress is a sub-contractor to Carillion Services Ltd.

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## Comparateur secteur public



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## Performance standards (e.g. ancillary services)

### PERFORMANCE STANDARDS

#### *Provision and storage of Clean Linen to central storage areas*

Contractor shall review minimum stock levels (which shall be agreed by the Project promoter) on a ward by ward / department by department basis.

Contractor shall ensure deliveries are made in accordance with a delivery schedule agreed with the Project promoter / Ward Housekeeper. This shall include deliveries of linen for residential accommodation, relatives rooms and on call rooms, prior to occupation by a new user.

Contractor shall ensure all clean linen shall be clean and serviceable in accordance with the service standards agreed in the Contract.

Contractor shall provide an ad-hoc top-up service to the Site on an emergency, urgent and routine ad- hoc services request basis to meet abnormal demand in accordance with the Completion Times set out within the agreed Contract.

Emergency Ad-Hoc Service Requests are Completed within the specified Completion Time.

Urgent Ad-Hoc Service Requests are Completed within the specified contractual completion time.

Routine Ad-Hoc Service Requests are Completed within the specified completion time.

Contractor shall provide Emergency Supplies (including sufficient blankets, canvasses and draw sheets) in such an amount to be agreed with the Project promoter. This emergency stock is to be rotated to accord with a programme agreed with the UCS.

Contractor shall store Linen in accordance with the UCSs Control of infection policy (to be checked against MoH recommendations).

#### *Segregation and Collection of Used Linen from central storage areas*

Contractor shall ensure that throughout the collection and distribution functions used linen is segregated from clean linen.

Contractor shall train relevant UCS Staff in the segregation of linen.

Contractor shall display procedures for the segregation of Linen at each used linen segregation and collection point.

Contractor shall ensure an adequate supply of the suitable and clean receptacles for the segregation, storage and or collection of used linen in accordance with the UCS's control of infection policy as per the standards defined / recommended by the MoH.

Contractor shall operate procedures to ensure that failure to correctly segregate used linen by UCS Staff is traceable to the ward / department.

Contractor shall agree a collection schedule for used linen with the Project promoter at such frequency appropriate to the size of the local storage areas to minimise the risk of cross-contamination. All receptacles used are emptied at least daily.

Contractor shall collect used linen in accordance with the collection schedule.

Contractor shall undertake additional collections to those Scheduled, within 2 hours if

a) designated storage receptacles reach more than 75% capacity;

b) build up impinges on UCS operations;

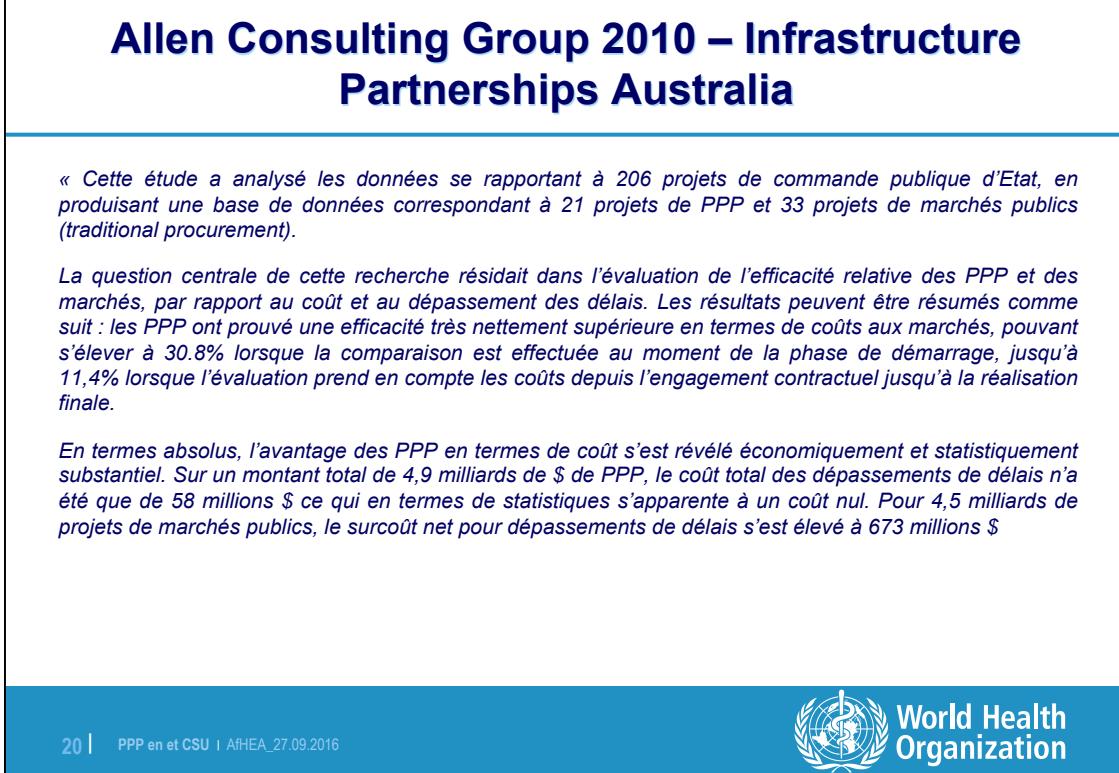
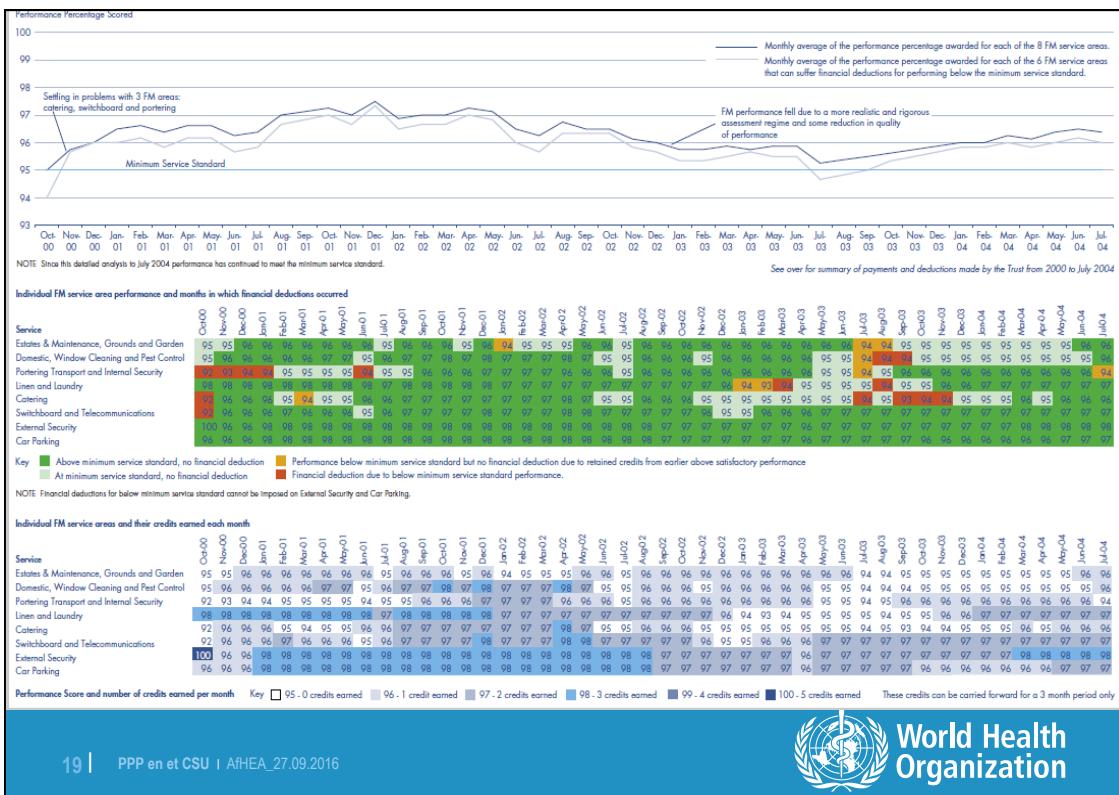
c) Linen collection areas are either unsightly or malodorous;

Contractor shall ensure that there is no cross-contamination between clean linen, soiled linen, fouled linen or infected linen at any stage during the Linen 'cycle'.

Contractor shall dispose of fouled and infected linen that cannot be laundered, which shall be treated as clinical waste. The classification of such items shall be agreed with the Promoter.

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## Refinancement - NAO 2014

Etablissements concernés (sous PPP)	Montant total du gain de refinancement obtenu (millions £)	Montant du gain partagé et attribué au secteur public (millions £)	Proportion du gain de refinancement attribué au secteur public (%)
Norfolk & Norwich Hospital	115.5	33.9	29.3
Bromley Hospital	45.3	14.2	31.3
Darent Valley Hospital	33.4	11.7	35.0
14 autres projets de PPP hospitaliers réalisés	48.2	11.7	24.3
<b>Sous total de 17 projets de PPP dont les gains ont été partagés entre partenaires publics/privés</b>	<b>242.4</b>	<b>71.5</b>	<b>29.5</b>
3 projets n'ayant donné lieu à aucun partage avec le s. public	4.8	—	—
<b>Total de 20 projets de PPP dont le refinancement a été réalisé</b>	<b>247.3</b>	<b>71.5</b>	<b>28.9</b>

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## Recettes de valorisation

Type de biens	Description	Nombre ou surface
Terres agricoles et bois (répartis dans 19 départements)	Terrains agricoles	588 ha
	Bois	91 ha
Logements	Répartis dans 8 départements (Île-de-France, départements du Pas-de-Calais et des Pyrénées Atlantiques). Répartis dans 1 188 lots de copropriétés et 75 immeubles	2 764
Locaux commerciaux	n.d.	173
Autres biens immobiliers	Crèches et établissements scolaires	19
	Châteaux	3
	Hôtels	2
	Autres	22

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## BEI UK 5 SAMPLES 2004-2015

Titre du projet	Montant Millions d'EUR
Dudley Group of Hospitals	113
Blackburn Hospitals	72
North East London Hospitals	142
Manchester Hospitals	285
Newcastle Hospitals	175
North Staffordshire Hospitals	289
The Royal London Hospital	363
St Helens & Knowsley Hospitals	260
Wakefield Hospitals	213
<b>Total</b>	<b>1 912</b>

## LIFT Local improvement finance trust

- “NHS LIFT is a vehicle for improving and developing frontline primary and community care facilities. It is allowing PCTs to invest in new premises in new locations, not merely reproduce existing types of service. It is providing patients with modern integrated health services in high quality, fit for purpose primary care premises.”
- PHC facilities: only 40% of primary care premises are purpose built;
- almost half are either adapted residential buildings or converted shops;
- less than 5% of GP's premises are co-located with pharmacy and around the same proportion are co-located with social services;;
- around 80% are below the recommended size



