**General**

*Are the requirements that sit within the ITT under heading 6 (Key Requirements for the Contract) the method statements that need to be completed for the purposes of the tender evaluation? If so, what are the word counts for each requirement please?*

Yes. The Contract Requirements set out in the specification (from page 29 of the ITT pack) set out what we expect the successful contractor to deliver. These will be assessed using the evaluation criteria set out in attachment 2 of the ITT pack.

There is no word count for these requirements. However, as set out in point 10 on page 29, the relevant materials for Part 2 of the bid should not exceed 15 pages of printable A4 in a font not less than 12. CVs and financial breakdowns can be submitted as an annex to the bid materials and will not count towards the 15-page limit.

*Is there is a required format for the pricing schedule?*

Bidders must fill in the table set out at Annex B, you may also provide the pricing in a different format if you wish.

*Can you please confirm what the award criteria price/quality weighting are.*

The evaluation criteria for the contract, including the weightings within each contract requirement, are provided as attachment 2 of the ITT pack.

*Could you please confirm whether the staffing structure and associated details is to be included within the 15 pages, or whether it can be supplied as an additional attachment?*

The staffing structure should be within the 15 page limit. However, CVs can be submitted as an annex to the bid materials and will not count towards the 15 page limit.

*Can you please clarify what you mean by the “fine tuning” stage – is this negotiation before contract award?*

During the “fine tuning” stage we expect to discuss the workplan and deliverables put forward by the preferred bidder, to ensure they are SMART as possible and best support the Department’s policy agenda.

*Document 2 - Departmental Standard Requirements*

*Cyber Essentials scheme. As we read this requirement, it is not necessary for bidders to have Cyber Essentials certification for our tender response, but we would need to demonstrate that we would be able to secure certification prior to contract award. Can the Department give any further indication of what it would expect in the way of evidence to demonstrate this?*

Relevant information can be found here, including within the Getting Certified tab: <https://www.cyberessentials.ncsc.gov.uk/>. We suggest you review this information and demonstrate in your tender the extent to which your organisation already meets the requirements of the Cyber Essentials scheme, together with any shortfalls, and the steps you would take to remedy them and obtain certification within the expected timescales for contract signature.

*Document 3 - Pre-qualification questions*

*Introduction - Paragraph 4 on "submission of exclusion grounds" appears to be in draft, what is the final text of the requirement?*

Paragraph 4 should be deleted. The previous paragraph applies:

“When completed, this form is to be sent back to the contact point given in the procurement documents along with the selection information requested in the procurement documentation.”

 *Introduction: Notes for completion - Point 6 on "sub-contractors completion of Part 1 and Part 2" appears to be in draft, what is the final text of the requirement?*

Point 6 should be deleted*.*
*Selection Questions - Q8.3 "Steel" can we assume this does not apply to this procurement?*

Yes

*Selection Questions - Q8.4a "Suppliers’ Past Performance", do we need to make a list of relevant principal contracts available with the tender proposal, or only if requested?*

In this question you just need to tick whether you are able to provide the information – not provide it. Section 6.1 asks bidders to give details of three previous contracts.

*Could you please confirm whether we would be eligible to apply to this opportunity? We are listed on RoTO and are a Mutual Joint Venture Company*.

Yes, an organisation such as this is eligible to apply.

*Are local authorities eligible to apply for this contract?*

Yes, local authorities can apply, provided that they can meet the specification.

Document 4 - Specification of the requirement

*Requirement 7 - Costs and value for money. Is the Department able to give any further detail about its expectations for monthly reporting in terms of content and level of details?*

Please see the tables that are attached at the end of this document. The successful bidder will need to demonstrate that they have delivered the activity planned for any given month in accordance with all parts of the contract prior to payment being released. As part of contract requirement 9 the bidder is required to put forward an appropriate set of key performance indicators for the contract and how the contractor’s success will be measured.

*Requirement 8 - Security of data. Does the Department have particular expectations in this requirement beyond those required to gain Cyber Essentials certification?*

The successful bidder must also comply with all data security requirements stated within the DfE’s draft contract for major projects, which was attached to the ITT.  Bidders must identify these for themselves; however, most are stated in Schedule 8: Data, systems handling and security and its Annexe.

*Selection Questions 4.2: The tender documents ask where we have specified a minimum level of economic and financial standing and/or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out. Does this relate to 4.2 a, b and c?*

As part of our supplier economic and financial assessment, to ensure that the appointment of any potential supplier will not pose an unacceptable risk to public money, would you please answer “yes” or “no” to the following question:

Do you have adequate financial resources to be reasonably certain that you will not put public money at risk by going out of business during the life of the proposed contract, and that you will have adequate financial resources to perform your obligations under it?

Please also provide any other information or evidence that we have not expressly asked for in our ITT that you believe would demonstrate your organisation’s economic and financial standing - to help us ensure we discharge our obligation to ensure that procurement contracts are not awarded to financially insecure organisations.

*Section 6: Relevant experience and contract examples. Are we able to use DfE as an example and a reference?*

Yes

*8.2: Skills and Apprentices: You say “Please refer to supplier selection guidance Procurement Policy Note 14/15”. Please can you clarify what you mean by this?* There is a footnote at the bottom of the page that will take you to a notice.

*Evaluation criteria Requirement 1: The tender document seems to have an 'evidence' deleted but the scoring of '3' is still there. Is this correct or an error?*

The ‘3’ should be deleted.

*Evaluation criteria Requirement 4: The tender document seems to include a line which is incomplete: “Put forward...”. Is this correct or an error?*

The ‘put forward’ should be deleted.

**Contract requirements**

*Are you looking for an organisation to deliver across the 152 local areas or are we able to apply for specific Local Authority areas?*

We are looking for a national contractor.

*Is the above contract looking to award the full value of the contract to one lead organisation to sub-contract to smaller organisations around the country? Or is this offering smaller organisations the chance to bid for a share of this pot?*

We are looking to award the full value of the contract to one lead organisation. Contract requirement 1.3 requires the successful bidder to “develop and implement arrangements to ensure a fair distribution of money to sub-contractor organisations”.

*Please could you clarify who is the current incumbent for this contract?*

The new contract will build on work currently being delivered under three separate contracts:

* The Independent Supporter programme, currently provided by the Council for Disabled Children. This programme funds the recruitment and training of around 1200 Independent Supporters, available in every local authority area, to support families through the EHC needs assessment and plan process.
* National support for local Information, Advice and Support Services (IASS) is currently provided by the IASS Network. This is hosted by the Council for Disabled Children and is working as part of the Department’s contract with the Delivering Better Outcomes Together consortium.
* The national helpline for families who have children and young people with SEND is currently provided by Contact.

*As part of the financial envelope of this contract, funding will be allocated to support local provision for the transition plan throughout the first year of this contract. Is there a proportional threshold for funds to be allocated from the overall contract value versus the delivery of other contractual requirements?*

Each bidder will need to set out how they plan to deliver the contract requirements, including the funding they expect to allocate to each deliverable.

*Contract requirement 5 reads: ‘Provide a national helpline service for families who have children and young people with SEND.’. Please can you provide details on the current number of calls addressed by the current service in order to understand requirements?*

The total number of enquiries dealt with by telephone, email and social media during 2016/17 was 12,255.

*Please advise on the current number of statements being used so we can understand the level of activity required to support local transitions to EHC Plans.*

The information requested can be found at the following address.

<https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/615689/SFR22-2017_Main_Text.pdf>

However, please note that the statutory transition period during which all statements should be reviewed and replaced with EHC plans ends on 31 March 2018.

*The tender was released on 8th January 2018, with the deadline for bid submission on 5th February 2018. This is an incredibly short timescales for a contract as large and complex and high profile as this. Additionally you have stated that you welcome consortium bids. This seems prohibitive for new providers to apply. Can you explain why the timescales are so short?*

We have used our judgment and discretion, and believe that the time limits to which we are working are reasonable and proportionate, and in accordance with the Public Contracts Regulations 2015.

*Please could we have the job specifications for the staff who will be undertaking the roles in the proposed new service?*

Each bidder will need to set out how they plan to deliver the contract requirements, including the roles and staffing which may be needed.

*The contract aims to build upon the national helpline provided by Contact. This contract will look to develop this, however, as this will be a continuation of similar provision, would TUPE apply for those staff currently involved with the helpline?*

It is the responsibility of the tenderer to consider whether or not TUPE applies in the circumstances of this contract and tender accordingly. Since we expect TUPE to apply, we are providing anonymised information about those currently providing the services. Where there is a group of economic operators, the lead contractor will be accountable for ensuring contractual obligations are met. However, there is nothing preventing an organisation which expects to be a sub-contractor or a partner from submitting the confidentiality form and receiving the TUPE information.

The comments concerning TUPE are provided to be of help to you and in the spirit of partnering, but they are provided for general information only, and must not be relied upon or construed as legal advice; if you require such advice, you must contact a lawyer.

*The tender document specifies a review of the Quality Standards, including minimum staffing levels.  How does the Department envisage enforcing this?*

Bidders should set out how they intend to ensure that information, advice and support services in all local areas are supported to develop and improve their quality, so that they meet minimum standards. As noted in Contract Requirement 1.3, this may include providing financial incentives.

*Is the funding going to be based on a formula to ensure all LA areas are funded according to SEND demographic/population numbers or will other factors such as local parental demand, LA performance, confidence in current provider etc also be taken into account?*

Contract Requirement 1.3 requires the successful bidder to “Develop and implement practical arrangements to ensure a fair distribution of money to sub-contractor organisations, which provides value for money”. Each bidder will need to consider how they would meet this requirement.

*Contract requirement 1.2 states “transition plans will need to be in place no later than end of May 2018”. What support will be in place for families within this period? Who will have responsibility for communicating to families before the end of the contract and within that transition period?*

We expect the successful bidder to put in place transition arrangements so that children and young people with SEND and their parents can continue to draw on existing information, advice and support in their local areas (for example from statutory IAS services or from Independent Supporters), and from the national helpline, until new arrangements are put in place.

*Please could you confirm whether the invitation to tender above is for the delivery of SENDIASS services at a local level or whether it is to secure the contract for the work currently overseen by the IASSN on a national level?*

Local authorities continue to be under a statutory duty to commission and oversee information, advice and support services. Our new contractor will work to ensure that information, advice and support services in all local areas are supported to develop and improve their quality, so that they meet minimum standards. The successful bidder will encourage local services to meet or exceed these minimum standards, including providing financial incentives.

*Will local authorities continue to fund SEND Information, Advice and Support services and have their own local management arrangements or is this a move towards centralising the management and/or commissioning of SENDIASS?*

Local authorities continue to be under a statutory duty to commission and oversee information, advice and support services. Our new contractor will work to ensure that information, advice and support services in all local areas are supported to develop and improve their quality, so that they meet minimum standards. The successful bidder will encourage local services to meet or exceed these minimum standards, including providing financial incentives.

*We [a local authority] are about to recommission our SENDIAS Service – what does this new contract mean in that context?*

Local authorities continue to be under a statutory duty to commission and oversee information, advice and support services. If the existing arrangements for information, advice and support services are due to be extended or renewed, then the local authority should proceed with the work to extend, renew, re-procure etc.

However, the local authority should bear in mind that the successful contractor will work with each local area to ensure they develop a viable and sustainable approach to delivering high quality information, advice and support services, taking account of existing cultural and organisational arrangements in each area; the views of children, young people and parents; and ensuring the approach provides value for money.

*Are there any anticipated changes to Chapter Two of the SEND code of practice?*

No. Local authorities’ existing statutory duties relating to the provision of information, advice and support remain unchanged.

*The ITT states ‘ensure the contractor can effectively manage the necessary contractual arrangements so that existing organisations can smoothly transition to any new arrangements during the course of the year – April 2018 to March 2019.’ Does this mean that current contractual arrangements will remain in place post 31st March 2018?*

We expect existing Independent Supporter providers to continue supporting parents and young people until new arrangements are developed in each local area. We expect existing Independent Supporter sub-contracts to novate to the new contractor in the first instance, pending the development of new arrangements in each local area.

**Annex A – Policy update**

The Department has received a number of questions from stakeholders concerning the future of information, advice and support for children and young people with SEND and their families. The Department has published the following update for its stakeholders, which is repeated here since it will be of relevance to potential bidders.

**Providing families with access to information, advice and support from 2018**

A key principle of the special education needs and disabilities (SEND) reforms is that children and young people with SEND, and their parents and families, should be supported to participate in decisions that affect them, and receive appropriate information and advice.

Local authorities are statutorily responsible for providing children, young people and parents with an impartial information, advice and support service on SEND in their local area. This responsibility dates back to the early 1990s (initially as Parent Partnership Services), and has been reinforced and extended by the Children and Families Act 2014. Further information on these duties can be found in chapter 2 of the SEND Code of Practice (<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>).

In addition, between April 2014 and March 2018 the Government has invested £60m in the Independent Supporter programme. This programme is focused on ensuring there was a service in every local area in England providing individuals to help families with children and young people who are undergoing a statutory Education, Health and Care (EHC) needs assessment or who have an EHC plan. This programme was designed to address the ‘newness’ of the process for conducting EHC needs assessments and issuing EHC plans. It also recognised the additional demands on local authorities in conducting transfer reviews for children and young people with statements of SEN or Learning Difficulty Assessments, while also supporting new entrants to the system who require an EHC needs assessment.

The Government has also funded a national helpline for families who have children and young people with SEND for several years. Demands on the service have been consistently high, and so the Government proposes to continue to provide resources for this service. In recent years, innovations in technology have helped to develop the service beyond phoneline support. The national helpline already works well with a range of other support services, including local information, advice and support services, but further synergies could be achieved.

On 8 January the Department published a tender for a new contract providing families with access to information advice and support, to come into effect from 1 April 2018. The estimated value of this contract is up to £12.5m in 2018-19 and up to £10.5m in 2019-20. This contract will build on work which has previously been carried out, including:

* The Independent Supporter programme, currently provided by the Council for Disabled Children. This programme funds the recruitment and training of around 1200 Independent Supporters, available in every local authority area, to support families through the EHC needs assessment and plan process.
* National support for local Information, Advice and Support Services (IASS), currently provided by the IASS Network hosted by the Council for Disabled Children.
* The national helpline for families who have children and young people with SEND, currently provided by Contact.

The purpose of this contract will be to ensure that:

* Children and young people with SEND and their parents in every local authority area have access to information, and impartial advice and support, which meets a set of minimum standards based on local authorities’ existing statutory requirements (set out in chapter 2 of the SEND Code of Practice). These services will provide a wide range of information, advice and support covering SEND issues across education, health and social care, both directly and through signposting families onto more specialist support as appropriate; and
* A national helpline – including a dedicated Freephone service – and access to online information, advice and support is available to families who have children and young people with SEND. It is critical that the national helpline service works effectively with local support services to ensure consistency and accuracy of information and advice.

In order to achieve this, we have set a number of requirements for the successful bidder. The full specification is set out in the Invitation to Tender document.

* The successful bidder will develop clear minimum standards for local services delivering information, advice and support, based on the legal requirements set out in the SEND Code of Practice and the standards already developed by the Information, Advice and Support Services Network. These requirements will need to be developed early in 2018-19.
* The successful bidder will support and encourage local information, advice and support services to meet or exceed these minimum standards. We envisage the successful bidder passing a proportion of the contract value – potentially a majority – to local information, advice and support services through sub-contractual arrangements. The successful bidder will be required to design and implement an approach that incentivises areas to strive for high quality local services, rewarding those which have strong positive feedback from users, and to incentivise areas to move quickly to meet the minimum standards.
* The successful bidder will provide ongoing support and challenge to local services, ensuring they can access high quality training, networking and good practice sharing opportunities.
* The successful bidder will develop, trial and implement proposals for how the national helpline can complement local information, advice and support services and other national helplines aimed at families who have children and young people with SEND. This could include ‘out of hours’ services, a single national ‘front desk’ redirecting to local or specialist helplines, and the use of online chat, video calling to maximise effectiveness.

We expect these new arrangements to be in place at least from 1 April 2019, if not earlier. We recognise that there will need to be a period of development, planning and transition, and it is particularly important that support continues to be available to parents, young people and families. We have therefore included specific requirements for this transition during 2018-19.

* The successful bidder will ensure every local area develops a viable and sustainable approach to delivering high quality information, advice and support services. This will need to take account of existing cultural and organisational arrangements in each area; the views of children, young people and parents; and will ensure the approach provides value for money.
* The successful bidder will develop a transition plan that allows for existing local services – predominantly Independent Supporter agencies and statutory information, advice and support services – to migrate to any new arrangements in the area. We expect the successful bidder to manage the necessary contractual arrangements so that existing organisations can smoothly transition to any new arrangements during the course of the year.
* The successful bidder will ensure the existing helpline service remains available to families so that there is continuity of service until any new arrangements are introduced.

Information on how to request the Invitation to Tender documentation can be found on the Contracts Finder website at <https://www.contractsfinder.service.gov.uk/Notice/154f602a-ce17-4643-9716-0f3f813353b5>.

**What does this mean for parents, young people and families?**

We expect the successful bidder to put in place transition arrangements so that children and young people with SEND and their parents can continue to draw on existing information, advice and support in their local areas (for example from statutory IAS services or from Independent Supporters), and from the national helpline, until new arrangements are put in place.

The work of the successful bidder will ensure that the information, advice and support available to children, young people and parents meets minimum standards regardless of where they live, and that these information, advice and support services strive to improve their delivery.

**What does this mean for local authorities?**

Local authorities continue to be under a statutory duty to commission information, advice and support services. Our new contractor will work to ensure that information, advice and support services in all local areas are supported to develop and improve their quality, so that they meet minimum standards. The successful bidder will encourage local services to meet or exceed these minimum standards, including providing financial incentives.

**What does this mean for current providers of Independent Supporters?**

We expect existing Independent Supporter providers to continue supporting parents and young people until new arrangements are developed in each local area. We expect existing Independent Supporter sub-contracts to novate to the new contractor in the first instance, pending the development of new arrangements in each local area.

## **Annex B – Workplan template**

1. **[Title of activity]**

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| **Objective** | **Ref no** | **Key Performance Indicator (including targets for success)** | **Activities/Actions** | **By When** | **Break down/itemised****cost** | **Total cost for objective (excluding VAT)** |
|  |  |  |  |  | Staffing costs:£ travel costs:£ | £ |
|  |  |  |  |  |  |  |
| *Example: To provide a report on xx* | *1* | *To provide a report on xxx which will inform next steps and policy direction for yyy* | *Research for report completed**First Draft provided**Final draft provided* | *1/05/2018**30/06/2018**31/08/2018* | *£xxxx**£xxxx**£xxxx* | *£xxxx* |

**Payment schedule template**

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| **Objective** | **Ref no** | **Activity / KPI** | **April** | **May** | **June** | **July** | **Aug** | **Sept** | **Oct** | **Nov** | **Dec** | **Jan** | **Feb** | **Mar** | **Total (ex. VAT)** | **VAT \*** | **Grand total** |
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\* VAT if applicable