



Planning
Inspectorate

Whistle Blowing Service Partner

17/2/1100

05 August 2022

Invitation to Tender for a Whistle Blowing Service Partner

Thank you for your interest in being a Whistle Blowing Service Partner on behalf of The Planning Inspectorate. This competition is being undertaken via **PCR 2015 Open Procedure via Contracts Finder**.

I look forward to hearing from you and encourage you to ask any questions should you require any clarification once you have reviewed all of the documentation.

Please contact me via Linda.Paul@planninginspectorate.gov.uk

Yours sincerely

A handwritten signature in black ink that reads "Linda Paul". The script is cursive and fluid.

Linda Paul
Procurement Manager

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Annex A Price Schedule

Annex B Tender written proposal template

1. Introduction

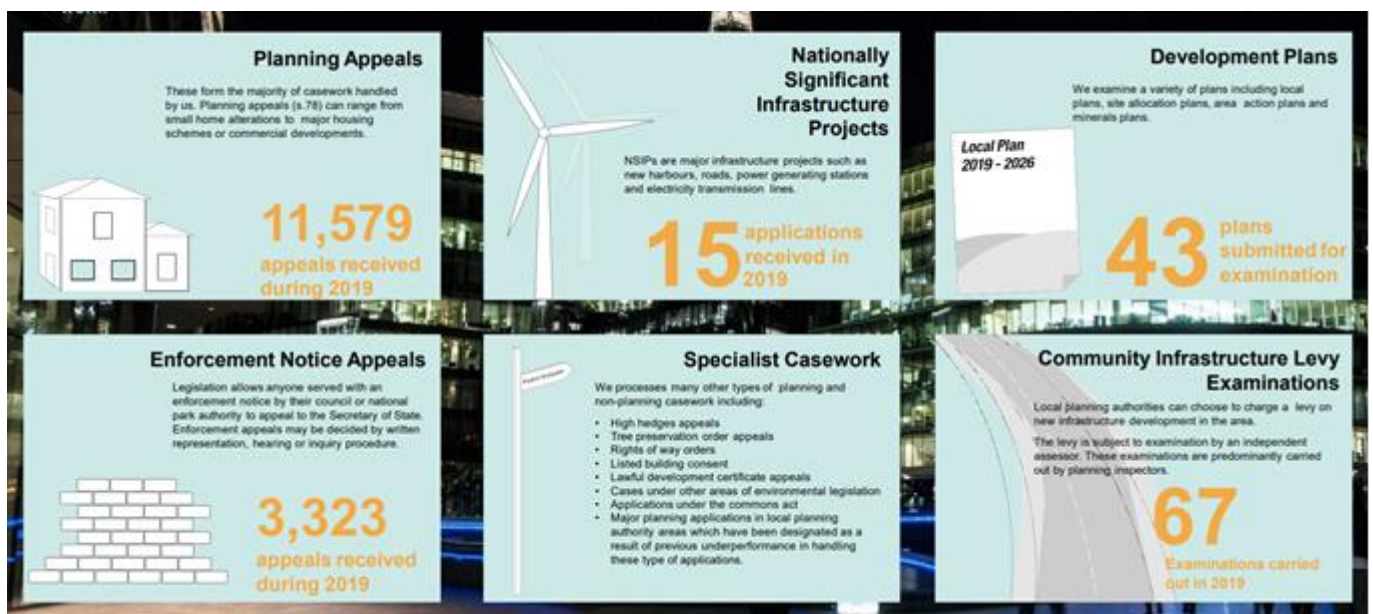
Introduction to the Planning Inspectorate

The Planning Inspectorate is an Executive Government Agency in the Department for Levelling Up, Housing and Communities.

Our work



We deal with planning appeals, national infrastructure planning applications, examination of local plans and other planning and specialist casework in England. These are the core areas of our work:



In this short film, our staff explain our work, our purpose and the values we work by:

<https://www.youtube.com/watch?v=6inT-7zbxsw>



What we do

The Planning Inspectorate deals with planning appeals, national infrastructure planning applications, examination of local plans and other planning and specialist casework across England



We contribute to the creation of great places by enabling:

- New homes and communities to be built where people want to live and work
- National infrastructure to be independently considered
- Local plans to be put in place
- The natural and historic environment to be conserved and enhanced

Our Purpose

We deal with planning appeals, national infrastructure planning applications, examinations of local plans and other planning-related and specialist casework. We share our expertise with communities, businesses, and local and national governments to enable good planning outcomes.



Our Vision (2021–25)

To provide our customers with high quality, timely and efficient services that support the nation's recovery from the COVID-19 pandemic by engaging, empowering and equipping our workforce and by delivering ambitious policy changes.

Our Values



Open: We are transparent in how we work and publish information, and listen to all points of view

Fair: We always act to ensure fair treatment of customers, staff, and everyone we work with

Impartial: We show no favour to any person or organisation

Customer Focused: We put customers at the heart of what we do

Where we are located

Our headquarters are in Bristol and we currently employ about 800 staff. Staff numbers include a mixture of full and part-time employees, home-based salaried Inspectors and office-based staff in the Bristol office (office-based staff currently working in a hybrid environment)). Support staff carry out a wide range of functions such as those relating to all aspects of casework (including dealing with the public); providing direct support for Inspectors; formal decision making for some types of casework; and ensuring essential organisational support through the provision of Corporate Services such as Finance, Commercial, HR and Digital Services.

Appeals are determined and recommendations are made by our home-based workforce which consists of some 350 Planning Inspectors, all of whom are professionally qualified (for example, as town planners, architects, lawyers or engineers). They come into the Bristol office infrequently, but they are provided with remote access to the Inspectorate's ICT systems. In addition, we contract with approximately 76 Non-Salaried Inspectors who are similarly geographically dispersed.

More information

More information about the Inspectorate is available [here](#).

2. Requirement

Background

In line with The Planning Inspectorate's HR policy there is a requirement to provide a whistle blowing service to all staff to encourage a culture of openness, transparency and enable all staff to report any perceived issues. There are some instances where staff may not feel comfortable with report issues via the line management chain, but would be comfortable reporting it through the external service.

We have operated an external service for 7 years and the current contract expires 31 October 2022.

Requirement & Deliverables

- Sufficient assurances of confidentiality in dealing with matters arising from the service adhering to relevant legislation.
- A free phone line to receive reports, or to receive guidance to support identification of wrongdoing and whether whistle blowing is the right route. This is to be provided 24/7 365 days year by suitably qualified and experienced staff. Follow up provision for the individual making the report, will also be provided.
- Secondary and tertiary options for individuals (online form and email options).
- Operational reporting of activity linked to local and Civil Service reporting requirements, including provision of full transcripts.
- Service suitable for employees with visual and hearing impairments.
- A defined, user-friendly process on the process for the management of calls demonstrated, including escalation of issues raised to pre-nominated PINS employees.
- Defined implementation process including communication materials, training for pre-nominated persons / training for line managers and business area leads on how to handle reports, linking how the policy connects to Health and Safety, HR, Fraud
- Access to an online, user-friendly secure management system which holds records of each issue raised.
- Periodic promotion of whistleblowing service to PINS staff to include at least annual engagement with staff by attending and presenting (via Teams) at an All Staff briefing to give examples of wrongdoing that staff can whistle blow on. Provide awareness of why it is important to come forward, to include but not limited to:

- To give information about how the service works and how whistle blowers are encouraged and protected
- how whistle blowing can strengthen organisations.

Contract duration

The duration of the contract will be from the date of award for 4 years.

Contract location

The successful supplier will work remotely and will be expected to attend meetings/presentations via Teams.

Contract management & meetings

The Contract Managers are Karin Takel our Strategy and Corporate Governance Lead and Richard Hunt our Human Resources Services

At contract Award please contact Karin at your earliest convenience to arrange a Stakeholder kick off meeting & planning session

Karin.takel@planninginspectorate.gov.uk

Touch point meetings at sensible junctions, to be agreed with Contract Manager and the Supplier at kick off meeting

GDPR

The successful Supplier shall have access to and process personal data under this contract including, but not limited to:

- names, email addresses, phone numbers and job role of employees, contractors and agency staff and the “accused” party

The Planning Inspectorate shall be the Data Controller and Supplier the Processor. Details on the appropriate use, control and security of data shall be included in the contract.

IR35

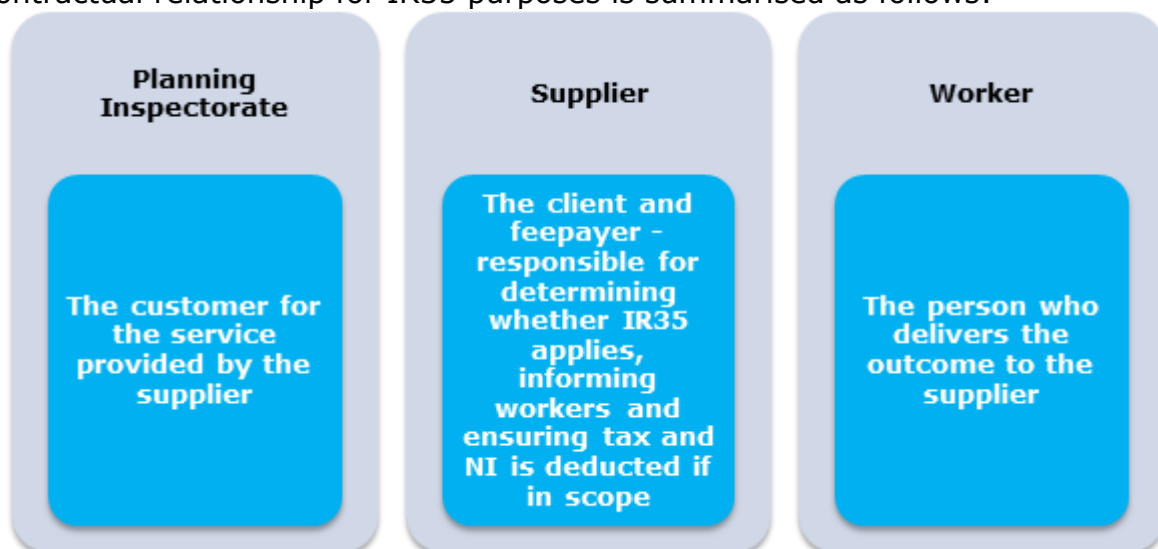
The Inspectorate has determined that this contract shall be delivered as a contracted service to the Inspectorate (also known as an outsourced service)¹. The supplier will therefore be responsible for determining the IR35 status for workers provided and issuing them with a status determination statement.

¹ [Chapter ESM10010](#) of HMRC’s Employment Status Manual covers the basic principles for contracted-out services

For the avoidance of doubt:

- The supplier will be provided with a wholly outcome-based requirement by the Inspectorate and will decide the capability needed to meet our demand. They will provide that capability as a service.
- The supplier will determine the work to be completed to deliver the outcome and will manage/control the workers.
- The number of workers needed to deliver the outcome/s and the risks are determined and borne by the supplier. The Inspectorate will not request individual roles/people or be sent workers.
- The supplier will be fully responsible for managing resources provided to ensure that outcomes are delivered. They control the work completed by workers and the subsequent quality provided.
- The Inspectorate will not review CVs or undertake interviews etc. If we are not happy with any work being delivered, we will inform the supplier who will decide what action should be taken i.e. with the worker.
- Workers will personally provide their service to the supplier, not the Inspectorate. They will not be treated like a Planning Inspectorate employee or contractor.
- Access to the Inspectorate's IT systems may be provided to complete outcomes if essential but this will be on a case-by-case basis

The contractual relationship for IR35 purposes is summarised as follows:



Security

The successful supplier must ensure that people provided through this contract to fulfil capability needed:

- are cleared to at least the Baseline Personnel Security Standard, as per this [link](#), and provide evidence if requested; and
- are aware of and understand their responsibilities, in particular related to the appropriate use of personal data.

Terms and conditions of contract

The contract will be subject to Crown Commercial Service Short Form Contract for the Supply of Goods and/or Services:

Charging method

Suppliers will provide a 4 Year fixed price for the delivery of the solution with a breakdown of cost for each year in pounds sterling exclusive VAT. **Please complete the Pricing Schedule in Annex A.**

The Inspectorate reserves the right not to award this contract and will not be responsible for any cost incurred by Suppliers participating in this further competition.

Contract changes

Any changes to the agreed scope/cost of the contract must be authorised by the Planning Inspectorate's Commercial Team by variation order **prior** to the commencement of work without exception. Any work undertaken which has not been specifically authorised by the Planning Inspectorate must not be invoiced.

3. Procurement dates

The table below sets out the procurement process and associated timescales. Please ensure that you read this carefully and note the key dates and action required.

Activity	Date
Invitation to submit written proposals via Contract Notice on Contracts Finder Suppliers will be invited to submit a written proposal	Friday 05 August 2022
Deadline for clarification question submissions	Wednesday 24 August 12:00 noon
Deadline for reply to clarification questions	Wednesday 31 August 2022 16:00
Written proposal deadline Written proposals must be emailed to: linda.paul@planninginspectorate.gov.uk	Thursday 08 September 2022 12:00 noon
Evaluation of written proposals Proposals will be evaluated in accordance with the proposed solution criteria.	Friday 09 September 2022 & Monday 12 September 2022
Final Evaluation	Tuesday 13 September 2022
Contract award The contract will be awarded to the successful supplier	20 September 2022
Start date	01 November 2022

4. How we will evaluate

The Contract shall be awarded to the most economically advantageous tender scored in accordance with the following evaluation criteria.

Scoring

Quality

Evaluation of written proposals

The panel will evaluate your tender written proposal against how you demonstrate that you meet our evaluation criteria (below) and allocate a score to the result.

1. Please demonstrate experience of providing a confidential whistle blowing service 24/7 365 days per year, by suitably qualified staff and suitable for employees with visual and hearing impairments, adhering to relevant legislation and advising if whistle blowing is the right route, detailing the follow up provision provided to the individual reporting
Weighting 20%
2. Please give details of all the reporting mechanisms you offer for people to contact on.
Weighting 10%
3. Please detail how you will provide operational reporting of activity which links to local and Civil Service reporting requirements, including provision of transcripts and provide evidence and detail of access to an online, user friendly, secure management system which holds records of each issue raised.
Weighting 5%
4. Please detail how you will implement your processes, defining the materials you will use for training pre-nominated persons/line managers and business leads, on how to handle reports whilst linking how the policy connects to Health & Safety, HR and Fraud.
Weighting 15%
5. Please detail how you will promote the whistle blowing service to PINS staff (via Teams) and provide awareness of why it is important to come forward to include but not limited to:
 - Giving information about how the service works and how whistle blowers are encouraged and protected
 - How whistle blowing can strengthen organisations**Weighting 15%**

The technical competence score weighting of the total score is **65%** -

Criteria will be scored on a scale of 0-5 in accordance with the Planning Inspectorate's standard scoring guide as shown below.



Should any of the criteria score less than 3, the supplier will be 'failed' and discounted from the procurement.

Quality (Social Value)

As an Executive Agency of a Central Government Department (DLUHC) PINS is required via Procurement Policy Note (PPN06/20) – to take into account Social Value in the Award of Central Government Contracts. Describe what commitments your organisation will make and/or has already made, against one or more of the five themes below, to ensure the performance of the contract will create/support social value? Please also include how you will/are implement, monitor and report on this.

- Creation of employment (including Apprenticeship), re-training and other return to work opportunities
- Support for people and communities
- Support for the physical and mental health
- Environment activity to limit mitigate waste

The Social Value score weighting is **10%**.

Price

Tenderers should complete and return Annex A Pricing Schedule "Fixed Pricing" for the delivery of the solution.

The commercial evaluation will be carried out by establishing the assessed price of each Tender, taken from each completed Pricing Schedule – Annex A. The assessment will be conducted against the prices tendered in the Pricing Schedule. The assessed price has a total weighting of 30%:

- Pricing will be evaluated against responses supplied by the Bidder in Annex A – Pricing Schedule that incorporates a Fixed price to deliver the solution.
- The pricing submission will be evaluated by way of a 'standard differential' method whereby each Bidder will be given a score of 100% less the percentage by which their total pricing submission (£) ratio is higher than the total pricing submission with the lowest overall price. For example, if the lowest pricing submission has a total

cost of £500,000 (which would receive 100%) and the next highest Pricing Submission is £600,000, the latter bid would receive 83%.

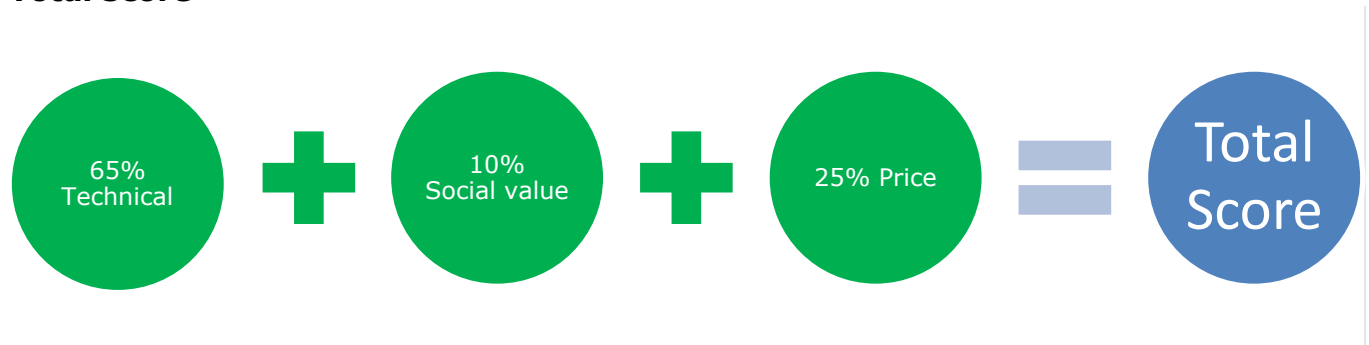
- Lowest Bid/Submission * 100 = % Score. Therefore £500,000/£600,000 * 100 = 83%
- Lowest Bidder will be awarded 100% of the score available (30%).
- Second Bidder will be awarded 83% of the score available (25%) etc..
- Rounding will be to the nearest whole number.
- The weighting for Price 30% will be applied to the score achieved from the standard differential method.

If we think a supplier has offered unusually low rates, we will ask them to explain. If the supplier's explanation isn't good enough, we may need to exclude them in accordance with Regulation 69, sections 4 to 7, of the Public Contracts Regulations 2015.

The price score weighting of the total score is **25%**.

The total evaluation score is made up as follows:

Total score



Award of Contract

The panel will recommend that PINS award the contract to the supplier with the tender evaluation that results in the lowest price per quality point (PQP).

The Tenderer to be offered the Contract will be advised accordingly via email. Such award, offered pursuant to this Invitation to Tender, will be on the basis of the most economically advantageous tender, based on the evaluation criteria described above.

Tenderers whom it is proposed will not be offered the Contract will be advised of this via email and will be entitled to receive feedback on their tender submission compared with that of the accepted tender.

Acceptance of Tender

The Customer does not bind itself to accept the lowest or any tender, and unless a Tenderer expressly states that a partial award will not be acceptable, then the right is reserved to accept a tender in part.

Upon conclusion of all the above stages, a formal Contract will be entered into between the Customer and the successful Tenderer. The Terms and Conditions governing the Contract will be those agreed between PINS and the successful Tenderer using Crown Commercial Service Short Form Contract for the Supply of Goods and/or Services.

Unless and until a formal Contract is prepared and executed, the Tenderer's tender submission, together with the Customer acceptance thereof, shall constitute a binding Contract between the parties.

5. Your Tender written proposal & Pricing Proposal

Please provide your written proposal using the 'proposal template' provided in Annex B, clearly setting out how you meet the evaluation criteria included in the Section 4.

The proposal template includes a section for each of the criteria being evaluated. In the template, please also declare any known or perceived conflicts of interest with any employees or contractors of the Planning Inspectorate.

Where to send your Written Proposal Annex B and Pricing Proposal Annex A

Your written proposal and pricing proposal must be submitted to linda.paul@planninginspectorate.gov.uk no later than **12:00 noon Thursday 08 September 2022**. Written proposals and pricing received after this deadline will not be accepted.