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# PURPOSE

## The Authority is looking to award a contract to a single Supplier for the provision of Independent Complaint Reviewer Services (ICRS).

## The objective is to have an external Supplier who can conduct the Independent Tier of the Authority’s internal complaints procedure ensuring the independence of that office at all times.

# BACKGROUND TO THE CONTRACTING aUTHORITY

## The Authority was formed on 1st December 2012 following the merger of the functions previously carried out by the Criminal Records Bureau and the Independent Safeguarding Authority and operates from sites located in Liverpool and Darlington.

## The Authority enables organisations in the public, private and voluntary sectors to make safer recruitment decisions by identifying candidates who may be unsuitable for certain work, particularly work that involves children or vulnerable adults.

## The Authority also assists in preventing unsuitable people from working with children and vulnerable adults in Regulated Activity.

## For the Authority, the period of 2017-20 faces new challenges in a fast changing world and we must be ready to respond. Crime is different; child sexual exploitation, cyber-crime and extremism, are all relevant to the Authority and we have a part to play by using our information and making decisions that support safeguarding.

# Background to requirement/OVERVIEW of requirement

## The role of the Independent Complaints Reviewer (ICR) is to provide an independent review of complaints which have been through the Authorities internal complaints process but where the complainant is not satisfied with the outcome. Unlike other Home Office non departmental public bodies, the Authority has chosen to offer a separate and independent review.

## The Authority remains committed to its task of providing an excellent service in issuing over 4.2 million certificates and considering over 12,900 referrals for barring, as well as seeing the Update Service increase by 74% to over 697,000 subscribers.

## The Authority has made significant progress in attaining Customer Service Excellence accreditation in September 2015 and seeking to improve how it delivers its services.

## The Authorities existing ICR contract is due to expire and the CEO has approved that there is a continued requirement for this independent service to be provided.

# definitions

|  |  |
| --- | --- |
| Expression or Acronym | Definition |
| ICR | Means Independent Complaints Reviewer. |
| PHSO | Means Parliamentary and Health Service Ombudsman |

# scope of requirement

## The Supplier shall be responsible for investigating any issue pertaining to the administration of the Authorities core activities.

## This means investigating customer complaints about service delivery relating to the Authorities activities or its staff, and which we have been unable to resolve to the customers’ satisfaction. The ICR role provides the independent tier to the Authorities complaints procedure.

## This shall not include:

### The subject matters included within a Disclosure check;

### The data contained within data sources available to Authority;

### Statutory Barring decisions made by the Authority;

### Matters subject to court or legal action;

### Any issue under criminal investigation;

### Matters of national security;

### Non-binding quantum of redress payments.

## There are several different categories of the types of complaints which the ICR receives:

### **Premature Complaints** – These are complaints which have not been through the Authorities complaints process. Other than in exceptional circumstances, the ICR should redirect these complaints through the normal Authority complaints process.

#### In some cases, the ICR will conduct an initial review of these complaints.

### **Out of Scope Complaints** – Complaints not in the remit of the ICR.

### **In Scope Complaints** – Complaints which have gone through the Authority complaints process and have not resulted in a satisfactory resolution for both parties. The ICR shall investigate these objectively for fairness and provided non-binding recommendations if appropriate.

# The requirement

## In line with PHSO best practice, the Authority has an independent tier within its complaints resolution model. This tier, the ICR, acts as an objective challenge to processes, including the equity and fairness of the Redress scheme.

## The ICR appointment is a demonstration of the desire of the Authority to provide a free, effective and impartial external complaints review and resolution service that aims to settle complaints that have exhausted the internal review stages without a suitable resolution. The role is to provide and make proportionate recommendations to resolve such complaints and to help improve the service in future in order to prevent similar complaints arising.

## The Supplier shall be responsible for the following:

### Using the Authority ICR investigation procedure, investigate customers’ complaints about the administration of Disclosure Applications, the timely issue of Authority checks and the Administration of the Barring Lists by the Authority and its employees and / or agents;

### To observe and secure the Authority complaint definition and complaint resolution model;

### To act as a final arbiter of fact, within the internal complaint procedure, in complaints about the administration of Disclosure Applications, the timely issue of Authority checks and the Administration of the Barring Lists by the Authority and its employees and / or agents to the appropriate Authority complaint resolution standard;

### To report annually to the Chief Executive Office at the Authority on the publication of the ICR Annual Report (example report attached for reference);

### To report quarterly to the Chief Executive Office at the Authority to provide an update on casework, observations, and trends.

### To observe a protocol that, in the absence of exceptional circumstances, or unless requested to by the Authority’s CEO, to refrain from investigating complaints to which, in the preceding 12 months, the Authority’s CEO has yet to have the opportunity to reply.

### Provide recommendations to the Authority with regards to improvements that can be made to the existing procedures.

### Communicate with the complainant and request any relevant evidence from the Authority.

## The Supplier should have experience in:

### Complaint and alternative complaint resolution;

### Investigating complaints within Local and or Central Government or other public body, or tribunal of fact;

### Weighing evidence and providing fact based reports.

## The Supplier shall also have strong experience and knowledge of:

### Role and limitations independent review

### Parliamentary and Health Service Ombudsman’s principles:

#### Good Administration;

#### Remedy;

#### Good Complaint Handling.

## In addition to the above, from time to time, the ICR may be requested to review the Authorities Complaints handling Process and Policy, with a view to providing recommendations on potential improvements which could be made.

# key milestones

## The Potential Supplier should note the following project milestones that the Authority will measure the quality of delivery against:

|  |  |  |
| --- | --- | --- |
| **Milestone** | **Description** | **Timeframe** |
| 1 | Draft ICR Annual Report for each financial year for publication | By the end of April after each financial year. |
| 2 | Draft ICR Quarterly Report on each of the financial quarters | By the end of the month after each of the financial quarters, July, October, January and April. |

# 

# authority’s responsibilities

## The Authority shall be responsible for dealing with all activities mentioned in paragraph 5.3.

## The Authority will be responsible for acknowledging complaints which are received and presenting these to the ICR, usually via email.

## The Authority will provide any evidence which the ICR requests relating to any complaint.

## The Authority will make the final decision on any recommendations made by the ICR following an investigation.

# reporting

## The Supplier shall be required to provide the following reports in the delivery of services under this contract:

### Annual Report;

### Quarterly Reports;

### Individual reports for complaints presented to the CEO;

# volumes

## In the past 3 years, the Authority has seen a rapid increase in the number of complaints which it receives: **2013/14** – 2,283, **2014/15** – 4,873 & **2015/16** – 6,339.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Complaint Category** | **2013/14** | **2014/15** | **2015/16** | **2016/17** |
| **Premature Complaints** | 16 | 16 | 51 | 80 |
| **Out of Scope Complaints** | 3 | 4 | 10 | 5 |
| **In Scope Complaints** | 2 | 2 | 1 | 11 |

## The majority of cases which have been sent to the ICR have been in relation to police delay. However, this can vary for any number of reasons including the update service and poor customer service.

## In addition to the above volumes, historically, the ICR has also been asked to intervene and investigate additional cases that are out of scope of the complaints policy at the request of the CEO. There are currently 2 of these being investigated currently.

## In general, the ICR has been contracted for around 20-30 days per annum over the last few years.

## The Authority does not offer any guaranteed volumes of work under this contract. The above are for information purposes only.

# continuous improvement

## The Supplier should present new ways of working to the Authority during regular Contract review meetings.

## Changes to the way in which the Services are to be delivered must be brought to the Authority’s attention and agreed prior to any changes being implemented.

# Sustainability

## N/A

# quality

## The Supplier shall have experience of operating in a Strategic Director level role.

## The Supplier must be or become a member of the Ombudsman’s Association in relation to the services which are provided under this contract. DBS will reimburse the annual fee for this membership.

# PRICE

## Prices are to be submitted via the Appendix E excluding VAT. Prices shall be based on a day rate (exclusive of VAT). Standard expenses in the delivery of the services outlined in paragraphs 5 & 6 (above) shall be included within the day rate.

## If the Supplier is requested to travel by the Authority, then expenses shall be payable by the Authority based on actual expenses incurred. Any such travel expenses shall require prior agreement with the Authority.

# STAFF AND CUSTOMER SERVICE

## The Authority requires the Potential Supplier to provide a sufficient level of resource throughout the duration of the Independent Complaint Reviewer Services Contract in order to consistently deliver a quality service to all Parties.

## Potential Supplier’s staff assigned to the Independent Complaint Reviewer Services Contract shall have the relevant qualifications and experience to deliver the Contract.

## The Potential Supplier shall ensure that staff understand the Authority’s vision and objectives and will provide excellent customer service to the Authority throughout the duration of the Contract.

# service levels and performance

## The Authority will measure the quality of the Supplier’s delivery by:

|  |  |  |  |
| --- | --- | --- | --- |
| KPI/SLA | Service Area | KPI/SLA description | Target |
| 1 | ICR Complaint Review | ICR shall contact the customer within 3 working days to review any complaint assigned for review. | 100% |
| 2 | ICR Complaint Review | ICR will complete investigation and provide report within 12 weeks (unless extension is agreed). | 100% |
| 3 | ICR Complaint Review | ICR will arrange to present ICR Quarterly Update report no later by the end of each month following a financial quarter. (i.e. April, July, October, January | 100% |
| 4 | ICR Complaint Review | ICR will present ICR Annual Report for publication by the end of the month following a financial year (i.e. April) | 100% |

# Security requirements

## The supplier is required to have Baseline Personnel Security Standard (BPSS) clearance and will be required to sign and adhere to the Authority confidentiality agreement as per Appendix F.

## Further information and guidance on obtaining BPSS clearance is available by contacting: [DBSSecurityTeam@dbs.gsi.gov.uk](http://DBSSecurityTeam@dbs.gsi.gov.uk/)

# intellectual property rights (ipr)

## The Authority shall own, in its entirety, any IPR created as a result of the services provided under this contract. For the avoidance of doubt, this shall include the ICR Annual Report, the Quarterly Reports and any other reports.

# payment

## Payment can only be made following satisfactory delivery of pre-agreed certified products and deliverables.

## Before payment can be considered, each invoice must include a detailed elemental breakdown of work completed and the associated costs.

# Term

## The contract will be for an initial 2 year term from the Commencement Date. The Authority retains the right to extend the contract by a further 1 year.

# additional information

## N/A

# Location

## The location of the Services will be carried out at any United Kingdom location. From time to time the Supplier may be required to attend Authority offices located at:

### Shannon Court, 10 Princes Parade, Liverpool, L3 1QY and

### Stephenson House, Morton Palms Business Park, Alderman Best Way, Darlington, DL1 4WD.