



Home Office

AUTHORITY: The Secretary of State for the Home Department

Schedule 6.1 – Mobilisation and Permit To Operate Process

Secure English Language Testing Services

Trinity College London

DOCUMENT LIST

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1. INTRODUCTION

- 1.1 This Schedule sets out the requirements, roles and responsibilities of the Parties which are required in order for the Authority to issue a Permit To Operate (“**PTO**”) and enable the Full Services Period to commence.
- 1.2 The PTO process will include a series of Permit To Operate Tests (“**PTO Tests**”), which will measure the Concessionaire’s readiness to deliver the SELT Service. The test process is further described in Paragraph 4 below and in Annex 6.1-1 (PTO Test Criteria).

2. MOBILISATION PLAN

- 2.1 The Outline Implementation Plan which applies at the Commencement Date is set out at Annex 6-1.6. It shall be replaced by the Detailed Mobilisation Plan, which shall be produced and then updated from time to time in accordance with the requirements of this Schedule, with the most up to date version being the “Mobilisation Plan” for the purposes of this Concession Agreement.
- 2.2 A draft Detailed Mobilisation Plan shall be submitted by the Concessionaire to the Authority as soon as possible, and no later than ten (10) Working Days after the Commencement Date.
- 2.3 The Detailed Mobilisation Plan shall be agreed by the Authority and the Concessionaire. The Concessionaire Manager shall consult with the Mobilisation Leads and the central Business Requirements Team in order to agree this plan.
- 2.4 The Detailed Mobilisation Plan shall be updated weekly during the Mobilisation Period to reflect progress against the Milestones and shall be continually reviewed by the Authority and the Concessionaire during weekly governance telephone calls.
- 2.5 The key Deliverables detailed in the Mobilisation Plan shall not be changed without the prior written agreement of the Authority.

3. MOBILISATION

- 3.1 The Detailed Mobilisation Plan shall:
 - 3.1.1 detail governance arrangements during the Mobilisation Period;
 - 3.1.2 detail contact details for the Personnel and contractors who will be involved with mobilisation activities;
 - 3.1.3 detail a process for status reporting to the Authority on a weekly basis, to include progress against the Mobilisation Plan; project issues and associated resolution and/or mitigating actions;
 - 3.1.4 detail procedures for mobilisation of the SELT Services during the

Mobilisation Period;

3.1.5 detail the programme of high level tasks (maximum breakdown of five (5) Working Days' actual effort) and the critical path for implementing the Authority's Requirements. This programme shall clearly indicate where the Concessionaire and/or the Authority are required to complete a task; and

3.1.6 include a risk register and issues log.

4. PERMIT TO OPERATE PROCESS

Request for Permit To Operate

- 4.1 The Concessionaire shall, by at least 30 days written notice, request from the Authority a Permit To Operate ("PTO Notice").
- 4.2 A Permit To Operate will only be issued if the Concessionaire has demonstrated to the reasonable satisfaction of the Authority that the Concessionaire can provide the SELT Service in a manner which meets all the requirements of this Concession Agreement.
- 4.3 The Authority shall carry out the necessary PTO Tests in accordance with Paragraph 4.6 as soon as reasonably practicable following receipt by the Authority of the PTO Notice.
- 4.4 The Authority shall notify the Concessionaire as soon as reasonably practicable where the PTO Notice is not complete in any material respect and following such notification the Concessionaire shall either withdraw; or amend and resubmit, the PTO Notice.
- 4.5 The request for a PTO Notice shall be addressed from the Concession Manager to the Authority's Concession Manager and shall include, as a minimum:
 - a) Confirmation and supporting evidence to show that the Mobilisation activities as detailed in the agreed Mobilisation Plan have been completed;
 - b) Confirmation and supporting evidence to show that all PTO Tests and PTO Test Criteria (as defined in Paragraph 4.612 below) have been or will be met by the PTO Commencement Date;
 - c) Confirmation and supporting evidence to show that the Concessionaire is fully ready to provide the SELT Service; and
 - d) Confirmation of the Permit To Operate Notice Date.

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- 4.6 As soon as reasonably practicable after receipt of the PTO Notice from the Concessionaire, the Authority, and/or such other persons as the Authority may specify, shall carry out such verification and inspections as the Authority deems are necessary for the purpose of deciding whether or not to issue a PTO (including, but not limited to, confirming the accuracy of the information provided by the Concessionaire in the PTO Notice in accordance with Paragraph 4.5 above) .
- 4.7 The Authority shall grant a PTO, where the Concessionaire has provided, in form and substance satisfactory to the Authority, sufficient evidence demonstrating that it meets or exceeds the PTO Test criteria set out in the column entitled “Test Criteria” in Annex 6.1-1 (PTO Test Criteria) (the “**PTO Test Criteria**”).
- 4.8 The PTO Tests shall take place at locations which are agreed with the Concessionaire and may be conducted in separate phases.
- 4.9 The Authority shall agree with the Concessionaire during mobilisation planning, the exact timing of the PTO Tests.
- 4.10 The Authority reserves the right to amend the PTO Tests and the PTO Test Criteria at any time.
- 4.11 For the avoidance of doubt, the issue of the PTO will indicate that the Concessionaire is ready to commence SELT Service delivery. This is separate from the Authority To Operate process described in Schedule 2.3 (Service Levels, Performance and Liquidated Damages) which allows the Authority to suspend or withdraw the operation of a particular Test Centre for specific breach during the Term.

Issue of Permit To Operate

- 4.12 The Authority shall issue a Permit To Operate where the Authority's Concession Manager can verify that:
 - 4.12.1 the mobilisation activities are complete; and
 - 4.12.2 that the PTO Test Criteria have been met to the satisfaction of the Authority.
The verification shall be conducted by the Authority using the templates set out in Annex 6.1-1 (PTO Test Criteria) and 6.1-2 (PTO Evidence Record).
- 4.13 The Authority's Concession Manager shall notify the Concessionaire of issue of the Permit To Operate using the template set out in Annex 6.1-3 (PTO Authorisation Letter).
- 4.14 The Authority in its absolute discretion may not issue a Permit To Operate if:
 - 4.14.1 in the opinion of the Authority (acting reasonably) the provisions of Paragraph 4.12 are not satisfied; and/or
 - 4.14.2 the Concessionaire's Permit To Operate Notice Date is a date after the Cut-off Date.

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- 4.15 Where the Authority's Concession Manager is not able to verify that the conditions set out in Paragraph 4.12 have been met, the Authority shall notify the Concessionaire using the "PTO Authorisation (Unsuccessful) Letter", a template for which is set out in Annex 6.1-5. This provides the Concessionaire with a written record of the reasons why a Permit To Operate will not be issued.
- 4.16 Following issue of the PTO Authorisation (Unsuccessful) Letter, the process to allow the Concessionaire a further opportunity to resolve the outstanding issues before escalating to the Authority's Commercial Director and Senior Responsible Officer, is as follows:
- 4.16.1 Where the Authority refuses to issue a Permit To Operate, and a PTO Authorisation (Unsuccessful) Letter has been provided to the Concessionaire in accordance with Paragraph 4.15, the Concessionaire shall comply with the required action, as specified in the letter.
- 4.16.2 When the Concessionaire believes that it has met the conditions set out in the PTO Authorisation (Unsuccessful) Letter, it shall agree a new Cut-Off Date with the Authority and repeat the processes set out in Paragraphs **Error! Reference source not found.** to 4.8 (inclusive) again in respect of the conditions set out in the PTO Authorisation (Unsuccessful) Letter seeking a Permit To Operate, save that:
- a) the notice period specified in Paragraph **Error! Reference source not found.** shall be fourteen (14) days instead of thirty (30) days; and
 - b) the Authority shall in any case respond as soon as reasonably practicable upon receipt of the new request, taking into account any reasons for its earlier refusal.

Partial Permit To Operate

- 4.17 Partial Permit To Operate is only applicable to Concessionaires who are delivering SELT Services in the ROW.
- 4.18 If the Concessionaire is ready to commence:
- 4.18.1 the provision of SELT Services in all UK Test Centres but not at all of the Test Centres in the ROW; or
- 4.18.2 the Concessionaire is ready to commence the partial provision of SELT Services in the ROW only;
- 4.18.3 it shall be entitled to apply for a Partial Permit To Operate using the same procedure as set out in Paragraphs **Error! Reference source not found.** to 4.8 (inclusive) above, save that, in its notice, the Concessionaire shall:
- 4.18.4 specify that it is applying for a Partial Permit to Operate;
- 4.18.5 state which Test Centres it believes are ready to operate and which are likely to be delayed; and

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- 4.18.6 include a plan for the mobilisation of the Test Centres which are not ready to operate, PROVIDED THAT the date for the full operation of the last Test Centre to be operational under this plan may be no later than the Cut-Off date.
- 4.19 Following the receipt of the Concessionaire's application for a Partial Permit To Operate, the Authority shall either issue a Partial Permit To Operate, or issue a PTO Authorisation (Unsuccessful) Letter in accordance with Paragraphs 4.15 and 4.16.
- 4.20 Upon issue of a Partial Permit To Operate, the Concessionaire may commence the provision of the SELT Service at those Test Centres covered by that Partial Permit To Operate.
- 4.21 In relation to those Test Centres in respect of which a Partial Permit To Operate is issued only:
- 4.21.1 the date of issue of the Partial Permit To Operate shall be deemed to be the "PTO Commencement Date"; and
- 4.21.2 the Concessionaire shall comply with any and all its obligations under this Concession Agreement which are stated to start on the "PTO Commencement Date", from such deemed PTO Commencement Date.
- 4.22 The process for applying for a full Permit To Operate for the remaining Test Centres, following grant of a Partial Permit To Operate, shall be as set out in Paragraphs **Error! Reference source not found.** to 4.8 (inclusive) above.

Full Services Period

- 4.23 The Full Services Period shall commence on the date that the Authority issues a Permit To Operate pursuant to this Paragraph 4 (the "**PTO Commencement Date**") and shall expire upon the earlier of the Expiry Date or the date of termination of the Concession Agreement.

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ANNEX 6.1-1: PTO TEST CRITERIA

Test Area		Test Criteria	Authority to complete			
			Evidence Obtained and/or witnessed	Criterion Met	Signed	Date
001	Evidence of Concessionaire and Test, OFQual accreditation.	The Concessionaire to provide evidence of current Ofqual accreditation of the Concessionaire and the test.	Yes/No	Yes/No		
002	Evidence that the Test maps to the required CEFR scales	Report produced by authorised independent body to confirm the Concessionaire's test maps appropriately to the CEFR scale.	Yes/No	Yes/No		
003	Personnel checks • Assurance that recruitment has been conducted in accordance with relevant legislation • Suitable security check have been conducted in accordance with Schedule 2.2 (Security) and Schedule 9.3 (Personnel Clearance Procedure) • Evidence has been provided that this has been extended to Subcontractor personnel and is assured by the Concessionaire	The Concessionaire to provide evidence of: - Recruitment plan within project plan - Copy of current policy for security checks - A sample of the security checks completed, including the evidence provided and used to complete the checks (e.g. copies of passports, proof of address) - A sample of the security checks completed for subcontracted staff, including the evidence provided and used to complete the checks (e.g. copies of passports, proof of address)	Yes/No	Yes/No		

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Test Area		Test Criteria	Authority to complete			
			Evidence Obtained and/or witnessed	Criterion Met	Signed	Date
004	Detailed Information about the Test Centre network and subcontracting including • Full names and addresses of Subcontractors • Confirmation of how many Test Centres each Subcontract uses for SELT delivery • Confirmation of number of staff engaged in SELT Tests at each Test Centre • Clarification as to whether Subcontractor staff work at multiple Test Centres or not obtained	The Concessionaire to provide full documentary evidence of each test centre within the SELT network including: • the Test Centre address • Test Centre number • Number of directly managed staff at the Test Centre • Number of subcontractors at the Test Centre (where applicable) • Average and maximum capacity of the Test Centre • How the centre will be fitted to meet Authority requirements. Evidence of successful progress in mitigation of RAG status. Where applicable details of any subcontractor(s) who will work in multiple test centres (where applicable)	Yes/No	Yes/No		
005	Visit at least 2 Test Centres to be assured, such that SELT Services and Test Centre premises are set up in accordance with the Authority's Requirements set out in Schedule 2.1 (Authority's Requirements)	The Concessionaire to provide all evidence required by Test 004, updating the Authority with progress on a regular basis until the PTO is awarded. The Concessionaire to allow and	Yes/No	Yes/No		

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			Authority to complete			
Test Area		Test Criteria	Evidence Obtained and/or witnessed	Criterion Met	Signed	Date
		facilitate test centre visits at the request of the Authority. Checklist must be satisfactorily completed.				
006	Evidence of an up-to-date risk register including risk rating for each Test Centre provided.	The Concessionaire to evidence the mobilisation risk register on a weekly basis, demonstrating that the risk register is being used accordingly.	Yes/No	Yes/No		
007	Evidence of a Booking System and the On-line Verification System which is ready and load tested to be provided.	The Concessionaire to: Produce plans for and evidence of build and testing to ensure systems will be fit for purpose;	Yes/No	Yes/No		
008	Evidence of staff training on security protocols to be followed to be provided	The Concessionaire to provide documentary evidence of: - The training schedule - The training packages	Yes/No	Yes/No		
009	Evidence that the Concessionaire is able to produce management information of Tests.	- Evidence of how each MI requirement will be sourced; - Completion of meeting with Home Office data expert to demonstrate build and quality assurance of the reporting for the Authority	Yes/No	Yes/No		

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Test Area		Test Criteria	Authority to complete			
			Evidence Obtained and/or witnessed	Criterion Met	Signed	Date
010	Evidence of ISO information is provided: One or more of the following: • ISO/IEC 27001: Code of practice for information security management • ISO/IEC 17024: General requirements for bodies operating certification of persons • ISO/IEC 23988: Code of practice for the use of information technology (IT) in the delivery of assessments • BS 25999: Business continuity management.	The Concessionaire to provide a current appropriate certification by the authorised awarding body	Yes/No	Yes/No		
011	Evidence of Mystery Shopping going live	The Concessionaire to provide evidence of: - Signed copy of the Mystery Shopping contract demonstrating compliance with relevant terms of the Concession Agreement details of who is conducting the mystery shopping - Schedule of first mystery shop events	Yes/No	Yes/No		
012	Evidence of the Security and Anti corruption Policy, including the Secure Identity process, provided	The Concessionaire to provide copies of its - Security policy - Anti corruption policy - Secure identity process - Whistleblowing policy - Secure identity process	Yes/No	Yes/No		

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			Authority to complete			
Test Area		Test Criteria	Evidence Obtained and/or witnessed	Criterion Met	Signed	Date
013	Draft Business Continuity and Disaster Recovery Plan provided within one month of the Commencement Date or such other deadline as agreed by the Authority.	The Concessionaire to provide documentary evidence of the Business Continuity and disaster recovery plan. When the authority visits test centres as part of the PTO Test process, the Business Continuity and disaster recovery plan for that Test Centre should be presented	Yes/No	Yes/No		
014	Draft Exit Management Plan available	Provide a final draft Exit Plan in accordance with the requirements of the Concession Agreement	Yes/No	Yes/No		
015	All tasks listed in the Mobilisation plan have been completed to the satisfaction of the Authority	The Concessionaire to demonstrate successful progress against the key milestones specified in their Mobilisation Project Plan	Yes/No	Yes/No		
016	Procedures are robust and ensure that the Concessionaire can deliver the Services in a manner which meet the requirements of the Concession Agreement	The Authority to confirm that 001-015 have been successful completed to a high standard and the Concessionaire has fully demonstrated the ability to provide a robust service which meets the full requirements of the Concession Agreement.	Yes/No	Yes/No		

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ANNEX 6.1-2: PTO EVIDENCE RECORD

Test	<u>Description of Evidence -</u>
(example) OFQUAL Accreditation	<i>Evidence obtained that the Concessionaire has appropriate OFQUAL accreditation. OFQUAL Registration number xxxxxx accredited on xxxxxx</i>

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ANNEX 6.1-3: PTO AUTHORISATION LETTER

[Region/Directorate] T [00000 000 000]
[First address line] F [00000 000 000]
[Second address line] www.gov.uk/home-office
[Town/city]
[County Postcode]

[Recipient's name]
[Position, company]
[First address line]
[Second address line]
[Town/city Postcode]

[00 Month 0000]

Dear [Name]

RE: SELT – Permit To Operate under the concession agreement dated [] entered into between [Concessionaire] and the Secretary of State for the Home Department (the “Authority”)

The Authority is pleased to confirm that [Concessionaire] has passed the PTO Tests and that the Authority is issuing this **Permit To Operate** (PTO) in accordance with the terms of Concession Agreement in respect of the following Test Centres:

[List Test Centres]

This PTO enables [Concessionaire] to commence the Full Service Period on the [dd-mmm-2015].

From the date of issue of this PTO, the Concessionaire shall have Authority To Operate in respect of all the Test Centres referred to above.

We look forward to discussing with [Concessionaire] progress at the first Monthly Performance meeting to be held on [dd-mmm-2015].

Yours faithfully

[Author's name]
[Position/title]

D [00000 000 000]
E [firstname.surname@homeoffice.gsi.gov.uk]

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ANNEX 6.1-4: PARTIAL PTO AUTHORISATION LETTER

[Region/Directorate] T [00000 000 000]
[First address line] F [00000 000 000]
[Second address line] www.gov.uk/home-office
[Town/city]
[County Postcode]

[Recipient's name]
[Position, company]
[First address line]
[Second address line]
[Town/city Postcode]

[00 Month 0000]

Dear [Name]

RE: SELT – Partial Permit To Operate (“Partial PTO”) under the concession agreement dated [] entered into between [Concessionaire] and the Secretary of State for the Home Department (the “Authority”)

The Authority is pleased to confirm that [Concessionaire] has passed the PTO Tests and has provided the Authority with an acceptable mobilisation plan, and the Authority is using a Partial PTO, for the following Test Centres:

[List Test Centres]

This letter confirms that all [Concessionaire] Test Centres [(UK)] [and subcontracted Test Centres (ROW)] listed above have now been issued Authority To Operate on an individual basis.

Any application for a full Permit To Operate must be made before the Cut-Off Date. Failure to make this application will result in the remaining Test Centres not receiving Authority To Operate.

We look forward to discussing with [Concessionaire] progress at the first Monthly Performance Management meeting to be held on [dd-mmm-2015].

Yours faithfully

[Author's name]
[Position/title]

D [00000 000 000]
E [firstname.surname@homeoffice.gsi.gov.uk]

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ANNEX 6.1-5: PTO AUTHORISATION UNSUCCESSFUL

[Region/Directorate] T [00000 000 000]
[First address line] F [00000 000 000]
[Second address line] www.gov.uk/home-office
[Town/city]
[County Postcode]

[Recipient's name]
[Position, company]
[First address line]
[Second address line]
[Town/city Postcode]

[00 Month 0000]

Dear [Name]

RE: SELT - Permit To Operate under the concession agreement dated [] entered into between [Concessionaire] and the Secretary of State for the Home Department (the "Authority")

The Authority regrets to inform [Concessionaire] that on this occasion the requirements for issue the **Permit To Operate** have not been met.

The areas where [Concessionaire] has met the Authority's requirements are:

- [List the requirements/failed PTO Tests]

The areas [Concessionaire] did not meet the Authority's requirements and the reasons for such failures are:

Requirement	Reason for Failure and Action required

In accordance with Schedule 6.1 Paragraph 4.17 of the Concession Agreement, please resolve these outstanding issues, contact us to renegotiate the Cut-Off Date (if required) and resubmit your request for a Permit To Operate within **14** working days of the date of this letter.

Should you require any assistance from the Authority, please do not hesitate to contact me on the contact details provided above.

Yours sincerely

[Author's name]
[Position/title]

D [00000 000 000]
E [firstname.surname@homeoffice.gsi.gov.uk]

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ANNEX 6.1-6: MOBILISATION PLAN

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