



Mini Competition

**Mini Competition against an existing Framework Agreement (MC)
on behalf of **Advisory Conciliation and Arbitration Service (ACAS)****

Subject UK SBS **Early Conciliation: User research**

Sourcing reference number **FWMRCR17027ACAS**

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Section 1 – About UK Shared Business Services

Putting the business into shared services

UK Shared Business Services Ltd (UK SBS) brings a commercial attitude to the public sector; helping our customers improve efficiency, generate savings and modernise.

It is our vision to become the leading provider for our customers of shared business services in the UK public sector, continuously reducing cost and improving quality of business services for Government and the public sector.

Our broad range of expert services is shared by our customers. This allows our customers the freedom to focus resources on core activities; innovating and transforming their own organisations.

Core services include Procurement, Finance, Grants Admissions, Human Resources, Payroll, ISS, and Property Asset Management all underpinned by our Service Delivery and Contact Centre teams.

UK SBS is a people rather than task focused business. It's what makes us different to the traditional transactional shared services centre. What is more, being a not-for-profit organisation owned by its customers, UK SBS' goals are aligned with the public sector and delivering best value for the UK taxpayer.

UK Shared Business Services Ltd changed its name from RCUK Shared Services Centre Ltd in March 2013.

Our Customers

Growing from a foundation of supporting the Research Councils, 2012/13 saw Business Innovation and Skills (BEIS) transition their procurement to UK SBS and Crown Commercial Service (CCS – previously Government Procurement Service) agree a Memorandum of Understanding with UK SBS to deliver two major procurement categories (construction and research) across Government.

UK SBS currently manages £700m expenditure for its Customers.

Our Customers who have access to our services and Contracts are detailed [here](#).

Section 2 – About Our Customer

Advisory Conciliation and Arbitration Service (ACAS)

An independent body, largely funded by the Department for Business Innovation and Skills (BEIS), ACAS was established formally by statute in 1976. Today it employs around 750 people with a devolved structure with offices in 12 areas grouped into four ACAS regions across England, Scotland and Wales. The Head Office for ACAS is based in London and houses a wide range of corporate support functions and policy makers including the Strategy Directorate who are commissioning this work. Within the Strategy Directorate are the Strategy Unit, Information and Guidance team, Equality and Diversity team, Communication teams and Research and Evaluation Section (RES). RES will manage the project.

ACAS aims to improve organisations and working life through better employment relationships and through a range of services which are delivered with independence, impartiality and are confidential.

ACAS is well known for its role in providing a dispute resolution service both in collective and individual disputes. ACAS offers a collective conciliation service for dealing with disputes between groups of workers and their employers. ACAS also deals with disputes where individuals claim their employer has breached their legal rights and ACAS has a statutory duty to promote the resolution of claims which might result in an Employment Tribunal.

ACAS also provides authoritative advice and guidance on employment and work matters to organisations and their employees, through online and telephone channels. ACAS' national and regional advisers help organisations improve their employment practice, as well as solve problems when things go wrong, ACAS training and tailored projects help organisations develop employee engagement and productive working environments.

ACAS uses its insight and knowledge of workplace relations to inform policy development working with Government and wider stakeholders.

ACAS' main services can be grouped as follows (all of which would benefit from inclusion in this economic impact assessment):

Resolution of collective industrial disputes:

- Collective Conciliation
- Collective Arbitration
- Workplace Projects to prevent disputes through improved workplace relations

Resolution of individual rights disputes:

- Individual Conciliation in Employment Tribunal claims (IC)

- Early Conciliation in potential Employment Tribunal claims (EC)

Provision of information and advice on employment rights and obligations:

- Helpline - interactive service delivered by phone

– ‘Helpline on-line’ tool (a question and answer service on the ACAS website)

- Helpline ‘webchat’ (another form of helpline advice, using real-time online communication between an ACAS advisor and ACAS users)

Services to provide direct assistance to improve workplace practices:

- Open access training services

- Workplace (bespoke) training services

- Charged Workplace Projects (ACAS advice and facilitation to jointly address workplace problems with management and employee representatives)

- In-depth advice (face-to-face visits or telephone advisory work to address workplace problems)

- Mediation in disputes or relationship breakdowns among individuals or groups in the workplace

- Certificate in Internal Workplace Mediation (CIWM): an accredited five day training course in mediation for delegates to use in their own workplace

Guidance to set standards and support self-help in adopting them:

- Statutory Codes of Practice

- Online non-statutory guidance (found on the ACAS Website)

- On-line tools for self-assessment and education accessed via ACAS website, for example ACAS’ e-learning modules and the ACAS Model Workplace (AMWP) tool

- Website and other online communication content (employment relations research and discussion papers and advice and signposting to advice on social media etc) which improve employment relations and are not covered in the above

Waived fee and charged services

The majority of ACAS services are free at the point of use, however since around the year 2000 ACAS has offered charged-for services which recover their costs (they break even rather than make a profit). These services are Open Access Training and Workplace Training services; those Workplace Projects which are not related to preventing an imminent or existing collective dispute; Certificate in Internal Workplace Mediation (CIWM) Training; and Mediation to help individuals and groups resolve workplace issues or differences (which are outside the Employment Tribunal and collective conciliation systems).

www.ACAS.org.uk

Section 3 - Working with UK Shared Business Services Ltd.

In this section you will find details of your Procurement contact point and the timescales relating to this opportunity.

Section 3 – Contact details		
3.1	Customer Name and address	Advisory Conciliation and Arbitration Service (ACAS) 22 nd Floor Euston Tower 286 Euston Road London NW1 3DP
3.2	Buyer name	Liz Vincent
3.3	Buyer contact details	Research@uksbs.co.uk
3.4	Estimated value of the Opportunity	£20,000 excluding VAT
3.5	Process for the submission of clarifications and Bids	All correspondence shall be submitted within the Emptoris e-sourcing tool. Guidance Notes to support the use of Emptoris is available here. Please note submission of a Bid to any email address including the Buyer <u>will</u> result in the Bid <u>not</u> being considered.
Section 3 - Timescales		
3.6	Date of Issue of Mini Competition to all Bidders	22/02/2017
3.7	Latest date/time Mini Competition clarification questions should be received through Emptoris messaging system	01/03/2017 14:00
3.8	Latest date/time Mini Competition clarification answers should be sent to all potential Bidders by the Buyer through Emptoris	03/03/2017
3.9	Latest date/time Mini Competition Bid shall be submitted through Emptoris	08/03/2017 14:00
3.10	Anticipated rejection of unsuccessful Bids date	14/03/2017

3.11	Anticipated Award Date	14/03/2017
3.12	Anticipated Call Off Contract Start Date	16/03/2017
3.13	Anticipated Call Off Contract End Date	31/05/2017
3.14	Bid Validity Period	60 Working Days
3.15	Framework and Lot the procurement should be based on	RM1086 Market Research Framework Lot 2

Section 4 – Specification

Early Conciliation: User research

1. Introduction

All individuals wishing to lodge an Employment Tribunal (ET) claim against their employer are required to first notify Acas of their intention to do so, by completing an Early Conciliation (EC) notification form on Acas' website. After submitting their EC notification form, Acas will contact the individual and will offer them the opportunity to use its 'Early Conciliation' service, as an alternative way of settling the workplace dispute without going to court. If the offer of EC is refused or if it fails to reach a resolution, the individual is then free to pursue an ET claim. Full details of this process are detailed at: <http://www.acas.org.uk/earlyconciliation>

In order to access the EC notification form, the individual is required to visit a web-front end that sets out a range of contextual information and links directly to the form itself – the web-front end appears at: <https://ec.acas.org.uk/>

The web-front end has been gradually augmented since its launch in 2014. Its function is to host the EC form itself and provide users with associated guidance and information.

Currently, the EC notification form itself is extremely short and requires individuals to submit only very basic contact and factual information (all being mandatory fields):

- Name and contact details
- Representative details (only applicable where the individual has an appointed a person to act on your behalf)
- Name and contact details for the relevant employer, person or organisation against whom the individual wishes to claim
- Brief employment details: Start date, termination date, job role, event date

The current form and landing page(s) have been operational since April 2014, fielding more than 90,000 notifications a year.

The basic purpose of the form is to comply with the mandatory requirement to notify Acas before making a claim to an Employment Tribunal and to enable an Acas support officer to make contact with the claimant and verify the information that has been provided, ask more questions about the claim, explain the process of EC and invite the individual to take part. If the individual *is* willing to take part in Early Conciliation, at that point the claim will be passed to an Acas conciliator who will undertake conciliation. First contact will always be with the claimant; Acas will not contact the employer until the claimant agrees to conciliate.

2. Aims

Based on the webpages listed:

- <http://www.acas.org.uk/earlyconciliation>
- <https://ec.acas.org.uk/>

Acas would like to get evidence of:

- Understanding of how users of EC get to the Early Conciliation webpages (the user journey) and what they expect in terms of information and service when they arrive at these webpages
(the webpages above can also be accessed via link from GOV.UK Website here <https://www.gov.uk/employment-tribunals>)
- User comprehension of the information provided on those webpages.
- Usability of the web-front end (i.e. going beyond the form itself to consider how the EC notification form web-front end, which has been operational since 2014, is currently working).

3. Methodology

This is a proposed methodology and we are open to any suggestions for improvements.

How to test

- Face-to-face sessions comprising in-depth interviews with **up to 24** 'users'. This would probably be a mix of both people who have put in an ET claim previously and those with no prior experience of putting in an ET claim. Each interview would probably last an hour.
- We would like to include a session with **up to 6** users to take place in a lab setting (with video recording), to allow Acas staff to observe 'users' using the Early Conciliation webpages. The session would be scenario based and would ask users to complete a series of task related to Early Conciliation and the webpages. It is likely that each session would last approximately one hour.

Who to test with

- A broad range of employees, preferably a mix of those with and without prior personal experience of having submitted an ET claim (but with an emphasis on testing with those who have *not* previously done so),
- across a broad range of job roles and organisation types (sector and size),
- with some additional stratification on age and gender.
- Some people with low digital skills and/or a disability.

Please give details of how you will recruit these types of participants in the Methodology section of your bid.

Please give details in your bid on your willingness to be flexible regarding the number

of people to interview so that if Acas wished we could reduce the number of interviews (and therefore the cost of this element would also be reduced in tandem).

A topic guide for the face-to-face sessions will need to be developed in collaboration with the Acas Research and Evaluation Team.

This would take place either at the interviewee's home or workplace whichever is most appropriate. Alternatively this could be in a lab environment with an Acas observer.

A summary report with the main findings is required from these interviews.

It is expected that an incentive payment will be necessary for each person attending the testing to compensate them for their time. This will need to be factored into your costs.

Exact timings/dates of the eight sessions can be finalised later but are anticipated to take place in March/April 2017.

4. Timetable

Ideally we would like this research to be complete by end of May 2017 and if possible sooner.

Please supply a timetable in the methodology section of your bid outlining the stages of the project and dates.

5. Outputs

A summary report and/or slides of findings to be discussed in more detail once contract has been awarded.

Section 5 – Evaluation of Bids

The evaluation model below shall be used for this Mini Competition, which will be determined to two decimal places.

Where a question is 'for information only' it will not be scored.

To maintain a high degree of rigour in the evaluation of your bid, a process of moderation will be undertaken to ensure consistency by all evaluators.

After moderation the scores will be finalised by performing a calculation to identify (at question level) the mean average of all evaluators (Example – a question is scored by three evaluators and judged as scoring 5, 5 and 6. These scores will be added together and divided by the number of evaluators to produce the final score of 5.33 ($5+5+6 = 16 \div 3 = 5.33$))

Pass / fail criteria		
Questionnaire	Q No.	Question subject
Commercial	FOI1.1	Freedom of Information Exemptions
Commercial	AW1.1	Form of Bid
Commercial	AW1.3	Certificate of Bona Fide Bid
Quality	AW6.1	Compliance to the Specification
-	-	Invitation to Quote – received on time within e-sourcing tool

Scoring criteria

Evaluation Justification Statement

In consideration of this particular requirement UK SBS has decided to evaluate Potential Providers by adopting the weightings/scoring mechanism detailed within this Mini Competition. UK SBS considers these weightings to be in line with existing best practice for a requirement of this type.

Questionnaire	Q No.	Question subject	Maximum Marks
Price	AW5.2	Price	40%
Quality	PROJ1.1	Understanding The Requirements	15%
Quality	PROJ1.2	Methodology and timetable	35%
Quality	PROJ1.3	Risk Management	10%

Evaluation of criteria

Non-Price elements

Each question will be judged on a score from 0 to 100, which shall be subjected to a multiplier to reflect the percentage of the evaluation criteria allocated to that question.

Where an evaluation criterion is worth 20% then the 0-100 score achieved will be multiplied by 20.

Example if a Bidder scores 60 from the available 100 points this will equate to 12% by using the following calculation: Score/Total Points available multiplied by 20 ($60/100 \times 20 = 12$)

Where an evaluation criterion is worth 10% then the 0-100 score achieved will be multiplied by 10.

Example if a Bidder scores 60 from the available 100 points this will equate to 6% by using the following calculation: Score/Total Points available multiplied by 10 ($60/100 \times 10 = 6$)

The same logic will be applied to groups of questions which equate to a single evaluation criterion.

The 0-100 score shall be based on (unless otherwise stated within the question):

0	The Question is not answered or the response is completely unacceptable.
10	Extremely poor response – they have completely missed the point of the question.
20	Very poor response and not wholly acceptable. Requires major revision to the response to make it acceptable. Only partially answers the requirement, with

	major deficiencies and little relevant detail proposed.
40	Poor response only partially satisfying the selection question requirements with deficiencies apparent. Some useful evidence provided but response falls well short of expectations. Low probability of being a capable supplier.
60	Response is acceptable but remains basic and could have been expanded upon. Response is sufficient but does not inspire.
80	Good response which describes their capabilities in detail which provides high levels of assurance consistent with a quality provider. The response includes a full description of techniques and measurements currently employed.
100	Response is exceptional and clearly demonstrates they are capable of meeting the requirement. No significant weaknesses noted. The response is compelling in its description of techniques and measurements currently employed, providing full assurance consistent with a quality provider.

All questions will be scored based on the above mechanism. Please be aware that the final score returned may be different as there will be multiple evaluators and their individual scores after a moderation process will be averaged (mean) to determine your final score.

Example

Evaluator 1 scored your bid as 60

Evaluator 2 scored your bid as 60

Evaluator 3 scored your bid as 50

Evaluator 4 scored your bid as 50

Your final score will $(60+60+50+50) \div 4 = 55$

Price elements will be judged on the following criteria.

The lowest price for a response which meets the pass criteria shall score 100. All other bids shall be scored on a pro rata basis in relation to the lowest price. The score is then subject to a multiplier to reflect the percentage value of the price criterion.

For example - Bid 1 £100,000 scores 100,

Bid 2 £120,000 differential of £20,000 or 20% remove 20% from price scores 80

Bid 3 £150,000 differential £50,000 remove 50% from price scores 50.

Bid 4 £175,000 differential £75,000 remove 75% from price scores 25.

Bid 5 £200,000 differential £100,000 remove 100% from price scores 0.

Bid 6 £300,000 differential £200,000 remove 100% from price scores 0.

Where the scoring criterion is worth 50% then the 0-100 score achieved will be multiplied by 50

In the example if a supplier scores 80 from the available 100 points this will equate to 40% by using the following calculation: $\text{Score/Total Points} \times 50$ ($80/100 \times 50 = 40$)

The lowest score possible is 0 even if the price submitted is more than 100% greater than the lowest price.

Once the evaluation process and due diligence is complete, should the result of the process result in a tied place(s) then the supplier(s) who scored the highest total in the Quality criterion shall be considered the successful supplier and shall be awarded the opportunity .

Should the above still result in a tie we will go to a secondary tie decision which will be who scored the highest total in the Price criterion (Question AW5.2) they shall be considered the successful supplier and shall be awarded the opportunity.

Section 6 – Evaluation questionnaire

Bidders should note that the evaluation questionnaire is located within the **e-sourcing questionnaire**.

Guidance on completion of the questionnaire is available at
<http://www.ukpbs.co.uk/services/procure/Pages/supplier.aspx>

PLEASE NOTE THE QUESTIONS ARE NOT NUMBERED SEQUENTIALLY

Section 7 – General Information

What makes a good bid – some simple do's 😊

DO:

- 7.1 Do comply with Procurement document instructions. Failure to do so may lead to disqualification.
- 7.2 Do provide the Bid on time, and in the required format. Remember that the date/time given for a response is the last date that it can be accepted; we are legally bound to disqualify late submissions.
- 7.3 Do ensure you have read all the training materials to utilise e-sourcing tool prior to responding to this Bid. If you send your Bid by email or post it will be rejected.
- 7.4 Do use Microsoft Word, PowerPoint Excel 97-03 or compatible formats, or PDF unless agreed in writing by the Buyer. If you use another file format without our written permission we may reject your Bid.
- 7.5 Do ensure you utilise the Emptoris messaging system to raise any clarifications to our Mini Competition. You should note that typically we will release the answer to the question to all bidders and where we suspect the question contains confidential information we may modify the content of the question to protect the anonymity of the Bidder or their proposed solution
- 7.6 Do answer the question, it is not enough simply to cross-reference to a 'policy', web page or another part of your Bid, the evaluation team have limited time to assess bids and if they can't find the answer, they can't score it.
- 7.7 Do consider who your customer is and what they want – a generic answer does not necessarily meet every customer's needs.
- 7.8 Do reference your documents correctly, specifically where supporting documentation is requested e.g. referencing the question/s they apply to.
- 7.9 Do provide clear and concise contact details; telephone numbers, e-mails and fax details.
- 7.10 Do complete all questions in the questionnaire or we may reject your Bid.
- 7.11 Do check and recheck your Bid before dispatch.

What makes a good bid – some simple do not's ☹

DO NOT

- 7.12 Do not cut and paste from a previous document and forget to change the previous details such as the previous buyer's name.
- 7.13 Do not attach 'glossy' brochures that have not been requested, they will not be read unless we have asked for them. Only send what has been requested and only send supplementary information if we have offered the opportunity so to do.
- 7.14 Do not share the Procurement documents, they are confidential and should not be shared with anyone without the Buyers written permission.
- 7.15 Do not seek to influence the procurement process by requesting meetings or contacting UK SBS or the Customer to discuss your Bid. If your Bid requires clarification the Buyer will contact you.
- 7.16 Do not contact any UK SBS staff or Customer staff without the Buyers written permission or we may reject your Bid.
- 7.17 Do not collude to fix or adjust the price or withdraw your Bid with another Party as we will reject your Bid.
- 7.18 Do not offer UK SBS or Customer staff any inducement or we will reject your Bid.
- 7.19 Do not seek changes to the Bid after responses have been submitted and the deadline for Bids to be submitted has passed.
- 7.20 Do not cross reference answers to external websites or other parts of your Bid, the cross references and website links will not be considered.
- 7.21 Do not exceed word counts, the additional words will not be considered.
- 7.22 Do not make your Bid conditional on acceptance of your own Terms of Contract, as your Bid will be rejected.

Some additional guidance notes

- 7.23 All enquiries with respect to access to the e-sourcing tool and problems with functionality within the tool may be submitted to Crown Commercial Service (CCS – previously Government Procurement Service), Telephone 0345 010 3503.
- 7.24 Bidders will be specifically advised where attachments are permissible to support a question response within the e-sourcing tool. Where they are not permissible any attachments submitted will not be considered.
- 7.25 Question numbering is not sequential and all questions which require submission are included in the Section 6 Evaluation Questionnaire.
- 7.26 Any Contract offered may not guarantee any volume of work or any exclusivity of supply.
- 7.27 We do not guarantee to award any Contract as a result of this procurement
- 7.28 All documents issued or received in relation to this procurement shall be the property of UK SBS.
- 7.29 We can amend any part of the procurement documents at any time prior to the latest date / time Bids shall be submitted through Emptoris.
- 7.30 If you are a Consortium you must provide details of the Consortiums structure.
- 7.31 Bidders will be expected to comply with the Freedom of Information Act 2000 or your Bid will be rejected.
- 7.32 Bidders should note the Government's transparency agenda requires your Bid and any Contract entered into to be published on a designated, publicly searchable web site. By submitting a response to this Mini Competition Bidders are agreeing that their Bid and Contract may be made public
- 7.33 Your bid will be valid for 60 days or your Bid will be rejected.
- 7.34 Bidders may only amend the Special terms if you can demonstrate there is a legal or statutory reason why you cannot accept them. If you request changes to the Contract and UK SBS fail to accept your legal or statutory reason is reasonably justified we may reject your Bid.
- 7.35 We will let you know the outcome of your Bid evaluation and where requested will provide a written debrief of the relative strengths and weaknesses of your Bid.
- 7.36 If you fail mandatory pass / fail criteria we will reject your Bid.
- 7.37 Bidders are required to use IE8, IE9, Chrome or Firefox in order to access the functionality of the Emptoris e-sourcing tool.

- 7.38 Bidders should note that if they are successful with their proposal UK SBS reserves the right to ask additional compliancy checks prior to the award of any Call Off Contract. In the event of a Bidder failing to meet one of the compliancy checks UK SBS may decline to proceed with the award of the Call Off Contract to the successful Bidder.
- 7.39 All timescales are set using a 24 hour clock and are based on British Summer Time or Greenwich Mean Time, depending on which applies at the point when Date and Time Bids shall be submitted through Emptoris
- 7.40 All Central Government Departments and their Executive Agencies and Non Departmental Public Bodies are subject to control and reporting within Government. In particular, they report to the Cabinet Office and HM Treasury for all expenditure. Further, the Cabinet Office has a cross-Government role delivering overall Government policy on public procurement - including ensuring value for money and related aspects of good procurement practice.

For these purposes, UK SBS may disclose within Government any of the Bidders documentation/information (including any that the Bidder considers to be confidential and/or commercially sensitive such as specific bid information) submitted by the Bidder to UK SBS during this Procurement. The information will not be disclosed outside Government. Bidders taking part in this Mini Competition consent to these terms as part of the competition process.

- 7.41 From 2nd April 2014 the Government is introducing its new Government Security Classifications (GSC) classification scheme to replace the current Government Protective Marking System (GPMS). A key aspect of this is the reduction in the number of security classifications used. All Bidders are encouraged to make themselves aware of the changes and identify any potential impacts in their Bid, as the protective marking and applicable protection of any material passed to, or generated by, you during the procurement process or pursuant to any Contract awarded to you as a result of this tender process will be subject to the new GSC from 2nd April 2014. The link below to the Gov.uk website provides information on the new GSC:

<https://www.gov.uk/government/publications/government-security-classifications>

UK SBS reserves the right to amend any security related term or condition of the draft contract accompanying this Mini Competition to reflect any changes introduced by the GSC. In particular where this Mini Competition is accompanied by any instructions on safeguarding classified information (e.g. a Security Aspects Letter) as a result of any changes stemming from the new GSC, whether in respect of the applicable protective marking scheme, specific protective markings given, the aspects to which any protective marking applies or otherwise. This may relate to the instructions on safeguarding classified information (e.g. a Security Aspects Letter) as they apply to the procurement as they apply to the procurement process and/or any contracts awarded to you as a result of the procurement process.

USEFUL INFORMATION LINKS

- [Emptoris Training Guide](#)
- [Emptoris e-sourcing tool](#)
- [Contracts Finder](#)
- [Tenders Electronic Daily](#)
- [Equalities Act introduction](#)
- [Bribery Act introduction](#)
- [Freedom of information Act](#)