



Social Mobility
Commission

INVITATION TO TENDER LETTER

Social Mobility Commission
Sanctuary Buildings,
Westminster, SW1P 3BT

Dear Researcher / Policy Professional,

INVITATION TO TENDER (ITT) to be an expert adviser for the Social Mobility Commission on a specific academic and/or policy area for the period of August 2023 – July 2024

1 You along with others are invited to offer a tender for provision of the above, to the specification outlined in the attached documents. Enclosed are:

[Document 1 Specification of the requirement.](#)

[Document 2 Instructions on the tendering procedures.](#)

[Document 3 Departmental standard requirements.](#)

[Document 4 List of attachments.](#)

[Document 5 Declaration and information to be provided by the tenderer.](#)

[Attachments Draft Terms and Conditions, Departmental Security Standards](#)

[Annex 1 Conflicts of Interest](#)

Please submit your bid to the Social Mobility Commission
(contact@socialmobilitycommission.gov.uk) by **Wednesday 19 July 2023 at noon**

SPECIFICATION OF THE REQUIREMENT

1 Introduction

The Social Mobility Commission (SMC) monitors progress towards improving social mobility in the UK and promotes social mobility in England. It is an independent statutory body created by an Act of Parliament.

For information, please see the [2022 State of the Nation Report](#), which is our annual report as required by [statute](#).

The SMC is looking to procure subject-matter experts to provide advice on a range of issues that impact social mobility:

Academic:

1. Education (Lot 1)
2. Measurement (quantitative analysis) (Lot 2)
3. Routes to employment and the labour market (Lot 3)
4. Families expert (Lot 4)
5. Research surveys – design, development and application (Lot 5)

Policy:

1. Education (schools) (Lot 6)
2. Education (further education) (Lot 7)
3. Families expert (Lot 8)
4. Levelling up - geographic/ regional inequalities (Lot 9)

The experts will consist of both academic leaders in their field as well as seasoned policy experts. The final number of experts recruited will depend on the quality of bids received and budget considerations, however the SMC would like at least one expert per thematic interest.

If successful in the tendering process, the expert will have a unique opportunity to help shape the SMC's mission of improving social mobility for all. The Commission intends to use advice arising from this contract to inform our thinking – the Commission does not expect suppliers to engage on our behalf.

A key task will be to provide input into the Social Mobility Commission's annual statutory report, *The State of the Nation*. This is laid before Parliament each year. In 2023 we expect to launch the report in September 2023. On a more ongoing basis, we will request experts to be a sounding board for us – on our research pipeline, our policy recommendations, as well as when we are scoping new areas that may have causal links to social mobility.

Anyone who is successful in this tender **will not be excluded from bidding for future contracts offered by the SMC**. Nor will provide any advantages in being considered for future bids for SMC contracts. To avoid a conflict of interest, experts would not be expected to advise on work they have been separately contracted by the SMC to do. In this case, we would aim to allocate experts to work where there is no such conflict of interest.

2 Objectives

The ultimate goal of the SMC is to help society to become more socially mobile. By providing scrutiny and challenge, policy and academic experts can help enhance the work done at the SMC through three distinct channels:

A. Quality assurance (QA):

Both policy and academic experts are expected to provide an extra layer of quality assurance (QA) on the statutory report and other research projects. This would include both work which has been commissioned out to suppliers and work done internally. As this is an advisory role, experts would not be held responsible for the quality of the final product.

B. Policy recommendations:

Both academic and policy experts are expected to input into proposed policy recommendations. We will draw on experts as a sounding board on areas of their expertise, and to provide additional policy context as needed. The SMC will ultimately decide what final policy recommendations are.

Academic experts will be expected to advise on the evidence underpinning policy recommendations.

C. Research scoping and methodology:

Experts will be expected to advise on the latest evidence related to social mobility in the area of their subject-matter expertise. This will also include informing us of where there are evidence gaps, or conflicting views.

Academic experts will be expected to advise if the most suitable literature is captured in an evidence review and that appropriate conclusions are drawn from it, based on the strength of evidence.

Both academic and policy experts are expected to act as a sounding board on knowledge gaps and ideas for future research.

3 Deliverables

Experts are expected to deliver the following outputs:

Deliverable 1: Provide quality advice on areas of their subject-matter expertise

The SMC will request individual experts for views on potential research projects, evidence gaps, policy recommendations and any risks in framing based on their subject matter expertise. This will be through calls, emails and potential face to face meetings.

Deliverable 2: Provide quality assurance

The SMC will request individual experts to provide feedback on draft research reports, policy briefs and their recommendations. This will include the statutory report, *State of the Nation*, but will also extend to other research or policy briefings in the area of an experts' subject-matter expertise.

Deliverable 3: Provide thought leadership and upskilling

The SMC may from time to time ask experts to present to the secretariat or its

Commissioners on the latest policy or evidence in the area of their subject-matter expertise.

4 Approach and Specification/Selection Criteria

Time commitment

The expectation is that an expert will provide **on average 0.5 - 1 working day (3.75 - 7.4 hours) a month** of services to the SMC. Previously, experts have worked between 0.5- 1.5 working days a month but depending on the need of the expert as per our work plan, this will be reviewed. This will average out throughout the period of the contract, which is expected to last 12 months - with the potential for a further 6-12-month extension. However, suppliers will be expected to provide an amount of time and total cost in their bids and may choose to offer more or less time for a given cost.

Types of experts required

As stated, the experts will be split into two broad categories of expert roles: academic and policy. Within each category, the SMC is seeking to recruit experts in certain specialisms on which they can advise – ideally at least one per area of thematic interest to the SMC. The expected responsibilities of the role may differ by specialism and time may differ based on the extent to which this thematic area grows as an area of priority for the Commission.

It would be desirable if experts have prior experience of holding an advisory role on a panel, an advisory board with a government body, or with a research institute.

A. Category: Academic

The SMC is seeking to recruit academic experts with substantial experience in published academic research. A suitable expert will be known as a thought-leader in their subject area. The type of research a suitable expert would have specialised in will be on one of the specialisms listed below and its link to social mobility.

It would be highly desirable for an expert to have published in peer-reviewed journals and to have experience of using their research to influence government policy.

Specialisms for Academic roles in Social Mobility

A suitable expert would have a thorough understanding of the evidence base on intergenerational mobility in the UK and its determinants. Each Social Mobility expert would be expected to have also published research related to one of the four topics:

1. Education (schools/ further education)

- Have an expert understanding of the evidence on the role of educational outcomes and social mobility in the UK.
- This may include any of: the school years (early years, primary and secondary education and further education).

2. Measurement (Quantitative analysis):

- Be highly competent with the quantitative methods used to measure and study social mobility in the UK. This may include econometric analysis to estimate the causal effect of determinants of social mobility. Knowledge of the UNIDIFF and Constant Social Fluidity models would also be desirable.
- Have published quantitative research of this kind in peer-reviewed journals.
- They would also be expected to have knowledge of the various methods for measuring social mobility and be keeping up to date on developments in the available data (such as household surveys (in particular the Labour Force Survey and the Understanding Society (UKHLS)).

- The SMC would be expecting to seek advice from the measurement expert on quantitative research methods including suggestions on which data to use on their research projects.

3. Post-16 qualifications and the labour market

- Have an expert understanding on social mobility through the perspective of how routes to employment and the UK's labour market impact social mobility outcomes.
- May have published on how BTECs, T-levels, apprenticeships impact social mobility outcomes.
- May have published literature on labour economics in peer-reviewed journals and have done some research on the distribution of labour market outcomes across people in the UK.
- It would be desirable for an expert to understand the evidence based on the role of regulation of professions / industries on social mobility.

4. Families expert

- Have an expert understanding of how the family environment and parenting practices (especially but not limited to in the early years) can impact on social mobility outcomes.
- Have an expert understanding on how family circumstances shape outcomes related to social mobility (such as educational attainment of parents and/or income).
- For the academic experts on families, a track record of publishing on intergenerational outcomes is not essential.

5. Research surveys – design, development and application

- Have an expert understanding and experience of how surveys are designed, developed and applied in research settings relating to social mobility.
- Will have published research using surveys in peer-reviewed journals.
- The SMC would be expecting to seek advice on good survey development (e.g. question development, cognitive testing, piloting) and use in various research contexts

Additional detailed responsibilities of all the academic experts will include:

- To provide advice in the form of feedback and challenge on research report drafts. The feedback may include the following:
 - Advising on the scoping of a research project.
 - Advice on the scope of the literature reviewed and advising on whether there is any further literature not in scope which may be relevant.
 - Advice on the methodology proposed to tackle a given research question.
 - Providing feedback on the conclusions drawn from the draft report and providing advice on the recommendations made.
- Engaging in debate and providing challenges on work conducted at the SMC.
- Providing quality assurance on SMC research done in-house and received by external suppliers.

B. Category: Policy

The SMC is seeking to recruit social mobility policy experts. A policy expert would be expected to provide advice on the current policy context of their policy area. This may include helping the SMC understand the history of the policy area and the current political environment surrounding it.

A suitable policy expert would likely have worked in government before or have acted as an adviser to them, or have significant experience in influencing policy from outside. They would

have knowledge of the current policy context of their area and have recently been involved in producing advice to government or a third party on their area of specialism. A suitable expert may also have significant experience from working at a consultancy firm, think tank or research institution which has published policy papers with recommendations for the government. All policy experts are therefore expected to have a strong knowledge of the government's priorities and ambitions in their area of subject matter expertise and an understanding of the historical policy context.

The four areas of subject-matter expertise required are below.

1. Education (schools)

- Have an expert understanding of the role of children's educational outcomes on social mobility in the UK.
- A suitable candidate may have experience influencing education policy for improving social mobility outcomes.
- This may include any of: the school years (early years, primary and secondary education).

2. Further Education Policy Expert with a focus on technical education

- Have an expert understanding of the role of further education opportunities on social mobility in the UK (e.g., level 3, level 2 technical qualifications).
- A suitable candidate may have experience influencing further education policy for improving social mobility outcomes.
- This may include technical education, apprenticeships and wider skills development.

3. Families expert

- Have an expert understanding on the government's policy approach to families and how this may influence outcomes related to social mobility. This would include a focus on child development and outcomes and the role of family circumstances, the home environment and parental engagement.
- Have an expert understanding on how family circumstances shape outcomes related to social mobility (such as educational attainment of parents and/or income).

4. Levelling up - geographic/ place inequalities

- Have an expert understanding of how the Levelling Up agenda is likely to impact social mobility in the UK and how the SMC may best position itself to influence the agenda.
- A suitable policy expert would likely have experience working on geographic/ place-related inequalities and have a sound understanding of the political context behind the policy area.

Additional detailed responsibilities of the policy experts will include:

- Provide advice to help shape policy recommendations.
- Advise on the scope of a research project to ensure the questions posed are relevant for influencing the wider policy debate.
- Provide advice on the policy context and recent history of their area of expertise
- Provide feedback on the conclusions drawn from research by the SMC.

What all tender applications must include

- Which role an individual wishes to be considered for (specify whether it is an academic or policy role and the specialism within that category).
- How their experience and expertise meet the expectations of the role they are applying for.

- Relevant pieces of academic research or policy advice they have been involved in.
- To demonstrate how they have a competent understanding and knowledge of the evidence base / policy context for the role they are applying for.
- Time they are able to provide.

Flexibility provision

While we hope to find a supplier for each of the roles, we recognise some suppliers may have specialties in overlapping areas. Suppliers can bid for one or more roles, if they could also add value in other policy areas. Please ensure your proposal clearly outlines the amount of time you are willing to provide and the associated costs.

5 Audience

All advice provided is only for the SMC internally and cannot be shared publicly or beyond the SMC without formal agreement from the SMC. This relationship will be, by nature, collaborative with us taking your advice and you taking our steers. We expect the expert to be able to distinguish their own organisation's positions and priorities from those of SMC and its remit. You should expect lively debates and questions from the team as we test your thinking in meetings. All communications will be confidential, allowing a spirit of free discussion.

6 Management Information and ways of working

As this work plan is collaborative in nature, there will be a significant level of interaction with SMC. At a minimum, the successful applicant will be asked to:

- Attend a project kick-off meeting
- Review research project drafts where it is on an area of your subject-matter expertise
- Attend meetings with the secretariat to provide advice
- Deliver presentations on areas of interest to the SMC for upskilling and encouraging internal debate on our policy direction.

7 Dependencies and Liaison

Tenderers should indicate if they are reliant on any third party with any information, data or undertaking any of the work specified.

8 Data Collection

It is not expected that any data collection will be required for this role.

9 Costs and Budget

Given the breadth of this project's scope and methodology, we expect proposals to be between £3,500.00 - £7,000.00 per expert role, exclusive of VAT. (See section 3 Costing Example for further information on the VAT rules).

All costs should be quoted exclusive of VAT but please indicate if the project will attract VAT. If your proposal includes costs for sub-contractors these costs must be shown inclusive of

any VAT element (e.g. sub-contractor's costs to you are £2,916.67 plus VAT, your proposal should show subcontractors costs as £3,600.00 inclusive of VAT @ 20%).

- 9.1 A detailed breakdown of costs is required within the proposal (excluding VAT). Your tender should provide a detailed breakdown of costs on the basis of professional time.
- 9.2 Payments will be made by BACS transfer following receipt of a valid invoice.
- 9.3 The successful tenderer should provide details of discounts for prompt payment.

10 VAT

- 10.1 Please state clearly when submitting prices whether or not VAT will be charged.
- 10.2 Where the contract price agreed between SMC and contractor is inclusive of any VAT, further amounts will not be paid by SMC should a vatable supply claim be made at any later stage.
- 10.3 Where the overall contract price is exclusive of VAT, SMC will pay any VAT incurred at the prevailing rate (currently 20%). If the VAT rate changes SMC will pay any VAT incurred at the new rate.
- 10.4 It is the responsibility of tenderers to check the VAT position with HMRC before submitting a bid.

INSTRUCTIONS ON TENDERING PROCEDURES

- 1 These instructions are designed to ensure that all tenders are given equal and fair consideration. It is important therefore that you provide all the information asked for in the format and order specified.
- 2 Bidders must submit their Bids before **12 Noon on Wednesday 19 July 2023**. All Bids must be submitted to contact@socialmobilitycommission.gov.uk. Failure to return Bids by the time and due date or in the required format may disqualify Bidders from consideration.
- 3 A clarification process will operate during the ITT stage as explained below. The objective of this process is to give Bidders the opportunity to submit questions to the Contracting Authority where they require clarification on the information provided. This is not an opportunity for Bidders to seek additional information to that already provided.

Bidders should submit clarification questions via email to contact@socialmobilitycommission.gov.uk. Questions received by any other method will not receive a response.

The Contracting Authority will seek to answer questions within 5 working days following the day of receipt. Bidders are urged to review the ITT documentation immediately upon receipt and identify and submit any clarification questions as soon as possible and in any event no later than **12 Noon on Wednesday 12 July 2023**. Any questions received after this time may not be answered.

If the Contracting Authority considers any question or request for clarification to be of general significance, both the question and the response will be communicated, in a suitably anonymous form, to all Bidders who have expressed an interest before the closing date for the submission of the ITT.

All responses received and any communication from Bidders will be treated in confidence and provision will be made for Bidders to request clarification in confidence (this request must be clearly marked at the outset of each question stating the reasons why such a question is commercial and in confidence), but in responding to such requests the Contracting Authority will reserve the right to act in what it considers a fair manner and in the best interests of the Procurement, which may include circulating the response to all Bidders.

Bidders should note that no further information in addition to that provided in the ITT documentation will be provided about the Procurement at this time. Under no circumstances should Bidders approach the Contracting Authority, their staff or advisors seeking further information in relation to the requirements of the Procurement. Any such approaches (direct or indirect) may result in the Bidder's exclusion from further consideration in the Procurement process.

- 4 Please note that references to the 'Department' or "Social Mobility Commission" or "the Commission" throughout these documents mean [Minister for the Cabinet Office](#).
- 5 SMC is happy to accept bids from single organisations or consortia of organisations. Where a consortium/Special Purpose Vehicle (SPV) is formed to submit a tender, this

must only be submitted by and in the name of the supplier chosen as the “Lead” supplier for that consortium/SPV.

Contract Period

- 6 The contract is to be completed by 6th August 2024, with the possibility of a 6-12-month extension.

Incomplete Tender

- 7 These instructions are designed to ensure that all tenders are given equal and fair consideration. Tenders may be rejected if the information asked for in the ITT and Specification is not given at the time of tendering.

Indicative procurement timetable

- 8 The proposed timetable for this procurement process is as follows. This is intended as a guide and, while The Department does not intend to depart from the timetable, it reserves the right to do so at any time, including by shortening or lengthening any stage.:

Tender documents issued	16 June 2023
Last day for submission of clarifications by 12pm	12 July 2023
Last day for SMC to respond to clarifications	14 July 2023
Deadline for tender responses (bids) to be received by 12pm	19 July 2023
Tender Evaluations	20 July 2023 – 28 July 2023
SMC announcement of preferred bidders	w/c 31 July 2023
Contract commencement	w/c 31 July 2023
Kick-off meeting	w/c 7 August 2023

Receipt of Tenders

- 9 Tenders will be received up to the time and date stated. Those received before the due date will be retained unopened until then. Any Tender received after the Closing Time, and / or submitted by any means other than through contact@socialmobilitycommission.gov.uk may be rejected by the Department. It is the responsibility of the tenderer to ensure that their tender is delivered not later than the appointed time.

Acceptance of Tenders

- 10 By issuing this invitation, the SMC is not bound in any way and does not have to accept the lowest or any tender, and reserves the right to accept a portion of any tender, unless the tenderer expressly stipulates otherwise in their tender.

Inducements

- 11 Offering an inducement of any kind in relation to obtaining this or any other contract with SMC will disqualify your tender from being considered and may constitute a criminal offence.

Confidentiality of Tenders

- 12 Please note the following requirements, you must not:

- Tell anyone else what your tender price is or will be, before the time limit for delivery of tenders.
- Try to obtain any information about anyone else's tender or proposed tender before the time limit for delivery of tenders.
- Make any arrangements with another organisation about whether or not they should tender, or about their or your tender price.
- Failure to comply with these conditions may disqualify your tender.

Costs and Expenses

- 13 You will not be entitled to claim from SMC any costs or expenses which you may incur in preparing your tender whether or not your tender is successful.

Debriefing

- 14 Following the award of contract, debriefing will be available to unsuccessful tenderers on request.

Evaluation Criteria

- 15 The tender process will be conducted in a manner that ensures tenders are evaluated fairly to ascertain the most economically advantageous tender.
- 16 Your response to the tender specification will be evaluated using the criteria set out in Document 4 Section 2 - Evaluation Criteria.

Tender Period

- 17 Due to the intensive evaluation process, SMC requires tenders to remain valid for a period specified in Document 5.

Basis of the Contract

- 18 The specification in Document 1, and the terms and conditions in Document 4 Attachment 1, together with any special requirements, will form the basis of the contract between the successful tenderer and Minister for the Cabinet Office'.

Format of Bids (should not exceed 2 pages per role, excluding: CV, publications, annex/declarations)

- 19 Tenderers should present their proposals in the following format:

- Section 1 Summary of Proposal: outlining the role(s) wishing to be considered as outlined in pages 2-6**

Section 2a Meeting the Selection Criteria (pages 2-6)

- Details of proposed experience, expertise and evidence of knowledge related to the role specified;
- Professional time - Tenderers should indicate how they will monitor their role to ensure it is delivered in terms of quality, timeliness and cost. This could be (for example), via a timesheet detailing work completed/advice given/meetings attended.

Section 2b Curriculum Vitae (CV):

- Of length no more than 2 pages (excluding publication list - see below).
- For academic roles a list of relevant publications authored/co-authored **must be included** and can be attached at the end of the CV. This list does not count towards the 2-page limit.
- For policy roles, the inclusion of a list of relevant publications an applicant has authored/co-authored is **optional** and can be attached at the end of the CV.

Section 3 Cost and Charging Arrangements

- Costs should be shown separately by financial year.
- Your tender should provide details of the costs. Costs should be split by financial year (so FY 23-24 runs from April 2023 to March 2024 and FY 24-25 runs from April 2024 to March 2025) and should indicate if they are:
 - Professional time
 - Administrative costs
 - Other

For example:

Activity	Type of cost (i.e. professional costs or admin costs)	Personnel	Total Days	Total Cost
Date rates:				
TOTAL ex VAT				

All costs should be quoted exclusive of VAT but please indicate if the project will attract VAT.

If your proposal includes costs for sub-contractors these costs must be shown inclusive of any VAT element (e.g. sub-contractor's costs to you are £2,000.00 plus VAT, your proposal should show subcontractors costs as £2,400.00 inclusive of VAT @ 20%).

The department will also conduct its own due diligence checks in relation to the bidder's financial viability and may request additional financial information to be provided as part of this process. Whilst the department will attempt to mitigate any financial risks it may, at its own discretion, reject a bid where it assesses the financial risk to be too great to proceed with the award of the contract.

Section 4 Declarations, Undertakings and Attachments (see Document 5)

Length of Bids

- A. Bids should not exceed a total of 2 pages per role (excluding CV, publication list, declarations/annex).
- B. Any bids above that will not be considered. The font size should not be smaller than 11. Embedded links or files will not be considered.
- C. Bidders must also please complete and submit the 'Declarations' (Document 5).
- D. Bidders must also complete and submit the 'Conflict of Interest' (Annex One).

20 Award Criteria (for Academic roles)

Bids will be assessed against 3 questions. A maximum score is 50.

Question	Criteria	Weight	Max possible score
1. Does the proposal provide sufficient evidence of experience for the role bid for?	<ul style="list-style-type: none">• Demonstrates evidence of publishing on topics related to the role specialism in peer-reviewed journals.• Demonstrates experience of providing advice to government or a research institution on one or more topics related to the specialism of the role.	4	20
2. Skillset	<ul style="list-style-type: none">• Demonstrate knowledge of the specialism of interest and understanding of the methods required to conduct research in that area.	4	20
3. Value for money	<ul style="list-style-type: none">• The cost is within budget• The cost is value for money for the services offered (given the time commitment offered in the bid)	2	10

21 Award Criteria (for Policy roles)

Bids will be assessed against 3 questions. A maximum score is 50.

Question	Criteria	Weight	Max possible score
1. Does the proposal provide sufficient evidence of experience for the role bid for?	<ul style="list-style-type: none">• Demonstrates evidence of working in the policy area of the specialism.• Demonstrates significant experience of providing advice to government or a research institution on one or more policies related to the specialism of the role. Particularly desirable if this advice was requested by the government such as through a review.	4	20
2. Skillset	<ul style="list-style-type: none">• Demonstrate knowledge of the policy context regarding the specialism of interest and understanding of the current government's policy stance.	4	20
3. Value for money	<ul style="list-style-type: none">• The cost is within budget• The cost is value for money for the services offered (given the time commitment offered in the bid)	2	10

Scoring scale

0	Nil or inadequate response. Fails to demonstrate an ability to meet the requirement.
1	Response meets less than half the stated requirement. It is partially relevant but generally poor and lacks relevant detail.
2	Response meets some but not all of the stated requirements. Lacks detail on how the requirement will be fulfilled in several areas.
3	The response meets the stated requirement. Answers are relevant and acceptable but may lack some detail.
4	The response fully meets the stated requirement in all areas. Answers are clear, relevant and elements of the response exceed the requirement by offering some added value.
5	The response exceeds the requirement in all areas. Answers are comprehensive, unambiguous and offer significant added value to the requirement which benefits SMC.

Evaluation method

Bids will be considered against the award criteria set out for each category. For questions 1 and 2 which cover experience and skill set respectively, there will be a minimum threshold of 24 points in total. Any bids in which the sum of the scores in questions 1 and 2 is below 24 points will not be considered further.

Of the remaining bids which pass the threshold, the highest scoring bid for each role will be determined to have won the bid. Afterwards, if the budget allows and if there are remaining

bids which have passed the minimum threshold, the SMC may consider those bids and may select a number of the next highest scoring bids within each category (policy and academic).

22 Conclusions

Whilst every endeavour has been made to give tenderers an accurate description of the Commission's requirements, tenderers should make their own assessment about how to meet those requirements.

DEPARTMENTAL STANDARD REQUIREMENTS

Freedom of Information

- 1 SMC is committed to open government and to meeting their responsibilities under the Freedom of Information Act 2000. Accordingly, all information submitted to SMC may need to be disclosed in response to a request under the Act. If you consider that any of the information included in your tender is commercially sensitive, please identify it and explain (in broad terms) what harm may result from disclosure if a request is received, and the time period applicable to that sensitivity. You should be aware that, even where you have indicated that information is commercially sensitive, we may still be required to disclose it under the Act if a request is received. Please also note that the receipt of any material marked 'confidential' or equivalent by SMC should not be taken to mean that we accept any duty of confidence by virtue of that marking. If a request is received, we may also be required to disclose details of unsuccessful tenders.

Publication of Contract

- 2 Under the Government's Transparency requirements we are obliged to publish the contract between SMC and the successful tenderer(s) in full. The successful tenderer(s) should identify any information regarded as commercially sensitive and explain (in broad terms) what harm may result from disclosure and the time period applicable to that sensitivity. You should be aware that, even where you have indicated that information is commercially sensitive, we may still be required to disclose it if the public interest in disclosure outweighs withholding the information. See ['The Transparency of Suppliers and Government to the Public'](#) for more detail.

Information Sharing Across Government

- 3 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.
- 4 For these purposes, SMC may disclose within Government any of the Contractor's documentation/information (including any that the Contractor considers to be confidential and/or commercially sensitive such as specific bid information) submitted by the Contractor to SMC during this Procurement. The information will not be disclosed outside the Government. Contractors taking part in this competition consent to these terms as part of the competition process."

Data Security Standards

- 5 For contracts which require the holding or processing of either personal data and/or OFFICIAL data the successful contractor will need to assure SMC that they can comply with the Department's security standards.
- 6 Departmental security standards are listed as contract clauses in an annex to this letter (see Document 4 – List of Attachments).

Prompt Payment Policy

- 7 Government's aim is to pay 80% of all correctly submitted invoices within 5 days of receipt and we are 100% committed to paying correctly submitted invoices within 30 days of receipt from the day of physical or electronic arrival at the nominated address of the Department.
- 8 The payment period will be deemed to have started when a correctly submitted invoice reaches the nominated address or emailed to contact@cabinetoffice.gov.uk. Contractors can assume receipt to be two days after mailing (by first class post). The thirty day "clock" therefore commences two days after mailing first class.
- 9 A correct invoice is one that is:
 - delivered on time in accordance with the contract;
 - that is for the correct sum;
 - In respect of goods / services supplied or delivered to the required quality (or are expected to be at the required quality);
 - include the date, supplier name, contact details and bank details;
 - which quote the relevant purchase order / contract reference;
 - which has been delivered to the nominated address.
- 10 Any correctly submitted invoices that are not paid within 30 days will be subject to the provisions of the Late Payment of Commercial Debt (Interest) Act 1998.

Subcontracting to Small and Medium Enterprises (SMEs)

- 11 SMC is committed to removing barriers to SME participation in its contracts, and would like to also actively encourage its larger suppliers to make their sub-contacts accessible to smaller companies and implement SME-friendly policies in their supply-chains. This can be achieved by advertising subcontracting opportunities on Contracts Finder and implementing the principles of the SME and Growth Agenda in your own organisation.
- 12 To help us measure the volume of business we do with SMEs, we will be asking SMC suppliers to provide us with information about the size of your own organisation and those in your supply chain. We may ask about volumes of business that will flow from this contract down your supply chains, and ask you to quantify that for us. This data will help us contribute towards Government targets on the use of SMEs. We may also publish success stories and examples of good practice on our website.

Armed Forces Covenant

- 13 The Armed Forces Covenant is a public sector pledge from Government, businesses, charities and organisations to demonstrate their support for the armed forces community. The Covenant was brought in under the Armed Forces Act 2011 to recognise that the whole nation has a moral obligation to redress the disadvantages the armed forces community face in comparison to other citizens, and recognise sacrifices made.
- 14 The Covenant's 2 principles are that:

- the armed forces community should not face disadvantages when compared to other citizens in the provision of public and commercial services.
 - special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.
- 15 The Department encourages all Tenderers, and their suppliers, to sign the Corporate Covenant, declaring their support for the Armed Forces community by displaying the values and behaviours set out therein.
- 16 Guidance on the various ways you can demonstrate your support through the Corporate Covenant is at [The Corporate Covenant](#).
- 17 If you wish to register your support you can provide a point of contact for your company on this issue to the Armed Forces Covenant Team at the address below, so that the MOD can alert you to any events or initiatives in which you may wish to participate. The Covenant Team can also provide any information you require in addition to that included on the website.
- Email address: covenant-mailbox@mod.uk
 Address: Armed Forces Covenant Team
 Zone D, 6th Floor, Ministry of Defence,
 Main Building, Whitehall, London, SW1A 2HB
- 18 Paragraphs 20-25 above are not a condition of working with SMC now or in the future, nor will this issue form any part of the tender evaluation, contract award procedure or any resulting contract. However, SMC very much hopes you will want to provide your support.

Conflicts of Interest

- 19 SMC may exclude an organisation if there is a conflict of interest which cannot be effectively remedied. The concept of a conflict of interest includes any situation where relevant staff members have, directly or indirectly, a financial, economic or other personal interest which might be perceived to compromise their impartiality and independence in the context of the procurement procedure.
- 20 Where there is any indication that a conflict of interest exists or may arise then it is the responsibility of the organisation to inform SMC, detailing the conflict in a separate Appendix. Provided that it has been carried out in a transparent manner, routine pre-market engagement carried out by SMC should not represent a conflict of interest for the organisation.

Disability Confident Scheme

- 21 The Cabinet Office is a Disability Confident leader. Through the Disability Confident campaign, the government is working with employers to remove barriers, increase understanding and ensure that disabled people have the opportunities to fulfil their potential and realise their aspirations.
- 22 SMC encourages other employers to sign up to the disability confident scheme. It is open to all employers and there are three levels ranging from 'Committed' to 'Leader' with employers having to meet certain criteria to reach each level.
- 23 Employers who sign up to the disability confident scheme ensure that they can:

- draw from the widest possible pool of talent;
 - secure and retain high quality staff who are skilled, loyal and hardworking;
 - save time and money on the costs of recruitment and training by reducing staff turnover;
 - keep valuable skills and experience;
 - reduce the levels and costs of sickness absences; improve employee morale and commitment by demonstrating that they treat all employees fairly.
- 24 Disability confident employers can use the disability confident branding in their communications and when advertising jobs.
- 25 Find out more about the aims of disability confident, why becoming a disability confident employer will be good for your business and how you will be supported through your journey to being a Disability Confident leader [here](#).

Safeguarding Children and Vulnerable Adults

- 26 The standard Terms and Conditions include provisions to put in place safeguards to protect children and vulnerable adults from a risk of significant harm which could arise from the performance of this Contract. The potential Contractor will agree to these safeguards with SMC before commencing work on the Contract.
- 27 In addition, the potential Contractor will carry out checks with the Disclosure and Barring Service (DBS checks) on all staff employed on the Contract in a Regulated Activity. The DBS check must be completed before any of the Contractor's employees work with children in Regulated Activity.

LIST OF ATTACHMENTS

1. DRAFT TERMS AND CONDITIONS
2. DEPARTMENTAL SECURITY STANDARDS

DECLARATIONS AND INFORMATION TO BE PROVIDED BY THE TENDERER

1 Grounds for mandatory exclusion

You will be excluded from the procurement process if there is evidence of convictions relating to specific criminal offences including, but not limited to, bribery, corruption, conspiracy, terrorism, fraud and money laundering, or if you have been the subject of a binding legal decision which found a breach of legal obligations to pay tax or social security obligations (except where this is disproportionate e.g. only minor amounts involved).

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the self-declaration.

2	Grounds for mandatory exclusion	
Question number	Question	Response
2.1(a)	Regulations 57(1) and (2) The detailed grounds for mandatory exclusion of an organisation are set out on this web page , which should be referred to before completing these questions. Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the webpage .	
	Participation in a criminal organisation.	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes please provide details at 2.1(b)
	Corruption.	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes please provide details at 2.1(b)
	Fraud.	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes please provide details at 2.1(b)
	Terrorist offences or offences linked to terrorist activities	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes please provide details at 2.1(b)
	Money laundering or terrorist financing	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes please provide details at 2.1(b)

	Child labour and other forms of trafficking in human beings	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes please provide details at 2.1(b)
2.1(b)	If you have answered yes to question 2.1(a), please provide further details. Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction, Identity of who has been convicted If the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents.	
2.2	If you have answered Yes to any of the points above, have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self-Cleaning)	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.3(a)	Regulation 57(3) Has it been established, for your organisation by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.3(b)	If you have answered yes to question 2.3(a), please provide further details. Please also confirm you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines.	

Please Note: Social Mobility Commission reserves the right to use its discretion to exclude a potential supplier where it can demonstrate by any appropriate means that the potential supplier is in breach of its obligations relating to the non-payment of taxes or social security contributions.

3	Grounds for discretionary exclusion	
Question number	Question	Response
3.1	Regulation 57 (8) The detailed grounds for discretionary exclusion of an organisation are set out on this web page , which should be referred to before completing these questions. Please indicate if, within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation.	
3.1(a)	Breach of environmental obligations?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes please provide details at 3.2
3.1 (b)	Breach of social obligations?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes please provide details at 3.2
3.1 (c)	Breach of labour law obligations?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes please provide details at 3.2
3.1(d)	Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation's assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes please provide details at 3.2
3.1(e)	Guilty of grave professional misconduct?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes please provide details at 3.2
3.1(f)	Entered into agreements with other economic operators aimed at distorting competition?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes please provide details at 3.2
3.1(g)	Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes please provide details at 3.2
3.1(h)	Been involved in the preparation of the procurement procedure?	<input type="checkbox"/> Yes <input type="checkbox"/> No

		If yes please provide details at 3.2
3.1(i)	Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes please provide details at 3.2
3.1(j)	Please answer the following statements	
3.1(j) - (i)	The organisation is guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria.	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes please provide details at 3.2
3.1(j) - (ii)	The organisation has withheld such information.	
3.1(j) -(iii)	The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015.	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes please provide details at 3.2
3.1(j)-(iv)	The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award.	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes please provide details at 3.2
3.2	If you have answered Yes to any of the above, explain what measures have been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self-Cleaning)	

Taking Account of Bidders' Past Performance

The Social Mobility Commission may assess the past performance of a Supplier (through a Certificate of Performance provided by a Customer or other means of evidence). The Social Mobility Commission may also assess whether specified minimum standards for reliability for such contracts are met.

In addition, the Social Mobility Commission may re-assess reliability based on past performance at key stages in the procurement process (i.e. supplier selection, tender evaluation, contract award stage etc.). Suppliers may also be asked to update the evidence they provide in this section to reflect more recent performance on new or existing contracts (or to confirm that nothing has changed).

Non-payment of taxes/social security contributions

The Social Mobility Commission reserves the right to use its discretion to exclude a supplier where it can demonstrate the supplier's non-payment of taxes/social security contributions where no binding legal decision has been taken.

Please note that this section relating to tax compliance only applies where the Social Mobility Commission has indicated that the contract is over £5 million in value.

"Occasion of Tax Non-Compliance" means:

any tax return of the Supplier submitted to a Relevant Tax Authority on or after 1 October 2012 is found to be incorrect as a result of:

1. Relevant Tax Authority successfully challenging the Supplier under the General Anti-Abuse Rule or the Halifax Abuse Principle or under any tax rules or legislation that have an effect equivalent or similar to the General Anti-Abuse Rule or the Halifax Abuse Principle;
2. the failure of an avoidance scheme which the Supplier was involved in, and which was, or should have been, notified to a Relevant Tax Authority under the DOTAS or any equivalent or similar regime; and/or

the Supplier's tax affairs give rise on or after 1 April 2013 to a criminal conviction in any jurisdiction for tax related offences which is not spent at the Effective Date or to a penalty for civil fraud or evasion.

From 1 April 2013 onwards, have any of your company's tax returns submitted on or after 1 October 2012; (Please indicate your answer by marking 'X' in the relevant box).		
3.1	Given rise to a criminal conviction for tax related offences which is unspent, or to a civil penalty for fraud or evasion;	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.2	Been found to be incorrect as a result of: <ul style="list-style-type: none"> • HMRC successfully challenging it under the General Anti-Abuse Rule (GAAR) or the "Halifax" abuse principle; or • a tax authority in a jurisdiction in which the legal entity is established successfully challenging it under any tax rules or legislation that have an effect equivalent or similar to the GAAR or the "Halifax" abuse principle; or • the failure of an avoidance scheme which the Supplier was involved in and which was, or should have been, notified under the Disclosure of Tax Avoidance Scheme (DOTAS) or any equivalent or similar regime in a jurisdiction in which the Supplier is established. 	<input type="checkbox"/> Yes <input type="checkbox"/> No

If answering “Yes” to either 3.1 or 3.2 above, the Supplier may provide details of any mitigating factors that it considers relevant and that it wishes the Social Mobility Commission to take into consideration. This could include, for example:

- Corrective action undertaken by the Supplier to date;
- Planned corrective action to be taken;
- Changes in personnel or ownership since the Occasion of Non-Compliance (OONC); or
- Changes in financial, accounting, audit or management procedures since the OONC.

In order that Social Mobility Commission can consider any factors raised by the Supplier, the following information should be provided:

- A brief description of the occasion, the tax to which it applied, and the type of “non-compliance” e.g. whether HMRC or the foreign tax authority has challenged pursuant to the GAAR, the “Halifax” abuse principle etc.
- Where the OONC relates to a DOTAS, the number of the relevant scheme.
- The date of the original “non-compliance” and the date of any judgement against the Supplier, or date when the return was amended.
- The level of any penalty or criminal conviction applied.

Defining Different Types of Organisations

The Cabinet Office is keen to collect information about SMEs. We are particularly interested in discovering how many SMEs apply for our contracts through the tendering process. Completion of the table below is for departmental information purposes only and will have no effect on the evaluation process outcomes. Government is committed to changing how it does business to make sure that small companies, charities and voluntary sector organisations are included and encouraged to compete for our contracts.

A voluntary sector organisation may also be a SME if it has the same attributes.

Definition; A SME must be autonomous, an EU Company not owned or controlled by a non-EU parent, and employ less than 250 staff and have sales below €50 million. *Source* -http://ec.europa.eu/enterprise/policies/sme/files/sme_definition/sme_report_2009_en.pdf

Please complete the table below.

Describe your Organisation	
What type of supply arrangement best describes you in relation to this bid.	Delete as appropriate
1. We are a SME by definition	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. We are a Charity or Voluntary Sector Organisation (VSO)	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. We are a mutual organisation	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. We anticipate using a supply chain to deliver against this service.	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. We estimate that that our service delivery will be i.e. 40% delivered by VSO's/SMEs%
6. If none of the above applies please describe the type of organisation you are:	
7. Please provide us with your Dun and Bradstreet Number, or a consortium, the lead bidder's number. http://www.dnb.co.uk/dandb-duns-number	

The Department uses Dun and Bradstreet Numbers to manage its data around suppliers; we strongly encourage all suppliers to apply for a free Dunn's number. The link to apply is: -<http://www.dnb.co.uk/myduns> - add 'GOVERNMENT SUPPLIER' as a reason for requesting your D&B DUNS number.

Do not delay returning your tender if you do not already have a Dun and Bradstreet number, returning your tender within the deadline is more important.

Declarations

1 (Name of tenderer) declares that we accept Social Mobility Commission's standard terms and conditions included at Document 4 Attachment 1 as the basis of the contract; and

2 agree that the Social Mobility Commission may disclose the Contractor's information/documentation (submitted to Social Mobility Commission during this Procurement) more widely within Government for the purpose of ensuring effective cross-Government procurement processes, including value for money and related purposes.

3 declare that we have not communicated to any other party the amount or approximate amount of the tender price other than in confidence and for the express purpose of obtaining insurances or a bond in connection with this tender. The tender price has not been fixed nor adjusted in collusion with any third party, and

4 declare that the tender will remain valid until (*insert a date*) and that we are not entitled to claim from the Social Mobility Commission any costs or expenses incurred in preparing the tender or subsequent negotiations whether or not the tender is successful.

Signed on behalf of the Tenderer

Attachment 1

Terms and Conditions



SMC Draft T&Cs.pdf

Departmental Security Standards

12. Departmental Security Standards for Business Services and ICT Contracts

“BPSS” “Baseline Personnel Security Standard”	a level of security clearance described as pre-employment checks in the National Vetting Policy. Further information can be found at: https://www.gov.uk/government/publications/government-baseline-personnel-security-standard
Cabinet Office	Supports the Prime Minister and ensures effective running of the UK Government. Cabinet Office - GOV.UK (www.gov.uk)
“Cyber Essentials” “Cyber Essentials Plus”	Cyber Essentials is the government backed, industry supported scheme to help organisations protect themselves against common cyber-attacks. Cyber Essentials and Cyber Essentials Plus are levels within the scheme. There are a number of certification bodies that can be approached for further advice on the scheme; the link below points to one of these providers: https://www.iasme.co.uk/apply-for-self-assessment/
“Data” “Data Controller” “Data Processor” “Personal Data” “Sensitive Personal Data” “Data Subject”, “Process” and “Processing”	shall have the meanings given to those terms by the Data Protection Act 1998
"Department's Data" “Department's Information”	is any data or information owned or retained in order to meet departmental business objectives and tasks, including: (a) any data, text, drawings, diagrams, images or sounds (together with any repository or database made up of any of these components) which are embodied in any electronic, magnetic, optical or tangible media, and which are: (i) supplied to the Contractor by or on behalf of the Department; or (ii) which the Contractor is required to generate, process, store or transmit pursuant to this Contract; or (b) any Personal Data for which the Department is the Data Controller;
“Departmental Security Standards”	means the Department's security policy or any standards, procedures, process or specification for security that the Contractor is required to deliver.
“The Commission” “SMC”	means the Social Mobility Commission
“FIPS 140-2”	this is the Federal Information Processing Standard (FIPS) Publication 140-2, (FIPS PUB 140-2), entitled ‘Security Requirements for Cryptographic Modules’. This document is the de facto security standard used for the accreditation of cryptographic modules.

<p>“Good Industry Practice”</p> <p>“Industry Good Practice”</p>	<p>means the exercise of that degree of skill, care, prudence, efficiency, foresight and timeliness as would be expected from a leading company within the relevant industry or business sector.</p>
<p>“Good Industry Standard”</p> <p>“Industry Good Standard”</p>	<p>means the implementation of products and solutions, and the exercise of that degree of skill, care, prudence, efficiency, foresight and timeliness as would be expected from a leading company within the relevant industry or business sector.</p>
<p>“GSC”</p> <p>“GSCP”</p>	<p>means the Government Security Classification Policy which establishes the rules for classifying HMG information. The policy is available at: https://www.gov.uk/government/publications/government-security-classifications</p>
<p>“HMG”</p>	<p>means Her Majesty’s Government</p>
<p>“Need-to-Know”</p>	<p>the Need-to-Know principle is employed within HMG to limit the distribution of classified information to those people with a clear ‘need to know’ in order to carry out their duties.</p>
<p>“OFFICIAL”</p> <p>“OFFICIAL-SENSITIVE”</p>	<p>the term ‘OFFICIAL’ is used to describe the baseline level of ‘security classification’ described within the Government Security Classification Policy (GSCP) which details the level of protection to be afforded to information by HMG, for all routine public sector business, operations and services.</p> <p>the ‘OFFICIAL–SENSITIVE’ caveat is used to identify a limited subset of OFFICIAL information that could have more damaging consequences (for individuals, an organisation or government generally) if it were lost, stolen or published in the media, as described in the Government Security Classification Policy.</p>
<p>“Secure Sanitisation”</p>	<p>Secure sanitisation is the process of treating data held on storage media to reduce the likelihood of retrieval and reconstruction to an acceptable level. Some forms of sanitisation will allow you to re-use the media, while others are destructive in nature and render the media unusable. Secure sanitisation was previously covered by “Information Assurance Standard No. 5 - Secure Sanitisation” (“IS5”) issued by the former CESG. Guidance can now be found at: https://www.ncsc.gov.uk/guidance/secure-sanitisation-storage-media</p> <p>The disposal of physical documents and hardcopy materials advice can be found at: https://www.cpni.gov.uk/secure-destruction</p>
<p>“SPF”</p> <p>“HMG Security Policy Framework”</p>	<p>This is the definitive HMG Security Policy which describes the expectations of the Cabinet Secretary and Government’s Official Committee on Security on how HMG organisations and third parties handling HMG information and other assets will apply protective security to ensure HMG can function effectively, efficiently and securely.</p> <p>https://www.gov.uk/government/publications/security-policy-framework</p>

- 12.1. The Contractor shall comply with Departmental Security Standards for Contractors which include but are not constrained to the following clauses.
- 12.2. The Contractor shall follow the UK Government Security Classification Policy (GSCP) in respect of any Departmental Data being handled in the course of providing this service, and will handle this data in accordance with its security classification. (In the event where the Contractor has an existing Protective Marking Scheme then the Contractor may continue to use this but must map the HMG security classifications against it to ensure the correct controls are applied to the Departmental Data).
- 12.3. Departmental Data being handled in the course of providing an ICT solution or service must be segregated from all other data on the Contractor's or sub-contractor's own IT equipment to protect the Departmental Data and enable the data to be identified and securely deleted when required. In the event that it is not possible to segregate any Departmental Data then the Contractor and any subcontractor shall be required to ensure that it is stored in such a way that it is possible to securely delete the data in line with Clause 12.10.
- 12.4. The Contractor shall have in place and maintain an access control policy and process for the logical access (e.g. identification and authentication) to ICT systems to ensure only authorised personnel have access to Departmental Data.
- 12.5. The Contractor shall have in place and shall maintain procedural, personnel, physical and technical safeguards to protect Departmental Data, including but not limited to: physical security controls; good industry standard policies and process; antivirus and firewalls; security updates and up-to-date patching regimes for anti-virus solutions; operating systems, network devices, and application software, user access controls and the creation and retention of audit logs of system use.
- 12.6. Storage of Departmental Data on any portable devices or media shall be limited to the absolute minimum required to deliver the stated business requirement and shall be subject to Clause 12.7 and 12.8 below.
- 12.7. Any portable removable media (including but not constrained to pen drives, flash drives, memory sticks, CDs, DVDs, or other devices) which handle, store or process Departmental Data to deliver and support the service, shall be under the control and configuration management of the contractor or (sub-)contractors providing the service, shall be both necessary to deliver the service and shall be encrypted using a product which has been certified to FIPS 140-2 standard or another encryption standard that is acceptable to the Department.
- 12.8. All portable ICT devices, including but not limited to laptops, tablets, smartphones or other devices, such as smart watches, which handle, store or process Departmental Data to deliver and support the service, shall be under the control and configuration management of the contractor or subcontractors providing the service, and shall be necessary to deliver the service. These devices shall be full-disk encrypted using a product which has been certified to FIPS 140-2 standard or another encryption standard that is acceptable to the Department.
- 12.9. Whilst in the Contractor's care all removable media and hardcopy paper documents containing Departmental Data must be handled securely and secured under lock and key when not in use and shall be securely destroyed when no longer required, using either a cross-cut shredder or a professional secure disposal organisation.

- 12.10. When necessary to hand carry removable media and/or hardcopy paper documents containing Departmental Data, the media or documents being carried shall be kept under cover and transported in such a way as to ensure that no unauthorised person has either visual or physical access to the material being carried. This clause shall apply equally regardless of whether the material is being carried inside or outside of company premises.
- 12.11. At the end of the contract or in the event of equipment failure or obsolescence, all Departmental information and data, in either hardcopy or electronic format, that is physically held or logically stored on the Contractor's ICT infrastructure must be securely sanitised or destroyed and accounted for in accordance with the current HMG policy using a NCSC approved product or method.
- 12.12. Access by Contractor or sub-contractor staff to Departmental Data shall be confined to those individuals who have a "need-to-know" in order to carry out their role; and have undergone mandatory pre-employment screening, to a minimum of HMG Baseline Personnel Security Standard (BPSS); or hold an appropriate National Security Vetting clearance as required by the Department. All Contractor or sub-contractor staff must complete this process before access to Departmental Data is permitted.
- 12.13. All Contractor or sub-contractor employees who handle Departmental Data must have annual awareness training in protecting information.
- 12.14. Any suspected or actual breach of the confidentiality, integrity or availability of Departmental Data being handled in the course of providing this service, or any non-compliance with these Departmental Security Standards for Contractors, or other Security Standards pertaining to the solution, shall be investigated immediately and escalated to the Department by a method agreed by both parties.
- 12.15. The Contractor or subcontractors providing the service will provide the Department with full details of any storage of Departmental Data outside of the UK or any future intention to host Departmental Data outside the UK or to perform any form of ICT management, support or development function from outside the UK. The Contractor or subcontractor will not go ahead with any such proposal without the prior written agreement from the Department.
- 12.16. The Department reserves the right to audit the Contractor or subcontractors providing the service within a mutually agreed timeframe but always within seven days of notice of a request to audit being given. The audit shall cover the overall scope of the service being supplied and the Contractor's, and any subcontractors, compliance with the clauses contained in this Section.
- 12.17. The Contractor shall contractually enforce all these Departmental Security Standards for Contractors onto any third-party suppliers, sub-contractors or partners who could potentially access Departmental Data in the course of providing this service.

ANNEX ONE: CONFLICTS OF INTEREST

For research and analysis, **conflict of interest** is defined as the presence of an interest or involvement of the contractor, subcontractor (or consortium member) which could affect the actual or perceived impartiality of the research or analysis.

A conflict of interest for this project would include the circumstance in which a contractor, sub-contractor or member of a consortia has had prior involvement with the scheme which is being evaluated, either through governance or delivery of services.

Where there may be a potential conflict of interest, it is suggested that the consortia or organisation designs working arrangements such that the findings cannot be influenced (or perceived to be influenced) by the organisation which is the owner of a potential conflict of interest. For example, consideration should be given to the different roles which organisations play in the research or analysis, and how these can be structured to ensure an impartial approach to the project is maintained.

The process by which this is managed in the procurement process is as follows:

1. **During the bidding process, organisations may contact the Cabinet Office to discuss whether or not their proposed arrangement is likely to yield a conflict of interest.** Any responses given to individual organisations or consortia will be shared with all tendering organisations (in a form which does not reveal the questioner's identity).
2. **Contractors are asked to sign and return Annex One to indicate whether or not any conflict of interest may be, or be perceived to be, an issue.** If this is the case, the contractor or consortium should give a full account of the actions or processes that it will use to ensure that conflict of interest is avoided. In any statement of mitigating actions, contractors are expected to outline how they propose to achieve a robust, impartial and credible approach to the research.
3. **When tenders are scored, this declaration will be subject to a pass/fail score,** according to whether, on the basis of the information in the proposal and declaration, there remains a conflict of interest which may affect the impartiality of the research.

Potential conflicts of interest may include (but are not restricted to);

- For evaluation projects, a close working, governance, or commercial involvement in the project under evaluation
- A professional or personal interest in the outcome of this research
- Current or past employment with relevant organisations
- Payment (cash or other) received or likely to be received from relevant organisations for goods or services provided (including consulting or advisory fees)
- Gifts or entertainment received from relevant organisations
- Shareholdings (excluding those within unit trusts, pension funds etc) in relevant organisations
- Close personal relationship or friendships with individuals employed by or otherwise closely associated with relevant organisations

Conflict of Interest Declaration Form

Organisations **must** complete either part 1 or 2. Please return this form with your ITT documentation.

A declaration of interest will not necessarily mean the individual or organisation cannot work on the project; but it is vital that any interest or conflict is declared so it can be considered openly.

Failure to declare or avoid conflict of interest at this or a later stage may result in exclusion from the procurement competition, or in Cabinet Office exercising its right to terminate any contract awarded.

Part 1

I have nothing to declare with respect to any current or potential interest or conflict in relation to this research (or any potential providers who may be subcontracted to deliver this work, their advisers or other related parties). By conflict of interest, I mean, anything which could be reasonably perceived to affect the impartiality of this research, or to indicate a professional or personal interest in the outcomes from this research.

If my situation or that of my organisation changes during the project in terms of interests or conflicts, I will notify the Cabinet Office immediately.

Signed
Name
Position
OR

Part 2

I wish to declare the following with respect to personal or professional interests related to relevant organisations (insert name(s) below):

-
-

Where a potential conflict of interest has been declared for an individual or organisation within a consortia, please clearly outline in your tender the role which this individual or organisation will play in the proposed project and how any conflict of interest has or will be mitigated.

If my situation or that of my organisation changes during the project in terms of interests or conflicts, I will notify the Cabinet Office immediately.

Signed
Name
Position