

ITT: itt_30004 - Register Opening February 2016 - Due Diligence (Skills Funding Agency eTendering Portal)

2. Technical Envelope. Qualification / Technical Form

2.1 Application Type

Note

Note Details

The market entry pre-qualification process involves two elements that run in parallel:

- Due diligence questions (this is the questionnaire that you are completing now)

2.1.1 General Note 1 • Capacity and capability questions (this questionnaire is running now and closes at 5pm on 2nd March 2016)

All organisations must pass the due diligence questions in order to be listed on the Register of Training Organisations. If an organisation would like to compete for funding/contract opportunities when they become available they must also pass the capacity and capability questions.

2.1.2 General Note 2 When responding to a question please ensure that your answer only includes the information requested, additional information is not reviewed and slows down the evaluation process. If any questions are not applicable please type 'NA' in the text box provided.

Question

Description

Please select from below the statement/s that best fit your application type:

[A] I do not currently appear on the Register.

2.1.3 REG15-APPTYPE v2 [B] I currently appear on the Register and I need to amend my responses to the due diligence questions.

[C] I currently appear on the Register and want to complete the capacity and capability questions.

[D] I currently appear on the Register and have passed the capacity and capability questions. I want to amend my responses to the capacity and capability questions.

2.2 Organisation Details

Note

Note Details

2.2.1 Organisation Details - Note The market entry pre-qualification process includes verifying your organisational details. Please take care when entering your organisational details and ensure that all information is reflective of the entity that is applying. You will need to ensure the name of the Bravo account matches the name of the organisation making the application. Please ensure that a separate account is registered for each entity that is making an application, and the application is made from the correct user account. If we are unable to verify your details there is a risk that your application will not be evaluated.

Question

Description

2.2.2	REG15-OD-01	Full legal name of the Supplier completing the PQQ
2.2.3	REG15-OD-02	Please state your trading name (if applicable)
2.2.4	REG15-OD-03	Please provide your UK Provider Reference Number (UKPRN) supplied by UKRLP. Do not enter a UPIN, any other Skills Funding Agency reference number or the UKRPN of your lead provider if you are a subcontractor
2.2.5	REG15-OD-04	Registered company number
2.2.6	REG15-OD-05	Registered charity number
2.2.7	REG15-OD-06	Registered VAT number
2.2.8	REG15-OD-07a	If your organisation is not incorporated in the UK, BUT is incorporated or registered overseas, then please give the country in which it is incorporated or registered and the registration number
2.2.9	REG15-OD-07b	<p>If your organisation is part of a group of companies incorporated or registered outside of the UK, please state:</p> <ul style="list-style-type: none"> • The registered name of your parent company • The organisation with which it is registered • The country in which it is registered and the registration number <p>Please select the relevant box to indicate your trading status</p> <p>(a) a public limited company</p> <p>(b) a limited company</p> <p>(c) a limited liability partnership</p> <p>(d) other partnership</p> <p>(e) sole trader</p> <p>(f) Community Interest Company (CiC)</p> <p>(g) Statutory Corporation E.g Further Education Colleges</p> <p>(h) Charitable Incorporated Organisation (CIO)</p> <p>(i) other (please specify)</p>
2.2.10	REG15-OD-08a	
2.2.11	REG15-OD-08b	If you have selected 'other' please specify here:
2.2.12	REG15-OD-9a	<p>Please indicate your organisation type from the list shown.</p> <p>A - General Further Education (GFE) College.</p> <p>B - Training organisation. (Excluding those that are either an ATA or a GTA)</p>

C - An organisation only wishing to train its own employees and/or individuals within its supply chain
 D - Local Authority
 E - Sixth Form College
 F - University funded by HEFCE
 G - A GTA or an ATA
 H - An Academy
 I - An organisation whose main business is careers advice and guidance
 J – Other

2.2.13 REG15-OD-09b

If you have selected 'other' please specify here.

Please select the relevant boxes to indicate whether any of the following classifications apply to you

(a) Voluntary, Community and Social Enterprise (VCSE) which are also referred to as 'third sector' organisations

(b) Small or Medium Enterprise (SME)

2.2.14 REG15-OD-10

(c) Sheltered workshop

(d) Public service mutual

(e) None of the above

See EU definition of SME (copy link to your web browser)

<http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/>

2.2.15 REG15-OD-11

Please give the name of the individual who has responsibility for the overall executive management of your organisation and details of positions this individual holds with other organisations

If your organisation is incorporated under the Companies Act, or you are a partnership or sole trader please name all directors of the organisation making this application along with their individual shareholding in the organisation (if any). If this is not applicable to your organisation please type N/A.

Your response must include the following for each director:

2.2.16 REG15-OD-12

- First Name
- Last Name
- Their date of birth (in the format DD/MM/YYYY)
- The percentage of shares the director holds within the organisation (numerical value between 0 and 100)

The recommended format for presenting this information can be seen below:

John; Smith; 01/01/1900

Joe; Bloggs; 01/04/1900

Please give details of any other shares or assets over 10% (of the total shareholding or value) these individual/s hold in other organisations. You should include:

- 2.2.17 REG15-OD-13
- First Name and Last Name
 - Percentage of shares the individual holds within another organisation/s
 - The name of the company/s
 - The Companies House number/s

If you have responded to question REG15-OD-12 as 'not applicable', please type N/A for this question.

Please list the first name, last name and job title of senior management personnel in your organisation.

- 2.2.18 REG15-OD-14
- This must relate to senior management personnel responsible for delivering education and training services, or those involved with developing services
 - If you are a local authority provide the names of senior management personnel responsible for the 'Education Services' branch

Is your organisation a direct contract holder, or subcontractor to an organisation that receives funding from the Department for Work and Pensions, Education Funding Agency or Higher Education Funding Council for England (HEFCE)?

Please select all options that are applicable, funding from the Skills Funding Agency should not be included in response to this question.

- 2.2.19 REG15-OD-15
- (a) DWP – Prime Contractor
 - (b) DWP – Subcontractor
 - (c) Education Funding Agency – Prime Contractor
 - (d) Education Funding Agency – Subcontractor
 - (e) HEFCE – Prime Contractor
 - (f) HEFCE – Subcontractor
 - (g) Other government department
 - (h) Not applicable as I do not directly or indirectly receive funding from the departments listed above

2.3 Grounds for Mandatory Exclusion

Note

Note Details

- 2.3.1 Grounds for Mandatory Exclusion - Note

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).

If you answer "yes" to question REG15-GME-02a on the non-payment of taxes or social security contributions, and have not paid or entered into a binding

arrangement to pay the full amount, you may still avoid exclusion if only minor tax or social security contributions are unpaid or if you have not yet had time to fulfil your obligations since learning of the exact amount due. If your organisation is in that position please provide details in question REG15-GME-02b

Question

Description

THIS QUESTION HAS A NUMBER OF OPTIONS WHICH HAVE BEEN SEPARATED TO ASSIST WITH YOUR COMPLETION OF THE APPLICATION. PLEASE ENSURE YOU READ THROUGH ALL THE OPTIONS BELOW CAREFULLY BEFORE SUBMITTING YOUR FINAL ANSWER/S.

2.3.2 REG15-GME-01a

Within the past five years, has your organisation (or any member of your proposed consortium, if applicable), Directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences (please select all those that apply - see options in the notes below):

Note

Note Details

Within the past five years, has your organisation (or any member of your proposed consortium, if applicable), Directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences:

2.3.3 REG15-GME-01a
[Options A to D]

A - conspiracy within the meaning of section 1 or 1A of the Criminal Law Act 1977 or article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA on the fight against organised crime

B - corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906;

C - the common law offence of bribery

D - bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010; or section 113 of the Representation of the People Act 1983;

Within the past five years, has your organisation (or any member of your proposed consortium, if applicable), Directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences:

2.3.4 REG15-GME-01a
[Options E to F]

E - any of the following offences, where the offence relates to fraud affecting the European communities' financial interests as defined by Article 1 of the Convention on the protection of the Financial interests of the European Communities:

(i) the offence of cheating the Revenue

(ii) the offence of conspiracy to defraud;

(iii) fraud or theft within the meaning of the Theft Act 1968, the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978;

- (iv) fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006;
- (v) fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994;
- (vi) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;
- (vii) destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of section 20 of the Theft Act 1968 or section 19 of the Theft Act (Northern Ireland) 1969;
- (viii) fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or
- (ix) the possession of articles for use in frauds within the meaning of section 6 of the Fraud Act 2006, or the making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of that Act;

F - any offence listed

- (i) in section 41 of the Counter Terrorism Act 2008; or
- (ii) in Schedule 2 to that Act where the court has determined that there is a terrorist connection;

Within the past five years, has your organisation (or any member of your proposed consortium, if applicable), Directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences:

G - any offence under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by subparagraph (f);

H - money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002;

I - an offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996;

2.3.5 REG15-GME-01a
[Options G to O]

J - an offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004;

K - an offence under section 59A of the Sexual Offences Act 2003;

L - an offence under section 71 of the Coroners and Justice Act 2009

M - an offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994; or

N - any other offence within the meaning of Article 57(1) of the Public Contracts Directive

(i) as defined by the law of any jurisdiction outside England and Wales and Northern Ireland; or

(ii) created, after the day on which these Regulations were made, in the law of England and Wales or Northern Ireland.

O - None of the above

Question	Description
2.3.6 REG15-GME-01b	<p><u>If you have answered yes to any of the above, please provide supplementary information which should include:</u></p> <ul style="list-style-type: none"> <u>Dates</u> <u>A brief summary</u> <u>Any outstanding judgements or legal proceedings</u>
2.3.7 REG15-GME-02a	<p><u>Non payment of taxes - Has it been established 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 your organisation is established (if outside the UK), that your organisation is in breach of obligations related to the payment of tax or social security contributions?</u></p>
2.3.8 REG15-GME-02b	<p><u>If you have answered Yes to question [REG15-GME-02a] please confirm whether you have paid, or have entered into a binding arrangement with a view to paying, including, where applicable, any accrued interest and/or fines?</u></p>

2.4 Grounds for Discretionary Exclusion

Note	Note Details
2.4.1 Grounds for Discretionary Exclusion - Note	The Skills Funding Agency may exclude any Supplier who answers 'Yes' in any of the following situations set out below:
Question	Description
2.4.2 REG15-GDE-01a	<p>THIS QUESTION HAS A NUMBER OF OPTIONS WHICH HAVE BEEN SEPARATED TO ASSIST WITH YOUR COMPLETION OF THE APPLICATION. PLEASE ENSURE YOU READ THROUGH ALL THE OPTIONS BELOW CAREFULLY BEFORE SUBMITTING YOUR FINAL ANSWER/S.</p> <p>Within the past three years, please indicate if any of the following situations have applied, or currently apply, to your organisation (please indicate your answer by selecting the relevant options)</p>
Note	Note Details
2.4.3 REG15-GDE-01a [Options A to F]	<p>Within the past three years, please indicate if any of the following situations have applied, or currently apply, to your organisation:</p> <p>(a) your organisation has violated applicable obligations referred to in regulation 56 (2) of the Public Contracts Regulations 2015 in the fields of environmental, social and labour law established by EU law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X to the Public Contracts Directive as amended from time to time;</p> <p>(b) your organisation is bankrupt or is the subject of insolvency or winding-up</p>

proceedings, where your 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;

(c) your organisation is guilty of grave professional misconduct, which renders its integrity questionable;

(d) your organisation has entered into agreements with other economic operators aimed at distorting competition;

(e) your organisation has a conflict of interest within the meaning of regulation 24 of the Public Contracts Regulations 2015 that cannot be effectively remedied by other, less intrusive, measures;

(f) the prior involvement of your organisation in the preparation of the procurement procedure has resulted in a distortion of competition, as referred to in regulation 41, that cannot be remedied by other, less intrusive, measures;

Within the past three years, please indicate if any of the following situations have applied, or currently apply, to your organisation:

(g) your organisation has 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;

(h) your organisation—

(i) has been 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; or

2.4.4 REG15-GDE-01a
[Options G to K]

(ii) has withheld such information or is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015; or

(i) your organisation has undertaken to

----- (aa) unduly influence the decision-making process of the contracting authority, or

----- (bb) obtain confidential information that may confer upon your organisation undue advantages in the procurement procedure; or

(j) your organisation has negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award

(k) none of the above

Question

Description

If you have answered yes to any of the above options A to J, please provide supplementary information which should include:

2.4.5 REG15-GDE-01b

-Dates

-A brief summary

		<p>-Any outstanding judgements or legal proceedings</p> <p>-Any mitigating actions (if applicable)</p>
	Note	<p>Note Details</p> <p>The Skills Funding Agency 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.</p> <p>"Occasion of Tax Non-Compliance" means:</p> <p>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:</p> <p>1. (a) 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;</p> <p>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 Disclosure of Tax Avoidance Scheme (DOTAS) or any equivalent or similar regime; and/or</p> <p>(b) 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</p>
2.4.6	REG15-GDE-02	
	Question	Description
2.4.7	REG15-GDE-02a	<p>From 1 April 2013 onwards, have any of your company's tax returns submitted on or after 1 October 2012; given rise to a criminal conviction for tax related offences which is unspent, or to a civil penalty for fraud or evasion?</p> <p>From 1 April 2013 onwards, have any of your company's tax returns submitted on or after 1 October 2012;</p> <p>Been found to be incorrect as a result of:</p> <ul style="list-style-type: none"> • HMRC successfully challenging it under the General Anti-Abuse Rule (GAAR) or the "Halifax" abuse principle; or
2.4.8	REG15-GDE-02b	<ul style="list-style-type: none"> • 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

If you have answered “Yes” to either REG15-GDE-02a or REG15-GDE-02b above, please provide details of any mitigating factors that you consider relevant. This could include, for example:

- | | | |
|-------|---------------|---|
| 2.4.9 | REG15-GDE-02c | <ul style="list-style-type: none"> ● Corrective action undertaken 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. ● 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 |
|-------|---------------|---|

2.5 Financial Health Assessment

Note		Note Details
2.5.1	Financial Health - Note 1	If you hold a direct contract with the Skills Funding Agency for the delivery of education and training services you are not required to submit financial statements or complete the self-assessment toolkit as part of the financial health assessment. You submit your financial statements outside the process as part of the requirements of your funding agreement. Therefore if you hold a direct contract for the delivery of education and training services you must upload a note to question [REG15-FHA-01a] stating that you have an existing funding agreement.
		All other organisations must complete the financial health self-assessment toolkit and upload it to question [REG15-FHA-01a]. In addition to uploading the relevant financial statements information outlined in the financial health self-assessment toolkit and supporting guidance documents. If you do not complete the financial health self-assessment toolkit and upload the relevant financial information you will fail the financial health assessment.

Question		Description
2.5.2	REG15-FHA-01a	Please upload your fully completed financial health self-assessment toolkit in Excel format
2.5.3	REG15-FHA-01b	I/We confirm that the financial health assessment self-assessment toolkit has been completed to the best of my/our knowledge. If there are significant irregularities with the figures provided on the toolkit I/We accept that my/our application will be rejected, or that I/We will be removed from the Register if irregularities are detected at a later date.

A:Yes
B:No

C:I/We hold a direct contract for the delivery of education and training services with the SFA

Note		Note Details
2.5.4	Financial Health - Note 2	Please upload the relevant documents identified in the financial health self-assessment toolkit and additional financial health guidance (if applicable). Please ensure that the document you upload reflects the information requested in the question, if you would like to upload more than one file you can do this by uploading a zip file that is not password protected.
Question		Description
2.5.5	REG15-FHA-02a	Please upload the financial health exemption template, if separate from the self-assessment toolkit.
2.5.6	REG15-FHA-02b	Please upload your most recent financial statements
2.5.7	REG15-FHA-02c	Please upload your fully costed business plan
2.5.8	REG15-FHA-02d	Please upload your management accounts and forecasts
2.5.9	REG15-FHA-02e	Please upload a Parent Company or Director's guarantee, if separate from the self-assessment toolkit
2.5.10	REG15-FHA-02f	Please upload any other document that you believe is relevant to the financial health assessment
2.5.11	REG15-FHA-03a	Are you part of a wider group (e.g. a subsidiary of a holding/parent company)?
2.5.12	REG15-FHA-03b	If yes, please provide the: <ul style="list-style-type: none"> • Name of immediate parent company and Companies House number • Name of UK ultimate parent company and Companies House number
2.5.13	REG15-FHA-03c	If yes, please provide the latest available accounts for your UK ultimate parent company. Organisations that are subject to the financial health assessment must submit their UK parent company accounts or they will fail the process

2.6 Technical and Professional Ability [Compliance]

Question		Description
2.6.1	REG15-COM-01	In the last three years, has any finding of unlawful discrimination been made against your organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)?
2.6.2	REG15-COM-02	In the last three years, has your organisation had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination?
2.6.3	REG15-COM-03	If you have answered "yes" to [REG15-COM-01] or [REG15-COM-02], please provide a summary of the nature of the investigation and an explanation of the outcome of the investigation to date. If the investigation upheld the complaint against your organisation, please explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring. You may be excluded if you are unable to demonstrate to the Skill

Funding Agency's satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring.

If you did not answer 'YES' to the questions referenced above, please type not applicable in the text box provided

Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements.

2.6.4 REG15-COM-04

A: Yes

B: No, I have less than five employees

C: No, I have more than five employees

2.6.5 REG15-COM-05a Is your organisation (or if applicable any members of your consortium) in a state of insolvency, voluntary administration, company voluntary arrangement, compulsory winding up, receivership, composition with creditors or subject to equivalent proceedings?

If you have selected 'Yes' to [REG15-COM-05a], please provide further details including the type of proceedings and the dates, and if repaying debts, how you are repaying the debt as well as the date the debt will be cleared.

2.6.6 REG15-COM-05b

If you did not answer 'YES' to the question referenced above, please type 'Not Applicable' in the text box provided

2.6.7 REG15-COM-06a Has any member or trustee of your organisation been investigated or removed by the Charities Commission or appear on the Register of Removed Trustees?

If you have selected 'Yes' to [REG-COM-06a], please provide details together with the name/s of those involved and dates.

2.6.8 REG15-COM-06b

If you did not answer 'YES' to the question referenced above, please type 'Not Applicable' in the text box provided

2.6.9 REG15-COM-07a Are any of the individual directors of your organisation or any other person who has powers of representation, decision or control of the organisation in a state of un-discharged bankruptcy or composition with creditors, or subject to any such proceedings, or in any form of dispute?

If you have selected 'Yes' to [REG15-COM-07a], please provide supplementary information which should include:

- 2.6.10 REG15-COM-07b
- Dates
 - A brief summary
 - Any outstanding judgements or legal proceedings

If you did not answer 'YES' to the question referenced above, please type 'Not Applicable' in the text box provided

Please select from the list below what applies to your organisation, any of its directors or any other person who is a shareholder, senior employee or has powers of representation, decision or control of your organisation.

(a) Previous activities have resulted in repayment of SFA or government funding within the last two years (£100,000 or 5 per cent of contract value, whichever is the higher). This includes funding paid to a subcontractor to deliver education and training services funded by the SFA.

(b) Failure to repay funding due to the SFA or other government body in excess of £50,000.

(c) Failure to repay funding due under a subcontract to deliver education and training services funded by the SFA in excess of £50,000.

2.6.11 REG15-COM-08a
v1

(d) Two or more instances where the SFA or its agents have audited the provision of a lead provider and identified issues of non-compliance with conditions of funding within the last two years.

(e) Ongoing investigation relating to suspicion of fraud or irregularity, or possible failure to comply with conditions of funding under an existing funding agreement or subcontract;

(f) Early termination of a funding agreement or a subcontract to deliver education and training funded by the SFA within the last three years.

(g) Withdrawal of funding following the failure to comply with a Notice of Withdrawal of Funding or failure to remedy a serious breach of contract within the last three years.

(h) None of these

2.6.12 REG15-COM-08b If you have selected any option other than H as your response to question [REG15-COM-08a] you will need to provide supplementary information to support your selection.

Please type 'Not Applicable' in the text box provided if this does not apply to your organisation

2.6.13 REG15-COM-09a Has your organisation had any contract from another public body withdrawn in the last three financial years?

If you have selected 'Yes' to [REG15-COM-09a], please provide brief details including:

- 2.6.14 REG15-COM-09b
- The public body involved
 - The contract type
 - The date/s the contract/s was/were withdrawn
 - The value/s of the contract/s
 - The reason/s the contract/s was/were withdrawn

If you did not answer 'YES' to the question referenced above, please type 'Not Applicable' in the text box provided

2.6.15 REG15-COM-10a Have you withdrawn early from a contract within the last three years?

If you have selected 'Yes' to [REG15-COM-10a], please provide brief details including:

- 2.6.16 REG15-COM-10b
- The name of the organisation you have withdrawn a contract with
 - The contract type
 - The date you withdrew
 - The value/s of the contract/s

If you did not answer 'YES' to the question referenced above, please type 'Not Applicable' in the text box provided

- The reason you withdrew

If you have had to repay public money can you confirm you have repaid or have an agreement to repay that funding.

- 2.6.17 REG15-COM-11a
- (a) - I can confirm we have repaid any outstanding public money
 - (b) - I can confirm we have an agreement to repay outstanding public money and are currently making payments
 - (c) - We have outstanding public money which we have not yet repaid
 - (d) - This question is not applicable to my organisation as there is no outstanding public money to be repaid

If you have selected (a) or (b) to [REG15-COM-11a], please state the amount you have repaid, the reason for the repayment, the date of repayment, and whether or not the debt has been cleared.

- 2.6.18 REG15-COM-11b
- If you have answered (c) to [REG15-COM-11a], please state the amount to be repaid, the reason for repayment and whether or not the debt will be cleared.

Please type 'Not Applicable' in the text box provided if this does not apply to your organisation

- 2.6.19 REG15-COM-12a Does your organisation have any outstanding or ongoing legal dispute that could prevent you from delivering a contract for us?

If you have selected yes to question REG15-COM-12a, please provide brief details including dates.

2.6.20 REG15-COM-12b

If you did not answer 'YES' to the question referenced above, please type 'Not Applicable' in the text box provided

- 2.6.21 REG15-COM-13
- It is a legal requirement that all companies hold Employer's (Compulsory) Liability Insurance of £5 million as a minimum, please note this requirement is not applicable to Sole Traders. Do you hold Employer's (Compulsory) Liability Insurance of £5 million as a minimum?

- A: Yes
B: No
C: Not applicable to my organisation

2.7 Technical and Professional Ability [Delivery]

	Note	Note Details
2.7.1	Delivery - Note	Please note the questions in this section are only applicable to organisations that deliver, or are interesting in delivering, education and training. If you are not interested in delivery of education and training please select not applicable.
	Question	Description
2.7.2	REG15-DEL-01	<p>Are you an organisation that delivers education and training, or is interested in delivering education and training in the future? (This includes operating as a subcontractor)</p> <p>Please note that this question will be used to verify the questions below. If you select 'yes' to this question but 'not applicable' to the questions in the rest of this section you will fail the questionnaire.</p>
2.7.3	REG15-DEL-02a	<p>It is a legal requirement that the organisation making the application is registered with the Information Commissioner's Office (www.ico.gov.uk) for the processing of personal data for delivering education and training. (Note: If you are not registered with the Information Commissioner's Office you will fail our due diligence questions)</p> <p>(A) Yes – we hold this registration (B) No – we do not hold this registration (C) Not applicable – my organisation does not deliver education and training, and will not do so in the future</p>
2.7.4	REG15-DEL-02b	<p>If you have selected “A” to question [REG15-DEL-02a] please provide your organisation's ICO registration number.</p> <p>Please type 'Not Applicable' in the text box provided if this does not apply to your organisation</p>
2.7.5	REG15-DEL-03	<p>It is a funding requirement that all the provision we fund takes place in safe, healthy and supportive environments, which fully meet the needs of learners, including those learners who require additional support. Where learning takes place in an environment outside the direct control of the directly funded organisation they will be required to ensure the health and safety of our funded learners. Can you confirm you have suitable policies and procedures in place?</p> <p>(A) Yes (B) No (C) Not applicable – my organisation does not deliver education and training, and will not do so in the future</p>
2.7.6	REG15-DEL-04a	Is your organisation currently any under any sanctions from an awarding organisation?

- (A) Yes
- (B) No
- (C) Not applicable, my organisation does not deliver education and training, and will not do so in the future

If you have answered yes to [REG15-DEL-04a], please provide the following information:

- The name of the awarding organisation
- The qualification, level and skills area affected
- Information on the sanction including the reason for sanction

2.7.7 REG15-DEL-04b--- If the sanction has been lifted you need to provide the date it was lifted

--- If your organisation remains under sanction you need to include the date the sanction was applied and how it impacts your ability deliver a contract for education and training

- If there is more than one sanction you need to include the above information for each sanction

If you did not answer 'YES' to the question referenced above, please type 'Not Applicable' in the text box provided

Has an awarding body identified significant irregularities resulting in action in the last 3 academic years in the award of qualification?

2.7.8 REG15-DEL-05a

- (A) Yes
- (B) No
- (C) Not applicable, my organisation does not deliver education and training, and will not do so in the future

If you have answered no to question [REG15-DEL-05a], please type N/A.

If you have answered yes question [REG15-DEL-05a], please provide the following information:

- The name of the awarding body

2.7.9 REG15-DEL-05b • The qualification, level and skills area affected

- Information on the irregularities identified including an explanation

--- If this resulted in a sanction and it was lifted, you need to provide the date it was lifted

--- If this resulted in a sanction and it is outstanding, you need to include the date the sanction was applied and how it impacts your ability deliver a contract for

education and training

- If there is more than one irregularity you need to include the above information for each irregularity

Has your organisation's awarding organisation/s approval/s status been suspended or withdrawn within the last 3 academic years?

2.7.10 REG15-DEL-06a

(A) Yes

(B) No

(C) Not applicable, my organisation does not deliver education and training, and will not do so in the future

If you have answered no to question [REG15-DEL-06a], please type N/A.

If you have answered yes to question [REG15-DEL-06a], please provide the following information:

- The name of the awarding organisation
- The qualification, level and skills area affected

2.7.11 REG15-DEL-06b • Information on the suspension or withdrawal including an explanation

--- If this resulted in a sanction and it was lifted, you need to provide the date it was lifted

--- If this resulted in a sanction and it is outstanding, you need to include the date the sanction was applied and how it impacts your ability deliver a contract for education and training

- If there is more than one suspension or withdrawal you need to include the above information for each irregularity

This question relates to Ofsted inspections under the remit of Further Education and Skills. If you have been inspected within the last five years, is your latest inspection grade inadequate (grade 4) for 'Overall Effectiveness'?

2.7.12 REG15-DEL-07

Note: If you have an inadequate grade for Overall Effectiveness within the last five years, we will indicate this if you are published on the Register.

2.8 Procurement

Question

Description

Please select the relevant option:

2.8.1 REG15-CC-01 v1

(A) I will be completing the due diligence questionnaire only, NOT the capacity and capability questionnaire. I am aware that if I am successful I will be listed on the Register, but will not be invited to compete for funding/contracts when opportunities become available.

(B) I will be completing the due diligence questionnaire AND the capacity and capability questionnaire. I am aware that the deadline for completing both questionnaires is 17:00 on 2nd March 2016.

2.9 Declarations

	Question	Description
2.9.1	REG15-DEC-01	I/We certify that the information within this questionnaire is accurate to the best of my knowledge and accept the conditions and undertakings requested in this questionnaire.
2.9.2	REG15-DEC-02	I/We understand that the Skills Funding Agency may reject my submission if there is a failure to answer all relevant questions fully or if I provide false/misleading information. It is understood that false information may result in exclusion from future exercises, may result in the withdrawal of any existing funding & funding agreement/s, and result in civil or criminal proceedings.
2.9.3	REG15-DEC-03	I/We understand that information cannot be amended or submitted in support of my submission after the closing date. We also accept that the Skills Funding Agency may at its sole discretion use information it already holds, obtains from other Government bodies or which is already in the public domain to validate part or all of any answer we have given in this submission.
2.9.4	REG15-DEC-04	I/We understand that any organisation that directly or indirectly attempts to influence any member of staff or official of The Skills Funding Agency may be disqualified from the procurement process and result in civil or criminal proceedings. This also includes the influence of financial or legal advisors concerning the award of a contract to which this PQQ relates to, or engages in a corrupt practice involving a member of staff or official of The Skills Funding Agency or their advisors.
2.9.5	REG15-DEC-05	I/We also understand that it is a criminal offence, punishable by imprisonment to give or offer any gift or consideration whatsoever as an inducement or reward to any servant of a public body, and that any such action will empower The Skills Funding Agency to cancel any contract currently in force and will result in my/our exclusion from this tendering exercise

2.10 Authorisation of Submission

	Question	Description
2.10.1	REG15-AOS-01	Please include the name and job title of the person named as authoriser. This must be the Chief Executive, your Principal or the person who is authorised by your organisation to sign the declarations on your behalf.
2.10.2	REG15-AOS-02	Due diligence questions completed by: Name Role in organisation Date