

Pre-Tender Market Engagement

Single Independent Appeals Service (SIAS)

Project Reference: CPD4126149

Authority

1. The Department for Levelling Up, Housing and Communities (DLUHC) from herein referred to as “**the Authority**”.

Potential Supplier

2. This Pre-Tender Market Engagement (PTME) seeks information in preparation for the potential procurement of a Supplier from herein referred to as a “**Potential Supplier**”, to provide the Single Independent Appeals Service from herein referred to as a “**SIAS**”.

Final Written Feedback and Response (TBC)

3. We are seeking final written feedback and answers to our voluntary questions listed in section 8 by 9.30AM on Wednesday 15 May 2024. **Earlier responses are welcomed.** Any queries should be submitted by 09:30am on Tuesday 30 April 2024. Responses and queries should be submitted to: CommercialTenders@levellingup.gov.uk

Supplier Engagement Events

4. The Authority will be hosting two online roundtables which will include a short presentation from the Authority, a discussion on areas the Authority wishes to explore further and an opportunity for Potential Suppliers to ask questions. Potential Suppliers only need to attend one event. The roundtables will be held on Tuesday 23 April 2024 at 11AM – 12.30PM and Wednesday 24 April 2024 at 11.30AM – 1PM.
5. Supplier Engagement Events provide the Department with an opportunity to give an overview of the requirement to Potential Suppliers, as well as addressing any questions from Potential Suppliers with regards to the policy, process, and any issues or concerns. Where the Department is unable to answer questions immediately within the session, we will endeavour to provide written answers in follow up to the sessions which will be made available to all Potential Suppliers participating in the session.

1. INTRODUCTION

6. The Government will be establishing a new single independent appeals service (SIAS) as part of a package of measures to raise standards in the private parking industry. SIAS is an end-to-end second stage appeals service for private Parking Charge Notices (PCNs). SIAS will be the sole second stage independent appeals service for private PCNs in England, Scotland and Wales, replacing Parking on Private Land Appeals (POPLA) and the Independent Appeals Service (IAS).
7. SIAS's primary objective is to be trusted by users to deliver fair appeal decisions via a service which is straightforward to use, and accessible to all. SIAS is initially expected to handle around 100,000 appeals per year. SIAS will serve the needs of appellants, parking operators, adjudicators, and administrators.
8. The Authority is keen to understand what relevant, or easily transferable, skills and experience a potential adjudication service may have within the private parking industry. There is an expectation that any Potential Supplier will be an approved Alternative Dispute Resolution (ADR) entity or work directly with an ADR entity to provide adjudication services. The Authority welcomes responses from organisations that do not have experience in providing ADR services with Chartered Trading Standards Institute (CTSI) approval. Adjudicators must be independent from the parking operators and all conflicts of interest must be declared at the earliest opportunity.
9. Potential Suppliers should give due consideration to the following requirements for SIAS:

- Be free to use for motorists making a second stage appeal; with the operating costs and any profit elements being covered by subscriptions / per appeal payments;
- The appeals process should integrate with other parking operator systems;
- Enable an overall improvement in user experience including being accessible to all;
- Operate completely independently of Parking Operators;
- Be fair;
- Create trust;
- Be consistent;
- Provide legal assurance; and
- Facilitate effective analysis and reporting.

2. PURPOSE

10. The purpose of this PTME is to provide the Authority with an opportunity to understand more about the capability within the market with regards to supporting the development and timely delivery of SIAS.
11. The PTME is primarily a learning exercise for the Authority and the outputs will shape the specification should the Authority choose to undertake a procurement exercise in due course. No decision has been taken on the route to market for this opportunity. The Authority reserves the right to alter its route to market and may not proceed to tender this opportunity. The Authority reserves the right to make the final decision on the route to market following a review of the responses to this engagement.
12. The Authority shall maintain commercial confidentiality of information received during the PTME. Any information shared may be subject to requests under the Freedom of Information Act 2000 (FOIA) or Environmental Information Regulations 2004 (EIR) and may be released unless an exemption or exception applies under the relevant legislation.
13. During this PTME, the Authority seeks to understand:
 - What delivery timescales are realistic for Potential Suppliers;
 - The pricing model for existing products and services which are similar to SIAS e.g. subscription and / or per appeal price;
 - The pricing implications of customising existing products and services to meet specific SIAS user needs, the [Technical Code of Practice](#), and the [Government Digital Standards](#) (where relevant);
 - What products exist within the market which could be used, with minimal customisation, to provide a SIAS platform (both online and offline) which complies with [Government Digital Standards](#) and the [Technical Code of Practice](#);
 - What level of support Potential Suppliers may need from the Authority to comply with the Government Digital Standards and Technical Code of Practice;
 - The pricing model for existing products and services and the cost implications of any customisations;
 - What existing adjudication service models exist within the market that would meet the SIAS objective i.e. a trustworthy, fair and objective appeals service;
 - What level of customisation would be required for the adjudication process to meet the needs of SIAS users; and
 - The commercial models that are available for the delivery of adjudication services.

3. OBJECTIVES AND OUTCOMES

14. SIAS's **primary objective** is to be trusted by users to deliver fair appeal decisions via a service which is straightforward to use, and accessible to all. Potential Suppliers should give due consideration to the three **secondary objectives** below and consider how the subsequent outcomes will be measured.

15. Secondary objective 1: SIAS must adhere to Government Digital Service Standards whilst delivering user needs and provide an easy-to-use offline user journey.

- Outcome 1: There is a high completion rate indicating that users are able use the second stage appeals service which is intuitive and straightforward to use.
- Outcome 2: The service is quick and efficient – users can complete their appeal quickly.
- Outcome 3: The service is accessible to all.
- Outcome 4: Motorists feel listened to, they are treated fairly regardless of background and/or knowledge of the legal landscape.
- Outcome 5: User satisfaction feedback is high (including accessibility).

16. Secondary objective 2: SIAS must be impartial and deliver consistent, fair, and transparent decisions based on available evidence.

- Outcome 1: Decisions are made in a timely fashion in line with agreed service level agreements (to be agreed).
- Outcome 2: The adjudication process operates with little ambiguity in the overall decision process with suitably qualified members of staff.
- Outcome 3: There is no conflict of interest for adjudicators.
- Outcome 4: Parking Operators remain separate to the decision making process on appeals.
- Outcome 5: There is demonstrable consistency and transparency in how decisions are made in a way which is reassuring for users.

17. Secondary objective 3: The data from SIAS will contribute to the wider effort to measure how standards across the industry are being raised.

- Outcome 1: Assist in identifying the root cause of parking appeal charges, provide data insights and management information on a regular and/or proactive basis;
 - Data to be shared with the Authority will include but is not limited to:
 - Number of second stage appeals
 - Number of conceded/withdrawn appeals
 - Number of successful second stage appeals.

4. OUTPUTS / DELIVERABLES

18. A Potential Supplier will be expected to do the following:

- i. **To establish, deliver and maintain** SIAS for the private parking sector, which is free to motorists.
- ii. **To work with other bodies/stakeholders** in the private parking sector (including the Authority) to ensure a joined-up approach where relevant resulting in a clear, streamlined and efficient service for users.
- iii. **To ensure value for money** for Parking Operators, provide services/tools for Parking Operators to support effective first stage complaint/appeal handling to reduce the need for escalation, e.g. system training and guidance.
- iv. **To provide ongoing monitoring and data collection** to make service, operational, and organisational improvements and recommended changes to the Authority.
- v. Stay alert to changes and manage impact and risk early and effectively.
- vi. **Keep up to speed and manage change effectively** to ensure SIAS remains user focused and committed to transparency by adapting organisational process and structures in response to legal and industry changes.
- vii. To agree operational Key Performance Indicators with the Authority.

- viii. **Establish a SIAS which addresses user needs** and allows accessibility to motorists with varied needs, including but not limited to, visual impairment, disabilities, lower digital literacy skills and neurodiversity.
- ix. **Adherence with Government Digital Service Standards** to ensure compliance and alignment when delivering and operating the SIAS.
- x. **Adherence with the Technical Code of Practice.**
- xi. **Regularly monitor and evaluate** via regular informal and formal meetings including the provision for the supply of reports on the operation of the service. The Authority may want to publish reports in relation to its activity on a regular or ad-hoc basis.
- xii. **Operate a robust adjudication process** which delivers fair, timely and just outcomes for motorists and parking operators.

5. MONITORING AND EVALUATION

- 19. The Authority will monitor the performance of the service via the monthly reporting of KPIs which will be agreed with the Potential Supplier.
- 20. Draft KPIs include but not be limited to:
 - 1. Completion rate
 - 2. Digital take-up
 - 3. Cost per transaction
 - 4. Time to decision (from appeal registration to result)
 - 5. Adjudication accuracy and correct decision outcomes – (to be measured by complaints from Parking Operators)
 - 6. User Satisfaction
- 21. The Authority will also require the Potential Supplier to attend quarterly performance review meetings and will be expected to take prompt action where standards are not being met.

6. SET UP AND RUNNING COSTS

- 22. The Authority does not intend for the costs per appeal to operators in any new system to be substantially different to the current industry average, and Government remains committed to introducing a system which keeps costs down for operators as far as is practical. The Government is committed to the service remaining free to motorists. All running costs would be incurred by the Potential Supplier and the contracting vehicle would probably be a concession contract.
- 23. The Authority is interested in understanding what the Potential Supplier would consider as set up costs such as staffing, training, IT, facilities, etc. The Authority would welcome as much detail as possible including estimates on various costs and alternative options if/where relevant. This includes customisation of any software.
- 24. The Authority is interested in views from Potential Suppliers on any other alternative or additional ways SIAS could consider funding its core or additional activities that the Potential Supplier considers to be viable.
- 25. It is fundamental to SIAS that there is full compliance with [WCAG](#), [Government Service Design](#), [Digital Design](#) alongside a user centred approach – we would like to understand how the Potential Supplier will fulfil these expectations.

7. KEY DATES AND TENDERING PROCESS

- 26. If the Authority takes the decision to tender the service, it is anticipated that any procurement and/or process will start in autumn 2024, with the contract to commence as soon as possible thereafter. This is an indicative date for information purposes only and is subject to change. The Authority reserves the right to amend these dates at any time, and Potential Suppliers rely on them at entirely their own risk.

27. Dates, decisions on delivery model, and procurement process are subject to change, and are subject to internal processes. As stated above, the Authority reserves the right to amend or change these dates and Potential Suppliers rely on them at their own risk.

8. RESPONSE – SUPPLIER QUESTIONS

28. Potential Suppliers are asked to respond to all relevant questions below. Responses should remain focused on the question, with a separate section on any other feedback the Potential Supplier wishes to give. Please email your responses to [\[commercialtenders@levellingup.gov.uk\]](mailto:commercialtenders@levellingup.gov.uk) by no later than 9.30AM GMT on Wednesday 15 May 2024 (the “Response Deadline”). Earlier responses would be welcomed.

29. General Supplier Questions

- a) What would be a reasonable timeframe for going live with SIAS?
- b) What challenges would there be for a Potential Supplier who does not have prior experience of delivering cloud-native digital services that adhere to Government Digital Standards?
- c) What support would be required for a Potential Supplier who has not undertaken a Government Service Standard Assessment before?
- d) What roles/skills would be necessary to ensure the Government Digital Standards and Technical Code of Practice are met?
- e) What, if anything, has the Authority missed or overlooked in setting out their requirement?
- f) Referring to [Annex A of the Social Value document](#), are tackling economic inequality by creating new jobs and skills, and improving community integration the most suitable social value themes to explore for SIAS? If not, please detail which social value themes your organisation recommends and why.

30. Implementation and Rollout

- a) Detail the key challenges your organisation anticipates in setting up and delivering SIAS.
- b) What support would be required from the Authority in overcoming these challenges?
- c) What factors need to be considered to begin rolling out a functioning service?
- d) What are the merits in having an adjudication model which relies on barristers/paralegals/solicitors vs a lead adjudicator and caseworkers model?

31. Costs

- a) What would your organisation estimate the set-up cost of SIAS to be. Please detail the key considerations and assumptions underpinning the estimate.
- b) In addition to set up costs, within what range would your organisation estimate the broad potential running costs of SIAS to be based on the assumption of around 100,000 appeals per year.
- c) Please detail the most desirable options for recouping costs from Parking Operators to run SIAS?
- d) If starting with a common off the shelf solution, what additional development costs are likely to be incurred to ensure compliance with Government Digital Standards and the Technical Code of Practice? (i.e., adapting UI, accessibility functions such as zooming, contrast etc.) Please detail how have these costs been calculated.
- e) Please describe the potential impact on the costs detailed above if appeal numbers were to be up to 40% more or less than 100,000 per year.

32. Key Performance Indicators

- a) Referring to section 5 point 20, what further KPIs should the Authority be considering and why?

33. Service Design

- a) What considerations should be given by Potential Suppliers to ensure compliance with the Government Digital Standards, with a particular focused on user centred design principles and ensuring the service is inclusive and accessible?

34. Innovation

- a) What innovations exist in the market which would support SIAS in delivering a whole service which meets users needs?

9. QUESTIONS AND CLARIFICATIONS

35. Potential Suppliers may raise questions or seek clarification regarding any aspect of this PTME document at any time prior to the Response Deadline. Questions must be submitted by email to CommercialTenders@levellingup.gov.uk only.
36. To ensure that all Potential Suppliers have equal access to information regarding this PTME exercise, responses to questions raised by Potential Suppliers will be published in a "Questions and Answers" document, which will also be circulated by email, with updates appearing at regular intervals (approximately two to three working days).
37. Responses to questions will not identify the originator of the question.
38. If a Potential Supplier wishes to ask a question or seek clarification without the question and answer being revealed, then the Potential Supplier must state this in their email and provide its justification for withholding the question and any response. If the Authority does not consider that there is sufficient justification for withholding the question and the corresponding response, the Potential Supplier will be invited to decide whether:
 - the question/clarification and the response should in fact be published; or
 - it wishes to withdraw the question/clarification.

10. GENERAL CONDITIONS

39. This PTME will help the Authority to refine the requirements and to understand the potential level of interest in the delivering requirements. It will also aid Potential Supplier's understanding of the requirements in advance of any formal competitive tender exercise. The Authority reserves the right not to proceed with a competitive tender exercise after this PTME or to award any contract.
40. The Authority reserves the right to change any information contained within this PTME at any time, and Potential Suppliers rely upon it entirely at their own risk.
41. Any and all costs associated with the production of such a response to this PTME must be borne by the Potential Supplier.
42. Information contained within this document is confidential and must not be revealed to any third party without prior written consent from the Authority.
43. No down-selection of Potential Suppliers will take place as a consequence of any responses or interactions relating to this PTME.
44. The Authority expects that all responses to this PTME will be provided by Potential Suppliers in good faith to the best of their ability in the light of information available at the time of their response.
45. No information provided by a Potential Supplier in response to this PTME will be carried forward, used or acknowledged in any way for the purpose of evaluating the Potential Supplier, in any subsequent formal procurement process.

11. SUMMARY OF KEY DATES

- Online Supplier Roundtable 1 – Tuesday 23 April 2024 at 11AM – 12.30PM
- Online Supplier Roundtable 2 – Wednesday 24 April 2024 at 11.30AM – 1PM
- Deadline for Queries –Tuesday 30 April 2024 at 9.30AM
- Deadline for Final Written Feedback –Wednesday 15 May 2024 at 9.30AM