|  |
| --- |
| **NHSE ITQ Compliance Questionnaire** |
| One Stage Process: Compliance Questionnaire |
| Please note yellow denotes mandatory question |
| 1. Full name of organisation tendering (or of organisation acting as lead contact where a consortium bid is being submitted).   For information |
|  |
|  |
|  |
| 2. Registered office address:   For information |
|  |
|  |
|  |
| 3. Company or charity registration number   For information |
|  |
|  |
|  |
| 4. VAT registration number   For information |
|  |
|  |
|  |
| 5. Type of organisation:   For information |
| Public Limited Company  Limited Company  Limited Liability Partnership  Other Partnership  Sole Trader  Other (not mentioned above) |
|  |
|  |
| 6. If you answered 'Other' in the question above relating to Type of Organisation then please provide a description of your organisation.   For information |
|  |
|  |
|  |
| 7. Please confirm whether your Organisation is a small or medium-sized enterprise   (For information) |
| Yes  No |
| *A small or medium-sized enterprise, or SME, as defined by the European Commission is a business or company:  •that has fewer than 250 employees; and  •has either (a) annual turnover not exceeding €50 million (approximately £40 million) or (b) an annual balance-sheet total not exceeding €43 million (approximately £34 million); and  •of whose capital or voting rights, 25 per cent or more is not owned by one enterprise, or jointly by several enterprises, that fall outside this definition of an SME. This threshold may be exceeded in the following two cases: (a) if the enterprise is held by public investment corporations, venture capital companies or institutional investors provided no control is exercised either individually or jointly, or (b) if the capital is spread in such a way that it is not possible to determine by whom it is held and if the enterprise declares that it can legitimately presume that it is not owned as to 25% or more by one enterprise, or jointly by several enterprises, falling outside the definitions of an SME.* |
|  |
| 8. Contact details:   For information |
|  |
| *Please give the following details of the person submitting this tender of behalf of your company including:-  a. Name  b. Address  c. Post Code  d. Country  e. Telephone number (landline and mobile)  f. Email address  All communication will be through the Intend Portal. It is the responsibility of the bidder to ensure that they maintain their correct contact details in the Intend Portal at all times.* |
|  |
| 9. Name of immediate parent company (if applicable)   If not applicable please state this.   For information |
|  |
|  |
|  |
| 10. Name of ultimate parent company (if applicable)   If not applicable please state this.   For information |
|  |
|  |
|  |
| 11. Consortia and Sub-Contracting:   For information |
| Your organisation is bidding to provide the services required itself  Your organisation is bidding in the role of Prime Contractor and intends to use third parties to provide some services  The Supplier is a consortium |
|  |
|  |
| 12. If you are bidding as a Prime Contractor or as part of a consortium please provide details of sub-contractors or consortium partners.   If not applicable, please state this.   For information |
|  |
|  |
|  |
| 13. Has your organisation or any directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?   Pass/Fail |
| 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.  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; where the offence relates to active corruption.  The offence of bribery, where the offence relates to active corruption.  Bribery within the meaning of section 1 or 6 of the Bribery Act 2010.  None of the above |
|  |
|  |
| 14. Has your organisation or any directors or partner or any other person who has powers of representation, decision or control been convicted of fraud, 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, within the meaning of:   Pass/Fail |
| the offence of cheating the Revenue  the offence of conspiracy to defraud  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  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  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  an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993  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  fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006  making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of the Fraud Act 2006  None of the above |
|  |
|  |
| 15. Has your organisation or any directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?   Pass/Fail |
| money laundering within the meaning of section 340(11) of the Proceeds of Crime Act 2002  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  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  any other offence within the meaning of Article 45(1) of Directive 2004/18/EC as defined by the national law of any relevant State  None of the above |
|  |
|  |
| 16. Is any of the following true of your organisation?   Pass/Fail |
| being an individual is a person in respect of whom a debt relief order has been made or is bankrupt or has had a receiving order or administration order or bankruptcy restrictions order or a debt relief restrictions order made against him  being a partnership constituted under Scots law, has granted a trust deed or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of its estate  being a company or any other entity within the meaning of section 255 of the Enterprise Act 2002 has passed a resolution or is the subject of an order by the court for the company’s winding up otherwise than for the purpose of bona fide reconstruction  None of the above |
|  |
|  |
| 17. Has your organisation:   Pass/Fail |
| been convicted of a criminal offence relating to the conduct of your business or profession  committed an act of grave misconduct in the course of your business or profession  failed to fulfil obligations relating to the payment of social security contributions under the law of any part of the United Kingdom or of the relevant State in which you are established  failed to fulfil obligations relating to the payment of taxes under the law of any part of the United Kingdom or of the relevant State in which you are established?  None of the above |
|  |
|  |
| 18. Please confirm that your organisation is currently a going concern and will remain financially viable over the expected duration of the contract for this service.   Pass/Fail |
| I confirm  I do not confirm |
|  |
|  |
| 19. Please confirm that should the Authority wish to view the Organisations accounts and/or check the Organisations financial history you give consent?   Pass/Fail |
| Yes  No |
|  |
|  |
| 20. Do you confirm that you understand and accept that the submission of a tender means that the bid shall remain open and valid for acceptance by the Contracting Authority for a period of 90 days from submission.   Pass/Fail |
| Yes  No |
|  |
|  |
| 21. Please confirm for all Relevant Organisations that there are no grounds applicable to which they might be rejected for reasons set out in Regulation 57 of the Public Contracting Regulations 2015. Further information can be found at: http://www.legislation.gov.uk/uksi/2015/102/regulation/57/made   Pass/Fail |
| Grounds Applicable  No Grounds Applicable |
|  |
|  |
| 22. Are there any known circumstances which may give rise to any actual or threatened litigation or regulatory or other legal proceedings against any Organisation mentioned in this questionnaire.   For information |
| Yes  No |
|  |
|  |
| 23. If you answered "Yes" to any known circumstances which may give rise to any actual or threatened litigation or regulatory or other legal proceedings against any Organisation mentioned in this questionnaire please detail these.   If not applicable, please state this.   For information |
|  |
|  |
|  |
| 24. If your organisation is an NHS Body, including Foundation Trusts, do you confirm cover of indemnity with NHS Litigation Authority (NHSLA).   Please state "N/A" if not applicable to your organisation.   Pass/Pass with Condition Precedent |
| Yes  No  Not applicable |
| *Please note evidence will be required if successful as the Preferred Bidder during contracting and Mobilisation.* |
|  |
| 25. If your organisation is a non-NHS body, do you confirm indemnity cover to the minimum level as determined within the Terms and Conditions per area for the following:-  Employers Liability  Public & Product  Non-Clinical Professional Indemnity   Please state "N/A" if not applicable to your organisation.   Pass/Pass with Condition Precedent |
| Yes  No  Not applicable |
| *Please note evidence will be required if successful as the Preferred Bidder during contracting and Mobilisation.* |
|  |
| 26. Do you confirm that your organisation (or any partner in your consortium if applicable) has not canvassed any member or official of the Authority?   Pass/Fail |
| Yes  No |
|  |
|  |
| 27. Do you confirm that your organisation (or any partner in your consortium if applicable) has not engaged in Collusive Offering?   Pass/Fail |
| Yes  No |
|  |
|  |
| 28. Please declare any information you consider to be confidential within your offer. |
|  |
|  |
|  |
| 29. Please confirm that you have read, understood and are in agreement with the Terms and Conditions of the Contract and accept that the Contract Terms and Conditions will apply to this contract.   Pass/Fail |
| Yes  No |
|  |
|  |
| 30. Please confirm that your organisation has or complies with all of the applicable policies and legislation as outlined in the specification.   Pass/Fail |
| Yes  No |
|  |
|  |
| 31. Please confirm that, as an organisation, you will discharge your obligations in accordance with the obligations under the provisions of the Equalities Act 2010?   Pass/Fail |
| Yes  No |
|  |
|  |
| 32. Please confirm whether you are a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")?   If “Yes” please confirm you are compliant with the annual reporting requirements contained within Section 54 of the Act 2015?   If “No” please state No.   Pass/Fail |
|  |
| *Please note evidence will be required if successful as the Preferred Bidder during contracting and Mobilisation.* |
|  |
| 33. Please confirm that, as an organisation, you discharge your obligations in accordance with the obligations under the provisions of the  General Data Protection Regulation (GDPR)?   Pass/Fail |
| Yes  No |
|  |
|  |
| 34. Please confirm that as an organisation you will work with the Authority to ensure continued improvements in sustainability as per the Social Value Act 2012?  This includes, but is not limited to environmental, economic, and social development/benefits.   Pass/Fail |
| Yes  No |
|  |
|  |
| 35. Are there any conflicts of interest which you wish to declare.   By way of example, conflicts of interest may include:-  You or a partner organisation has carried or is carrying out work for the Authority in the last six months  Financial Interests  Non-Financial Professional Interests  Non-Financial Personal Interests  Indirect Interests   For information |
| Yes  No |
|  |
|  |
| 36. If answered "Yes" to Conflicts of Interest please describe them below.   Alternatively, please state if there are no conflicts of interest.   For information |
|  |
|  |
|  |
| 37. Please confirm that, as an organisation, you understand that the Authority must be transparent in all procurement activity and that if this submission results in the award of a new contract, the resulting contract between the supplier and the Authority will be published. In some circumstances, limited redactions will be made to some contracts before they are published in order to comply with existing law.   Pass/Fail |
| I confirm  I do not confirm |
| 38. I confirm that this submission meets all requirements and will be delivered in line with the published Specification of Requirements. I understand that the Contracting Authority may reject this tender if the submission is not in line with the Specification.  Pass/Fail |
| I confirm  I do not confirm |
| 39. I declare that to the best of my knowledge the answers submitted in this questionnaire are correct. I understand that the information will be used in the process to assess the suitability of my organisation or consortium if applicable. I understand that the Contracting Authority may reject this tender if there is a failure to answer all relevant questions fully or if I provide false/misleading information.   Pass/Fail |
| I confirm  I do not confirm |
| 35. Does your organisation have in place a policy that explicitly bans discrimination, bullying and harassment based on the following:   * Age * Gender reassignment * Being married or in a civil partnership * Being pregnant or on maternity leave * Disability * Race including colour, nationality, ethnic or national origin * Religion or belief * Sex * Sexual orientation   For Information |
| Yes  No  If so, please attach a copy to your tender response. |
| 36. Does your organisation monitor incidents of bullying and harassment based on any of the characteristics mentioned in question 35?  For information |
| Yes  No |
| 37. If you answered "Yes" to the above please provide details of how these incidents are acted upon.   If not applicable please state this.   For information |
|  |
| 38. Does your organisation have in place a trans-inclusion or transitioning at work policy?  For Information |
| Yes  No  If so, please attach a copy to your tender response. |
| 39. Does your organisation have a diversity and inclusion policy?  For Information |
| Yes  No  If so, please attach a copy to your tender response. |