

## **Financial Reporting Council (FRC) software solution for handling complaints and Freedom of Information Act (FOIA) requests**

### ***Summary***

The Financial Reporting Council (FRC) is seeking to implement a software solution in order to handle its complaints and Freedom of Information Act (FOIA) requests efficiently and effectively.

### ***Background***

The FRC is the UK regulator for auditors, accountants and actuaries. We set the UK's Corporate Governance and Stewardship Codes and promote transparency and integrity in business. Our work is aimed at investors and others who rely on company reports, audit and high-quality risk management.

In the course of undertaking our work, the FRC may receive complaints from members of the public about the conduct of its regulated entities. These complaints are often complex and may involve the collection of large volumes of written material, ranging from emails to procedures and other documentation. We need to be able to collect and sort this material, remove duplications and annotate documents. We also need to be able to track complaints and ensure we respond to complainants in a timely manner.

The FRC is also a public body which is subject to the Freedom of Information Act 2000 (FOIA) in relation to its functions under Part 42 of the Companies Act 2006. Members of the public have a statutory right to request information from us. The FRC has 20 working days in which to decide whether information should be disclosed and to respond to the requester. The FRC may withhold information when it is not within scope of its current obligations, or where it is exempted from disclosure under the FOIA and it is therefore appropriate to redact certain extracts.

In order to meet its obligations under the FOIA, the FRC must be able to collect information effectively and efficiently, ensuring that we have captured all written records which are potentially in scope of the request. Where it is not appropriate under the Act to disclose certain information, the FRC may need to redact those extracts and audit the relevant statutory exemption in relation to each extraction for its internal records. Finally, we must be able to track requests and ensure that we respond within the statutory deadlines.

### ***Software specification***

The new software solution will need to have the following functionality:

#### **Complaints handling system**

1. A complaints handling system enabling us to manage and review complaints and provide responses to complainants. We need the ability, in particular, to:
  - Download, save and review complaints submitted online to the FRC website;
  - Download emails and documents from other teams (and documents attached to the online submission form) for saving in a case or matter folder for review;
  - Sort and organize downloaded emails and documents into, for example, date order;
  - Identify and remove duplications;

- Add annotations, either to or alongside, saved document or emails without amending the document itself;
- Log and track incoming complaints including, for example, the complainant, the date of the complaint, the acknowledgement sent to the complainant, allocation of the case to a team, further acknowledgement (if needed), deadline(s) for responding, the date of the response, the outcome of complaint, recommendations and next steps, follow up, trends and patterns;
- Have a minimum of three alerts and reminders for two sets of acknowledgements and one response deadline;
- Search our log and records to allow searching for duplicate requests/requesters.

#### FOIA request handling system

2. An FOIA request handling system enabling us to manage and review requests and provide responses to requesters. We need all of the functionality as set out for the complaints system above, as well as the added ability to:
  - Send links to a case or matter folder for teams to download relevant emails and documents;
  - Redact documents and emails. Redaction should enable us to:
    - Highlight and select text for redaction
    - Annotate in each case the reason for the redaction; and
    - Create duplicates with 'clean' redaction (ie without visible comment/justification)
  - Calculate automatically the applicable deadline (ie 20 working days from the date of receipt of the request) and diarise this deadline with automatic reminders to follow up.
3. There should be separate staff access for the complaints aspect of the system and the FOIA aspect of the system.

The FRC welcomes software proposals which meet the specifications above.

#### **UPDATE 1 – 26 SEPTEMBER 2019**

In response to points raised by potential tenderers, we set out the following clarification:

- Currently, the FRC does not have specific software which enables us to manage our complaints and FOIA requests. We are looking to implement a standalone software solution which does not need to interface with our current applications.
- Our budget for this contract is £43,000. We are proposing an initial term of 3 years with an option to renew.
- We are looking for a single supplier who can provide the functionality for both complaints handling and FOIA requests (as opposed to two separate suppliers in respect of each aspect).
- Depending on the number and quality of tender responses we receive, we intend to award the contract by no later than 28 October 2019, **with an implementation start date of 1 December 2019;**
- Interested parties who wish to be considered for this contract should prepare a document setting out:
  - their detailed proposals for meeting the service specifications set out in the Invitation to Tender;

- A quote for the services they intend to provide and a detailed break-down of costs (including any costs which may be incurred in future under change control provisions);
- A copy of their standard terms and conditions;
- Details as to the degree to which the FRC will be able to adapt the software to meet its needs (ie. without recourse to any change control provisions);
- Details of their data security accreditation;
- Details of the steps they take to ensure compliance with GDPR (and their legal obligations more generally).
- A list of other clients to whom they currently provide the proposed services (to the extent that such a list is not otherwise confidential);
- Interested parties should email the above information to [j.bruce@frc.org.uk](mailto:j.bruce@frc.org.uk) by no later than close of business on 9 October 2019.

#### **UPDATE 2 – 26 SEPTEMBER 2019**

In response to points raised by potential tenderers, we set out the following clarifications:

- The current number of cases the FRC has annually are: FOIA, approximately 29-30 requests; complaints, approximately 700-800 cases;
- Under the FRC's current timescales, we envisage that there will be time to demonstrate any software proposals between the date of the tender closing (ie. 9 October 2019) and the date by which we are aiming to award the contract (28 October 2019).

#### **UPDATE 3 – 26 SEPTEMBER 2019**

In response to points raised by potential tenderers, we set out the following clarifications:

- The budget of £43,000 covers both initial implementation of the solution as well as any annual licence/support fee for the three-year duration of the contract.
- The FRC will want to ensure that approximately 30 members of its staff have access to the new software. Those members of staff are likely to be spread primarily across our legal and complaints-handling teams. The key difference between the users of the complaints-handling system and those who will be dealing with FOIA requests is that, with respect to FOIA requests, those users will be operating under statutory deadlines in responding to individuals. They will also need to be able to redact extracts from documents (where it is appropriate to withhold information).

#### **UPDATE 4 – 27 SEPTEMBER 2019**

In response to points raised by potential tenderers, we set out the following clarifications:

- The FRC's preferred approach would be a cloud-based solution. If we cannot find a hosted solution then we would consider a solution that would be installed on our server.
- We anticipate that the budget will be split between an implementation cost, and then an annual licence/service fee for each of the three years of the contract's duration. Tenderers can decide how best to apportion those costs.
- With respect to the FRC's ability to adapt the software once installed, we are keen to keep the need for any change control requests to a minimum. We would therefore like to understand exactly how much control we will have in adapting the software ourselves in future (for example, should we want to update our complaints of FOIA handling procedures).

#### **UPDATE 5 – 2 OCTOBER 2019**

In response to points raised by potential tenderers, we set out the following clarification:

- The new system will only be for new complaints or FOIA requests so there will be no need to upload historic matters.

#### **UPDATE 6 – 8 OCTOBER 2019**

In response to points raised by potential tenderers, we set out the following clarification:

- The £43K budget is exclusive of VAT.