

Invitation to Quote

**Invitation to Quote (ITQ) on behalf of Department for Business,
Innovation and Skills (BIS)**

Subject UK SBS Executive Search for the following position:

Certification Officer

Sourcing reference number PS16248

UK Shared Business Services Ltd (UK SBS)
www.uksbs.co.uk

Registered in England and Wales as a limited company. Company Number 6330639.
Registered Office North Star House, North Star Avenue, Swindon, Wiltshire SN2 1FF
VAT registration GB618 3673 25
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UKSBS

Shared Business Services

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Section 1 – About UK Shared Business Services

Putting the business into shared services

UK Shared Business Services Ltd (UK SBS) brings a commercial attitude to the public sector; helping our customers improve efficiency, generate savings and modernise.

It is our vision to become the leading provider for our customers of shared business services in the UK public sector, continuously reducing cost and improving quality of business services for Government and the public sector.

Our broad range of expert services is shared by our customers. This allows our customers the freedom to focus resources on core activities; innovating and transforming their own organisations.

Core services include Procurement, Finance, Grants Admissions, Human Resources, Payroll, ISS, and Property Asset Management all underpinned by our Service Delivery and Contact Centre teams.

UK SBS is a people rather than task focused business. It's what makes us different to the traditional transactional shared services centre. What is more, being a not-for-profit organisation owned by its customers, UK SBS' goals are aligned with the public sector and delivering best value for the UK taxpayer.

UK Shared Business Services Ltd changed its name from RCUK Shared Services Centre Ltd in March 2013.

Our Customers

Growing from a foundation of supporting the Research Councils, 2012/13 saw Business Innovation and Skills (BIS) transition their procurement to UK SBS and Crown Commercial Services (CCS – previously Government Procurement Service) agree a Memorandum of Understanding with UK SBS to deliver two major procurement categories (construction and research) across Government.

UK SBS currently manages £700m expenditure for its Customers.

Our Customers who have access to our services and Contracts are detailed [here](#).

Section 2 – About Our Customer

The Department for Business, Innovation and Skills (BIS) is the department for economic growth through a robust industrial strategy and reliable, affordable and clean energy supplies. The department encourages investments and innovations that fully utilises the UK science field and enables a whole economy approach to deliver the UK Government's climate change ambitions.

The department also invests in skills to promote trade, boost innovation and help people to start and grow a business. BEIS also protects consumers and reduces the impact of regulation.

BIS is a ministerial department, supported by 47 agencies and public bodies.

Our priorities for 2016 to 2017 include:

- business and enterprise
- science and innovation
- labour markets

Our partner organisations include 9 executive agencies employing around 14,500 staff.

We have BEIS offices in London, Billingham, Cardiff, Darlington, Glasgow, Manchester, Nottingham, Runcorn and Watford.

<https://www.gov.uk/government/organisations/department-for-business-energy-and-industrial-strategy>

Section 3 - Working with UK Shared Business Services Ltd.

In this section you will find details of your Procurement contact point and the timescales relating to this opportunity.

Section 3 – Contact details		
3.1	Customer Name and address	Department for Business, Innovation and Skills (BIS), 1 Victoria Street, London, SW1H 0ET
3.2	Buyer name	Greg Pyle
3.3	Buyer contact details	Email: professionalservices@uksbs.co.uk
3.4	Estimated value of the Opportunity	£14,000 excluding VAT Duration: The contract shall be for an initial period of 4 months however there shall be the option to extend for a further 2 month period.
3.5	Process for the submission of clarifications and Bids	All correspondence shall be submitted within the Emptoris e-sourcing tool. Guidance Notes to support the use of Emptoris is available here. Please note submission of a Bid to any email address including the Buyer <u>will</u> result in the Bid <u>not</u> being considered.

Section 3 - Timescales		
3.6	Date of Issue of Contract Advert and location of original Advert	28/10/2016 Contracts Finder
3.7	Latest date/time ITQ clarification questions should be received through Emptoris messaging system	02/11/2016 11:00
3.8	Latest date/time ITQ clarification answers should be sent to all potential Bidders by the Buyer through Emptoris	03/11/2016 14:00
3.9	Latest date/time ITQ Bid shall be submitted through Emptoris	10/11/2016 14:00
3.10	Date/time Bidders should be available if face to face/telephone or written clarifications are required	14/11/2016
3.11	Anticipated rejection of	18/11/2016

	unsuccessful Bids date	
3.12	Anticipated Award date	18/11/2016
3.13	Anticipated Contract Start date	28/11/2016
3.14	Anticipated Contract End date	27/03/2017 with the option to extend to 27/05/2017
3.15	Bid Validity Period	60 Days

Section 4 – Specification

Introduction:

The Certification Officer (CO) is an independent statutory authority with specific functions relating to trade unions and employers' associations. These include investigating alleged breaches of trade union law; determining complaints from members about alleged breaches of trade union law and rule; and certifying the independence of trade unions. The CO is an important statutory position that is of considerable interest to Government Ministers and stakeholders, in particular trade unions.

The successful candidate will be coming in at an important and challenging time when, as part of the reforms under the Trade Union Act 2016, the CO will be responsible for implementing the requirements under that Act. This includes the implementation of enhanced investigatory powers; ensuring observance of new requirements in relation to political funds; introducing a new levy on trade unions and employer associations and ensuring that systems are in place to impose financial or conditional financial penalties where a breach has occurred.

The post is offered for an initial term of 5 years. It is expected that the post will require a commitment of 5 days a week, subject to negotiation. The postholder will be based in ACAS' offices in London.

The Advisory Conciliation & Arbitration Service, (ACAS), is responsible for providing the CO with finance and support services. However, this does not affect the post's independence from ACAS and the Secretary of State.

Aims of the Certification Officer role:

The post involves administrative, investigative, regulatory and quasi-judicial functions.

- The **Administrative** functions include the maintenance of lists of trade unions and employers' associations and the production of an annual report;
- The **investigative** functions include the appointment of inspectors to examine possible financial irregularities by trade unions and employers' associations. These investigative functions have been substantially increased as a result of the Trade Union Act 2016;
- The **regulatory** functions include approving union mergers and the rules whereby unions hold political fund ballots;
- The **quasi-judicial** functions include determining complaints by trade union members about certain breaches of trade union statute and rules. In considering complaints, the Certification Officer can hold formal hearings. The CO has the power to issue

enforcement orders and as a result of the Trade Union Act 2016, the office-holder can also impose financial penalties or conditional financial penalties; and

- To introduce and charge a **levy** on trade unions and employer associations to recover the partial costs of performing the CO's functions.

The cases handled by the CO often involve sensitive issues about the conduct of trade union affairs and, on occasion, they can attract wider public and media interest. The CO must therefore be aware of the sensitivities surrounding his functions and be seen to act impartially at all times. The CO must also avoid potential conflicts of interest.

Two Assistant Certification Officers, one working in London and one based in Scotland, support the work of the CO. It is the responsibility of the Assistant Certification Officers to oversee the support staff but ultimate responsibility for running the Office rests with the CO. The postholder is also responsible for the budget of the Certification Office, which in the financial year ending 2015/16 was £557,000.

It is important to note that as a result of the reforms in the Trade Union Act 2016, additional staff and Assistant Certification Officers will need to be appointed and the costs of running the Certification Office will increase.

It is essential that the Certification Officer demonstrates the following:

- Excellent inter-personal and communication skills and an ability to work at a senior level;
- Demonstrated leadership through a period of significant change together with experience in implementing change and overseeing the management of risk;
- The ability to analyse and evaluate complex information in order to deliver fair, balanced and proportionate judgments based on evidence and reasoned argument and present them clearly and accurately;
- Effective leadership in any dispute in a manner that maintains public confidence in the impartiality and independence required of the Certification Officer;
- Demonstrate strong leadership ensuring requirements for the control and management of public expenditure are met;
- Knowledge of issues relating to employment relations, trade union affairs and the relevant law.

Scope:

The successful supplier will be required to deliver search requirements for the vacancy in order for the successful applicant to be appointed by March 2017.

This post is currently regulated by the Commissioner for Public Appointments (OCPA). Therefore the campaign process will follow the best practice according to those appointment principles.

Further details on the role is set out in Annex A

Requirement:

The successful supplier will be required to undertake the following work:

- Attend planning meetings and discuss search and campaign requirements with the Independent Panel Member(s), both appointment teams and other key stakeholders to agree the search, advertising strategies and timetable
- Provide search and selection services ensuring a strong and diverse field of candidates;
- Give support and advice on the preparation of recruitment documents and ensure applicant packs are made available in alternative formats if requested;
- To respond to requests for applications via post and e-mail. To receive, log and acknowledge applications about the post and answer any queries by email or telephone.
- Advise on advertising text and negotiating with media on prices for placing external adverts, plus placing advert; and bringing the advert to the attention of names of potential applicants (the team are considering the following publications/websites for advertisements: Times and any other publications/websites which are relevant to the vacant position.
- Provide weekly campaign updates and statistics on the search and selection, including diversity;
- Attend a wash up meeting after the advertisement closes to discuss the pool of candidates and debrief.

Deliverables:

- Through executive search, suitably qualified, high calibre applicants are identified and drawn from a strong field applying for the vacancy;
- Advertising is proportionate (placed in the relevant publications outlined above) and relevant to attract high calibre applicants for the vacancies;
- Through executive search, of those applicants which declare their diversity information, we would expect the diversity profile of candidates to meet the Government's aspirations on diversity: 50% male and 50% female; 10% (BAME) Black, Asian and Ethnic Minority.
- All recruitment documents are accessible and professional;

- All contact made with applicants and potential applicants by the consultants is delivered professionally;
- Research is delivered to a high standard in the right format to meet both Departments' needs and delivered on time;
- The pre-sift process results in a strong field of applicants progressing through the recruitment process;
- The pre-sift results are accepted by the selection panel members as accurate against the agreed criteria;
- Diversity data is accurately recorded and applicants completed forms are submitted to both appointments team;
- The service is delivered on time and to a high standard with key stakeholders providing positive feedback on the consultant's added value.

The successful supplier shall be expected to:

- Keep in touch on a regular basis with the key contacts in the appointments team throughout the process and, if any issues arise, get in touch without delay so these can be resolved together;
- Update contacts on a regular basis throughout the search period;
- Attend meetings when required;
- Have at least one meeting with senior stakeholders and keep in touch as required;
- Supply a list of applicants approached and provide a report on search activities and outcome. When undertaking the search and following up recommendations, to ensure that potential applicants understand that this is an open competition and that appointments are based on merit;
- Deliver the stages covered in the programme of work, in partnership with the points of contact in both appointment teams ensuring all recruitment documents have had the necessary clearance before they are used.
- Participate in an evaluation review at the end of the appointments process to share what went well and any areas identified for improvement.
- Be familiar with the Commissioner for Public Appointments Code of Practice April 2012 and the Cabinet Office Making and Managing Appointments, Best Practice Guidance.
- Retain key documents for the competitions, as required under the Commissioners Code and forward to both appointment teams.
- Handle sensitive personal data securely. Bidders are asked to note that personnel working on this assignment should not hold any data of a personal nature relating to applicants on an unencrypted laptop, drive or memory stick.
- Head all documents / emails that contain information about applicants with the following protection marking "official sensitive"
- Ensure quality of standards, as set out in your proposal, are delivered throughout this assignment.

Proposed project process timetable:

- Campaign to go live – November
- Sift and interviews through December/January
- Candidates to meet BEIS Junior Minister mid-January
- No.10 approval required by early February
- CO appointment to be confirmed – by late February

The successful supplier will be working primarily with a named contact from the BEIS public appointment teams, who will be responsible for:

- contract management of the search and recruitment consultancy, ensuring the campaign delivers its key milestones and success criteria resulting in high calibre candidates appointed to the posts;
- project managing the campaign to ensure the campaign remains on track and any risks / issues are mitigated / addressed;
- working with the appointed consultants on the content of appointment documentation and advertising to ensure high quality of standards are delivered;
- working with the consultants on a targeted diversity campaign;
- liaising with BEIS Minister's offices, Parliamentary Unit and Communications as part of the appointments process.

The campaign will also be supported by colleagues from across the department who will carry out specific roles in the successful delivery of the campaign and appointment on-boarding. The appointments team will also be liaising closely with the relevant policy team throughout the campaign.

The specific roles that BIS will undertake and are therefore out of scope include:

- Providing policy advice to ministers on the selection and appointment of candidates. Policy advice would pertain to matters such as remuneration, job descriptions and adherence to any relevant legislation or regulatory guidance.
- Providing administrative support to aid the shortlisting, interviewing and security clearance of candidates.

Section 5 – Evaluation model

The evaluation model below shall be used for this ITQ, which will be determined to two decimal places.

Where a question is 'for information only' it will not be scored.

The evaluation team may comprise staff from UK SBS, the Customer and any specific external stakeholders UK SBS deem required. After evaluation the scores will be finalised by performing a calculation to identify (at question level) the mean average of all evaluators (Example – a question is scored by three evaluators and judged as scoring 5, 5 and 6. These scores will be added together and divided by the number of evaluators to produce the final score of 5.33 ($5+5+6=16\div3=5.33$))

Pass / fail criteria		
Questionnaire	Q No.	Question subject
Commercial	SEL1.2	Employment breaches/ Equality
Commercial	FOI1.1	Freedom of Information Exemptions
Commercial	AW1.1	Form of Bid
Commercial	AW1.3	Certificate of Bona Fide Bid
Commercial	AW3.1	Validation check
Commercial	AW4.1	Contract Terms
Quality	AW6.1	Compliance to the Specification

Scoring criteria

Evaluation Justification Statement

In consideration of this particular requirement UK SBS has decided to evaluate Potential Providers by adopting the weightings/scoring mechanism detailed within this ITQ. UK SBS considers these weightings to be in line with existing best practice for a requirement of this type.

Questionnaire	Q No.	Question subject	Maximum Marks
Price	AW5.2	Price	20%
Quality	AW6.2	Demonstrating Expertise	30%
Quality	AW6.3	Methodology and Approach	50%

Evaluation of criteria

Non-Price elements

Each question will be judged on a score from 0 to 100, which shall be subjected to a multiplier to reflect the percentage of the evaluation criteria allocated to that question.

Where an evaluation criterion is worth 20% then the 0-100 score achieved will be multiplied by 20.

Example if a Bidder scores 60 from the available 100 points this will equate to 12% by using the following calculation: Score/Total Points available multiplied by 20 ($60/100 \times 20 = 12$)

Where an evaluation criterion is worth 10% then the 0-100 score achieved will be multiplied by 10.

Example if a Bidder scores 60 from the available 100 points this will equate to 6% by using the following calculation: Score/Total Points available multiplied by 10 ($60/100 \times 10 = 6$)

The same logic will be applied to groups of questions which equate to a single evaluation criterion.

The 0-100 score shall be based on (unless otherwise stated within the question):

0	The Question is not answered or the response is completely unacceptable.
10	Extremely poor response – they have completely missed the point of the question.
20	Very poor response and not wholly acceptable. Requires major revision to the response to make it acceptable. Only partially answers the requirement, with major deficiencies and little relevant detail proposed.
40	Poor response only partially satisfying the selection question requirements with deficiencies apparent. Some useful evidence provided but response falls well

	short of expectations. Low probability of being a capable supplier.
60	Response is acceptable but remains basic and could have been expanded upon. Response is sufficient but does not inspire.
80	Good response which describes their capabilities in detail which provides high levels of assurance consistent with a quality provider. The response includes a full description of techniques and measurements currently employed.
100	Response is exceptional and clearly demonstrates they are capable of meeting the requirement. No significant weaknesses noted. The response is compelling in its description of techniques and measurements currently employed, providing full assurance consistent with a quality provider.

All questions will be scored based on the above mechanism. Please be aware that the final score returned may be different as there may be multiple evaluators and their individual scores will be averaged (mean) to determine your final score.

Example

Evaluator 1 scored your bid as 60

Evaluator 2 scored your bid as 60

Evaluator 3 scored your bid as 40

Evaluator 4 scored your bid as 40

Your final score will $(60+60+40+40) \div 4 = 50$

Price elements will be judged on the following criteria.

The lowest price for a response which meets the pass criteria shall score 100. All other bids shall be scored on a pro rata basis in relation to the lowest price. The score is then subject to a multiplier to reflect the percentage value of the price criterion.

For example - Bid 1 £100,000 scores 100.

Bid 2 £120,000 differential of £20,000 or 20% remove 20% from price scores 80

Bid 3 £150,000 differential £50,000 remove 50% from price scores 50.

Bid 4 £175,000 differential £75,000 remove 75% from price scores 25.

Bid 5 £200,000 differential £100,000 remove 100% from price scores 0.

Bid 6 £300,000 differential £200,000 remove 100% from price scores 0.

Where the scoring criterion is worth 50% then the 0-100 score achieved will be multiplied by 50.

In the example if a supplier scores 80 from the available 100 points this will equate to 40% by using the following calculation: $\text{Score/Total Points} \times 50$ ($80/100 \times 50 = 40$)

The lowest score possible is 0 even if the price submitted is more than 100% greater than the lowest price.

In the event of a tied result:

Once the evaluation process and due diligence is complete, should the result of the process result in a tied place(s) then the supplier(s) who scored the highest in total quality criteria shall be considered the successful supplier and shall be awarded the opportunity

If this process does not result in a clear winner then the supplier(s) who scored the highest total in the Price criterion (Question) shall be awarded the opportunity

At this stage if a winning bid can still not be declared then the names of suppliers shall be placed in individual sealed envelopes by the responsible UK SBS procurement person, these shall then be placed in an additional sealed single envelope and shall be presented to the Chief Procurement Officer or his nominated delegate to draw an envelope. The first envelope drawn shall be considered as the successful supplier. The paper from the drawn envelope containing the suppliers name shall be signed and dated by the responsible UK SBS person and Chief Procurement Officer or his nominated delegate which shall then be scanned and retained in the procurement case folder.

Section 6 – Evaluation questionnaire

Bidders should note that the evaluation questionnaire is located within the **e-sourcing questionnaire**.

Guidance on completion of the questionnaire is available at <http://www.ukpbs.co.uk/services/procure/Pages/supplier.aspx>

PLEASE NOTE THE QUESTIONS ARE NOT NUMBERED SEQUENTIALLY

Section 7 – General Information

What makes a good bid – some simple do's 😊

DO:

- 7.1 Do comply with Procurement document instructions. Failure to do so may lead to disqualification.
- 7.2 Do provide the Bid on time, and in the required format. Remember that the date/time given for a response is the last date that it can be accepted; we are legally bound to disqualify late submissions.
- 7.3 Do ensure you have read all the training materials to utilise e-sourcing tool prior to responding to this Bid. If you send your Bid by email or post it will be rejected.
- 7.4 Do use Microsoft Word, PowerPoint Excel 97-03 or compatible formats, or PDF unless agreed in writing by the Buyer. If you use another file format without our written permission we may reject your Bid.
- 7.5 Do ensure you utilise the Emptoris messaging system to raise any clarifications to our ITQ. You should note that typically we will release the answer to the question to all bidders and where we suspect the question contains confidential information we may modify the content of the question to protect the anonymity of the Bidder or their proposed solution
- 7.6 Do answer the question, it is not enough simply to cross-reference to a 'policy', web page or another part of your Bid, the evaluation team have limited time to assess bids and if they can't find the answer, they can't score it.
- 7.7 Do consider who your customer is and what they want – a generic answer does not necessarily meet every customer's needs.
- 7.8 Do reference your documents correctly, specifically where supporting documentation is requested e.g. referencing the question/s they apply to.
- 7.9 Do provide clear and concise contact details; telephone numbers, e-mails and fax details.
- 7.10 Do complete all questions in the questionnaire or we may reject your Bid.
- 7.11 Do check and recheck your Bid before dispatch.

What makes a good bid – some simple do not's ☹

DO NOT

- 7.12 Do not cut and paste from a previous document and forget to change the previous details such as the previous buyer's name.
- 7.13 Do not attach 'glossy' brochures that have not been requested, they will not be read unless we have asked for them. Only send what has been requested and only send supplementary information if we have offered the opportunity so to do.
- 7.14 Do not share the Procurement documents, they are confidential and should not be shared with anyone without the Buyers written permission.
- 7.15 Do not seek to influence the procurement process by requesting meetings or contacting UK SBS or the Customer to discuss your Bid. If your Bid requires clarification the Buyer will contact you.
- 7.16 Do not contact any UK SBS staff or Customer staff without the Buyers written permission or we may reject your Bid.
- 7.17 Do not collude to fix or adjust the price or withdraw your Bid with another Party as we will reject your Bid.
- 7.18 Do not offer UK SBS or Customer staff any inducement or we will reject your Bid.
- 7.19 Do not seek changes to the Bid after responses have been submitted and the deadline for Bids to be submitted has passed.
- 7.20 Do not cross reference answers to external websites or other parts of your Bid, the cross references and website links will not be considered.
- 7.21 Do not exceed word counts, the additional words will not be considered.
- 7.22 Do not make your Bid conditional on acceptance of your own Terms of Contract, as your Bid will be rejected.

Some additional guidance notes

- 7.23 All enquiries with respect to access to the e-sourcing tool and problems with functionality within the tool may be submitted to Crown Commercial Service (previously Government Procurement Service), Telephone 0345 010 3503.
- 7.24 Bidders will be specifically advised where attachments are permissible to support a question response within the e-sourcing tool. Where they are not permissible any attachments submitted will not be considered.
- 7.25 Question numbering is not sequential and all questions which require submission are included in the Section 6 Evaluation Questionnaire.
- 7.26 Any Contract offered may not guarantee any volume of work or any exclusivity of supply.
- 7.27 We do not guarantee to award any Contract as a result of this procurement
- 7.28 All documents issued or received in relation to this procurement shall be the property of UK SBS.
- 7.29 We can amend any part of the procurement documents at any time prior to the latest date / time Bids shall be submitted through Emptoris.
- 7.30 If you are a Consortium you must provide details of the Consortiums structure.
- 7.31 Bidders will be expected to comply with the Freedom of Information Act 2000 or your Bid will be rejected.
- 7.32 Bidders should note the Government's transparency agenda requires your Bid and any Contract entered into to be published on a designated, publicly searchable web site. By submitting a response to this ITQ Bidders are agreeing that their Bid and Contract may be made public
- 7.33 Your bid will be valid for [modify duration if not 60 - 7.34 Bidders may only amend the Contract terms if you can demonstrate there is a legal or statutory reason why you cannot accept them. If you request changes to the Contract and UK SBS fail to accept your legal or statutory reason is reasonably justified we may reject your Bid.
- 7.35 We will let you know the outcome of your Bid evaluation and where requested will provide a written debrief of the relative strengths and weaknesses of your Bid.
- 7.36 If you fail mandatory pass / fail criteria we will reject your Bid.

- 7.37 Bidders are required to use IE8, IE9, Chrome or Firefox in order to access the functionality of the Emptoris e-sourcing tool.
- 7.38 Bidders should note that if they are successful with their proposal UK SBS reserves the right to ask additional compliancy checks prior to the award of any Contract. In the event of a Bidder failing to meet one of the compliancy checks UK SBS may decline to proceed with the award of the Contract to the successful Bidder.
- 7.39 All timescales are set using a 24 hour clock and are based on British Summer Time or Greenwich Mean Time, depending on which applies at the point when Date and Time Bids shall be submitted through Emptoris.
- 7.40 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.

For these purposes, UK SBS may disclose within Government any of the Bidders documentation/information (including any that the Bidder considers to be confidential and/or commercially sensitive such as specific bid information) submitted by the Bidder to UK SBS during this Procurement. The information will not be disclosed outside Government. Bidders taking part in this ITQ consent to these terms as part of the competition process.

- 7.41 From 2nd April 2014 the Government is introducing its new Government Security Classifications (GSC) classification scheme to replace the current Government Protective Marking System (GPMS). A key aspect of this is the reduction in the number of security classifications used. All Bidders are encouraged to make themselves aware of the changes and identify any potential impacts in their Bid, as the protective marking and applicable protection of any material passed to, or generated by, you during the procurement process or pursuant to any Contract awarded to you as a result of this tender process will be subject to the new GSC from 2nd April 2014. The link below to the Gov.uk website provides information on the new GSC:

<https://www.gov.uk/government/publications/government-security-classifications>

UK SBS reserves the right to amend any security related term or condition of the draft contract accompanying this ITQ to reflect any changes introduced by the GSC. In particular where this ITQ is accompanied by any instructions on safeguarding classified information (e.g. a Security Aspects Letter) as a result of any changes stemming from the new GSC, whether in respect of the applicable protective marking scheme, specific protective markings given, the aspects to which any protective marking applies or otherwise. This may relate to the instructions on safeguarding classified information (e.g. a Security Aspects Letter) as they apply to the procurement as they apply to the procurement process and/or any contracts awarded to you as a result of the procurement process.

USEFUL INFORMATION LINKS

- [Emptoris Training Guide](#)
- [Emptoris e-sourcing tool](#)
- [Contracts Finder](#)
- [Tenders Electronic Daily](#)
- [Equalities Act introduction](#)
- [Bribery Act introduction](#)
- [Freedom of information Act](#)

Annex A

Certification Officer Job Description and Candidate Specification

Organisational Background

The Certification Officer (CO) is an independent statutory authority with specific functions relating to trade unions and employers' associations. These include investigating alleged breaches of trade union law; determining complaints from members about alleged breaches of trade union law and rule; and certifying the independence of trade unions. The CO is an important statutory position that is of considerable interest to Government Ministers and stakeholders, in particular trade unions.

The successful candidate will be coming in at an important and challenging time when, as part of the reforms under the Trade Union Act 2016, the CO will be responsible for implementing the requirements under that Act. This includes the implementation of enhanced investigatory powers; ensuring observance of new requirements in relation to political funds; introducing a new levy on trade unions and employer associations and ensuring that systems are in place to impose financial or conditional financial penalties where a breach has occurred.

Skills and Experience

It is expected that prospective applicants will have many of the following experiences and attributes:

- Excellent inter-personal and communication skills and an ability to work at a senior level;
- Demonstrated leadership through a period of significant change together with experience in implementing change and overseeing the management of risk;
- The ability to analyse and evaluate complex information in order to deliver fair, balanced and proportionate judgments based on evidence and reasoned argument and present them clearly and accurately;
- Effective leadership in any dispute in a manner that maintains public confidence in the impartiality and independence required of the Certification Officer.
- Demonstrate strong leadership ensuring requirements for the control and management of public expenditure are met.
- Knowledge of issues relating to employment relations, trade union affairs and the relevant law.

Roles and responsibilities:

The post involves administrative, investigative, regulatory and quasi-judicial functions.

- The **Administrative** functions include the maintenance of lists of trade unions and employers' associations and the production of an annual report;
- The **investigative** functions include the appointment of inspectors to examine possible financial irregularities by trade unions and employers' associations. These investigative functions have been substantially increased as a result of the Trade Union Act 2016.
- The **regulatory** functions include approving union mergers and the rules whereby unions hold political fund ballots;
- The **quasi-judicial** functions include determining complaints by trade union members about certain breaches of trade union statute and rules. In considering complaints, the Certification Officer can hold formal hearings. The CO has the power to issue enforcement orders and as a result of the Trade Union Act 2016, the office-holder can also impose financial penalties or conditional financial penalties; and
- To introduce and charge a **levy** on trade unions and employer associations to recover the partial costs of performing the CO's functions.

The cases handled by the CO often involve sensitive issues about the conduct of trade union affairs and, on occasion, they can attract wider public and media interest. The CO must therefore be aware of the sensitivities surrounding his functions and be seen to act impartially at all times. The CO must also avoid potential conflicts of interest.

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It is important to note that as a result of the reforms in the Trade Union Act 2016, additional staff and Assistant Certification Officers will need to be appointed and the costs of running the Certification Office will increase.