

## Procurement supplier questionnaire

Please complete this questionnaire and submit it with your proposal (please see the notes for completion below)

### Declaration:

By submitting a response/proposal I declare that to the best of my knowledge the answers submitted to these questions are correct. I understand that the information will be used by the Authority to assess my organisation's suitability to provide the tendered service with regards to the mandatory and discretionary exclusions as set out in the Public Contracts Regulations 2015, and I am signing on behalf of the organisation named in my response.

I understand that the Authority may reject my tender if there is a failure to answer all relevant questions fully or if I provide false/misleading information. I have provided a full list of any appendices used to provide additional information in response to questions.

I also declare that there is no conflict of interest in relation to the Authority's requirement.

### Basic supplier information

Supplier name - full name of the supplier submitting the tender	
Company address - registered company address	
Company number - registered company number	
Charity number - registered charity number	
VAT number - registered VAT number	
Immediate parent company - Name of immediate parent company	
Ultimate parent company - name of ultimate parent company	

## Grounds for mandatory exclusion

	Yes/No
<p>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 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 or any other offences listed below:</p> <p>(Please provide further information if one or more of the below apply)</p>	
<ul style="list-style-type: none"> <li>• 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.</li> <li>• Corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889(d) or section 1 of the Prevention of Corruption Act 1906.</li> <li>• Bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010(f), or section 113 of the Representation of the People Act 1983.</li> <li>• The common-law offence of cheating the Revenue.</li> <li>• The common-law offence of conspiracy to defraud.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> </ul>	

- 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(s) 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.
- 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.
- Any offences listed under section 41 of the Counter Terrorism Act 2008.
- Schedule 2 of the Counter Terrorism Act 2008 where the court has determined that there is a terrorist connection.
- Any offences listed under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by the two preceding questions.
- Money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2000.
- 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.
- Any offences listed under section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004.
- Any offences listed in under section 59A of the Sexual Offences Act 2003.
- Any offences listed under section 71 of the Coroners and Justice Act 2009.
- Connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994.
- Article 57(1) of the Public Contracts Directive, Directive 2014/24/EU of the European Parliament and of the Council, (i) as defined by the law of any jurisdiction outside England and Wales and Northern Ireland; or (ii) created, after the day on which the Public Contracts Regulations 2015 were made, in the law of England and Wales or Northern Ireland.

### 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?	
If yes - Please provide further details. Please also 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?	

### Grounds for Discretionary Exclusion (see note 7)

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

Date...../...../.....

## Notes for Completion

1. “Authority” means the Professional Standards Authority, or anyone acting on its behalf.
2. “You”/ “Your” or “Supplier” means the body completing these questions i.e. the legal entity submitting the proposal. The ‘Supplier’ is intended to cover any economic operator as defined by the Public Contract Regulations 2015 and could be a registered company; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
3. This questionnaire has been designed to obtain basic information and to assess the suitability of a Supplier with regards to the mandatory and discretionary exclusions as set out in the Public Contract Regulations 2015
4. Please ensure that all questions are completed in full, and in the format requested. Failure to do so may result in your proposal being disqualified. If the question does not apply to you, please state clearly ‘N/A’.
5. Should you need to provide additional Appendices in response to the questions, these should be numbered clearly and listed as part of your declaration.
6. 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 have answered “yes” to any question in this section, you may provide evidence to the effect that measures the economic operator has taken are sufficient to demonstrate its reliability despite the existence of a relevant ground for exclusion. If the PSA considers such evidence to be sufficient, you will not be excluded from the procurement procedure.

For this purpose, you must prove that you have:

- Paid or undertaken to pay compensation in respect of any damage caused by the criminal offence or misconduct;

- Clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities; and
- Taken concrete technical, organisational and personnel measures that are appropriate to prevent further criminal offences or misconduct.

The measures taken by the economic operator will be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the Authority considers such measures to be insufficient we will give you a statement of the reasons for that decision.

If you have answered “yes” to a question in this section 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 using an attachment. You may contact the authority for advice before completing this section.

7. In accordance with this question, the Authority may assess the past performance of a Supplier (through a Certificate of Performance provided by a customer or other means of evidence). The authority may take into account any failure to discharge obligations under the previous principal relevant contracts of the Supplier at key stages in the procurement process (i.e. tender evaluation, contract award stage etc.).