**ITT SCHEDULE 1 – SUITABILITY ASSESSMENT**

**Lyndon Walk – Design, Supply and Installation of Windows and External Doors**

**Contract Ref DN732590**

**Tender Return Deadline 2nd August 2024 12pm noon.**

**Standard Suitability Assessment**

**Potential Supplier Information and Exclusion Grounds: Part 1 and Part 2.**

The standard Suitability Assessment is a self-declaration, made by you (the potential supplier), that you do not meet one or more of the grounds for exclusion[[1]](#footnote-2). If there are grounds for exclusion, there is an opportunity to explain the background and any measures you have taken to rectify the situation (referred to as self-cleaning).

A completed declaration of Part 1 and Part 2 below provides a formal statement that the organisation making the declaration has not breached any of the exclusion grounds. Consequently, the Contracting Authority requires all the organisations that you will rely on to meet the suitability criteria and to provide a completed Part 1 and Part 2. For example, these could be parent companies, affiliates, associates, or essential sub-contractors, if they are relied upon to meet the suitability criteria. This means that where you are joining in a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. Sub-contractors that you rely on to meet the suitability criteria must also complete a self-declaration (although sub-contractors that are not relied upon do not need to complete the self-declaration).

When completed, this form is to be returned in accordance with the instructions provided in the Invitation to Tender (ITT) along with the suitability information requested.

**Supplier Suitability Questions: Part 3**

The ITT will provide instructions on the suitability questions you need to respond to and how to submit those responses. If you are bidding on behalf of a group (consortium) or you intend to use sub-contractors, you should complete all of the suitability questions on behalf of the consortium and/or any sub-contractors.

If the relevant documentary evidence referred to in the Suitability Assessment is not provided upon request and without delay the Contracting Authority reserves the right to amend the contract award decision and award to the next compliant bidder.

**Consequences of Misrepresentation**

If you seriously misrepresent any factual information when completing the Suitability Assessment, which influences the Contracting Authority to enter into a contract, there may be significant consequences. You may be excluded from the procurement procedure, and from bidding for other contracts for three years. If a contract has been entered into you may be sued for damages and the contract may be rescinded. If fraud, or fraudulent intent, can be proven, you or your responsible officers may be prosecuted and convicted of the offence of fraud by false representation, and you must be excluded from further procurements for five years.

**Important notice**

1. This SA is for use by Organisations who are interested in providing the Lyndon Walk Design, Supply and Installation of Windows and External Doors, their professional advisers and other parties essential to preparing responses to the SA and for no other purpose.
2. The Contracting Authority provides this SA, and any other documentation that it sends to you for this tender process on the basis that they remain the Contracting Authority’s property and you must treat the contents as confidential. If you are unable or unwilling to comply with this you must:
   1. delete/destroy this SA and all associated documents at once; and
   2. not keep any electronic or paper copies and delete/destroy any versions stored on any form of media.
3. This SA is made available in good faith. The Contracting Authority gives no warranty as to the accuracy or completeness of the information contained in it, and disclaims any liability for any inaccuracy or incompleteness contained in it.
4. The Contracting Authority reserves the right to reject SAs which are not submitted in line with the instructions given.
5. The Contracting Authority reserves the right to cancel the tender process at any point. The Contracting Authority is not liable for any costs resulting from any cancellation of this process or for any costs incurred by an organisation that participates in the tender process.
6. SAs must be completed in the English language.

**Freedom of Information and Environmental Information Statement**

1. The Contracting Authority is subject to the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR).
2. As part of the Contracting Authority’s duties under FOIA or EIR, it may need to disclose information about the procurement process or the Contract to anyone who makes a request.
3. If you consider that any of the information given in your SA is commercially sensitive (meaning it could reasonably cause prejudice to your organisation if disclosed to a third party) then it should be clearly marked as ‘Not for disclosure to third parties’. You should also give valid reasons in support of the information being exempt from disclosure under the FOIA and/or the EIR.
4. The Contracting Authority aims to consult with you and consider comments and any objections before it releases any information provided by you to a third party under the FOIA or the EIR. However, the Contracting Authority will be entitled to decide in its absolute discretion whether any information is:
   1. exempt from the Act or the EIR; or
   2. to be disclosed in response to a request for information.
5. The Contracting Authority must make its decision on disclosure in line with the provisions of the FOIA or the EIR and can only withhold information if it is covered by an exemption from disclosure under either of them.
6. The Contracting Authority will not be held liable for any loss or prejudice caused by the disclosure of information that:
   1. has not been clearly marked as ‘Not for disclosure to third parties’ with supporting reasons (referring to the relevant category of exemption under the Act or EIR where possible).
   2. does not fall into a category of information that is exempt from disclosure under the Act or EIR (for example, a trade secret or would be likely to prejudice the commercial interests of any person); or
   3. where it is in the public interest to disclose this and there is no statutory duty to withhold it.

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**Notes for completion**

1. The “Contracting Authority” means Advance Northumberland Limited, or anyone acting on behalf of the Contracting Authority, that is seeking to invite suitable candidates to participate in this procurement process.
2. “You / you” / “Your / your” refers to the potential supplier completing this standard Suitability Assessment i.e., the legal entity responsible for the information provided. The term “potential supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (referred to as the “Regulations”) and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
3. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state ‘N/A’. Should you need to provide additional information in response to the questions, please submit a clearly identified annex.
4. The Contracting Authority recognises that arrangements set out in section 1.2 of the standard Suitability Assessment, in relation to a group of economic operators (for example, a consortium) and/or use of sub-contractors, may be subject to change up to the date of the Tender Return Deadline. The lead contact should notify the Contracting Authority immediately of any change in the proposed arrangements and ensure a completed Part 1 and Part 2 is submitted for any new organisation relied on to meet the suitability criteria. The Contracting Authority will make a revised assessment of the submission based on the updated information. Information in relation to changes to the use of sub-contractors and / or consortium membership will not be considered by the Contracting Authority if submitted after the Tender Return Deadline as set out on the ITT.
5. **Part 1 and Part 2** - **Every** organisation that is being relied on to meet the suitability criteria must complete and submit the Part 1 **and** Part 2 of this self-declaration.
6. All sub-contractors are required to complete Part 1 and Part 2*[[2]](#footnote-3).*
7. **Part 3** -If you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you should complete all of the questions on behalf of the consortium and/ or any sub-contractors, providing one composite response and declaration.
8. The Contracting Authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact (including those named in section 6.1), other than to the Cabinet Office and/or contracting authorities defined by the Regulations, or pursuant to an order of the court or demand made by any competent authority or body where the Contracting Authority is under a legal or regulatory obligation to make such a disclosure.

**Part 1: Potential Supplier Information**

Please answer the following questions in full. Note that every organisation that is being relied on to meet the suitability must complete and submit the Part 1 and Part 2 self-declaration.

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| **Section 1** | **Potential Supplier Information** | |
| Question number | Question | Response |
| 1.1(a) | Full name of the potential supplier submitting the information |  |
| 1.1(b) – (i) | Registered office address (if applicable) |  |
| 1.1(b) – (ii) | Registered website address (if applicable) |  |
| 1.1(c) | Trading status   1. public limited company 2. limited company 3. limited liability partnership 4. other partnership 5. sole trader 6. third sector 7. other (please specify your trading status) |  |
| 1.1(d) | Date of registration in country of origin |  |
| 1.1(e) | Company registration number (if applicable) |  |
| 1.1(f) | Charity registration number (if applicable) |  |
| 1.1(g) | Head office DUNS number (if applicable) |  |
| 1.1(h) | Registered VAT number |  |
| 1.1(i) - (i) | If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established? | Yes ☐  No ☐  N/A ☐ |
| 1.1(i) - (ii) | If you responded yes to 1.1(i) - (i), please provide the relevant details, including the registration number(s). |  |
| 1.1(j) - (i) | Is it a legal requirement in the state where you are established for you to possess a particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement? | Yes ☐  No ☐ |
| 1.1(j) - (ii) | If you responded yes to 1.1(j) - (i), please provide additional details of what is required and confirmation that you have complied with this. |  |
| 1.1(k) | Trading name(s) that will be used if successful in this procurement |  |
| 1.1(l) | Relevant classifications (state whether you fall within one of these, and if so which one)   1. Voluntary Community Social Enterprise (VCSE) 2. Sheltered Workshop 3. Public service mutual |  |
| 1.1(m) | Are you a Small, Medium or Micro Enterprise (SME)[[3]](#footnote-4)? | Yes ☐  No ☐ |
| 1.1(n) | Details of Persons of Significant Control (PSC), where appropriate: [[4]](#footnote-5)  - Name;  - Date of birth;  - Nationality;  - Country, state or part of the UK where the PSC usually lives;  - Service address;  - The date he or she became a PSC in relation to the company (for existing companies the 6 April 2016 should be used);  - Which conditions for being a PSC are met;  - Over 25% up to (and including) 50%,  - More than 50% and less than 75%,  - 75% or more.  (Please enter N/A if not applicable) |  |
| 1.1(o) | Details of immediate parent company:    - Full name of the immediate parent company  - Registered office address (if applicable)  - Registration number (if applicable)  - Head office DUNS number (if applicable)  - Head office VAT number (if applicable)  (Please enter N/A if not applicable) |  |
| 1.1(p) | Details of ultimate parent company:  - Full name of the ultimate parent company  - Registered office address (if applicable)  - Registration number (if applicable)  - Head office DUNS number (if applicable)  - Head office VAT number (if applicable)  (Please enter N/A if not applicable) |  |

**Please note:** A criminal record check for relevant convictions may be undertaken for the preferred supplier(s) and the persons of significant in control of them.

Please provide the following information about your approach to this procurement:

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| **Section 1** | **Bidding model** | |
| Question number | Question | Response |
| 1.2(a) - (i) | Are you bidding as the lead contact for a group of economic operators? | Yes ☐  No ☐  If yes, please provide details listed in questions 1.2(a) (ii), (a) (iii) and to 1.2(b) (i), (b) (ii), 1.3, Section 2 and 3.  If no, and you are a supporting bidder please provide the name of your group at 1.2(a) (ii) for reference purposes, and complete 1.3, Section 2 and 3. |
| 1.2(a) - (ii) | Name of group of economic operators (if applicable) |  |
| 1.2(a) - (iii) | Proposed legal structure if the group of economic operators intends to form a named single legal entity prior to signing a contract, if awarded. If you do not propose to form a single legal entity, please explain the legal structure. |  |
| 1.2(b) - (i) | Are you or, if applicable, the group of economic operators proposing to use sub-contractors? | Yes ☐  No ☐ |
| 1.2(b) - (ii) | If you responded yes to 1.2(b)-(i) please provide additional details for each sub-contractor in the following table: we may ask them to complete this form as well.   |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | Name |  |  |  |  |  | | Registered address |  |  |  |  |  | | Trading status |  |  |  |  |  | | Company registration number |  |  |  |  |  | | Head Office DUNS number (if applicable) |  |  |  |  |  | | Registered VAT number |  |  |  |  |  | | Type of organisation |  |  |  |  |  | | SME (Yes/No) |  |  |  |  |  | | The role each sub-contractor will take in providing the works and /or supplies e.g. key deliverables |  |  |  |  |  | | The approximate % of contractual obligations assigned to each sub-contractor |  |  |  |  |  | | |

**Contact details and declaration**

I declare that to the best of my knowledge the answers submitted and information contained in this document are correct and accurate.

I declare that, upon request and without delay I will provide the certificates or documentary evidence referred to in this document.

I understand that the information will be used in the suitability process to assess my organisation’s suitability to be invited to participate further in this procurement.

I understand that the Contracting Authority may reject this submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section.

I am aware of the consequences of serious misrepresentation.

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| **Section 1** | **Contact Details and Declaration** | |
| Question number | Question | Response |
| 1.3(a) | Contact name |  |
| 1.3(b) | Name of organisation |  |
| 1.3(c) | Role in organisation |  |
| 1.3(d) | Phone number |  |
| 1.3(e) | E-mail address |  |
| 1.3(f) | Postal address |  |
| 1.3(g) | Signature (electronic is acceptable) |  |
| 1.3(h) | Date |  |

**Part 2: Exclusion Grounds**

Please answer the following questions in full. Note that every organisation that is being relied on to meet the suitability must complete and submit the Part 1 and Part 2 self-declaration.

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| **Section 2** | **Grounds for Mandatory Exclusion** | |
| Question number | Question | Response |
| 2.1(a) | **Regulations 57(1) and (2)**  The detailed grounds for mandatory exclusion of an organisation are set out on this [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf). | |
|  | Participation in a criminal organisation. | Yes ☐  No ☐  If Yes please provide details at 2.1(b) |
|  | Corruption. | Yes ☐  No ☐  If Yes please provide details at 2.1(b) |
|  | Fraud. | Yes ☐  No ☐  If Yes please provide details at 2.1(b) |
|  | Terrorist offences or offences linked to terrorist activities | Yes ☐  No ☐  If Yes please provide details at 2.1(b) |
|  | Money laundering or terrorist financing | Yes ☐  No ☐  If Yes please provide details at 2.1(b) |
|  | Child labour and other forms of trafficking in human beings | Yes ☐  No ☐  If Yes please provide details at 2.1(b) |
| 2.1(b) | If you have answered yes to question 2.1(a), please provide further details.  Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction,  Identity of who has been convicted  If the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents. |  |
| 2.2 | If you have answered Yes to any of the points above have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self-Cleaning) | Yes ☐  No ☐ |
| 2.3(a) | **Regulation 57(3)**  Has it been established, for your organisation 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 the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions? | Yes ☐  No ☐ |
| 2.3(b) | If you have answered yes to question 2.3(a), please provide further details. Please also confirm you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines. |  |

Please Note: The Contracting Authority reserves the right to use its discretion to exclude a potential supplier where it can demonstrate by any appropriate means that the potential supplier is in breach of its obligations relating to the non-payment of taxes or social security contributions.

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| **Section 3** | **Grounds for Discretionary Exclusion** | |
| Question number | Question | Response |
| 3.1 | **Regulation 57 (8)**  The detailed grounds for discretionary exclusion of an organisation are set out on this [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  Please indicate if, within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation. | |
| 3.1(a) | Breach of environmental obligations? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1 (b) | Breach of social obligations? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1 (c) | Breach of labour law obligations? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(d) | Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation’s assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(e) | Guilty of grave professional misconduct? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(f) | Entered into agreements with other economic operators aimed at distorting competition? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(g) | Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(h) | Been involved in the preparation of the procurement procedure? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(i) | 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? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(j)  3.1(j) - (i)  3.1(j) - (ii)  3.1(j) –(iii)  3.1(j)-(iv) | Please answer the following statements  The organisation is guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the suitability criteria.  The organisation has withheld such information.  The organisation is not able to submit supporting documents required under Regulation 59 of the Public Contracts Regulations 2015.  The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provided misleading information that may have a material influence on decisions concerning exclusion, suitability or award. | Yes ☐  No ☐  If Yes please provide details at 3.2  Yes ☐  No ☐  If Yes please provide details at 3.2  Yes ☐  No ☐  If Yes please provide details at 3.2  Yes ☐  No ☐  If Yes please provide details at 3.2 |
| 3.2 | If you have answered Yes to any of the above, explain what measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self-Cleaning) |  |

**Part 3: Suitability Questions**

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| **Section 4: Economic and Financial Standing** | | |
| Question number | Question | Response |
| 4.1 | Are you able to provide a copy of your audited accounts for the last two years, if requested?  If yes please go to question 5  If no, can you provide **one** of the following:  (answer with Y/N in the relevant box). | Yes ☐  No ☐ |
|  | (a) A statement of the turnover, Profit and Loss Account/Income Statement, Balance Sheet/ Statement of Financial Position and Statement of Cash Flow for the most recent year of trading for this organisation. | Yes ☐  No ☐ |
|  | (b) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position. | Yes ☐  No ☐ |
|  | (c) Alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status). | Yes ☐  No ☐ |

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| **Section 5** | **Group/Consortium Information** | | | |
|  | **If you have indicated in the Suitability Assessment question 1.2 that you are part of a wider group, please provide further details below:** | | | |
| Question number | Question | | Response | |
|  | **Name of organisation** |  | | |
|  | **Relationship to the Supplier completing these questions** |  | | |
| 5.1 | Are you able to provide parent company accounts if requested to at a later stage? | | | Yes ☐  No ☐ |
| 5.2 | If yes, would the parent company be willing to provide a guarantee if necessary? | | | Yes ☐  No ☐ |
| 5.3 | If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)? | | | Yes ☐  No ☐ |

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| **Section 6** | **Technical and Professional Ability** |
| 6.1 | **Relevant Experience and Contract Examples**  Please provide details of up to three contracts, in any combination from either the public or private sector; voluntary, charity or social enterprise (VCSE) that are relevant to the requirements of the Contracting Authority as set out in the ITT (including Schedule 2 Specification). VCSEs may include samples of grant-funded work. Contracts for supplies or services should have been performed and completed during the past three years. Works contracts may be from the past five years.  The named contact provided below should be able to provide written evidence to confirm the accuracy of the information provided below.  Consortia bids should provide relevant examples of where the consortium has delivered similar requirements. If this is not possible (e.g., the consortium is newly formed or a Special Purpose Vehicle is to be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (three examples are not required from each member).  Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the main intended provider(s) or sub-contractor(s) who will deliver the contract.  If you cannot provide any examples, see question 6.3 |

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|  | **Contract 1** | **Contract 2** | **Contract 3** |
| **Name of customer organisation** |  |  |  |
| **Point of contact in the organisation** |  |  |  |
| **Position in the organisation** |  |  |  |
| **E-mail address** |  |  |  |
| **Description of contract** |  |  |  |
| **Contract Start date** |  |  |  |
| **Contract completion date** |  |  |  |
| **Estimated contract value** |  |  |  |

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| 6.2 | Where you intend to sub-contract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your sub-contractor(s)  Evidence should include, but is not limited to, details of your supply chain management tracking systems to ensure performance of the contract and including prompt payment or membership of the UK Prompt Payment Code (or equivalent schemes in other countries) |
| Response |  |

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| 6.3 | If you cannot provide at least one example for questions 6.1, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up or you have provided services in the past but not under a contract. |
| Response |  |

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| **Section 7** | **Modern Slavery Act 2015** | |
| Question number | Question | Response | |
| 7.1 | Are you a relevant commercial organisation as defined by Section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")? | Yes ☐  No ☐ | |
| 7.2 | If you have answered yes to question 7.1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015? | Yes ☐  Please provide the relevant URL below:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  No ☐ | |
| If No please provide an explanation |  | |

Suppliers who self-certify that they meet the requirements to these additional questions will be required to provide evidence of this if they are successful at contract award stage.

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| **Section 8** | **Additional Questions** | |
| **8.1** | **Insurance** | |
| Question number | Question | Response |
| 8.1 (a) | Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below:  Employer’s (Compulsory) Liability Insurance = £10,000,000    Public Liability Insurance = £10,000,000  Professional Indemnity Insurance = £5,000,000  \*It is a legal requirement that all companies hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders. | Yes ☐  No ☐  Yes ☐  No ☐  Yes ☐  No ☐ |

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| **8.2** | **Environmental Management** | |
| Question number | Question | Response |
| 8.2(a) | Has your organisation been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or authority (including local authority)?  If your answer to this question is “Yes”, please provide details in a separate Appendix of the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served.  The Contracting Authority will not select bidder(s) that have been prosecuted or served notice under environmental legislation in the last 3 years, unless the Contracting Authority is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches. | Yes ☐  No ☐ |
| 8.2(b) | If you use sub-contractors, do you have processes in place to check whether any of these organisations have been convicted or had a notice served upon them for infringement of environmental legislation? | Yes ☐  No ☐ |

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| **8.3** | **Compliance with Equality Legislation (**For organisations working outside of the UK please refer to equivalent legislation in the country that you are located). | |
| Question number | Question | Response |
| 8.3 (a) | In the last three years, has any finding of unlawful discrimination been made against your organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)? | Yes ☐  No ☐ |
| 8.3 (b) | In the last three years, has your organisation had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds or alleged unlawful discrimination?  If you have answered “yes” to either 8.6(a) or 8.6 (b) please provide, as a separate Appendix, a summary of the nature of the investigation and an explanation of the outcome of the investigation to date.  If the investigation upheld the complaint against your organisation, please use the Appendix to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring.  You may be excluded if you are unable to demonstrate to the Contracting Authority’s satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring. | Yes ☐  No ☐ |
| 8.3 (c) | If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations? | Yes ☐  No ☐ |

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| **8.4** | **Health and Safety** | |
| Question number | Question | Response |
| 8.4 (a) | Has your organisation or any of its Executive Officers been in receipt of enforcement/remedial Orders/action in relation to the Health and Safety Executive (or equivalent body) in the last three years?  If Yes, please provide details in a separate Appendix of any enforcement/remedial orders/action served and give details of remedial action or changes to procedures you have made as a result. | Yes ☐  No ☐ |
| 8.4 (b) | Please self-certify that your organisation is an accredited/registered member of a Safety Schemes in Procurement (SSIP) members scheme (e.g. CHAS etc.).  If No, please answer questions 8.2 (c) through to 8.2 (l) below. | Yes ☐  No ☐ |
| If Yes please state which scheme; |  |
| 8.4 (c) | Please self-certify that your organisation has a Health and Safety policy in place that complies with current legislative requirements.  If no, is this because your organisation has less than 5 employees? | Yes ☐  No ☐  Yes ☐  No ☐ |
| 8.4 (d) | Please self-certify that your organisation has access to competent Health and Safety advice appropriate to the delivery of this contract. | Yes ☐  No ☐ |
| 8.4 (e) | Please self-certify that your organisation has appropriate arrangements in place to adequately comply with Health and Safety and Fire Safety legislation and to identify, control, monitor and review the significant risks associated with the delivery of this contract. | Yes ☐  No ☐ |
| 8.4 (f) | Do you have processes in place to check whether any of the above circumstances apply to sub-contractors employed by you?  If No, is this because you don’t use sub-contractors? | Yes ☐  No ☐  Yes ☐  No ☐ |
| 8.4 (g) | Please self-certify that your organisation checks, reviews and where necessary improves your H&S performance? | Yes ☐  No ☐ |
| 8.4 (h) | Please self-certify that your organisation has procedures in place to involve your staff/ workforce in the planning and implementation of H&S measures? | Yes ☐  No ☐ |
| 8.4 (i) | Please self-certify that your organisation routinely records and reviews accidents/incidents and undertakes follow-up action? | Yes ☐  No ☐ |
| 8.4 (j) | Please self-certify that your organisation has arrangements for ensuring that your suppliers apply H&S measures to a standard appropriate to the activity for which they are being engaged? | Yes ☐  No ☐ |
| 8.4 (k) | Please self-certify that your organisation operates a process of risk assessment capable of supporting safe methods of work and reliable project delivery where necessary? | Yes ☐  No ☐ |
| 8.4 (l) | Please self-certify that your organisation has arrangements for ensuring that on-site welfare provision meets legal requirements and the needs/expectations of your employees? | Yes ☐  No ☐ |

1. For the list of exclusions please see <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf> [↑](#footnote-ref-2)
2. See PCR 2015 Regulations 71 (8)-(9) [↑](#footnote-ref-3)
3. Sections 382 and 465 of the Companies Act 2006 define a SME for the purpose of accounting requirements. According to this a small company is one that has a turnover of not more than £6.5 million, a balance sheet total of not more than £3.26 million and not more than 50 employees. A medium-sized company has a turnover of not more than £25.9 million, a balance sheet total of not more than £12.9 million and not more than 250 employees. [↑](#footnote-ref-4)
4. UK companies, Societates European (SEs) and limited liability partnerships (LLPs) will be required to identify and record the people who own or control their company. Companies, SEs and LLPs will need to keep a PSC register, and must file the PSC information with the central public register at Companies House. [See PSC guidance](https://www.gov.uk/government/publications/guidance-to-the-people-with-significant-control-requirements-for-companies-and-limited-liability-partnerships). [↑](#footnote-ref-5)