SUFFOLK COUNTY COUNCIL

GENERAL GUIDE TO WRITING SPECIFICATIONS

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A General Guide to Specification Writing

1. What is a Specification?

A specification is a key part of a tender document providing a statement of needs to be satisfied. It may also be referred to as an ‘operational requirement’, ‘statement of requirement’, or a ‘statement of service requirements’.

Service specifications can be based on inputs, outputs or outcomes but their purpose is to present prospective suppliers with a clear, accurate and full description of our needs, enabling them to propose a solution to satisfy the requirement. The supplier's response is evaluated using the method statements provided and any supporting material to decide which supplier is most able to deliver the requirement.

The requirements in the specification are incorporated into the final contract with the successful supplier. The development of an appropriate service specification is therefore critical to a successful contract and the single most important stage for incorporating the council’s current corporate priorities:

- Inclusive Growth;
- Health, Care and Wellbeing; and,
- Efficient and Effective Public Service.

And appropriate legal and policy objectives such as;

- Social Value;
- Diversity and Equality;
- Vetting and Barring;
- Section 17;
- Health and Safety;
- Business Continuity and Resilience; and
- GCSx and Data Protection etc.

Further information on including legal requirements and policy objectives can be found at Annex C.

2. Which type of specification should I use?

Most specifications should be developed using outputs or outcomes which offer greater flexibility to suppliers for developing innovative solutions and methodologies. An output based specification defines what the service provider is expected to deliver e.g. a consultancy report. It is similar in many respects to an outcome based specification which specifies what is to be achieved.

An input based specification may be used where we need to prescribe the way in which a service should be provided. This type of specification gives a clear and rigid framework within which the supplier's performance can be monitored. However, the lack of flexibility means that there is no incentive for the supplier to innovate or improve service effectiveness. For this reason, an input based specification is vary rarely used for service contracts.

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1 This document has been adapted from guidance issued by the Office of Government Commerce – 2008.
3. **When is a specification produced?**

Normally, the specification is developed before the contract notice is placed. For more complex requirements the specification will be developed from the statement of the business requirements the preparation of the business case.

High level requirements may be worked up in consultation with suppliers and customers as part of market engagement. This process is sometimes referred to as ‘Co-creation’. Tender exercises for more complex requirements may involve the development of specifications through a Competitive Dialogue after initial supplier selection. This can be particularly useful where innovative solutions are being considered. The whole process should be handled with care and integrity to maintain a level playing field and to ensure that conflicts of interest are avoided where a supplier might gain an unfair competitive advantage from their involvement.

When considering supplier input be aware of material that, if adopted, could directly or indirectly favour a supplier, third-party solution or technology. Be careful not to abuse Intellectual Property or Copyright material.

The specification needs to be finalised before it is issued to suppliers with, depending on the procurement strategy, an Invitation to Tender (ITT) or an invitation to submit a proposal.

4. **Who writes the Specification?**

Depending upon its complexity the specification can be drafted by an individual or project team in the council. Very occasionally, when suitable expertise is unavailable, external consultants may be engaged to assist. Those involved in its production are:

- The Project’s Senior Responsible Owner;
- Project team;
- Service Office Sponsors;
- Stakeholders (including potential suppliers, infrastructure groups and customers);
- Advisors such as technical and procurement specialists.

5. **How to prepare a specification**

**Gather information**

You will need to draw information together from a number of sources and the first step is to identify who they are. They may be individuals, organisations and existing data sets or published documents.

Possible sources include:

- Service Offices;
- Service Users;
- Current and Potential Providers;
- Voluntary Organisation’s;
- Representative Bodies;
- Technical specialists (in-house and external); and
- Policy specialists within the Council.
- Business strategies and plans;
- Corporate Policy documents;
- The ‘Guide to Business Continuity’;
- Business requirements;
• Change Request documentation;
• Specifications or contracts for similar goods or services;
• Contract(s) to be replaced by the procurement (the contract strategy should help identify these);
• Process manuals;
• Service Level Agreements;
• Metrics such as volumes etc.

**Develop the requirement**

At its simplest, the high-level requirement can be as basic as; ‘what do I want to achieve from the goods or services and how will I know that the requirement has been satisfied?’

High-level requirements should be progressively refined until they provide the necessary detail for suppliers to understand what is required and develop a solution to meet it.

Generally, you will need to refer to the information sources above. The degree of interaction will depend on their involvement in and knowledge of the requirement. In some cases, you can ask for information on current processes, in others you will gather most of your information from other documents.

When reviewing metrics (numbers of occurrences etc.), be aware that they are historical and consider what changes (up or down) may occur over the life of the contract. Periodic reviews should be used to help shape the requirement in the future. Developing the requirement will also raise issues and risks that must be recorded and consideration given to how those risks will be mitigated through the procurement process.

**Write the Specification**

Once the requirement is refined you can write it up as a Specification in the form that will be sent to suppliers. An example framework for a written specification can be found at Annex A, and a checklist to help with drafting and review can be found at Annex B.

The Specification may contain background material to help suppliers understand the requirement in context and provide supporting material. In large outsourcing projects the volume of background material can be considerable and copying / issuing it to all prospective suppliers is difficult. If the material is available in electronic form, a CD can be used as a convenient mechanism for distributing it. If most it is paper based, some projects have set up a project library, and allowed suppliers to book time to review it. Alternatively, consider scanning documents and using a secure area on a password protected web page.

**Produce the evaluation plan and evaluation model**

Consider who should review the specification to ensure it is complete and accurate, and who needs to be involved in evaluating responses to it (the ‘Evaluation Team’). For Adult’s and Children’s Services, this may also include, service users or their representatives. Make sure that you have sufficient knowledge and expertise available to properly evaluate the technical aspects of a supplier’s offer.

The evaluation plan sets out how the evaluation will be completed and who is involved. It provides a framework for capturing and assessing findings. The plan should be developed alongside the specification to ensure that:

• all information needed for evaluation is requested from suppliers;
• all requirements and information requests in the specification are covered by the evaluation;
Supplier responses can be provided in a form that matches the evaluation model.

The evaluation model is critical to ensuring that the contract can be awarded to the supplier best able to deliver the requirement. It is derived from the specification and must contain those factors which are critical to the contract’s success including, where relevant to the specification; the development of social value or other relevant policies through delivery.

Care should be taken to understand the relative importance of each critical success factor because this informs the development of the weighted evaluation model starting with the relationship between price and qualitative factors, each of which can be then subdivided as necessary. Further support on the development of effective evaluation models, is available from your Commercial Business Partner.

**Review and Signoff**

The specification is a key procurement document and forms the basis against which the successful supplier will be chosen and service delivery managed. The final review and signoff is therefore a key decision point in the procurement process.

The key criteria for the review are:

- That the requirements are complete and accurate;
- That stakeholder needs have been considered;
- That future developments have been considered;
- That the specification adequately reflects current policy and priorities;
- That the requirement is deliverable (i.e. a market exists or can be created);
- That requirements are compatible with the scope of the contract as set out in the OJEU notice
- That issues and risks raised have been adequately recorded and addressed;
- That the criticality of the service has been established and appropriate business continuity requirements included;
- That any business implications have been identified and addressed;
- That it is consistent with:
  - The business case;
  - The business requirements;
  - The OJEU advertisement;
  - Procurement and contract strategies; and
  - The Evaluation strategy.
Annex A - Layout for a Specification

This is a suggested framework for the contents of a specification. However, all procurements are different and it is not intended that this framework is prescriptive; the specification for any procurement should reflect the requirements of the council and the circumstances of the procurement. The headings and contents lists will therefore need to be tailored accordingly.

N.B. PLEASE REFER TO ANNEX C FOR CONSIDERATION OF LEGAL AND POLICY OBJECTIVES.

Introduction

This section gives suppliers an introduction to the council and explains the purpose of the Specification. Things to include are:

- an introduction to the council;
- an introduction to the specification, its purpose and composition;
- disclaimers, caveats etc.

Scope

This section sets out the broad scope of the requirement, it covers:

- what is included;
- what is excluded;
- what is optional: extensions for which proposals will be considered;
- treatment of assets, and staff where TUPE transfers are anticipated

Background to the requirement

This section provides background information to help suppliers see the requirements in context. Subjects to cover can include:

- an overview of the business including an outline of the business strategy and the role of this requirement within it;
- an overview of relevant business objectives;
- the objectives of the procurement;
- relevant history and recent developments;
- description of the business activities in the area affected by procurement for example:
  - business functions and processes
  - organisation and staffing: roles and responsibilities
  - stakeholders
  - information flows
  - current service support
  - quantitative aspects of current operations;
- relevant future developments;
- policies, standards;

The requirements

This section sets out the detailed requirements the supplier is to meet. Try to keep background and supporting material separate from requirements, and ideally in the previous section to make the requirements easy to find.

Requirements are often classified as:

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Adapted from OGC Guidance 2008

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• ‘Mandatory’ - essential requirements that suppliers must meet
• ‘Desirable’ - requirements that whilst bringing benefits are not essential
• ‘Information’ - requirements that request information from the supplier typically for evaluation purposes, but which are not transferred to the contract.

Ensure mandatory requirements really are essential, because suppliers can be rejected for failing to meet them. Mandatory requirements can be paired with desirable ones: the mandatory requirement sets out the basic requirement; the desirable expands on it, or specifies higher performance. If using desirable requirements consider how these will be evaluated. In some cases meeting desirable requirements is a quality issue and would be handled by the scoring system used in qualitative evaluation. In other cases, if a desirable requirement is not met the council may need to provide the function itself, or obtain it from a third party.

Functional requirements

This section defines the task or desired result usually by focusing on what is to be achieved, not by describing the way it is to be achieved! This challenges suppliers to use their skills and develop smart, creative solutions. There are some cases however where it may be appropriate to specify particular types of equipment, provide drawings or in the case of clothing or textiles, sealed patterns, but this should as far as possible be avoided. Specifying requirements in terms of outputs or functions gives potential suppliers the opportunity to propose innovative solutions (or simply be more creative in their proposals), and also means the responsibility for ensuring the solution meets the requirement rests with the supplier rather than the customer.

Performance requirements

Specifies the performance required of the solution by setting out details of inputs and outputs. Example performance measures are:

• Throughput - the volume of inputs that can be handled within a specified time;
• Accuracy - the number of outputs that are error free (usually expressed as a percentage);
• Availability - the time the solution is able to be used as a percentage of the time is supposed to be able to be used.

Some performance measures are easily defined by reference to existing operations, service levels etc. Where this is not the case they need to be defined with users and can be informed by benchmarking information.

It is important to set performance measures at the right level:

• Too high and they can be costly: the cost of meeting the higher performance level can be higher than the additional benefit obtained;
• Too low and users' expectations will not be met, and there may be a detrimental effect on the business.

Always make sure you are only asking suppliers to measure and report on relevant performance measures. Too many reporting requirements can be costly and perhaps add little value to the customer.

In this heading you may also consider the need to develop mechanisms for establishing performance targets and stretch targets covering service improvement and the development of added social value.

For procurements following a Competitive Dialogue or a Competitive Process with Negotiation, it can be beneficial to explore performance measures and the cost of different levels of service with suppliers. In this case the requirements in the specification should be indicative rather than fixed.

Other requirements

• Security - Describe any specific security requirements appropriate to the requirement.
• Criticality – If the service/product to be bought is deemed critical (as described in the ‘Guide to Business Continuity’), then there is a need for the supplier to have business continuity arrangements in place (also described in the ‘Guide to Business Continuity’).
• Standards - Set out any standards relating to the goods or services being procured, for example health and safety, electrical etc. However, take care when requiring conformance to standards, as the European Commission believes that organisations should consider any proposal that provides technical equivalence to, if not conformity with, the standard. As a rule of thumb:
  o Specify by reference to national standards which implement European standards, or other European specifications, where relevant; and
  o Consider offers which purport to offer equivalent functionality or performance even though they do not conform to the standard in question. The burden of proving technical equivalence in this case will fall on the supplier.
• Eco-Labels – You may ask for Labels to ensure that the deliverable meet the specified environmental characteristics e.g. energy use of appliances, but:
  o the criteria must be linked to the subject matter of the contract
  o the label requirements must be based on objective and non-discriminatory criteria
  o the labels are established in an open and transparent procedure
  o the label requirements are set by an independent party where the supplier applying for the label cannot exercise a decisive influence
  o equivalents are to be accepted
• Training.
• Maintenance and Support.

Constraints
Include here any requirements that may constrain the supplier's solution. Examples include:

• timing considerations (e.g. cannot start before, or must be complete by);
• the need to time delivery or service provision with other suppliers;
• the need to interface with other organisations’ IT systems (see section on GCSx Annex C).

Implementation requirements
This section covers requirements for the period between awarding the contract and delivery of the goods or services, and includes acceptance by the customer. In complex procurements it can be useful to request information on methodologies and processes the supplier will use in implementing its solution such as:

• project management
• risk and issue management
• in IT projects, application development

Contract/service management requirements
Any requirements covering contract/service management, for example:
• management information
• change management

Procurement and contractual requirements
These requirements are different to others in that they relate to the procurement process, not the resulting contract with the successful supplier. Things to consider include:

• expected nature of contracts - proposed terms and conditions;
• opportunities for suggesting different contract scopes;
• proposed arrangements for management of service contracts;
• roles and responsibilities.
Annexes

Supporting information that can include:

- details of business activities
- business facts and figures
- organisational details
- details of current services, technical environment.
Annex B - Checklists

Drafting checklist

- use simple language, avoid using jargon;
- define terms, symbols and acronyms;
- do not expect the specification to be read by experts; write it so that a layman will understand;
- use a logical structure;
- be as concise as possible, but keep the meaning clear;
- plan and analyse your needs;
- arrange the components of the requirement into a logical form matching the evaluation model; a good way of doing this is to set out a skeleton structure with the main headings and then add in sub-headings as necessary;
- do not embed requirements in background information - suppliers may miss them - keep requirements in their own sections;
- list the most important elements of the requirement first and work through to the least important; and
- discuss the requirement with colleagues. It may help you to identify other topics you need to include.

Review Checklist

A good specification should:

- state the requirement specification completely, clearly, concisely, logically and unambiguously;
- focus on outputs not how they are to be met;
- contain enough information for potential suppliers to decide and cost the goods or services they will offer, or in the case of negotiated route arrive at realistic budgetary costs;
- permit offered goods or services to be evaluated against defined criteria by examination, trial, test or documentation;
- state the criteria for acceptance by examination, trial, test or documentation;
- contain only the essential features or characteristics of the requirement;
- provide equal opportunity for all potential suppliers to offer a product or service which satisfies the needs of the user and which may incorporate alternative technical solutions; and comply with any legal obligations e.g. under UK law, the EEC Treaty, or an EC Directive.

A good specification should not:

- over-specify requirements;
- be too prescriptive over delivery methods; or
- contain features that directly or indirectly discriminate in favour of, or against, any supplier, product, process or source. Discrimination for any reason is illegal in the EC and may not achieve value for money.

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3 Adapted from OGC Guidance 2008
Annex C - Specification Writing Legal and Policy Considerations

Within the constraints of public procurement law, we are encouraged to specify requirements in policy areas where these are relevant to the provision of the goods or services. This means that our procurement activity can be used in a sustainable way to promote the council’s policies for example around regeneration, the environment, employment and training etc.

Care must be taken to ensure that (a) we do not place any requirements on contractors that do not relate directly or proportionately to the provision of the goods or services in question, (b) inadvertently add costs to the service provider that will be passed back to the council or (c) we make clear the councils ultimate responsibility for its statutory obligations.

The following comments are intended as guidance on the sorts of things that might be considered. However, each requirement will be different and specification writers are strongly advised to seek advice from the appropriate Specialist Support Function before finalising their specification.

Social Value

The Public Services (Social Value) Act 2012 requires that local authorities consider how the contract to be awarded can benefit (add value to) the local area. Value is defined in its widest sense as being: economic, environmental and social wellbeing.

To be effective, social value must be built into the specification for example; a need to consider local sources of labour or to satisfy specific training needs for individuals etc. Specifications can also include reference to environmental or social factors such as the need to develop the local environment and make it more accessible for the public, or to effect 'greener' ways of working, methods of production etc.

For further advice on this requirement, please see the Council’s Social Value Policy and speak to your Commercial Business Partner.

Health and Safety

Suffolk County Council (SCC) is making major changes in the way our services are delivered. Many services will no longer be delivered by staff directly employed by SCC but through contract arrangements of various forms with a wide range of different service providers.

The council however, retains some liability both in civil and criminal law for the acts or omissions of our contractors. The extent of our liability will be determined partly by the level of the risk (to our staff, service users etc.) and whether the service is regarded as part of our undertaking or is a statutory duty.

For example: we have a duty to provide home to school transport.

To ensure the safety of service users we must ensure that the buses used by our contractors are safely maintained. However, we do not have a direct responsibility to the workshop fitters, employed to maintain those buses. Nevertheless, whilst the safety of the workshop fitters isn’t our primary concern, we still have a moral obligation to use reputable contractors and would want to avoid any bad publicity by association with a disreputable contractor. (Although this might be regarded more of a general business risk than a health and safety risk necessarily.)

Health & Safety therefore needs to be included as an integral part of the procurement process, proportional to the level of assessed risk posed to the council, our staff, or our service users.

Supply of Goods

When ordering work equipment, ensure that it conforms to safety standards, e.g. carries a CE mark; for furniture and soft furnishings, that it has the appropriate fire rating; and for hazardous substances, that you obtain the appropriate safety data sheets.

Supply of Services

When letting contracts, you must consider health and safety at all stages of the procurement process; specification, selection and monitoring. For guidance as to the appropriate levels of control to apply,
commensurate with the risk, please refer to the health & safety guidance document *HST45 Health & Safety in Procurement*.

For further advice contact your directorate health & safety advisor or the corporate health & safety team.

**Diversity and Equality**

SCC has a general duty to advance equality in line with the Equality Act 2010 it is therefore vital that any procurement process is fair, accessible and transparent. We also have a responsibility to ensure that our partners, companies and organisations we commission, to provide services on our behalf, take the same positive approach to equality.

In line with the Equality Act’s (specific duties) Regulations 2011, Suffolk County Councils equality objectives aim to

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality between everybody
- Foster good relations between communities, tackling prejudice and promoting understanding.

The Act further explains that having **due regard** for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Therefore, it is important that all organisations that deliver services on behalf of Suffolk County Council actively promote the above equality objectives

To the extent that it is relevant to the subject matter of the contract, the Contractor can be asked to include its policies and procedures relating to equalities and method statements demonstrating their inclusion in the provision of the services. Consideration should be given to the use to which goods will be used and in particular who will be using them. In this regard, for example consider;

- Language (will all users be able to read and / or understand operating instructions etc?)
- Accessibility (will the products be used by people with specific accessibility problems?)
- Colour (certain colours may offend!); and
- Whether the product may be offensive to certain users.

In provision of services, consider;

- That the provision of the service should be non-discriminatory and, amongst other things;
- Language barriers (in particular whether there might be a need to engage with the contractor around the need to offer ESOL courses);
- Cultural differences between provider and recipient (consider what would be appropriate behaviour for the client group);
- Accessibility for service users (consider who will want to access the service to ensure all needs are met);

**CONSIDER**: What impact will your specification have on the outcomes for those with a specific characteristic

- age;
- disability;
• gender reassignment;
• marriage and civil partnership;
• pregnancy and maternity;
• race;
• religion or belief;
• sex or sexual orientation;

NOTE: Check with the Chair of your respective Equality Action Group whether your specification should undergo an equality impact assessment. Although equality impact assessments do not form part of the codes of practice issued by HM Government, Suffolk County Council believes that they are an effective tool to mitigate against any adverse impact on the protected equality groups. Further information on this requirement or in relation to equalities in specifications can be obtained from the Equalities & Inclusion Team.

Environmental Considerations

Consider first and foremost whether the product or service is really required or whether there is some other way of satisfying the need. Secondly, consider the size of the order; don’t procure more than is required to satisfy your needs.

Rethink – e.g. service instead of product?
Eliminate – e.g. hazardous material content
Reduce – e.g. emissions produced
Re-use – e.g. packaging
Recycle – e.g. paper, glass, metals
Dispose/end of life management – minimise quantities and therefore cost

© Barbara Morton. A similar diagram appears in Environmental Purchasing in Practice.

Main considerations in specifying goods are in reducing the impact on the environment of raw material extraction, production processes, transport and distribution throughout the supply chain.
• Materials should, wherever possible be sourced with a significant re-cycled content where this is not possible raw materials should be supplied from sustainable sources.
• Consideration should be given to the ‘whole life costs’ of using the product – for example the energy efficiency of goods should always be a consideration in order to reduce running costs.
• The hazardous components of goods should be minimised and whenever possible replaced with non-hazardous alternatives.
• Supply chains should be minimised to reduce handling and distribution;
• Energy used in the production process should be minimised and may come from renewable sources that further reduce harmful emissions;
• Packaging should be minimised throughout the supply chain; and
• Whether the product can be specified by reference to an ECO label standard.

For services, the following might be relevant.
• Processes should be assessed to ensure minimum impact on the environment (energy use, waste produced, use of recycled materials water use etc.);
• Any materials used in the process e.g. chemicals etc. should have minimal impact on the environment;
• It will be pertinent to examine the procurement policy of the provider organisation in respect of environmentally friendly goods used in the provision of the service;
• The procedures adopted by the provider to ensure the services are delivered in accordance with their own environmental policy and standards;
• Minimising mileage travelled in provision of the service; and
• Audit and monitoring arrangements.
For works, the following might be relevant.

- The design should protect the existing environment and minimise any further impact – where appropriate the design should aim for a BREEAM “Excellent” rating;
- The design should consider the current predicted impacts of climate change, including flood risk, temperature change and severe weather events.
- The design should consider the impact of future use of the site and minimising its impact on the existing transport infrastructure.
- Materials used in the construction should have a high re-cycled element or otherwise be from sustainable sources;
- The design should consider the authorities statutory duty to conserve biodiversity which includes restoring or enhancing a population or habitat.
- Any materials used in the process e.g. chemicals etc. should have minimal impact on the environment; and
- That the contractor is using energy sources that minimise environmental impacts in the design and construction.

Further information and guidance on specifying in an environmentally friendly way can be obtained from the SCC Environment Strategy Team.

Please Note:
If you are procuring goods and services from any of the following categories you should be consulting the Suffolk County Council Green Procurement Approach document which can be found on MySCC.

- Paper
- Cleaning Products
- Office Machinery
- Construction
- Transport
- Furniture
- Electricity
- Food and catering services
- Textiles
- Gardening Services
- Care Provider Services (Adults & Children)

This document sets out the green public procurement (GPP) approach to be followed by Procurement and Contract Management (and any other individuals undertaking tendering/procurement activities on behalf of Suffolk County Council). By following the specified approaches, procuring officers will be contributing to the achievement of the corporate objective of responsible management of the environment in Suffolk, and toward the Suffolk – Creating the Greenest County initiative.

**Business Continuity and Resilience**

Where a product or service is deemed as being ‘critical to the council’, suppliers are required to have business continuity arrangements in place. For an explanation of criticality and a definition of ‘Business Continuity’ arrangements, refer to the ‘Guide to Business Continuity’ (see link below) or contact the council’s Business Continuity Manager in the Joint Emergency Planning Unit.


**Section 17**

Section 17 of the Crime and Disorder Act 1998 requires local and police authorities, plus other agencies, to consider crime and disorder reduction and community safety when undertaking all their duties and responsibilities.

Whilst we cannot pass this legal obligation directly onto our contractors, we may consider how we can encourage support of these objectives. For example; by generally encouraging safe working practices, to ask
staff to be aware of the circumstances that might lead to safety issues (e.g. insecure premises etc) whilst carrying out the service and to report anti social behavior to the Community Safety helpline when their staff become aware of risks in the community.

Further information on how this might relate to your specification can be obtained from the Community Safety Unit.

Vetting and Barring

Where contractors staff have access to vulnerable adults and children in consequence of the services they provide for the Council, Consideration must be given to requiring the contractor to undertake ‘Disclosure and Barring’ (DBS) checks on those staff involved, prior to commencing any work on Council contracts. The range of services where DBS checks might be needed is extensive and advice should be sought from the Directorate Service Commissioner and / or the Safeguarding teams in Adult and Community Services of Children and Young People as to what level of checks will be required.

The need for DBS checking is usually included in the specification as a standard requirement and reinforced by as a condition of contract.

SME and Third Sector involvement

Ensure that wherever possible, specifications are developed in a collaborative way using the knowledge and experience of the supply market and customers.

When developing the procurement strategy and specification, consider how SME’s and the Third Sector may participate in the supply chain either directly or indirectly and hence satisfy one or more of the council’s policy objectives. This might be achieved for example through providing sub-contract opportunities etc.

The council has an option to restrict participation in a tender process to either a ‘Supported Businesses’ or, ‘Supported Employment Programmes’ or ‘Supported Factories.’ The rules surrounding these are complex and further advice on this or on the use of SME’s and the Third Sector must be sought from Sourcing, Procurement and Contract Management.

GCSx (Baseline Personnel Security Standard) and Data Protection

Where relevant to the subject matter of the contract we are required to ensure security of the council’s data. When drafting specification’s, you should be aware of this need and ensure the principles below are incorporated in the specification and in any terms and conditions of contract.

If contractors, consultants and agency staff will access the council’s ICT network they must demonstrate that they (their staff) meet the Baseline Personnel Security Standard (BPSS) prior to access to the ICT network being granted. The BPSS requires verification of the four elements described below:

- Identity
- Employment history (last 3 years)
- Nationality and Immigration Status
- Criminal record (unspent convictions only)

Organisations tendering for council work should be able to demonstrate that any of their staff working on the contract, with access to the council’s network, have had the BPSS checks carried out. Organisations awarded contracts should be aware that the council reserves the right to carry out spot checks or audit the organisation to ensure compliance with BPSS.

Organisations awarded contracts should be aware that if any of their staff require access to the council’s ICT network they will be required to sign up to the Council’s Code of Connection, Acceptable Use of ICT Policy and other related policies.

Further advice on GCSx is available from the Head of Strategic ICT or the Head of Strategic HR.