

Responses may be submitted in either Welsh or English



**Invitation to Tender
and
Specification**

**Provision of Wellbeing Assistance Programme and Support
Services for Individuals Involved in Fitness to Practise and
Hearings Processes**

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Section 1 – General Information

1.1 Background

Background information on the work Social Care Wales undertake can be found on our website <https://socialcare.wales/about>.

The social care sector covers many areas and activities and therefore to help better explain what 'social care' really means we've created two short and simple videos - [New video resources to help building a better understanding of social care in Wales - Social Care Wales - Research, Data & Innovation](#)

1.2 Purpose of this Tender

To provide a comprehensive advice, support, signposting, and counselling service for individuals involved in Social Care Wales' fitness to practise and hearings processes. This includes registered workers under investigation, their families, applicants or registered persons referred to case conferences or hearings, complainants, witnesses, whistleblowers, and the independent panel members who sit on our fitness to practise panel hearings. The service aims to safeguard wellbeing and offer appropriate support throughout these challenging and sensitive procedures.

1.3 Budget

There is an indicative budget range of £30,000 - £50,000 per annum (inclusive of any applicable VAT) agreed for this tender, equating to £120,000 - £200,000 (inclusive of any applicable VAT) across the full contract term.

Suppliers are encouraged to propose a model that offers the best value and meets our requirements.

The Supplier will provide full financial breakdown of the costs associated with the project for consideration through the evaluation process.

Prices must be quoted in pounds sterling and clearly state if VAT will or will not be charged.

1.4 Duration

The contract will run initially from 1 May 2026 until 30 April 2028 with a possibility of being extended for a further 24 months, up to a total period of 4 years.

1.5 Monitoring

The Supplier's performance under the terms of the contract will be reviewed by a named project manager on behalf of Social Care Wales. Performance will be

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measured against the specification and delivery timescales, with quality control measures agreed as part of the contract.

1.6 Joint or consortia bids

Response to this ITT from consortia, must include:

- Full details of the consortium members
- Names of personnel of assigned for the delivery of the Contract, including which elements of the Contract such consortium members / personnel (as the case may be) are assigned to deliver.

1.7 Complementary documents

The following documents are attached to this Invitation to Tender (ITT)

- Appendix 1 – Wales Procurement Specific Questionnaire (WPSQ)
- Appendix 2 – Technical / Quality Response Document
- Appendix 3 – Financial / Pricing Response Document
- Appendix 4 – Social Care Wales’ Tone of Voice Guidelines
- Appendix 5 – Social Care Wales’ Branding Guidelines
- Appendix 6 – Form of Tender
- Appendix 7 – Social Care Wales Contract Terms

Section 2 – Project Outline

2.1 Introduction

Social Care Wales regulates the social care workforce in Wales under the Regulation and Inspection of Social Care (Wales) Act 2016. We maintain a Register of over 65,000 social care workers to protect the public and uphold high standards of care. Most roles in the sector, including social workers, care workers, and managers, must be registered with us – these are referred to as “registered persons”.

We register social workers, domiciliary care workers and managers, adult care home workers and managers, residential childcare workers and managers and other roles within the social care sector. This means that most of the social care workforce in Wales are required to be registered with us.

As part of our responsibility is to make sure social care workers on the Register have the skills, knowledge and character to carry out their work safely and effectively, applications for registration can be refused if the required criteria for registration are not met. Where an application is refused, the worker can appeal against Social Care Wales decision to refuse, and that appeal is considered by our Registration Appeals Panel in a hearing.

This may be a distressing process for applicants as their ability to work in social care in a regulated role may be affected if the panel agrees with Social Care Wales’s decision to not grant the application.

Our Registration Team handle applications for registration, and further information about the application process is available [here](#).

Our role includes assessing applications for registration and investigating concerns about those who have been registered, who we call ‘registered persons’. Concerns can come from the public, employers, police, or other bodies. Where necessary, concerns may develop into a ‘case’ which is investigated by the Fitness to Practise team and may proceed to a hearing before an independent panel. A hearing is arranged and coordinated by our Hearings Team, which can impose sanctions ranging from conditions on practice to removal from the Register.

When a concern is raised about a registered person it may be investigated. As part of the investigation, the Fitness to Practise Team speak to a variety of individuals who may be called to a hearing as a ‘witness’ and individuals who have referred a complaint, to understand the nature of the concern. If the evidence shows that the registered person may be a risk to the public by continuing to work in their registered social care role, the investigating officer may request a hearing so that a panel can make a decision whether the registered person should be suspended or have conditions put on their registration on a temporary basis while an investigation is carried out. Further information about the hearings process is available [here](#).

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Not all concerns raised by individuals will lead to an investigation, for various reasons. This may be distressing and disappointing to those individuals and they may need support.

A panel can impose various sanctions or disposals on the registered person's registration to protect the public, and the registered persons themselves, at various stages of the investigation. At the early stages, while the investigation is underway, they can suspend a registered person to stop them working for a set period, or they can impose conditions on their registration, which means they can carry on working but will have to comply with conditions.

When an investigation is complete the case may be disposed of without a panel hearing, or it may be referred to a public panel hearing where the evidence is considered and where witnesses may be called to give their evidence to the panel. This panel has a variety of disposals available to them, varying from no further action to a removal order, which is the most serious as it removes them from the Register which means they will not be able to carry on working in their registered role in Wales.

Social Care Wales recognises that involvement in registration appeals panel hearings, fitness to practise investigations and hearings processes can be overwhelming and distressing, particularly if revisiting traumatic events, and particularly as our processes may impact the workers' ability to work in a regulated social care role in Wales.

To reduce this impact and provide trauma-informed support, we aim to offer a free, independent, flexible Wellbeing Assistance Programme for registered and unregistered workers and other individuals.

2.1.1 Historical Uptake

These figures are provided for information only and should not be used to cap or limit your proposed service model.

	Year 1	Year 2	Year 3	Total up take over 3-year period
Cases (RPs)	8	5	13	26
Counselling sessions	23	13	8	44
Advice calls	6	12	5	23
Advice sessions	5	12	5	22
Web page views	57	53	70	180

2.2 Aims and Objectives

This programme aims to:

- Provide a high-quality, accessible, and bilingual support services that promote wellbeing and resilience.

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- Ensure timely and effective interventions for individuals requiring counselling, information, or guidance.
- Deliver services that comply with Welsh Government standards for equality, accessibility, and language.

The objectives of the programme are to:

- Offer a comprehensive range of support services, including counselling and information, tailored to diverse needs.
- Ensure services are fully bilingual (Welsh and English) and meet accessibility standards for all users.
- Maintain robust qualifications, accreditations, and ongoing training for staff delivering the programme.

2.3 Overview of 'The Requirements'

The Supplier will be responsible for delivering a comprehensive and flexible Wellbeing Assistance Programme to support individuals involved in Social Care Wales's fitness to practise and hearings processes, including registered workers under investigation, their family members, complainants, witnesses, whistleblowers, and independent panel members.

The service must provide advice, emotional support, signposting, and counselling to:

- Registered persons under investigation whether their case is referred to a hearing or not
- Family members of registered persons under investigation.
- Applicants or registered persons referred to case conferences or hearings.
- Members of the public who make complaints against a registered person regardless of whether the complaint meets our threshold for investigation.
- Witnesses interviewed or attending hearings.
- Whistleblowers making disclosures to Social Care Wales. Social Care Wales is a prescribed body for whistleblowing which means that anyone can make a whistleblowing complaint to us.
- Panel members who sit on our hearings - members of the public who sit on an ad hoc basis, as panel members in our public and private hearings to consider evidence collected by Social Care Wales and decide on appropriate and proportionate action to protect the public. They may find some evidence, cases and hearings distressing and may need support to process what they've seen and heard in hearings.

The service for registered persons, complainants, and panel members will begin at contract mobilisation, estimated 1 May 2026.

The service for witnesses won't commence until 1 September 2026.

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2.4 The Wellbeing Assistance Programme (WAP)

The WAP and support service must:

2.4.1 Access & Delivery

- Offer friendly, efficient, autonomous and confidential access to all eligible individuals.
- Deliver support through multiple channels (e.g., telephone, video call, email, and face-to-face where appropriate).
- Provide trauma-informed care, including support for vicarious trauma, to minimise distress and recurring trauma.
- Ensure flexibility to accommodate varying needs and circumstances.

2.4.2 Compliance

- Ensure no element of the service is chargeable and that it complies with HMRC rules to avoid classification as a taxable benefit.
- Align with HMRC's exemption for welfare counselling (EIM21845) and rules on third-party gifts (EIM21715).
- Deliver in accordance with the financial and legal elements of a core Assistance Programme, with further guidance available at EAPA Resources.
- Useful links:
 - <https://www.gov.uk/hmrc-internal-manuals/employment-income-manual/eim21845>
 - <https://www.gov.uk/hmrc-internal-manuals/employment-income-manual/eim21715>
 - <https://www.eapa.org.uk/eap-resources/>

The WAP must include the following components:

2.4.3 Year-Round 24/7 Access to Support

- Access to free confidential support including counseling, information and advice.
- Multiple access channels such as freephone numbers, email, live chat, or other accessible services.
- Welsh language support on request.
- Information and/or assistance on a range of matters including emotional, psychological, and practical help.
- Appropriate response to presenting issues.
- Confidentiality maintained at all times.
- Risk assessments for individuals who may present with distress, acute emotional needs, or vulnerabilities.
- Escalation process for supporting individuals in crisis.
- Documented referral process to Local Authority Safeguarding teams where appropriate.

2.4.4 Counselling/Therapy Support

- Solution-focused therapy delivered by qualified counsellors.
- Therapy available via face to face, telephone or video.

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- Welsh language counselling available on request.
- All counselling work to comply with BACP Ethical Framework and EAPA standards.
- Referral to appropriate services for issues unsuitable for short-term therapy (e.g., GP, addiction support).
- Risk assessments for individuals who may present with distress, acute emotional needs, or vulnerabilities.
- Escalation process for individuals in crisis requiring specialised care.
- Confidentiality maintained.
- Service provision considers geographical needs and travel ability.

2.4.5 Legal Advice Service

- Free, impartial, practical advice on UK legal matters, including (but not limited to): employment law and family law. Advice and representation in relation to a fitness to practise investigation and attending a hearing is not included.
- Advice delivered by experienced, qualified advisors.
- Signposting to appropriate support and advice services where appropriate (e.g., trade unions/professional bodies).
- UK law matters only.

2.4.6 Financial Advice Service

- Free, impartial advice on financial issues including (but not limited to) debt management, budgeting and savings.
- Advice delivered by experienced financial advisors.
- Focused on realistic, practical solutions tailored to individual needs.
- UK banking matters only.

2.5 Bilingual Requirements

The Supplier must ensure:

- All services must be fully available in Welsh and English.
- All promotional materials, guides, and instructions must be provided in both languages.
- Counselling and support services must be available in Welsh upon request, and without delay.
- Staff delivering Welsh-language services should be fluent and competent - Suppliers must either have in-house Welsh language capability or engage a qualified translator in line with the standards set out in Section 5.1. Where a sub-contractor is to be used, this must be declared within the WPSQ submission (Appendix 1).

2.6 Accessibility Requirements

The Supplier must ensure the WAP and supporting services are accessible to individuals with diverse needs, including but not limited to disability, neurodiversity, sensory impairments, low literacy, digital exclusion and differing communication preferences.

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Suppliers must:

- Ensure services are accessible in different formats
- Ensure barriers are identified and removed
- Proactively accommodate different user needs
- Ensure compliance with WCAG 2.2 AA standards.

2.7 Data Protection, Information Management and Security

The Supplier must maintain robust data management, confidentiality, and information security systems. Ensuring:

- Compliance with data protection legislation and good practice such as UK GDPR, the Data Protection Act the British Association for the Counselling and Psychotherapy (BACP) standards.
- Secure storage and transmission of personal data (e.g., encryption in transit and at rest).
- Role-based access controls for sensitive information.
- Regular security audits and penetration testing.
- They hold an up-to-date Cyber Essentials Plus certification
- They hold an up-to-date ICO certification

2.8 Professional Standards and Ethical Compliance

The Supplier must:

- Demonstrate compliance with all relevant professional standards and best practice guidance necessary to deliver the programme.
- This includes, but is not limited to, adherence to applicable legal, ethical, and industry frameworks such as HMRC welfare counselling rules, EAPA standards, BACP ethical framework, or equivalent recognised standards.

2.9 Staff Qualifications, Competence and Supervision

The Supplier must:

- Ensure all employees delivering services are appropriately qualified and competent.
- Maintain up-to-date practitioner knowledge and skills.
- Provide ongoing supervision, support and CPD to sustain required competence levels.

2.10 Equality, Diversity and Inclusion

The Supplier must:

- Assist Social Care Wales's project manager in developing an Equalities Impact Assessment (EIA).
- Support identification and mitigation of access and inclusion barriers.

2.11 Meetings & Collaboration

The Supplier must:

- Attend an initial project meeting to finalise arrangements and sign off the implementation plan.
- Meet with the contract manager on a quarterly basis to provide programme updates (see 2.13).
- Meet with the contract manager on an annual basis to review the service (see 2.13).
- Meet with project leads as required to discuss complex cases or hearings to ensure appropriate support for the registered worker.
- Meet with project leads as required to discuss planned staff training.

2.12 Key Performance Indicators (KPIs)

KPIs will be agreed with the successful supplier during contract inception; however, suppliers are encouraged to outline their proposed service level agreements (SLAs) within their quality submission.

KPI	Measure	Minimum Expectation
Access & Responsiveness	Initial response time from first contact (phone/email)	Supplier to meet a clear response standard (to be agreed at award)
	Time from referral to first support/advice session	Supplier to meet a clear response standard (to be agreed at award)
	Time from referral to first counselling session	90% within 10 working days
Service Delivery	Continuity of service (availability)	Service available 24/7, 365 days per year
	Bilingual delivery	100% of service available in Welsh and English; user's preferred language honoured
Safeguarding / Crisis	Safeguarding concerns referred	Within 5 working days
Quality & Outcomes	User satisfaction	95% positive feedback (anonymous collection)
Governance & Compliance	Reports completed / submitted on time	100% on schedule

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2.13 Reporting

The Supplier must provide consistent, high-quality reporting and robust governance arrangements to ensure safe, bilingual, and effective delivery of the Wellbeing Support Service for individuals involved in Social Care Wales' fitness to practise and hearings processes. Reporting must be submitted in line with the Social Care Wales's requirements and demonstrate compliance, service quality, and the effective management of risk.

All reports must be submitted electronically in English only, in an accessible format and fully anonymised.

2.13.1 Usage and Activity Reporting – Quarterly

Including:

- Number of individuals accessing the service
- Type of contact (advice call, structured support session, counselling session)
- Number of sessions provided per individual
- Language of service used (Welsh/English)
- Breakdown of users by type (e.g., registered persons, applicants, witnesses, complainants, whistleblowers, panel members).
- Breakdown by Local Authority area of residence.
- Nature of presenting issues or referral categories (e.g., fitness to practise concerns, workplace disputes, health/wellbeing, financial, or legal issues).
- Number of referrals specifically for counselling vs information/advice support.
- Qualitative insights on service impact (anonymised), including emerging themes or indicative changes in wellbeing or user experience.
- Waiting times and response times
- Service outcomes or next steps agreed
- Themes and trends in presenting issues (anonymised)

The Supplier must submit quarterly reports via email to the contract manager.

2.13.2 Performance Against KPIs (see 2.12) – Quarterly

Including:

- Response time KPIs
- Availability of support throughout the year
- Missed or cancelled appointments
- Compliance with escalation procedures
- Bilingual service delivery compliance

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- Any deviations from contractual commitments

The Supplier must submit quarterly reports via email to the contract manager.

2.13.3 Retainer & Counselling Capacity – Quarterly

Including:

- Number of counselling/advice/support sessions delivered against the included allowance
- Forecast utilisation for the remainder of the year

If usage exceeds the included number of sessions:

- The Supplier must notify Social Care Wales in advance
- Provide justification and supporting data
- Apply the agreed per-session rate only once approved

Quarterly reports will be reviewed during contract monitoring meetings held with both parties' contract managers and relevant team members.

2.13.4 Annual Service Review – Annually

The Supplier must participate in an annual review meeting to reflect on:

- Service delivery performance
- Themes and areas for improvement
- Usage patterns
- Safeguarding quality
- Bilingual delivery
- Proposed adjustments for the next contract year

Annual reports will be reviewed during annual service review meetings held with both parties' contract managers and relevant team members.

2.14 Outputs

The Supplier will deliver:

A Wellbeing Assistance Programme, that:

- Is fully operational, comprehensive, and flexible supporting all eligible individuals.
- Provides 24/7 access to confidential advice, emotional support, signposting, and counselling.
- Offers multiple access channels (telephone, video call, email, live chat, and face-to-face where appropriate).

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- Offers Welsh language support available on request.
- Provides a trauma-informed approach embedded in all interactions.

Counselling/Therapy Services:

- Up to 6 sessions per person per year, delivered by qualified counsellors.
- Available via face-to-face, telephone, or video.
- In compliance with BACP Ethical Framework and EAPA standards.
- In Welsh, on request.
- To include a documented escalation process for individuals in crisis.

Advice Services:

- Advise on UK law matters (employment law, family law) delivered by qualified advisors. Advice and representation in relation to a fitness to practise investigation and attending a hearing is not included.
- Financial advice on debt management, budgeting, and savings delivered by experienced advisors.
- Referral pathways to appropriate external services (e.g., GP, addiction support, trade unions).

Reporting & Engagement:

- Quarterly reporting on metrics around how many individuals have accessed the service and recurring themes
- Attendance at quarterly contract monitoring meetings to include performance updates.

Communication & Promotion:

- Bilingual promotional materials (Welsh and English) to support the communication plan e.g. Printed leaflets for inclusion in notice letters.

2.15 Preliminary Market Engagement

The following preliminary market engagement has taken place in relation to this requirement, prior to the publication of the Tender Notice:

Sell2Wales Speculative Notice ID – NOV562657
14:00 on Monday 1 December 2025
Remote via MS Teams

The session clarified the purpose and expectations of this procurement.

Following the engagement session, Social Care Wales issued a set of supplementary market research questions to the suppliers who participated. These questions specifically focused on:

- Realistic annual budget expectations
- Preferred pricing structures
- Retainer vs per-session models

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Five suppliers provided detailed responses.

This feedback directly informed the final budget guidance and costing model used in this tender. It helped shape:

- The decision to adopt a supplier-proposed annual retainer model
- Inclusion of retainer utilisation reporting in the specification
- A budget envelope designed to accommodate both support-only and support-plus-counselling models
- Evaluation weightings that balance quality and value for money

This ensured that the tender reflects realistic market capability, supports fair competition, and promotes safe and sustainable delivery.

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Section 3 – Procurement Process: Key Stages

To ensure all Suppliers receive equal and fair consideration, it is essential that responses are provided in the specified format and order. Suppliers should carefully follow all instructions and include all requested information.

If there is any uncertainty about what is required or difficulty in providing the requested information, Suppliers should refer to the clarification process outlined in Section 3.3 and seek guidance accordingly.

3.1 Procurement Process Timeline

The target timeline for the procurement process is as follows:

	Milestone	Date
1	Publish Tender Notice and Tender Documents on Sell2Wales	28 January 2026
2	Clarification Portal Deadline on Sell2Wales	17:00, 11 February 2026
3	Tender Submission Deadline	12:00 noon, 25 February 2026
4	Assessment of WPSQs	26 - 27 February 2026
5	Individual Stakeholder Tender Evaluation	2 – 18 March 2026
6	Stakeholder Consensus Tender Evaluation	19 March 2026
7	Preferred Supplier Selection, Internal Reporting / Sign-Off	20 March – 2 April 2026
8	Notify Suppliers, and Issue Supplier Assessment Summaries	7 April 2026
9	Publication of Contract Award Notice (CAN) via Sell2Wales	7 April 2026
10	Standstill Period	7 – 16 April 2026
11	Contract Award via Sell2Wales	17 April 2026
12	Contract Mobilisation	1 May 2026

Please note that Social Care Wales reserves the right, in its absolute discretion, to amend the timeline or extend any period in connection with the procurement process. All Supplier will be notified simultaneously of any changes to the timeline.

3.2 Invitation to Tender

Tender Notice and associated tender documents will be published via Sell2Wales. Interested Suppliers must submit an electronic response to all necessary tender documents in line with the requirements outlined in section 3.4.

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Should there be any system issues, the Sell2Wales technical helpline is 0800 222 9004.

3.3 Clarifications

This Tender is issued on an equal basis to all Suppliers. Social Care Wales will not engage in individual discussion regarding to the Requirements, other than to respond to general clarification queries.

All requests for clarification or additional information must be submitted via the Question and Answer (Q&A) portal on Sell2Wales. The portal will be live between the dates outlined in the procurement process timeline (3.1). Following the portal closing date no further clarifications may be raised.

Social Care Wales endeavour to answer all questions as quickly as possible but cannot guarantee a specific response time.

Please note that all questions submitted via the Q&A portal on Sell2Wales will be considered as non-commercially sensitive. In accordance with the systems functionality, responses will be published anonymously on the portal and made available for all interested parties.

If a Supplier believes that a clarification request contains commercially sensitive information, or could provide a competitive advantage to other Suppliers, the query should be submitted directly to procurement@socialcare.wales clearly marked as 'In Confidence – Not to be Circulated to Other Suppliers'. The Supplier must provide a rationale for requesting non-disclosure.

If Social Care Wales determines that the information does not reasonably qualify as commercially sensitive, the Supplier will be notified. The Supplier may then choose to either:

- Withdraw the query, or
- Resubmit the clarification via the Q&A portal on Sell2Wales.

3.4 Tender Submission

3.4a Tender Submission Deadline

Suppliers must provide an electronic tender response by submitting a full proposal via Sell2Wales by the deadline outlined in the procurement process timeline (3.1)

A full proposal consists of completion and submission of:

Appendix 1 – WPSQ
Appendix 2 – Quality Response
Appendix 3 – Financial Response
Appendix 6 – Form of Tender

3.4b Tender Submission Process

Suppliers must submit their tender response in line with the following guidance.

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Submission Format:

- Submissions must be provided directly within the Appendix Templates (1, 2, 3 & 6)
- Submissions must be provided in the existing template formats (Word & Excel – not PDF)
- Do not submit general marketing or promotional materials, full CVs, or any documents that are not directly relevant to the ITT.
- Do not attach additional documents (unless explicitly requested within the Quality Question), as they will not be accepted or scored
- Suppliers are required to adhere strictly to the word count limits specified in the Evaluation Criteria (4.1).
- Any information provided in excess of the stated work limits will not be considered
- Word counts include all text entered in the response fields, except for in-text diagrams, graphics, citations, and footnotes. However, any text within these elements should be kept brief and used only to support the main response — not to bypass the word count limit.
- Suppliers must clearly label word counts at the end of each response (e.g., "Word count: 489/500").
- Submissions must only be submitted electronically via Sell2Wales. Hard copies will not be accepted.

Language:

- Tender submissions may be made in **either Welsh or English**.

Supplier Responsibility:

- Whilst every effort has been made to give an accurate description of the requirements set out in this ITT, Suppliers are responsible for their own conclusions regarding the methods and resources needed to meet these requirements.
- Suppliers must not assume that Social Care Wales has prior knowledge of their organisation or service provision, even if they have previously worked with Social Care Wales on a current or previous contracts.
- Evaluations will be based solely on the information provided in the Supplier's response.

3.5 Conditions of Participation Stage

As part of their tender submission Suppliers must complete a Wales Procurement Specific Questionnaire (WPSQ). The WPSQ is a standardised pre-qualification questionnaire which outlines the Conditions of Participation that Suppliers must meet to be eligible to participate in the procurement process.

This stage of the process ensures that all Suppliers proceeding to bid can fulfil the contract's obligations in line with the Procurement Act 2023, the Welsh Procurement Policy Statement, and Social Care Wales' expectations.

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Following the tender submission deadline the Procurement Team will assess WPSQ responses. Failure to meet any of the mandatory conditions within the WPSQ will result in disqualification from the procurement process.

3.6 Tender Evaluation

Suppliers who successfully pass the WPSQ stage will progress to the tender evaluation phase, which will be carried out by a designated stakeholder evaluation panel. This panel will always consist of a minimum of three members, selected on a case-by-case basis to ensure their roles and expertise are relevant to the specific contract requirements. Panel members may be drawn from both within and outside of Social Care Wales.

3.6a Individual Stakeholder Evaluation

Each stakeholder will independently review all submitted tenders based on the predefined evaluation criteria (see section 4). This process will ensure that every stakeholder has an opportunity to assess each proposal from their perspective, considering relevant technical, financial, and strategic factors. The individual assessments will then be compiled for further discussion and consensus.

3.6b Stakeholder Consensus Evaluation Meeting

Following the individual evaluations, a group consensus meeting will be held to discuss and align the individual assessments of all stakeholders. The aim of this meeting is to reach a consensus on the overall ranking of the tenders, ensuring that all perspectives are considered, and that the final evaluation is fair and balanced. This collaborative process will ensure transparency and equal consideration for all Suppliers.

3.7 Award Stage

3.7a Assessment Summaries

Once a preferred Supplier is identified, all Suppliers that submitted a tender will be notified of the tender outcome via an Assessment Summary. Each Assessment Summary will provide information to enable each Supplier to understand why its individual tender submission was either successful or unsuccessful. They will receive feedback on their score against each award criterion and the reasons why the tender was not given the score immediately above (expect where the highest score was achieved) along with their overall total score.

Unsuccessful Suppliers will also receive an explanation of why the tender was unsuccessful along with a copy of the above information provided to the most advantageous tender and therefore successful Supplier (redacted for confidentiality where required)

Assessment Summaries will be provided at the same time to all Suppliers.

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3.7b Contract Award Notice (CAN)

Once a preferred Supplier is identified a Contract Award Notice (CAN) will also be published on Sell2Wales. The CAN will provide information to the market **before** a contract is awarded and only once the tenderers have been provided with their assessment summaries. Publication of the CAN will commence the standstill period.

3.7c Standstill Period

Once a preferred Supplier is identified, an eight working-day Standstill Period will be observed. The standstill period provides an opportunity for any Suppliers to raise concerns or request further clarification before the final contract award is made. This is a mandatory period to ensure fairness and transparency in the process.

3.8 Contract Mobilisation Stage

Upon the conclusion of the standstill period and after any necessary clarifications or challenges have been addressed, the contract will be officially awarded. A Contract Details Notice will be published on Sell2Wales, and all participating Suppliers will be notified accordingly. Once the contract award is confirmed, the Supplier will begin the process of contract mobilisation. This stage will include an inception meeting allowing contract managers / project leads to meet and commence the delivery of services as outlined in the contract. Social Care Wales and the Supplier will work collaboratively to ensure smooth and timely contract commencement.

Section 4 – Evaluation Stages and Award Criteria

4.1 Compliance Check

Following receipt of tenders, Social Care Wales will undertake an overall compliance check to ensure that the tenders comply with the instructions or procedural requirements set out in the Tender Notice and/or associated procurement documents. Tenders which fail to comply with the instructions or procedural requirements may be determined by Social Care Wales to be non-compliant and therefore rejected.

Social Care Wales may also disregard a tender response that contains:

- a) any caveats or any other statements or assumptions qualifying the supplier's Tender Response that are not capable of assessment in accordance with the assessment methodology; or seeks to qualify the requirements in any way.
- b) Gaps, omissions, misrepresentations, error, uncompleted sections, or changes to the format of the tender documentation provided.

4.2 Wales Procurement Specific Questionnaire (WPSQ)

4.2(a) Preliminary questions

Suppliers will be required to provide a response to all the preliminary questions including indicating which lots they are bidding for, if relevant. Where the requirement is divided into lots, Suppliers who fail to indicate which lots they are bidding for or who do not comply with the instructions as to how to bid in respect of the Lots, may be determined by Social Care Wales to be non-compliant and therefore excluded from the procurement.

4.2(b) Core Supplier Information

Suppliers will be required to be registered on the Central Digital Platform and to provide core information in relation to their own organisation and their connected persons, as well as that of any associated persons or sub-contractors which they are relying on to satisfy the conditions of participation. Social Care Wales may disregard a tender response where the Supplier fails to provide the relevant information from the Central Digital Platform in the PDF file format requested.

Social Care Wales may also disregard a tender response from a Supplier that is not a United Kingdom Supplier or a treaty state Supplier or that intends to sub-contract the performance of all or part of the contract to a Supplier that is not a United Kingdom supplier or a treaty state Supplier.

4.2(c) Exclusions and Debarment

Once the initial compliance check has been carried out, Social Care Wales will confirm that neither the Supplier nor any related persons within its corporate group, associated persons relied on to meet the conditions of participation, or proposed sub-contractors are listed in the Cabinet Office debarment list. To the extent that any such entities are listed on the debarment list, Social Care Wales will consider whether to exclude the

Responses may be submitted in either Welsh or English

Supplier from participating in the procurement in accordance with its obligations under the Procurement Act 2023.

Social Care Wales will also consider, in respect of each Supplier that submitted a tender, whether the Supplier or any related persons within its corporate group, associated persons relied on to meet the conditions of participation, or proposed sub-contractors, are excluded or excludable Suppliers and will consider whether to disregard the tender submitted in accordance with its obligations under the Procurement Act 2023. If the Supplier is an excluded or excludable Supplier only by virtue of an associated person or proposed sub-contractor, Social Care Wales will notify the Supplier or its intention to disregard its tender response and provide the Supplier with reasonable opportunity to replace the associated person or sub-contractor. If as a consequence of this process Social Care Wales disregards a tender response from an excluded or excludable Supplier or is aware of an associated person or sub-contractor having been replaced, it will give notice of this fact within 30 days of its decision to the Procurement Review Unit (PRU).

4.3 Conditions of Participation

Suppliers must meet all Conditions of Participation to proceed to the next stage of the evaluation process. These conditions are considered mandatory eligibility criteria and will be assessed on a pass/fail basis.

Failure to meet any of the Conditions of Participation, or to provide sufficient evidence when requested, will result in the Supplier being disqualified from further consideration in this procurement process.

An explanation of the assessment of the conditions of participation is included in Appendix 1.

4.4 Tenders

In accordance with the evaluation criteria for this project, tenders will be evaluated based on the most advantageous tender (MAT) model.

Tenders will be evaluated following the award criteria and weights outlined below, producing a total score of maximum 100 points.

Tenders will be evaluated using the scoring methodologies outlined for the specific questions and/or sections detailed in Section 4.

IMPORTANT:

- Scoring a zero in relation to any scored question = Fail, resulting in disqualification
- Failure to provide a response to any of the scored questions will register a zero score = Fail, resulting in disqualification of the Supplier from the evaluation process.

Responses may be submitted in either Welsh or English

4.4a Evaluation Criteria

In accordance with the evaluation criteria for this tender, submissions will be evaluated using the MAT model.

The overall award criteria are weighted:

- 60% Quality
- 10% Social Value
- 30% Financial, broken down as follows:

	Word Count	Weighting
Quality – using Appendix 2		60%
Q1. Staffing – Please provide full details of the staffing model you will use to deliver this contract, including: <ul style="list-style-type: none">• Contract manager• Roles and qualifications of staff providing advice, support and/or counselling• Professional registrations (e.g. BACP, UKCP, NCS)• Clinical supervision arrangements• How you ensure staff maintain competence, training and CPD• How you manage caseloads and practitioner wellbeing.• Contingency arrangements	1,000	30%
Q2. Service Delivery Model - Please describe your proposed service delivery model for providing wellbeing support to individuals involved in Social Care Wales' fitness-to-practise and hearings processes. Your response should explain: <ul style="list-style-type: none">• How individuals will access the service• The range of support offered• How support will be tailored to people who may be distressed, vulnerable, or anxious• How you will ensure robust data management and security, in compliance with UK GDPR and relevant Welsh Government standards• How you will ensure consistent quality and continuity of service throughout the contract.• Details of the SLAs you propose for access, response times, waiting times, and 365-day availability	1,000	30%
Q3. Bilingual Delivery & Accessibility - Please explain how you will ensure the service is fully accessible and	800	20%

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<p>delivered bilingually (Welsh and English). Your response should cover:</p> <ul style="list-style-type: none"> • How users can access the service in their preferred language • How you support digital, communication and neurodivergent accessibility needs • How you will identify and remove potential barriers to access • How staff will provide culturally competent, trauma-informed support. 		
<p>Q4. Managing Fluctuations in Demand - Please explain how your proposed annual retainer has been constructed and how you will ensure sufficient capacity to meet the needs of the service. Your response should include:</p> <ul style="list-style-type: none"> • The number of counselling sessions included annually • How you will manage fluctuations in demand • How you will avoid delays or waiting lists • How you will ensure the service remains safe and compliant within your proposed retainer. 	500	5%
<p>Q5. Reporting, Insight and Continuous Improvement - Please explain how you will meet the reporting requirements set out in Section 2.15. Your response should include:</p> <ul style="list-style-type: none"> • How you collect, store and analyse data • How you will provide qualitative and quantitative insights • How you will identify trends and recurring themes • How you will use this information to improve service delivery and user wellbeing outcomes. • How will you ensure accuracy <p>Please embed or link supporting visuals – these will not count towards your word limit.</p>	500	5%
<p>Q6. Safeguarding, Risk & Confidentiality - Please describe your safeguarding and risk management arrangements, including:</p> <ul style="list-style-type: none"> • How safeguarding concerns will be identified and escalated • How confidentiality will be maintained • How you manage serious incidents or risks relating to service users 	500	5%

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<ul style="list-style-type: none"> How you ensure compliance with data protection requirements. 		
<p>Q7. Implementation Plan – Please provide an implementation plan outlining how you will mobilise this service and ensure full readiness by the contract start date. Your plan should include, as a minimum:</p> <ul style="list-style-type: none"> Key mobilisation activities Timelines and milestones Staffing and onboarding Governance and quality assurance setup Development of bilingual materials Risk management and key dependencies <p>Your response must give specific consideration to the needs of a bilingual, diverse, and geographically dispersed sector.</p> <p>Please embed or link any visuals (e.g., Gantt charts). These will not count towards your word limit.</p>	500	5%
Social Value - using Appendix 2		10%
<p>Q8 Social Value-Adding Contributions - Please outline how your organisation will deliver social value through this contract. In your response, include:</p> <ul style="list-style-type: none"> Wellbeing and Mental Health: How you will enhance the wellbeing of individuals accessing the service beyond the core requirements. Equality and Inclusion: Actions to promote diversity and inclusion within your workforce and ensure equitable access to services (including Welsh language provision and accessibility for all users). Community Benefits: Any initiatives that support local communities or voluntary organisations, particularly within Wales. Employment and Skills: Opportunities for local recruitment, apprenticeships, or training linked to the delivery of this programme. Environmental Sustainability: Measures you will take to reduce environmental impact during service delivery (e.g., digital-first approaches, reducing travel emissions). 	800	100%
Financial – using Appendix 3		30%
Please provide:	N/A	85%

Responses may be submitted in either Welsh or English

<p>Annual retainer value per annum across the potential 4-year term. The total value across the potential 4-year term will be evaluated.</p> <ul style="list-style-type: none"> • An itemised breakdown of what the retainer includes as a minimum: <ul style="list-style-type: none"> ◦ staffing and availability ◦ governance and supervision ◦ bilingual delivery ◦ admin/reporting ◦ advice/emotional support • Number of counselling sessions included annually (including for 3 months after a case is closed by Social Care Wales) <p>The total cost must be inclusive of all expenses. Please consider service phasing as outlined in section 2.3.</p>		
<p>The per-session price for any additional counselling, if applicable.</p>	N/A	15%
Total		100%

4.4b Scoring Methodology

Quality and Social Value responses will be assessed using the scoring methodology outlined in the scoring matrix below.

Risk Level	Rating	Quality Question Evidence Assessment Description	Score
Minimal or No Risk	Excellent (Fully compliant, with some areas exceeding requirements)	Submission sets out a robust solution and, in addition, provides or proposes additional value and/or elements of the solution which exceed the requirements in substance and outcomes in a manner acceptable to the Social Care Wales; provides full confidence as to the relevant ability, understanding, expertise, skills and/or resources not only to deliver the requirements, but also exceed it as described	5
Low Risk	Very Good (Meets All Requirements)	Submission sets out a robust solution that fully addresses and meets the requirements, with full details (and, where evidence is required or necessary, full and relevant evidence) provided to support the solution; provides full confidence as to the relevant ability, understanding, expertise, skills and/or resources to deliver the requirements	4

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Moderate Risk	Good (Meets Most Requirements)	Submission sets out a solution that largely addresses and meets the requirements, with some detail (or, where evidence is required or necessary, some relevant evidence) provided to support the solution; minor reservations or weakness in a few areas of the solution in respect of relevant ability, understanding, expertise, skills and/or resources to deliver the requirements	3
High Risk	Poor (Partially Meets Requirements)	Weak submission which does not set out a solution that fully addresses and meets the requirements: response may be basic / minimal with little or no detail (and, where evidence is required or necessary, with insufficient evidence) provided to support the solution and demonstrate that the bidder will be able to provide the services and/or some reservations as to the bidder's solution in respect of relevant ability, understanding, expertise, skills and/or resources to deliver the requirements	2
Severe Risk	Very Poor (Fails to Meet Most Requirements)	Substantially unacceptable submission which fails in several significant areas to set out a solution that addresses and meets the requirements: little or no detail may (and, where evidence is required or necessary, no evidence) have been provided to support and demonstrate that the bidder will be able to provide the services and/or considerable reservations as to the bidder's proposals in respect of relevant ability, understanding, expertise, skills and/or resources to deliver the requirements.	1
Critical Risk	Fail (Does Not Meet Any Requirements)	No response at all or insufficient information provided in the response such that the solution is totally un-assessable and/or incomprehensible.	0

4.4c Quality Scoring Method

Each question in the Quality Response is assigned a specific weight. These weightings are indicated next to the relevant question in the Evaluation Criteria table within section 4.4a.

The weighted score for each question is calculated using the following formula:
 Weighted Score = (Score x Weight) / 5.

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After scoring each question, the weighted scores are added together to give a Quality Score. The maximum possible Quality Score is 100.

The final Total Weighted Quality Score is then calculated using this formula:
Total Weighted Score = (Supplier Quality Score x Overall Quality Weighting) / 100.

4.4d Social Value Scoring Method

Each question in the Social Value Response is assigned a specific weight. These weightings are indicated next to the relevant question in the Evaluation Criteria table within section 4.4a.

The weighted score for each question is calculated using the following formula:
Weighted Score = (Score x Weight) / 5.

After scoring each question, the weighted scores are added together to give a Social Value Score. The maximum possible Social Value Score is 100.

The final Total Weighted Social Value Score is then calculated using this formula:
Total Weighted Score = (Supplier Social Value Score x Overall Social Value Weighting) / 100.

Suppliers will be evaluated on their commitment to delivering positive social, economic, and environmental outcomes through the delivery of the contract and beyond the core project requirements. This includes factors such as community engagement, sustainability practices, diversity and inclusion, local job creation, and environmental impact reduction.

Note – In providing a response to the Social Value questions, Suppliers are advised to consider The Well-being of Future Generations (Wales) Act 2015 and the Social Partnership and Public Procurement (Wales) (SPPP) Act 2023.

4.4e Financial Scoring Method

Tenders are ranked based on the total cost submitted, with the lowest cost offer receiving the maximum score of 100.

All other tender's total costs are then calculated against the lowest cost offer received using the following formula:

Financial Score = (Lowest Cost / Your Cost) x 100

The final Total Weighted Financial Score is calculated using the formula:
Total Weighted Financial Score = (Supplier Cost Score x Overall Cost Weighting) / 100

4.5 Final Combined Score

The weighted scores resulting from (4.2c) Quality (4.2d) Social Value and (4.2e) Financial evaluations will be combined to provide a final weighted overall score against which tenderers will be ranked.

Responses may be submitted in either Welsh or English

Section 5 – How we work

5.1 Welsh Language

Social Care Wales is a bilingual organisation and is with the Welsh Language Measure (Wales) 2011 Standards. In responding to the Tender, Suppliers should consider how their services would support the bilingual ethos of the organisation and compliance with Scheme and Standards.

The Supplier is required to carry out any engagement activity bilingually. It is crucial that you do not treat Welsh language materials any less favourably than you treat the English language versions.

The Supplier will manage arrangements and associated costs related to Welsh language requirements such as evaluation tools; engagement activity including consultation templates, etc.

All translations must be completed by a professional English to/from Welsh translator who is a member of Cymdeithas Cyfieithwyr Cymru. Suppliers can use the Association's website to search for translators contact details - [Homepage \(cymdeithas.cymru\)](http://cymdeithas.cymru). Social Care Wales reserve the right to have translations reworked at the Supplier's expense if the Cymdeithas Cyfieithwyr Cymru standards are not met.

5.2 Tone of voice

Social Care Wales has a defined tone of voice— one that is clear, easy to understand and easy to engage with – which has been developed in line with our values and personality. This helps us to be consistent in the way we communicate with all audiences, irrespective of their backgrounds and their prior understanding of us and the work we do. All materials produced will need to use our tone of voice, plain English and Cymraeg Clir.

We reserve the right to ask you to re-write/amend the work to make sure it adheres to our tone of voice. Please see Appendix 4 for further details.

5.3 Branding

Social Care Wales has a strong brand identity, and this should apply to all materials produced within the project. We expect all materials produced to have a consistent look and feel developed within our brand guidelines. It is important that anyone using them recognise that they are part of a suite of materials. Please see Appendix 5 for further details.

5.4 Data protection

Social Care Wales (data controller) requires you as the contractor (data processor) to:

- only act on the written instructions of the controller.

Responses may be submitted in either Welsh or English

- ensure that people processing the data are subject to a duty of confidence.
- take appropriate measures to ensure the security of processing.
- only engage sub-processors with the prior consent of the controller and under a written contract.
- assist the controller in providing subject access and allowing data subjects to exercise their rights under the GDPR.
- assist the controller in meeting its GDPR obligations in relation to the security of processing, the notification of personal data breaches and data protection impact assessments.
- delete or return all personal data to the controller as requested at the end of the contract, and
- submit to audits and inspections, provide the controller with whatever information it needs to ensure that they are both meeting their Article 28 obligations, and tell the controller immediately if it is asked to do something infringing the GDPR or other data protection law of the EU or a member state.

In addition to its contractual obligations to the controller, under the GDPR a processor also has the following direct responsibilities:

- not to use a sub-processor without the prior written authorisation of the data controller.
- to co-operate with supervisory authorities (such as the ICO).
- to ensure the security of its processing.
- to keep records of processing activities.
- to notify any personal data breaches to the data controller (by the end of the next working day) to databreach@socialcare.wales;
- to employ a data protection officer;
- to appoint (in writing) a representative within the European Union if needed, and
- to hold an ICO certification, details of which must be declared within Appendix 1 – Pre-Qualification Questionnaire.

Upon contract award the successful Supplier will be required to complete a GDPR Compliance Questionnaire.

5.5 Accessibility

Social Care Wales must comply with Government accessibility regulations that came into force for public bodies on 23 September 2018. These are known formally as Public Sector Bodies (Websites and Mobile Applications) (No.2) Accessibility Regulations 2018 (<https://www.gov.uk/guidance/accessibility-requirements-for-public-sector-websites-and-apps>). Suppliers are required to show how they will ensure compliance with the accessibility regulations for any work on websites and other platforms/applications.

Responses may be submitted in either Welsh or English

5.6 Equality and Modern Slavery Acts

Social Care Wales require our Suppliers to demonstrate their commitment to this legislation, by providing a current statement of your organisations policies with regard to these Acts.

- Equality Act 2010
- Modern Slavery Act 2015

5.7 Copyright / Legal Ownership

The Supplier will retain ownership of all Intellectual Property Rights (IPR), copyright, and authorship relating to their systems, tools, methodologies, and any proprietary materials used in the delivery of this service.

Social Care Wales will retain ownership of all IPR, copyright and authorship relating to:

- materials provided by Social Care Wales to the Supplier; and
- any Social Care Wales branding, templates, forms, or documents used or incorporated into service delivery.

Where any new materials are created specifically for this contract that combine Supplier content with Social Care Wales content (e.g., bilingual promotional materials, reports, or templates), Social Care Wales will have a perpetual, royalty-free licence to use, reproduce, and adapt these materials for internal purposes.

No ownership or IPR in the Supplier's systems, platforms, or underlying proprietary frameworks will transfer to Social Care Wales.

5.8 Cyber Security

Unless able to apply an exemption, our contracts for major IT solutions and contracts that involve the processing and/or retention of high volume of personal data, will include a requirement for the supplier to be certified under the government-backed Cyber Essentials scheme as a minimum.

Where the contract requires the processing of high risk or large volumes of special categories of personal data (as defined within the DPA) consideration should be given to the supplier being accredited against the Cyber Essentials 'Plus' certification. The exemptions applied by Social Care Wales are:

- G-Cloud: Cloud services procured through G-Cloud are assessed against Government's Cloud Service Security Principles.
- Digital Services Framework (DSF): DSF suppliers have been technically and commercially evaluated to provide a comprehensive choice for agile projects.
- Public Sector Network (PSN): PSN services are currently accredited against the network's security standards. In the future, PSN services will be assessed against Government's Network Security Principles.

Responses may be submitted in either Welsh or English

- ID Assurance Framework: Being able to provide your identity online easily, quickly and safely is recognised as a key enabler of internet use by the Government and its users. Providers of public services such as national and local governments, major internet companies, online retailers, banks and others have to address business and security issues around identity proofing and username/password fallibility to mitigate the financial and administrative implications of identity fraud and compromise of personal data.
- Assisted Digital: Assisted Digital is support for people who can't use online services independently.
- Suppliers conforming to the ISO27001 standard where the Cyber Essentials requirements, at either basic or Plus levels as appropriate, have been included in the scope, and verified as such, would be regarded as holding an equivalent standard to Cyber Essentials and Cyber Essentials Plus.

As the Cyber Essentials Scheme covers the principles of computer and internet connectivity, a number of very small organisations which have limited IT support or may use paper-based processes, will not fall under these requirements.

It is also desirable for Supplier's hold an ISO27001 certification, details of which must be declared within Appendix 1 – WPSQ.

5.9 Use of Artificial Intelligence (AI)

Supplier's must disclose any use of AI when responding to this tender, or as part of their proposed delivery of the service, within Appendix 1 - WPSQ.

5.10 Social Value

To ensure Social Care Wales maximises its impact for stakeholders through commissioning and procurement activities, we ensure we assess social value and align outcomes with the principles of the Well-Being of Future Generations (Wales) Act (2015). This approach is designed to positively contribute to the long-term well-being of Wales, promoting a more sustainable, inclusive, and prosperous future.

By adopting this approach, we not only benefit local stakeholders but also ensure that public resources are utilised efficiently to drive lasting social, economic, and environmental improvements. This enables us to deliver outcomes that support future generations and address broader societal needs, extending beyond the immediate objectives of any single contract.

Responses may be submitted in either Welsh or English

Section 6 – Conditions applying to this tender

6.1 Tender submission requirements

It is important that Tender responses provide specific evidence of an ability to meet the Requirement/s. Please do not provide general organisational literature, marketing or promotional brochures and web-links as these will not be an appropriate response, will not be considered in the evaluation process, and may prove detrimental to your Tender.

Suppliers must notify Social Care Wales immediately of any change in the information submitted in your Tender response at any time during the procurement process.

Tender responses will be checked for completeness and compliance with the instructions before responses are evaluated.

Social Care Wales reserves the right to refuse to consider your Tender if the response is incomplete or is found to be inaccurate.

All Tender responses and submissions provided may form part of any subsequent agreement or contract based upon this procurement exercise.

Social Care Wales reserves the right to require some or all Suppliers to clarify and/or expand the answers contained in their Tender submissions, in writing. Requests for further information will be made in writing to Suppliers. Failure to respond promptly or adequately may result in the Supplier's disqualification from the procurement process.

6.2 Costs and expenses

Each Supplier shall be solely responsible for all the costs it incurs in the preparation and submission of its Tender, up to and including the award of the contract. This shall also cover the cost of attending any pre or post Tender meetings and/or potential interview, and should a Supplier be successful, the preparation of the contract documents.

Social Care Wales shall in no event be responsible or held liable for any such costs regardless of the conduct or outcome of the bidding process.

6.3 Right to reject Supplier responses

Social Care Wales reserves the right to reject or disqualify a Supplier where:

- The Tender response is submitted late, is completed incorrectly, is materially incomplete or fails to meet Social Care Wales' Requirements, which have been notified to Suppliers.
- The Supplier or its supply chain, sub-contractors, connected persons, or associated persons are on the Debarment List. Supplier's will be given the opportunity for self-cleaning before disqualification occurs.

Responses may be submitted in either Welsh or English

- The Supplier or its supply chain, sub-contractors, connected persons, or associated persons breach any of the terms and conditions of this Tender or other documents issued by Social Care Wales, and
- There is a change in identity, control, financial standing, or other factor impacting on the selection and/or evaluation process affecting the Supplier or its supply chain, sub-contractors, connected persons, or associated persons.

6.4 Pricing

Appendix 3 must be utilised; prices must be quoted in pounds sterling and clearly state if VAT will or will not be charged. A clear itemised breakdown of proposed costs is required.

6.5 Tender updates

Social Care Wales may issue updates, which will be identified by a number and the date. Such updates will contain details of any amendments, additions or variation to the information contained in this ITT, together with any further information, which may assist the Suppliers in the preparation of their submissions. No statements issued by Social Care Wales in relation to this or any other documents shall be deemed to form part of this tender process unless ratified by an update.

6.6 Conflict of interest

Suppliers are instructed to ensure that their potential appointment to deliver the Requirement has not and will not create any conflict of interest or any situation that might compromise or prejudice Social Care Wales' duty to manage an open, fair, non-discriminatory and competitive procurement process. In the event of a conflict (or potential conflict) arising at any time during the procurement process, the affected Supplier must report the occurrence of an actual or potential conflict and the means for resolving it to Social Care Wales as soon as reasonably practicable.

Failure to declare any actual or potential conflict and/or failure to address such conflict to the reasonable satisfaction of Social Care Wales may result in a Supplier being disqualified from this procurement.

6.7 Confidential information

Confidential information means all information which is supplied by Social Care Wales to a Supplier whether in writing, orally or in any other form, directly or indirectly from or pursuant to discussions with such Supplier or which is obtained through observations made by such Supplier which is designated by Social Care Wales as confidential or which is otherwise of a confidential nature.

Each Supplier shall hold in confidence any confidential information, provided that such Supplier shall not be restricted from passing such information to its professional advisers, its potential sub-contractors (subject to obtaining appropriate confidentiality agreements from them) but only to the extent necessary to enable it to prepare its bid and participate in this procurement.

Responses may be submitted in either Welsh or English

6.8 Copyright

Suppliers are reminded that the copyright to this ITT rests with Social Care Wales and its appointed advisers. This ITT may not either in whole or in part be copied, reproduced, distributed, or otherwise made available to any other third party without the prior written consent of Social Care Wales except in relation to the preparation of a Tender. All documentation supplied by Social Care Wales in relation to this ITT is, and shall remain the property of Social Care Wales and must be returned on demand, without any copies being retained.

6.9 Canvassing

Any Supplier who directly or indirectly canvasses any member of Social Care Wales or any of its officials or representatives concerning the award of contract for the Requirement may be disqualified.

6.10 Collusive submissions

Any Supplier who:

- Fixes or adjusts its Tender rates and prices quoted by or under or in accordance with any agreement or arrangement with any other person, or
- Communicates to any person other than Social Care Wales the amount or approximate amount of its proposed Tender (except where such disclosure is made in confidence in order to obtain quotations necessary for the preparation of the Tender for insurance or similar activity), or
- Offers or agrees to pay or give, or does pay or give any sum of money, inducement or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any other tender or proposed tender any act or omission,

Will be (without prejudice to any other civil remedies available to Social Care Wales and without prejudice to any criminal liability which such conduct by a Supplier may attract) disqualified.

The Supplier warrants that its Tender shall be bona fide and shall be intended to be competitive and that it has not done and will not do at any time any of the acts set out in this section.

6.11 Publicity

No publicity regarding the procurement of the Requirement or the award of any contract will be permitted unless and until Social Care Wales has given express written consent to the relevant communication.

6.12 Social Care Wales' rights

Social Care Wales reserves the right to:

- waive the requirements of this ITT.
- disqualify any Supplier that does not submit a compliant Tender response in accordance with the instructions in this ITT.

Responses may be submitted in either Welsh or English

- withdraw this ITT at any time, or to re-invite Tender responses on the same or any alternative basis, and/or
- choose not to award any contract in relation to this procurement process, and
- make whatever changes it sees fit to the timetable, structure, or content of the procurement process, depending on approvals processes or for any other reason.

6.13 Abnormally Low Tender

If Social Care Wales considers that any price proposed in the Tender to be abnormally low, before disregarding and excluding the Tender, Social Care Wales shall:

- notify the Supplier that Social Care Wales considers the price to be abnormally low; and
- give the Bidder a reasonable opportunity to demonstrate that it will be able to perform the contract for the price offered.

If the Bidder demonstrates to Social Care Wales' satisfaction that it will be able to perform the contract for the price offered, Social Care Wales may not disregard and exclude the Tender.

6.14 Freedom of Information

Suppliers are reminded that Social Care Wales is subject to the requirements of the FOIA and the EIR. Accordingly, Social Care Wales may be required to disclose, on request, information submitted to it by Suppliers in connection with this procurement process.

Information may be exempt from disclosure under FOIA where its disclosure would be likely to prejudice the commercial interests of any person but Social Care Wales can give no assurances as to whether or not information received from Suppliers in connection with this Open Procedure process would be disclosed in response to a request made under FOIA. In the event that such a request is received by Social Care Wales, then Social Care Wales shall, in accordance with their obligations under the Code of Practice made under section 45 FOIA, consult with any party whose interests are likely to be affected by disclosure. However, Social Care Wales shall be responsible for determining at their absolute discretion whether any such information is exempt from disclosure in accordance with the provisions of the FOIA or the EIR and whether any such information is to be disclosed in response to an information request. Accordingly, Social Care Wales cannot guarantee that any information marked "confidential" or "commercially sensitive" will not be disclosed.

Where a Bidder receives a request for information under the FOIA or the EIR during the Open Procedure process, this should be immediately passed on to Social Care Wales and the Bidder should not attempt to answer the request.

6.15 Central Digital Platform

Suppliers that wish to participate in this procurement are solely responsible for ensuring that the Central Digital Platform contains complete, accurate and up-to-date information about their organisation and any associated suppliers which are relevant

Responses may be submitted in either Welsh or English

for the purposes of this procurement. Suppliers must notify Social Care Wales immediately if it is unable to register on the Central Digital Platform and/or provide accurate and up-to-date information via the Central Digital Platform.

6.16 Governing Law

The laws of England and Wales (as applied in Wales) and the exclusive jurisdiction of the Courts of England and Wales sitting in Cardiff; shall apply to this Tender, the procurement process, and the Requirement generally and, subject to applicable law, any dispute, including any non-contractual dispute arising therefrom.

Responses may be submitted in either Welsh or English

Section 7 – Conditions of Participation Assessment Details

The assessment details below set out how the conditions of participation will be assessed

Preliminary questions

No	Description	Weighting	Evaluation
1	Name	N/A	This section is for information only and will not be assessed.
2	Unique Identifier		
3	Single Supplier or Consortium		
4	Debarment List		

Part 1 - Confirmation of core supplier information

No	Description	Weighting	Evaluation
5	Core Supplier Information	N/A	This question is for information only and will not be assessed.

Part 2A Associated/Connected Persons

No	Description	Weighting	Evaluation
6	Associated Persons	N/A	This section is for information only and will not be assessed.
7	CPD Registration		
8	Debarment List		

Part 2B List of all intended sub-contractors

No	Description	Weighting	Evaluation
9	Sub-contractors	N/A	This section is for information only and will not be assessed.
10	Debarment List		

Part 3 Procurement specific questions relating to conditions of participation

Financial capacity

No	Description	Weighting	Evaluation
11	Profit & Loss	Pass/Fail	This question will be assessed on a pass/ fail basis. Suppliers will score a Pass if they can self-certify that they can provide the financial information requested. Suppliers will score a Fail if they indicate that they cannot provide any of the financial

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			information requested or fail to provide it when requested by Social Care Wales as part of due diligence. Scoring a Fail will result in the tender response being excluded from the procurement process.
12/ 13	Guarantor	Pass/Fail	This question will be assessed on a pass/ fail basis. Suppliers will score a Pass if they can self-certify that the named supplier can act as guarantor and provide evidence of their economic and financial standing. Suppliers will score a Fail if they fail to name a guarantor and/or provide the information requested. Scoring a Fail will result in the tender response being excluded from the procurement process.
14	Acid-Ratio Test	Pass/Fail	This question will be assessed on a pass/ fail basis. Suppliers will score a Pass if they can self-certify that their ratio is equal to or greater than 1. Suppliers will score a Fail if they indicate that their ratio is less than 1. Scoring a Fail will result in the tender response being excluded from the procurement process.

Insurance

No.	Description	Weighting	Evaluation
15	Insurance	Pass/Fail	This question will be assessed on a pass/ fail basis. Suppliers will score a Pass where they indicate that they have or can commit to obtaining the required levels of insurance. Suppliers will score a Fail if they do not have or cannot commit to obtaining the required levels of insurance. Scoring a Fail will result in the tender response being excluded from the tender process. Suppliers will be required to provide evidence that the required insurance is in place before contract commencement. Failure to provide such evidence prior to contract commencement will result in the contract award being cancelled.

Legal Capacity

No.	Description	Weighting	Evaluation
16	UK General Data Protection Regulation	Pass/Fail	This question will be assessed on a pass/ fail basis. Suppliers will score a Pass where they answer 'Yes' and provide details of the technical facilities and measures in place or which will be in place by contract award which Social Care Wales (at its absolute discretion) considers as satisfactory to provide confidence in the supplier's technical ability to perform the contract. Suppliers will score a Fail where they answer 'No' or where Social Care Wales is not satisfied with the information provided.
17	Cyber Essentials Plus Certification Scheme	Pass/Fail	This question will be assessed on a pass/ fail basis. Suppliers will score a Pass where they have answered 'Yes'. Suppliers will score a Fail if they have answered 'No' or if they have answered 'Yes' but fail to provide evidence of certification when requested to do so prior to contract commencement. Scoring a Fail will result in the tender response being excluded from the tender process.
18	ICO Certification	Pass/Fail	This question will be assessed on a pass/ fail basis. Suppliers will score a Pass where they have answered 'Yes'. Suppliers will score a Fail if they have answered 'No' or if they have answered 'Yes' but fail to provide evidence of certification when requested to do so prior to contract commencement. Scoring a Fail will result in the tender response being excluded from the tender process.

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19	ISO27001	N/A	This question is for information only and will not be assessed.
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Technical ability

No.	Description	Weighting	Evaluation
20	BACP Ethical Framework and EAPA standards.	Pass/Fail	<p>This question will be assessed on a pass/ fail basis. Suppliers will score a Pass where they have answered 'Yes'. Suppliers will score a Fail if they have answered 'No' or if they have answered 'Yes' but fail to provide capability evidence when requested to do so prior to contract commencement. Scoring a Fail will result in the tender response being excluded from the tender process.</p>
21	Accessibility , WCAG 2.2 AA	Pass/Fail	<p>This question will be assessed on a pass/ fail basis. Suppliers will score a Pass where they have answered 'Yes'. Suppliers will score a Fail if they have answered 'No' or if they have answered 'Yes' but fail to provide capability evidence when requested to do so prior to contract commencement. Scoring a Fail will result in the tender response being excluded from the tender process.</p>
22	Bilingual Capability	Pass/Fail	<p>This question will be assessed on a pass/ fail basis. Suppliers will score a Pass where they have answered 'Yes'. Suppliers will score a Fail if they have answered 'No' or if they have answered 'Yes' but fail to provide capability evidence when requested to do so prior to contract commencement. Scoring a Fail will result in the tender response being excluded from the tender process.</p>
23	Relevant Experience	Pass/Fail	<p>These questions will be assessed on a pass/ fail basis. Suppliers will score a Pass where they have answered 'Yes'. Suppliers will score a Fail if they have answered 'No' or if they have answered 'Yes' but fail to provide evidence when requested to do so prior to contract commencement. Scoring a Fail will result in the tender response being excluded from the tender process.</p>
24	Experience of sub-contractor management	Pass/Fail	<p>This question will be assessed on a pass/ fail basis. Suppliers will score a Pass where they can provide details of the procedures they have in place to manage their supply chains and sub-contractors which Social Care Wales (at its absolute discretion) considers as satisfactory to ensure performance of the contract. Suppliers will score a Fail if they cannot provide satisfactory assurance of their supply chain / sub-contractor management. Scoring a Fail will result in the tender response being excluded from the tender process.</p>

Environmental Management

No.	Description	Weighting	Evaluation
25	Environmental Convictions	Pass/Fail	<p>This question will be assessed on a pass/ fail basis. Suppliers will score a Pass where they have answered 'No' or where they have answered 'Yes' and provided details of the</p>

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			conviction and remedial actions taken which Social Care Wales (at its absolute discretion) considers to be sufficient to prevent a reoccurrence. Suppliers will score a Fail where they have answered 'Yes' but have failed to provide details of the conviction and remedial actions taken. Scoring a Fail will result in the tender response being excluded from the tender process
26	Environmental Policy	Information Only	This question is for information only and will not be assessed

Quality Management

No.	Description	Weighting	Evaluation
27	Quality Management	Information Only	This section is for information only and will not be assessed

Additional Information

No.	Description	Weighting	Evaluation
29	Conflict of Interest	Pass/Fail	This section will be assessed on a pass/ fail basis. Suppliers will score a Pass where they answer 'No'. Suppliers will score a Fail if they answer 'Yes' but fail to provide details, or where they answer 'Yes' and the conflict of interest cannot (at Social Care Wales's absolute discretion) be remedied.
30	Blacklisting	Pass/Fail	This question will be assessed on a pass/ fail basis. Suppliers will score a Pass where they have answered 'Yes'. Bidders will score a Fail where they have answered 'No'. Scoring a Fail will result in the tender response being excluded from the tender process.
31	Equalities training	Pass/Fail	This question will be assessed on a pass/ fail basis. Suppliers will score a Pass where they have answered 'Yes'. Bidders will score a Fail where they have answered 'No'. Scoring a Fail will result in the tender response being excluded from the tender process.
32	Welsh Language		This question will be assessed on a pass/ fail basis. Suppliers will score a Pass where they have answered 'Yes'. Bidders will score a Fail where they have answered 'No'. Scoring a Fail will result in the tender response being excluded from the tender process.
33	Use of Artificial Intelligence (AI)	Information Only	This section is for information only and will not be assessed

Organisational policies / notices

No.	Description	Weighting	Evaluation
34	Anti-Bribery	Pass/Fail	This section will be assessed on a pass/ fail basis. Suppliers will score a Pass where they have answered 'Yes'. Suppliers will score a Fail if they have answered 'No' but have not provided an explanation which Social Care Wales (at its absolute discretion) considers satisfactory to explain why the supplier policy does not include the required information and/or

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			has not been updated as required. Scoring a Fail will result in the tender response being excluded from the tender process.
35	Modern Slavery & Human Trafficking	Pass/Fail	
36	Privacy Notice	Pass/Fail	
37	Equality & Diversity Policy	Pass/Fail	

Part 3A Standard questions – Confirmations

No.	Description	Weighting	Evaluation
38	Contract terms	Pass/Fail	This section will be assessed on a pass/ fail basis. Suppliers will score a Pass if have answered 'Yes' indicating their acceptance of the terms and conditions provided in the procurement documents. Suppliers will score a Fail if they have answered 'No'. Suppliers will also score a Fail if they answer 'Yes' but seek to amend the terms and conditions later in the procurement process. Scoring a Fail will result in the tender response being excluded from the tender process.