

# OSCR

Scottish Charity Regulator



CHARITY COMMISSION  
FOR ENGLAND AND WALES

The **Charity**  
**Commission**  
for Northern Ireland



An Rialálaí  
Carthanas

Charities  
Regulator

## ***Invitation to Tender***

- LOT1      For a Commercial Opportunity providing a Printing, Publication, and Distribution service for a new Charities Statement of Recommended Practice (SORP)
- LOT 2      Provide secretariat / administrative resource for the technical drafting service of future SORP Updates

Procurement  
Charity Commission  
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**Bidders should read the attached tender documentation carefully as incomplete submissions may render proposals invalid.**

## INVITATION TO TENDER FOR THE CHARITIES SORP

1. The Charity Commission for England and Wales (CCEW), the Charity Commission for Northern Ireland (CCNI), and the Office of the Scottish Charity Regulator (OSCR) are pleased to invite bids for this contract for the provision of print, publication, distribution and future updating of the new Charities SORP.
2. The contract may be let as a single contract covering Lot 1 and Lot 2 or as two separate contracts for each Lot. Lot 1 involves the provision of a printing, publishing, and distribution service and Lot 2 is for the provision of a full secretariat and technical drafting service for a revised SORP edition and development of the next SORP.
3. The CCEW, CCNI, and OSCR (hereafter referred to as the Grantor) are working jointly on this tender exercise to appoint the successful Bidder by 24 September 2018 with the expectation that the contract will commence from 17 December 2018. The Grantor gratefully acknowledge the assistance the Charities Regulator (CR) in the Republic of Ireland in developing this tender and for its assistance to the Grantor as part of the tender valuation and award process. Bidders should note that the Grantor reserves the right to include the CR in the future award and in the management of any contracts awarded should the CR formally participate as a member of the SORP-making body at a future date.
4. Bidders may submit questions, in writing, at any time up to 5pm on Monday 13 August. This allows time for the Grantor to consider any questions raised, respond and publish its response.
5. It is the Bidders' responsibility to ensure they are fully informed and satisfied by their own observations and enquiries as to the nature, extent and scope of the work that the Bidder would be required to perform if awarded the contract. The Grantor requires all Bidders to ensure that they are in a position to perform such obligations if awarded the contract.
6. The Bidder shall be entirely responsible for any and all costs incurred in connection with the preparation and submission of the proposal and of undertaking any tests, demonstrations or meetings as part of the negotiations.
7. The Grantor, at its sole discretion, reserves the right to accept or reject any or all or any part of the proposals received, including the right not to accept the lowest priced proposal. The Grantor reserves the right in awarding the contract to agree variations to parts of any proposal received where this is necessary to deliver the Lot(s) awarded.
8. The Grantor reserves the right not to award any contract at the end of the bidding process.
9. In the following pages the Grantor has provided information to assist Bidders in submitting their proposals. The Grantor believes that this information is sufficient for a proposal to be submitted. However, if the Bidder feels that the information is inadequate, insufficient or incorrect in any way or if there are any queries or further clarification required for this invitation to tender must be submitted in writing by 5pm

Monday 13 August and email it to [procurement@charitycommission.gsi.gov.uk](mailto:procurement@charitycommission.gsi.gov.uk). We will not discuss clarifications or queries related to the invitation to tender over the telephone.

10. A response will be provided to each question submitted and the Grantor will share any replies it provides to Bidder questions through an 'anonymised' Questions and Answers document which will be periodically updated throughout the tender process. This ensures that both question and answer are visible to all potential bidders. This approach avoids any confusion about who has access to information, and mitigates the risk of any unintentional bias on our part and guards against unfair treatment. Bidders are advised that all questions and answers shall be published with no protection afforded on the grounds of commercial sensitivity. It is the bidder's choice whether to ask the question or not. The Questions and Answers document will be published on a dedicated SORP Tender page on [www.charitySORP.org](http://www.charitySORP.org)
11. Bidders should refer to the web page on the SORP Tender page to view the questions and answers for the Questions and Answers document.
12. All elements of the appointment will be undertaken in accordance with the attached Terms and Conditions of Contract.
13. It is the Grantor's intention to publish any resultant contract arising from this invitation to tender in line with the transparency commitment. Publication will consist of all the information the Grantor has identified as not being commercially sensitive – this will include the total value of any resultant contract.
14. Proposals should be submitted by email to [procurement@charitycommission.gsi.gov.uk](mailto:procurement@charitycommission.gsi.gov.uk) or can be submitted via one of the contract portals on which the invitation to tender is advertised. Whether submitting on a portal or by e-mail, proposals must be submitted by **17:00 on Friday 24 August 2018**. In the event of any problem encountered in submitting electronically a report should be made to Nigel Davies at [nigel.davies@charitycommission.gsi.gov.uk](mailto:nigel.davies@charitycommission.gsi.gov.uk) to arrange an alternate method of submission but this must be done on or before 17:00 on 24 August 2018.

Charity Commission for England and Wales, the Charity Commission for Northern Ireland,  
and the Office of the Scottish Charity Regulator  
11 July 2018

# 1 PROPOSAL INFORMATION

## 1.1 Introduction

The Grantor seeks to subcontract another body or a consortium with a single body acting as principal on behalf of the consortium to:

**Lot 1** Provide a fully managed end to end print, publishing, and distribution service for the second edition of the existing Charities SORP and proposed future new SORP with an initial term of **three years** from December 2018 to December 2021 with options to extend annually to December 2023.

**Lot 2** Provide full secretariat and technical drafting service for a revised edition of the SORP and development of the next SORP with the initial contract term of **three years** from December 2018 to December 2021, with options to extend annually to December 2023.

In awarding Lot 2 the intellectual property for the SORP resides with the Grantor. The Bidder for Lot 1 can rely on the text of the SORP being made available under licence at zero cost.

- 1.2 The Grantor will equally consider strong standalone bids for each lot. The Grantor will retain the right to make the full SORP freely available in electronic form only on the [www.charitySORP.org](http://www.charitySORP.org) website.
- 1.3 The requirements of subcontracting, deliverables and timescales required by the Grantor are set out in section 3 onwards of this document.
- 1.4 The Grantor will only evaluate proposals received by the time and date stated in this document. The Grantor will evaluate and assess all valid and complete proposals in accordance with the evaluation criteria.
- 1.5 The Bidder should ensure that they ask the Grantor to provide whatever information they need in order to satisfy themselves that the proposal and bid prices of the hardcopy SORP are sufficient. The Grantor will not consider any claim made by a Bidder who has been awarded all or part of this contract for additional payment on the grounds of any purported inadequacy as to the information provided by the Grantor during the bid period or during negotiations.
- 1.6 Proposals and pricing within shall remain open for acceptance for a period of 90 days from the proposal return date.

## 2 THE REQUIREMENT

- 2.1 **Lot 1** – The supply of a high quality bespoke design, typesetting, printing, publishing and distribution service for the SORP(s). The Grantor as the joint-SORP making body wishes to ensure that hard-copies of the SORP(s) are available for purchase by charities, charity auditors, independent examiners, professional advisers and other interested parties.

The Grantor intends to compile a second edition of the existing SORP to incorporate two extant Update Bulletins that have the effect of amending the SORP. Publication would be following approval by the Financial Reporting Council (FRC) of the second Update Bulletin and its review and agreement to the publication of a second edition of the current SORP.

Subsequent to publishing the second edition of the existing SORP, the Grantor will begin fully updating the SORP and is aiming to publish a new SORP with a tentative publication date of 2021. The responsibility for obtaining approval of the final text of each SORPs rests with the Grantor as the SORP-making body. The SORP(s) must normally be printed, published and available for distribution within 12 weeks following FRC approval to issue.

The Grantor will make available on a dedicated micro website an e-version of the SORPs for free download. However, it is anticipated there will be significant demand for hard copies of the SORP(s) when published. Based on experience of the current SORP the demand over a three year time frame is likely to be up to 1,000 units.

Historically a SORP has been between 190 and 210 pages if type set in 'Arial 12' on A4-sized paper. The bid should explore various binding options including a card-bound publication, a spiral bound publication and ring binder option. The paper quality should be appropriate for a technical publication and be between 80 to 115gsm. We anticipate the design will facilitate ease of reading and accessibility and welcome submissions explaining the use of colour and other features that will assist ease of use including large print versions. . The bid should identify price variations based on paper quality and binding options.

The appointed publisher would bear the commercial risk of responsibility for printing and publishing and recoup their costs and profit margin from the price and distribution costs charged to the purchasers of the SORP. The publisher would have discretion as to the formatting of the documents for commercial sale subject to the agreement of the Grantor. . As part of the arrangement, 70 free copies of each SORP would be supplied to the Grantor for its own internal use.

The Grantor seeks the lowest retail price and distribution charge to customers compatible with a quality standard of print and the efficient and reliable distribution arrangements. The Grantor would promote the availability of the hard copy versions of the SORP through its respective websites and the dedicated SORP micro site.

2.3 **Lot 2** - A high quality secretariat and technical drafting servicing for future updates to the SORP including, but not limited to, arranging and co-ordinating meetings of the SORP advisory committee, liaison with the SORP-making body and Financial Reporting Council, preparation and circulation of minutes and dealing with resulting drafting of revisions to SORP or new SORPs. The Secretariat is responsible for hosting the meetings and arranging light lunches and refreshments. Full committee meetings normally start with lunch from 12.30pm with business starting at 1pm and concluding at or before 4.30pm.

The Secretariat is also responsible for managing any consultation process on a new SORP or research exercise under the direction of the Grantor and the Secretariat must maintain its own web page upon which the consultation responses received are published. Publication of consultation responses is in accordance with the Financial Reporting Council (FRC) Policy for SORP-making policies and the Grantor's Privacy statement and data processing and retention policies. These can be viewed on [www.charitySORP.org](http://www.charitySORP.org) The Grantor is responsible for settling permitted expenses of SORP Committee members and managing the content of the web site: [www.charitySORP.org](http://www.charitySORP.org) .

SORPs are developed in line with a policy on developing SORPs issued by the FRC. The SORP-making body has a duty under the FRC's policy to keep the SORP(s) under review and ensure the recommendations contained within the SORP(s) reflect any changes to accounting standards applicable in the UK and the Republic of Ireland.

In order to review and maintain the SORP(s), the Grantor, as the joint SORP-making body establishes an advisory committee that advises on the development and necessary amendments to the SORP(s). The Grantor wishes to establish a framework agreement for the provision of a secretariat to the SORP advisory committee and technical drafting arrangements for any future update or revision of the SORP(s).

If Lot 2 is bid for separately, the Grantor would favour a zero or discounted cost bid from an organisation which shared our objectives in developing and promoting high quality financial reporting and where the knowledge acquired from this work could be utilised by the organisation in its other activities.

In the event that the Bidder for Lot 2 or Lots 1 and 2 combined is seeking a financial contribution from the Grantor then the basis for the charge for the initial three year term should be clearly specified along with the basis for charging for any extension period. The basis must set out any proposed inflator or index, any per diem (per item) elements and any fixed price element(s). Where a per diem element is included the anticipated incidence must be specified for the initial three year term and the cost clearly identified in the Bid.

It is anticipated that the SORP advisory committee would meet up to four times each year in a year where there was no significant amendment or revision to the SORP(s). The number of meetings would increase to up to eight in a year in which the SORP(s) are significantly amended or revised with meetings in the form of the full committee or working groups of committee members as required. Each meeting

of the SORP advisory committee would be for up to a half-day in length. Each meeting of the advisory committee would involve the agreement of an agenda with the Grantor, preparation of necessary briefing papers on agenda items and preparation and agreement of minutes recording the resulting recommendations. The minutes of SORP committee meetings are published on the [www.charitySORP.org](http://www.charitySORP.org) website.

The SORP(s) will require amendment or revision periodically to reflect changes in accounting standards applicable in the UK and the Republic of Ireland. Whilst the Grantor would retain full editorial rights over the SORP, the subcontract would make provision for drafting work resulting from an amendment or revision of the SORP to be undertaken by the supplier.

The SORP, the SORP meetings, minutes and papers are all conducted in the English language.

- 2.3 **Lots 1 and 2 Combined** – This combined contract would be for Lot 1 and Lot 2 below to be provided by the same supplier as an integrated service.
- 2.4 **Contract Duration:** initial period of three years, with the option to extend up to two years (agreed annually in one year increments).

### **3 HOW TO SUBMIT YOUR PROPOSAL**

- 3.1 If you decide to bid, you must do so in accordance with this Invitation to Tender (ITT) and in the format specified. Please ensure that you read the document carefully, completing all parts of the proposal, making sure that a full response is made for each question and raising issues where necessary.
- 3.2 Responses must be self-contained – that is to say, they should not rely on references to manuals, brochures, or other external documentation except where specifically requested by the Grantor. Where prospective Bidders do attach supporting documentation, it should be referenced to the paragraph(s) in the ITT to which it relates.
- 3.3 The Grantor expressly excludes all warranties, representations and liability whatsoever in respect thereof and the recipient shall not be entitled to place any reliance upon any such matter. It is the Bidder's responsibility to make his or her own independent investigation into the veracity, accuracy and completeness of all such matters, and to satisfy itself on all issues relating thereto prior to submitting any tender or offer to the Grantor.

## 4 RETURNING THE PROPOSAL

- 4.1 The proposal must be submitted electronically by the deadline stipulated to [procurement@charitycommission.gsi.gov.uk](mailto:procurement@charitycommission.gsi.gov.uk) for the attention of John Kavanagh, Procurement Manager or it can be submitted via one of the contract portals on which the invitation to tender is advertised and will then be forwarded on to John Kavanagh by the SORP-making body. CCEW are acting as agent for the Grantor in the tendering process to facilitate the receipt and review of bids.
- 4.2 The Bidder must take responsibility for ensuring that proposals are received by the Grantor within the published timescale. Late proposals will not be considered as part of the evaluation process and will remain unopened. Incomplete proposals will not be considered.
- 4.3 No proposal will be read or viewed before the date and time set for opening of tenders. All information in proposals will be kept confidential and will only be shown to those persons who have a need to see it.
- 4.4 All UK Central Government Departments are subject to control and reporting within Government. In particular, the CCEW reports to the Cabinet Office and HM Treasury for all expenditure. Further, the Cabinet Office has a cross-Government role delivering overall Government policy on public procurement - including ensuring value for money and related aspects of good procurement practice. OSCR similarly liaises with the Scottish Government on financial and procurement matters. CCNI reports to the Department for Communities (DfC) regarding use of grant in aid and operating in line with the principles of Managing Public Money Northern Ireland. In the Republic of Ireland, the CR is the independent regulator and reports to the Department for Justice and Equality on matters of efficiency and effectiveness including adherence to the Code of Practice for the Governance of State Bodies (2016).
- 4.5 For these purposes, the Grantor may disclose within Government any of the Bidder's documentation/information (including any that the Bidder considers to be confidential and/or commercially sensitive such as specific bid information) submitted to the Grantor during this Procurement. The information will not be disclosed outside Government in the UK or Republic of Ireland.
- 4.6 Bidders taking part in this competition consent to these terms as part of the competition process. Before submission Bidders should refer to the privacy statement of CCEW to understand how the data you provide will be handled. CCEW is acting as principal for the Grantor in managing the procurement process and see link for information about CCEW's approach to procurement: <https://www.gov.uk/guidance/public-sector-procurement-policy> and the CCEW privacy statement can be viewed via this link: <https://www.gov.uk/government/organisations/charity-commission/about/personal-information-charter> and in submitting a proposal a Bidder is agreeing to their use of data in accordance with this privacy statement.

## 5 APPOINTMENT OF SUPPLIER(S)

- 5.1 All proposals will be assessed by an award panel convened by the Grantor using the evaluation criteria set out in section 9 of this document. Members of the award panel will be drawn from the participating regulators.
- 5.2 Both successful and unsuccessful Bidders will be notified of the outcome of the bidding exercise. Verbal debriefing will be available to unsuccessful Bidders at a time to be confirmed.
- 5.3 The successful Bidder(s) will be required to enter into a formal written agreement as may be negotiated with the CCEW as principal in managing any contract award(s) on behalf of the Grantor.
- 5.4 The timetable for the procurement process is summarised below:

<b>Issue Tender Notice published by the Grantor on contracts portals in all four jurisdictions using the SORP and on the SORP Tender Page.</b>	11 July 2018
<b>Final date for any questions tabled by Bidders to the Grantor</b>	By 5.00 pm 13 August 2018
<b>Deadline for tenders</b>	By 5.00 pm on 24 August 2018
<b>Evaluate proposals (Stage 1)</b>	By 10 September 2018
<b>Presentation/interview, if required (Stage 2)</b>	Shortlisted Bidders will be notified with seven calendar days notice given
<b>Notification of outcome of bid</b>	By w/c 24 September 2018
<b>Agree terms and conditions</b>	By 15 October 2018
<b>Grantor obtains records from existing Supplier</b>	By w/c 12 November 2018
<b>Handover to new Supplier- initial briefing with transfer of records</b>	By w/c 26 November 2018
<b>Contract award</b>	W/c 10 December 2018

## 6 FORMAT OF PROPOSALS

- 6.1 To assist the Grantor to quickly and accurately evaluate the tenders, it is important that proposals are constructed in the format set out in 8.1 and 8.2 below.
- 6.2 While every endeavour has been made to give an accurate description of the requirements, Bidders must form their own conclusions about the methods and resources needed to meet the requirements.
- 6.3 In all parts of the Bidder's proposal, any concepts must be defined, products must be described in terms of their current status and not in terms of their expected status, and all measures must be quantified.

## 7 INFORMATION REQUIRED IN THE PROPOSAL

7.1 Bidders are asked to state clearly which Lot(s) they are expressing an interest in tendering for; bidders may tender for:

- Lot 1 separately, or
- Lot 2 separately, or
- Both Lots 1 and 2 combined,

Selection for tenders will be based solely on the criteria set out below

7.2 Bidders should structure proposals in the following format for each Lot tendered:

### **Section 1: Track record, knowledge, experience**

Provide an overview of similar contracts and assignments undertaken and demonstrate you these have been successfully delivered. This section should be used to demonstrate your all-round suitability to undertake the work and capacity to deliver the Lot service required.

The Grantor has a strong preference to award Lot 2 to a professional body, sector organisation, or consortia including either a professional body or a sector organisation. This is due to the perceived conflict of interest of an accounting or other firm preparing the SORP where it might potentially use its position to influence the content of the SORP to favour one or more of its clients. However accountancy and other firms will be considered if they can clearly demonstrate how such conflicts of interest would be identified and managed appropriately.

### **Section 2 - Lot 1**

Bidders need to demonstrate a track record in design, typesetting, printing, publishing, and distribution of technical publications. Details of relevant previous experience should be given by supplying samples of your print, publishing models and examples of your products distributed.

Supplier Pricing - Bidders are asked to provide their proposed arrangements for setting the retail price and distribution charge to customers of the hardcopy SORPs and subsequent revised versions for the duration of the subcontract period. This information is to be set out as a price matrix providing, in a tabular format, a breakdown of the retail price and distribution costs charged to customer for the publications dependent on relevant variables including binding options and paper quality. We would prefer the price to be fixed for the three years of the initial contract period and details provided of how any price increases, if the contract were extended (see paragraph 3.2), would be determined. Our preference is for any price increases to be linked to UK CPI.

The current edition of the SORP is 195 pages (including introduction and index), perfect bound, with a card cover (evolve, 300gsm) and printed on megamatt 115gsm paper. No 'royalty' payment on the sale of any copy of the SORP is to be payable to the Grantor by the Bidder for Lot 1 or Lots 1 and 2 combined as a result of this tender.

As part of the bid, we wish to see details of previous experience in fulfilling comparable contracts/capability to supply/evidence of geographical distribution coverage within the UK and Republic of Ireland (ROI), evidence of electronic ordering and fulfilment capacity. The distribution services should include details of capacity to fulfil orders received from customers on a world-wide basis.

### **Section 3: Lot 2**

Bidders need to demonstrate technical capacity and professional skills, ability and knowledge to deliver this service.

Although the technical drafting services aspects need not be provided by a professional accountancy practice, Bidders must have technical accountancy competences, knowledge of accounting standards, and must have expert knowledge of accounting standards applicable in the UK and ROI and we ask for evidence and examples demonstrating this. A Bidder should be a professional body, sector body, umbrella body, or organisation representing funders of the sector or sector bodies. If a consortium Bid then the Bidder must identify the principal organisation that will be the Secretariat, for example if an umbrella body was submitting a joint bid with an accountancy firm, the umbrella body should be the Secretariat.

In bidding for Lot 2 whether combined with Lot 1 or separately, the Grantor would favour a zero or discounted cost bid from an organisation which shared our objectives in promoting high quality financial reporting and where the knowledge acquired from this work could be utilised by the organisation in its other activities.

Bidders tendering for standalone Lot 2 only should include within their bid (where applicable) a cost breakdown including, where a wholly fixed price is not offered for the initial three year term, the completion of the table below:

<b>Activity</b>	<b>Secretariat</b>	<b>Technical Drafting</b>	<b>Liaison with Lot 1 contractor</b>
Number of chargeable days proposed for work			
Cost per chargeable day			
Total resource cost			
Other costs (please specify)			
Total cost (excluding VAT)			
Total cost (including VAT if applicable)			

Proposals that contain variations in how the specified services in Lot 2 are to be provided may be considered.

Lot 2 standalone bidders must signal acceptance of the Grantor's requirement that any timesheets and **all** invoices relating to the work package will be submitted electronically.

The currency of settlement must be specified with the permitted options of pounds sterling or euros.

#### **Section 4: Additional information**

The proposal must include:

- Where a Bidder is able to provide the services specified under Lot 1 and Lot 2 as an integrated service, an option would be granted to the supplier to provide further valued added services with the agreement of the Grantor. For example, an option may also be made available to the supplier to provide further value added services such as examples, advice on accounting treatments or guidance notes regarding the SORP with the agreement of the Grantor. The publisher would develop and market any option to provide value added services.
- Where a Bidder is able to provide the services specified under Lot 1 and Lot 2 as an integrated service, or bid for Lot 2 alone then it should enclose a copy of its audited accounts and director's or trustees' or management report and a copy of the audit opinion for the most recent three years. In the case of a consortium, only the accounts of the principal acting on behalf of the consortium are required.
- Any literature supporting products and services provided, which would complement the proposal.
- Contact details for at least one company for whom similar assignments have been undertaken. The Grantor may approach this company to verify the statements made in the proposal.
- A statement of the Bidder's approach to compliance with Data protection legislation including the General Data Protection Regulations effective from May 2018 in the UK and how subject access requests as Data Controller for the Grantor will be managed with respect to consultation exercises and SORP Committee members.
- A statement of the Bidder's organisational values and approach to diversity and equality in its employment and customer engagement practices.
- Define in detail the facilities and services that need to be made available to them by the Grantor.
- The names of proposed personnel working on the project and their CVs, to include any information about professional qualifications held which are considered relevant.
- Details of the subcontractors that might be used and details of any element of the service that will be administered by them. We will also want to understand

the quality assurance mechanisms you have in place – i.e. how you will ensure that their performance is effective.

- A statement that the Bidder is not aware of any conflict of interest in providing services to the Grantor and, where the Bidder includes an accountancy or other Firm its consortium bid then it should set out its approach to identifying and appropriately managing conflicts of interest.
- Confirmation that the procurement timetable outlined below can be met, and
- A primary contact point for the proposal.

## **8 OTHER INFORMATION**

- 8.1 Bidders should note that inclusion of separate travel and/or subsistence costs will not apply and should be borne by the successful Bidder. Bidders for Lot 2 should note that the travel and subsistence for members of the SORP committee are met by the Grantor.
- 8.2 Lot 2 Bidders should note that they will be required to submit electronic invoices in arrears for all work carried out within the duration of the scheme in accordance with the agreed charging schedule. This will normally be quarterly in arrears. The Grantor is committed to prompt payment and shall pay all valid invoices within 30 days of the receipt.
- 8.3 The UK Government wishes to see far more information made publicly available on government's contracting activities. UK Government policy requirements require new central government contracts to be published in full on-line.
- 8.4 It is the Grantor's intention to publish any resultant contract arising from this invitation to tender in line with the transparency commitment. Publication will consist of all the information the Grantor has identified as not being commercially confidential – this will include the total value of any resultant contract. Prospective Bidders must ensure they include within their proposal a clear indication of which information – if any – they consider to be commercially confidential and which is to be with-held from any publication of the contract documentation.

## 9 EVALUATION CRITERIA

9.1 Upon receipt of the tender the Grantor will review and evaluate the proposal. The criteria and their weighting for the award of the contract are as follows (see sections 8.1 and 8.2 above):

9.2 Scores will be awarded for **Lot 1** on the following basis:

*Track record in arranging the setting, design, printing and publishing of technical publications:*

0	Unanswered or totally inadequate response to the requirement.
Up to 5	The Bidder demonstrates the minimum acceptable level of experience may restricted to a limited number of technical publications.
Up to 10	Evidence that the Bidder has experience over a range of technical publications or specialises in the publication of material with technical content.

*Track record in the efficient acceptance, processing and fulfilment of orders for publications:*

0	Unanswered or totally inadequate response to the requirement.
Up to 5	The Bidder demonstrates the minimum acceptable level of experience in accepting, processing and the distribution of orders.
Up to 10	Evidence that the Bidder has established and proven systems for the acceptance and processing of orders including secure and established systems for the handing of web-sales and the secure acceptance of electronic payments including all major credit and debit card payments, online transactions and ideally PayPal settlement. The Bidder has established systems to ensure the availability of publications for distribution, established distribution arrangements and a proven track record in meeting agreed time-scales for delivery of publications to all parts of the UK and RoI and preferably worldwide.

*Competitiveness of the overall cost to customer:*

0	The Bidder represents very poor value for money – unwillingness to accept the commercial risks of publishing.
Up to 5	The Bidder accepts the commercial risk of publishing but the cost model results in pricing and distribution costs to a purchaser that is likely to unduly limit access to the publication.
Up to 10	The Bidder accepts the commercial risks of publishing and submits a cost-model that results in pricing and distribution costs to the purchaser which will ensure wide accessibility of the publication.

### 9.3 Weighting

CRITERIA	WEIGHT
The Bidder's approach is underpinned by proven track record in arranging the setting, printing and publishing of technical publications.	25%
The Bidder has a proven track record in the efficient acceptance and processing and distribution of orders for publications.	25%
Competitiveness and value-for-money of the overall cost to customer with respect to the price of hard copy SORP and the durability of the product in use.	50%

### 9.4 Scores will be awarded for **Lot 2** on the following basis:

#### *A solvency criterion involving a review of the reports, accounts and audit reports*

Fail	For one or more of the past three years reviewed the audit report has a disclaimer of opinion.
Fail	The most recent audit opinion has been a modified opinion because of material uncertainty as to going concern <u>or</u> the most recent audit opinion includes a material uncertainty as to going concern and a review of the balance sheet indicates a material, persistent and increasing reliance on debt financing to finance its ongoing activities, low cash balances relative to creditors balances falling due in one year and a review of the narrative report identifies significant financial issues.
Pass	The audit opinion on the accounts is not modified with regards to, and contains no reference to, a material uncertainty as to going concern and a review of the balance sheet indicates significant cash balances against creditor balances falling due in one year and the level of debt financing is low or sustainable and a review of the narrative report identifies no significant financial issues.

#### *Demonstrates the capacity and technical skills, ability and knowledge to deliver this service and any conflict of interest is identified and managed.*

0	Unanswered or totally inadequate response to the requirement.
Up to 5	The Bidder demonstrates the minimum acceptable level of capacity, technical skills, ability and knowledge to deliver this service. The identified conflict of interest is at a level that can be managed.
Up to 10	The Bidder has experience in the technical drafting of a range of publications and has access to qualified staff with a high level of accountancy skills and the technical knowledge skills to provide this service. Low level of conflict of interest present.

*Competitiveness of the overall cost to customer (or contracting authority)*

0	The Bidder represents very poor value for money – unable to absorb costs into retail price of publication or provide the service at a discounted cost. The cost model lacks transparency or provides for too great a level of uncertainty as to cost.
Up to 5	The Bidder is able to either able to absorb certain costs of this service into the retail price of the publication (if tendering for both Lot 1 and Lot 2 together) or is able to provide a limited cost discount in the provision of this service and the cost model is transparent and predictable.
Up to 10	The Bidder is able to absorb all the costs of this service and offer a competitive retail price of the publication without unduly limiting the accessibility of the publication due to price (if tendering for both Lot 1 and Lot 2 together) or is able to provide the specified service at zero cost or heavily discounted due to the value of the knowledge derived from this service to its other organisational activities.

9.5 *Weighting*

<b>CRITERIA (applied if solvency criterion passed)</b>	<b>WEIGHT</b>
Demonstrates the capacity and technical skills, ability and knowledge to deliver this service.	50%
Competitiveness and value-for-money of the overall cost to customer/ purchasing authority including the degree of certainty in calculating the amount of any contribution due.	50%

9.6 Unless there are compelling reasons to do otherwise, the Grantor intends to award the business to the best scoring Tender based on the ITT responses received as part of this process.

## ANNEX: BACKGROUND INFORMATION

### 1 BACKGROUND INFORMATION

#### Introduction: participating charity regulators

- 1.1 The **Charity Commission for England and Wales** (CCEW) is the independent regulator and Registrar of charities in England and Wales. The Commission is a non-ministerial government department and derives its authority from the Charities Act 2011.

The Charities Act 2011 includes 5 statutory objectives for the Commission:

- i. **Public Confidence:** to increase public trust and confidence in charities;
- ii. **Public Benefit:** to promote awareness and understanding of the operation of the public benefit requirement;
- iii. **Compliance:** to promote compliance by charity trustees with their legal obligations in exercising control and management of the administration of their charities;
- iv. **Charitable Resources:** to promote the effective use of charitable resources; and
- v. **Accountability:** to enhance the accountability of charities to donors, beneficiaries and the general public.

The CCEW's website can be accessed using the following link:

[The Charity Commission for England and Wales](#)

The CCEW is a body corporate. It is governed by a Board who exercise responsibilities for strategy and future direction of the Commission. The Board comprises between five and nine non-executive members, two of whom must be legally qualified and one of whom must have an interest and knowledge of matters in Wales. Baroness Tina Stowell was appointed Chair in February 2018.

The Commission's Chief Executive is Helen Stephenson who is the Accounting Officer. She takes responsibility for ensuring that resources are applied only to the extent and for the purposes authorised by Parliament and that the Commission complies with the legal framework in which it conducts its activities.

There are over 168,000 registered charities of which over 73,000 are required to file their trustees' annual report and accounts with the Commission.

- 1.2 The **Charity Commission for Northern Ireland** (CCNI) is a non-Departmental Public Body (NDPB), established by Royal Assent to deliver the statutory provisions of the Charities Act (Northern Ireland) 2008, “the Act”. CCNI are sponsored by DfC, with a board of seven Commissioners appointed by the departmental Minister. Frances McCandless is Chief Executive and Accounting Officer.

CCNI’s purpose is to register, regulate and report on the charity sector in Northern Ireland. The process of building the register is still ongoing with around 6,000 charities currently on the public register. The number submitting accounts has been growing since 2015, with 5282 due to submit accounts in 2018/19.

As an NDPB CCNI is independent in its decision making. The Commission has five statutory objectives under the Act:

1. to increase public trust and confidence in charities.
2. to promote awareness and understanding of the operation of the public benefit requirement.
3. to promote compliance by charity trustees with their legal obligations in exercising control and management of the administration of their charities.
4. to promote the effective use of charitable resources.
5. to enhance the accountability of charities to donors, beneficiaries and the general public.

CCNI’s website can be accessed using the following link:

[The Charity Commission for Northern Ireland](#)

- 1.3 The **Charities Regulator** was established as an independent Authority on a statutory basis in October 2014 in accordance with the 2009 Charities Act. The Charities Regulator is responsible for the registration and regulation of all charities that carry out activities in Ireland.

### **Our Functions**

- Increase public trust and confidence in the management and administration of charitable trusts and charitable organisations.
- Promote compliance by charity trustees with their duties in the control and management of charitable trusts and charitable organisations.
- Promote the effective use of the property of charitable trusts or charitable organisations.
- Ensure the accountability of charitable organisations to donors and beneficiaries of charitable gifts, and the public. Promote understanding of the requirement that charitable purposes confer a public benefit.
- Establish and maintain a register of charitable organisations.
- Ensure and monitor compliance by charitable organisations with this Act.
- Carry out investigations in accordance with this Act.
- Encourage and facilitate the better administration and management of charitable organisations by the provision of information or advice, including in

particular by way of issuing (or, as it considers appropriate, approving) guidelines, codes of conduct, and model constitutional documents.

- Carry on such activities or publish such information (including statistical information) concerning charitable organisations and charitable trusts as it considers appropriate.
- Provide information (including statistical information) or advice, or make proposals, to the Minister on matters relating to the functions of the Regulator.

The Charities Regulator's website can be accessed using the following link:

[www.charitiesregulator.ie](http://www.charitiesregulator.ie)

1.4 The **Office of the Scottish Charity Regulator** (OSCR) is the independent regulator and registrar for over 23,000 Scottish charities. OSCR is a Non-Ministerial Department and forms part of the Scottish Administration with strategic direction being provided by a Board of eight members. The Board is accountable directly to the Scottish Parliament. OSCR's Chief Executive is David Robb who is also the Accountable Officer and manages day to day operations relating to the delivery of OSCR's statutory duties, which are to:

- Determine whether bodies are charities
- Keep a public Register of charities
- Encourage, facilitate and monitor compliance by charities with the provisions of the Act
- Identify and investigate apparent misconduct in the administration of charities and to take remedial or protective action in relation to such misconduct
- Give information or advice, or to make proposals, to Scottish Ministers on matters relating to OSCR's functions.

OSCR's website can be accessed using the following link:

[The Office of the Scottish Charity Regulator](http://www.oscr.gov.uk)

## 1.5 The role of the Charities SORP

SORPs are specific accounting recommendations on accounting practices for specialised industries or sectors which supplement accounting standards and other legal and regulatory requirements in the light of the special factors prevailing or transactions undertaken in a particular industry or sector.

All charities are required to prepare annual accounts. The accounts of larger charities and all companies established under the Companies Act must be prepared to present a true and fair view of their activities and financial position. Accounts that present a 'true and fair' view will comply with Generally Accepted Accounting Practice (UK- Irish GAAP) including relevant financial reporting standards issued by the Financial Reporting Council (FRC).

However, accounting standards are primarily written in the context of the reporting needs of commercial for-profit entities and the Charities SORP provides the route map for their application in the context of a sector that holds funds on trust, operates for the public benefit and enters into transactions for reasons other than cash generation.

Charity accounts, together with the accompanying trustees' annual report, provide an account of the stewardship exercised over charitable funds and provide relevant information to stakeholders, particularly funders and donors, to support their decision-making.

The Charities SORP provides a common framework for charity accounting across the UK and Ireland – ensuring a single set of accounts meets the requirements of each of the charity law jurisdictions in the UK and Ireland. It also currently forms the basis of best practice charity accounting in the Republic of Ireland.

## 1.6 SORP Development

SORPs are developed under [a code of practice](#) published by the FRC. SORPs are not issued by the FRC, but by SORP-making bodies recognised by the FRC for that purpose.

Since 2006 the CCEW and OSCR were recognised by the FRC as the joint SORP-making body for UK charities. From July 2018 the CCEW, CCNI, and OSCR are recognised by the FRC as the joint SORP-making body for UK- Ireland charities. The CR has an option to become a member of the SORP-making body.

The SORP's recommendations are developed with the advice of an [expert sector-based committee](#), the SORP advisory Committee, which is currently jointly chaired by representatives of each of the three participating charity regulators in the UK and Ireland. Nigel Davies (Head of Accountancy Services, CCEW), Fiona Muldoon (Monitoring & Compliance Manager, CCNI), and Laura Anderson (Head of Professional Advice & Intelligence, OSCR). The CR has an observer representative Tom Malone (Head of Compliance and Enforcement, CR).

The SORP advisory Committee's membership is recruited primarily from charity sector finance directors and charity auditors with additional members appointed to bring a wider perspective to the Committee's work.

The SORP advisory committee, together with the FRC's review and sign-off procedures, both before and after consultation on a new SORP, provides the technical assurance for the product.

## **1.7 New Charities SORP**

Following the initial review of Financial Reporting Standard (FRS 102) and the amendments to FRS 102 issued in December 2017 and fully in effect for reporting periods beginning on or after 1 January 2019, amendments have been made to the SORP with the publication of a second Update Bulletin. On 25 June 2018 the text of the second SORP Update Bulletin was considered and final changes agreed prior to its submission for approval to the FRC's Code and Standards Committee. The update Bulletin will have the same status as the SORP and amends the text for changes approved by the FRC

In addition to technical changes to UK-Irish GAAP, a SORP research exercise was undertaken in 2016 following which four working groups comprising members of the SORP committee considered aspects of the SORP that might merit further development. The Grantor is proposing to begin the process of drafting a new SORP. This SORP will be subject to consultation on an exposure draft of the draft text of the new SORP which is anticipated to take place in 2020. Feedback and comments on the exposure draft would then be reviewed by the SORP advisory committee and further editing undertaken.

As an interim measure following the publication of the Update Bulletin the Grantor proposes to combine the current SORP, and the two Update Bulletins in a second edition to facilitate ease of use by preparers and reviewers of charity accounts with publication anticipated for early 2020.

In respect of the second edition of the current SORP and the proposed new SORP each charity law jurisdiction will consider giving effect to them via new accounting and reporting regulations that will give legal effect to the SORP's accounting methods and principles.

In respect of the proposed new SORP the new SORP will apply for accounting periods commencing on or after the effective date and provide application guidance for the applicable UK-Irish GAAP. Writing a new SORP normally takes 18 months to 2 years including time allowed for public consultation. The Grantor anticipates that a new SORP may therefore be in effect in 2021 or 2022.

## **1.8 Further Changes in the Pipeline**

In parallel with the process of drafting a new SORP for public consultation, the Financial Reporting Council will be considering whether any further changes are required to UK-Irish GAAP. Although all the jurisdictions in UK- Ireland have implemented the new EU Accounting Directive the alignment of UK-Irish GAAP and developments in EU accounting requirements for unlisted commercial entities may require further changes. The provisions of the Accounting Directive do not apply to not-for-profits, including charities, directly as experience of implementing the Directive is gathered there may be implications for charity accounting if a degree of

simplification found in for-profit accounting is translated into charity accounting in the context of UK-Irish GAAP.

Also changes to International Financial Reporting Standards (IFRS) may give rise to changes to UK-Irish GAAP. The impact of these potential changes is that the SORP will not be a static document and further consultations will be needed on how charities respond to the deregulatory agenda of the EU Accounting Directive and developments in UK-Irish GAAP. Further changes to the SORP will almost certainly be required over the coming years.

## 1.9 **Grantor's strategy for the Charities SORP**

Previously, CCEW and OSCR policy accountants played a leading part in terms of policy and drafting/management of the process in the development of the current SORP. Since September 2014 the role of the Grantor has focussed on the oversight of the SORP's development with the secretariat and drafting aspects of the work subcontracted to an external supplier.

The Grantor acts as the joint SORP-making body for charities, appoints the SORP advisory Committee, retains final editorial control over the SORP and acts as the liaison point with the FRC on SORP related issues. A senior accountant at the CCEW will act as the liaison point with the partner organisation(s) to which the contract(s) is awarded.

An electronic version of the SORP is hosted on the dedicated SORP micro-site [www.charitysorp.org](http://www.charitysorp.org) which includes some basic self-selected options. Initial research findings from the 2007 and subsequent 2016 research exercises point to a desire for significant enhancements to the functionality offered. The Grantor will be considering the future development of the electronic version and methods of financing its development. Should this concept of further development beyond the current electronic version of the SORP proceed then this will be subject to a future procurement exercise and this will be a separate award at a future date.

The Grantor expects there always to be a residual demand for a hard copy version of the SORP as some users find a printed document easier to use than electronic media.