

Mystery Shopper Cases Autumn 2013

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CONTRACTING AUTHORITY / PRIME CONTRACTOR COMPLAINT AGAINST	ISSUE WITH PROCUREMENT	DESCRIPTION OF COMPLAINT	OUTCOME OF CASE / RECOMMENDATIONS
Ministry of Justice (MoJ)	Visibility of the supply chain	A supplier of security products raised concerns about the difficulty of accessing a supply chain for an MoJ contract held by G4S.	We recommended that MoJ work with G4S to encourage them to advertise sub-contracting opportunities on Contracts Finder. MoJ accepted this recommendation.
Carillion Services	Payment of sub-contractors	A sub-contractor raised concerns about late payment by the prime contractor in a Ministry of Defence (MoD) supply chain.	The MoD sought assurances from Carillion that sub-contract payments would be made within 30 days and are actively managing the payment clause in the contract.
Hackney Council	Visibility of the supply chain	A supplier experienced problems accessing the Hackney Homes Supply Chain Partner Framework.	We recommended that the council ask more questions about how the supply chain chosen has been put together and where the value for money consideration is in that decision. We also recommended that through their contract management activity they encourage all prime contractors to publish any supply chain gaps on Contracts Finder. The council accepted our recommendations.
Brent Housing Partnership	Financial assessment of suppliers	A supplier was concerned that their bid for a contract was ruled out because their turnover was below a threshold set by Brent Housing.	Brent Housing maintained that the requirement for suppliers to have a turnover of three times the contract value was “appropriate as it was important that the assessments were done quickly and accurately” and to reduce the risk of “appointing an organisation that might fail while trying to execute the contract”. Brent Housing agreed to review their financial assessment process for future procurements but would not guarantee that a similar criterion would not be used again.
Gravesham Borough Council	Errors in a response to a tender	A supplier’s tender was de-selected due to inaccuracy and arithmetical errors. In the supplier’s opinion it was an obvious arithmetical error and	Our advice broadly supported the actions taken by the council. The issues of equality and proportionality must be carefully taken into account, providing the mathematical error or omission is clear and obvious, and that all other tenderers are treated equally.

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		easily identifiable.	
Ministry of Justice (MoJ)	Reverse e Auctions	A supplier raised concerns about a reverse e Auction	We worked with MoJ and the mystery shopper to ensure that suppliers understood the requirements of the e Auction process.
Brent Council	Procurement process	A campaign group raised concerns about the demolition of Willesden Green Library Centre as it believed the proposed redevelopment infringes EU procurement laws.	We investigated but found nothing wrong with the council's approach to this procurement.
Liverpool City Council	Financial assessment of suppliers	A mystery shopper raised concerns about the approach taken to the financial appraising of bidders in a PQQ.	We recommended the council follow the approaches set out in procurement policy note PPN 01/12: https://www.gov.uk/government/publications/procurement-policy-note-01-12-use-of-pre-qualification-questionnaires . The council were considering the approaches set out in these documents in their own review of financial assessment which was due to be completed by the end of May with findings to be rolled out following the training of staff.
Kent County Council	Framework agreements	A supplier raised concerns about a framework agreement for equipment needs for schools.	We discussed a range of issues with Kent. They told us they were in the process of streamlining their PQQ and shortening the length of this type of contract. We had concerns that an upfront charge was being applied for inclusion in the catalogue for this framework. In line with our Mystery Shopper Progress Report we recommended that upfront charges are not made to access procurement documents or to fully participate in contractual arrangements. Kent did not agree to this recommendation.
East Midlands Property Alliance (EMPA) - Scape System Build Ltd	Framework agreements	A mystery shopper raised concerns about the structure of a Scape framework, including lotting, assessment of experience, pre-procurement engagement and the geographical spread of suppliers.	We discussed a range of issues with Scape. They explained that they split the framework into lots, covering different areas, bounded by counties, in order to encourage SMEs to bid for them. A further 5 lots were region-wide because of their specialist nature. Some suppliers were successful in more than one lot. We had no concerns with the approach to lotting. They also explained that they considered all relevant experience, be it from the public or private sector, when assessing tenders. This is in line with our recommended approach. We recommended they focus more on early market engagement and Scape have undertaken to be more proactive in future with regards to pre-procurement engagement activities. In respect of the location of suppliers, they told us that most of the suppliers on the framework have regional offices through which they are servicing Scape's requirements. They pointed out that the Public Contracts Regulations requires that any suitable supplier from across the European Union should be considered

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			equally.
Derby City Council	Transparency	A mystery shopper was concerned about the tender for a new complaints workflow and reporting system, claiming that the website showed that the council had the system live and operational before tenders were submitted. The mystery shopper noted this two days before the final date of their submission.	<p>The council had trialled a rival system before starting a procurement process and the mystery shopper felt that the process was not transparent. We recommended to the council that:</p> <ul style="list-style-type: none"> • Pre-market engagement, when used, should extend to numerous suppliers in the market. The extent of any such engagement should be made clear when advertising the requirement at the start of any procurement process. • In procurements of this type, all bidders who have met the criteria specified in the tender documents should be extended the opportunity to demonstrate their products. <p>The council accepted these recommendations and commented that, “In terms of demonstrating that the recommendation has been put into practice we are currently running a further competition for an ICT system, the tender document has laid down the performance criteria and the pricing model and we have said that the 3 suppliers with the highest scores will be requested to demonstrate. The process is therefore ‘up front’ and transparent.”</p>
Gloucestershire Police	Payment terms	A mystery shopper raised concerns about the payment terms detailed in a tender document.	Gloucestershire Police clarified that it was always the intention to pay invoices within 30 days, but accepted that there was a lack of clarity in the wording. Standard draft clauses now reflect Gloucestershire Police’s commitment to paying suppliers 30 days after the submission of invoice.
Foreign & Commonwealth Office (FCO)	Procurement strategy	A mystery shopper raised concerns about the financial guarantees and contract conditions in an ITT which he felt were too onerous for SMEs in a contract for payroll services. He questioned why a contract let by the Department for International Development (DfID) for similar services could not be used.	FCO explained that the DfID contract was not suitable for this requirement. FCO had considered its use when developing their procurement strategy. Although a contract was not awarded as a result of this procurement we recommended that FCO engage with DfID about combining requirements for future tendering opportunities for the provision of similar services. FCO accepted this recommendation.
Defence Science and Technology Laboratory	Supply chain	A mystery shopper who had supplied DSTL for some years was concerned that they would	DSTL had been spot buying from this supplier but it became apparent that the value of goods purchased from the supplier annually was likely to cross the threshold for OJEU. DSTL ensured that the mystery shopper would have direct

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(DSTL)		have to sub-contract to a larger supplier in future.	access with end users through a sub-contracting arrangement.
Mitie Technical Facilities	Sub-contractor payments	A sub-contractor raised concerns about late payment by the prime contractor in a Ministry of Defence (MoD) supply chain.	The contractor confirmed that they are paying sub-contractors in accordance with the terms in their contract.
British Transport Police	Pre -qualification questionnaire (PQQ)	A supplier raised concerns about a PQQ used in the procurement for the supply of an equipment carriage system.	We pointed the British Transport Police towards procurement policy note PPN 01/12: https://www.gov.uk/government/publications/procurement-policy-note-01-12-use-of-pre-qualification-questionnaires and they agreed to use the Cabinet Office standard PQQ in future procurements.
Mitie/Ministry of Justice	Sub-contractor payments	A supplier raised concerns about slow payment in a Ministry of Justice supply chain.	We discussed this issue at a senior level with Mitie and they agreed to ensure that prompt payments are made.
Eastern Shires Purchasing Organisation (ESPO)	Health and safety and references	A mystery shopper raised concerns about the tender documents for a Print Services framework agreement. The mystery shopper found them to be lengthy and commented that requests for environmental and health and safety policies as a pass/fail criterion and the number of references asked for could be a barrier for smaller suppliers.	We recommended that ESPO remove the pass/fail approach to health and safety and environmental policies and also the numbers of references that must be provided to open up opportunities for new suppliers. ESPO commented that a “fail” on suppliers’ health and safety policies would not necessarily lead to an automatic exclusion from this procurement. They pointed out the documentation used dated back to 2011 and has now been updated. Their current approach on references is not to exclude suppliers who cannot offer two references, as long as they can otherwise explain or evidence their expertise and ability to deliver the required services.
London Borough of Greenwich	Pre-qualification questionnaire (PQQ)	A mystery shopper raised concerns about the complexity of a PQQ in a construction contract.	We recommended that the council adopt the British standard PAS 91 PQQ for future construction procurements: http://shop.bsigroup.com/Navigate-by/PAS/PAS-91-2013/ . Greenwich undertook to review their existing approach with a view to using PAS 91.
Midland Heart (Housing Association)	Financial assessment of suppliers	We received two mystery shopper referrals regarding the approach to financial appraisal for one of the lots on a contract notice, which they felt was unfair and would disbar smaller practices from consideration.	We recommended for future procurements that a more holistic approach to the assessment of financial capability is taken. We pointed Midland Heart towards the approach set out in procurement policy note PPN 01/12 for central government contracts which builds on the approaches set out in our Supplier Financial Appraisal Guidance: https://www.gov.uk/government/publications/procurement-policy-note-01-12-use-of-pre-qualification-questionnaires . Midland Heart agreed to our recommendations.
Shropshire	Pre-qualification	A mystery shopper raised	We recommended that the council uses the PAS 91 pre-qualification questionnaire

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Council	questionnaire (PQQ)	concerns about the complexity of a procurement process for a construction framework agreement.	for future construction procurements: http://shop.bsigroup.com/Navigate-by/PAS/PAS-91-2013/ . The council agreed to this recommendation.
National Policing Improvement Agency (NPIA) / Home Office	Procurement process	A supplier was concerned that participation in a procurement was by invitation only.	NPIA were running a catalogue-based approach for low-value procurements. We discussed with them how the catalogue could be opened up to more suppliers and advised our mystery shopper how to join it.
Government Procurement Service (GPS)	Procurement process	A mystery shopper raised concerns about the complexity of the procurement process for the Development, Delivery and Support Services (ADDSS) framework agreement.	GPS reviewed their approach to this procurement and decided not to proceed.
London Mayor's Office for Policing and Crime	Financial assessment of suppliers	A mystery shopper challenged a pre – qualification questionnaire (PQQ) question which assessed suppliers' most recent level of annual turnover in proportion to the annual contract value for a Metropolitan Police contract for the supply of Communications and Public Relations Support Services, as they believed this would discriminate against SMEs.	We recommended that the Metropolitan Police follow the guidelines in procurement policy note PPN 02/13: https://www.gov.uk/government/publications/procurement-policy-note-02-13-supplier-financial-risk-issues . This advocates taking a risk based approach and that financial assessment should be undertaken on a pass/fail basis. We recommended that in future procurements that the pass/fail approach set out in PPN 02/13 is followed. The Police confirmed they were completely comfortable and aligned to this approach with regards to SME flexibility and would only potentially stop bidders that represented a substantiated risk to the organisation. They confirmed they have made several changes to their PQQ to ensure it is now aligned to PPN 02/13.
Doncaster Council	Evaluation of tenders and value for money	A mystery shopper raised concerns about a home to school transport contract and competition from community transport operators	We drew Doncaster's attention to the restrictions placed upon community transport operators by Section 19 of the Transport Act 1988 and the guidance published by the Vehicles and Operators Service Agency (VOSA). We also had concerns that the procurement process had mixed the selection phase of the procurement (assessing the capability and capacity of bidders to perform a contract) with the contract award phase where the value for money of bids is assessed. The council are now reviewing their framework agreement and discussing Section 19 issues with VOSA. We recommended that the council should not mix selection and award criteria in future and they accepted our recommendations.
Children and	Competition	A mystery shopper raised	CAFCASS told us that they run open procurement processes to award their

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Family Court Advisory Support Service (CAFCASS)		concerns about the number of contracts awarded by CAFCASS to Probation trusts for work involving tackling cases of domestic violence. He was concerned that the Trusts, who are public bodies, were not competing on a level playing field with voluntary sector organisations.	contracts for these services. Our mystery shopper was concerned that the Probation Trusts, who have won many CAFCASS contracts across the country, were cross subsidising these contracts from work awarded from the Ministry of Justice (MoJ). MoJ asked a cross section of Trusts if there was cross subsidy but they said there was not.
Kent County Council	Contract management	A mystery shopper complained that construction companies in the South East who have secured large building contracts funded by central government are failing to address the key performance indicators' agreement in place for the local employment, training and up-skilling of local youths.	We discussed the concerns with Kent and the contractor. The contractor told us they had been in contact with the local Job Centre to ensure local people were aware of the work available on the project. Kent told us they were satisfied that the contract was being fulfilled in line with their expectations.
Kent County Council	Procurement strategy	A mystery shopper raised concerns over the way the requirements under a technical and environmental services contract had been structured. This seemed to act in a way that would discourage SME participation, contrary to the procurement documents which encouraged such participation.	<p>The council explained market engagement days had helped them to determine the most appropriate contract structure for the procurement. SME participation would be enabled by means of smaller lots being procured outside the core contract, or by encouraging participation in the core contract through, for example, a joint venture or partnering. Some suppliers had not understood this, which suggests the language used by the council could have been clearer.</p> <p>We recommended to the council that, in future procurements of this nature, they should be more explicit in procurement documentation about the routes to participation available to SMEs and on the kind of arrangements between suppliers that would be acceptable. The council has accepted this recommendation.</p>
London & Quadrant	Financial assessment of	A mystery shopper raised concerns about the level of	We recommended that London & Quadrant Housing adopt a more holistic approach to assessment of financial capability when selecting suppliers by looking

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Housing Trust (L&Q)	suppliers	financial requirement set before allowing suppliers to bid for lots on a procurement for a gas system contract. The mystery shopper was concerned that the financial conditions would work against SMEs who wished to bid.	at a range of measures. We referred London & Quadrant Housing to procurement policy note PPN 01/12 - https://www.gov.uk/government/publications/procurement-policy-note-01-12-use-of-pre-qualification-questionnaires , which outlines our recommended approach to pre-qualification questionnaires and financial issues. Our recommendations were accepted.
Ministry of Defence (MoD)	Transparency	A mystery shopper raised concerns about a consultancy firm who had been doing pro-bono work for the MoD who may have had an unfair advantage when bidding for a contract.	We asked the MoD about the involvement of a consultancy firm in the early stages of a project which led to a procurement. MoD told us the consultants had assisted with a risk assessment exercise but when the decision was taken to start a procurement there was a complete separation of functions. The procurement was developed and carried out with no input from the consultants to ensure there was no unfair advantage.
Highways Agency	Financial assessment of suppliers	A supplier raised concerns about an unclear PQQ process and the scoring system for financial assessment potentially disadvantaging small firms, as more marks would have been given for firms with a higher turnover.	We pointed the Highways Agency towards procurement policy note PPN 01/12: https://www.gov.uk/government/publications/procurement-policy-note-01-12-use-of-pre-qualification-questionnaires and they agreed to use the Cabinet Office standard PQQ in future procurements.
Lincolnshire Police	Using an existing deal	A mystery shopper raised concerns about the adoption of a Lincolnshire Police contract for "back office" services by three other police forces because of its scope and scale.	The three police forces concerned decided not to adopt this contract, following their own review. We recommended that other police forces who wish to access the contract take specific advice as to whether the scope and volume of the services they are looking to access are such that it does not move outside the scope of the contract as originally advertised.
Eastern Shires Purchasing Organisation (ESPO)	Financial assessment of suppliers and references	A mystery shopper raised concerns about a tendering process including the assessment of financials and approach to reference checks.	We discussed the concerns raised with ESPO who have modified their approach to look at a range of financial measures and adopted a more flexible approach to their requirements for references.
Office for National Statistics (ONS)	Lengthy procurement	A mystery shopper raised concerns about the length of time of ONS' Open Geography procurement.	ONS told us that that their project had been delayed due to funding issues, but when it was paused all suppliers were kept informed of the situation. They have been in contact with our lean procurement team and in future procurements will be following lean procurement principles – see

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			https://www.gov.uk/government/publications/procurement-policy-note-04-12- procurement-supporting-growth-supporting-material-for-departments . They have ensured that all suppliers engaged in this project received a full de-brief.
Newcastle City Council	Insurance	A mystery shopper was concerned that the insurances required for a procurement were disproportionate to the supply of goods and services for the tender.	Newcastle reviewed the procurement documents and advised all suppliers that insurance requirements were issued in error and should be ignored.
NHS Bath and North East Somerset	Transparency	A mystery shopper was concerned that a contract for audiology services had been awarded to a newly formed company and had not been transparently tendered.	<p>We recommended that this contract for audiology services should not be extended and should be openly and transparently tendered online upon its expiry. The contracting body should ensure that a thorough pre-procurement engagement exercise takes place including consideration of the Public Services (Social Value) Act 2012.</p> <p>The new commissioning organisation for Bath and North East Somerset, who have taken over the existing contract, accepted our recommendations and will be advertising in the Supply to Health portal (www.supply2health.nhs.uk), when the current contract expires.</p>
Bolton Council	Pre-qualification questionnaire (PQQ)	A mystery shopper raised concerns about the complexity of a PQQ used for a contract for testing centres for taxis.	<p>We examined the PQQ and had some concerns that questions about contract award may have been included. We pointed Bolton Council towards two of our policy notes which cover our standard PQQ and the question of selection and award - procurement policy note PPN 01/12 - https://www.gov.uk/government/publications/procurement-policy-note-01-12-use-of-pre-qualification-questionnaires and procurement policy note 04/09 http://webarchive.nationalarchives.gov.uk/20110822131357/http://www.ogc.gov.uk/documents/PPN0409.pdf. We recommended that the council use the Cabinet Office model PQQ which is mandated for use on above threshold contracts in central government and strongly recommended to other Contracting Authorities. The council considered this but stated they had provided a detailed response to the complaint to justify the level of details requested in the PQQ. Bolton Council's Assistant Director of Finance and ICT who is responsible for Procurement was satisfied that the detail requested was both appropriate and proportional to the tender requirements.</p>

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			The council said they accepted the Cabinet Office standard PQQ contains examples of good practice, which are also included in its own standard PQQ. They also said this tender was subject to a bespoke PQQ and therefore they did not consider the standard PQQ was relevant in this instance.
Rushcliffe Borough Council	Invitation to tender (ITT)	A mystery shopper raised concerns about the procurement process for a contract for bailiff services.	When we investigated we had some concerns about the transparency of the procurement process and we recommended that all questions and answers relating to the procurement should have been made available to all bidders and that the evaluation system used should have been more clearly explained. Rushcliffe accepted these recommendations and have updated their policies and processes.
Suffolk Police	Financial assessment of suppliers	A construction contractor was concerned that he had been given an unreasonable credit rating from Experian and as a result could not get on the 'Bluelight' e-procurement system tender list.	As the mystery shopper wished to maintain anonymity we discussed Suffolk's general approach to assessing financial capacity. They explained that they use Experian as a way of ascertaining a supplier's standing for tender evaluations along with a range of other measures. We explained to the mystery shopper that the use of Experian, or other credit reference agencies, is one of a number of tools that contracting authorities use and it is good practice to do so, since it is aimed at reducing the risk of a supplier being unable to complete a project.
Government Procurement Service (GPS)	Withdrawal of contract opportunity	A mystery shopper raised concerns about the procurement for the Development, Delivery and Support Services (ADDSS) framework agreement being suspended.	Over a period of time we worked with GPS to ensure that all bidders received relevant information about the decision to review, and then discontinue, this procurement exercise.
Sandwell NHS, Heart of England NHS Foundation Trust, NHS Solent Supplies, Dorset County Hospital, NHS Dorset	Charges to access procurement opportunities	A number of mystery shoppers raised concerns about being contacted and invited to join an e market place for which charges would apply.	We advised the trusts that the Government's position is that suppliers should not be charged by public authorities for access to business. Some NHS trusts use third party organisations to help them source their goods and services and some of these organisations charge suppliers for this service. We are aware that many NHS trusts who use these services believe there is significant benefit to both suppliers – particularly SMEs who see these services as an opportunity to advertise their wares – and to trusts who find a single source of supplier information a huge help in their sourcing process. However some SMEs see these services as a barrier to direct access. While we think it is acceptable for contracting authorities to use these organisations, NHS trusts should be mindful that they do not preclude SMEs from gaining access should they see such routes as a burden to their business.
Devon County	Procurement	A mystery shopper raised	The mystery shopper was concerned that a wide range of work was required by

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Council	strategy	concerns about a procurement for a project which aims to deepen understanding of how people appreciate views of the Blackdown Hills area of outstanding natural beauty.	one supplier, which SMEs would not be able to respond to. We investigated the concerns raised but found no fault with the council's approach.
Oxfordshire County Council	Advertising and feedback	An unsuccessful bidder raised concerns that they had not received any feedback on their bid despite several attempts to get in contact with the contracting authority. The bidder also raised concerns as to whether the procurement rules had been followed as the contract was not advertised on OJEU.	Following our investigations, the council confirmed that the procurement was below the EU threshold and therefore not subject to the Public Contracts Regulations 2006. We were therefore content that they did not have to advertise in the Official Journal of the EU, although we recommended that they advertise their opportunities on Contracts Finder. The council confirmed that all of their opportunities are advertised on the South East Business Portal, which is picked up by Contracts Finder. The council also provided the bidder with feedback on their bid and agreed to ensure that for future tendering exercises they will provide feedback in a timely manner.
East Kent University / East Sussex NHS Foundation Trust	Procurement Process	A supplier raised concerns regarding the scoring process and the requirement for additional product testing, for a mini-competition for surgical drapes and gowns.	The Trust partially responded to our queries regarding the scoring process and the procedures they had followed. They also explained that when conducting pre-procurement discussions with suppliers it was understood that EN standards were a minimum and that further evaluations were required. We posed a number of subsequent questions to the Trust regarding their procedures and the need for the additional testing but they did not respond. We informed the Trust that due to the fact that the framework products would have had to meet certain standards as part of the original selection process in order to gain a place on the framework, we would not expect additional testing to take place. To justify any further testing the Trust would need to be able to demonstrate specific, objective, justifiable reasons as to why the particular intended usage of the items required attributes, functionality, or performance levels beyond or outside those set out in the EN standard.
Government Procurement Service (GPS)	Problems with an e procurement system	A mystery shopper experienced problems in applying to join the Agile Route to Market procurement system.	The mystery shopper had used an out of date e procurement system to apply. We advised the mystery shopper of the new system. We also put the mystery shopper in touch with GPS so they could discuss when the next advertisement for the Agile Route to Market would take place.
Sanctuary Housing Group	Framework agreements	A mystery shopper was concerned that the use of a framework agreement for	Sanctuary decided to withdraw from the framework agreement and review their approach. This was because they understood that their recent commercial position caused some concern. They decided not to release any work packages until they

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		construction projects would disadvantage SMEs.	had decided on how they wished to contract at the pre construction stage.
Milton Keynes Council	Pre-qualification questionnaire (PQQ)	A mystery shopper raised concerns about a PQQ, stating it excluded SMEs from local authority work.	We recommended the council adopt the standard Cabinet Office PQQ - https://www.gov.uk/government/publications/procurement-policy-note-01-12-use-of-pre-qualification-questionnaires . The council are reviewing the PQQ they used in line with these recommendations.
London Borough of Hillingdon	Charges to access procurement opportunities	A mystery shopper raised concerns about having to pay a fee to access a print contract through an e procurement portal.	Despite contacting several layers of management to discuss this issue Hillingdon did not respond to our enquiries. Our view is that there should not be charges to access public procurement opportunities.
Rural Payments Agency (RPA)	Pre procurement engagement	A mystery shopper raised concerns that they had been asked about their experience and capacity in connection with an RPA project when the relevant questions had already been asked through the G Cloud framework agreement. It appeared that the RPA were looking to procure through G Cloud.	We discussed the concerns with the RPA who confirmed that they were developing their procurement approach and the communication and questions to suppliers listed on G Cloud had been sent in error. They retracted their e mail and we discussed the benefits of early market engagement as set out in procurement policy note PPN 04/12 - https://www.gov.uk/government/publications/procurement-policy-note-04-12-procurement-supporting-growth-supporting-material-for-departments
Amicus Horizon Housing Association	Transparency	A mystery shopper was concerned that a contract for grounds maintenance had not been advertised in the Official Journal of the European Union (OJEU).	When we investigated we established that this was a contract for “Part B” services which do not have to be advertised in OJEU. Amicus were looking for one supplier to perform a contract which covered three of their operational areas. They had described this as three “lots” but we found this language confusing as it implied there would be a separate contract for each area. Amicus accepted our recommendations to alter the description of this arrangement in future contracts.
Government Procurement Service (GPS)	Highlighting changes in G Cloud framework agreements	A supplier suggested that GPS should highlight the differences in the documentation of G Cloud II and G Cloud III.	GPS informed us that they have not published a comparison version of the terms and conditions for G Cloud III as they did not wish to confuse bidders. They will publish a comparison document on the G Cloud website and all suppliers will be notified once it is available.
University College London (UCL)	Financial assessment of suppliers	A mystery shopper expressed concerns that UCL had imposed overly restrictive conditions in the financial requirements of potential bidders.	After investigation, we did not feel that the financial requirements had caused a barrier to entry for smaller suppliers. The scoring section constituted just 3% of the overall marks available and the requirement to provide examples of previous contracts was not a pass/fail criteria, which would otherwise have constituted a barrier.

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Milton Keynes Council	Framework agreements	Two mystery shoppers raised concerns about the council using framework agreements for construction contracts.	We investigated the mystery shopper's concerns but found no fault with the approach taken by the council.
Home Office	Evaluation and de-briefing	A supplier raised concerns that, after submitting a bid they were precluded from the short list, as their compliant bid had not passed 'technical evaluation'.	The mystery shopper was unclear about the reasons why his bid had failed. We contacted the Home Office and the Government Procurement Service, who had managed the procurement, and suggested that a de-brief meeting should take place. The recommendation was accepted and the supplier was able to understand why he did not pass the technical evaluation.
Arts Council England	Feedback on a bid	A supplier had not received feedback on a bid for a low value contract.	We contacted the Arts Council and arranged a full de-brief meeting.
BBC	Relevant experience	A mystery shopper's bid for a telephony contract was unsuccessful on the grounds of insufficient relevant experience.	We recommended that the BBC provide detailed feedback to the mystery shopper. We also advised the mystery shopper on how we thought they could improve their bid for future opportunities.
Derby Hospitals NHS Foundation Trust	Prompt payment	A mystery shopper was concerned that the Trust was increasing its payment terms from 30 to 60 days.	EU Directives stipulate that Public Sector bodies must now pay invoices within 30 days. We advised the Trust that they should pay invoices within 30 days in line with the legislation: http://ec.europa.eu/enterprise/newsroom/cf/itemdetail.cfm?item_id=6504&lang=en&tpa_id=0&title=SMEs%3A%2DDamaging%2Dlate%2Dpayment%2Dculture%2Ddue%2Dto%2Dend%2Don%2D16%2DMarch .
Norfolk and Waveney Commissioning Support Unit	Scoring of a tender	A mystery shopper raised concerns about the scoring mechanism used to assess his tender.	We discussed the approach to scoring with Norfolk and Waveney. We concluded that the tender documents could have usefully illustrated what a good score would have been so could have been more transparent. Norfolk and Waveney accepted our recommendations to adopt a more transparent approach in future procurements.
Health Protection Agency	Invitation to Tender (ITT)	A mystery shopper was concerned about the scoring of an ITT for a Molecular MRSA testing contract.	The Health Protection Agency (HPA) responded quickly to a supplier's concerns that the scoring on the ITT for a Molecular MRSA Testing contract was ambiguous. HPA quickly provided clarification on how scoring was to be weighted and example answers for questions that were to be scored proportionally. Additionally, the deadline for ITT returns was extended to ensure that all suppliers had the time to make note of the new information and adjust their submissions as required. HPA no longer exists but Public Health England (PHE) has also accepted our recommendation that in future procurements, as far as is possible, example answers are provided for questions with apportioned scoring and scoring break

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			downs are as specific as they can be.
Barnsley Metropolitan Borough Council	Framework agreements	A mystery shopper had received no work through the YOR Civil framework agreement, which is administered by Barnsley.	Barnsley explained they are the lead authority for this framework agreement which is available to a number of public bodies in the Yorkshire and Humber region. Barnsley explained that take up of the framework had been lower than hoped for in the south and west of the region, because of authorities using existing arrangements. They said that the amount of business going through the framework will be considered when decisions about future arrangements are made once the current framework expires.
Northamptonshire County Council	Procurement strategy	A mystery shopper raised concerns about the tender requirements for a new office design and build. Northamptonshire were seeking to procure the services of a single organisation to undertake an extensive list of requirements which the mystery shopper doubted one single supplier would be able to supply.	We discussed the issues with Northamptonshire. They were keen to enable consortia of SME specialist providers to form so decided to extend the procurement timescales to enable this to happen.
Rotherham Council	Complex tender documents	A mystery shopper, who was bidding for a learning and development contract, was concerned by the level of detail called for in the tender documents. They felt this could be a barrier for SMEs and individuals looking to provide these services.	We discussed the points raised by the mystery shopper with the council and they have undertaken to simplify their processes in future procurements.
British Transport Police	Pre – qualification questionnaire (PQQ)	A mystery shopper raised concerns about the use of a complex PQQ.	We recommended that British Transport Police adopt the standard Cabinet Office PQQ - https://www.gov.uk/government/publications/procurement-policy-note-01-12-use-of-pre-qualification-questionnaires in future procurements. This recommendation was accepted.
Royal Liverpool University Hospital Trust	Prompt payment of sub - contractors	A sub-contractor was concerned that they were being paid slowly by a prime contractor.	We investigated and discovered that the contract issued by the Trust did not have a clause for sub-contractor payments.
London Borough	Invitation to	A mystery shopper raised	Islington revised the timescales of their procurement after listening to concerns

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of Islington	Tender (ITT)	concerns about timescales and the evaluation of a tender.	from potential providers. We established that evaluation criteria had been issued along with all other procurement documents. As no other sub-criteria were used to assess tenders we found no fault with the approach to evaluation.
Chelmsford Council	Pre-qualification questionnaire (PQQ)	A mystery shopper raised concerns about the PQQ used in a Housing Needs Assessment procurement.	We recommended that the council adopted the yes/no answer approach which is used in the standard Cabinet Office PQQ. For any questions requiring a free text answer we recommended that they provide examples of what a good answer would be to help bidders provide the fullest answers they can. The council accepted these recommendations.
DVLA	Invitation to Tender (ITT)	A mystery shopper raised concerns about the fairness and transparency of the evaluation of tender.	We investigated the mystery shopper's concerns but found no fault with DVLA's approach towards achieving value for money, their scoring process and the types of questions they asked.
Frimley Park Hospital NHS Foundation Trust	Procurement strategy	A mystery shopper raised concerns because a procurement for an e Prescribing system required bidders to have previously supplied the NHS.	We were concerned that the requirement for previous NHS experience would narrow the market. We discussed this with the Trust and they informed us that they had decided to re-start the procurement, taking on board the advice offered by the Cabinet Office.
Hull City Council	Overly complex process	A mystery shopper raised concerns that the evaluation of a contract for the installation of a lift was focused solely on price.	The contract value was below the relevant EU threshold so the Public Contracts Regulations did not apply. The council had run a two stage process, and the first stage included questions about quality and capability to deliver and the second stage focused on price. We recommended that a less complex one stage process should be used in future procurements. The council accepted this recommendation.
London Borough of Islington	Abandonment of procurement process	A mystery shopper complained about the abandonment of a procurement of a framework agreement.	The mystery shopper had taken a good deal of time and effort to bid for inclusion on the framework, which was abandoned at the pre-qualification questionnaire stage because of changes in budgets. We recommended that the council be more certain about their business cases before engaging with the market but did agree that it was better for them to abandon the framework at this stage rather than letting it and putting no work through it.
Ministry of Defence (MoD)	Security clearance	A mystery shopper raised concerns that a prime contractor in an MoD supply chain was requiring temporary staff to already have security clearance in place when bidding for a sub-contract.	This referral highlighted that the guidance on security clearance for temporary staff engaged by government departments was not sufficiently explicit on supply chains. We worked with the MoD and their contractor to amend their processes to align with the policy that security clearance should only be required in advance in cases of urgency. This applies to temporary staff taken on by departments and in their supply chains. The security clearance team have also amended their guidance to make this clear as a result of this referral.

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Office of the Children's Commissioner (OCC)	Advertising low value contracts	Three mystery shoppers expressed concern that too many suppliers were being asked to tender for a low value opportunity through a Department for Education framework agreement.	We looked at the issue but concluded that it is better to have a transparent process rather than restrict competition by inviting fewer suppliers to bid.
Kent County Council	Procurement strategy	A mystery shopper raised concerns about the arrangements for procuring management information services (MIS) for schools.	The council advised us that they had entered into a collaborative procurement led by East Sussex County Council.
London Borough of Waltham Forest	Procurement strategy	A mystery shopper raised concerns about the arrangements for procuring management information services (MIS) for schools.	Waltham Forest stated that they do procure MIS for local authority maintained schools in the borough and they will be reviewing their arrangements in 2014/15 to ensure they are procured in line with the recommendations of BECTA's 2010 report on schools' MIS - http://media.education.gov.uk/assets/files/pdf/school%20management%20information%20systems%20and%20value%20for%20money%202010.pdf . We advised the council to consider the IMLS framework agreement which provides schools and local authorities with an easy to use and legally compliant method for procuring schools MIS.
City of York Council	Procurement strategy	A mystery shopper raised concerns about the arrangements for procuring management information services (MIS) for schools.	<p>City of York Council (CYC) told us that each secondary school has chosen to undertake their own, independent, procurement exercises, whilst many primary schools decided to join together to undertake a single procurement exercise which was led by the City of York Council in order to share resource, drive efficiencies and make savings. However as schools act as discrete units, not all primary schools followed this route and the primary schools that did join together had access to CYC's expertise, but the CYC was not in a position to make decisions on their behalf.</p> <p>York's last procurement exercise for MIS software (for primary schools) took place in April 2009. The arrangement has been competitively bought and is subject to an annual review. When the service requirement changes or schools wish to work differently, CYC will offer to advise them and as usual ensure that all correct processes are followed. Where full OJEU-compliant tendering is required, CYC will offer primary schools their expertise so that they can decide on how they would like to re-procure the MIS software.</p>

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Barnsley Metropolitan Borough Council	Procurement strategy	A mystery shopper raised concerns about the approach the council were taking towards procuring schools' management information services (MIS).	Barnsley explained that the service under which MIS is managed has undergone a major reorganisation. Barnsley have launched a project to procure a replacement MIS system and they are consulting with their partners on the specification. We recommended that Barnsley consider the IMLS framework agreement - http://www.education.gov.uk/schools/adminandfinance/procurement/b0069801/buying/ict/information-management-and-learning-services-framework/advice and cloud based solutions in line with the "cloud first" policy - https://www.gov.uk/government/news/government-adopts-cloud-first-policy-for-public-sector-it and the council confirmed they would look at these options when developing their procurement strategy.
Leicestershire County Council	Procurement strategy	A mystery shopper raised concerns about the approach the council were taking towards procuring schools' management information services (MIS).	Leicestershire are reviewing their arrangements in the light of most of their schools moving to Academy status. We recommended, that as part of this review, they consider the 2010 BECTA report on schools MIS http://media.education.gov.uk/assets/files/pdf/school%20management%20information%20systems%20and%20value%20for%20money%202010.pdf and the IMLS framework agreement http://www.education.gov.uk/schools/adminandfinance/procurement/b0069801/buying/ict/information-management-and-learning-services-framework/advice and cloud based solutions in line with the "cloud first" policy - https://www.gov.uk/government/news/government-adopts-cloud-first-policy-for-public-sector-it . They accepted these recommendations.
London Borough of Bromley	Procurement strategy	A mystery shopper raised concerns about the procurement of schools' management information services (MIS) by the London Borough of Bromley	Bromley told us that their MIS service is currently under review by the council as it needs to consider the position adopted by the schools in Bromley who are mostly electing to move to Academy status. They explained that as Academies are contracting authorities in their own right they make their own decisions on procurement of MIS. In addition, the small numbers of schools that remain under "maintained" status, have their own budgets and operate as "discrete operational units" and are able to make their own contracting decisions. As a result the council's role in procurement of these services has diminished and the council's focus is now on looking at the systems required to manage the changes in their relationship with the schools. The council passed our advice on schools' MIS procurement to the maintained schools that remain in the borough, which is to take into account the findings of the 2010 report by BECTA - http://media.education.gov.uk/assets/files/pdf/school%20management%20information%20systems%20and%20value%20for%20money%202010.pdf , consider using

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			the IMLS MIS framework agreement and cloud solutions first.
London Borough of Enfield	Procurement strategy	A mystery shopper raised concerns about the procurement of schools' management information services (MIS).	Enfield confirmed that they do not directly procure schools' MIS – this is the responsibility of individual schools. They are issuing a reminder to schools in the Borough to follow the council's guidelines in procuring these services.
Telford and Wrekin Council	Specification	A mystery shopper raised concerns about the approach the council were taking for the procurement of management information services (MIS) for schools.	The council were still in the pre-procurement stage and they confirmed that they are planning to procure in line with the recommendations of the 2010 report by BECTA on procurement of these services - http://media.education.gov.uk/assets/files/pdf/school%20management%20information%20systems%20and%20value%20for%20money%202010.pdf .
East Sussex County Council	Procurement strategy	A mystery shopper expressed concerns that a procurement that East Sussex are planning for a number of authorities to procure schools' management information services (MIS) in the south east would not follow the recommendations of the 2010 BECTA report on this topic - http://media.education.gov.uk/assets/files/pdf/school%20management%20information%20systems%20and%20value%20for%20money%202010.pdf .	East Sussex confirmed that they have taken into account the recommendations of the BECTA report. The Government Procurement Services' IMLS framework agreement has been considered but the council has decided to run its own procurement exercise. It is looking to secure the best value for money option, including cloud based solutions and taking into account whole life cycle costs.
Home Office	Specification	A mystery shopper raised concerns about a lack of transparency in the way that grants were made and procurements conducted by the organisations receiving grants for pop up mortuaries.	Following our investigation the Home Office will refer all grant givers and procurers to their existing rules on grants which require a compliant procurement process to be adopted when spending awards.
Department of Work and Pensions (DWP)	Financial assessment of suppliers	A mystery shopper raised concerns over the approach taken to assessing the financial strength of suppliers in a	We discussed the approach DWP were taking. They explained that they took a risk based approach and looked at a number of financial measures. Where an initial assessment flagged concerns they looked more deeply and sought alternative information before removing bidders from the competition. Part of the lotting

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		framework agreement for social and economic research services.	strategy for the framework agreement was based on the size of contract which a supplier was financially strong enough to handle. We thought the methodology used was thorough and robust and provided flexibility proportionate to the risk in the contracts that would be awarded under the framework agreement. The approach was in line with that set out in our procurement policy note 02/13 - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/137569/PPN_Supplier_financial_risk_Feb-18.pdf .
Visit England	Procurement process	A mystery shopper was concerned about the specification for a market research contract concerning hotel accommodation.	We discussed the concerns with Visit England that the contract would not achieve their intended outcomes. We recommended they re-define the scope of the specification and go back to the market. They accepted these recommendations.
Government Procurement Service (GPS)	Pricing requirements	A mystery shopper raised concerns about suppliers on the G Cloud framework agreement not meeting the requirement for standardised prices.	The mystery shopper was concerned that competition would be undermined if the approach to pricing required by the framework was not followed. We worked with GPS to ensure the pricing structure would be followed in future procurements and the supplier who was in breach of the G Cloud arrangements agreed to adhere to the requirements in future.
Government Procurement Service (GPS)	On-line supplier registration system	A mystery shopper raised concerns about the SID4Health supplier registration system.	The mystery shopper believed that some of the questions in the SID4Health on-line system were burdensome. SID4Health is being replaced with a new SID4Gov system which will enable suppliers to register information asked for in pre-qualification questionnaires once instead of repeating the information for individual tendering exercises. We worked with the team developing the new system to ensure that the questions asked are in line with current policy.
NHS Cumbria	Contract management	A supplier who is on the Any Qualified Provider (AQP) list for the NHS "Choose and Book" system, is unable to obtain a smart card which is essential for the use of the system.	Cabinet Office suggested that the Trust should liaise with suppliers going forward with regards to the issue of smart cards, to enable a sustainable process to be put in place and to ensure that the contract can be delivered. The Trust agreed to our recommendations.
Cheshire East Council	Problem with e-procurement system	A mystery shopper raised concerns about a fault in an e-procurement portal which had disadvantaged the company when bidding for a contract.	We discussed the mystery shopper's concerns with Cheshire East Council who told us that they ensured that the fault was rectified as soon as it came to their attention.
Leicestershire County Council	Framework agreements	A mystery shopper raised concerns that non-commercial	Leicestershire discussed the issues raised with the Vehicles and Operators Service Agency (VOSA). Following those discussions the council has undertaken to

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		operators bidding to be on a small passenger vehicle framework agreement might be operating outside the restrictions placed upon them by Section 19 of the Transport Act 1988.	remind the operators on their small passenger vehicle framework who use Section 19 permits that, where there is no element of separate fares and if they are using a permit vehicle to undertake the council's contract work, the vehicle must have more than 8 passenger seats.
Her Majesty's Revenue and Customs (HMRC)	Cloud First policy	A mystery shopper was concerned that an HMRC ICT procurement was not using G Cloud.	We asked HMRC if G Cloud had been considered in line with the Government policy that cloud solutions should be considered first in all ICT procurements - https://www.gov.uk/government/news/government-adopts-cloud-first-policy-for-public-sector-it . HMRC have confirmed that they investigated the possibility of using G Cloud as a solution but that at this stage none of the G Cloud suppliers engaged with were able to provide sufficient assurances that their products could fulfil all of the specific essential requirements applicable to the service being procured.
Worcestershire College	Pre-qualification questionnaire (PQQ)	A mystery shopper raised concerns about the complexity of a PQQ used in a cleaning services procurement.	We pointed the college's procurement advisers towards our procurement policy notes, including PPN 01/12 and PPN 02/13, which set out the recommended approaches for PQQs and financial assessment of suppliers - https://www.gov.uk/government/organisations/cabinet-office/series/procurement-policy-notes . The college's advisers, Tenet Educations Services Ltd, are considering this advice at their next board meeting with a view to incorporating the approaches into future procurements.
London Borough of Havering	Prompt payment	A mystery shopper raised concerns over the slow payment of invoices in respect of a contract he has with Havering.	Havering confirmed that they take prompt payment seriously and are committed to paying invoices within 30 days. They offered to investigate the mystery shopper's specific concerns but he was unwilling to reveal his identity to enable that to happen.
Hertfordshire County Council	Pre-qualification questionnaire (PQQ)	A mystery shopper raised concerns that the PQQ for a schools' management information services (MIS) framework agreement included a requirement that they must have experience of delivering a similar contract for at least 50 educational establishments.	The council re-considered this requirement and decided to ask for experience of delivering to a significant number of educational establishments, which would be a requirement of the framework, rather than a set number of 50.
Stockport NHS Foundation Trust	Procurement strategy	A mystery shopper had responded to an invitation to bid	The Trust had asked a third party to undertake a price benchmarking exercise, rather than a procurement. We recommended that when undertaking a bench-

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		in a framework agreement mini – competition but then discovered that the procurement had been abandoned.	marking pricing exercise in the pre-procurement stage organisations must take care not to confuse the market, ensuring that the suppliers concerned are absolutely clear about what type of exercise they are involved in. See procurement policy note PPN 04/12: https://www.gov.uk/government/publications/procurement-policy-note-04-12-procurement-supporting-growth-supporting-material-for-departments . The Trust accepted these recommendations and will ensure that any third parties undertaking future exercises follow this advice.
Somerset County Council	Procurement strategy	A mystery shopper raised concerns that Somerset County Council were going to introduce a large single provider FM contract which would mean less business for SMEs.	Somerset County Council confirmed that this was not the case and gave assurances that any new Category Plan which is developed would be in line with government policy regarding SMEs.
The Abbeyfield Society	Transparency	A mystery shopper expressed concerns that the Abbeyfield Society published a tender notice with a general high level Common Procurement Vocabulary (CPV) code that did not match the services it was looking to procure, preventing transparency in the coding search system and limiting market response.	We discussed the use of the CPV code with the Abbeyfield Society and recommended that more specific codes could have been used in the interests of transparency, which in turn would lead to a better response from the supply market. We also recommended that more specific codes are used in future procurements. The Abbeyfield society agreed to consider implementing our suggestions to use more appropriate CPV codes.
Transport for London (TfL)	Financial assessment of suppliers	A mystery shopper raised concerns about a turnover threshold being applied in the PQQ stage of a procurement.	We recommended to TfL that for future procurements Cabinet Office financial appraisal policy note PPN 02/13 https://www.gov.uk/government/publications/procurement-policy-note-02-13-supplier-financial-risk-issues should be adopted so that potential suppliers are not ruled out of procurements solely on the basis of turnover value alone. Instead a risk based, holistic approach should be taken so that other useful factors which demonstrate financial strength can be taken into account to make an overall assessment, which is proportionate to the requirements and value of the contract. TfL extended the deadline for response to their PQQ and agreed to note this policy note for future procurements.
City and Islington College/Centre	Transparency	A mystery shopper raised concerns about the transparency	We recommended that for future procurements, the evaluation criteria and methodology should be published at the outset with all the key bidder documents.

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for Business, Arts and Technologies		of a procurement for a data centre room.	This helps to ensure that the principle of transparency is applied, so that potential applicants are informed as early as possible about how tenders will be assessed and scored. We also recommended that for future tenders of a similar value, where there is no value for money framework available, the opportunity is advertised on-line to increase competition, demonstrate transparency, and to ensure that new entrants to the market and SMEs are not excluded. The Department for Education's decision tree for schools' procurement is a useful guide: http://media.education.gov.uk/assets/files/pdf/p/procurement%20decision%20tree%20hlv1.pdf .
Genesis Housing Association	Abandonment of procurement process	A mystery shopper expressed concerns that they had been waiting for nearly a year to find out the results of a pre-qualification questionnaire they submitted to secure a place on Genesis Housing Association's Architectural Framework. The mystery shopper also raised difficulties they faced with contacting Genesis and being kept updated during the tendering process.	We contacted Genesis who explained that this procurement process was no longer live and was suspended due to a restructuring of Genesis procurement opportunities by an external agency. They also explained there had been a change in lead staff during the process and although they tried to ensure all suppliers were fully informed and updated during the procurement they acknowledged that the change in staffing may have resulted in some suppliers not being contacted. We recommended that in future procurements Genesis ensure that all bidders are kept aware of developments, especially decisions to abandon or postpone procurement projects. Genesis explained that since the publication of the original opportunity they have implemented an e-portal system, to increase the ease with which they can communicate with suppliers and to ensure incidences like this do not occur in the future.
NHS Waltham Forest /North and East London Commissioning Support Unit	Specification	A mystery shopper questioned why, in a contract for services, it was necessary for bidders to provide a pension scheme which was broadly comparable to existing arrangements. The mystery shopper did not believe this provided a level playing field for private sector providers.	The NHS explained that where TUPE applies and the incumbent provider is an NHS organisation it is necessary for bidders for NHS contracts to have a Government Actuary's Department certificate in order that pension arrangements are broadly comparable to the NHS pension scheme for NHS staff who may transfer to a new provider.
Ministry of Defence (MoD)	Pre-qualification questionnaire (PQQ)	A mystery shopper was concerned that his PQQ response was excluded because of its length.	The mystery shopper's response had exceeded the limit set by the MoD. In future procurements the MoD will look at the evidence submitted up to their limit rather than exclude bids which exceed it.
Your Homes	Previous	A new SME complained it was	We contacted Newcastle and they said they would accept three references which

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Newcastle	experience	hard to pass the PQQ stage of a Newcastle City Council procurement because three references showing experience were requested and the SME had only recently established the business and so was unable to provide these.	showed the capability of the individual(s) to deliver if successful and would write out to all who had expressed an interest offering this. They also stressed that to be SME/new business friendly, they accepted a range of supporting financial information showing the businesses' capability to deliver.
London Academies Enterprise Trust	Transparency	A mystery shopper raised concerns because his company had been unsuccessful in a competition for a contract for temporary staff. He said this was because he had not provided prices for the work he was tendering for.	When we investigated we discovered that the Academy had asked for prices to be submitted in their tender documents. As this was a contract for "Part B" services the full range of the Public Contracts Regulations did not apply. We recommended, that in the interests of transparency, bidders are informed at all stages of procurement processes on the progress of their bids and that when procuring Part B services a flexible approach is taken. The Academy accepted these recommendations.
Slough Borough Council	Financial assessment of suppliers	A mystery shopper raised concerns about the financial strength of bidders for a contract being decided by applying a threshold which their annual turnover had to exceed.	The council explained that they look at a range of financial measures including turnover and credit rating reports. We drew the council's attention to procurement policy note PPN 02/13 - https://www.gov.uk/government/publications/procurement-policy-note-02-13-supplier-financial-risk-issues . The council confirmed they are following the approaches set out in this note.
Portsmouth Hospitals NHS Trust	Specification	A mystery shopper raised concerns about a requirement for dialysis chairs to meet certain fire safety standards in a pre-qualification questionnaire (PQQ).	The Trust clarified the fire safety standards required with their Fire Officer and included them in the invitation to tender (ITT) stage of the procurement. They confirmed that all respondents to the PQQ would progress to the ITT stage.
Suffolk Police	Procurement process	A mystery shopper raised concerns about the procurement process in respect of a grant ward for a pop up mortuary.	The police had received a Home Office grant for the purchase of a pop up mortuary. When we investigated we had concerns about the transparency of the process and recommended that in future, procurements resulting from grant awards should be conducted in an open and transparent manner in line with the EU rules and treaty principles. The police did not respond to this recommendation.
Herefordshire County Council	Supply chain	An SME and incumbent supplier was not aware that a contract at Herefordshire County Council	The council ensured that they met with the supplier to explain the contract changes and how it affected the work they previously provided and gave them the details of the winning organisation so they could contact them regarding sub-contracting

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		was changing in structure and missed the advertisement, so did not bid for one of the opportunities.	opportunities they could bid for.
Business Innovation and Skills (BIS)	Scoring and evaluation	A mystery shopper raised concerns about the scoring of a low value tender and the approach to obtaining expressions of interest in another tender.	BIS reviewed the approaches taken in the two procurements and recognised that the procurements had not followed good practice. They are taking steps to strengthen their processes to ensure these issues do not occur in future procurements.
Business Innovation and Skills (BIS)	Procurement strategy	A mystery shopper raised concerns about the approach BIS were taking in a contract for laboratory consumables. The mystery shopper believed that the approach would be detrimental to SMEs.	BIS told us they are moving towards a single source distributor model to allow them better commercial leverage. We investigated the concerns and concluded that BIS were acting in accordance with good practice to achieve better value for money, whilst encouraging SME opportunities within the supply chain.
Home Office	Time allowed to respond to an advertisement for a low value contract	A mystery shopper raised concerns about a low value tender posted on Contracts Finder where four working days were allowed for responses.	The Home Office agreed to extend the deadline for response and ensured that all bidders were aware of the increased time allowed.
Airedale General Hospital	Specification	A mystery shopper raised concerns with regards to the procurement approach for an immunology system. They were also concerned that due to the imminent deadline there was insufficient time for their queries to be fully addressed.	The Trust clarified their approach and extended the submission deadline to allow more time for the market to respond.
Home Office	Specification and supporting evidence	A mystery shopper raised concerns that the structuring of the procurement and the desired evidence to demonstrate competence would hamper competition in the market.	The Home Office recognised the potential for misinterpretation of the requirements. They immediately issued a 'Tender Guidance Notice' for the avoidance of doubt to all bidders.

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Her Majesty's Revenue and Customs (HMRC)	Feedback	A mystery shopper had not received feedback as to why their tender, in response to a call off from a framework agreement, had not been successful.	We intervened and the mystery shopper received their feedback which they are discussing with HMRC.
Metropolitan Police	Procurement Process	A mystery shopper raised concerns about a short period of time between final clarification questions being answered and the deadline for return of the PQQ.	We approached the police with the mystery shopper's concerns and they extended the deadline to enable more time for bidders to respond.
Government Procurement Service (GPS)	Procurement strategy	A mystery shopper raised concerns about the proposed structure of a procurement for Telecommunications Expenses Management which they felt was not friendly to SMEs.	We discussed the concerns raised with GPS who met the mystery shopper and assured them that they were open to a wide range of solutions from suppliers of all shapes and sizes.
Department for Education (DfE)	Pre – qualification questionnaire (PQQ)	Concerns were raised about a PQQ which set a minimum of £2.5 million annual turnover for suppliers bidding for this contract.	DfE reviewed the PQQ and amended their statement to say that they considered that suppliers with a turnover of £2.5 m or above would be most suitable but those with lower turnovers would not automatically be excluded and a range of financial measures would be considered. This approach aligns with the Cabinet Office's procurement policy note PPN 02/13 on financial assessment - https://www.gov.uk/government/publications/procurement-policy-note-02-13-supplier-financial-risk-issues .