

# Withdrawn

**This publication is withdrawn.**

This publication is no longer current.



## Chapter 7: Other Contract Requirements

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### Participant feedback and complaints handling

- 7.01 You will ensure systems are in place (including your subcontractors) to allow participants to resolve any grievances, concerns or complaints promptly and with the minimum level of bureaucracy, without causing them embarrassment. This includes complaints in relation to discrimination.
- 7.02 You must always try to resolve problems internally. If a participant needs to escalate, it should be referred through the [ICE Independent Case Examiner](#).
- 7.03 You must record any discussions and their outcomes, allowing the participant to see and sign the record. Participants will be told the outcome of issues raised by them through the complaints procedures.
- 7.04 You should monitor complaints to identify patterns or trends. You will need to demonstrate actions to improve systems and control.

### Health and Safety

- 7.05 All participants involved in any way with the Department’s provision are entitled to train and work in a healthy and safe environment with due regard to their welfare. Under Health and Safety Law they are regarded as the



Provider’s employees, whether or not they are paid. You must, therefore, comply with your Duty of Care under the [Health and Safety at Work Act 1974](#) and the Act’s associated regulations in the same way as you would do for any other member of your workforce.

- 7.06 You must ensure that participants receive health and safety induction, training and supervision which are appropriate to the provision being delivered, and that systems are in place for checking this, both within their own organisation and at any sub-contractors. You must complete risk assessments, instruct, inform and train participants on the control measures identified. There are specific risk assessments for young people, pregnant workers, Lone Workers and employees who are engaged in Manual Handling activities. This list is not exhaustive.
- 7.07 The Department may therefore visit you and your sub-contractors for a variety of reasons. When doing so they will, in the course of their duties, adopt an ‘awareness’ approach to health and safety. In doing this they will not be conducting a health and safety inspection, nor will they be in a position to offer advice on whether something is safe or not.
- 7.08 Instead they will approach this from the position of any layperson. If, however, they do spot something on which they require assurance or clarification they will raise this with you or your sub-contractor’s representative at the location they are visiting. If it is subsequently decided that the issue raised is one that requires follow up, this will be arranged with you through your single point of contract.
- 7.09 Owing to the specific nature of this provision service you should establish policies, procedures, resources and training, to recognise and respond to the wellbeing and mental health issues of participants.

## Data Security Requirements

- 7.10 Cabinet Office has introduced mandatory requirements relating to data handling, security and information assurance in government contracts. Information must be protected, together with systems, equipment and processes which support its use. The Department’s Contractors must provide an appropriate level of security. You will be required to submit a Security Plan with your Tender, which details all activities required to safeguard DWP information in compliance with the Department’s Security Policy and standards.



7.11 Should you wish to make any change, modification or refinement to any aspect of your security plan you must seek DWP approval through the Security Plan Change Request Process as detailed in [DWP Generic Guidance for Providers Chapter 8, paragraphs 14 to 16](#). Please refer to this chapter for more detailed information about security incidents and the reporting process.

7.12 You are required to undertake an annual review of your Security Plan providing confirmation to DWP once complete. This is generally 12 months from the start of your contract and DWP will contact you separately detailing the process.

## **Her Majesty’s Government (HMG) Baseline Personnel Security Requirements**

7.13 The HMG Baseline Personnel Security Standard is a staff vetting procedure. It requires that a number of checks are made on persons who are to be given access to Government assets (premises, systems, information or data). Full details of the contractual obligations required to comply with the above procedures can be found in the [DWP Generic Guidance for Providers Chapter 8 paragraphs 29 to 35](#).

## **Business Continuity**

7.14 As part of the contract start up, you will be asked to supply details of how business continuity arrangements will be implemented and how these requirements will be covered (including those of your subcontractors). We expect you to:

- provide robust business continuity plans and disaster recovery arrangements for all services
- provide the Department with sufficient evidence to demonstrate that these are in place
- regularly test all contingency arrangements, providing relevant evidence and outcomes of tests to the Department via Account Managers
- immediately notify the Department in the event of a business continuity incident or a significant disaster and
- meet the requirements of the JOBS II manual for additional training requirements.



## DWP Code of Conduct and Merlin Standard

- 7.15 The DWP Code of Conduct spells out the key values and principles of behaviour which the Department expects of Organisations which are essential for creating healthy, high performing supply chains. Organisations that contract with the Department will be expected to operate in accordance with the Code of Conduct.
- 7.16 The Code is Annex 1 to the DWP Commissioning Strategy and be found at <https://www.gov.uk/government/collections/dwp-provider-guidance>
- 7.17 You must adhere to the principles of the Merlin Standards Accreditation. Further information about the Merlin Standard is included on The Merlin Standard : A guide for Prime providers and on the [Merlin Standard website](#)

## Off shoring (including Landed Resources and Near shoring)

- 7.18 Prior written consent from the Department must be sought where you (and/or your sub-contractors) are proposing to host or access the Department’s systems, services or official information outside of the United Kingdom, or to bring foreign nationals to the United Kingdom to provide services in delivery of the Contract. You must submit an application for approval to DWP. Further details can be found in [DWP Generic Guidance for Providers Chapter 8 paragraphs 29 to 35](#).

## Legislation and Principal Regulations

- 7.19 You must ensure that you remain compliant with current and future changes in the law and the Department’s Policy. For example:
- ensuring that Group Work “JOBS II” supports the DWP’s Public Sector Equality Duty as outlined in the [Equality Act 2010](#)
  - providing appropriate services to ensure compatibility with the Equalities Act, for example to enable communication with claimants who do not speak English as a first language or who are deaf, hearing impaired or have a speech impediment and
  - if you are operating in an area with a high minority ethnic population, you must make materials in the appropriate ethnic minority language available on request.

## Sustainable Development

- 7.20 The Department supports the main goal set out in the UK Strategy for Sustainable Development (Securing the Future, 2005) which is to ‘enable all people to satisfy their basic needs and enjoy a better quality of life without



compromising the quality of life of future generations. This includes four main aims - social progress recognising the needs of everyone; effective protection of the environment; prudent use of natural resources; and maintenance of high and stable levels of economic growth.

- 7.21 The Department’s contractors are required to ensure that they and their sub-contractors use all reasonable endeavours to comply with the principles set out in the UK Strategy and the Sustainable Operations on the Government Estate (SOG) targets. More information can be found on <https://www.gov.uk> Sustainable Development. The Department’s contractors are required to provide a policy statement within six months of the contract start date to demonstrate how they will satisfy and adhere to the principles of sustainable development, together with an action plan.