National Security Debarment Referral Form

Below are the questions you will be required to answer in order to submit a National Security Debarment Referral Form. To make a referral please use the <u>Debarment Referral Form</u> from the <u>National Security Unit for Procurement's Gov.UK page</u>.

1. Please confirm: is the reason for your submission to refer a supplier for consideration on the basis that one of the national security exclusion grounds applies to the supplier or to a connected person?

Please refer to <u>Schedule 6</u>, para 45 of the <u>Procurement Act 2023 for the definition of a connected person (opens in new tab)</u>.

Please refer to <u>Schedule 6</u>, para 35 for the mandatory national security <u>exclusion ground (opens in new tab)</u> and to <u>Schedule 7</u>, para 14 for the discretionary national security exclusion ground (opens in new tab).

You should consider whether the information you are providing is confidential and whether you are permitted to disclose it.

If you are not referring on national security exclusion grounds, please visit the <u>Debarment Review Service page on GOV.UK (opens in new tab)</u>.

2. What is your name? (optional)

Please note, the Cabinet Office will not be able to follow up with anonymous referrals for more detail, and this may mean your referral cannot be taken forward.

3. Please provide the best email address to contact you on. (optional)

There may be situations where HMG requires more information from the referrer. Please provide contact details.

4. Please provide the best phone number to contact you on. (optional)

There may be situations where HMG requires more information from the referrer. Please provide contact details.

- 5. Are you completing this form on behalf of an organisation?
- 6. What is the name of that organisation? (optional)
- 7. What is the registration number of that organisation (optional)?
 - e.g. company registration number or charity registration number
- 8. Name of the supplier you would like to refer to the National Security Unit for Procurement.
- 9. If applicable, name of the connected person(s). (optional)

Please refer to Schedule 6, paragraph 45 of the Procurement Act 2023 for a definition of connected person.

- 10. If different from the supplier details provided, who is the ultimate parent company in relation to the supplier? (optional)
- 11. Do you consider that the supplier or a connected person poses a threat to the national security of the United Kingdom?

Definition of connected person can be found in Procurement Act 2023 para 45, Schedule 6.

12. Please provide an explanation for your assessment that the supplier or connected person poses a threat to the national security of the United Kingdom.

The UK public sector may be exposed to security threats if malicious actors were successful in entering the public supply chain. Malicious actors may seek to exploit suppliers' legitimate access to, or control of, data, systems, locations or personnel, to achieve their aims. If these malicious actors are able to exploit public procurement for their aims, the harm to the national security of the UK could include:

- Disruption or degradation to critical national infrastructure, or risk to government and defence assets
- Disruption or erosion of UK capability such as military, intelligence, security or technological capability
- Enabling actors with hostile intentions to uplift their defence, intelligence, security or technological capability

For further information as to why national security is important in procurement and what is the threat, see paragraph 22 - 29 of the <u>Guidance: Exclusions</u>

Annex 2: National Security Grounds (opens in new tab)

When assessing whether a supplier poses a threat to the national security of the UK, consideration may be given to the following in relation to that supplier: Jurisdictional Hazard and Control, Technical Vulnerability, and Customer Sensitivity:

- Jurisdictional Hazard and Control ownership, control or influence relating to a state that is known to seek to threaten or undermine UK national security
- Technical Vulnerability supplier provides goods or services (or is seeking to provide goods or services) of a particular type that are more likely to present an opportunity for exploitation, or have known vulnerabilities
- Customer Sensitivity supplier provides goods or services (or is seeking to provide goods or services) to higher sensitivity contracting authorities, i.e. those with access or control of sensitive locations, systems or data

For further information as to how to determine whether a supplier poses a threat to national security, see the 'Test 1 - Could the supplier pose a threat to national security?' section at pages 15 - 17 of the <u>Guidance: Exclusions</u>

<u>Annex 2: National Security Grounds (opens in new tab).</u>

13. Please provide the source(s) of information on which your assessment is based (if possible provide the date of your source(s)).

When assessing whether a supplier poses a national security threat to the UK we encourage you to, where possible, have sources to justify your assessment and to make reference to that source of information in the referral form.

14. As far as you are aware, have any actions been taken by the supplier to resolve or rectify the concern? (optional)

Please provide a description of any indication that the supplier has taken actions to resolve or rectify the concern.

15. If known, what is the number and the total contract value of existing contracts that are currently held by the supplier with your organisation (or to which they are a subcontractor)? (optional)

Only applicable if you are submitting a referral on behalf of an organisation that awards public contracts.

16. If known, what is the number and the total contract value of future procurements the supplier is bidding for or expected to bid for with your organisation (or to be a subcontractor to)? (optional)

Only applicable if you are submitting a referral on behalf of an organisation that awards public contracts.

17. Please provide any further details you have to support the debarment referral or that you would determine as relevant to the National Security Unit for Procurement. (optional)

This is your opportunity to provide and highlight any relevant information not already provided.