

COVID-19 Vaccination Programme: 1 April 2025 – 31 March 2026 Site Sign-Up Process

Direct Award Process B

Potential Supplier Information and Exclusion Grounds: Part 1 and Part 2.

This Selection Questionnaire includes a self-declaration, made by you, that none of the grounds for exclusion apply¹. If any of the grounds for exclusion do apply, there is an opportunity to explain any measures you have taken to demonstrate your reliability notwithstanding the existence of a ground for exclusion (we call this self-cleaning).

We require **all** organisations that form part of your bidding group/Consortium (whether or not the ultimate intended contractual structure is a corporate joint venture (JV) or a prime/sub-contractor model) to meet the Minimum Requirements within the Response Document (the "Minimum Requirements") and therefore to provide a completed part 1 and part 2 of this Selection Questionnaire.

This means that where you are joining a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations.

When completed, this form is to be sent back to the contact point given in the procurement documents.

Consequences of misrepresentation

If you seriously misrepresent any factual information in filling in this Selection Questionnaire, and so induce the authority to enter into a contract, there may be significant consequences. You may be excluded from the procurement procedure, and from bidding for other contracts for three years.

If a contract has been entered into you may be sued for damages and the contract may be rescinded. If fraud, or fraudulent intent, can be proved, you or your responsible officers may be prosecuted and convicted of the offence of fraud by false representation, and you must be excluded from further procurements for five years.

Notes for completion

1. The "authority" means NHS England, or anyone acting on behalf of NHS England, that is seeking to invite suitable providers to participate in this procurement process.
2. "You" / "Your" refers to the Potential Supplier or Potential Supplier Party completing this Selection Questionnaire i.e. the legal entity responsible for the information provided. The terms "provider(s)", "Potential Supplier" and "Potential Supplier Party" are intended to cover any provider as defined by Section 2 of the Health Care Services (Provider Selection Regime) Regulations 2023 (referred to below as the "PSR") and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
3. "Consortium" refers to an arrangement between two or more providers to cooperate and to rely on each other's expertise and capabilities to submit a Response Document and whether or not the ultimate intended contractual structure is a corporate JV or a prime/subcontractor model. A Consortium for the purposes of this

¹ Please see Annex D for the full list of exclusions.

document includes "PCN groupings", which are a group of Practices which collaborate to deliver the COVID-19 vaccination service under a GP ES.

4. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state 'N/A'. Should you need to provide additional information in response to the questions, please submit a clearly identified annex.
5. The authority recognises that arrangements set out in section 1.2 of the Selection Questionnaire, in relation to a group of economic operators (for example, a Consortium), may be subject to change and will, therefore, not be finalised until a later date. The lead contact should notify the authority immediately of any change in the proposed arrangements described in section 1.2 and ensure a completed part 1 and part 2 is submitted for any new organisation within the bidding group/Consortium. The authority will make a revised assessment of the submission based on the updated information.
6. For part 1 and part 2 every member of your bidding group/Consortium must individually complete and submit the self-declaration.
7. For the mandatory exclusion grounds only (Q2.1(a)), you must complete the declaration for all relevant persons and entities. There are two categories of persons and entities:
 - members of your administrative, management or supervisory board; and
 - entities and persons who have powers of representation, decision or control.

You must decide, depending on the nature and structure of the entity or person who is bidding, which entities and persons this applies to in your particular circumstances. Clearly, members of your administrative, management or supervisory board should be easily identifiable and will cover company directors (or equivalent for other types of corporate entities) and members of an executive board.

The second category of those with powers of representation, decision or control, is likely to be more complicated. As an illustration, entities or persons with 25% or more shareholding (or equivalent for other types of corporate entities) are likely to have powers of representation, decision or control, although those with a lower shareholding may still have the relevant powers depending on their particular rights. Similarly, your ultimate parent company (or equivalent for other types of corporate entities) is likely to have powers of representation, decision or control. Depending on your particular structure, intermediate parent companies who do not have a direct shareholding, directors or members of an executive board of your immediate parent company (for example, in the case of an SPV set up specifically to bid for a particular contract), and holders of mortgages or liens may be covered. It is not necessary to identify which entities and persons you think are covered but you must be satisfied that your declaration is made in respect of all of those that are covered.

8. The authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to relevant authorities defined by the PSR, the Independent Patient Choice and Procurement Panel, or pursuant to an order of the court or demand made by any competent authority or body where the authority is under a legal or regulatory obligation to make such a disclosure.

Assessment of this Selection Questionnaire

Part 1

Part 1 must be completed in order for your submission to be accepted – please see the Minimum Requirements of the Guidance and section 1.9 of the Terms as to the implications of failing to submit a complete response.

Section 2

If you answer “No” to all of the questions in question 2.1(a), you will pass this section and remain in the process.

If you answer “Yes” to any question(s) in question 2.1(a), you are allowed the opportunity to provide evidence of adequate and appropriate self-cleaning (in line with Regulation 20 of the PSR) but this shall be assessed at the authority’s discretion when making the decision as to whether to exclude you from the process.

The authority reserves the right to exclude you from the process if you answer “Yes” to any of the questions in question 2.1(a), after taking into account your response (if any) to all of the requirements in question 2.1(b) and 2.1(c) (e.g. in circumstances where self-cleaning evidence is not provided or the authority considers that any self-cleaning that is evidenced is inadequate and/or inappropriate and/or does not address all of the requirements of question 2.1(b) and/or 2.1(c)), in which case you and your response will not be considered any further.

If you do not answer “yes” or “no” (as applicable) to any of the questions in question 2.1(a), you will be excluded from the process and your response will not be considered any further.

Section 3

If you answer “Yes” to question 3.1(a), you will pass this section and remain in the process.

The authority reserves the right to exclude you from the process if you answer “No” to question 3.1(a), having taken into account your response (if any) to all of the requirements in question 3.1(b) and your response to question 3.2 (e.g. in circumstances where self-cleaning evidence is not provided or the authority considers that any self-cleaning that is evidenced is inadequate and/or inappropriate and/or does not address all of the requirements of question 3.1(b)), in which case you and your response will not be considered any further.

If you do not answer “yes” or “no” to question 3.1(a), you will be excluded from the process and your response will not be considered any further.

Section 4

If you answer “No” to all of the questions in question 4.1(a) to 4.1(j)-(iv) inclusive and “Yes” to both bullet points within question 4.2, or validly answer “N/A” within question 4.2 because you are not a “relevant commercial organisation” as defined by question 4.2, you will pass this section and remain in the process.

If you answer “Yes” to any question(s) in question 4.1(a) to 4.1(j)-(iv) inclusive and/or “No” to either or both of the bullet points in question 4.2, you are allowed the opportunity to provide evidence of adequate and appropriate self-cleaning (in line with Regulation 20 of the PSR) but this shall be assessed at the authority’s discretion when making the decision as to whether to exclude you.

The authority reserves the right to exclude you from the process if you answer “Yes” to any of the questions in question 4.1(a) to 4.1(j)-(iv) inclusive and/or “No” to either or both of the bullet points in question 4.2, taking into account any evidence of self-cleaning provided in response to question 4.3 (and if you are excluded pursuant to section 4 you and your response will not be considered any further).

If you do not answer “yes” or “no” to all of the questions in question 4.1 (a) to 4.1(j)-(iv) inclusive, or if you do not answer “N/A”, “yes” or “no” to question 4.2, you will be excluded from the process and your response will not be considered any further.

Part 1: Your information and the bidding model.
You must answer all questions in parts 1 and 2.
Potential Suppliers must ensure that (in addition to the Potential Supplier) each Potential Supplier Party (including each Consortium member) completes and submits their own answers and declaration for part 1 and 2.

Section 1		Your information
Question number	Question	Response
1.1(a)	Name (if registered, please give the registered name)	
1.1(b) – (i)	Registered address (if applicable) or head office address	
1.1(b) – (ii)	Registered website address (if applicable)	
1.1(c)	Trading status a) - public limited company b) - private limited company c) - limited liability partnership d) - other partnership e) - sole trader f) - third sector g) - other (please specify your trading status)	
1.1(d)	Date of registration (if applicable) or date of formation.	
1.1(e)	Registration number (company, partnership, charity, etc if applicable).	
1.1(f)	Registered VAT number.	
1.1(g) - (i)	Are you registered with the appropriate professional or trade register(s) specified for this procurement in the country where your organisation is established?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
1.1(g) - (ii)	If you responded yes to 1.1(g) - (i), please provide the relevant details, including the name of the register and registration number(s), and if evidence of registration is available electronically, please provide - the website address, - issuing body - reference number.	
1.1(h) - (i)	For procurements for services only, is it a legal requirement in the country where you are established for you to: a) possess a particular authorisation, or b) be a member of a particular organisation, to provide the requirements specified in this procurement?	Yes <input type="checkbox"/> No <input type="checkbox"/>

1.1(h) - (ii)	If you responded yes to 1.1(h) - (i), please provide additional details of what is required, confirmation that you have complied with this and, if evidence of compliance is available electronically, please give the website address, issuing body and reference number.	
1.1(i)	Relevant classifications (state whether you fall within one of these, and if so which one) a) Voluntary Community Social Enterprise (VCSE). b) Sheltered Workshop. c) Public service mutual.	
1.1(j)	Are you a Small, Medium or Micro Enterprise (SME) ² ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
1.1 (k)	Details of Persons with Significant Control (PSC) ³ , where appropriate ⁴ : - Name - Date of birth - Nationality - Country, state or part of the UK where the PSC usually lives - Service address - The date he or she became a PSC in relation to the company ; - Which conditions for being a PSC are met: - Over 25% up to (and including) 50% - More than 50% and less than 75% - 75% or more (Please enter N/A if not applicable)	
1.1(l)	Details of your immediate parent company: - Full name of immediate parent company, - Registered or head office address, - Registration number (if applicable), - VAT number (if applicable), Please enter N/A if not applicable)	
1.1(m)	Details of ultimate parent company: - Full name of ultimate parent company, - Registered or head office address, - Registration number (if applicable),	

²See definition of SME https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en

³UK companies, Societates European (SEs) and limited liability partnerships (LLPs) are required to identify and record the people who own or control their company. Companies, SEs and LLPs are required to keep a PSC register, and must file the PSC information with the central public register at Companies House. See [PSC guidance](#). Overseas Potential Suppliers are required to provide equivalent information.

⁴Only information that relates to the persons with powers of representation, decision or control within the meaning of Regulation 57(2) of the Public Contracts Regulations 2015 ("PCR") can be considered in relation to the mandatory exclusion grounds and other details are requested for information only.

	- VAT number (if applicable), (Please enter N/A if not applicable)	
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Please provide the following information about your approach to this procurement:

Section 1 (cont.) Bidding model		
Question number	Question	Response
1.2	<p>Please indicate if you are bidding as a single supplier or as part of a group or Consortium?</p> <p><i>If you are bidding as a single supplier please go to Q 1.3.</i></p> <p>If you are bidding as part of a group or Consortium (including where you intend to establish a legal entity to deliver the contract, or you are a subcontractor), please tell us:</p> <ol style="list-style-type: none"> a) The name of the group/Consortium. b) The proposed structure of the group/Consortium, including the legal structure where applicable. c) The name of the lead member in the group/Consortium. d) Your role in the group/Consortium (e.g. lead member, Consortium member, subcontractor). 	
1.3	<p>If you are proposing to use subcontractors/a supply chain, please provide the details for each one⁵.</p> <ul style="list-style-type: none"> - Name - Registration number - Registered or head office address, - Trading status <ol style="list-style-type: none"> a. Public limited company b. Private limited company c. Limited liability partnership d. Other partnership e. Sole trader f. Third sector g. Other (please specify your trading status) - Registered VAT number - SME (Yes/No) - The role each subcontractor will take in providing the works and /or supplies e.g. key deliverables - if known 	

⁵This applies to all supply chain members and/or subcontractors, where their identity is known at this stage. Where a supply chain member and/or subcontractor has been identified in response to this question, any resulting subcontract entered into with that subcontractor for that part of the works, services or supplies identified in response to that question will not be subject to the requirement for contracts to advertise the subcontracting opportunity, as set out in PPN 01/18.

	- The approximate % of contractual obligations assigned to each subcontractor, if known	
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Part 2: Exclusion Grounds		
Please answer the following questions in full. Note that the Potential Supplier, each Potential Supplier Party, and every organisation that forms part of your bidding group/Consortium must individually complete and submit responses to part 1 and the declarations in part 2.		
Section 2	Grounds for mandatory exclusion	
Question number	Question	Declaration
2.1 (a)	<p>Within the past five years, anywhere in the world, have you or any person who:</p> <ul style="list-style-type: none"> • is a member of the supplier's administrative, management or supervisory body or • has powers of representation, decision or control in the supplier⁶, <p>been convicted of any of the offences within the summary below and listed in full in Annex D?</p>	
	Participation in a criminal organisation.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Corruption.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Terrorist offences or offences linked to terrorist activities.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Money laundering or terrorist financing.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Child labour and other forms of trafficking in human beings.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction <u>outside</u> England, Wales or Northern Ireland.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland.	Yes <input type="checkbox"/> No <input type="checkbox"/>
2.1(b)	If you have answered yes to any part of question 2.1(a), please provide further details, including:	

⁶see Notes for Completion

	<ul style="list-style-type: none"> ● date of conviction and the jurisdiction, ● which of the grounds listed the conviction was for, ● the reasons for conviction, ● the identity of who has been convicted. <p>If the relevant documentation is available electronically please provide:</p> <ul style="list-style-type: none"> ● the web address, ● issuing authority, ● precise reference of the documents. 	
2.1(c)	<p>If you have answered yes to any part of the question above, please explain what measures have been taken to demonstrate your reliability despite the existence of relevant grounds for exclusion. (Self cleaning).</p>	

Section 3	Mandatory and discretionary grounds relating to the payment of taxes and social security contributions
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The detailed grounds for mandatory and discretionary exclusion of a supplier for non-payment of taxes and social security contributions, are set out in Annex D, and should be referred to before completing these questions.

Question number	Question	Declaration
3.1(a)	<p>Please confirm that you have met all your obligations relating to the payment of taxes and social security contributions, both in the country in which you are established and in the UK.</p> <p>If documentation is available electronically, please provide:</p> <ul style="list-style-type: none"> • the web address, • issuing authority, • precise reference of the documents 	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
3.1(b)	<p>If you have answered no to 3.1(a), please provide further details including the following:</p> <ul style="list-style-type: none"> • country concerned, • what is the amount concerned • how the breach was established, i.e. through a judicial or administrative decision or by other means. • if the breach has been established through a judicial or administrative decision, please provide the date of the decision, • if the breach has been established by other means please specify the means. 	
3.2	<p>Please also confirm whether you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including, where applicable, any accrued interest and/or fines.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

Please Note: We reserve our right to use our discretion to exclude your bid where we can demonstrate by any appropriate means that you are in breach of your obligations relating to the payment of taxes or social security contributions

Section 4	Grounds for Discretionary Exclusion	
The detailed grounds for discretionary exclusion of an organisation are set out in Annex D and should be referred to before completing these questions.		
Question number	Question	Declaration
4.1	Within the past three years, anywhere in the world, have any of the situations summarised below and listed in full in Annex D applied to you?	
4.1(a)	Breach of environmental obligations? To note that environmental law obligations include Health and Safety obligations. See Annex D.	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(b)	Breach of social law obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(c)	Breach of labour law obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(d)	Bankruptcy or subject of insolvency?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(e)	Guilty of grave professional misconduct?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(f)	Distortion of competition?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(g)	Conflict of interest?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(h)	Been involved in the preparation of the procurement procedure?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(i)	Prior performance issues?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(j)	Do any of the following statements apply to you?	
4.1(j) - (i)	You have been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria.	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(j) - (ii)	You have withheld such information.	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(j) –(iii)	You are not able, without delay, to submit documents if/when required under Regulation 59.	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.1(j)-(iv)	You have undertaken to unduly influence the decision-making process of the contracting authority to obtain	Yes <input type="checkbox"/> No <input type="checkbox"/>

	confidential information that may confer upon you undue advantages in the procurement procedure, or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award.	
4.2	<p>You are a relevant commercial organisation subject to Section 54 of the Modern Slavery Act 2015 if you carry on your business, or part of your business in the UK, supplying goods or services and you have an annual turnover of at least £36 million.</p> <p>If you are a relevant commercial organisation please -</p> <ul style="list-style-type: none"> • confirm that you have published a statement as required by Section 54 of the Modern Slavery Act. • confirm that the statement complies with the requirements of Section 54. 	<p>N/A as I am not a relevant commercial organisation subject to Section 54 of the Modern Slavery Act 2015 (as defined in the column immediately to the left). <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
4.3	If you have answered YES to any of the questions in 4.1, or NO to question 4.2, please explain what measures have been taken to demonstrate your reliability despite the existence of a relevant ground for exclusion. (Self cleaning)	

Contact details and declaration

I declare that to the best of my knowledge the answers submitted and information contained in this complete document are correct and accurate, including parts 1 and 2.

I declare that, upon request and without delay, I will provide the certificates and/or documentary evidence referred to in this document except where this documentation can be accessed by the contracting authority via a national database free of charge or the contracting authority already possesses the documentation.

I understand that the information will be used to assess my suitability to participate further in this procurement.

I understand that the authority may reject this submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section.

I am aware of the consequences of serious misrepresentation.

Signature (electronic is acceptable)

Date

Contact details of those making the declaration

	Response
Contact name	
Name of organisation	
Role in organisation	
Phone number	
E-mail address	
Postal address	

Annex D - Exclusion Grounds: Public Procurement

Mandatory Exclusion Grounds

Listed in Public Contract Regulations 2015 (as amended) R57(1), (2) and (3) and the Public Contract Directives 2014/24/EU Article 57(1).

Participation in a criminal organisation

- ❖ Participation offence as defined by section 45 of the Serious Crime Act 2015
- ❖ Conspiracy within the meaning of:
 - section 1 or 1A of the Criminal Law Act 1977; or
 - article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983,

where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA on the fight against organised crime.

Corruption

- ❖ Corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906;
- ❖ The common law offence of bribery;
- ❖ Bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010, or section 113 of the Representation of the People Act 1983.

Terrorist offences or offences linked to terrorist activities

- ❖ Any offence:
 - listed in section 41 of the Counter Terrorism Act 2008;
 - listed in schedule 2 to that Act where the court has determined that there is a terrorist connection;
 - under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by the previous two points.

Money laundering or terrorist financing

- ❖ Money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002
- ❖ An offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996.

Child labour and other forms of trafficking human beings

- ❖ An offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004;
- ❖ An offence under section 59A of the Sexual Offences Act 2003

- ❖ An offence under section 71 of the Coroners and Justice Act 2009;
- ❖ An offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994
- ❖ An offence under section 1, 2 or section 4 of the Modern Slavery Act 2015.

Non-payment of tax and social security contributions

- ❖ Breach of obligations relating to the payment of taxes or social security contributions that has been established by a judicial or administrative decision.
- ❖ Where any tax returns submitted on or after 1 October 2012 have been found to be incorrect as a result of:
 - HMRC successfully challenging the potential supplier under the General Anti – Abuse Rule (GAAR) or the “Halifax” abuse principle; or
 - a tax authority in a jurisdiction in which the potential supplier is established successfully challenging it under any tax rules or legislation that have an effect equivalent or similar to the GAAR or “Halifax” abuse principle;
 - a failure to notify, or failure of an avoidance scheme which the supplier is or was involved in, under the Disclosure of Tax Avoidance Scheme rules (DOTAS) or any equivalent or similar regime in a jurisdiction in which the supplier is established.

Other offences

- ❖ Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction outside England, Wales and Northern Ireland.
- ❖ Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland.

Discretionary Exclusions Grounds

Listed in Public Contract Regulations 2015 (as amended) R57(8) and the Public Contract Directives 2014/24/EU Article 57(4).

Obligations in the field of environment, social and labour law.

- Where an organisation has violated applicable obligations in the fields of environmental, social and labour law established by EU law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X to the Directive (see copy below) as amended from time to time; including, but not limited to, the following:-
 - In the last 3 years, where the organisation or any of its Directors or Executive Officers has been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body).
 - In the last three years, where the organisation has had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination.
 - In the last three years where the organisation has been convicted of a breach of the Health and Safety legislation.

- In the last three years, where any finding of unlawful discrimination has been made against the organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK).
- Where the organisation has been in breach of section 15 of the Immigration, Asylum, and Nationality Act 2006;
- Where the organisation has a conviction under section 21 of the Immigration, Asylum, and Nationality Act 2006;
- Where the organisation has been in breach of the National Minimum Wage Act 1998.

Bankruptcy, insolvency

- Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation's assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State.

Grave professional misconduct

- Guilty of grave professional misconduct

Distortion of competition

- Entered into agreements with other economic operators aimed at distorting competition.

Conflict of interest

- Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure

Been involved in the preparation of the procurement procedure.

- Advised the contracting authority or contracting entity or otherwise been involved in the preparation of the procurement procedure.

Prior performance issues

- Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions.

Misrepresentation and undue influence

- The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award, or withheld such information or is not able to submit supporting documents required under regulation 59.

Breach of obligations relating to the payment of taxes or social security contributions.

- The contracting authority reserves the right to use its discretion to exclude a potential supplier where it can demonstrate by any appropriate means that the potential supplier is in breach of its obligations relating to the non-payment of taxes or social security contributions.

Additional grounds

ANNEX X Extract from Public Procurement Directive 2014/24/EU

LIST OF INTERNATIONAL SOCIAL AND ENVIRONMENTAL CONVENTIONS REFERRED TO IN ARTICLE 18(2) —

- ILO Convention 87 on Freedom of Association and the Protection of the Right to Organise;
- ILO Convention 98 on the Right to Organise and Collective Bargaining;
- ILO Convention 29 on Forced Labour;
- ILO Convention 105 on the Abolition of Forced Labour;
- ILO Convention 138 on Minimum Age;
- ILO Convention 111 on Discrimination (Employment and Occupation);
- ILO Convention 100 on Equal Remuneration;
- ILO Convention 182 on Worst Forms of Child Labour;
- Vienna Convention for the protection of the Ozone Layer and its Montreal Protocol on substances that deplete the Ozone Layer;
- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention);
- Stockholm Convention on Persistent Organic Pollutants (Stockholm POPs Convention)
- Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (UNEP/FAO) (The PIC Convention) Rotterdam, 10 September 1998, and its 3 regional Protocols.

Consequences of misrepresentation

A serious misrepresentation which induces a contracting authority to enter into a contract may have the following consequences for the signatory that made the misrepresentation:-

- The potential supplier may be excluded from bidding for contracts for three years, under regulation 57(8)(h)(i) of the PCR 2015 and Regulation 20 of the PSR;
- The contracting authority may sue the supplier for damages and may rescind the contract under the Misrepresentation Act 1967.
- If fraud, or fraudulent intent, can be proved, the potential supplier or the responsible officers of the potential supplier may be prosecuted and convicted of the offence of fraud by false representation under s.2 of the Fraud Act 2006, which can carry a sentence of up to 10 years or a fine (or both).
- If there is a conviction, then the company must be excluded from procurement for five years under reg. 57(1) of the PCR and Regulation 20 of the PSR (subject to self-cleaning).