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|  | Procurement Specific Questionnaire |
|  | December 2024 |



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# Guidance (for contracting authorities)

## Summary

1. The Procurement Act 2023 (the Act) replaces supplier selection and exclusion requirements with new rules on conditions of participation and exclusions.[[1]](#footnote-1) The Procurement Regulations 2024, made under the Act, also change the way suppliers share certain information. This includes the requirements on contracting authorities to obtain confirmation from suppliers that they have registered, submitted and shared up-to-date core supplier information via the central digital platform (CDP).
2. The Procurement Specific Questionnaire (PSQ) has been designed to support contracting authorities to comply with and operate effectively under the new regime. It fulfils a similar role to the Standard Selection Questionnaire (SQ) used under the Public Contracts Regulations 2015 (PCR). It complements existing guidance for the [Procurement Act 2023](https://www.gov.uk/government/collections/procurement-act-2023-guidance-documents) and also central government policies and best practice, including Cabinet Office [Procurement Policy Notes](https://www.gov.uk/government/collections/procurement-policy-notes) and [Playbooks](https://www.gov.uk/government/organisations/government-commercial-function).
3. Unlike the SQ, the PSQ is not mandated by legislation and the guidance accompanying it is not statutory guidance.[[2]](#footnote-2)

### Scope

1. We recommend that contracting authorities (as defined in section 2 of the Act) review the PSQ and incorporate it into their procurements at their discretion. The questions in the PSQ may be added to, adapted, or omitted (for example, there may be good commercial reasons for doing so in Part 3A). However, since the PSQ includes content (mainly in Part 1 and 2) to help ensure compliance with requirements in the Act, if contracting authorities choose not to use the PSQ, they must ensure their procurement processes comply with the relevant parts of the legislation. Part 3B includes central government-specific questions relating to PPNs. These are typically applicable to central government departments, their executive agencies and non-departmental public bodies but may also be relevant to other contracting authorities.
2. Specifically, the PSQ helps contracting authorities to:
	* ensure that suppliers have registered with, submitted and shared their core supplier information[[3]](#footnote-3) via the CDP
	* receive exclusion information for a supplier’s associated persons
	* receive a list of intended sub-contractors, to enable contracting authorities to check this against the debarment list
	* obtain information in order to assess conditions of participation that are standard and likely to be relevant in most procurements
	* obtain further information in order to assess additional conditions of participation to enable central government departments, their executive agencies and non-departmental public bodies to fulfil policy requirements[[4]](#footnote-4)
3. The PSQ will be relevant for above threshold procurements[[5]](#footnote-5) under the Act, which commenced on or after 24 February 2025 (when the new regime commences). For more detail on the meaning of ‘commenced’ please refer to the [Guidance on transitional and savings arrangements.](https://www.gov.uk/government/publications/procurement-act-2023-guidance-documents-plan-phase/guidance-transitional-and-saving-arrangements-html) Furthermore, please refer to wider [Procurement Act guidance](https://www.gov.uk/government/publications/procurement-act-2023-guidance-documents) which includes details on:
	* conditions of participation
	* central digital platform and publication of information
	* exclusions
	* debarment
4. The Act does not apply to procurements commenced before 24 February 2025 or to contracts awarded prior to this date. Similarly, the Act does not apply to contracts awarded via frameworks, dynamic purchasing systems or qualification systems established under the previous legislation. For such procurements, please refer to [PPN 03/24](https://www.gov.uk/government/publications/ppn-0324-standard-selection-questionnaire-sq).

## PSQ structure

1. Whereas the CDP currently captures predominantly generalised procurement-related information, the PSQ provides a framework for collecting information specific to individual procurement exercises. Notwithstanding the changes outlined in this guidance and the PSQ, the main principles and good practice of considering if a supplier has met conditions of participation will continue under the Act (for example, establishing proportionate conditions, outlining what would satisfy the conditions/what constitutes a pass or fail, and any appropriate supporting evidence). Similarly, contracting authorities will continue to consider exclusion requirements, though these have been strengthened under the Act.

### PSQ parts

1. The PSQ is made up of three parts:
	* **Part 1 – confirmation that the supplier has registered on, submitted and shared their core supplier information via, the CDP.**
	* **Part 2 – additional exclusions information, including:**
* Part 2A – identification of the supplier’s associated person(s); and confirmation that each associated person’s: basic information, connected person(s), and exclusion grounds information has also been shared (via the CDP)[[6]](#footnote-6)
* Part 2B – confirmation of the supplier’s intended sub-contractors
	+ **Part 3 – questions relating to conditions of participation, including:**
* Part 3A – standard questions
* Part 3B – central government-specific questions (relating to PPNs) [these will be added at a later date]

### PSQ actions

1. We recommend that, when contracting authorities prepare their procurements and develop their requirements, they should make use of the PSQ to carry out the following actions:
2. Action 1 – request that prime/main suppliers complete the following steps prior to the earliest submission deadline:
	* register on the CDP
	* submit their most up to date core supplier information on the CDP, This includes the supplier’s:
		+ basic information
		+ economic and financial standing information[[7]](#footnote-7)
		+ connected person information
		+ exclusion grounds information (this includes exclusion information about the supplier and its connected persons)
	* provide that information to the contracting authority via the CDP
3. Action 2 – request that prime/main suppliers, where they intend to rely on other suppliers to meet a condition of participation, ensure that these other suppliers submit and share their basic, connected person and exclusion ground information via the CDP prior to the earliest submission deadline as well.
	* These suppliers might be consortium members or sub-contractors and, so long as they are not guarantors, they are associated persons. Contracting authorities need to determine if a prime/main supplier is an excluded or excludable supplier by virtue of an associated person being an excluded or excludable supplier (see section 57 of the Procurement Act). Collecting an associated person’s relevant information via the CDP will support contracting authorities in determining this.
4. Action 3 – require prime/main suppliers, where they intend to sub-contract the performance of all or part of the contract, to provide a list of all these sub-contractors, which can be checked against the published debarment list.
	* This is so the contracting authority, under an open or competitive flexible procedure, can determine whether any intended sub-contractor is on the debarment list (see section 28 of the Procurement Act). Sub-contractors, unless they are associated persons, do not need to register or submit core supplier information on the CDP.
5. Action 4 – where appropriate, set conditions of participation consulting the questions in Part 3. These include:
	* Part 3A: contracting authorities may set conditions of participation in a procurement only if they are satisfied that these are a proportionate means of ensuring that a supplier has the legal and financial capacity or technical ability to perform the contract. Where they do so, the PSQ sets out a list of standard questions in Part 3A which may be used. The questions can be adapted, added or omitted where there is a good commercial reason for doing so and where this complies with the Act. Contracting authorities must ensure that they set out their conditions of participation in the relevant notice or associated tender documents, and how suppliers’ ability to satisfy them will be assessed.
	* Part 3B: This includes central government procurement specific questions, such as those set out in a [Procurement Policy Note](https://www.gov.uk/government/collections/procurement-policy-notes). These should not be edited or removed by central government departments, their executive agencies or non-departmental public bodies, unless a relevant condition of participation would not be proportionate in a particular procurement or this would otherwise be in accordance with relevant policy guidance (for example, some policies may apply to a defined contract value such as £5 million per annum).

## PSQ Part 1 – confirmation of core supplier information

1. The Procurement Regulations 2024, made pursuant to the Act, require certain information to be shared via the CDP. The CDP facilitates a streamlined collection of core supplier information and avoids the need for suppliers to re-enter the same information repeatedly for different procurements.
2. Regulation 6 of the Procurement Regulations 2024 requires contracting authorities - before the end of the tendering period in competitive tendering procedures (i.e. open procedures and competitive flexible procedures); and before the award of the contract in direct awards and competitive selection processes for framework call-offs - to obtain confirmation from suppliers that:
	* the supplier has registered on the CDP
	* submitted up-to-date core supplier information on the CDP
	* provided that information to the contracting authority via the CDP
3. In most cases the core supplier information will be needed by contracting authorities from the outset of a procurement because, for example, contracting authorities must determine whether a supplier is an excluded or excludable supplier before permitting them to participate in a competitive flexible procedure (section 27).[[8]](#footnote-8) Therefore, as good practice, contracting authorities should make clear that suppliers are required to register on the CDP and share their core supplier information, and when this should be done by (which in most cases should be by the earliest submission deadline). Part 1 of the PSQ helps provide for this.
4. Core supplier information comprises basic information about the supplier (as listed in regulation 9 of the Procurement Regulations 2024), economic and financial standing information about the supplier (as listed in regulation 10), information about the supplier’s connected persons (as listed in regulation 11) and exclusions information about the supplier and its connected persons (as listed in regulation 12).
5. Connected persons are persons who exercise (or have a right to exercise) significant influence or control over the supplier and those over which the supplier exercises (or has the right to exercise) significant influence or control. This includes majority shareholders, directors and shadow directors, parent and subsidiary companies and predecessor companies. The majority of the exclusion grounds apply to a supplier where either the supplier or a connected person of the supplier meets the criteria set out in the exclusion ground.
6. The Procurement Regulations 2024 require contracting authorities to ensure the supplier’s connected person information is provided via the CDP, as this enables them to assess whether the supplier is an excluded or excludable supplier by virtue of a connected person. Therefore, this information should be evaluated in relation to the exclusions regime in the Act. For example, if an exclusion ground applies to one of the supplier’s connected persons, and the circumstances giving rise to the ground are continuing or likely to occur again, the supplier may be an excluded or excludable supplier. Furthermore, contracting authorities should note, and potentially inform suppliers, that for any suppliers awarded a contract, certain details about their connected person information must be published in the contract award notice (regulation 27(e)(vii)).
7. The CDP does not assess or validate any of the core supplier information. Basic information about the supplier is collected for information only and will not be assessed. Economic and financial standing information is to be used by contracting authorities to assess conditions of participation, which they have set and included in the tender notice. Exclusions information about the supplier and its connected persons should be used by contracting authorities to determine whether the supplier is an excluded or excludable supplier.[[9]](#footnote-9)

## PSQ Part 2 – additional exclusions information

### Associated persons

1. Associated persons are sub-contractors or consortium members who are being relied on by the prime/main supplier to satisfy the conditions of participation in the particular procurement. This does not include guarantors, even if they are relied on to meet conditions of participation. The main supplier may be an excluded or excludable supplier by virtue of an exclusion ground applying to an associated person (see section 57 of the Act). A supplier can also be an excluded or excludable supplier by virtue of an exclusion ground applying to a connected person of an associated person, for example, a director of an associated person of the supplier.
2. This means that contracting authorities must consider whether an exclusion ground applies to any associated person of the supplier, as well as any connected persons of an associated person. While the CDP will capture prime/main suppliers’ (and their connected persons’) self-declarations against the exclusion grounds, it will not capture the details of their associated persons.
3. Therefore, to ensure that contracting authorities receive this information, Part 2 of the PSQ includes questions on whether the prime/main supplier will rely on any associated persons in the procurement and requests the main supplier to ensure their associated persons also register, submit and share their core supplier information via the CDP. Associated persons will need to input certain information into the CDP which may not be needed for the specific procurement, such as their economic and financial standing information. In this case, the associated person may choose not to share this with the contracting authority. In practice, they may need to manually redact this from the download of the core supplier information from the CDP.

### Intended sub-contractors

1. Where a supplier intends to use sub-contractors, not all of these sub-contractors will be associated persons. Only if a sub-contractor is relied on to meet conditions of participation, will they be both an associated person and an intended sub-contractor.

**Example**

A cleaning supplier bidding for an integrated facilities management contract which includes both soft (e.g. cleaning) and hard (e.g. buildings maintenance) services, might need to rely on a specialist buildings maintenance supplier in order to meet conditions of participation relating to that aspect of the service.

The cleaning supplier could structure its bid either as a consortium, jointly bidding with the buildings maintenance supplier, or with the cleaning supplier as the prime supplier using the buildings maintenance supplier as a sub-contractor.

In either case the buildings maintenance supplier would be an associated person.

Depending on the conditions of participation set by the contracting authority, an ‘other sub-contractor’ might be a security services supplier that provides security staff, but not necessarily an associated person.

1. The Act requires that contracting authorities have greater visibility of all sub-contractors proposed to be involved in the delivery of the contract. Contracting authorities must seek to determine whether any intended sub-contractor is on the debarment list. Therefore, as part of the procurement, contracting authorities must ask for details of all sub-contractors in the supply chain that a supplier intends to use to deliver the contract. This is not restricted to sub-contractors that the supplier is relying on to meet conditions of participation (who will also be associated persons) but applies to all sub-contractors (of all tiers) the supplier intends to sub-contract the performance of all or part of the contract to. This means the supplier must provide an exhaustive list of all their intended sub-contractors in the supply chain that are known about at the relevant point in the procurement. This does not include every supplier with whom the supplier has a commercial relationship (for example an existing supply contract where there is no intention to specifically sub-contract all or part of the contract to that supplier).
2. Once the contracting authority has the list of sub-contractors, the contracting authority must check whether any of the intended sub-contractors are on the debarment list. If they are on the debarment list, the contracting authority should take action as appropriate. Further guidance is available in the [guidance on exclusions and the guidance on debarment](https://www.gov.uk/government/publications/procurement-act-2023-guidance-documents-procure-phase).

#### Figure 1: Example of a prime supplier, their associated persons and intended sub‑contractors



1. Figure 1 helps illustrate who might be an associated person and/or sub-contractor for a prime/main supplier. In a procurement contracting authorities must:
	* request and review the connected persons and exclusion grounds information for both the main/prime supplier and associated persons, tagged with the number 1 in Figure 1. This information should be submitted and shared by suppliers with the contracting authority via the CDP
	* clarify if the main/prime supplier intends to sub-contract the performance of all or part of the public contract and determine if any intended sub-contractors are on the debarment list, tagged with the number 2 in Figure 1 – these suppliers are not required to be registered on the CDP (and their connected persons information does not need to be requested)

### Requesting intended sub-contractors to provide exclusions information

1. Contracting authorities can decide whether to ask suppliers for further information to determine whether any of their intended sub-contractors are excluded or excludable suppliers. This is in addition to considering the relevant information pertaining to associated persons and checking whether any intended sub-contractor is on the debarment list. For example, a contracting authority may decide to seek further information from all first-tier sub-contractors or from sub-contractors providing particular elements of the public contract (for example, the contracting authority may consider certain sectors to have particular risks of an exclusion ground applying).
2. Where a contracting authority has decided to seek further information about intended sub-contractors, those sub-contractors should be asked to complete self-declarations against the exclusion grounds and to provide any relevant/necessary additional information, such as details of self-cleaning. Where this information has already been provided by a sub-contractor who is an associated person, it is not necessary to request it again.
3. For further information, please refer to the guidance on exclusions.

### Unique identifiers

1. As part of the information captured in Part 1, suppliers should provide the unique identifier that has been accepted or allocated by the CDP (in most cases this is likely to be their Companies House number).
2. Contracting authorities should, as good practice, request a unique identifier for any associated persons, which will be allocated by the CDP when they first register (Part 2).
3. Sub-contractors do not need to be requested to register on the CDP, unless they are associated persons. However, if they are registered on the CDP, the unique identifiers for any intended sub-contractors should be requested. Where they are not registered on the CDP, some form of organisation identifier or registration number should still be requested instead – such as a Companies House number, charity number, VAT number or equivalent.

## PSQ Part 3 – questions relating to conditions of participation

1. The Act allows contracting authorities to set conditions of participation that a supplier must satisfy in order to participate in a procurement. Conditions of participation must be a proportionate means of ensuring that a supplier has the legal and financial capacity, or technical ability, to perform the contract.
2. In order to retain a level of standardisation and consistency for contracting authorities and for suppliers bidding for public contracts, in addition to questions about the supplier’s economic and financial standing provided as part of the core supplier information, Part 3A of the PSQ includes a list of standard questions. This is in a questionnaire format and can be used by contracting authorities to receive information related to conditions of participation.
3. Where these questions are used, adapted, or added to in any particular procurement, contracting authorities must ensure that they set out in the relevant notice or associated tender documents their conditions of participation and how these will be assessed. The PSQ provides questions to facilitate the provision of information but leaves it to contracting authorities to determine the conditions of participation which the information relates to. All conditions of participation must comply with the requirements of the Act, including the requirement in section 22 that conditions of participation must be a proportionate means of ensuring suppliers have the relevant capacity or ability to perform the contract, having regard to the nature, complexity and cost of the contract. In all cases, contracting authorities should bear in mind their duties to have regard to the fact that small and medium-sized enterprises (SMEs) may face particular barriers to participation and to consider whether such barriers can be removed or reduced (as set out in section 12(4) of the Act).
4. It is not necessary to notify the Cabinet Office if any questions in the PSQ are adapted, added or omitted. The Cabinet Office will periodically review use of the questions and update the PSQ as required.
5. Part 3B includes central government procurement specific questions, such as those set out in a Procurement Policy Note. These should not be edited or removed by central government departments, their executive agencies or non-departmental public bodies, unless a relevant condition of participation would not be proportionate in a particular procurement or otherwise in accordance with the relevant policy guidance.

### Table 1: Summary of the PSQ for each procurement process

|  |  |  |
| --- | --- | --- |
| **PSQ part** | **Procurement process** | **Legal requirements and practical application** |
| **CT[[10]](#footnote-10)** | **DA[[11]](#footnote-11)** | **Call Com[[12]](#footnote-12)** | **Call W/Co[[13]](#footnote-13)** | **DM[[14]](#footnote-14)** |
| **Part 1 – core supplier information** |
| Part 1 –confirmation of core supplier information | ✔ | ✔ | ✔ | ⋆ | ⋆ | **✔** Contracting authorities must ensure that the supplier has provided this (up-to-date) information via the CDP by the relevant deadline (regulation 6 of the Procurement Regulations 2024).⋆ Nothing in the Act prevents contracting authorities from requesting suppliers to submit this information via the CDP as a requirement to being awarded a contract under a framework without competition or admitted to a dynamic market.**Overall practical application**Therefore, contracting authorities should, as good practice, make clear in the tender notice or associated tender documents (or as part of a framework call off, direct award or for supplier joining a dynamic market) that suppliers are required or requested, as appropriate, to share their core supplier information via the CDP at the earliest submission date. |
|

| **PSQ part** | **Procurement process** | **Legal requirements and practical application** |
| --- | --- | --- |
| **CT** | **DA** | **Call Com** | **Call W/Co** | **DM** |
| **Part 2 – additional exclusions information** |
| Part 2A – exclusion information about the supplier’s associated persons | ✔ | ✔ | ✔ | ✔ | ✔ | **✔** Contracting authorities must ask suppliers to provide details of exclusion information in respect of their associated persons – because this is required to confirm whether the main/prime supplier is an excluded or excludable supplier in each procurement process (sections 26, 27, 36, 41, 43, 45 of the Act).**Overall practical application**Therefore, contracting authorities should, as good practice, make clear in the tender notice or associated tender documents (or as part of a framework call off, direct award or for supplier joining a dynamic market) that the main/prime supplier should require their associated persons to provide their basic information, connected person and exclusions information (and potentially their economic and financial standing information if relevant) via the CDP. |
| Part 2B –a list of all intended sub-contractors | ✔ | ⋆ | ⋆ | ⋆ | ⋆ | **✔** In a competitive tendering process contracting authorities must ask suppliers to provide an exhaustive list of intended sub-contractors and check this against the debarment list (section 28 of the Act). |
|  |  |  |  |  |  | ⋆ For other processesnothing in the Act prevents contracting authorities from (1) requesting suppliers to share this information, and (2) make it a condition of being awarded the contract or admitted to a dynamic market, that the supplier will not sub-contract with a debarred supplier. This could subsequently be incorporated into the contractual terms.**Overall practical application**Therefore, contracting authorities, for all processes, should request that suppliers provide an exhaustive list of sub-contractors and check this against the debarment list. |
| **Part 3 – questions relating to conditions of participation** |
| Part 3A –standard questions | ✔ | ⋆ | ✔ | ⋆ | ⋆ | **✔** Contracting authorities may set conditions of participation which a supplier must satisfy in order to be awarded a public contract following a competitive tendering procedure (sections 22 and 46 of the Act). ⋆ Nothing in the Act prevents contracting authorities, as good practice, from setting a requirement on suppliers to evidence that they can meet certain legal, financial or technical requirements as a prerequisite to being awarded the contract (for example via a selection process or during preliminary steps in section 41(3) for direct awards) or admitted to a dynamic market.**Overall practical application**Therefore, contracting authorities should, as good practice, consider Part 3A and 3B requirements and include them as either conditions of participation or requirements for suppliers (depending on the process). |
| Part 3B – central government specific questions (relating to published PPNs) | ✔ | ⋆ | ✔ | ⋆ | ⋆ |

### Evaluating responses

1. When contracting authorities set their conditions of participation, they should as a matter of good practice, consider and outline to suppliers how they might meet the conditions (for example, a pass/fail or threshold mechanism).
2. If, in a competitive flexible procedure, any of the conditions of participation are used as part of a process to limit the number of participating suppliers (for example inviting the five suppliers that submitted the highest scoring responses), contracting authorities must ensure they have also outlined this criteria in their tender notice (section 20(4)(a) of the Act and regulation 19(2)(d) of the Procurement Regulations 2024).

### Economic and financial standing (EFS)

1. Financial accounts will be part of the core supplier submission. However, it may be necessary to supplement this with additional economic and financial information from suppliers (either the prime/main supplier or others relevant to the procurement, or both). Contracting authorities should note the Act includes certain prohibitions related to requesting audited accounts. Contracting authorities must not require the provision of audited annual accounts from suppliers who are not required to have their accounts audited in accordance with Part 16 of the Companies Act 2006 (or an overseas equivalent). In this scenario the supplier must be allowed to submit equivalent accounts or other information, so far as that can be reasonably given.
2. For central government departments, prior to commencing a covered procurement, they should determine the categorisation of the potential contract using the Contract Tiering Tool. This should determine the level of EFS required from suppliers and any associated requirement for financial assessment subject-matter expertise. The Contract Tiering Tool allows for straightforward and consistent categorisation of contracts between ‘Gold’ (most critical), ‘Silver’ and ‘Bronze’ (least critical) contracts. Guidance on the Contract Tiering Tool and requirements for financial assessments based on contract tier can be found in the Sourcing Playbook’s [Assessing and monitoring economic and financial standing](https://www.gov.uk/government/publications/the-sourcing-and-consultancy-playbooks).

### Insurance

1. The Act also prohibits contracting authorities from requiring insurance relating to the performance of the contract to be in place before award of the contract. This is to prevent suppliers from being expected to incur unnecessary costs for insurance when they have no guarantee of being awarded the contract. However contracting authorities may still, when setting conditions of participation, require commitments or evidence that a supplier will be able to obtain the necessary insurance on contract award. Like any condition of participation, insurance requirements must be proportionate.

### Works contracts

1. Public contracts for works should continue to use the questions set out in the Common Assessment Standard, including mixed contracts that encompass goods and services. Contracting authorities have discretion to decide when/if suppliers need to be certified against the Common Assessment Standard by a Recognised Assessment Body. If it is necessary to ask any additional questions relevant to the contract being procured these should be made clear. In all cases, the questions used should be proportionate. Part 2 questions must still be asked to ensure the necessary associated person and sub-contract information is retrieved. Where possible, contracting authorities should avoid requiring Commons Assessment Standard certified suppliers to re-input their information. The [Common Assessment Standard produced by Build UK](https://builduk.org/priorities/increasing-productivity/pre-qualification/) offers additional information on what it is and how to use it.

### Below-threshold procurements and procurements for exempted contracts

1. This template does not apply to procurements for below-threshold contracts or exempted contracts.
2. When inviting tenders for the award of a regulated below-threshold contract, section 85 of the Act prohibits contracting authorities from restricting the submission of tenders by reference to an assessment of the supplier’s suitability to perform the contract. Below threshold contracts are defined in section 5 of the Act as contracts with an estimated value below the relevant threshold. Regulated below-threshold contracts are defined in section 84(1) as below-threshold contracts which are not an exempted contract, a concession contract or a utilities contract.
3. The prohibition on restricting the submission of tenders by reference to an assessment of suitability does not apply to the award of contracts under a framework. In addition, for works contracts, the prohibition does not apply if the estimated value of the contracts is above the goods and services threshold (including where the estimated value is below the works threshold). Contracting authorities are permitted (but not required) to include questions from the Common Assessment Standard for works contracts with an estimated value above this threshold.
4. In below-threshold procurements, questions may be asked to assess the suitability, capability, legal status, and economic and financial standing of a potential supplier, provided that the questions are relevant and proportionate. However, these questions must be assessed alongside the supplier’s tender submission and not used as a restriction on which tenders will be assessed. The questions in the PSQ (or, for works contracts, the Common Assessment Standard questions) may be used as a guide in developing appropriate and proportionate questions.

### Future developments

1. The Cabinet Office may:
	* publish future PPNs with additional questions to be included in the PSQ
	* develop the CDP in order to retrieve information via the online system rather than the PSQ

## Glossary

| **Term** | **Definition** |
| --- | --- |
| Associated person | A supplier may be an excluded supplier or an excludable supplier if any exclusion ground applies to either the supplier or an associated person (see the references to ‘associated person’ in section 57 of the Act) and if the circumstances giving rise to the ground are continuing or likely to occur again.An associated person for these purposes is defined in section 26(4) as a person the supplier is relying on in order to satisfy the conditions of participation (other than a guarantor).Associated persons are likely to be within the first tier of sub-contractors, but may be further down the supply chain, for example in procurements of contracts with highly technical elements. |
| Central digital platform | The online system referenced in the Procurement Act 2023 (Act) and defined in the Procurement Regulations 2024 as the central digital platform. It is available at [www.gov.uk/find-tender](https://www.gov.uk/find-tender)The central digital platform will enable:* contracting authorities and suppliers to register and receive a unique identifier
* contracting authorities to publish notices and other information as required under the Act for covered and below-threshold procurements
* suppliers to submit and store certain core organisational information as required by the regulations to participate in a covered procurement. This information will only be available to those contracting authorities that a supplier chooses to share it with; it cannot be freely accessed
* anyone to view the notices and access related public procurement data
 |
| Conditions of participation | The Procurement Act 2023 includes rules on conditions of participation under a competitive tendering procedure and a competitive selection process under a framework.Contracting authorities are allowed to set conditions of participation only if they are a proportionate means of ensuring that suppliers have: a. legal and financial capacity; or b. technical ability, to perform the contract. Suppliers must satisfy these conditions if they are to be awarded the contract. The conditions must be proportionate having regard to the nature, complexity and cost of the public contract.Whereas compared with award criteria (section 23) which are used to assess the tender, conditions of participation are used to assess the supplier. Contracting authorities must make these conditions clear in the tender notice, supplemented (where necessary) by the tender documents. |
| Connected persons | A connected person is defined in paragraph 45 of Schedule 6 to the Act. In summary, it covers:1. a person with ‘significant control' over the supplier (within the meaning given by section 790C(2) of the Companies Act 2006 (CA 2006))
2. a director or shadow director of the supplier
3. a parent undertaking or a subsidiary undertaking of the supplier
4. a predecessor company
5. any other person who it can reasonably be considered stands in an equivalent position in relation to the supplier as a person within paragraph a to d.
6. any person with the right to exercise, or who actually exercises, significant influence or control over the supplier
7. any person over which the supplier has the right to exercise, or actually exercises, significant influence or control
 |
| Competitive tendering procedures | There are two competitive tendering procedures set out in section 20 of the Procurement Act 2023: the open procedure and the competitive flexible procedure, and both are commenced via publication of a tender notice. |
| Core supplier information | The core supplier information defined in the regulation 6(9) of the Procurement Regulations 2024 is divided into four key categories of information and covers (in summary):* basic information – this includes (and is not limited to) the supplier’s name, unique identifier, address, VAT number (if applicable), legal form and date of company registration (if applicable), details of qualifications/trade associations and classification, for example whether the supplier is an SME and/or a public service mutual
* economic and financial standing information – as set out in the supplier’s most recent financial accounts
* connected person information – this includes (but is not limited to) information relating to relevant connected persons such as names, date of birth and nationality, service address and legal form
* exclusion grounds information – this includes information relating to relevant convictions and events that form either a mandatory or discretionary exclusion ground under the Act
 |
| Debarment | Debarment is a mechanism under which a Minister of the Crown can put a supplier on the centrally-published debarment list. This must be following an investigation, whereby the minister is satisfied that a supplier is an excluded supplier or an excludable supplier and should be added to the debarment list. Depending on why a supplier is on the debarment list, contracting authorities either must exclude them or may exclude them from procurements. The list will be managed by the Procurement Review Unit (PRU) and published on GOV.UK |
| Excluded supplier | A supplier is an ‘excluded supplier’ where the contracting authority considers, firstly, that a **mandatory exclusion** ground applies to the supplier or an associated person and, secondly, that the circumstances giving rise to the exclusion ground are continuing or likely to occur again. A supplier will also be an excluded supplier where a Minister of the Crown has already determined this – i.e. where the supplier or an associated person is on the debarment list because of a mandatory exclusion ground. |
| Excludable supplier | A supplier is an ‘excludable supplier’ where the contracting authority considers, firstly, that a **discretionary exclusion** ground applies to the supplier or an associated person and, secondly, that the circumstances giving rise to the exclusion ground are continuing or likely to occur again. A supplier will also be an excludable supplier where a Minister of the Crown has already determined this – i.e. where the supplier or an associated person is on the debarment list because of a discretionary exclusion ground. |
| Exclusions | The Procurement Act sets out a list of mandatory (schedule 6) and discretionary (schedule 7) exclusion grounds and places a duty on contracting authorities to consider both whether any of these apply to suppliers (including by virtue of a connected person), as well as whether the circumstances are continuing or likely to occur again. Contracting authorities must exclude an excluded supplier and may exclude an excludable supplier from procurements. |
| Intended sub-contractors | As part of a competitive tendering process, contracting authorities must ask for details of all sub-contractors a supplier intends to use as part of the procurement (as required by section 28(1)(a) of the Act). This is not restricted to sub-contractors that the supplier is relying on to meet conditions of participation (who will in any event be associated persons) but applies to all sub-contractors (of all tiers) the supplier intends to sub-contract the performance of all or part of the contract to.A contracting authority must check whether any of the intended sub-contractors are on the debarment list (as required by section 28(1)(b) of the Act).A contracting authority may also request information for the purpose of determining whether any intended sub-contractor is an excluded or excludable supplier. |
| Unique identifier | Unique identifiers are defined in regulation 8 of the Procurement Regulations 2024. In the case of a supplier, it is the unique code which is submitted to the central digital platform and is recognised by that platform or, where no such code is submitted and recognised, it is the unique code which is allocated by that platform when the supplier registers on that platform. |

# Procurement Specific Questionnaire

## PSQ Explainer (for suppliers)

[**Note to Contracting Authorities**: you might find the following helpful and something you adapt for your procurement]

1. Public procurement is governed by regulations to ensure that procurement delivers value for money, competition, transparency and integrity.
2. The Procurement Specific Questionnaire (PSQ) has been designed to help contracting authorities ensure that suppliers share the right information when participating in a procurement. This is separate from the formal tender submission (on how the supplier proposes to meet the tender requirements). The PSQ consists of three parts:
3. **Part 1 - confirmation of core supplier information**: suppliers participating in procurements will now be expected to register on a central digital platform (CDP). Suppliers can submit their core supplier information and, where a procurement opportunity arises, share this information with the contracting authority via the CDP. It is free to use and will mean suppliers should no longer have to re-enter this information for each public procurement but simply ensure it is up to date and subsequently shared. The CDP is available at https://www.gov.uk/find-tender. Part 1 provides confirmation that suppliers have taken these steps.
4. **Part 2 - additional exclusions information**: procurement legislation provides for an ‘exclusion regime’ and a published ‘debarment’ list to safeguard procurement from suppliers who may pose a risk (for example, due to misconduct or poor performance). Suppliers must submit their own (and their connected persons[[15]](#footnote-15)) exclusions information via the CDP. This includes self-declarations as to whether any exclusion grounds apply to them and, if so, details about the event or conviction and what steps have been taken to prevent such circumstances from occurring again.
5. As part of a procurement, a supplier will need to also share additional exclusions information for any suppliers that they are relying on to meet the procurement’s conditions of participation. These could either be consortium members or key sub-contractors (but excludes any guarantors). These suppliers are ‘associated persons’ and their exclusions information must be shared with the contracting authority. We recommend this is done by ensuring that associated persons register, submit and share their information via the CDP (like the prime/main supplier).
6. In addition to the sub-contractors who are being relied on to meet the conditions of participation (who are associated persons), suppliers will need to share an exhaustive list of all their intended sub-contractors, which will be checked against the debarment list.
7. If a sub-contractor is unknown at the start of the procurement (or brought in during it), this should be made clear by the supplier and relevant details of the sub-contractor should be provided once their identity and role is confirmed. This information should be shared with the contracting authority as soon as possible and at least by final tenders.
8. **Part 3 - conditions of participation**: contracting authorities may set conditions of participation which a supplier must satisfy in order to be awarded a public contract. They can relate to the supplier’s legal and financial capacity or their technical ability.
9. Some of the information requested in the PSQ will be for information purposes only. Other information will be assessed by the contracting authority. This might include a pass or fail mechanism, or a threshold which the supplier must meet. Under certain procurement processes, a contracting authority might use the information shared via the PSQ as part of a selection process to limit the number of participating suppliers. For example, inviting the five suppliers that submitted the highest scoring responses. Where this is the case, the contracting authority will outline the maximum number of suppliers, and the criteria used to select the limited number of suppliers, in their tender notice (section 20(4)(a) of the Procurement Act and regulation 19(2)(d) of the Procurement Regulations 2024).
10. Suppliers should note that contracting authorities have legislative duties to publish certain information which relate to the supplier in their contract award notices. This information includes, but is not limited to:
* details of the winning supplier’s associated persons
* details of the winning supplier’s connected person information
* for certain procurements over £5 million, details of unsuccessful bidders
1. Where a supplier is unsure or requires any clarification, they should check with the contracting authority.

|  |  |
| --- | --- |
| **No.** | **Question** |
| Preliminary questions |
|  | What is your name? (supplier name) |
| **[Insert name]** |
|  | *You must be registered on the central digital platform (CDP).*What is your central digital platform unique identifier? |
| **[Insert unique identifier]** |
|  | Please confirm if you are bidding as a single supplier (with or without sub-contractors) or as part of a group or consortium.If you are bidding as part of a group or consortium (including where you intend to establish a legal entity to deliver the contract), please provide: 1. the name of the group/consortium
2. the proposed structure of the group/consortium, including the legal structure where applicable
3. the name of the lead member in the group/consortium
4. your role in the group/consortium (e.g. lead member, consortium member, sub-contractor)
 |
| **[Insert information]** |
|  | **[Where applicable]** Please confirm which lot(s) you wish to bid for? |
| **[Insert details]** |
|  | Are you on the debarment list? |
| **[Insert Yes or No]****[If yes, insert details]** |
| Part 1 – confirmation of core supplier information |
|  | You must submit up-to-date core supplier information on the CDP and share this with information with us via the CDP (either a share code or PDF download).This includes:1. basic information
2. economic and financial standing information
3. connected person information (these are persons with the right to exercise, or who actually exercise, significant influence or control over the supplier, or over whom the supplier has the right to exercise, or actually exercises, significant influence or control over, for example: directors, majority shareholders and parent and subsidiary companies)
4. exclusion grounds information

Please confirm you have shared this information with us. |
| **[Insert reference / file name]** |
| Part 2 – additional exclusions information  |
| Part 2A – associated persons |
|  | Are you relying on any associated persons to satisfy the conditions of participation? (these are other suppliers who might be sub-contractors or consortium members but not a guarantor).[The conditions of participation are outlined in Part 3]If so, please complete **Q8, Q9 & Q10** (otherwise **Q8, Q9 & Q10** are not applicable). |
| **[Insert Yes or No]** |
|  | For each supplier/associated person, please confirm which condition(s) of participation you are relying on them to satisfy. |
| **[Insert name of supplier and brief description]****[Insert name of supplier and brief description]** |
|  | For each associated person, you must confirm they are registered on the CDP and have shared with us their information (either a share code or PDF download):1. basic information
2. economic and financial standing information (if they are being relied upon to meet conditions of participation regarding financial capacity)
3. connected person information
4. exclusion grounds information
 |
| **[Insert name of supplier and reference / file name]** |
|  | Are any of your associated persons on the debarment list? |
| **[Insert Yes or No]****[If yes, insert details]** |
| Part 2B – list of all intended sub-contractors |
|  | Please provide: 1. a list of all suppliers who you intend to sub-contract the performance of all or part of the contract to (either directly or in your wider supply chain)
2. their unique identifier (if they are registered on the CDP), or otherwise, a Companies House number charity number, VAT registration number, or equivalent
3. a brief description of their intended role in the performance of the contract

If you are not intending to sub-contract the performance of all or part of the contract, then this **question and Q12** are not applicable.If a sub-contractor is unknown at the start of the procurement (or brought in during it), this should be made clear by the supplier and relevant details of the sub-contractor should be provided once their identity and role is confirmed. This information should be shared with the contracting authority as soon as possible and at least by final tenders. |
| **[Insert name of supplier – unique identifier – brief description]****[Insert name of supplier – unique identifier – brief description]** |
|  | Please confirm if any intended sub-contractor is on the debarment list.The debarment list can be found here [insert link] |
| **[Insert Yes or No]****[If yes, insert sub-contractor(s) name and provide details]** |
| Part 3 – questions relating to conditions of participation |
| Part 3A – standard questions |
| Financial capacity |
|  | **[Financial Capacity Conditions of Participation – added by contracting authorities if necessary]**[Note - central government departments, their executive agencies and non-departmental public bodies should stipulate requirements in line with the 'Assessing and monitoring economic and financial standing (EFS) guidance note'.]xxxx |
| **[xxxx]** |
|  | Are you relying on another supplier to act as a guarantor?If so, please provide their name and evidence of their economic and financial standing. |
| **[Insert Yes or No]****[If yes, insert reference / file name]** |
|  | Please confirm whether you already have, or can commit to obtain, prior to the award of the contract, the levels of insurance cover indicated below:1. Employer’s (Compulsory) Liability Insurance\* = [£x]
2. Public Liability Insurance = [£x]
3. Professional Indemnity Insurance = [£x]
4. Product Liability Insurance = [£x]

\*There is a legal requirement for certain employers to hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. See the Health and Safety Executive website for more information: [www.hse.gov.uk/pubns/hse39.pdf](http://www.hse.gov.uk/pubns/hse39.pdf). |
| **[Insert Yes or No]****[Insert details of your insurances already in place]****[Insert details of your insurances which would be obtained following contract award (including information on how you will obtain this insurance – e.g. a quote)]** |
| Legal capacity |
|  | **[Legal Capacity Conditions of Participation – added by contracting authorities if necessary]**xxxx |
| **[xxxx]** |
|  | Please confirm that you have in place, or that you will have in place by the award of the contract, the human and technical resources to perform the contract to ensure compliance with the UK General Data Protection Regulation and to ensure the protection of the rights of data subjects.Please provide details of the technical facilities and measures (including systems and processes) you have in place, or will have in place by contract award, to ensure compliance with UK data protection law and to ensure the protection of the rights of data subjects. Your response should include, but should not be limited to facilities and measures:* to ensure ongoing confidentiality, integrity, availability and resilience of processing systems and services
* to comply with the rights of data subjects in respect of receiving privacy information, and access, rectification, deletion and portability of personal data
* to ensure that any consent based processing meets standards of active, informed consent, and that such consents are recorded and auditable
* to ensure legal safeguards are in place to legitimise transfers of personal data outside the UK (if such transfers will take place)
* to maintain records of personal data processing activities
* to regularly test, assess and evaluate the effectiveness of the above measures
 |
| **[Insert Yes or No]****[Insert information]** |
| Technical ability |
|  | **Relevant experience and contract examples**Please provide details of up to three contracts to meet conditions of participation relating to technical ability set out in the relevant notice or procurement documents, in any combination from either the public or private sectors (which may include samples of grant-funded work). Where this procurement is for goods or services, the examples must be from the past three years.The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided.For consortium bids, or where you have indicated that you are relying on an associated person to meet the technical ability, you should provide relevant examples of where the associated person has delivered similar requirements. If this is not possible (e.g. the consortium is newly formed or a special purpose vehicle is to be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or members of the special purpose vehicle or sub-contractors (three examples are not required from each member).If you cannot provide at least one example of previous contracts, please provide an explanation for this and how you meet the conditions of participation relating to technical ability. |
| **[Insert information below]**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Contract 1** | **Contract 2** | **Contract 3** |
| **Name of customer****organisation who****signed the contract** |  |  |  |
| **Name of supplier****who signed the****contract** |  |  |  |
| **Point of contact in****the customer’s****organisation** |  |  |  |
| **Position in the****customer’s****organisation** |  |  |  |
| **Email address** |  |  |  |
| **Description of****contract** |  |  |  |
| **Contract start date** |  |  |  |
| **Contract completion date** |  |  |  |
| **Estimated contract****value** |  |  |  |

|  |
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| **[If you cannot provide at least one example of previous contracts that are relevant to the requirement, in no more than 500 words please provide an explanation for this and how you meet the conditions of participation relating to technical ability – e.g. your organisation is a new start-up or you have provided services in the past but not under a contract.]** |

 |
|  | **Experience of sub-contractor management**Where you intend to sub-contract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your sub-contractor(s) (which may be the intended sub-contractor(s) for this procurement or any others used previously).The description should include the procedures you use to ensure performance of the contract. |
| **[Insert information]** |
|  | **Organisational standards**Where conditions of participation have specified organisational qualifications or standards, please provide details of how these are met, or other equivalent standards that equal or exceed what has been requested.  |
| **[Insert information]** |
|  | **Health and safety**Please describe the arrangements you have in place to manage health and safety effectively and control significant risks relevant to the contract (including risks from the use of contractors, where relevant). |
| **[Insert information]** |
| XX | **[Additional questions – added by contracting authorities if necessary]**xxxx |
| **[xxxx]** |
| Part 3B – requirements for central government departments, their executive agencies and non-departmental public bodies |
| **[to be added]** |
| Confirmations |
|  | I confirm that:* to the best of my knowledge the answers submitted and information contained in this document are complete, accurate and not misleading
* upon request and without delay I will provide any additional information requested of us
* I understand that the response to this questionnaire will be used to assess whether our organisation is entitled to participate in, or continue to participate in, this procurement
* I understand that our organisation may be excluded from the procurement if requested information has not been provided, if any of this response or any follow up responses are incomplete, inaccurate or misleading, if confidential information has been accessed or if we have unduly influenced your decision-making in this procurement
 |
| **[Insert Yes or No]** |

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| **Signed** |  |

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| **Date** |  |

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| **Name** |  |

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| **Phone number** |  |

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| **Email** |  |

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| --- | --- |
| **Postal address** |  |

1. This includes the Public Contracts Regulations 2015 (PCR), the Utilities Contracts Regulations 2016 (UCR), the Concession Contracts Regulations 2016 (CCR) and the Defence and Security Public Contracts Regulations 2011 (DSPCR). [↑](#footnote-ref-1)
2. For example, contracting authorities are not legally required to rely on the PSQ as was the case with the Single Procurement Document, provided for by regulation 59 of the PCR, and there is no statutory duty on contracting authorities to have regard to it, as was the case for the guidance accompanying the SQ, published under regulation 107 of the PCR. [↑](#footnote-ref-2)
3. As defined in regulation 6(9) of the Procurement Regulations 2024. [↑](#footnote-ref-3)
4. Policy requirements which were included in PPN 03/24 are currently under review. Those which will continue to apply will, following sign-off, be added to Part 3B of the PSQ. [↑](#footnote-ref-4)
5. For works contracts - see the relevant heading below. [↑](#footnote-ref-5)
6. Associated persons do not need to share their economic and financial standing information (unless relied upon to meet conditions of participation related to financial capacity). [↑](#footnote-ref-6)
7. Depending on the procurement, contracting authorities may require additional economic and financial information to make an assessment on their financial capacity. See the Sourcing Playbook’s Assessing and monitoring economic and financial standing guidance. [↑](#footnote-ref-7)
8. Guidance on [competitive tendering procedures](https://www.gov.uk/government/collections/procurement-act-2023-guidance-documents) covers, in an open or competitive flexible procedure, when a contracting authority should check exclusions information. [↑](#footnote-ref-8)
9. On the CDP, suppliers will need to complete self-declarations as to whether any mandatory or discretionary exclusion grounds apply to them and/or their connected persons; and, if an exclusion ground applies, related details including the steps that have or will be taken to prevent the circumstances giving rise to the ground occurring again. Contracting authorities will need to review this information. It is for the supplier to demonstrate it has self-cleaned and this must be to the satisfaction of the contracting authority. [↑](#footnote-ref-9)
10. Competitive tendering procedures, i.e. open procedures and competitive flexible procedures. [↑](#footnote-ref-10)
11. Direct awards, i.e. under sections 41 and 43 of the Act. [↑](#footnote-ref-11)
12. Call offs under frameworks awarded through a competitive selection process. [↑](#footnote-ref-12)
13. Call offs under frameworks awarded without competition. [↑](#footnote-ref-13)
14. Establishing a dynamic market. [↑](#footnote-ref-14)
15. Connected persons are persons who exercise (or have a right to exercise) significant influence or control over the supplier and those over which the supplier exercises (or has the right to exercise) significant influence or control. This includes majority shareholders, directors and shadow directors, parent and subsidiary companies and predecessor companies. The majority of the exclusion grounds state that they apply to the supplier or a connected person of the supplier. [↑](#footnote-ref-15)