**Procurement Journey**

**C&SS Selection Criteria Guidance**

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**Selection criteria: evidencing capability and experience**

Where used, selection criteria may, for example, include:

* + track record (relevant experience and expertise);
	+ provider capability/capacity;
	+ policies and procedures;
	+ awareness of National Care Standards (where applicable);
	+ non-subjective references, including from other public bodies;
	+ skilled and competent workforce (including registration requirements and staff training/learning);
	+ business probity; and
	+ financial viability.

An organisation should have regard to relevant information held by the regulatory bodies in relation to registration, inspection, complaints and enforcement activity in order to inform the assessment of a service provider’s track record, quality of provision and/or capability.

An organisation may ask potential service providers to submit recent inspection reports relating to similar services which they deliver within the same geographic area and similar services provided in other geographic areas. An organisation should consider asking for copies of previous inspection reports and outcomes of other regulatory activities, for example enforcement notices and complaint information and action plans. An organisation should also take into account improvement action taken by service providers in response to inspection reports.

An organisation should also ask potential service providers to submit a statement which summarises the quality grades of all of their registered services within the service category and geographic area. Account should be taken of the quality grading of these services. Where an organisation considers that prior experience of service delivery within a registration category is essential, consideration should be given to how to apply quality grades in decision making. Caution should be exercised in using quality grades as a threshold, as the relevance of individual reports to the service in question is likely to vary.

It is important to note that some potential service providers may not have experience of delivering registered services in Scotland and may therefore be unable to submit inspection reports or details of quality grades. To allow for this, an organisation should invite service providers to submit reports from other regulators or other evidence of their track record in delivering similar services. Where the Public Contracts (Scotland) Regulations 2015 or TFEU fundamental principles apply, an organisation must not limit eligibility to Scottish- or UK-established service providers.

An organisation could analyse the financial position of potential service providers and determine the level of risk that it would represent to the public body, having regard to the contract requirement and value.

Care should be taken to ensure that any selection criteria relating to financial viability are proportionate to the contract in question, do not unreasonably exclude SMEs or third sector service providers and genuinely reflect ability to perform the contract.

**European Single Procurement Document (ESPD)**

Mandatory exclusion grounds must be applied to care and support services, and an organisation can also choose to apply the discretionary exclusion grounds, selection criteria and award criteria. An organisation can choose to use the ESPD (Scotland) in respect of exclusion grounds and selection criteria, and it is a matter of best practice to do so.