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Contract

## **Legal Support Services (Fitness to Practise)**

General Optical Council

F03: Contract award notice

Notice identifier: 2022/S 000-018288

Procurement identifier (OCID): ocds-h6vhtk-02fa0a

Published 5 July 2022, 1:20pm

### **Section I: Contracting authority**

#### **I.1) Name and addresses**

General Optical Council

10 Old Bailey

London

EC4M 7NG

#### **Contact**

Tabinda Kiani

#### **Email**

[tkiani@optical.org](mailto:tkiani@optical.org)

#### **Telephone**

+44 02073073472

#### **Country**

United Kingdom

**NUTS code**

UKI31 - Camden and City of London

**Internet address(es)**

Main address

[www.optical.org](http://www.optical.org)

Buyer's address

[https://www.mytenders.co.uk/search/Search\\_AuthProfile.aspx?ID=AA14321](https://www.mytenders.co.uk/search/Search_AuthProfile.aspx?ID=AA14321)

**I.2) Information about joint procurement**

The contract is awarded by a central purchasing body

**I.4) Type of the contracting authority**

Body governed by public law

**I.5) Main activity**

Other activity

Healthcare Regulator

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Legal Support Services (Fitness to Practise)

#### **II.1.2) Main CPV code**

- 79100000 - Legal services

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

The requirements of the service are:

- conduct of investigative work on the General Optical Council's behalf in relation to fitness to practise allegations relating to registered opticians and optical businesses
- preparation for, and presentation of, the GOC's case at substantive Fitness to Practise Committee hearings
- occasional preparation for, and presentation of the GOC's case at non-substantive hearings (interim order applications/reviews/extensions, substantive order reviews) and Registration Appeal Committee hearings
- provision of advice relating to the conduct of individual investigations into the fitness to practise of GOC registrants, and relating to interpretation of GOC legislation and rules
- provision of training to Committee members, Case Examiners and GOC staff.

#### **II.1.6) Information about lots**

This contract is divided into lots: No

#### **II.1.7) Total value of the procurement (excluding VAT)**

Value excluding VAT: £611,000

### **II.2) Description**

### **II.2.3) Place of performance**

NUTS codes

- UKI31 - Camden and City of London

### **II.2.4) Description of the procurement**

The full description document (including expression of interest assessment criteria) is available at: [https://www.optical.org/en/about\\_us/working\\_for\\_us/goc-tenders-.cfm](https://www.optical.org/en/about_us/working_for_us/goc-tenders-.cfm)

The value of this contract as stated is its total value - please note that we anticipate appointing up to two suppliers to provide the service (meaning that the value of the contract would be approximately half its stated total value if two providers are appointed).

We are the regulator for the optical professions in the UK. Our purpose is to protect the public by promoting high standards of education, performance and conduct amongst opticians. We currently register around 30,000 optometrists, dispensing opticians, student opticians and optical businesses.

A brief description of our four core regulatory functions is:

- Setting standards for optical education and training, performance and conduct.
- Approving qualifications leading to registration.
- Maintaining a register of individuals who are qualified and fit to practise, train or carry on business as optometrists and dispensing opticians.
- Investigating and acting where registrants' fitness to practise, train or carry on business is impaired.

Our website is at: [www.optical.org](http://www.optical.org)

We are seeking to procure legal support services for our Fitness to Practise (FTP) directorate, with effect from 1 April 2022.

This year (2021-22) it is forecast that we will open approximately 120 fitness to practice investigations. Currently, approximately 45 per cent of investigation cases are being referred to our Fitness to Practise Committee. We expect to instruct up to half of these referred cases out to the appointed provider(s), either for advocacy only, or for investigation and advocacy (for the sake of clarity, we expect to manage the other half in-house). We also expect to instruct appointed providers to undertake initial-stages investigations in a (total) maximum of 10 cases per annum. We expect these current case numbers to broadly continue through the period of the contract.

The provision of legal services will be governed by an agreement commencing 1 April 2022 and concluding 31 March 2024, but with an option for the GOC to extend for 12 months to 31 March 2025.

The requirements of the service are:

- conduct of investigative work on the GOC's behalf in relation to fitness to practise allegations relating to registered opticians and optical businesses
- preparation for, and presentation of, the GOC's case at substantive Fitness to Practise Committee hearings
- occasional preparation for, and presentation of the GOC's case at non-substantive hearings (interim order applications/reviews/extensions, substantive order reviews) and Registration Appeal Committee hearings
- provision of advice relating to the conduct of individual investigations into the fitness to practise of GOC registrants, and relating to interpretation of GOC legislation and rules
- provision of training to Committee members, Case Examiners and GOC staff.

Note: Fitness to Practise Committee in-person hearings are held in London.

This procurement process is being undertaken as a two-stage restricted tender procedure, pursuant to section 6.2 (ii) of the GOC Contracts and Procurement Policy: <https://www.optical.org/download.cfm?docid=4E059864-DC2B-4A6C-A0F5350B72A6AF34>

Before applying, please ensure you are familiar with the fitness to practise function of the General Optical Council:

[https://www.optical.org/en/Investigating\\_complaints/index.cfm](https://www.optical.org/en/Investigating_complaints/index.cfm)

#### **II.2.5) Award criteria**

Quality criterion - Name: Case management: ability to prioritise cases and progress them to service standards, and ability to provide regular and accurate financial information and cost estimates / Weighting: 25%

Quality criterion - Name: Credibility: Track record in delivering similar legal services including delivery to agreed targets, and credibility of staff to be engaged in delivery of legal services / Weighting: 25%

Quality criterion - Name: Understanding of the GOC's needs and requirements; ability to

exercise good judgement and apply critical reasoning and questioning skills / Weighting: 10%

Quality criterion - Name: Quality and range of legal services that the Respondent is able to provide / Weighting: 5%

Price - Weighting: 35%

#### **II.2.11) Information about options**

Options: No

#### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Restricted procedure

#### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: Yes

### **IV.2) Administrative information**

#### **IV.2.1) Previous publication concerning this procedure**

Notice number: [2021/S 000-029339](#)

## **Section V. Award of contract**

A contract/lot is awarded: Yes

### **V.2) Award of contract**

#### **V.2.1) Date of conclusion of the contract**

1 July 2022

#### **V.2.2) Information about tenders**

Number of tenders received: 5

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 5

Number of tenders received by electronic means: 5

The contract has been awarded to a group of economic operators: Yes

#### **V.2.3) Name and address of the contractor**

Kingsley Napley

20 Bonhill St, London

London

EC2A 4DN

Telephone

+44 02078141200

Country

United Kingdom

NUTS code

- UKI - London

The contractor is an SME

No

**V.2.3) Name and address of the contractor**

CMS Cameron McKenna LLP

Cannon Place, 78 Cannon Street

London

EC4N 6HL

Telephone

+44 01413046095

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

**V.2.3) Name and address of the contractor**

Ward Hadaway Solicitors

Sandgate House, 102 Quayside

Newcastle upon Tyne

NE1 3DX

Telephone

+44 01912044056

Fax

+44 01912044098

Country

United Kingdom

NUTS code

- UKC - North East (England)

The contractor is an SME

No

#### **V.2.4) Information on value of contract/lot (excluding VAT)**

Total value of the contract/lot: £611,000

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## **Section VI. Complementary information**

### **VI.3) Additional information**

(MT Ref:226723)

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

Public Procurement Review Service

70 Whitehall

London

SW1A 2AS

Email

[publicprocurementreview@cabinetoffice.gov.uk](mailto:publicprocurementreview@cabinetoffice.gov.uk)

Telephone

+44 3450103503

Country

United Kingdom

Internet address

<https://www.gov.uk/government/publications/public-procurement-review-service-scope-and-remit>

**VI.4.4) Service from which information about the review procedure may be obtained**

Public Procurement Review Service

70 Whitehall

London

SW1A 2AS

Email

[publicprocurementreview@cabinetoffice.gov.uk](mailto:publicprocurementreview@cabinetoffice.gov.uk)

Telephone

+44 3450103503

Country

United Kingdom

Internet address

<https://www.gov.uk/government/publications/public-procurement-review-service-scope-and-remit>