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Tender

## **Optical Consumer Complaints Service (Mediation)**

General Optical Council

F02: Contract notice

Notice identifier: 2023/S 000-032088

Procurement identifier (OCID): ocds-h6vhtk-041067

Published 31 October 2023, 10:36am

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

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

General Optical Council

10 Old Bailey

London

EC4M 7NG

#### **Contact**

Kayleigh Allen

#### **Email**

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

#### **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.3) Communication**

Access to the procurement documents is restricted. Further information can be obtained at

<https://optical.org/>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://optical.org/>

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

Other type

Regulatory body

**I.5) Main activity**

Other activity

Regulation

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## **Section II: Object**

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

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

Optical Consumer Complaints Service (Mediation)

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

- 79422000 - Arbitration and conciliation services

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

Services

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

Our requirements are that:

- (a) The service must be free to users and will be funded by the GOC;
- (b) The service must be demonstrably independent of the NHS, UK Government, optical professionals and optical professional bodies;
- (c) The service must treat individuals fairly, regardless of their background, characteristics or circumstances and the service provider must collect EDI data (with appropriate regard to data protection legislation);
- (d) The service must be unbiased and resolution-focused;
- (e) The service must be visible on the Internet and have a dedicated web presence via the [www.opticalcomplaints.co.uk](http://www.opticalcomplaints.co.uk) domain (which will continue to be owned by the GOC);
- (f) The service must not be subcontracted unless the GOC has agreed this in advance in writing;
- (g) The service must have a documented appeal and review mechanism for circumstances where the proposed resolution is not accepted;
- (h) The service must operate a mechanism for consumers to complain about the Service, if they are dissatisfied;
- (i) The service provider must work closely with the GOC and abide by the published

‘Working Together’ policy

(j) The service provider must work with the GOC and with the optical profession to further establish awareness of the service and to promote its benefits to the profession.

(k) The service provider must collect trend and outcome data and must publish an annual report in the form that previous annual reports have taken;

(l) The service provider must report annually to the GOC Council; and

(m) The service provider must maintain the OCCS service on the list of accredited ADR providers pursuant to the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015

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

This contract is divided into lots: No

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

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

NUTS codes

- UK - United Kingdom

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

The Service

We are seeking to procure a provider for an Alternative Dispute Resolution (ADR) mediation service in respect of consumer complaints about optical goods and services provided by General Optical Council (GOC) registrants, or by the businesses that employ them in the UK.

The Optical Consumer Complaints Service (OCCS) is an independent and free mediation service for consumers (patients) of optical care and the professionals providing that care. The service is funded by the GOC and will be provided to members of the public, registrants, optical businesses and others.

Disputes generally relate to the supply of spectacles, frames, lenses or contact lenses and the supply of optical eyecare and dispensing provided by opticians (optometrists and dispensing opticians).

The provision of the OCCS service will be governed by an agreement commencing 1 April

2024 and concluding 31 March 2027, with an option for the GOC to extend for 12 months at the conclusion of the three-year contract period.

We are looking to appoint a single service provider.

The current OCCS website is at: <https://www.opticalcomplaints.co.uk/>

## Service Requirements

Our requirements are that:

- (a) The service must be free to users and will be funded by the GOC;
- (b) The service must be demonstrably independent of the NHS, UK Government, optical professionals and optical professional bodies;
- (c) The service must treat individuals fairly, regardless of their background, characteristics or circumstances and the service provider must collect EDI data (with appropriate regard to data protection legislation);
- (d) The service must be unbiased and resolution-focused;
- (e) The service must be visible on the Internet and have a dedicated web presence via the [www.opticalcomplaints.co.uk](https://www.opticalcomplaints.co.uk) domain (which will continue to be owned by the GOC);
- (f) The service must not be subcontracted unless the GOC has agreed this in advance in writing;
- (g) The service must have a documented appeal and review mechanism for circumstances where the proposed resolution is not accepted;
- (h) The service must operate a mechanism for consumers to complain about the Service, if they are dissatisfied;
- (i) The service provider must work closely with the GOC and abide by the published 'Working Together' policy
- (j) The service provider must work with the GOC and with the optical profession to further establish awareness of the service and to promote its benefits to the profession.
- (k) The service provider must collect trend and outcome data and must publish an annual report in the form that previous annual reports have taken;
- (l) The service provider must report annually to the GOC Council; and

(m) The service provider must maintain the OCCS service on the list of accredited ADR providers pursuant to the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015

The service provider should expect to receive approximately 1800 cases a year and these should be resolved within approximately 45 days.

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

Price is not the only award criterion and all criteria are stated only in the procurement documents

#### **II.2.6) Estimated value**

Value excluding VAT: £720,000

#### **II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

The GOC may extend the contract by 1 year (12 months).

#### **II.2.9) Information about the limits on the number of candidates to be invited**

Envisaged minimum number: 5

#### **II.2.10) Information about variants**

Variants will be accepted: No

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

Options: No

#### **II.2.12) Information about electronic catalogues**

Tenders must be presented in the form of electronic catalogues or include an electronic

catalogue

### **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 III. Legal, economic, financial and technical information**

### **III.1) Conditions for participation**

#### **III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions

Assessment Criteria (Expression of Interest stage only)

Expressions of Interest will be assessed against the following criteria:

- Previous experience of having provided, or other significant and relevant knowledge/experience of, mediation/arbitration/conciliation/resolution services, or equivalent;

(This is a PASS/FAIL criterium – where no relevant evidence is provided, those applications will fail and will not be assessed further. Applications that pass will be assessed up to 50% of the available maximum score).

Applications that pass stage A will then be further assessed against the following criteria:

- Evidence of a very good knowledge/understanding of consumer rights, and the applicable UK legislation; (20%)

- Evidence of previous experience of developing stakeholder relationships; (15%)

- How the applicant proposes to access relevant clinical expertise, and to be able to identify matters that raise fitness to practise concerns; (10%)

- Evidence of previous experience of publishing a formal annual report and formal reporting to an executive board, or equivalent. (5%)

You should therefore ensure that your Expression of Interest addresses these criteria.

We are unlikely to progress more than a maximum of the top 5 applicants to full tender stage.

### **III.1.2) Economic and financial standing**

Selection criteria as stated in the procurement documents

### **III.1.3) Technical and professional ability**

Selection criteria as stated in the procurement documents

## **III.2) Conditions related to the contract**

### **III.2.2) Contract performance conditions**

The service provider will receive approximately 1800 cases a year.

Information about the scale of the service and expected performance can be found in the OCCS annual reports found here:

<https://www.opticalcomplaints.co.uk/insights/downloads/>

### **III.2.3) Information about staff responsible for the performance of the contract**

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract



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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: No

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

#### **IV.2.2) Time limit for receipt of tenders or requests to participate**

Date

1 December 2023

Local time

5:00pm

#### **IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates**

8 December 2023

#### **IV.2.4) Languages in which tenders or requests to participate may be submitted**

English

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## **Section VI. Complementary information**

### **VI.1) Information about recurrence**

This is a recurrent procurement: No

### **VI.2) Information about electronic workflows**

Electronic invoicing will be accepted

Electronic payment will be used

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

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.

This procurement process is being undertaken as a restricted tender procedure, pursuant to section 4.9 of the GOC Contracts and Procurement Policy: contract-and-procurement-policy-approved-sep-23.pdf ([optical.org](https://www.optical.org)).

Please note that contracts for the provision of mediation services fall outside of EU procurement regulations (Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014, and Part 10 of the Public Contracts Regulations 2015).

If there are any concerns about the timeline to deliver this service, please raise these within the expression of interest so that we can consider these on receipt of applications.

NOTE: To register your interest in this notice and obtain any additional information please

visit the myTenders Web Site at

[https://www.mytenders.co.uk/Search/Search\\_Switch.aspx?ID=230607](https://www.mytenders.co.uk/Search/Search_Switch.aspx?ID=230607).

The buyer has indicated that it will accept electronic responses to this notice via the Postbox facility. A user guide is available at

[https://www.mytenders.co.uk/sitehelp/help\\_guides.aspx](https://www.mytenders.co.uk/sitehelp/help_guides.aspx).

Suppliers are advised to allow adequate time for uploading documents and to dispatch the electronic response well in advance of the closing time to avoid any last minute problems.

(MT Ref:230607)

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

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

Public Procurement Review Service

Cabinet Office

London

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>