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DRAFT STATUTORY INSTRUMENTS

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**2023 No.**

**HEALTH SERVICES, ENGLAND  
PUBLIC PROCUREMENT, ENGLAND**

The Health Care Services (Provider  
Selection Regime) Regulations 2023

*Made* - - - - *\*\*\**  
*Coming into force* *1st January 2024*

THE HEALTH CARE SERVICES (PROVIDER  
SELECTION REGIME) REGULATIONS 2023

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Signature

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#### SCHEDULE 1 — Relevant health care services: CPV codes

#### SCHEDULE 2 — Content of notice of award which followed Direct Award Process A or Direct Award Process B or award based on a framework agreement without a competition

1. A statement that an award has been made, following Direct...
2. The contract title and reference.
3. The name and address of the registered office or principal...
4. A description of the relevant health care services to which...
5. The lifetime value of the contract or, where it is...
6. The dates between which the contract provides for the services...
7. Details of the award decision-makers.
8. Any declared conflicts or potential conflicts of interest.
9. Information as to how any conflicts or potential conflicts of...

**SCHEDULE 3 — Content of notice of intention to award to the existing provider under Direct Award Process C**

1. A statement that the relevant authority is intending to award a...
2. The contract title and reference.
3. The name and address of the registered office or principal...
4. A description of the relevant health care services to which...
5. The approximate lifetime value of the contract.
6. Details of the award decision-makers.
7. A statement explaining the award decision-makers' reasons for selecting the...
8. Any declared conflicts or potential conflicts of interest.
9. Information as to how any conflicts or potential conflicts of...

**SCHEDULE 4 — Content of notice following award under Direct Award Process C**

1. A statement that an award has been made following Direct...
2. The contract title and reference.
3. The name and address of the registered office or principal...
4. A description of the relevant health care services to which...
5. The lifetime value of the contract or, where it is...
6. The dates between which the contract provides for the services...
7. Details of the award decision-makers.
8. Any declared conflicts or potential conflicts of interest.
9. Information as to how any conflicts or potential conflicts of...

**SCHEDULE 5 — Content of notice of intention to follow the Most Suitable Provider Process**

1. A statement that the relevant authority is intending to follow the...
2. The contract title and reference.
3. A description of the relevant health care services to which...
4. Details of the award decision-makers.

**SCHEDULE 6 — Content of notice of intention to award to the chosen provider under the Most Suitable Provider Process**

1. A statement that the relevant authority is intending to award a...
2. The contract title and reference.
3. The name and address of the registered office or principal...
4. A description of the relevant health care services to which...
5. The approximate lifetime value of the contract.
6. Details of the award decision-makers.
7. A statement explaining the award decision-makers' reasons for selecting the...
8. Any declared conflicts or potential conflicts of interest.
9. Information as to how any conflicts or potential conflicts of...

**SCHEDULE 7 — Content of notice following award under the Most Suitable Provider Process**

1. A statement that an award has been made following the...
2. The contract title and reference.
3. The name and address of the registered office or principal...
4. A description of the relevant health care services to which...
5. The lifetime value of the contract or, where it is...
6. The dates between which the contract provides for the services...
7. Details of the award decision-makers.

8. Any declared conflicts or potential conflicts of interest.
9. Information as to how any conflicts or potential conflicts of...

SCHEDULE 8 — Content of notice inviting offers

1. The contract or framework agreement title and reference.
2. A description of the relevant health care services to which...
3. The intended or estimated dates— (a) between which the services...
4. The approximate lifetime value of the contract or framework agreement....
5. The contract or framework award criteria.
6. Where the notice relates to a proposed framework agreement, the...
7. A statement as to how offers must be made, which...
8. A statement as to how offers will be assessed, including...

SCHEDULE 9 — Content of communication to unsuccessful provider

1. The contract or framework agreement title and reference.
2. The contract or framework award criteria.
3. The reasons why the successful provider was successful.
4. The reasons why the unsuccessful provider was unsuccessful.
5. The dates of the beginning and end of the period...

SCHEDULE 10 — Content of notice of intention to make an award to the chosen provider, or conclude a framework agreement with the chosen provider, under the Competitive Process

1. A statement that the relevant authority is intending to award a...
2. The contract or framework agreement title and reference.
3. The name and address of the registered office or principal...
4. A description of the relevant health care services to which...
5. Where the notice relates to the conclusion of a framework...
6. The approximate lifetime value of the contract or framework agreement....
7. Details of the decision-makers.
8. A statement explaining the decision-makers' reasons for selecting the chosen...
9. Any declared conflicts or potential conflicts of interest.
10. Information as to how any conflicts or potential conflicts of...
11. Where appropriate, an indication whether a framework agreement was used....

SCHEDULE 11 — Content of notice following a competition under the Competitive Process

1. A statement that the award follows a competition under the...
2. The contract or framework agreement title and reference.
3. The name and address of the registered office or principal...
4. A description of the relevant health care services to which...
5. Where the notice relates to the award of a contract,...
6. Where the notice relates to the conclusion of a framework...
7. Where the notice relates to the award of a contract,...
8. Details of the decision-makers.
9. Any declared conflicts or potential conflicts of interest.
10. Information as to how any conflicts or potential conflicts of...

SCHEDULE 12 — Notice of contract or framework agreement modification

1. The contract or framework agreement title and reference.
2. A description of the relevant health care services to which...

3. The effective date of the modification.
4. A brief description of the modification.
5. Any change in the lifetime value of the contract or...
6. Any change in the term length of the contract or...
7. Details of the decision-makers.
8. Any declared conflicts or potential conflicts of interest.
9. Information as to how any conflicts or potential conflicts of...

#### SCHEDULE 13 — Notice of urgent award

1. A statement that in the view of the relevant authority...
2. The contract title and reference.
3. The name and address of the registered office or principal...
4. A description of the relevant health care services to which...
5. The lifetime value of the contract or, where it is...
6. The dates between which the contract provides for the services...
7. The reasons for the dates referred to in paragraph 6,...
8. Details of the decision-makers.
9. Any declared conflicts or potential conflicts of interest.
10. Information as to how any conflicts or potential conflicts of...
11. The reasons why regulation 14 applied.

#### SCHEDULE 14 — Notice of urgent modification

1. A statement that in the view of the relevant authority...
2. The contract title and reference.
3. A description of the relevant health care services to which...
4. The effective date of the modification.
5. The nature of the modification, including any change in contract...
6. Details of the decision-makers.
7. Any declared conflicts or potential conflicts of interest.
8. Information as to how any conflicts or potential conflicts of...
9. The reasons why regulation 14 applied.

#### SCHEDULE 15 — Invitation to providers party to the framework agreement to submit an offer

1. A description of the relevant health care services to which...
2. The contract award criteria.
3. The intended or estimated dates between which the services must...
4. The approximate lifetime value of the contract.

#### SCHEDULE 16 — Basic selection criteria

1. Basic selection criteria: general principles
2. Authorisations or memberships
3. Economic and financial standing
4. Technical and professional ability

Explanatory Note