

Invitation to Quote

July 2025

A human rights based examination of families' experiences of the Fatal Accident Inquiry process following a death in detention

QUOTE Reference: SHRC/FAIExperiences/2025/06

Table of Contents

1. Invitation	4
2. Introduction.....	5
3. Delivery Timescale	5
4. Terms of Reference and Summary of Requirement of Response	5
5. Proposal Timetable.....	6
6. Proposal submission.....	7
6.1.Submission format	7
7. Budget.....	8
8. Evaluation of Submissions.....	8
9. Freedom of Information.....	12
10. Data Protection / Security Requirements (for suppliers with no access to our internal network)	13
11. Confidentiality in Respect of the ITQ Process	13
12. Canvassing.....	14
13. Appendix 1: Terms of Reference	15
13.1.About the Commission	15
13.2.Background to the work	15
13.3.Brief outline of the project	15
13.4.Objectives	16
13.5.Assessed requirements.....	16
13.6.Tender Decision Notification	17
13.7.The Briefing Meeting.....	17

13.8.The Contract	18
-------------------------	----

1. Invitation

You are invited by the Scottish Human Rights Commission to quote for the provision of the services detailed in the attached brief. Your quotation must be received by no later than noon on **12:00 noon 22 July 2025**. It is the responsibility of all suppliers to ensure that their quotation response is received no later than the appointed time. The Scottish Human Rights Commission may undertake not to consider quotations received after that time.

The Scottish Human Rights Commission is not bound to accept the lowest price or any quote and shall not be bound to accept the supplier as sole supplier. Prices quoted shall remain firm for 60 days from the submission date. Value Added Tax (VAT) should be shown separately, and the VAT registration number given.

The quotation will be evaluated using the following criteria and weightings:

Evaluation Criteria	Weighting
Quality	80%
Price	20%

By providing us with a quotation you agree to be bound by the Scottish Human Rights Commission's Terms and Conditions which will apply to any contract awarded to you after you have provided us with our quotation.

Enquiries regarding this ITQ should be submitted via email to research@scottishhumanrights.com

Completed responses to this ITQ should be submitted by email to finance@scottishhumanrights.com by the deadline of 12 noon on Tuesday 22 July 2025.

All correspondence should include the Quote reference in the subject heading.



David Lees
Head of Commission Secretariat & Business Support

2. Introduction

This is an Invitation to Quote (ITQ) to conduct a human rights based examination of families' experiences of engaging in, or preparing to engage in, the Fatal Accident Inquiry process following the death of their relative in detention in Scotland.

3. Delivery Timescale

The requirement should be scheduled to commence during w/c 25 August through attendance at a briefing convened by the Commission, with completion through delivery of a final report by 21 October 2025. All necessary activities required to deliver the provisions identified in this ITQ must be planned, delivered and concluded to accommodate this timescale.

4. Terms of Reference and Summary of Requirement of Response

The Terms of Reference (ToR), attached at Appendix 1, contain the full scope of the requirement relating to this ITQ. The ToR include context setting and background information that are the basis for the decision to conduct this project.

The core requirements for the written response are contained in sections of the [Terms of Reference \(ToR\); at Appendix 1](#), including Assessed Requirements. Each element within this section should be addressed in your response.

In addition to this, the Commission needs to understand and assess the relevant knowledge and experience of prospective contactors. A key part of the response should include evidence of similar or comparable provisions to provide assurance of capability and capacity to carry out this project.

The price submission should reflect the number of days associated with each activity and the number of individuals, together with their experience level, projected to be involved.

Bidders should include narrative around their approach to completing the work including, where necessary, any expected inputs from the Commission.

The format for submitting proposals to deliver the requirement is detailed below in Section 6 and the process and criteria for evaluation is contained in Section 8 of this ITQ.

5. Proposal Timetable

The key dates for the process are as follows;

Key action	Date
Issue ITQ	8 July 2025
Closing date for submission	22 July 2025
Evaluation of Submissions	23/24 July 2025
Award of Contract	29 July 2025
Project Commencement – initial start-up meeting	w/c 25 August
Facilitated engagement session with families impacted by a death in detention	September/October TBC
Delivery of report	21 October 2025
Project Completion (milestones tbc)	21 October 2025

Note: Timescales may be subject to change.

6. Proposal submission

Proposals should be submitted by email to; finance@scottishhumanrights.com by no later than 12 noon on Tuesday 22 July 2025.

We will email confirmation of receipt of your proposal. Late submissions will not be considered.

We will review all the proposals we receive against our Terms of Reference, attached, and evaluation criteria, highlighted below. We may contact you with follow up questions to clarify anything we need to confirm before we make our decision.

We aim to make a final decision by 29 July 2025, and a contract will be awarded subject to final agreement of T&Cs.

6.1. Submission format

To quote for this provision, please send us a written report (5 pages and a maximum word count of 2,500 words) setting out as a minimum:

1. Your relevant skills, experience, and qualifications for conducting a project of this nature. Evidence of carrying out similar projects for a public sector, civil society organisation, or a National Human Rights Institution, would be an advantage.
2. Your proposed plan to deliver the range of Requirements, Objectives and Deliverables contained in the Terms of Reference, with particular reference to each requirement described in Section 13.5, Assessed Requirements.
3. Your proposed approach to completing the work including any input you would require from us.
4. Your proposed price for this work including a breakdown of days against each element.

Your submission should address the specific Assessed Requirements, set out in the ToR (Appendix 1).

7. Budget

We have a maximum budget of £10,000 – £13,000 (including VAT) for this work.

Please provide a full breakdown of your costs indicating clearly whether these are inclusive or exclusive of VAT. Bidders are encouraged to provide different scalable proposals at different levels within the budget range.

Please note the requirement is for a Fixed Price proposal.

A milestone payment schedule will be established based on satisfactory achievement of agreed delivery outcomes across the contract term.

Prices quoted should be in Pounds Sterling (£) and must be held firm for 60 days from the submission date.

8. Evaluation of Submissions

Submissions will be evaluated based on the Most Economically Advantageous Tender (MEAT) method, to maximise the opportunity to deliver Value for Money (VfM).

The overall award criteria weightings are:

Quality – 80%

Price – 20%

Proposals will be evaluated using the following weighted criteria;

MEAT	Overall Weighting	Criteria
Quality	80%	Response to Assessed Requirements as set out in the ToR (Appendix 1)
Price	20%	Price/ Competitiveness

The Quality elements of the submissions will be evaluated against the scoring structure below.

Assessment	Standard Measure	Scores (0-10)
Excellent	Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirements and provides details of how the requirements will be met in full.	10
Good	Good Response is relevant and good. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements will be fulfilled.	8
Acceptable	Acceptable Response is relevant and acceptable. The response addresses a broad understanding of the requirements but may lack details on how the requirements will be fulfilled in certain areas.	6
Limited	Limited Response is partially relevant. The response addresses some elements of the requirement with partial detail. There are a few concerns about whether or not the requirements can be met.	4
Poor	Response is generally poor. The response contains insufficient/limited detail or explanation to demonstrate how the requirements will be fulfilled.	2
Unacceptable	Unacceptable Nil or inadequate response. Fails to demonstrate an ability to meet the requirements.	0

Each written submission will be evaluated as follows;

- Each quality criteria will be awarded a score.
- These scores are then weighted against the predetermined % weightings

- A weighted score is then calculated by multiplying the weight by the score and dividing by 10.

This is illustrated in the worked example below.

Example proposal 1

Quality Criteria	Weight (80%)	Score (0-10)	Weighted Score
Quality - Relevant skills and experience	40%	8	32
Quality - Response to the Core Objectives / Requirements of the Project (contained in ToR)	40%	6	24
Quality - Plan/approach for Deliverables (contained in ToR)	20%	8	16
Total (of quality)	100%		72

Example proposal 2

Quality Criteria	Weight (80%)	Score (0-10)	Weighted Score
Quality - Relevant skills and experience	40%	6	24
Quality - Response to the Core Objectives / Requirements of the Project (contained in ToR)	40%	6	24
Quality - Plan/approach for Deliverables (contained in ToR)	20%	10	20
Total (of quality)	100%		68

Example proposal 3

Quality Criteria	Weight (80%)	Score (0-10)	Weighted Score
Quality - Relevant skills and experience	40%	8	32

Quality Criteria	Weight (80%)	Score (0-10)	Weighted Score
Quality - Response to the Core Objectives / Requirements of the Project (contained in ToR)	40%	6	24
Quality - Plan/approach for Deliverables (contained in ToR)	20%	6	12
Total (of quality)	100%		68

The Price criteria will be based on;

- The lowest priced compliant bid will be awarded maximum points (20).
- The points for the other proposals will be scored relative to the lowest priced compliant proposal.
- Thereafter the price weighting detailed in the tables below will be applied to obtain the final weighted price score.

The calculation is as follows:

Lowest bid divided by each bid multiplied by price weighting factor (20%) multiplied by 100.

This is illustrated in the worked example below.

Example proposal 1

Price Criteria	Weight (20%)	Quoted £	Weighted Score
Price / Competitiveness	100%	£9,500	18.9

Example proposal 2

Price Criteria	Weight (20%)	Quoted £	Weighted Score
Price / Competitiveness	100%	£10,000	18.00

Example proposal 3:

Price Criteria	Weight (20%)	Quoted £	Weighted Score
Price / Competitiveness	100%	£9,000	20

The total weighted scores for Quality and Price will be added together to determine the Most Economically Advantageous Tender, illustrated in the worked example below.

Proposal	Quality score	Price score	Total score
1	72	18.9	90.9
2	68	18	86
3	68	20	88

9. Freedom of Information

In accordance with the obligations and duties placed upon public authorities by the Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations 2004 (EIRs), all information submitted to the Contracting Authority (the Commission) may be disclosed in response to a request for information made pursuant to FOISA and/or the EIRs.

In submitting a proposal, bidders must understand and accept that information disclosed by the Commission in response to a FOISA or EIR request may include, but not be limited to, disclosure of their proposal or any part thereof or any information contained therein and/or any score or other details concerning evaluation of their proposal.

If a Bidder considers any information in their proposal is confidential and/or commercially sensitive, they shall clearly identify which information they consider to be confidential and/or commercially sensitive, explain the potential implications of its disclosure and provide an estimate of the period of time during which they believe the information is likely to remain confidential and/or commercially sensitive.

If a Bidder identifies any information in their proposal as confidential and/or commercially sensitive, the Commission will consider in its sole discretion withholding it from disclosure or publication however Bidders shall note that, even where they have identified information as confidential or commercially sensitive, the

Commission may nonetheless be required to disclose or publish such information in accordance with FOISA or the EIRs, without consulting with, or obtaining consent from, the Bidder.

Bidders shall note that the Commission is required to form an independent judgement upon whether the information is exempt from disclosure under FOISA or the EIRs and whether the public interest favours disclosure or not and offers no guarantee that information identified as confidential and/or commercially sensitive will be withheld from disclosure or publication.

If a Bidder receives a request for information under FOISA or the EIRs during the course of the competition, they must immediately refer such a request to the Commission.

The Commission may publish the names of Bidders on its website.

10. Data Protection / Security Requirements (for suppliers with no access to our internal network)

Bidders should provide confirmation of compliance with our requirements in relation to data and information security.

Data Protection – the SHRC would prefer that all data be resident within the UK (failure to meet this point requires additional processes to be completed by the supplier and the SHRC).

You should confirm compliance with all UK data protection laws, and you should be certified with Cyber Essentials or the equivalent.

11. Confidentiality in Respect of the ITQ Process

This ITQ and all additional information concerning the SHRC are made available to Bidders on a confidential basis for the purpose of this process only. Information gained during the ITQ process must not be communicated to any other party, during or after the process.

Bidders may disclose, distribute, or pass the ITQ to their advisers, subcontractors, consortium members or other persons provided:

- this is done for the sole purpose of enabling them to submit a proposal and the person receiving it undertakes in writing to keep it confidential on the same terms as the bidder.
- the bidder obtains the Commission's prior written consent in relation to the disclosure, distribution or passing of an ITQ.
- the Bidder is legally required to make a disclosure or the ITQ has been published in accordance with the conditions relating to the Commission's obligations in relation to transparency.

The Commission may disclose information submitted by Bidders during the Procurement to its officers, employees, agents, or advisers who are stakeholders in the Procurement.

The Commission may disseminate information provided by Bidders that is materially relevant to the Procurement, to other Bidders subject to any:

- procedures described in the ITQ for raising questions and/or clarifications;
- duty to protect commercial confidentiality in relation to the information contained within a proposal (unless such duty is overridden by a requirement for disclosure under FOISA).

12. Canvassing

This procurement is being carried out by ITQ. Any questions relating to the ITQ should be directed to finance@scottishhumanrights.com

All correspondence should include the Quote reference in the subject heading.

Responses to all clarification questions will be sent to all Bidders.

13. Appendix 1: Terms of Reference

A human rights based examination of families' experiences of the Fatal Accident Inquiry process following a death in detention

13.1. About the Commission

The Scottish Human Rights Commission (SHRC) was established by The Scottish Commission for Human Rights Act 2006 and formed in 2008. The Commission is the national human rights institution for Scotland and is independent of the Scottish Government and Parliament in the exercise of its functions. The Commission has a general duty to promote human rights and a series of specific powers to protect human rights for everyone in Scotland.

13.2. Background to the work

The SHRC has been advocating for improvements to the system of investigation of deaths in detention for a number of years. It is clear to the SHRC, having previously co-chaired the Independent Review of the Response to Deaths in Prison Custody, that the current FAI process is neither providing what it should for families, nor in its current format, is it delivering the systemic change, learning and improvement that is needed.

In January 2025, the Cabinet Secretary for Justice and Home Affairs, Angela Constance, announced an Independent Review of Fatal Accident Inquiries relating to Deaths in Custody in Scotland. The Independent Review will be chaired by Sheriff Principal Abercrombie KC.

Article 2 ECHR requires the independent, adequate and prompt investigation of all deaths where there may be State responsibility. The meaningful involvement of a person's family or next of kin is also required and the investigation must be subject to public scrutiny. In Scotland, the FAI process is the principal means by which the State discharges its Article 2 obligations following a death in detention.

13.3. Brief outline of the project

The overall aim of this project is to facilitate an event where the experiences of families of those who have died in custody can be heard first hand by duty-bearers. Discussion should be explicitly grounded in the human rights requirements around the investigation of deaths.

A report of the event should be written, which the SHRC will share with relevant stakeholders and decision makers. This project will also inform the SHRC's engagement with the Independent Review of FAIs, which is ongoing and referred to above.

13.4. Objectives

There appears to be a level of consensus between various stakeholders in Scotland that the FAI system is not providing what it should for families of those who have died in detention.

Whilst families of those who have died have been invited to engage in a number of different processes in recent years, the SHRC believes it is necessary to hear from families in a way that is centred explicitly around applicable human rights standards, such as Article 2 ECHR.

We are therefore commissioning a project with two parts:

- A facilitated event where families are invited to speak to their experiences of the FAI process following the death of a relative in one of Scotland's places of detention. The discussion will be centred around the applicable human rights framework. Relevant duty bearers will be invited to hear families speak first hand. The purpose of the event is to listen to families and hear what they have to say in their own words, without the requirement on duty-bearers to respond directly on the day. Of course, it would be expected that duty-bearers may respond following the event.
- A full write up of the event, again grounded in human rights standards, will be written as a record of the event. This report will be shared publicly and will form part of the SHRC's engagement with the Independent FAI Review.

13.5. Assessed requirements

Commission staff who will be responsible for managing the contract will assess the merits of each tender. Each proposal will be evaluated on the basis of the Most Economically Advantageous Tender, (MEAT) as described above. Proposals should provide specific responses against the criteria set out below.

- Evidence of having conducted any similar activities;

- Evidence of having meaningfully engaged with rights holders who have experienced traumatic events and having retained their trust;
- Evidence of capacity, experience and skills required to undertake the proposed project including project management and achieving desired outcomes;
- Evidence of an in depth understanding of the human rights framework relevant to the investigation of deaths in State detention;
- Evidence of having written reports of similar events, grounded in the relevant human rights framework;
- Awareness of and implementation of trauma informed practice and safeguarding procedures;
- The proposal of a realistic timeframe for the proposed project.

13.6. Tender Decision Notification

SHRC is not bound to accept any tender.

On occasion prospective contractors may be required to make a proposal presentation before a final decision is made with regard to awarding a contract.

All those who have been involved in the tendering process will be informed in writing or by telephone. Feedback can be provided to unsuccessful applicants at this point on request.

13.7. The Briefing Meeting

Prior to the provision of a signed contract, a briefing meeting will be held between the successful researcher/s and the Commission in order to:

- Clarify the roles and responsibilities of the researcher/s and Commission and establish a working relationship.
- Confirm a common understanding of the planned research and realistic expectations of the research project.
- Clarify the research aims and objectives and discuss any proposed changes to the submitted research proposal.

- Clarify the methodology to be utilised.
- Provide the researcher/s with any additional information required.
- Reach a consensus regarding quality standards and expected outcomes (i.e. reports, executive summary etc).
- Agree the terms of a contract.
- Discuss and finalise an agreed timetable for the research and required outcomes.

13.8. The Contract

The contract will contain information regarding the terms and conditions for the specific piece of research being commissioned. The Commission works from a template contract which will be personalised through negotiation with the successful researcher/s and signed by both parties.

The contract will cover:

- The agreed scope of the project;
- A timetable and payment schedule;
- A statement regarding copyright and ownership of the project data and any outputs;
- Arrangements for approval of any sub-contracting;
- The law applicable to the contract.