**Form for a company's documentation of reliability**

**Part I: Information about the company subject to a ground for exclusion**

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| **2.1: The company's identity** | **Reply** |
| Name of the company: | [ ] |
| Contact person at the company: | Name: [ ]  Telephone: [ ]  E-mail: [ ] |
| VAT identification number or equivalent national company identification number: | [ ] |
| Any supporting entities or consortium par- ties: | [ ] |

**Part II: Attachment of a company’s documentation of reliability**

The purpose of this form is to support the company in collecting its documentation for all relevant matters when it wishes to document its reliability. When the Danish Competition and Consumer Authority and the contracting authority review the company's documentation for reliability, they will, cf. section 138, subsection 3 of the Danish Public Procurement Act, consider whether the company:

1) to the extent necessary has documented that it has paid compensation which the company has been imposed or has undertaken to pay,

2) to the extent necessary has clarified the facts and circumstances through active cooperation with the investigating authorities, and

3) has taken appropriate concrete technical, organizational, and personnel measures to prevent further violations of the criminal offences or misconduct covered by the grounds for exclusion.

All three conditions must be met, in so far as they are relevant. This is reflected in this form, where the company by checking off must indicate which measures it has taken and list all relevant attachments (numbered) enclosed as documentation.

It is only necessary for the company to document its reliability in relation to the circumstances which in the specific situation are grounds for exclusion. It is thus the ground for exclusion that sets the scope for which measures are suitable to implement and document in the specific situation. This means that the company does not necessarily need to have implemented measures in all the areas listed below, as well as implementation of the listed measures will not necessarily be sufficient for the company to be considered reliable.

For the technical, organizational, and personnel measures, the documentation must reliably show how the specific measures have been implemented, and not just summarize the conclusions. As follows, the documentation cannot only consist of e.g. a declaration of intent or a statement regarding completed measures.

A company can submit both process documentation and initiative documentation when it needs to document its reliability.

Process documentation:

Process documentation can e.g. consist of minutes of meetings or agendas, email correspondence, etc., which describe i) what has concretely been decided in relation to a measure, ii) who made the decision, iii) who is responsible for the implementation of the decision/ the measure, and iv) the purpose of the measure.

Initiative documentation:

Initiative documentation can be documentation which shows what the implemented measure consists of. It can e.g. be a manual for the company's internal reporting and control systems, which describes the system's setup. Initiative documentation can also show which measures have been implemented to anchor the initiative in the company. This can e.g. be documentation in the form of internal newsletters to the company's employees or teaching and test material in presentation format. It can also be documentation that shows the effect of a measure, e.g. completion percentages of employee tests.

The information, including sensitive personal information, which the Danish Competition and Consumer Authority receives, will be processed by the authority in accordance with the applicable rules in the EU's General Data Protection Regulation and the Danish Data Protection Act.

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| **Please indicate which of the measures below the company has implemented** | **Check off and state eventual attachment numbers** |
| **Has the company paid compensation or undertaken to pay compensation? (Section 138, subsection 3, no. 1)**  Documentation for paid compensation will only be relevant, if the company has been ordered to or has undertaken to provide compensation.  Documentation for paid compensation can e.g. be a receipt for payment, a declaration from the parties who have received the compensation, or auditors' statements showing that compensation has been paid. | **Yes**  **No**  **Not applicable**  If yes: State below which attachment numbers support that the company has provided compensation:  Attachment number: [……..] |
| **Has the company actively collaborated with the investigating authorities? (Section 138, subsection 3, no. 2)**    Documentation of active collaboration with investigative authorities is only relevant, if the police or other relevant authorities have carried out investigations into the factual circumstances of the case.    Documentation for an active collaboration can e.g. be a statement from the relevant authority. Depending on the circumstances, a statement from the company may also be sufficient. | **Yes**  **No**  **Not applicable**  If yes: State below which attachment numbers sup- port that the company has actively collaboratedwith the investigating authorities:      Attachment number: [……..] |
| **Has the company taken concrete technical measures to address the ground for exclusion? (Section 138, subsection 3, no. 3)** | |
| A number of possible technical measures are listed below. The company must indicate whether it has implemented the individual measure. Furthermore, the company can state if it has implemented other relevant measures. | |
| **1) Implemented reporting and control systems:** | **Yes**  **No**  If yes: Please describe which measures the company has implemented in relation to reporting and control systems:  [……………………………………………..]  State here which attachment numbers constitute the company's documentation for the implementation of reporting and control systems:    Attachment number: [….] |
| **2) Obtained a relevant certification:** | **Yes**  **No**  If yes: Please describe which measures the company has implemented to obtain the relevant certification:  [……………………………………………..]  State here which attachment numbers constitute the company's documentation for the certification: […………] |
| **3) Acquired relevant new equipment:**    It could e.g. be new work equipment that is meant to safeguard the employees and streamline the work processes. | **Yes**  **No**  If yes: Please describe which equipment the company has acquired, including the purpose of the equipment:  [……………………………………………..]  State here which attachment numbers constitute the company's documentation for the acquisition of new equipment:  […………] |
| **4) Implemented new relevant workflows:** | **Yes**  **No**  If yes: Please describe what the company has done in this area:  [……………………………………………..]  State here which attachment numbers constitute the company's documentation regarding the implementation of new workflows: […………] |
| **5) Other technical measures:** | **Yes**  **No**  If yes: Please describe which measures the company has implemented in terms of suitable technical measures: [……………………………………………..]  State here which attachment numbers constitute the company's documentation for other technical measures: […………] |
| **Has the company taken concrete organizational measures to address the ground for exclusion? (Section 138, subsection 3, no. 3)** | |
| A number of possible organizational measures are listed below. The company must indicate whether it has implemented the individual measure. Furthermore, the company can state, if it has implemented other relevant measures. | |
| **6) Established rules for responsibility and compensation:**  It can e.g. be guidelines, compliance policy, code of conduct, etc. | **Yes**  **No**  If yes: Please describe which measures the company has implemented to establish rules for responsibility and compensation:  […………………………………………..]  State here which attachment numbers constitute the company's documentation for the established rules for responsibility and compensation: […………] |
| **7) Established an internal audit structure:** | **Yes**  **No**  If yes: Please describe which measures the company has implemented to set up an internal audit structure:  […………………………………………..]  State here which attachment numbers constitute the company's documentation for the establishment of an internal audit structure: […………] |
| **8) Anchoring of implemented measures with the management:**  This means e.g. that the management in its communication and behaviour clearly distances itself from the behaviour which caused the ground for exclusion. | **Yes**  **No**  If yes: Please describe which measures the company has implemented to ensure the anchoring with the management: [……………………………………………..]  State here which attachment numbers constitute the company's documentation for anchoring with the management: […………] |
| **9) Established a whistleblower scheme:** | **Yes**  **No**  If yes: Please describe the process behind the establishment of the whistleblower scheme. Furthermore, please describe the whistleblower scheme in question, including who can report and who handles the enquiries: [……………………………………………..]  State here which attachment numbers constitute the company's documentation for the establishment of a whistleblower scheme: […………] |
| **10) Held employee courses in applicable legislation as well as the company's policies and guidelines:** | **Yes**  **No**  If yes: Please describe the process behind the decision to hold employee courses, including the purpose of the courses and the content of the employee courses: [……………………………………………..]  State here which attachment numbers constitute the company's documentation for holding employee courses: […………] |
| **11) Organizational measures in relation to supplier collaboration:**  This could e.g. be the preparation of a supplier code of conduct, which all major suppliers are obliged to sign. | **Yes**  **No**  If yes: Please describe which measures the company has implemented in the area:  [……………………………………………..]  State here which attachment numbers constitute the company's documentation for measures regarding supplier cooperation: […………] |
| **12) Other organizational measures:** | **Yes**  **No**  If yes: Please describe which measures the company has implemented to take suitable organizational measures:  [……………………………………………..]  State here which attachment numbers constitute the company's documentation for other organizational measures: […………] |
| **Has the company taken specific personnel measures to address the ground for exclusion? (Section 138, subsection 3, no. 3)** | |
| A number of possible personnel measures are listed below. The company must indicate whether it has implemented the individual measure. Furthermore, the company can state, if it has implemented other relevant measures. | |
| **13) Dismissed employees involved in the disloyal behaviour:** | **Yes**  **No**  If yes: Please describe the reason for dismissal, including the considerations behind this action:  [……………………………………………..]  State here which attachment numbers constitute the company's documentation for the dismissal: […………] |
| **14) Completed an internal reorganisation:** | **Yes**  **No**  If yes: Please describe which measures the company has implemented to complete internal reorganisation [……………………………………………..]  State here which attachment numbers constitute the company's documentation for internal reorganisation: […………] |
| **15) New hires:** | **Yes**  **No**  If yes: Please describe the considerations behind the new hires, including who has been hired and why:  [……………………………………………..]  State here which attachment numbers constitute the company's documentation for new hires: […………] |
| **16) Adapted basis for employment for existing employees:** | **Yes**  **No**  If yes: Please describe which measures the company has implemented to adapt the basis for employment for existing employees: [……………………………………………..]  State here which attachment numbers constitute the company's documentation for adaptation of the basis for employment: […………] |
| **17) Other personnel measures:** | **Yes**  **No**  If yes: Please describe which measures the company has implemented to take suitable personnel measures:  [……………………………………………..]  State here which attachment numbers constitute the company's documentation for other personnel measures: […………] |