

Artificial Intelligence DPS supplier webinar

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Artificial Intelligence DPS

Supplier Market Engagement Webinar

30 June 2020



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Welcome you to the second supplier engagement webinar for our upcoming Artificial Intelligence Dynamic Purchasing System.

We previously held a webinar back in January with supplier one-to-ones in February. There was a slight delay to timescales due to Covid-19 but we are now back on track.

Introduction

Host:

Ian Charvill - Category Lead, CCS

Speaker:

Maija Banks - Category Manager, CCS

Today we will cover

- Review of the scope - what customers can buy through this Dynamic Purchasing System (DPS)
- Details of the Artificial Intelligence DPS filter categories
- Update on the proposed IP model
- Update on terms and conditions
- Ethics and guidelines

Recap

What is a DPS?

How does it work?

What is a DPS?

The Dynamic Purchasing System (or DPS) provides an accessible route for customers to a wide range of choice in emerging markets such as AI.

There is a low entry level for suppliers joining a DPS. The further competition will specify the service and award the contract. New suppliers can join the DPS at any time.

A DPS is a public sector sourcing tool for common goods and services, similar to a framework agreement, with a different set of requirements - these are defined in regulation 34 (Dynamic Purchasing Systems) of the Public Contracts Regulations 2015 ([PCR 2015](#))

How does it work?

The DPS electronic platform is hosted by NQC technology solutions via the GOV.UK Supplier Registration System (SRS) and aligns with Contracts Finder.

This enables suppliers to follow the 'click once to apply' process via Contracts Finder.

The DPS will allow customers to access a broader and more competitive marketplace when entering into a call for competition.

It will provide all suppliers including a wide range of SMEs with a simplified process to apply to on-board at any time, creating a diverse marketplace with a wide range of

applicable skills.

Scope - what can customers buy through this DPS?

- General artificial intelligence services
- Discovery and consultancy work related to the use of artificial intelligence in public services
- Development, implementation and support of artificial intelligence systems in the public sector
- Data analytics using artificial intelligence
- The development and implementation of intelligent virtual assistants and intelligent personal assistants
- Medical artificial intelligence technology

DPS Filter Categories

Scope of Engagement	Type of AI	Sector
<ul style="list-style-type: none"> AI Discovery Licensing, Customisation and Support End-to-end Partnerships 	<ul style="list-style-type: none"> AI Applications Augmented Decision Making Data and Analytics Virtual Assistants and Chatbots Medical AI Technology 	<ul style="list-style-type: none"> Blue Light Central Government Devolved Administrations Health Local Government Not-for-profit



Medical AI Technology
<ul style="list-style-type: none"> Screening Diagnosis Augmented Decision Making Improving System Efficiency



This DPS will be split into 3 main filter categories and 1 sub-filter for Medical AI Technology.

These were developed with input from vast supplier and customer engagements that took place over the past few months.

Filter 1 - Scope of Engagement

Scope of Engagement
<ul style="list-style-type: none">• AI Discovery• Licencing, Customisation and Support• End-to-end Partnerships

If a customer is new to AI they will be able to procure services through a discovery phase, to get an understanding of AI and how it can benefit their organisational priorities.

If a customer has experience in AI, they will be able to purchase licencing, customisation and support directly from suppliers.

If a customer would like both of these things, they will have access to end-to-end partnerships.

Filter 2 - Type of AI

Type of AI
<ul style="list-style-type: none">• AI Applications• Augmented Decision Making• Data and Analytics• Virtual Assistants and Chatbots• Medical AI Technology

This relates to the type of technology available using the development, implementation and support of artificial intelligence services; including but not limited to artificial intelligence software applications, data analytics using artificial intelligence, the development and implementation of intelligent virtual assistants and intelligent personal assistants.

Filter 3 - Sector

Sector
<ul style="list-style-type: none">• Blue Light• Central Government• Devolved Administrations• Health• Local Government• Not-for-profit

Some AI solutions are targeted at the needs of specific sectors.

Sub-filter for Medical AI Technology

Medical AI Technology

- Screening
- Diagnosis
- Augmented Decision Making
- Improving System Efficiency

Taking feedback from our customer and supplier engagements we have added a sub-filter for Medical AI Technology. This is to support health sector bodies, to ensure the appropriate suppliers are accessible to provide the right service offerings and to reduce timescales, ultimately providing an easier route to market for healthcare AI.

These are based on NHSX's AI award programme which will accelerate chosen medical AI tech and are intended to broadly represent the emerging pipeline of medical AI.

Terms and Conditions

- Public Sector Contracts
- Special IP terms
 - your software
 - our data

The Public Sector Contracts will be used for this procurement and found in the relevant bid pack.

You would've received a link prior to this webinar to review. The Public Sector Contracts are made up of standard core terms, used in every procurement and the relevant DPS Order and Joint schedules.

The DPS contract is also formed by the DPS appointment form - between CCS and the Supplier - which will allow you to be considered for Order Contracts to supply deliverables in Service Filter Categories for artificial intelligence services.

You will not be able to deliver in filter categories, other than those listed in the appointment form. You will be able to add services in categories over the lifetime of the DPS - which will require your application to be reassessed.

The supplier will be eligible for the award of Order Contracts during the DPS contract period

Each order contract will be between a supplier and the buyer (contracting authority)

We mentioned in our previous pre-market engagement webinar we would add special terms around IPR.

We have reviewed the IPR schedule in light of feedback from the supplier sessions

we did back in February/March. The traditional IRP model in the Public Sector Contract is that supplier own their background IP and project specific IP transfers to the customer.

Within AI, some of the IP developed during a project is developed automatically by the software. It doesn't make sense to transfer that to the customer.

So we've added a definition of 'Emergent IP' to cover that and keep that IP assigned to you, the supplier.

Further information will be available in the bid pack documents on the Supplier Registration Service after the publication of the OJEU notice on 5 August

DPS specific questions

Public sector buyers of artificial intelligence services are bound by standards in public life, and operate within ethical frameworks when using such services

You will be asked to confirm that you are aware of these standards and frameworks, and understand that they will affect the buying decisions of public sector organisations, when applying to join this DPS

You will be asked if you commit to bidding only where you are willing to deliver both ethical as well as technical dimensions of a tender

These will be asked by the Buyer at the further competition stage, such questions as if you...

Q1 - Can you ensure that you can follow the Data Ethics Framework principles during the development and implementation of the technology/product/service?

Q2 - Describe the capabilities in your business to ensure that the outputs of the AI technology are explainable?

Additionally, when bidding to provide services in the AI medical technology filter, you will be asked if you are aware of the standards and if you will adhere to them where appropriate.

You may also be required to demonstrate evidence of how you adhere to these

standards by healthcare sector bodies, at the further competition stage.

Ethics and guidelines

- Data ethics guidance
- Guidelines for AI procurement (published 8 June 2020)
- Standards and criteria for AI and data driven technology in healthcare

Data ethics guidance

Guidance on how to implement the Data Ethics Framework, with guidance and tools for the public sector

<https://www.gov.uk/government/collections/data-ethics-guidance>

Guidelines for AI procurement

Guidelines for AI procurement were published by The Office for AI on 8 June 2020:

<https://www.gov.uk/government/publications/guidelines-for-ai-procurement/guidelines-for-ai-procurement>

We are in the early days of deploying AI systems in Government and are continuously discovering new benefits for using AI systems to drive decision making, as well as challenges and risks that need to be addressed.

The guidance mostly refers to the use of machine learning. These guidelines provide a set of guiding principles on how to buy AI technology, as well as insights on tackling challenges that may arise during procurement. It is the first of such guidance, and is not exhaustive.

These guidelines have been developed by the Office for AI in collaboration with the

World Economic Forum Centre for the Fourth Industrial Revolution, Government Digital Service, Government Commercial Function and Crown Commercial Service

Central government departments and other public sector bodies should use these guidelines for contracts let under our upcoming AI DPS

AI procurement in a box

The Office for AI co-created the AI Procurement in a box, which a toolkit to help public sector procurement professionals rethink their approaches to AI procurement:

<https://www.weforum.org/reports/ai-procurement-in-a-box/workbook#report-nav>

New standards may be published during the life of the DPS, some of the main sources for the standards are:

Data Ethics framework:

<https://www.gov.uk/government/publications/data-ethics-framework/data-ethics-framework>

The Centre for Data Ethics and Innovation

<https://www.gov.uk/government/organisations/centre-for-data-ethics-and-innovation>

The Committee on Standards in Public Life report "Artificial Intelligence and Public Standards"

<https://www.gov.uk/government/publications/artificial-intelligence-and-public-standards-report>

Information Commissioner's Office report "Big data, artificial intelligence, machine learning and data protection"

<https://ico.org.uk/media/for-organisations/documents/2013559/big-data-ai-ml-and-data-protection.pdf>

Medical AI Technology

Suppliers applying to provide medical AI technology will be required to demonstrate compliance with standards and guidance such as the:

- DHSC Code of Conduct for Data Driven Technology
- NHSX's Digital Health Technology Standards and
- The NICE Evidence Standards Framework

Suppliers will also need to meet requirements for regulatory approval, to identify if the AI technology or software meets the definition of a medical device, register with

MHRA and apply for a CE marking of the appropriate class.

Information governance such as meet the principles of the Data Protection Act, demonstrate compliance with NHS Governance Standards

Suppliers must meet criteria for safety and performance in each local deployment of medical AI technology such as Clinical Risk Management standards.

New Healthcare standards may be published during the life of the DPS, some of the main sources for the standards are:

Standards and Guidance which suppliers will be required to demonstrate compliance with:

DHSC Code of Conduct for Data Driven Technology, sets out Government's expectations for the development, deployment and use of data driven technology:
<https://www.gov.uk/government/publications/code-of-conduct-for-data-driven-health-and-care-technology/initial-code-of-conduct-for-data-driven-health-and-care-technology>

NHSX's Digital Health Technology Standard, sets out how suppliers can develop digital health technologies in a manner which enables accelerated review and commissioning into the NHS:
https://www.nhsx.nhs.uk/media/documents/NHS_Digital_Health_Technology_Standard_draft.pdf

NICE Evidence Standards Framework for Digital Health Technologies, sets out the level of evidence which suppliers have to provide in demonstrating new technologies are clinically safe and offer economic value:
<https://www.nice.org.uk/Media/Default/About/what-we-do/our-programmes/evidence-standards-framework/digital-evidence-standards-framework.pdf>

DHSC's five guiding principles and a framework to help the NHS and partners realise benefits for patients and the public:
<https://www.gov.uk/government/publications/creating-the-right-framework-to-realise-the-benefits-of-health-data/creating-the-right-framework-to-realise-the-benefits-for-patients-and-the-nhs-where-data-underpins-innovation#guiding-principles>

Requirements for regulatory approval:

Identify if the AI Technology or software meets the definition of a medical device, register with MHRA and apply for a CE marking of the appropriate class.

Identifying if AI Technology / Software is a Medical device and gaining a CE mark:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/890025/Software_flow_chart_Ed_1-06_FINAL.pdf

Registering a Medical Device with MHRA:

<https://www.gov.uk/guidance/register-as-a-manufacturer-to-sell-medical-devices>

If the AI technology provides a health or care service which fits one of CQC's fourteen regulated activities, it requires registration with the Care Quality Commission.

List of CQC regulated activities:

<https://www.cqc.org.uk/guidance-providers/registration/regulated-activities>

Identify if the AI technology contributes to a pharmacy service, if so require demonstration General Pharmacy Council Registration.

Suppliers will be required to meet the following criteria for Information Governance:

Meet the principles of the Data Protection Act: <https://www.gov.uk/data-protection>

Demonstrate compliance with the national data opt-out policy when using NHS data:

<https://digital.nhs.uk/services/national-data-opt-out/supporting-patients-information-and-resources>

Comply with NHS Information Governance Standards:

<https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance>

Apply to the Health Research Authority if personal identifiable data is being collected and processed without consent:

<https://www.hra.nhs.uk/approvals-amendments/what-approvals-do-i-need/confidentiality-advisory-group/>

Safety and performance in each local deployment:

Suppliers will also be required to meet the following criteria

Clinical Risk Management Standard DCB0129:

<https://digital.nhs.uk/data-and-information/information-standards/information-standards-and-data-collections-including-extractions/publications-and-notifications/standards-and-collections/dcb0129-clinical-risk-management-its-application-in-the-manufacture-of-health-it-systems>

Clinical Risk Management: ITs Application in the Deployment and Use of Health IT Systems DCB0160:

<https://digital.nhs.uk/data-and-information/information-standards/information-standards-and-data-collections-including-extractions/publications-and-notifications/standards-a>

[nd-collections/dcb0160-clinical-risk-management-its-application-in-the-deployment-and-use-of-health-it-systems](#)

NHS England mandated Safety Standards (SCCI0129):

<https://digital.nhs.uk/services/solution-assurance/the-clinical-safety-team/clinical-risk-management-standards>

ISO 14971 Medical Devices - Application of risk management to medical devices:

<https://www.bsigroup.com/en-GB/medical-devices/our-services/iso-14971/>

Suppliers should also meet any other standards or requirements relating to risk management as required by the local site which the AI technology or solution is being deployed into.

AI Procurement timeline

Activity	Date
Pre-market engagement	January to February 2020
Drafting of procurement documentation	March to June 2020
Publication of OJEU notice	5 August 2020
Suppliers can apply to join DPS	5 August 2020
DPS go-live	3 September 2020
Customers can access DPS	3 September 2020

Ability to respond due to Covid-19?

Please confirm in the chat box to the host if you will have the ability to respond during the timelines published?



5 August to 3 September

Questions?



Contact us

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Next steps...