



**Ministry of  
JUSTICE**

National Offender  
Management Service



**European Union**  
European Social Fund  
Investing in jobs and skills

**European Social Fund 2011 – 2014 – Technical Assistance – Social Enterprise Procurement 2012**

	Question	Response
1	What type of support is available from NOMS to ex-offenders starting business opportunities?	NOMS are willing to engage with all potential bidders in this opportunity for the development of viable options / proposals.
2	Are Young Offender Institutions (YOIs) eligible to work with for this opportunity?	Yes.
3	With regards to Prison Industries, do prisoners get involved in design of products as well as manual labour?	There is a legal requirement for design to be undertaken separately. However, there is small scope (e.g. textile workshops) where prisoner input is encouraged.
4	What is the definition of a 'Social Enterprise'?	The high-level Specification makes reference to the SE Mark or similar - the latter reference is to given bidders scope to clarify how their proposals demonstrate that Social Enterprise lies at the core of their consortium.
5	What is the expectation with regards to the make-up of consortia models for the smaller lots e.g. is there an expected number of organisations to be included?	No, we are not prescribing numbers of members. The smaller lots are to support localised models and bidders will need to articulate the make-up of their consortia.
6	What type of consortium is the preferred option for the Authority i.e. a lead member or hub/Special Purpose Vehicle?	We are not prescribing the type of model; bidders need to ensure that proposals clearly constitute a potential consortium (rather than a Prime Contractor - sub-contractor model).
7	Does the deadline of 23rd March still apply?	This deadline was initially for Expressions of Interest. However, as long as a member of the potential consortium is registered on the e-Sourcing portal, they will be able to access the First Stage Request for Proposal (RFP) documentation when published in the first week of April.
8	What is meant by the terminology RFP and is there a PQQ stage?	RFP is the Request for Proposal (fundamentally an Invitation to Tender) - the terminology is associated with our e-Sourcing portal. There is no separate Prequalification (PQQ) phase for this opportunity.
9	Would you fund 2 proposals if they were the top scoring bids but from the same region / geographical area?	Yes, if the proposals were the best bids for a particular lot and met the specified requirements.
10	How does the 70/30 (community/custody) split apply to this opportunity?	There is no such defined split for this opportunity - the 70/30 split applies to the main CFO ESF contracts.
11	Are you able to assist with facilitating discussions with other Government agencies?	Points of contact for Prisons and Probation will be included in the RFP documentation. However, this would not extend to contact with agencies outside the MoJ remit.
12	What is actually being procured with this opportunity?	This opportunity is principally about providing support to build consortia, it is not specifically for delivery. We are looking to award grants to assist with building and developing consortia with Social Enterprise at the core of the proposals offered.
13	Will any of the Technical Support be aimed at tweaking proposed models so that they meet NOMS priorities?	The Technical Support should provide assistance around governance and compliance.
14	Do Prime Providers need to be members of the potential consortia and/or do we have to work with them?	No, Prime Providers do not need to be part of any proposed consortium but bidders are required to ensure that their proposals align with and demonstrate an understanding of main CFO delivery. Points of contact will be provided in the RFP documentation for all Prime Providers to enable bidders to engage, as required.
15	Do proposals need to be directly related to the sub-groups in the main CFO contracts?	No, but bidders can put in related proposals if that is the premise of their model.

16	<b>Is there any guaranteed business at the conclusion of this process?</b>	No, but the fundamental aim of this process is to enable development of consortia that should then be in a better position to bid for future opportunities (both NOMS and wider).
17	<b>Are there any issues if an organisation is already receiving ESF monies?</b>	No, as long as they are compliant with the ESF requirements.
18	<b>Is Social Return On Investment (SROI) being considered in the assessment of bids?</b>	No, but an organisation that provides this support may want to consider applying for the separate Technical Support procurement.
19	<b>What exactly is this funding for?</b>	The primary aim is to bring together smaller organisations so they can bid for larger pots of money by forming a consortia. The money could be used to assist with whatever is missing from your consortia.
20	<b>I am on my own how do I become part of a consortium?</b>	You can attend the next events that are going to be organised in 8 different locations as these will provide an opportunity to network with other interested people.
21	<b>Are you going to be holding one of these events on the South Coast?</b>	The areas have yet to be decided but we will make a note of your request to see if it would be possible.
22	<b>What should be in and where can we find Blue Prints for the Written Agreements ?</b>	You can find the Blue prints on the Web of how some small and medium consortia have been put together including some from 3rd sector and others combined with charities etc. You can also look for partnership agreements but please note that some are suitable and some are not. The agreement must also contain provisions for members to exit and you must have a toolkit/processes for membership , behaviour, finances, quality control etc. You must also ensure that the agreement is legal. These things need to be discussed even if you have a blue print i.e. discussions and good communication are important.
23	<b>What support is there for small organisations ?</b>	This process is intended to be as inclusive as possible and offer support to smaller organisations. The separate Technical Support to be procured will be available to all bidders successful at the First Stage RFP. You may also obtain support from the organisations you choose to collaborate with.
24	<b>How long does the process normally take?</b>	It can be done in about six weeks if possible depending on how much time all the partners put into it (although it can take longer). You must have someone from the company that understands the proper workings of the company involved in the consortia process. The 'forming and storming' part is essential.
25	<b>What is the role of the Prime Providers?</b>	The NOMS CFO Prime Providers are key stakeholders in this process and are there to assist. Bidders need to ensure that their proposed models align with the main CFO delivery and should engage with the Prime Providers, as required.
26	<b>How do you ensure that the Prime Providers do not replicate our ideas?</b>	Ethical Walls have been established to ensure there is a clear distinction in Prime Provider organisations from those interested in bidding and those involved as key stakeholders. You should ensure that you have appropriate agreements in place with any of the Prime Providers that you engage with appropriate exit strategies. Having the correct understanding of a Social Enterprise is also important.
27	<b>Is it possible to have a Special Purpose Vehicle (SPV) as the lead partner in the consortium?</b>	If the individuals have been asked to do so by the department that they are from and there is a clear demarcation between the departments then yes, but this is very difficult and there could be issues on how you will comply with the rules.
28	<b>Could the SPV come up against the competition rules?</b>	Some networks have become special legal entities and diversified within their own consortium. A SPV must decide how they would split contracts appropriately and must have rules within the consortium on how they will bid and how the funds would be allocated.
29	<b>How are we going to find out who potential partners are as I am from Oxfordshire and would want to link with a company in that area?</b>	You should look on the portal that SFUK have established for NOMS and also look through your SE local networks to identify other appropriate organisations.
30	<b>How are contracts split up?</b>	This will be dependent on the contracts in question. Some small organisations do not always meet the criteria to get a Government contract so you will need to give them time to make this transition and get up to the right level.

31	<p><b>Some small organisations need further support once the consortium is established. Where does the cost of this support come from? Is it inside the contract or does the consortia have to top slice?</b></p>	<p>You can find that larger organisations within a functioning consortia support their smaller elements. The incorporation rules also cause difficulties for some small Social Enterprises as they may not fulfil the three year accounting rule guidelines. You will then need an agency model if you want the consortium to be there for the long term</p>
32	<p><b>What are the experiences that you have from working in a consortium?</b></p>	<p>There are 14 consortia in Lincoln but with all you need to have strict ground rules on how you interact and cooperate. The reputation of the companies within the consortia are very important. You may decide that you do not want to be associated with a particular organisation for various reasons. You then need to be sure that you do/ do not want to join with that organisation.</p>