



**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	Are you expecting consortia to set up as new legal entities?	Ultimately yes. By the Final Stage Request for Proposal (RFP) submissions, the consortium should be a legal entity the Authority can contract with as far as possible. It does not necessarily need to be a new legal entity as we can contract with an existing entity within the consortium.
2	When does the Technical Support take place during the process and how does this relate to the value of the lots available?	Initial support (between the launch events and First RFP submissions) will be provided via localised events with more opportunity to network and obtain Technical advice. In addition, organisations should use the Social Firms UK website to facilitate networking. There will be a separate procurement for the Technical Support to be offered to those bidders who are successful at the First Stage RFP. This is to be procured via separate funding. The money available for the lots are the value of the grants to be awarded to the successful consortia.
3	Should potential consortia link to Probation Trusts when bidding?	All prospective bidders should have an understanding of and work within existing offender management arrangements. It is sensible to consult and make links with all appropriate stakeholders.
4	Can Probation Trusts be part of a consortium?	Yes. They are also eligible to bid as lead provider if appropriate or be involved as a partner. Note that a signed ethical walls declaration is required. Prisons are not able to bid directly, but can be involved with the consortia under a partnership arrangement – this would also require an ethical walls declaration.
5	How do you define 'local' in relation to the declared lots?	Essentially sub-regional e.g. a borough or town, but as local as required for activity.
6	Is this really sustainable, what if a consortia is formed and wins no new business?	It is a business risk, but the opportunity provides capacity to develop and build structures which would enable consortia to bid for contracts otherwise out of reach. Consortia would not be limited to NOMS CFO as customer for the future. Additional technical support will also be available separate to the lots on offer.
7	What is the funding actually to be spent on?	The fund is more about structural development with a focus on future delivery, with assistance from the additional technical support. Feedback is required in order to procure the most useful technical support for the process. Lot winners should then build on the initial support and resource available. The available fund does not need to be spent over the entire period e.g. proposals for 6m or 1 year would be equally considered. Bidders can put forward entrepreneurial ideas and explain how they intend to use the funding available.
8	What if the consortia breaks down, what happens to the funds?	A percentage of failure can be expected, this is a realistic business risk. Sustainability will be the responsibility of the consortia. If there are any failures this also brings important learning for other organisations. Funds will be paid or re-claimed in accordance with the terms of the grant agreement.
9	If the consortium is not exclusively for the offender client group, is this acceptable?	Proposals are limited to those which demonstrate links to offender related delivery but can be multi-disciplinary – fund cannot be used for additional cohorts.
10	Are the South West lots (lots 4 and 5) regional and local?	Yes, Lot 4 will be regionally focussed and Lot 5 will be locally focussed.

11	Who can be part of a consortia and who can you exclude?	This is a question for you all to decide and certainly some organisations may need to be excluded from any particular consortia due to not fitting in with the other members. For example, Consortico have 50 organisations but some are full members and some are associates. The associates cannot partake in contracts but time is given to them to become full members and then partake. Consortico have also had to exclude some organisations for not fulfilling their obligations. It may be relevant to keep some ideas to a select few organisations which directly fit with your own.
12	Do you need to have membership criteria and a probation period?	You must have a period for the organisation to determine if they fit or do not fit the criteria. You may ask an organisation to leave or give them a time limit to achieve the criteria specified but, perhaps, not allow them to partake in any contract negotiation.
13	If an organisation is not sure what they are bidding for how can they have a prospectus?	They must be flexible as social objectives may not always win contracts. Winning contracts must be part of the criteria and the organisations must have the ability to do this .
14	We are under-resourced and very busy, what steps should we take to be in a consortia?	You must have the 3 key things before embarking on this opportunity: 1) want to be in a consortia , 2) really want to be in a consortia and 3) really really want to be in a consortia. The organisations in a consortia must have a common thread that runs through all the organisations that are in a consortia other than just being a Social Enterprise.
15	Is it better to be risk averse with partners in your consortium?	You need to have the right number of organisations and have the right amount of money available. You must also have rules that deal with consortia competitions, such as which social finance option you align with. You must know what you all want to achieve to get where you want to be.
16	Does the consortia need a track record of 3 years to get contracts of finance?	You do not need a track record for social finance but you do need a sound and innovative business case. Also the total consortium needs to manage the relationship properly i.e. you need to have rules for bidding for contracts and bidding for the same work.