**Questions from CFO3 events**

**Policy:**

Payment mechanism – will every stage be mandatory in order to proceed, even if a participant doesn’t require the provision?

* Yes. If the participant doesn’t need the level of intervention supported by the pay mechanism, then they are already close enough to the mainstream to be benefiting from services other than that provided by NOMS CFO. The stages are designed with enough activities that all participants should need some provision at each stage – for example, the Short Courses and Achievements are an either/or stage to continue to Interview and Employment.

Payment mechanism – can stages be revisited if necessary and can multiple payments be made e.g. if a participant loses a job and another is secured?

* There is no limit/cap upon the number of additional interventions delivered as appropriate to the level of need and current circumstances of the participant, regardless of whether they have passed this stage in the pay mech. However, no additional payments will be made for these. It is worth noting that the payment by results (PbR) element of the contract only accounts for roughly half the contract value.

Payment mechanism – how does specialist delivery fit into the mechanism and does everything need to be accredited?

* Specialist delivery can and should be accommodated within the range of activity/interventions delivered at the *core activity*, *supportive measures*, *short courses* and/or *achievements* stages. If specialist delivery necessitates some variation to the sequencing of the pay mechanism, we are open to entering into discussions around this but would require a strong evidence base to support such a variation.

Payment mechanism – is self-employment included?

* Yes, it is available as part of the *secured employment* stage as long as appropriate supporting documentation is submitted as evidence to claim the outcome.

Assessment – will the CATS assessment not duplicate the Basic Custody Screen?

* Providers are encouraged to consult all available diagnostic tools/case records available for each offender and include relevant information within their CATS record. The level of detail and breadth of issues covered are far greater within CATS than that of the Basic Custody Screen. Also, the focus or ‘end game’ is employability rather than reducing offending, which can generate different responses. There are specific details within the CATS assessment that are required for ESF to determine eligibility and whether a potential participant is appropriate for the NOMS CFO programme. Additionally, the BCS may be carried out some time prior to the CATS assessment, meaning that some of the information may be out of date.

Delivery – How will CFO providers be expected to ensure that delivery does not duplicate TR?

* Similar to the approach taken with the DWP Work Programme, CFO providers will be required to forge effective professional relationships with TR providers and agree local protocols for sharing relevant information. This will be monitored by the CFO performance team.

Programmes – Can participants be on CFO activity at the same time as TR?

* There will be no set commencement point for CFO activity, this will depend on when referrals are received and when provision is most required by the individual. Ideally interventions will be sequenced, but there should be no issues with accessing provision delivered by both CFO and TR simultaneously, as long as the delivery by both providers is complementary and does not duplicate (i.e. both providers should not claim the same outcome). Until TR delivery commences, it is not possible to direct providers more specifically in terms of when activity should start in custody.

Sustainability of outcomes – What is the rationale behind offering payment for jobs which may only last one day?

* Obviously the focus should be on sustainable outcomes, but the payment reflects the work done by the provider to the point of securing employment for the individual. The duration of employment should not impact upon the costs incurred to bring the participant to the point at which they are able to take advantage of the opportunity. It must be recognised that the target cohort for NOMS CFO are the furthest from mainstream opportunities, increasing the difficulty of securing ETE offers. It should also be highlighted that employment itself is not the main focus of the CFO, once employment is secured, providers should ensure that in-work support can be accessed via other agencies.

Can CRCs bid for CFO contracts?

* There is currently no restriction that would prevent any CRC submitting a bid for any CFO contract.

40 prisons – What is the rationale behind this number, is this flexible?

* It is a starting point based on the allocation and unit cost delivered by the same. Additionally, it factors in estimated average case manager salaries, typical case loads and the shift in focus towards more custody based provision. As for flexibility, it is a starting point and as such we welcome feedback.

Is there a disproportionate split across regions?

* Allocations have been made based purely on the anticipated numbers of offenders in custody during the contract period. The unit cost used for average costing purposes is standard. Therefore, if the allocation is greater for region A, the anticipated available caseload and subsequent numbers enrolled upon the contract would be proportionately higher.

ESF sub-regions – will there be community only delivery in some areas?

* Where there are ring-fenced targets for ESF sub-regions and no or proportionately fewer prisons, then there will be a need to move away from the 70/30 custody/community split. This should then be rebalanced within the contract as a whole.

**Procurement:**

1: Will there be a limit on the number of contracts that will be awarded to any one bidder?

A: This is currently being considered, but it is likely that a cap on contracts awarded will be in place. It is envisaged that this would apply at the point of contract award and so it is not likely to restrict the number of lots that a particular organisation can bid for - this would be left for each bidder to determine. A number of options exist in respect of a cap would be implemented (i.e. a limit purely on the number of awards; a limit on the combined contract values in proportion to the overall value of the Round 3 contracts) and so any such mechanism would be published in advance.

2: How would you consider a case where an organisation is bidding for a number of contracts in their own right, and is also bidding for contracts as part of a consortium?

A: This would need to be considered on a case by case basis. If the organisation in question was quite clearly leading the work of the consortium, and hence there was comparatively little difference between the two bidding entities, then this may need to be considered when reviewing any cap on the number of contracts to be awarded.

3: Will you be accepting variant bids?

A: Yes. The Authority will accept alternative submissions that a bidder may wish to propose and evaluate them on merit against the stated requirement. However there will be a number of key elements to the Round 3 specification which would need to be incorporated into any viable offer - it would not be possible to consider fundamental changes to these areas (for instance, the case management model; the payment mechanism; the number of tiers of sub-contracting).

4: Would you consider a proposal which covers more than one region, or one which is predicated upon the combined award of two of more areas?

A: Due to the need to account for ESF monies for each ESF Contract Area (ECA) separately, and particularly in light of the need to account for the sub-regions, the Authority does not consider this to be viable. Although we are aware of the potential for added value to be gained through the deployment of a proposal which supports delivery in different ECAs, it is felt that such an approach would not provide sufficient distinction when accounting for contractual expenditure in particular ECAs/sub-regions.

5: Will sub-providers need to complete a tender submission in order to be considered?

A: No. The Authority will not be seeking responses directly from sub-providers. Any such work would take the form of engagement and supply chain development between the prime and sub-providers who are looking at bidding for a particular ECA. The responsibility in respect of entering a tender submission would rest with the prime provider (in whatever form they may be).

6: If a bidding entity is competing for a Transforming Rehabilitation (TR) contract, would the outcome of this bid (successful or unsuccessful) affect the award of the ESF Round 3 contracts?

A: The two competitions will be run independently from each other. It is not envisaged that participation in one would have any bearing on participation in the other.

7: Will you be making TUPE information available?

A: The current (Round 2) providers will be approached by the Authority for this information and this in turn will be made available to bidders as part of the tendering process – it is expected that this will be available as part of the First ITT. It should be restated that the Authority maintains a neutral position, and that any TUPE implications would be commercial considerations that reside between the respective organisations.

8: Can prospective sub-providers approach more than one prime provider?

A: The Authority has no restrictions in place that would prevent you from doing so, and would activity encourage both prospective prime and sub-providers to adopt a broad and inclusive approach to market engagement and supply chain management. The nature of the relationships between prime and sub-providers would be for the respective parties to determine.