

# THE COMMUNITY RIGHT TO CHALLENGE

## EXPRESSION OF INTEREST FORM

### **PART 1 - INFORMATION FOR APPLICANTS**

*The purpose of this form is to assist you in submitting an Expression of Interest (EOI) under the Localism Act 2011: The Community Right to Challenge Regulations 2012.*

*We recommend that you use this form to submit your EOI to ensure sufficient information is provided for Birmingham City Council to evaluate your proposal.*

The 'Community Right to Challenge' allows an eligible group or organisation, known as a 'Relevant Body', to submit an expression of interest to the Council to provide, or assist in providing, one or more of its services. A form must be completed for each expression of interest being submitted for a Birmingham City Council service.

Birmingham City Council will only consider expressions of interest at certain times. Organisations should contact the Council to establish if the service is delivered by the Council, or by another organisation, to identify when the expression of interest should be submitted. If you then wish to make a formal expression of interest, please complete this form within the appropriate timeframe and send to the Council via email (detailed in Section E).

We will acknowledge receipt of your EOI within 10 working days of the submission. We will make a decision on your submission based upon the information that we ask for in this form and any documents provided in support of your application. Our decision will either be: to reject; to ask you to modify, or to accept your expression. This decision may take up to 6 months from receipt of the correctly completed expression of interest form. If we accept your expression, we will invite your organisation to compete in an open procurement exercise.

**Before completing this form we strongly recommend that you read the Community Right to Challenge Statutory Guidance ([Community Right to Challenge - Statutory Guidance](#)) produced by the Government.**

**Please Note:**

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The Freedom of Information Act 2000 (FOIA) applies to Birmingham City Council and therefore information provided by you may have to be disclosed by us in response to a request unless we decide that one of the statutory exemptions applies.

Any information you provide will remain confidential and will not be disclosed to any other party except where required, either for official audit purposes or it is deemed subject to the Freedom of Information Act 2000 as detailed above.

## What happens to your Expression of Interest?

Once we have received your EOI and acknowledged receipt, we will carry out an initial compliance check. Firstly, to check that you have submitted your EOI within the specified timeframe and, secondly to ensure you have provided the following information:

- Full contact details and a description of the group/organisation you are representing including full details of any other members of your consortium or sub-contractors.
- Details of your financial resources and those of any other members of your consortium or sub-contractors.
- Evidence to demonstrate that by the time of any procurement exercise, you and any other members of your consortium or sub-contractors, will be capable of providing or assisting in the provision of the service.
- A clear description of the service/services for which you are expressing an interest.
- Information about the outcomes to be achieved including:
  - How the service will promote or improve the social, economic or environmental wellbeing of Birmingham; and
  - How it will meet the needs of service users

In addition, if your organisation consists of employees of the Council,

- Details of how you will engage other employees who are affected by your expression of interest.

We will check that this information is present before we consider your expression further. Providing you have satisfied all of the above, your expression of interest will be put before the relevant EOI Review Panel for consideration.

If however the EOI does not satisfy this initial compliance check, we will inform you within one calendar month of receipt by us to explain why. If it has been received within the specified timeframe we may offer you the opportunity to provide any additional information we require.

## The EOI Review Process

If each EOI submission has passed the initial compliance check, each EOI will be assessed against a number of criteria, and therefore you are advised to ensure that your EOI addresses these criteria directly and in sufficient detail. This form has been designed specifically to enable you to do this and an additional 'Guidance Notes for Applicants' is available.

When considering the EOI's, the Panel will be taking into account the guidance included within the Regulations as follows:

### **Grounds for Rejection:**

We may reject your EOI if:

- The EOI does not comply with the requirements of the Localism Act
- The expression of interest provides information which in our opinion is inadequate or inaccurate.
- We consider that you or one of your consortium members or sub-contractors is not suitable to provide or assist in providing this service.
- We have taken a decision not to continue providing this service.
- The EOI relates either in part or in whole to a service provided or arranged by an NHS body which is integrated with the relevant service and we consider that the continued integration for the service is critical to the wellbeing of service users.
- The EOI relates to a service which is currently the subject of a procurement exercise.
- We are already in negotiations with a third party for provision of the service.
- We have already published our intention to consider the provision of the service by a proposed body of two or more employees.
- We consider that your EOI is frivolous or vexatious.
- We consider that acceptance of the EOI is likely to lead to contravention of an enactment or other rule of law or a breach of a Statutory Duty.

When considering your EOI, the Panel may contact you to request further information or to suggest modifications. You will not be obliged to supply this information but if you do not it may lessen the chances of your EOI being accepted. No modifications will be made to your EOI without your agreement.

If the service for which you are expressing an interest is already subject to a contract, let through a formal procurement process, we will still consider your EOI as long as it is within the specified timeframe. If your EOI is successful we will inform you of this fact and advise you when it may be possible to commence a new procurement.

Note: If you wish to submit a tender for these services, there is no need to submit an EOI using this process.

## PART 2 – APPLICANTS SUBMISSION

*In the following sections, the boxes below will expand as you type to allow you to add extra information. If you are providing documented evidence to back up the information for any section, please attach to the end of this form, ensuring it is clearly marked with the relevant section number, and question number, where applicable.*

### Section A – About Your Organisation

Q1) Your Organisation	
Name of the relevant body in whose name the EOI is submitted:	
Registered Address:	
Post Code:	
Telephone Number:	Landline: Mobile:
Fax Number:	
Email Address	
If your organisation is a registered charity, please provide a valid, current registration number:	
Name of ultimate parent company (if applicable):	

Q2) Please provide details of one or more representatives from the Relevant Body who we can liaise with regarding this expression of interest. (see Guidance note Q2)	
Your name:	
Job Title:	
Address (if different from above)	
Contact telephone number	Landline: Mobile:
Email Address	

## Your Partners

If you intend working in partnership, or with other groups or organisations that you propose to form a consortium with to deliver the service and/or any sub-contractors you propose to use to deliver the service, you are advised to complete the table below for each organisation (if more than one other organisation, copy and paste the Q3 table below then enter details for each one).

Q3) Organisation	
Name of the organisation:	
Intended role and proportion of the service for which they would be responsible:	
Percentage of service for which they would be responsible:	
Relationship to Lead Body:	

Q4) Which type of relevant body is your group/organisation? Check the 'Relevant Body' definition in the Community Right to Challenge 'Statutory Guidance'	Tick
	✓
<b>Voluntary or Community body</b>	
<b>Charitable Organisation</b>	
<b>Parish Council</b>	
<b>Two or more employees of Birmingham City Council</b>	
<b>Another person or body specified by the Secretary of State by regulations</b>	
<p>If you are intending to incorporate before a procurement exercise, please provide further information about this below.</p> <p>If you are an employee-led organisation intending to formalise your structure before a procurement exercise, please provide further information about this below.</p>	



**Q6) Please provide information about the financial resources of the relevant body.**

**For example, your business plan detailing your financial resources**

**This is an example and is given for advice only and the information each organisation wishes to provide may vary.**

## Section C – Details of your Expression of Interest

**Q7) Please provide details of the SERVICE to which the expression of interest relates (where known please include full name and current geographical area of where the service is currently delivered)**

**Q8) Please detail below your organisation's technical skills, resources, capacity and capability to be able to deliver the service.**

Things to consider (also see guidance note):

- Why you consider you and any members of your consortium or sub-contractors are suitable to provide or assist in providing the service
- Your relationship with the service currently
- Any relevant experience and skills you have appropriate to service provision
- The key stakeholders you have identified and how you intend to manage them
- How any partners or consortium members will enable you to deliver the service and the benefits they will bring
- Plans for longer-term sustainability, how you propose to manage the risk of service failure, and your contingency plans

**Q9) Please provide details of the OUTCOMES you propose to deliver and how they will meet the needs of the user, in the delivery/or part delivery of the service to which your expression of interest relates: -**

*Please note that there are three priority areas of value. Please indicate how your proposal will positively impact on one or more of these for the people living in Birmingham*

**Q9.1 How does your proposal promote the SOCIAL wellbeing of the area?**

**Q9.2 How does your proposal promote the ECONOMIC wellbeing of the area?**

**Q9.3 How does your proposal promote the ENVIRONMENTAL wellbeing of the area?**

**Q9.4 How does your proposal meet the needs of the user of the Relevant Service?**

**Q10) How will your proposal support good value for money for people in the area?**

*(Please include indicative costings based on how you intend on running the relevant service)*

**Q11) Do you intend on utilising existing council assets/resources (If 'Yes' please give specific details.) if No please go to Question 12.**

Council Assets	Required (√)	Details of What is Required
Council Owned Computer or Telecoms Equipment		
Council owned office equipment		
Existing council buildings		
Council employees		

**Q12) Where known, does your expression of interest impact on existing Birmingham City Council staff? (If 'Yes' please give details).**

*Where a challenge affects existing staff engaged in the delivery of the service the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) come into force.*

**You only need to complete this question if you are submitting this form as a group of Birmingham City Council staff, as defined in Section A question 4 of this form.**

**Q13) Please provide details of how the relevant body proposes to engage other employees of Birmingham City Council who are affected by the expression of interest**

## Section D - Declaration

I confirm that I have the authority to submit this expression of interest on behalf of the relevant body and that to the best of my knowledge the information contained in the application is complete and accurate.

Signed	
Position in the organisation	
Dated	

Thank you for your expression of interest. Please be aware that there are clear guidelines stipulating who can and who cannot submit an expression of interest. Birmingham City Council will notify you if any further information is required to support your expression.

## Section E Submitting this Form

Please email your fully completed form with all enclosures to: Marion Jacobs, Assistant Category Manager, Corporate Procurement Services, Birmingham City Council, at email address: [marion.jacobs@birmingham.gov.uk](mailto:marion.jacobs@birmingham.gov.uk).

If you require any further advice or guidance in relation to the completion of this form, please contact Marion Jacobs on 0121 303 6231

End of Form