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# Community Right to Challenge

# Expression of Interest Form

The purpose of this form is to assist you in submitting an **Expression of Interest** (**EOI**) under Part 5, Chapter 2 of the Localism Act 20111, The Community Right to Challenge (Expressions of Interest and Excluded Services)(England) Regulations 20122 and The Community Right to Challenge (Fire and Rescue Authorities and Rejection of Expressions of Interest) (England) Regulations 20123.

We recommend that you use this form to submit your EOI as using this form will help to ensure you provide sufficient information for Huntingdonshire District Council to evaluate your proposal. Please attach any supporting documents with your submission.

You may return this form by email to: [CRM\_Policy@huntsdc.gov.uk](mailto:CRM_Policy@huntsdc.gov.uk)

or by post to:

**Community Right to Challenge**

**Corporate Team**

**Huntingdonshire District Council**

**Pathfinder House**

**St Mary’s Street**

**Huntingdon**

**Cambs PE29 3TN**

1 <http://www.legislation.gov.uk/ukpga/2011/20/part/5/chapter/2/enacted>

2 <http://www.legislation.gov.uk/uksi/2012/1313/made>

3 <http://www.legislation.gov.uk/uksi/2012/1647/contents/made>

# What happens to your Expression of Interest?

**Note:** Huntingdonshire District Council has chosen to specify periods when EOIs can be submitted in relation to particular relevant services. EOIs will only be accepted if submitted during the month specified. The timetable can be found on our website:

[www.huntingdonshire.gov.uk/crtc](http://www.huntingdonshire.gov.uk/crtc)

If the service which you are expressing an interest in running is already subject to contract let through a formal procurement process then the District Council will still consider your EOI, subject to the EOI being submitted during the specified month.

Once we have received your EOI, we will carry out an initial compliance check to ensure you have provided the following information requested in this form:

* 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 you and any other members of your consortium or sub contractors will be capable of providing or assisting in the provision of the service by the time of any procurement exercise.
* A clear description of the service/services for which you are expressing an interest, including the geographical area to which the EOI relates.
* Information about the outcomes to be achieved including:
  + How the service will promote or improve the social, economic or environmental wellbeing of Huntingdonshire; and
  + How it will meet the needs of service users.

If your organisation consists of 2 or more employees of Huntingdonshire District Council, we will also need to check that you have provided details of how you will engage other employees who are affected by your EOI.

We will check that all required information is present before considering the EOI further. If your EOI doesn’t pass this initial compliance check then you will be informed and given details of the missing information. If all requirements are satisfied then the EOI will proceed to the review stage below. We will contact you within **30 days of the end of the specified period** to tell you if it is valid and, if so, when a decision will be taken.

# Our Expression Of Interest Review Process

We will review your EOI and notify you of our decision within **three months** **of the end of the month** specified for the service. All EOIs must be assessed against a number of criteria so 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. When considering each EOI, the District Council will take into account the guidance included within the Regulations as follows:

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| --- |
| **Grounds for rejection** |
| We may reject your EOI if:   * The EOI does not comply with the requirements of the Localism Act 2011 * The EOI provides information which in the District Council’s opinion is inadequate or inaccurate * The District Council considers that you, or any of your consortium members or sub contractors, are not suitable to provide or assist in providing this service * The District Council has already taken a formal decision not to continue providing that service * The EOI relates, either in part or as a 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 of the service is critical to the wellbeing of service users * The EOI relates to a service which is already the subject of a procurement exercise * The District Council is already in negotiations in writing with a third party for provision of the service * The District Council has already published its intention to consider the provision of the service by a proposed body of two or more employees * The District Council considers that the EOI is frivolous or vexatious * The District Council considers 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 |

If the EOI is accepted, we will advise you when a new procurement exercise will begin – invitations to tender will be issued within **six months** of acceptance.

**Freedom of Information Act:**

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

# PART A: About Your Organisation/Consortium and Sub Contractors

This Part A establishes basic facts about you and your organisation. **Please complete this section for each member of your consortium and/or any sub contractors.**

# A1. Your Organisation (to be treated as the ‘Lead Body’)

|  |  |  |  |
| --- | --- | --- | --- |
| Name of the organisation in whose name the EOI is submitted: |  | | |
| Contact name for enquiries about EOI: |  | | |
| Contact position (Job Title): |  | | |
| Address:  Post Code: |  | | |
| Telephone number: |  | | |
| Fax number: |  | | |
| Email address: |  | | |
| Registered address (if different from the above):  Post Code: |  | | |
| Is your organisation:  (Please tick **one** only)  Notes:  A voluntary body is a body that is not a public or local authority, the activities of which are not carried on for profit. It can generate a surplus provided it is used for the purposes of its activities or invested in the community.  A community body is a body which is not a public or local authority, the activities of which are primarily for the benefit of the community. | i) a voluntary or community body | |  |
| ii) a body of persons or a trust  which is established for charitable purposes only | |  |
| iii) a Parish or Town Council | |  |
| iv) Two or more employees of Huntingdonshire District Council | |  |
| If your organisation is a registered charity, please provide a valid, current registration number | |  | |
| Name of (ultimate) parent company (if this applies): | |  | |

A2. Your Partners

If you intend working with other organisations to deliver this service, please complete the table below, providing details of each organisation, their role in delivering the service and the intended relationship between you (as the Lead Body) and the other organisation(s) listed.

|  |  |  |
| --- | --- | --- |
| **Organisation** | **Intended role and proportion of the service for which they would be responsible** | **Relationship to the Lead Body** |
|  |  |  |
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# PART B: Financial Resources

Huntingdonshire District Council will make a risk assessment based on your financial standing. At our discretion, we may reject your Expression of Interest if we consider that you or one of your partners is not suitable to provide this service. **You must provide this information for yourself and any members of your consortium and /or sub contractors. Please copy and paste additional blank tables if required.**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **B1** | This section asks for some financial figures about your organisation (and the ultimate holding company if there is one).  Please provide the figures for the two most recent years (if available). | | | | |
| B1.1 | Is your organisation a formal legal entity? | | | Yes / No | |
| B1.2 | Please indicate the turnover of the organisation for the past two years.  NB: Charities should include their reported income figure | | | £      for year ended  £      for year ended | |
| B1.3 | Has your organisation met the terms of its banking facilities and loan agreements (if any) during the past year? | | | Yes / No | |
| B1.4 | If “no”, what were the reasons, and what has been done to put things right? | | | | |
| B1.5 | Has your organisation met all its obligations to pay its creditors and staff during the past year? | | | Yes / No | |
| B1.6 | If “no”, what were the reasons, and what has been done to put things right? | | | | |
| B1.7 | What is the name and branch of your bankers (who could provide a reference)? | Name |  | | |
| Branch |  | | |
| Contact details |  | | |
| B1.8 | If asked, would you be able to provide at least **one** of the following? | | | | |
| *A copy of your most recent audited accounts*  *(for the last two years if this applies)* | | | | Yes / No |
| *A statement of your turnover, profit and loss account and cash flow for the most recent year of trading* | | | | Yes / No |
| *A statement of your cash flow forecast for the current year and a bank letter outlining the current cash and credit position* | | | | Yes / No |

# Part C. Your Expression of Interest (EOI)

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| --- |
| **C1. The Service**  Please describe here the service for which you are expressing interest. Your description should be as clear and detailed as possible to enable the Council to understand which element(s) you are expressing interest in.    If your expression does not seek to provide a service to or for the whole of the Huntingdonshire district, please give details of the geographical area that it does apply to: |
| **C2. Your Service Proposal:**  Please detail here your proposal for providing this service. In particular this should cover:- |
| **C2(a).** **How will your EOI promote or improve the social, economic or environmental well being of Huntingdonshire and its residents (Section 83(8) of the Localism Act)?**  *Note: the* [*Statutory Guidance*](https://www.gov.uk/government/publications/community-right-to-challenge-statutory-guidance) *gives examples: creating local jobs, improving local skills and volunteering opportunities or improving environmental conditions. This is not an exhaustive list.* |
| **C2(b).** **How will you meet the needs of service users?**  *Note: the* [*Statutory Guidance*](https://www.gov.uk/government/publications/community-right-to-challenge-statutory-guidance) *gives an example of a survey of service users.* |
| **C2(c). Why do you consider you and any members of your consortium or sub-contractors are suitable to provide or assist in providing the service?**  *Note: this could include your current relationship with the service, any relevant experience you have appropriate to service provision and/or how any partners or consortium members will enable you to deliver the service and the benefits they will bring.* |
| **C3. Capability to Provide**  Please explain here with supporting evidence how you and any members of your consortium or sub-contractors will be capable of providing or assisting in the provision of the service by the time of any procurement exercise. |
| **C4. Huntingdonshire District Council Employees**  If your organisation consists of employees of Huntingdonshire District Council, please describe how you will engage other employees affected by your Expression of Interest. |
| **C5. Your Financial Proposal:**  Please describe here how you and any members of your consortium or sub-contractors intend to ensure there are sufficient funds to finance service provision and the steps you will take to protect those funds. Please also include how the proposal will support good value for money for the residents of Huntingdonshire. |

# Declaration

|  |  |
| --- | --- |
| Are you confident that you have provided an adequate level of accurate information to enable us to fully evaluate your EOI? | Yes / No |

|  |  |
| --- | --- |
| 1) We certify that the information included in this Expression of Interest is true to the best of our knowledge and belief.  2) We have read and understand the Privacy Notice set out on page 9 of this EOI.  3) We certify that we have not and undertake that we will not at any time offer or agree to pay or paying or giving any sum of money, inducement or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done any act or omission in relation to this Expression of Interest.  4) We certify that, to the best of our knowledge, this Expression of Interest and any accompanying information supplied complies with the requirements laid down in respect of the ‘Community Right to Challenge’ under Part 5, Chapter 2 of the Localism Act 2011 and any subsequent Regulations issued by Statutory Instrument or other regulatory method. | |
| **FORM COMPLETED BY** | |
| Name: |  |
| Position (Job Title): |  |
| Date: |  |
| Telephone number: |  |
| Signature: |  |

**Privacy Notice:**

We require your personal data to allow us to check that your Expression of Interest complies with the requirements of the Localism Act 2011, to notify you of our timescales, decisions and next steps if your Expression of Interest is accepted.

6(1)(c) For compliance with a legal obligation

There are laws in place [The Localism Act 2011, The Community Right to Challenge (Expressions of Interest and Excluded Services) (England) Regulations 2012 and The Community Right to Challenge (Fire and Rescue Authorities and Rejection of Expressions of Interest) (England) Regulations 2012] that tell us what information we have to collect and keep.

You hold the following rights with regard to the personal data you provide us:

Right to Access – You have the right to access (receive a copy) of your personal data and supplementary information.

Right to Rectification – You have the right to have any inaccurate or incomplete personal data rectified

Right to Restriction – You have the right to request a restriction of the processing of your personal data in situations where it is inaccurate, unlawful, and no longer needed for the purposes for which it was originally collected, or if a withdrawal of consent has been made.

If any of the information we have about you is incorrect, please tell us, we are reliant on you assisting us to keep your information accurate and up to date.

We only keep your information as long as necessary, for some items this will be dictated by law. You can find out more by looking at the Council’s Retention Policy on the web site.

We do not routinely process any information about you outside the UK. We will not transfer your personal data outside of the EU.

Huntingdonshire District Council is a registered Data Controller with the Information Commissioner’s Office.

If you do not consent to providing the information requested in this form for us to use in connection with your Expression of Interest and the subsequent actions that we are required to take under the Localism Act 2011 then we will be unable to process your Expression of Interest and you should not submit it to us.

Please be aware that any information provided as part of the nomination process could be made publicly available if requested under a Freedom of Information request. We won’t publish personal contact details.