

# Community Right to Challenge Guidance Notes

**Please read these notes before completing the form.**

The expression of interest (EoI) pro-forma is intended to help you ensure that your EoI contains all the necessary information which must be provided for it to be acceptable.

Maidstone Borough Council has specified windows of opportunity when it will consider expressions of interest for a service. We will only consider expressions of interest during that period.

The Expressions of Interest Register sets out the opening and closing date for each service.

You are advised to discuss your interest in taking over a service with us on an informal basis before submitting a formal expression of interest. Please see below for contact details.

## **Section 1**

### **Type of organisation**

In order for your EoI to be valid, your organisation must be a 'relevant body' as defined in section 81(6) of the Localism Act 2011. It is not necessary for all partners in a consortium to be 'relevant bodies', but the lead organisation submitting the EoI must be. If the lead organisation does not fall into one of the three categories listed on the form, your EoI will not be valid and will be rejected.

The definitions of voluntary and community bodies are broad and reflect their general characteristics rather than specific structures:

- 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.

### **Evidence that you are a voluntary, community or charitable body**

The form of this evidence will depend on the type of organisation, but could include excerpts from your organisation's rules and charter as registered with the Financial Services Authority, or from any clauses on aims and purposes in your articles of association.

Please contact the council prior to submission of your EoI if you are in any doubt about this section.

### **Consortium partners and subcontractors**

The question on your consortium partners' and subcontractors' organisation type is optional and will not form part of the assessment of your EoI.

## **Section 2**

### **Service being challenged**

Please provide any information necessary to help us to understand the service you are interested in running.

Please explain the geographical area in which you would like to run the service. This might cover the whole of the borough, or a specific area, which might, for example be a parish.

## **Section 3**

### **Providing evidence of capability**

This may be by reference to your resources or your experience, including any services you already run or have run. You could also make reference to your plans and the capacity you will put in place.

If you are leading an expression of interest on behalf of a consortium or, if you expect delivery of the service to involve subcontractors, you must, in answering this question, provide separate evidence of capability for each of the organisations listed in Section 1 of the form.

### **Meeting the needs of service users**

Please use this section to demonstrate that you understand service users' needs and show how you will deliver outcomes that meet them. You could, for example, refer to survey results, needs assessments and other forms of evidence prepared either by your own organisation, the council or any other party.

### **Achieving outcomes**

Please use this section to demonstrate the broader social, economic or environmental benefits of your proposal, which could include, for example, creating local jobs, improving skills, increasing volunteering opportunities or improving environmental conditions.

You should try to show how your proposal would achieve better overall outcomes, either for service users and/or for the borough as a whole, than if the council was to keep the service in-house.

## **Section 4**

### **Providing financial information**

The Statutory Guidance does not specify the type of financial information to be provided. We suggest you provide information that demonstrates that your organisation is financially sustainable.

This may include your business plan, copies of accounts, banker's or accountant's references.

Financial information must be provided by all members of a consortium and each sub-contractor if you propose to deliver a service in this way.

## **Section 5**

### **Supporting information**

Here you can reference any other supporting documents that you wish to submit in support of your application.

### **Finally**

You can submit your form electronically to [mariaangeles@maidstone.gov.uk](mailto:mariaangeles@maidstone.gov.uk) or by post to:

Ms Maria Angeles  
Procurement Officer  
Maidstone Borough Council  
Maidstone House  
King Street  
Maidstone  
Kent ME15 6JQ

Should you have any questions about completing the form, or wish to discuss your interest in taking over a service with us on an informal basis before submitting a formal expression of interest, please email [mariaangeles@maidstone.gov.uk](mailto:mariaangeles@maidstone.gov.uk) or telephone 01622 602517.

### **What happens next?**

After you have submitted your EoI, we will inform you of the date by which we will make a decision on your expression of interest within 30 working days of the end of the window of opportunity for that service. Where data is missing or unclear, we will contact you to request that information.

Please note that acceptance of an EoI triggers a procurement exercise which will be appropriate to the value and nature of the contract that may be awarded as a result of the exercise – it does not result in the simple handing over of a service.