

EASTERN SHIRES PURCHASING ORGANISATIONCONTRACT: MEAT, MEAT PRODUCTS, POULTRY AND GAME**APPENDIX 8 - BUSINESS QUESTIONNAIRE**

To enable us properly to assess your organisation's suitability, we require all the information requested in this Application Form. Failure to complete the form in full or to provide any of the documents requested may result in your application being rejected.

Questions should be answered as instructed:

- (i) Please answer every question.
- (ii) When posed with Yes / No questions, please enter YES or NO.
- (iii) All other questions will require you to input text or numbers, or tick boxes.
- (iv) Any figures requested should be stated in full i.e. £4,000,000 not £4m and in GBP.
- (v) If the question does not apply to you please write N/A; if you don't know the answer please write N/K.

"Authority" means the purchasing organisation that is seeking to award a contract.

In order to simplify this process, you do not need to provide supporting documents, for example, accounts, certificates, statements or policies with this questionnaire, unless specifically requested to do so. **However, the purchasing organisation may ask to see these documents at a later stage.**

Please endeavour to keep your answers contained within the spaces provided in this document – additional pages or supporting documentation should be supplied only where unavoidable, or where we have specifically requested.

Any information and/or documents submitted in response to this questionnaire must relate to the applicant only - the applicant being the organisation which it is proposed will enter into a formal contract should their bid be successful. (All responses and submissions provided by the applicant will form part of that contract). ESPO may seek further clarification from applicants following submission of the completed form where required.

TO BE COMPLETED BY APPLICANT		
1	APPLICANT DETAILS	
1.1	Trading name of organisation submitting this Application Form:	
1.2	Contact name for enquiries about this bid:	
1.3	Contact position (Job Title):	
1.4	Address:	
	Postcode:	
1.5	Telephone number(s):	
1.6	Fax number:	
1.7	E-mail address:	
1.8	Website address (if any):	
1.9	Registered name of organisation submitting this application:	
1.10	Registered address:	
	Postcode:	
1.11	Company registration number:	
1.12	Charity/Housing association/other registration number: (if applicable)	
1.13	Date of formation and/or Registration:	
1.14	VAT registration number:	
2	STATUS OF APPLICANT	
2.1	Is the applicant: (please tick as appropriate)	
	A public limited company?	
	A limited company?	
	A company limited by Guarantee?	
	A partnership?	
	A sole trader?	
	A charity?	

	A franchise?	
	Other (e.g. a Special Purpose Vehicle, Joint Venture Company, etc.) – please specify:	
2.2	Are you applying as the lead company in a consortium of organisations? YES/ NO	
	If YES to 2.2, please set out here who the member organisations of the consortium are, what their respective roles will be, and state when the consortium was formed:	
2.3	Number of employees in total:	
	ESPO is required on behalf of its member authorities to monitor SME and VCS participation in tender exercises, and therefore requests a response to the following questions (2.4 to 2.6). The answers have no impact on your tender submission and are for monitoring purposes only.	
2.4	Are you a Small/Medium Sized Enterprise (SME)? If 'Yes' please tick one of the options below	
	Micro (10 or less employees)	
	Small (11-50 employees)	
	Medium (51-250 employees)	
	If 'No', please tick : Large (251+ employees)	
2.5	<p>Does your business fall within the category of the Voluntary and Community Sector (VCS) ? Please refer to the definition below in italics before answering.</p> <p><i>"The VCS is diverse in nature and identifies the following types of organisations as constituting the sector:</i></p> <p><i><u>Voluntary Organisations</u> are formally structured, not-for-profit, independent and not part of government. They tend to be managed by unpaid, voluntary management committees or boards of trustees. They have paid employees and volunteers and may be registered as charities, companies limited by guarantee or friendly societies. Social enterprises and community Interest Companies are also regarded as voluntary organisations. <u>Community Organisations</u> are local and self help groups. They tend to be less formal and are often made up of volunteers. Paid staff are likely to be part-time. They are independent and are often at the centre of community action and are formed in response to a local need.</i></p> <p><i><u>Social Enterprises</u> are business that trade in the market in order to fulfil social aims and reinvest profit (surpluses) in social projects. The constitution of the organisation must contain a statement or condition that the body's primary purpose is to carry out its activities for the benefit of the community in England. This supports the principle that the organisation should have a clear social objective, know what difference it is trying to make, who it aims to help, and how it's going to go about it.</i></p>	YES / NO

	<p><i>Umbrella Organisations</i> are also referred to as <i>Infrastructure Organisations</i>. <i>Umbrella organisations link the different levels and type of voluntary sector activity. In general, they fulfil four main functions; strategic development, support services to other organisations, liaison and representation. Examples of umbrella organisations in Leicestershire include Voluntary Action Leicestershire and The Race Equality Council."</i></p>	(Please Delete as appropriate)
2.6	Does your address in Section 1 fall within the geographical boundary of the following? one option must be identified	
	Cambridge County Council?	
	Leicester City Council?	
	Leicestershire County Council?	
	Lincolnshire County Council?	
	Norfolk County Council?	
	Peterborough City Council?	
	Warwickshire County Council?	
	None of the above ?	
3	OWNERSHIP	
3.1	Is the applicant a subsidiary of another company as defined by Section 736 (1) the Companies Act 1985 ⁽¹⁾ ? YES/NO	
	If YES to 3.1, give the following details in respect of the Holding/Parent company:	
	Registered Name:	
	Registered Office Address:	
	Registration Number:	
	Note: The Holding/Parent Company may be required to enter into a Deed of Guarantee, where a contract is proposed with a subsidiary, to indemnify against all losses, damages, costs which may be incurred by reason of any default on the part of the applicant.	
3.2	Please give details of any changes of ownership in the last 3 years:	
3.3	To the best of your knowledge, does any director or senior officer of your organisation have any personal or financial connection with any member or senior officer of the participating local authority? YES/NO	

	If YES to 3.3, please give details here:	
4	FINANCIAL & INSURANCE MATTERS	
4.1	Please complete the table below using figures from your last three years financial accounts. ⁽²⁾	
	Financial Year (please enter the appropriate year/dates for your organisation)	
	1) Period Ended DD/MM/YY	
	Turnover ⁽³⁾ : £	
	Net Profit / Loss (before <i>exceptional items</i> *): £	
	Total Assets less Current Liabilities: £	
	Net Worth / Shareholders Funders: (or Net Liabilities) £	
	Debtors: £	
	Cash: £	
	<i>*please state any exceptional items</i>	
	2) Period Ended DD/MM/YY	
	Turnover ⁽³⁾ : £	
	Net Profit / Loss (before <i>exceptional items</i> *): £	
	Total Assets less Current Liabilities: £	
	Net Worth / Shareholders Funders: (or Net Liabilities) £	
	Debtors: £	
	Cash: £	
	<i>*please state any exceptional items</i>	
	3) Period Ended DD/MM/YY	
	Turnover ⁽³⁾ : £	
	Net Profit / Loss (before <i>exceptional items</i> *): £	
	Total Assets less Current Liabilities: £	
	Net Worth / Shareholders Funders: (or Net Liabilities) £	
	Debtors: £	
	Cash: £	
	<i>*please state any exceptional items</i>	
	What is your present cash flow position?	
	Cash (overdraft) £	
	at DD/MM/YY	
	What is your present credit position?	
	Credit Facility £	
	at DD/MM/YY	
4.2	Are your accounts externally audited? YES/NO	

	If NO, please state the reason why.	
4.3	What is your total turnover figure this financial year to date £	
	at DD/MM/YY	
4.4	If asked, would you be able to provide at least ONE of the following?:	
	A copy of your most recently audited accounts (for the last three years, if this applies)? YES/NO	
	A statement of your turnover, profit & 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	
4.5	Has your organisation met the terms of its banking facilities and loan agreements (if any) during the past year? YES/NO	
	If NO, what were the reasons and what has been done to put things right?	
4.6	Has your organisation met all its obligations to pay its creditors and staff during the past year? YES/NO	
	If NO, please explain why not	
4.7	If requested, would you be able to obtain a performance bond ⁽⁴⁾ to underpin the security of the services provided? YES/NO	

	If you could obtain a performance bond, please state from whom:	
4.8	Please provide details of all insurance cover currently in force.	
	PUBLIC LIABILITY INSURANCE (minimum requirement of £10m)	
	Level of cover held: £	
	Name of Insurance Company:	
	Policy Number:	
	Expiry Date:	
	Copy attached as evidence of the cover stated	
	Photocopy YES/NO	
	Electronic(CDRom) YES/NO	
	EMPLOYERS LIABILITY INSURANCE (minimum requirement of £10m)	
	Level of cover held: £	
	Name of Insurance Company:	
	Policy Number:	
	Expiry Date:	
	Copy attached as evidence of the cover stated	
	Photocopy YES/NO	
	Electronic(CDRom) YES/NO	
	PRODUCT LIABILITY INSURANCE (minimum requirement of £10m)	
	Level of cover held: £	
	Name of Insurance Company:	
	Policy Number:	
	Expiry Date:	
	Copy attached as evidence of the cover stated	
	Photocopy YES/NO	
	Electronic(CDRom) YES/NO	
4.9	If your organisation's tender is successful, adequate insurance cover will be required. The levels are indicated in 4.8. If your current insurance is insufficient to meet the minimum requirements set out, please confirm that if awarded a contract, increased cover will be available at no extra cost to the authority. YES/NO	
4.10	Please state whether there are any outstanding insurance claims against your organisation(s) (other than for routine matters) YES/NO	
	If YES to 4.10, please provide brief details:	
5	BUSINESS ACTIVITIES	

5.1	Please describe briefly your organisation's principle fields of activity. What proportion of total activity relates to products and/or services similar to those called for in this contract?	
5.2	Enter the <i>approximate</i> number of full time equivalent persons employed in your organisation in the UK during each of the last three years:	
	Currently	
	Directly Employed	
	Management	
	Staff	
	Not Directly Employed (e.g. temporary staff, consultants etc)	
	Management	
	Staff	
	Last Year	
	Directly Employed	
	Management	
	Staff	
	Not Directly Employed (e.g. temporary staff, consultants etc)	
	Management	
	Staff	
	2 Yrs Ago	
	Directly Employed	
	Management	
	Staff	
	Not Directly Employed (e.g. temporary staff, consultants etc)	
	Management	
	Staff	
5.3	Typically, when providing products and/or services of the type called for under this contract, would you engage sub-contractors? YES/NO	
5.4	If YES to 5.3	
	Which elements of the service would typically be delivered by sub-contractors?	

	Please detail here any sub-contractors you intend to use	
	Please describe your procedures for identifying sub-contracts	
6	EXPERIENCE AND REFERENCES	
6.1	Please describe your experience in the last THREE years of providing contracted products, services, or works similar to those being sought under this contract.	
1		
	Name of client	
	Brief description of contract	
	Start / End dates	
	Annual contract value £	
2		
	Name of client	
	Brief description of contract	
	Start / End dates	
	Annual contract value £	
3		
	Name of client	
	Brief description of contract	
	Start / End dates	
	Annual contract value £	
4		
	Name of client	
	Brief description of contract	
	Start / End dates	
	Annual contract value £	

6.2	ESPO Policy on taking references	
	It is the responsibility of the applicant to ensure that all referees are current and able and willing to provide references on request.	
	ESPO will endeavour to expedite any unfulfilled requests for references but any further action to secure this information is at the discretion of ESPO.	
	Please provide the names and contact details (including telephone numbers and email addresses) for three recent contracts that are relevant to the Authority's requirement. Where possible, at least one should be from the public sector.	
6.3	REFEREE 1:	
	Customer Organisation Name	
	Customer Contact Name	
	Customer Contact Phone No.	
	Customer Contact Fax No.	
	Customer Contact Email Address	
	Customer Contact Postal Address	
	Date Contract Awarded	
	Contract reference & brief description of product/service/works provided:	
	Value £	
	Date contract was completed	
	REFEREE 2:	
	Customer Organisation Name	
	Customer Contact Name	
	Customer Contact Phone No.	
	Customer Contact Fax No.	
	Customer Contact Email Address	
	Customer Contact Postal Address	
	Date Contract Awarded	
	Contract reference & brief description of product/service/works provided:	
	Value £	
	Date contract was completed	
	REFEREE 3:	
	Customer Organisation Name	
	Customer Contact Name	
	Customer Contact Phone No.	
	Customer Contact Fax No.	
	Customer Contact Email Address	
	Customer Contact Postal Address	

	Date Contract Awarded	
	Contract reference & brief description of product/service/works provided:	
	Value £	
	Date contract was completed	
6.4	Has your organisation within the last 5 years:	
	Incurred contract penalties default notices or payment of liquidated damages? YES/NO	
	Withdrawn from a contract after the contract has been awarded (either before or after commencement of the contract) YES/NO	
	Had a contract terminated by the client earlier than the originally intended date? YES/NO	
	If Yes, please give details	
7	QUALITY PROCEDURES & CONTRACT MANAGEMENT	
7.1	Does your organisation have a formal documents quality system (5) YES /NO	
7.1.1	Does your organisation have any formal, documented quality system specifically in respect of Food Safety and/or distribution of food? YES/NO	
7.2	Does your organisation hold a recognised Quality Management certificate, e.g. BS/EN/ISO9000, BS EN 45011, BRC Global Standard for Food Safety, STS Code or Practise and Technical Standard for Food Suppliers to the Public Sector, SALSA or equivalent? YES/NO	
7.2.1	Do you hold a Government Approval Number under Reg (EC) 853/2004 IF NOT PLEASE PROVIDE DETAILS OF EXEMPTION	
	If YES to 7.2 and 7.2.1 please state which body your certification exists with, the date until which the Certificate is valid and provide a copy with your Application.	

	<p>If you do not have a quality certification or quality management system, please explain why:</p>	
7.3	<p>We do not require a copy of your documented quality system attaching to this application. Please describe (do not simply cross refer to documents appended) in no more than 250 words per point</p>	
	<p>a) Customer Care (including communications)</p>	
	<p>b) Complaints</p>	

	c) Contract Performance Monitoring	
	d) Contractual Dispute Resolution	

	e) Recruitment and Selection of Staff	
	f) Staff Appraisal and Training Needs Analysis	

	g) Training Programme	
	h) HACCP Compliance	

	<p>l) Compliance with both Food Based and Nutrient Based Standards as required by legislation or by code of practice.</p>	
	<p>j) Food assurance and provenance including cultural requirements (Red Tractor, Farm Assured, EBLEX, Organic, Halal, Kosher)</p>	
7.4	Is your organisation corporately a member of, or accredited by, a recognised industry association(s)? YES/NO	
	If YES to 7.4 please provide Membership/Accreditation Certificates to evidence this (where applicable)	
8	ENVIRONMENTAL MANAGEMENT	
8.1	Is it your policy to comply with the statutory duty of care in respect of waste management, imposed by the Environmental Act 1990 and any subsequent legislation? YES/NO	
8.2	Does your organisation have a written environmental management policy? YES/NO	

	If YES please describe it's main aims and characteristics	
	If NO please give reasons	
8.3	Does your organisation have an environmental management system ⁽⁶⁾ ? YES/NO	
8.4	Is your organisation corporately a member of, or accredited by, a recognised industry association(s), for example, EMAS,ISO1400,etc? YES/NO	
	If YES, please state which body your certification exists with, the date until which the Certificate is valid and provide a copy with your Application Form	
8.5	For questions (a)-(f) below, please describe your approach to managing the environment (appropriate to the scale of your own organisation), e.g. Examples of what your organisation has done, or is planning to do, to improve environmental performance in the areas below. We do not require a copy of your environmental management system	
	a) Wise use of energy, water and other natural resources:	

	b) Emissions to air, water and land (including vehicles)	
	c) Waste reduction and recycling	
	d) Adaption to climate change	
	e) Bio-diversity	

	f) Reducing carbon emissions	
8.6	Has your organisation participated in any environmental schemes or initiatives in the last 3 years? YES/NO	
	If YES, please give details	
8.7	Do you check the environmental performance of your suppliers ? YES/NO	
	If YES, please detail how below and outline the steps subsequently taken to ensure that you comply with environmental legislation. This should include examples of procedures and/or staff training records.	
8.8	Has your organisation (ever/within the last 10 years) had legal action taken against them under environmental legislation, including prosecutions, civil court actions or notices served by the Environmental Agency, local authorities or HM Inspectorate or Pollution? YES/NO	

	<p>if YES, are you able to demonstrate the steps you have taken in response to this legal action, to ensure you comply with environmental legislation?</p>	
9	HEALTH AND SAFETY	
9.1	<p>Do you currently hold any external health and safety accreditations, such as CHAS, Constructionline, or equivalent? YES/NO</p> <p>If YES, please provide the following details:</p> <p>Name of Accrediting organisation</p> <p>Your Accreditation reference number:</p> <p>Date Accreditation is valid until:</p> <p>Have you applied for membership if you are not already a member? YES/NO</p> <p>Please provide a copy of your accreditation certificate with your Application Form</p> <p>If you have answered YES to 9.1, and provided details and the copy of your certificate as requested then go straight to section 10 (Business Continuity) If you have answered NO to 9.1, you must answer 9.2 to 9.5 below</p>	
9.2	<p>Does your organisation have a written Health and Safety at Work policy⁽⁷⁾ ? YES/NO</p> <p>If YES, please provide an up to date copy which should not be more than two years old) of your Health & Safety General Policy Statement, signed and dated by your Chairman, Chief Executive, Managing Director or Company Secretary⁽⁸⁾ Note: Please DO NOT SUBMIT your full Health and Safety Policy or Manual</p> <p>If NO, please explain why not</p>	
9.3	<p>Does your organisation have a Health & Safety at Work system⁽⁹⁾ ? YES/NO</p>	

	If NO, please explain why not	
9.4	Has there been any Health & Safety Executive/Local Authority enforcing Action (e.g. Prosecution or issue of Improvement or Prohibition Notices) taken against your organisation in the past 3 years? YES/NO	
	If YES, what action has been taken within the organisation to remedy the enforcing action(s) and prevent similar occurrence in the future?	
9.5	Who is your "Competent Person" for provision of health and safety advice, as required by the Management of Health and Safety at Work Regulations 1992? If external consultants, please provide the name and address of the organisation and the name of the consultant:	
	Name	
	Organisation	
	Address	
	Position	
	Telephone number	
	Email address	
	To whom does the "Competent Person" report to in your organisation?	
10	BUSINESS CONTINUITY	
	Note: Should you not have Business Continuity arrangements or the Council deem that your Business Continuity arrangements are inadequate, as assessed via your responses to the questions below, then should you be awarded a contract, it will be on the condition of you implementing adequate Business Continuity arrangements by way of one day training courses (at a charge) and the provision of template documents (some of which may be charged for).	

10.1	What is your approach to Risk Management in terms of Business Continuity?	
10.2	Do you have a formal Business Continuity Management Programme? YES/NO	
	If YES, please outline the process and describe any actions undertaken within 12 months and the outcomes of such actions.	
10.3	What documents are available to support your answers to 10.1 and 10.2?	
	Are these documents available for the council's review? (We appreciate that such a review may be subject to some form of confidentiality agreement) YES/NO	
10.4	Within the last 3 years have there been any occasions when your business operation has been disrupted? YES/NO	
	If YES, what were the circumstances and what was the effect upon your customers?	
10.5	Do you have a strategy for ensuring continuity of supply from your critical suppliers? YES/NO	

	If YES, please outline your strategy	
10.6	Who is responsible for Business Continuity within your organisation?	
	Name	
	Position	
	Telephone number	
	Email address	
10.7	Please describe your strategy for ensuring that the described services are delivered in the event of a disruption affecting your business	
10.8	In the event of a disruption, who would be the person responsible for managing your company's response?	
10.9	In the event of a disruption, what would be the trigger point for you to contact the authority, and how would you keep the authority updated?	
11	COMPLIANCE WITH CONTRACT REGULATIONS	
11.1	Has your organisation or any of its directors or any other person who has powers of representation, decision or control of the organisation been convicted of any of the following offences:	
	Conspiracy within the meaning of section 1 of the Criminal Law Act 1977 (where that conspiracy relates to participation in a criminal organisation as defined in Article 2(1) of Council Joint Action 98/733/JHA; YES/NO	
	Corruption within the meaning of section 1 of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906; corruption as defined in Article 3 of the Council Act of 26 May 1997 and Article 3(1) of Council Joint Action 98.742/JHA. YES/NO	
	The offence of bribery; YES/NO	

	Fraud, where the offence relates to fraud affecting the financial interests of the European Communities as defined by Article 1 of the Convention relating to the protection of the financial interests of the European Union, within the meaning of:	
	* the offence of cheating the Revenue; YES/NO	
	* the offence of conspiracy to defraud; YES/NO	
	* fraud or theft within the meaning of the Theft Act 1968 and the Theft Act 1978; YES/NO	
	* fraudulent trading within the meaning of section 458 of the Companies Act 1985; YES/NO	
	* defrauding HM Revenue & Customs within the meaning of the Customs and Excise Management Act 1979 and the Value Added Tax Act 1994; YES/NO	
	* an offence in connection with taxation in the European Community within the meaning of section 71 of the Criminal Justice Act 1993; YES/NO or	
	* destroying, defacing or concealing of documents or procuring the extension of a valuable security within the meaning of section 20 of the Theft Act 1968; YES/NO	
	Money laundering within the meaning of the Money Laundering Regulations 2003 and as defined in Article 1 of Council Directive 91.308.EEC of 10 June 1991 on prevention of the use of the financial system for the purpose of money laundering YES/NO	
	Any other offence within the meaning of Article 45(1) of the Public Sector Directive. YES/NO	
	For any where the answer is YES, please give brief details:	
11.2	Do any of the following apply to your organisation or to (any of) the Director(s)/Partners/Proprietor(s)?	
	Is in a state of bankruptcy (if an individual), insolvency, compulsory winding up (other than for the purpose of bona fide reconstruction or amalgamation), administration, receivership, composition with creditors or any analogous state, or subject to relevant proceedings, or any similar procedure under national law and regulations YES/NO	
	Has been convicted of a criminal offence related to business or professional conduct YES/NO	

	Has been guilty of grave misconduct in the course of business (or if an individual, in the course of his profession) YES/NO	
	Has not fulfilled obligations relating to payment of social security contributions, in accordance with the legal provisions of the country in which you are established or with those of the country of the contracting authority YES/NO	
	Has not fulfilled obligations relating to payment of taxes, in accordance with the legal provisions of the country in which you are established or with those of the country of the contracting authority YES/NO	
	Is guilty of serious misrepresentations in supplying information required by the Authority under the Regulations YES/NO	
	Is not in possession of relevant licences or not a member of the appropriate organisation where required by law YES/NO	
	<p>If the answer to any of the above is YES, please provide details here including what has been done to put things right</p>	

- (1) A Company is a “subsidiary” of another company, its “holding company”, if that other company:
- (a) holds a majority of the voting rights in it or (b) is a member of it and has the right to appoint or remove a majority of its board of directors or (c) is a member of it and controls alone pursuant to an agreement with other shareholders or members, a majority of the voting rights in it, or it is a subsidiary of a company which is itself a subsidiary of that other company
- (2) To facilitate correct interpretation of the figures provided, please enter the figures numerically in full, e.g. £4,500,000 and not £4,500k
- (3) Sales and Revenue volume measured in currency terms.
- (4) A bond can be defined as a legally enforceable financial guarantee given by a third party (the guarantor) to a purchaser (the client) to guarantee the obligations of a supplier of goods, works or services (the contractor) under a contract. The guarantor agrees to pay the client a sum of money if the contractor defaults on its obligations.
- (5) “system” means processes and procedures to ensure that the subject is properly managed. This includes making sure that legal requirements are met.
- (6) “system” means processes and procedures to ensure that the subject is properly managed. This includes making sure that legal requirements are met.
- (7) Any business employing five or more people has, by law, to prepare and bring to the attention of employees a written Health & Safety Policy Statement
- (8) A short statement outlining the organisation’s commitment to Health & Safety signed and dated by a senior organisation official.
- (9) “system” means processes and procedures to ensure that the subject is properly managed. This includes making sure that legal requirements are met.