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**REQUEST FOR INFORMATION
FOR
PRIVATE LANDLORDS SURVEY
CCMK16A03
FOR
DEPARTMENT FOR COMMUNITIES AND LOCAL
GOVERNMENT ('DCLG')**



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1. REQUEST FOR INFORMATION (RFI) SCOPE

- 1.1 The Department for Communities and Local Government or 'DCLG' (from here on referred to as "The Authority") seeks to offer and receive information in preparation for the potential procurement of a Supplier (from here on referred to as a "Potential Provider") to provide services comprising of commissioning the Private Landlord Survey 2017 to provide evidence on the impact of policy changes on the private rented sector (PRS).
- 1.2 Organisations are requested to provide written feedback on the points raised in this document, with particular focus on the themes in Section 4 – Information Required, submitting their responses via email to Niche@crowncommercial.gov.uk by 17:00 Thursday 1st December.
- 1.3 Organisations are asked to advise if they would be interested in bidding for this opportunity as part of their response to the Request for Information. If Organisations are not interested, it is requested that a reason be submitted as this is valuable feedback for the Authority to consider.
- 1.4 The Authority has not specified a format for the detailed response as this can limit creativity and make it difficult to understand. Organisations are therefore freely available to present information in their desired format.

2. BACKGROUND TO THE AUTHORITY

- 2.1 The Authority is a ministerial department, supported by 11 agencies and public bodies.
- 2.2 The Authority's job is to create great places to work, and to give more power to local people to shape what happens in their area. Key responsibilities include driving up housing supply; increasing home ownership; devolving powers and budget to boost local growth in England; and supporting strong communities with excellent public services.
- 2.3 The Authority is proposing to undertake a competitive tender exercise for a research contract on Private Landlords in England. This document sets out the anticipated key requirements for a potential forthcoming competitive tender exercise. A more detailed specification will be issued on commencement of the competitive tender exercise, as part of the Invitation to Tender (ITT).
- 2.4 The Requirement outlined in this Request for Information links to the Authority's key aims of 'driving up housing supply' and 'supporting strong communities'.

3. BACKGROUND TO THE REQUIREMENT

- 3.1 The Government seeks to increase the quality and management of the private rented housing sector. It does this by aiming to retain good landlords in the sector, persuading investors to expand the supply of decent rented homes and by helping the worst landlords perform better or prevent them from operating. The Authority has routinely collected information on private landlords via the Private Landlord Survey (PLS), with



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surveys run in 2001, 2003, 2006 and 2010. The aim of the PLS is to provide information to help the Authority monitor progress towards these aims and to develop initiatives that meet the needs of different sorts of landlords and tenants.

- 3.2 The PRS is an increasingly important and growing part of the housing market, having doubled in size over the last ten years and having over taken social housing to be the second biggest sector, after home ownership.
- 3.3 The sector is also playing a significant role in housing more vulnerable households, including those on benefits, housing significantly more families than at the time of the last PLS, and the end of an assured shorthold tenancy is now the leading cause of homelessness. In order to understand how the PRS is meeting the needs of these groups, the Authority is seeking to update evidence on: the tenancy agreements used in the PRS; what agreements landlords typically have in mind when arranging a contract; and whether or not they are letting to particular tenants in light of welfare reform. The PLS should offer the most comprehensive understanding of these agreements in practice, offering insight into what might prompt a landlord to start and end a tenancy, their decisions on rent levels, lettings, tenancy length and evictions as well as what policies might mitigate the impacts on homelessness.
- 3.4 As the sector has evolved since 2006, the Authority needs a strengthened and updated evidence base on what financing methods are employed by landlords, how they view their business practice, their rent policy and practice, what might prompt them to leave the market or exclude certain categories of tenants, and how these might vary across local areas. Understanding these financial drivers, attitudes, intentions and actions significantly improves the Authority's ability to appraise and design policy.
- 3.5 There has been a growing intent to improve the conditions and quality of the PRS in the last few years, with several policies aimed at tightening compliance. The PLS should inform how effective these policies are, how aware landlords are of these policies, are they complying with their duties, how behaviours may have changed in recent years, and what strengths or weaknesses there are to the current measures being prescribed. What sources of support and information are they using (including professional letting and/or management services)?
- 3.6 Additionally, over the last two years, there have been several announcements (eg at Budget) impacting on landlord financing including a reduction in the deductibility of mortgage interest, higher stamp duties on buy-to-let properties, a reduction in wear and tear allowance for landlords and a capital gains tax that has remained flat. The Authority would like to increase the evidence base on attitudes to and the likely impact of these changes.
- 3.7 The research will not be a repeat of previous DLCG led private landlord surveys, but will adopt a new approach. It will not be possible to use the English Housing Survey to draw the sample, so an alternative source needs to be used. It is expected that the sample will be drawn from administrative data held in the three Tenancy Deposit Schemes. Whilst the Authority is the data owner and data controller an opt-in exercise of landlords will be required in order to obtain informed consent. Potential Providers



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will be invited to set out their views on this, and how a representative sample can be drawn, and whether there are resource implications for the Authority in the approach.

- 3.8 Potential Providers will also be invited to set out their views on the most appropriate way of conducting the survey, which will build on the 2010 survey¹ but also cover a broad range of issues and will be encouraged to consider multi-methods approaches given the variance in the sector.
- 3.9 It is necessary that the Authority is able to link the findings from the research to Energy Performance Certificate data.
- 3.10 The Authority will require a detailed analysis report with a clear annex on methodology.

4. INFORMATION REQUIRED

4.1 The Authority requires Organisations to submit responses covering the following themes:

- 4.1.1 What are the potential methodological approaches available to the Authority for undertaking this exercise?
- 4.1.2 What are the potential approaches to obtaining a sampling frame to undertake this exercise?
- 4.1.3 Based on the information provided in the document, what would be the estimated cost to deliver this work?
- 4.1.4 Is there anything that the Authority has currently overlooked based on the information provided in this document?
- 4.1.5 Is there anything further which you would like to add at this stage which will be of benefit to the Authority?
- 4.1.6 Organisations are also asked to advise if they would be interested in bidding for this opportunity. If Organisations are not interested, it is requested that a reason be submitted as this is valuable feedback for the Authority to consider.

4.2 All information submitted by Organisations shall be kept for audit purposes for seven (7) years from the Deadline for submission of a RFI Response.

5. REQUEST FOR INFORMATION TIMETABLE

5.1 Please see the below for the RFI's timetable:

DATE	ACTIVITY
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¹ <https://www.gov.uk/government/statistics/private-landlords-survey-2010>



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Thursday 24 November	Publication of the Request for Information
Thursday 24 November	Clarification period starts
10:00 Tuesday 29 November	Clarification period closes
16:00 Tuesday 29 November	Deadline for the publication of responses to RFI Clarification questions
17:00 Thursday 1 December	Deadline for submission of an RFI Response
Friday 2 December	Analysis of RFI responses
w/c Monday 5 December	Confirm next steps to RFI Respondents

6. CLARIFICATION PERIOD

- 6.1 Organisations may raise questions or seek clarification regarding any aspect of this Request for Information at any time prior to the Clarification Deadline. Questions must be submitted via email to Niche@crowncommercial.gov.uk before the deadline within Section 5.
- 6.2 Crown Commercial Service will not enter into exclusive discussions regarding the requirements of this Request for Information with Organisations.
- 6.3 To ensure that all Organisations have equal access to information regarding this Request for Information, the Crown Commercial Service will publish all its responses to questions raised by Organisation's on an anonymous basis.
- 6.4 Responses will be published in a Questions and Answers document to all Organisations who have registered their interest via email to Niche@crowncommerical.gov.uk.
- 6.5 At times, the Crown Commercial Service may issue communications via email. Organisations must therefore ensure that this mailbox is reviewed on a regular basis.

7. COSTS

- 7.1 The Authority will not reimburse any costs incurred by an Organisation (including the costs or expenses of any members of its Group of Economic Operators (if acting as a Lead Contact), Sub-Contractors or advisors) in connection with the preparation and/or submission of the Organisation's Request for Information response, including (without limit) where:
- 7.1.1 The Request for Information is cancelled, shortened or delayed for any reason (including, without limitation, where such action is



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necessary due to non-compliance or potential non-compliance with the law, including the Regulations);

7.1.2 All or any part of the Request for Information is at any time amended, clarified, added to or withdrawn for any reason;

7.1.3 The Organisation and/or its Respondent is disqualified from participation in this Request for Information for any reason, including breach of these Terms of Participation.

8. RIGHT TO CANCEL OR VARY THIS REQUEST FOR INFORMATION

8.1 The Authority reserves the right, subject to the rules set out in the Regulations, to:

8.1.1 Change the basis of or the procedures for this Request for Information at any time;

8.1.2 Amend, clarify, add to or withdraw all or any part of the Request for Information at any time, including varying any timetable or deadlines set out in the Request for Information; and:

8.1.3 Cancel all or part of this Request for Information at any stage and at any time.

9. RIGHT TO CONFIRM OR REQUEST UPDATED RFI INFORMATION

9.1 The Authority reserves the right to require Organisations to confirm that their Request for Information response remains accurate at all stages of the Request for Information process and/or to request updated Information.

9.2 The Authority also reserves the right to specify additional standards or requirements according to their particular requirements.

10. CONDUCT - SPECIFIC OBLIGATIONS

10.1 The Organisation must not directly or indirectly canvass any Minister, officer, public sector employee, member or agent regarding this Request for Information or attempt to obtain any information from the same regarding this Request for Information (except where and as permitted by the Request for Information). Any attempt by the Organisation to do so may result in the Organisation's disqualification from this Request for information.

11. NOTICES TO ORGANISATIONS

11.1 This Request for Information and any related documents referred to have been prepared by the Crown Commercial Service on behalf of the Authority for the pre-market test to gather information.

11.2 Whilst prepared in good faith, the Request for Information documents are intended only as a preliminary background explanation of the Authority's activities and plans.



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Therefore it isn't intended to form the basis of any decision on whether to enter into any contractual relationship with the Authority.

- 11.3 The Request for Information documents do not purport to be all inclusive or to contain all of the information that Organisation's may require.
- 11.4 Neither the Authority or its advisors, or the directors, officers, partners, employees, other staff, agents or advisers of any such body or person:
- 11.4.1 Makes any representation or warranty (express or implied) as to the accuracy, reasonableness or completeness of the Request for Information documents;
 - 11.4.2 Accepts any responsibility for the information contained in the Request for Information documents or for its fairness, accuracy or completeness; or
 - 11.4.3 Shall be liable for any loss or damage (other than in respect of fraudulent misrepresentation) arising as a result of reliance on such information or any subsequent communication.
- 11.5 Nothing in the Request for Information documents is, or should be, relied upon as a promissory or a representation as to the Authority's ultimate decisions in relation to the Request for Information
- 11.6 The publication of the Request for Information documents in no way commits the Authority to award any contract.

12. CONFIDENTIALITY

- 12.1 Subject to the exceptions referred to in paragraph 12.2, the contents of the request for information are being made available by the Authority on the conditions that the organisation:
- 12.1.1 Treats the Request for Information as confidential at all times, unless the information is already in the public domain;
 - 12.1.2 Does not disclose, copy, reproduce, distribute or pass any of the Information to any other person at any time or allow any of these things to happen, except where, and to the extent that, the Information has been publicised in accordance with paragraph 12 (Freedom of Information);
 - 12.1.3 Only uses the Information for the purposes of preparing a Response (or deciding whether to respond); and
 - 12.1.4 Does not undertake any promotional or similar activity related to this Request for Information within any section of the media.



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- 12.2 An Organisation may disclose, distribute or pass any of the Information to its members of its Group of Economic Operators (if acting as a Lead Contact), Sub-Contractors, advisers or to any other person provided that:
- 12.2.1 This is done for the sole purpose of enabling the Organisation to submit its response and the person receiving the information undertakes in writing (such written undertaking to be made available to the Authority on the Authority's request) to keep the information confidential.
 - 12.2.2 It obtains the Authority's prior written consent in relation to such disclosure, distribution or passing of Information; or
 - 12.2.3 The disclosure is made for the sole purpose of obtaining legal advice from external lawyers in relation to this Request for Information;
 - 12.2.4 The Organisation is legally required to make such a disclosure; or
 - 12.2.5 The information has been published in accordance with paragraph 12 (Freedom of Information).
- 12.3 The Authority may disclose information submitted by Organisations during this Request for Information to its officers, employees, agents or advisers or other government departments who are stakeholders in this Request for Information.
- 12.4 All Central Government Departments and their Executive Agencies and Non Departmental Public Bodies are subject to control and reporting within Government. In particular, they report to the Cabinet Office and HM Treasury for all expenditure.
- 12.5 Further, the Cabinet Office has a cross Government role delivering overall Government Policy on public procurement – including ensuring value for money and related aspects of good procurement practice.
- 12.5.1 For these purposes, the Authority may disclose within HM Government any of the Organisation's documentation or information (including any that the Organisation considers to be confidential and / or commercially sensitive such as specific information in its response) submitted by the Organisation to the Authority during this Request for Information. Organisations taking part in this Request for Information consent to such disclosure as part of their participation in the Request for Information process.

13. FREEDOM OF INFORMATION

- 13.1 In accordance with the obligations and duties placed upon public authorities by the FoIA (Freedom of Information Act 2000) and the EIR (Environmental Information Regulations 2004) and in accordance with any Government Code of Practice on the discharge of public authorities' functions under the FoIA all information submitted to



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the Authority may be disclosed under a request for information made pursuant to the FoIA and the EIR.

- 13.2 Organisations should note that the information disclosed pursuant to a FoIA or EIR request may include, but is not limited to, the disclosure of its Request for Information response (including any attachments or embedded documents).
- 13.3 If the Organisation considers any part of its Response or any other information it submits to be confident or commercially sensitive, the Organisations should:
- 13.3.1 Clearly identify such information as confidential or commercially sensitive;
 - 13.3.2 Explain the potential implications of disclosure of such information taking into account and specifically addressing the public interest test as set out in the FoIA; and
 - 13.3.3 Provide an estimate of the period of time during which it believes that such information will remain confidential or commercially sensitive.
- 13.4 If the Organisation identifies that part of its Response or other information it submits is confidential or commercially sensitive, the Authority in its sole discretion will consider whether or not to withhold such information from publication. Organisations should note that, even where information is identified as confidential or commercially sensitive, the Authority may be required to disclose such information in accordance with the FoIA or the EIR.
- 13.5 The Authority is required to form an independent judgement of whether the Organisation's information referred to in paragraph 13.4 is exempt from disclosure under the FoIA or the EIR and whether the public interest favours disclosure or not. The Authority cannot guarantee that any information indicated as being confidential or commercially sensitive by the Organisation will be withheld from publication.
- 13.6 If the Organisation receives a request for information under the FoIA or the EIR during and in relation to this Request for Information, it should be immediately referred to the Authority.

14. INTELLECTUAL PROPERTY RIGHTS

- 14.1 The Request for Information issued shall remain the property of the Authority and shall be used by the Organisation only for the purposes of this Request for Information.
- 14.2 The Organisation grants the Authority an irrevocable, perpetual, non-exclusive licence to copy, amend and reproduce any intellectual property contained within its Response for the purposes of carrying out this Request for Information; complying with the law and/or any government guidance; and/or carrying out the Authority's business activities. This licence shall also permit the Authority to sublicense the use of the Organisation's Response to its advisers or sub-contractors or other Contracting Bodies for the same purposes.



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15. NO INDUCEMENT OR INCENTIVE

15.1 The Organisation acknowledges and agrees that nothing contained within the Request for Information shall constitute an inducement or incentive nor shall have in any other way persuaded an Organisation to submit a Response or enter into any other contractual agreement.

16. LAW AND JURISDICTION

16.1 Any dispute (including non-contractual disputes or claims) relating to this Request for Information shall be governed by and construed in accordance with the laws of England and Wales.

16.2 The courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim that arises out of or in connection with this Request for Information (including non-contractual disputes or claims).

17. CONTACT INFORMATION

Procurement Lead	
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