

10 August 2011

Dear All

Thank you for the responses received regarding the discussion paper on the approach to procuring interim family contracts.

We have now had a chance to consider the points raised and the LSC response to each individual issue is set out in the table annexed to this letter. The main points are:

1. There were suggestions that both the term of the existing Unified Contact and the tender period could be extended. Many providers have now had experience of the e-tendering system and as it is non-competitive, the process will be simpler than the tender process for 2010. We therefore consider that a 4 week period will be more than adequate to allow providers to complete the tender. Therefore I can confirm that the tender will be for a 4 week period and the new contract will commence in February 2012. The planned timetable is therefore:
  - 5<sup>th</sup> September 2011 – tender process opens
  - 3<sup>rd</sup> October 2011 – tender process closes
  - Mid November 2011 – notifications of awards and requests for verification
  - Early December 2011 – verification documentation received
  - 1<sup>st</sup> February 2012 – contract begins

We have not provided precise dates for notification and verification at this stage as it will depend on issues identified on assessment and given the volume of tenders we anticipate receiving, we are unlikely to be able to send out all notifications in one day. However we plan to have sent out all notifications by the week beginning 21 November – applicants will subsequently be given 2 weeks from notification to respond to requests for verification.

2. There has been some discussion with regard to the supervisor to caseworker ratio but following the responses received we can confirm that this will be 1:4. This is the ratio which was preferred by the majority of respondents.
3. Services to be provided. The responses suggested that providers should not be required to undertake the full range of private law work and that this would cause particular problems for firms which specialised in children work. We have considered this and are in agreement. We will therefore not be requiring providers to undertake the full range of work. Consequently there will be no need to distinguish between public and private family law

work in relation to matter starts and successful tenderers will simply receive a contract to undertake any family work (with the exception of child abduction work which is subject to a separate tender exercise).

4. Housing matter starts. We have undertaken further work on this and will now be offering a minimum contract size of 50 matter starts. However, we consider that the capacity test should remain at 250 matter starts per fee earner given that this was the capacity test applied for the award of the existing 2010 contract.

There were also a number of suggestions made regarding the terminology and matters which you wished be clarified in the family tender documentation and we will be incorporating these suggestions into the documentation which is currently being prepared.

### **Next steps**

We plan to publish a copy of this letter along with the more detailed annex of how we are responding to each of the issues raised on our website tomorrow and an LSC update will be circulated to alert providers of this.

As you will be aware, we are currently consulting on amendments to the new family contract and plan to publish this in advance of the tender opening. We will also shortly be publishing summary procurement plans confirming additional access points and the volume of matter starts available in each area, which will be based on those advertised last year.

Tender documentation, including the Information for Applicants document, will be published when the tender process opens on 5 September.

May I take this opportunity to once again thank you for your helpful input into the approach to the forthcoming family tender exercise.

Yours faithfully

Hugh Barrett  
Director of Legal Aid Commissioning and Contract Management  
Legal Services Commission