

## Frequently Asked Questions related to the

### Invitations to tender to deliver publicly funded Services in the Low Volume Categories in England and Wales

These Invitations to Tender cover the following categories of law:

**Actions Against the Police**

**Clinical Negligence**

**Consumer** (Professional Negligence and Disability Discrimination Act cases only)

**Education**

**Personal Injury**

**Public Law**

Many questions will be answered by the information given in the Information for Applicants documents (IFA), which is available on the Tenders pages of our website: [http://www.legalservices.gov.uk/civil/tendering/low\\_volume.asp](http://www.legalservices.gov.uk/civil/tendering/low_volume.asp)

The deadline for submitting questions about the content of the IFA or the Invitations to Tender (ITTs) was **12 noon on 12 April 2010** (note this is referred to as the 'End date for clarification messages' on the eTendering system).

We will continue to respond to technical queries on how to use the eTendering System. Technical questions may be emailed to the following email address: [lscsupport@bravosolution.co.uk](mailto:lscsupport@bravosolution.co.uk). Alternatively, the telephone number for the Helpdesk is 0203 3496610 (charged at a local rate from any national destination).

Please note that we recommend that you start to complete your tender response early so that you identify any areas where you need technical help as soon possible, as the technical team is likely to be very busy in the days leading up to the tender deadline.

Questions that we consider to be of wider interest will be collated and answered centrally in writing to ensure that all interested parties have equal access to information in the answers. These questions and answers have been in this Frequently Asked Questions (FAQ) document.

This FAQ document is broken up into sections for ease of reference. These sections are as follows:

1. [Tender Process](#)
2. [Supervisor requirements](#)
3. [Procurement areas / Presence / Office](#)
4. [Category definitions and combinations](#)
5. [Other requirements](#)

## **Section 1: Tender Process**

### **1.1 In some cases the questions say that documentary evidence (e.g. for local arrangements) will be required. How is this documentary evidence submitted?**

Several criteria require that the Applicant Organisation can show, 8 weeks before contract start date, that it meets the criteria.

We will undertake a verification exercise at this stage and we will, if necessary, request any documentary evidence from you. You do not need to submit any additional evidence at this stage, beyond the documents set out in the IFA documents.

### **1.2 How do I save information I have input into the Tender Information Form? I thought I had completed it, but when I go back into the form in “Buyer Attachments” it has not saved.**

As set out in the IFA, you need to download the Tender Information Form and save it onto your own computer. You can then work on it on your own computer and upload it into your ITT before you submit it.

[Top of document](#)

## **Section 2: Supervisor Requirements**

**2.1 Does FTE in office refer solely to numbers of fee-earner/caseworker acting for clients or does it also include support staff. i.e. in a dept consisting of two solicitors, one trainee solicitor and a secretary do I have 2, 3 or 4 FTEs? If this dept is part of a firm consisting of 35 in total including support staff do I have 35 FTEs?**

FTEs are referred to in the essential criteria (relating to the Supervisor Standard) Here we are only referring to caseworkers/supervisors who would be carrying out the work which the Applicant Organisation is tendering to deliver. We are NOT referring to support staff.

**2.2 Where can we find guidance please for completing the supervisor standard and self-declaration form?**

Section 7.2 of the IFA sets out where you can find further information about the Supervisor Standard in each category.

Further information is also given in 7.22 to 7.28 of the IFA.

Some guidance on the Supervisor Self-Declaration Form can be found on the SQM pages of our website:

[http://www.legalservices.gov.uk/civil/qm/specialist\\_help.asp](http://www.legalservices.gov.uk/civil/qm/specialist_help.asp)

**2.3 Do you require Panel Certificates to be attached to each supervisor's declaration?**

No. Panel certificates do not need to be attached at this stage. We may request further information on them at the verification stage which takes place 8 weeks before the contract starts.

**2.4 The supervisor declaration requires details of the supervisor's qualifications ie panel memberships etc. It also looks at the supervisor's experience over a three-year period for full time workers and 5 years for part time workers. What would the position be for a supervisor who is on a panel but only has 1-2 years' experience?**

If an individual has less than 3 years' experience then they will not meet the Supervisor Standard.

**2.5 Under Question 2 on the Supervisor Standard and Self Declaration Form we are asked to give date of admittance to a panel.**

**Does this mean the original date of admittance or the latest renewal date?**

The "Date of Admittance" refers to the most recent date of renewal or re-accreditation of your Panel membership.

**2.6 We have a supervisor who was on maternity leave during the period for which we need to complete casework hours on the Supervisor Self-Declaration Form. How do we indicate this on the form?**

A full time Supervisor who has had extended periods of absence for maternity, sickness or compassionate reasons (continuously for a period of three months or more or for a total of 90 days or more within any of the three defined 12 month periods) should complete the Supervisor Self-Declaration form in the same way as a part-time supervisor. This means that they can qualify as a Supervisor by demonstrating a minimum Case Involvement of 1050 hours over the last five years.

**2.7 We has thought that our Supervisor would meet the required standard, on the basis of the portfolio of cases being met and 350 hours casework having been undertaken in the last 12 months. Is this not the case?**

Any individual applying to become a supervisor must meet all supervisors requirements in full including the 350 hours case involvement for the three years prior to any date the information is requested. This is to ensure that supervisors continuously meet the requisite standard of experience.

**2.8 Can one supervisor supervise in different offices?**

Yes, as long as the supervisor is able to meet the supervisor requirements set out in the contract and in the applicable Quality Standard.

[Top of document](#)

### **Section 3: Procurement Area / Presence / Office**

#### **3.1 We work from several offices. Do we need to submit bids from each office? How do we complete information for those offices from which we work only occasionally (if a client requests it)?**

Yes. As set out at 9.19 of the IFA, you need to provide details on the Tender Information Form of each office from which you are tendering to deliver work.

As per 12.3 of the Standard Terms of the 2010 Standard Civil Contract, in order to deliver work from a particular location, you need to have a schedule for that location, authorising that work. If you do not have a schedule authorising you to carry out work from that office, you will not be able to see clients there. However, once awarded a contract, Providers may request specific outreach provisions to be added to their schedule.

The 2010 Standard Civil Contract Specification and Standard Terms can be found on our website:

<http://www.legalservices.gov.uk/civil/8758.asp>

#### **3.2 Whereas in Education and Actions Against the Police etc there are separate ITTs for different Procurement Areas, there is only one ITT for each of the categories Public Law, Personal Injury, Consumer and Clinical Negligence. The Tender Form refers to bidding in Procurement Areas- is this correct?**

Yes. Although there is only one ITT for each of these categories, there are still 12 Procurement Areas. Applicant Organisations need to indicate in the Tender Form which Procurement Area(s) they are bidding to deliver work in.

#### **3.3 What work can be carried out for clients outside the Procurement Area? Does this apply to controlled or licenced work?**

As set out at section 8.4 of the IFA, the Contract permits up to 40% of the total Matter Starts allocated to be undertaken for clients "who are ordinarily resident outside that Procurement Area". This applies to controlled work only, not to Licenced work can be undertaken at the Provider's office for clients resident in any Procurement Area.

## **Section 4: Category definitions**

### **4.1 How can I find out what is within scope of one of the Low Volume Categories of law?**

Please see the Funding Code, in particular section 8.1, and the associated guidance. This is available on our website at:

[http://www.legalservices.gov.uk/civil/what\\_cases\\_do\\_we\\_fund.asp](http://www.legalservices.gov.uk/civil/what_cases_do_we_fund.asp)

## **Section 4: Other Requirements**

### **4.1 Please can you clarify what you mean by “indemnity” in the question on the Technical Questionnaire? What indemnity are you looking for and what is the relevant form you refer to?**

The purpose of the indemnity is to ensure that the Commission is in no worse a position, financially, when contracting with organisations with limited liability (other than registered charities) than it would have been had the Provider been a partnership or sole principal. Organisations with limited liability have traditionally deprived the Commission of the rights of recovery in relation to overpayments given their financial status whereas partnerships or sole proprietorships have not.

A draft version of the indemnity form for Civil contracts has been published on the 2010 Standard Civil Contract pages of our website:  
<http://www.legalservices.gov.uk/civil/8758.asp>

### **4.2 Our Organisation is not a limited company or a limited liability partnership but is made up of 15 corporate partners who are individual limited companies. Do you still require an indemnity form? If so please specify where the form can be obtained from.**

We will still require an indemnity form signed by all the owners of the individual limited companies.

A sample of the indemnity form, which will be sent out with contract awards, has now been published on the 2010 Standard Civil Contract pages of our website at <http://www.legalservices.gov.uk/civil/8758.asp>. This form may have to be tailored to the individual constitutional circumstances of the organisation.

### **4.3 How can we be sure which criteria have to be met at Office level and which at Applicant Organisation level?**

Annexes to the Information for Applicants list all criteria, and set out whether they apply at Applicant Organisation or Office level.

### **4.4 If we have sent signed indemnity forms as part of the criminal tender do you still need us to send signed indemnity forms as part of the family tender? What happens if you are tendering in several categories or areas for Civil work? Will we have to complete separate forms for each category/Procurement Area?**

As set out in the IFA documents, you are not required to upload anything at this time, but simply to commit to providing it at a later stage, in the event of the award of a contract.

The Indemnity Forms completed as part of the Crime 2010 Contracts tender process cover all contracts which an organisation holds or will hold with the LSC. If you have completed one of these forms, you will not have to complete one as part of the Civil tender process.

If you are tendering to deliver Civil work in several Categories or areas, one form will be sufficient to cover all contracts.

**4.5 Does everything have to be in place now to meet the Tender Requirements, or is it enough to have things in place by 14 October 2010?**

The Essential Criteria in the Annexes to the IFA documents set out whether a requirement relates to current arrangements or to what you will have in place by the contract start date on 14 October 2010.

[Top of document](#)