

## **Debt advice prison establishments in three areas of England: The South West, The East and East Midlands, Kent and Sussex**

### **Questions and answers – version 2.0**

This document answers questions raised up to the deadline of 1 May 2009. No further questions on the tender will now be answered.

The questions and answers are provided under the following headings:

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#### Eligibility to tender

##### **Q. Must I be a current LSC contract holder to be able to submit a tender?**

A. No. Organisations wishing to tender do not need to be holders of an LSC Unified Contract (Civil) and new entrants to the market are welcome.

##### **Q. In order to deliver this service, must our organisation hold a Consumer Credit License from the Office of Fair Trading?**

A. Although holding an Office of Fair Trading Consumer Credit Licence is not a specific requirement of the LSC, it is the responsibility of each organisation to ensure that they comply with any regulatory requirements upon them. Some representative bodies hold group licences that cover member organisations and potential bidders are advised to contact the Office of Fair Trading and any representative body they belong to verify whether a licence is required.

##### **Q. Can a sole trader tender for this service or is there a requirement that organisations have a particular legal status, e.g. as a LLP?**

A. The Commission does not require providers to have a specific legal status and therefore legal entities such as sole practitioners, partnerships, LLPs or registered charities can tender for this service. However the Commission will only accept tenders from an individual legal entity and not from joint bidders.

#### Tender documentation clarification

##### **Q. In the Invitation to Tender (ITT) the service outline for the debt advice surgery indicates that clients must not receive advice through more than once.**

**However in the performance standards at appendix 1 I notice it says that clients must not receive advice more than twice. Which is correct?**

A. The service outline is correct. Under the service, successful applicants must have processes in place to ensure that a client does not receive advice more than once (meaning the two 45 minute Debt Advice Surgeries and 45 minute follow up) on the same legal issue within any six month period. The final contract will be amended to reflect the correct requirement.

**Q. In Essential Criterion A (Clusters Tendering For) in the Tender Form, you ask if the Adviser named has opened a minimum of 75 debt cases in a specified time period. In my organisation, cases are opened by administrative staff but are progressed by advisers. Please can you clarify what you mean by the term 'opened'?**

A. By cases 'opened' we mean the number of cases named adviser has worked on rather than purely administratively starting cases. This does not mean that the adviser must have managed the case in its entirety from start to finish but the adviser must have undertaken substantive work to progress the client's matter on an individual debt case for it to be included in the 75 minimum figure.

**Q. In Selection Criterion 1 you ask applicants to demonstrate their organisation's capacity to undertake any follow up work resulting from delivering the Service. Please can you clarify how this differs from Selection Criterion 3 (offering specialist debt advice for clients requiring advice beyond that available through the service)?**

A. In Selection Criterion 1, we require applicants to demonstrate their capacity to undertake follow up work directly resulting from the delivery of Debt Advice Surgery work in prisons. We will mark tenders received on this basis.

In Selection Criterion 3, we are asking applicants to confirm whether they can provide ongoing specialist debt advice within their organisation for clients that need debt advice beyond that available through the funding for this service (i.e. beyond that permissible through Debt Advice Surgeries, Debt Group Work and (in the South West only) Family Member Debt Advice).

**Q. The tender mentions the delivery plan can explore how the lead agency will work with "agents". Please could you clarify what you mean when you refer to 'agents'? It what circumstances do you anticipate that the use of agents would be acceptable?**

This is an error in the Invitation to Tender. Use of agents will not be permitted as part of this service.

**Q. Please could you clarify minimum payments under the contract? We understand that a provider for a cluster of three prisons would be guaranteed 3 payments of £150 per week i.e. a total of £450 per week. Is this correct?**

A. Yes. Cluster sizes vary containing between three and five prisons. The minimum payment claimable is for one half day per prison per week so:

A cluster with 3 prisons will attract a minimum of £450 per week

A cluster with 4 prisons will attract a minimum of £600 per week

A cluster with 5 prisons will attract a minimum of £750 per week.

**Q. How many follow-up cases at £30 each are included for each cluster in the Calculation of Cluster Contract Values table?**

A. We have included up to three pieces follow up work per half day session.

**Q. Are the population figures used in the Calculation of Cluster Contract Values table averages, snapshots or total number of prisoners for the year?**

A. The population figures quoted on the 'Calculation of Cluster Contract Values' document are average numbers of prisoners within each establishment in 2007/08.

**Q. The population figures used in the Calculation of Cluster Contract Values table are for 2007-08, and so are over a year old. How much have the populations of each prison changed since these figures were produced?**

A. It is usual to be flexible in delivery dependent on prison need and changing population requirements. Figures provided for Kent/Sussex were based on figures provided for Offender Learning and Skills Service (OLASS) contracts and therefore are reasonably up to date, however updated figures for other areas are not available at this time.

**Q. Please can you provide figures for the number of prisoners who started and finished sentences in each prison during 2007-08?**

A. This data cannot be attained by NOMS within the time frame for answering questions, but are confident that there will be sufficient demand for the service within the clusters.

**Q. Targets include impact on rate of re-offending (p 30). How is this expected to be measured by provider?**

A. The reference on page 30 of the Invitation to Tender is to the requirement upon providers to gather client feedback. It asks that feedback be gathered on client perception of the impact of the service received on their likelihood of re-offending.

As with the other feedback from clients in prison required as part of this service (client satisfaction, client perception of the quality of advice through Debt Advice Surgeries and usefulness and suggestions for improvement of Debt Group Work) this is qualitative information that is likely to be gathered through a tick box questionnaire and a summary provided as part of the quarterly review meetings.

Tender process

**Q. Could an applicant tender to deliver services in one cluster only? Is there a set minimum to the number of clusters an applicant can tender for?**

A. Because of the large number of prisons in each geographical area, prisons have been "clustered" together. Applicants can tender for a minimum of one cluster of prisons.

**Q. Will applicants who have resources available and therefore bid for two or more clusters be given priority over smaller applicants?**

A. In section 3.6 of the Invitation to Tender we specify the process we will use for awarding contracts. This process awards contracts on a cluster by cluster basis meaning that each contract to the highest scoring applicant in each cluster. There is therefore no preference given to organisations that submit bids to deliver the service in multiple clusters.

**Q. If a national organisation has Offices in several cluster areas, should we still submit 1 single application form? Are we prohibited from submitting more than 1?**

A. Organisations are required submit one Tender Form regardless of the number of offices they have or the number of clusters they are Tendering to deliver this service in.

**Q. If there are interviews, will there be one interview per cluster or per organisation?**

As stated [elsewhere](#) in this document, tenders will be awarded on a cluster-by-cluster basis. If interviews are required (i.e. where more than one Applicant is ‘tied’ on the same score after marking) we currently expect that there will be one interview per organisation to minimise the impact on applicants. However, given this is a competitive tender process in some instances this may require more than one interview.

**Q. Where will interviews be held?**

A. In the eventuality that interviews are required, these will be held in London. Details of the venue will be provided with any invitation to attend interview.

**Q. If an organisation is required to attend more than one interview, can you confirm that interview schedules will minimise an organisation’s travel requirements, and also not require an organisation to attend 2 different locations on the same day?**

A. In the event that one organisation is required to attend more than one interview, we will endeavour to conduct these to minimise travel required by applicants. If more than one interview for an applicant is required, we cannot guarantee that these will all take place in the same room or building but will guarantee that venues will be within a short walk of each other.

Supervision and SQM

**Q. If an organisation does not currently hold an SQM, is it possible to bid for the contract with the intention of employing a supervisor if they are successful? If so, is it acceptable to omit the supervisor self declaration form when submitting the bid?**

A. The essential criteria include requirements that organisations will have an appropriate supervisor in place and that organisations will hold and comply with the

Specialist Quality Mark (the application for which requires organisations to provide a completed Supervisor Self Declaration Form).

The organisations delivering the service must be operational within three months of contract offer, meaning organisations that do not currently have a supervisor that meets the Supervisor standard would need to have a clear idea about the individual they would be appointing if recruiting for this post.

Where organisations do wish to recruit and cannot provide a Supervisor Self Declaration Form for a supervisor, we would require organisations to make arrangements for external supervision (i.e. by another organisation) and give details of the external supervisor on the Supervisor Self Declaration Form on the proviso that an in house supervisor that meets the required standard be in place (and a Supervisor Self Declaration Form is submitted) in time for the contract start date. Further detail on external supervision is available in the [Specialist Quality Mark Standard](#) at paragraph D3.1 in section 3.2 (Contents of Quality Mark Requirements and Definitions).

For the avoidance of doubt, provided suitable alternative arrangements are in place as outlined above, organisations without a named supervisor in place are eligible to tender for this service.

**Q. We hold the SQM and have supervisors in place for categories other than debt and will need therefore to complete the Supervisor Self Declaration Form. However, the person we propose to act as our debt supervisor has only recently started working at our organisation and not be able to access any of their files to demonstrate that they meet the standard. Can we still submit a tender?**

A. This situation is permissible under the SQM.

The SQM allows supervisors to reference files from a previous organisation where none exist at the current firm in order to meet the portfolio requirement of D3.2. In such circumstances, and the files are no longer accessible, summary notes about each case must be made and kept and provided to the auditor if so requested.

Regardless of which organisation the work was completed, the person acting as supervisor must be able to demonstrate past case involvement at the same level specified by the Supervisor Declaration form for the last 3 years (if full time) or 5 years (if part time).

They will also need to meet all other supervisory requirements.

**Q. Our organisation has other accreditation. Do we still need to apply for the LSC's Specialist Quality Mark?**

A. As per the Essential Criteria, where an Applicant does not currently hold and comply with the SQM they will need to submit those forms required to achieve the SQM qualification. Other accreditations will not be accepted.

Applicants needing to apply for the SQM need to submit with their tender one set of the following SQM documents (which can be found on the [LSC's website](#)) for each office from which an Applicant intends to deliver the Service:

- QM1;
- SQM Self Assessment Checklist

- Supervisor Self Declaration Form
- Status Enquiry Form (SIF and OSS)
- Copy of Office Manual.

Applicants who currently do hold and comply with the SQM but do not currently hold a LSC Unified Contract in the Category of Debt must submit a completed Status Enquiry Forms (SIF and OSS) with their Tender Form.

Where Applicants are successful in being awarded a Contract and do not currently hold and comply with the SQM, between the award and the start of the Service, the LSC will then conduct an internal, paper-based audit of the documents (known as a 'Desktop Audit') and the Applicant's Office Manual to determine whether to award the SQM.

### Staffing

**Q. Can you confirm whether it is a requirement for a provider to have named staff in place when submitting the tender, or are we able to recruit suitable staff if we are awarded a contract?**

**Q. Can you clarify why bidders need to name existing front line advisers by name in the bid?**

A. The tender panel must make an assessment of experience and capacity of each bidder and have decided that in order to do this bidders must have minimum staff in place at the time of bidding that meet the criteria. For example, where applicants tender for multiple clusters, providing named advisers allows the tender panel to be clear that sufficient staff will be available to deliver the service.

**Q. There is an implication that named existing experienced front line advisers will end up providing the service should the bidder be successful. We would wish to recruit frontline advisers according to employment and equality legislation through open and fair recruitment if successful. Please confirm this is acceptable?**

**If not, front line advisers already in post may already be contracted to provide a service elsewhere and not have the capacity to deliver all this contract- what if suitable front line advisers are already contracted to work full time?**

A. The named existing staff members would be expected to deliver the service as the LSC and NOMS require experienced staff in place for this work because the environment for providing the advice will be challenging. As part of the selection criterion 1 we ask applicants to provide a realistic delivery plan how their organisation will deliver the service and we would encourage applicants to include in their applications detail of how they would make the service operate successfully in practice.

**Q. Can front line advisers be volunteers?**

A. Any individual employed by you that meets the essential criteria and the contract requirements for this service may be named as a front line adviser. It should be noted that selection criterion 2 gives preference on the basis of named front line advisers' experience of delivering advice in prisons or other places of detention.

**Q. Could this contract be subject to TUPE regulations?**

A. We do not believe that TUPE will apply at the outset of these contracts and neither do we currently believe that TUPE will apply on termination of the contracts. However as TUPE could potentially apply at the end of the contract term if the LSC seeks tenders for replacement services, we will be amending the draft contract to provide for this possibility. In summary, the amendment will include a TUPE amendment provision, an obligation around the provision of employee liability information and an associated indemnity in respect of failure to provide that information and in respect of any TUPE claims from employees subject to TUPE transfer. Please refer to the revised draft contract which we will publish shortly with some additional clarifications.

**Q. Staff turnover in any organisation is inevitable, and staff may also move or be redeployed within an organisation. What is the procedure for nominating new staff? What scope is there to recruit new staff for the start of the contract, as large contracts may require additional resources?**

A. The front line advisers named in an applicant's tender form must be those people that will deliver the service from the start date. The tender form asks applicants to name one, two or three front line advisers for each cluster as the minimum we anticipate will be required to deliver the service in a cluster, based on the cluster contract value.

If applicants require additional staff to deliver the service, any additional front line advisers must meet the expertise requirements set out in essential criterion A. If additional staff are required in time for the contract start date, the NOMS Vetting Questionnaires must be submitted for all advisers that will deliver the service.

We accept that staff turnover may occur during this contract and section 10 of the draft service contract sets out the requirements upon providers in ensuring continuation of service.

Security clearance

**Q. For Home Office security clearances for the Adviser to be able to enter the establishment(s) will applications have to be made to each establishment or a blanket application suffice. Will this be recognised at private contracted out prisons as well as Home Office managed prisons?**

Security processes are subject to change at present though in some regions security clearance will be guaranteed on a regional basis, therefore if one provider is successful in more than one cluster staff will be security cleared for that region. Conversely, in the South West, security clearance is undertaken by individual prisons, and a blanket applications will not suffice.

Private prisons may participate in these arrangements but this cannot be guaranteed at this stage.

**Q. Must we submit a completed NOMS Vetting Questionnaire with our tender?**

A. No. Only organisations that are successful in their application to deliver the service will be required to submit a NOMS Vetting Questionnaire. In order to expedite the

process successful applicants will be required to submit details of all the Front Line Advisers who will be operating the Service using the form 'Vetting Questionnaire – enhanced check, not directly employed workers' (available on the LSC website with the tender documents) immediately upon the award of the contract.

**Q. Section 7 of the NOMS Vetting Questionnaire requests details of employment that will be confirmed with previous employers. Some of my previous employers are no longer trading. What should I do as these references cannot be verified with employers?**

A. This should not prevent organisations from bidding as each vetting process will be dealt with on a case by case basis. Where a bidder cannot provide details of an employer as it is no longer trading, it is likely the bidding organisation will be asked to provide details of employers before that which is no longer trading.

### Service delivery

**Q. Will the debt advice be delivered on bank holidays and over the Christmas / new year period?**

A. The service will not be required to operate on bank holidays. However, service delivery over the Christmas and new year period will be agreement with individual prison establishments.

**Q. The contract notes minimum advice session numbers of 3 clients and details supplier contact requirements. Due to travel time requirements if the adviser confirms with the relevant prison session(s) for the next day, leaves in the morning to arrive at the prison for say 9am for security matters and escorting to the advice room for sessions to commence at say 9:30am. The adviser arrives to find e.g. lockdown or e.g. relevant clients have been sent to segregation and for whatever reason the advice session cannot proceed or numbers are below the stated 3 clients, will payment still be authorised?**

**Q. There is a 48 hour notice period for HMPS to alert the provider to a cancellation of the service. If this notice period is not available (e.g. early release of prisoner, lock down of site) will the payment for the appointment attended by the provider be honoured?**

A. Where there is a justifiable reason why a Debt Advice Surgery cannot take place in part or in full (such as the circumstances outlined above) with less than 48 hours' notice from a prison establishment, payment for a half-day session would be claimable.

**Q. The service is for debt advice. If in the progression of enquiries with the client and/or partner it became clear Income Maximization matters arose e.g. a Housing Benefit backdate claim or e.g. for the person at home an application e.g. for water arrears will this income work be authorised as part of the debt work?**

A. The definition of debt advice for the purposes of this service relates to work:

- a) for the payment of monies due or the enforcement of orders in such proceedings, including those arising out of the occupation of premises but excluding any possession proceedings involving a contested counter claim and

- any case where possession is sought on grounds additional to those relating to non-payment of monies due or where the occupant has a defence to possession; and
- b) for the recovery of possession of premises for failure to make payments due under a mortgage or other charge; and
  - c) arising out of personal insolvency, including bankruptcy, administration or IVA proceedings whether the client is a creditor or debtor; but excluding representation in proceedings against parties in default of a fine or other order in criminal proceedings in the magistrates' court who are at risk of imprisonment.

Therefore income maximisation work is not permissible as part of this service and work of this nature should be referred to a service that can take forward this work on behalf of the client.

**Q. For open/cat D prisons where some inmates work out of prison or others where other prisons have "in house" work will debt sessions be solely scheduled to accommodate the work sessions (i.e. evening debt advice only) or will day and evening sessions be required?**

A. The level of demand for the service and client working patterns will determine whether day time and evening sessions would be required. Not all clients will work all day, every week day and those who are available during normal office hours (either by taking time from community or paid work or because they are not scheduled to work that day) could access sessions during the day time or evening. Those individuals who cannot attend during the day would only be able to access evening sessions. We would not anticipate providers being required to attend morning and afternoon and evening sessions in the same day and where full day attendance is required we would expect wherever practicable that appointments be made for the morning and afternoon or the afternoon and evening, rather than for the morning and evening.

**Q. Is it possible to move delivery between prisons within a cluster if demand dictates (in consultation with prisons)**

A. We accept that demand for the services will fluctuate and we require organisations delivering the service to operate flexibly to meet the need in all prisons in the cluster(s) they are contracted to work in.

For example, in relation to Debt Advice Surgeries we specify in the Invitation to Tender that as a minimum we would expect there to be at least one half day Debt Advice Surgery per week in each prison in the Cluster unless there is no demand (detail on operating the Service when demand is low is at section 2.8 of the ITT). We also specify that if there are no appointments in a particular prison in a week and there is demand in another prison which merits more than one full day session (i.e. sufficient demand to warrant 1.5 days of work as defined above), successful Applicants will need to have flexibility and capacity in order that they can deliver Debt Advice Surgeries to meet actual need.

**Q. If a client does not use the full 45 minutes of available advice time in the first session, can the unused time be carried forward to the second session? This may happen, for example, if at the first session the client has insufficient information to hand to enable advice to be given.**

A. We would expect clients to normally attend one 45 minute Debt Advice Surgery session, unless a second Debt Advice Surgery session is needed to progress the client's issue (such as facilitating a joint session with a family member or giving the client the opportunity to collate required documents) and it is not possible to continue the case through alternative funding after the first Debt Advice Surgery session.

Where a second Debt Advice Surgery session is required we would expect this second session not to exceed 45 minutes in duration.

**Q. If an offender requiring specialist advice is released from custody away from the Procurement Areas covered by a cluster to another part of the country, can the New Matter Start(s) for specialist advice follow the prisoner?**

A. Cases that progress to specialist help under an LSC Unified Contract (Civil) will be treated within the terms of that contract. In such circumstances, where an organisation is unsure about whether a matter should be transferred or retained, they should discuss this with their LSC Account / Relationship Manager.

**Q. Is the proposed service to be available to all prisoners? For example, foreign nationals are not usually eligible for legal aid?**

A. As with civil legal aid generally, the availability of the service is not dependent on the client's nationality but on the jurisdiction their problem applies to. This service will be available to clients whose debt problem is one applicable to England and Wales.

**Q. How and when will eligibility checks for legal aid be carried out? Who will carry out these checks? How can 90% of clients who need additional help get this if they are not eligible?**

At the earliest point (usually after the first Debt Advice Surgery) where it becomes clear that a client's debt problem can be progressed through an alternative funding source (such as an LSC Unified Contract), the client should be referred to specialist advice and eligibility checks be undertaken in the usual manner. Assessment of eligibility for legal aid or other funding streams is not within the scope of this service.

We cannot specify by whom or how eligibility assessments will be undertaken as some organisations delivering the service may have access to alternative funding sources within their organisation and may have access to the prison (e.g. through an outreach contract) whilst others may not, meaning referral for ongoing advice will be to a different agency. Sources of ongoing advice need not necessarily be through the legal aid scheme and may be in the form of other funding which is not subject to LSC means and merits testing.

**Q. The specification requires Referral on Housing Needs Assessment (HNA) basis (Pg 29). What other routes are there to access service? HNA is only completed at the start of sentence.**

A. The alternative to referral through Housing Needs Assessment would be client self referral during sentence.

**Q. Are we expected to work with orderlies or listeners, or to develop a peer programme? If so, what funding will be available for this?**

A. It is not usual to work with orderlies etc unless you have made a special arrangement with the prison to do so. However, in some sites, peer mentors are in

place and providers will be encouraged to integrate with them and the officer teams. There will additionally be an Offender Learning and Skills Service (OLASS) Information, Advice and Guidance provider contract in place from September 2009 which providers will also be encouraged to work alongside and in partnership with although no additional payment will be claimable for this.

**Q. What arrangements are in place for the visitors centres in the South West that require family advice sessions. Are these centres run in house, or by external agencies? There is a recognised difficulty in getting visitors involved in advice on the day of visit due to nature of visit. (Families usually want to spend as much time as possible with the family member, but as little time as possible on site.)**

A. In the South West, two prisons per cluster (a total of 8 prisons) have been selected for Family Member Debt Advice. These are prisons where there is enhanced or developing family work in place and that also have a reasonable level of families residing in the South West. Seven of the eight prisons chosen have third sector family support service providers and the eighth has enhanced family provision with a child support worker and a court to custody worker. We would like to explore best ways of engaging family members in debt advice. Therefore NOMS shall work with the organisations currently providing the family service and the Prison Service Children and Families Lead in each establishment to promote the debt advice service.

**Q. Are there other activities on site that a prison may want the service to become involved in, including VCS and resettlement meetings, prison training, equality forums, etc. What payment will be available for this, or is there no expectation to be involved?**

A. There is no requirement that providers become involved in activities other than those specified in the tender documentation. If providers choose to agree additional involvement with individual prisons of the type specified in this question, this will not be prohibited but no payment will be claimable.

**Q. The prisons in a cluster may have different and conflicting need. When demands conflict, how should we decide on which demand is prioritised? This is likely to be a particular issue in cluster where the prisons have different client groups (e.g. Category B, Young Offender's Institute, Women, Remand, Category D).**

A. Providers will be expected to meet need and are asked to detail as part of selection criterion 1 of the tender form how they will meet greater than expected need.

**Q. The ITT specifies monthly group work with group size of at least 3 people, but with no maximum size. This would not be acceptable under Health and Safety requirements. Group work will also depend on officer support and available teaching facilities. How will you address this issue?**

A. This will need to be negotiated and agreement reached between each provider and prison establishment.

#### Facilities in prison

**Q. Will telephones be available in the contact rooms so relevant debt matters can be progressed in the presence of the client or are these issues that will have to be followed up in the outside prison office work?**

**Q. Will office facilities such as broadband connection, desk space, landline telephone number be available to our advisers, and at what cost?**

**Q. What restrictions are there on taking equipment such as laptops into prisons?**

A. It would be rare for a telephone to be available in the contact rooms although this largely depends on the individual prison sites. In general, sites have an office set aside with IT facilities and a telephone for work such as follow up work. It should be noted that mobile phones are not permitted.

#### Links to and impact on other funding / LSC contracts

**Q. Will other funding streams for advice in prisons be affected by this bid round? For example, will providers who are authorised to deliver advice in prisons as an outreach from their main LSC civil contract be affected? Will existing prison funded advice services be affected?**

**Q. In instances where the provider holds an existing LSC contract in the Procurement Area in which a prison is situated, can you confirm that the LSC will use the prison as an outreach venue to the unified contract schedule?**

**Q. How do you envisage that referral to a face to face specialist contract will work? Will specialist advisers be able to access the prison to deliver advice? Would specialist advisers need to undergo enhanced security checks?**

A. This generalist level service is additional to existing LSC funded services. Where providers currently deliver advice in prisons as part of the LSC's Unified Contract (Civil), they will be able to continue to do this. Preference is given in selection criterion 3 to applicants which can provide ongoing specialist debt advice within their organisation, through an LSC Debt contract or alternative funding.

We cannot guarantee that providers delivering the service will automatically receive authorisation to deliver advice in prisons as part of any Unified Contract (Civil) held. However, in areas where there is currently no LSC funded specialist advice available in the participating prisons, the LSC will explore opportunities to make this available through local contracted debt providers prior to the commencement of this service (including the successful applicant for this service, where they hold a Unified Contract (Civil) and are authorised to undertake work in the debt category).

Where possible ongoing advice in house or through an effective referral to face to face or alternative formats (e.g. telephone, web based). However, if it is not possible to progress the case, for example there is no organisation that can accept the referral, the provider should inform the client and close the matter.

**Q. Will the LSC deem any organisation delivering the contract for Debt advice in prisons to have a Permanent Presence in the Procurement Area in which the prison is situated?**

We will not consider providers to have a permanent presence in the procurement area where the prisons are located. Presence in respect of LSC Unified Contract (Civil) work from 2010 is defined in terms of office location that is available to the community and as a prison location is not accessible to the wider community we cannot treat it as such.

We do not anticipate there will be difficulties in delivering ongoing specialist, legal aid funded advice to clients in prison following the introduction of new LSC Unified Contracts for civil work in 2010. We anticipate that ongoing advice needs will be met in the same way as prior to the introduction of the 2010 contracts.

**Q. If a Community Legal Advice centre or network is launched, what will happen to funding for the debt advice in prisons contract?**

The funding for this service is guaranteed until 31 March 2011 and the launch of any Community Legal Advice services will not impact on these contracts.