

# **SPECIALIST FAMILY TELEPHONE ADVICE PILOT**

## **Information for Applicants**

We are inviting tenders from organisations able to offer specialist advice in family law as part of Community Legal Service Direct for a 12 month pilot. Existing providers to the Legal Services Commission, not for profit and voluntary organisations and commercial organisations are invited to submit tenders.

### **INTRODUCTION TO THE LEGAL SERVICES COMMISSION**

#### **What is the Legal Services Commission?**

The Legal Services Commission (the “LSC”) is responsible for the provision of legal aid in England and Wales. Our clients are often vulnerable and socially excluded people who may have a variety of problems in areas such as benefits and tax credits, debt or crime. Through the provision of information, advice and legal representation, we help around two million people each year to get access to justice.

The LSC was established under the Access to Justice Act 1999, replacing the Legal Aid Board in April 2000. We are a non-departmental public body sponsored by the Department for Constitutional Affairs. The Secretary of State for Constitutional Affairs is accountable to Parliament for our activities and performance. With a head office in London, the LSC currently employs some 1,800 staff in 11 offices across England and Wales. The LSC also operates eight Public Defender Service offices. A board of independent Commissioners oversees its work.

The LSC’s interests and responsibilities are:

- Co-ordinating the commissioning and provision of legal services, legal aid and information services;
- Securing access to quality services for those with a priority need;
- Enhancing public understanding of legal rights and responsibilities; and
- Controlling public expenditure on legal and advice services.

Legal services are delivered through two schemes: the Criminal Defence Service and the Community Legal Service.

#### **The Community Legal Service (the “CLS”)**

The CLS is a network of organisations that funds, provides and promotes civil legal services, from general information to advice and representation. The network includes solicitors and citizens advice bureaux, law centres and community organisations that have achieved the Quality Mark.

Through the CLS, people can access relevant, high quality information, advice and assistance to help with matters as wide-ranging as mental health, family, debt, asylum, housing, employment, community care and education.

The LSC has recently published its strategy for the CLS, looking at the way that it will provide its services over the coming years. Details can be found at:  
[www.legalservices.gov.uk/civil/innovations/strategy\\_for\\_cls.asp](http://www.legalservices.gov.uk/civil/innovations/strategy_for_cls.asp).

The LSC will shortly be publishing its strategy on family. This will be available on the LSC website from the end of February 2007.

### **Community Legal Service Direct (“CLS Direct”)**

CLS Direct was launched in 2004 and provides free information and advice direct to the public on a range of common legal problems. The service consists of a national helpline 0845 345 4 345, a website, [www.clsdirect.org.uk](http://www.clsdirect.org.uk) and a series of free legal information leaflets under one unified brand.

All of these services are aimed directly at the general public. The overall aim is to provide residents in England and Wales with access to rights information and legal advice, particularly traditionally hard to reach client groups and members of society who are amongst the most socially excluded.

The national helpline currently offers means tested specialist advice, including casework, in the categories of debt, benefits and tax credits, education, housing and employment. Callers with other kinds of problems can get help with finding a high quality local legal caseworker or solicitor and obtain free legal information leaflets.

The provision of advice and information by telephone enables those who would find it difficult to access traditional face-to-face services to do so. An example of this would include those with mobility difficulties. Many people now prefer to use the telephone to seek help and advice. Data from the service shows that it attracts a wide range of clients from different backgrounds and with varying problems.

Further details on how the CLS Direct service operates in practice is set out further on in this document.

### **Further information**

For further information about the LSC we recommend that you visit the LSC website at [www.legalservices.gov.uk](http://www.legalservices.gov.uk)

### **THIS TENDERING EXERCISE**

We are inviting tenders for contracts for a pilot under which providers will give specialist family telephone advice (which includes casework) to clients referred to them from CLS Direct by an Operator Service<sup>1</sup>. The Operator Service will have already identified these referred clients as eligible clients.

The contract will authorise the providers to carry out specialist telephone advice in the family category of law in areas classified as Controlled Work. A definition of this can be found under the section ‘Level of service’ below.

---

<sup>1</sup> The Operator Service is the call centre operation that will answer all initial calls to CLS Direct, diagnose the client's problem, provide non-tailored legal rights information and where appropriate, pass clients onto providers.

The contract will authorise providers to advise clients for a specified maximum number of hours. We will pay providers for telephone advice monthly in arrears based on the hours worked and reports provided.

The purpose of providing specialist family advice via the telephone is to:

- address the need for increased access to family legal advice and services, especially targeting the socially excluded and vulnerable, who are not able to access family legal services through traditional routes e.g. victims of domestic violence; and
- increase the number of acts of advice and assistance within a fixed budget and deliver value for money.

The pilot will test how this can best be delivered and will:

- assess the potential demand for family legal advice over the telephone, as evidenced by calls of a family nature to the current CLS Direct telephone helpline, which will provide valuable information on any unmet need for family services; and
- establish the viability of increasing the scope of family work undertaken by CLS Direct.

### **Who we are looking to contract with**

This is an open tendering exercise and any organisation interested in providing the services may apply, providing they meet the selection criteria set out at the end of this document. Applicants do not need to have a current legal aid contract in order to apply. Organisations such as solicitors, commercial call centre organisations, not for profit advice agencies and other public bodies are invited to bid; tenders from all types of organisation will be treated equally.

Applicants will be required to ensure that they meet all the requirements necessary to be able to offer advice under the contract. For example, applicants must comply with the rules of their regulatory body and any applicable law – e.g. if you are employing solicitors to carry out any of the telephone advice, you must ensure you are not acting in breach of the Solicitors' Practice Rules, the Employed Solicitors' Code, charities legislation, etc.

### **Categories of law**

The pilot will cover specialist telephone advice in the area of family law only. No other categories of law are available for tendering at this time.

In order to meet the requirements of the Welsh Language Act 1993 and provide callers with information and advice in Welsh, we are also tendering for the provision of specialist telephone advice in family law from Welsh speaking caseworkers. Although these caseworkers need not be based in Wales, and could be elsewhere in the UK, they will need a good knowledge of issues relevant to Wales. Applicants may choose to tender for the Welsh-speaking service or not; it is optional.

### **Level of service**

We wish to enter into contracts with providers who are able to provide the full range of legal services (excluding representation in court) in the family category of law. The LSC funds several different levels of service. The work covered by this pilot is known as Controlled Work.

Controlled Work is the level of service that provides clients with initial advice and assistance with any legal problems, and includes giving advice, writing letters, negotiating with third parties and preparing a written statement if the client has to go before a court or tribunal. It does not include:

- advocacy or instructing an advocate in proceedings;
- issuing or conducting court proceedings; or
- the provision of mediation or arbitration.

We will shortly be consulting on proposed changes to the Funding Code, which is the document that sets out the definitions of the levels of service that we fund. This will be on our website from the end of February 2007. These changes will not impact on the scope of this pilot.

The service offered over the telephone by CLS Direct is equivalent to a full face-to-face casework service. A casework service involves taking action on behalf of clients in order to move a case on. This may include providing written information to clients and negotiating with third parties to achieve an acceptable outcome.

All the work is done over the telephone and in writing; caseworkers do not meet clients face-to-face.

The length of time providers spend advising clients on different cases will be monitored during the contract term. As an initial guide, applicants should refer to the category specific guidance for family in the General Civil Contract, which sets out the time we expect caseworkers will spend on various types of family cases:

[http://www.legalservices.gov.uk/docs/civil\\_contracting/general\\_civil\\_contract\\_july04.pdf](http://www.legalservices.gov.uk/docs/civil_contracting/general_civil_contract_july04.pdf)

The data collected from the pilot will be used to establish the average amount of time spent per client on providing specialist legal advice over the telephone for each type of family case.

The list of topics that may be covered by the specialist family telephone advice pilot are:

Advice and help on matters and all proceedings which arise out of family relationships, including proceedings in which the welfare of children is determined.

Also included are advice and help on matters and all proceedings under any one or more of the following:

- (a) the Matrimonial Causes Act 1973;
- (b) the Inheritance (Provision for Family and Dependents) Act 1975;
- (c) the Adoption Act 1976;
- (d) the Domestic Proceedings and Magistrates' Courts Act 1978;
- (e) Part III of the Matrimonial and Family Proceedings Act 1984;
- (f) Parts I to V of the Children Act 1989;

(g) Part IV of the Family Law Act 1996; and

(h) the inherent jurisdiction of the High Court in relation to children.

For the avoidance of doubt, the following matters/proceedings are also included within the category:

(a) advice and help in making a will where the client is the parent or guardian of a disabled person who wishes to provide for that person in a will, or of a minor living with the client but not with the other parent, and the client wishes to appoint a guardian for the minor in a will;

(b) proceedings to enforce any order made within family proceedings;

(c) proceedings under S20 or S27 of the Child Support Act 1991;

(d) proceedings under the Family Law Act 1986;

(e) proceedings under the Child Abduction and Custody Act 1985;

(f) proceedings under the Protection from Harassment Act 1997 or in assault and trespass where the proceedings are family proceedings and only an injunction and either no or only nominal damages are sought or where an application is made to vary or discharge an order made under section 5, and the proceedings are family proceedings;

(g) proceedings for an order under S106 of the Social Security Administration Act 1992, or under S43 of the National Assistance Act 1948;

(h) applications to enforce orders made in family/matrimonial proceedings under the Civil Jurisdiction and Judgments Acts 1982 and 1991;

(i) proceedings under S14 of the Trusts of Land and Appointment of Trustees Act 1996 where the proceedings are family proceedings;

(j) proceedings for or in relation to an affiliation order within the meaning of the Affiliation Proceedings Act 1957;

(k) proceedings under the Guardianship of Minors Acts 1971 and 1973;

(l) proceedings under the Maintenance Orders Acts 1950 and 1958;

(m) proceedings under Part I of the Maintenance Orders (Reciprocal Enforcement) Act 1972 relating to a maintenance order made outside the United Kingdom;

(n) proceedings under S30 of the Human Fertilisation and Embryology Act 1990;

(o) proceedings under S24 of the Social Security Act 1986;

(p) proceedings under S47 of the National Assistance Act 1948 (please note that proceedings under S47 of the National Assistance Act also fall within the Community Care category);

(q) proceedings under the Crime and Disorder Act 1998 for:

(i) a Child Safety Order or for a Parenting Order made in proceedings for a Child Safety Order,

(ii) an Anti-Social Behaviour Order or Sex Offender Order made in relation to a child, and any associated Parenting Order,

(iii) a Parenting Order made on the conviction of a child but only where the parent cannot reasonably be represented by the child's solicitor; and

(r) applications to the court to change the name of a child.

### **Delivering training**

We are looking for applicants who are interested in delivering training modules in family law to the Operator Service and producing/ updating the Case Handling System (CHS)<sup>2</sup> to enable the Operator Service to close enquiries, where appropriate, without referral to specialist caseworkers.

This work will be remunerated separately to the telephone advice but at the same hourly rate.

The initial training session would be provided one to two weeks before the pilot start date. There would then be further ongoing training sessions at regular intervals (to be agreed) on updates to any changes in the law or if it was identified that a particular area needed to be addressed. The training would be delivered in modules at the Operator Service's premises and would last for a minimum of three hours. The applicant would need to travel to the Operator Service to provide the training. Travel time may be claimed at the hourly rate bid for and reasonable travel costs and related disbursements will also be paid.

To ensure the legal information on the CHS is up-to-date, providers will be required to work with the Operator Service to regularly review the information articles about family law, highlight when changes in the law or procedures may affect this information, and work with the Operator Service to amend the information as appropriate.

Applicants must indicate on their Application Form whether they would be willing to provide this service.

### **Contract term**

We are inviting tenders for a 12 month contract, with the option of extending it by a further 12 months. The intended start date is the beginning of July 2007, but we may negotiate a later start date if appropriate. The contract will run for a period of 12 months from the start date.

---

<sup>2</sup> The CHS is the system used by the Operator Service to record information given by the client and find the most appropriate route for resolving the client's issue. It is based around a text-based search system that displays a set of referral options and a series of articles containing general information about the law and legal rights in certain areas of law. The Operator Service may use these articles to provide non-tailored legal rights information to the client as well as find appropriate outcomes for dealing with the client's issue.

## **Location**

Tenders are invited from applicants based in the United Kingdom, provided that they have the requisite expertise of the legal system in England and Wales.

Any organisation may tender to provide a Welsh-speaking service. However, applicants will need to demonstrate how they satisfy the Welsh language requirements. Caseworkers taking calls from Wales may also be required to take calls from England at times of high demand.

All the buildings/ premises used by providers to deliver the telephone advice service must comply with all the relevant Health and Safety at Work regulations.

## **Skills and experience of caseworkers and supervisors**

The service must be delivered by caseworkers and supervisors who are adequately skilled, trained and experienced in delivering advice in the family category of law.

We would prefer the service to be delivered by legally qualified caseworkers and supervisors – i.e. solicitors or legal executives (Fellows of the Institute of Legal Executives or FILEX). It may be that some applicants propose to use paralegals, trainee solicitors or other legal advice workers as caseworkers to deliver the advice. We will prefer applicants that propose to use the most qualified staff to provide the advice – i.e. we will prefer solicitors and legal executives as caseworkers to paralegals, trainees and other legal advice workers.

Regarding supervisors, we will prefer applicants that propose to use the most qualified staff to supervise the service – i.e. we will prefer solicitors and legal executives as supervisors to paralegals and other legal advice workers (trainee solicitors would not be acceptable as supervisors).

In addition, supervisors must be able to meet the category specific supervisor standards in the Quality Standards. The ratio of supervisors to caseworkers is an important factor in providing your service; we wish to be assured that there will be adequate supervision.

## **Quality**

Applicants who already hold an existing General Civil Contract with the LSC must comply with the Specialist Quality Mark in full and with the Additional Requirements and Definitions for Telephone Services<sup>3</sup>.

Applicants that do not hold an existing contract with the LSC will, in all probability, have their own quality standards in place, which they will set out in the Application Form, and must continue to comply with if they are awarded a contract.

The Quality Standards that all providers must adhere to throughout the contract term are published with this document. They include a supervisor declaration form, which must be completed by all supervisors as part of the application.

---

3

[http://www.legalservices.gov.uk/docs/quality\\_mark/SQM\\_Additional\\_Requirements\\_and\\_Guidance\\_for\\_Telephone\\_Services.pdf](http://www.legalservices.gov.uk/docs/quality_mark/SQM_Additional_Requirements_and_Guidance_for_Telephone_Services.pdf)

## Monitoring, reporting and performance reviews

Providers will be required to produce regular reports to enable the CLS Direct team to monitor both the use of the service and providers' performance. We will expect providers to take a proactive approach to reporting, and all reports should include analysis and projections.

Providers will be expected to provide the following reports monthly by email, in a format to be determined by us:

- Monthly performance reports showing the number of hours worked, and cases opened and closed;
- Reports on the outcomes of performance and quality reviews and client feedback - including feedback on the Operator Service, root cause analysis<sup>4</sup> and providing case studies of clients; and
- Monthly case report - a data extract from your case management system as an electronic file in XML format providing details of each client advised and the time spent advising them.

Full details of the reports required, with templates and guidance, will be provided at contract award stage.

We reserve the right to Peer Review advice given by providers' caseworkers during and/or at the end of the pilot term. Peer Review is a direct, independent assessment of quality of advice and legal work conducted by experienced peer practitioners. The process involves the assessment of files using a standard criteria and ratings system. Following consideration of the files using the criteria, an overall judgement on the quality of advice and legal work of that provider is made. Further information on Peer Review can be found on our website at [http://www.legalservices.gov.uk/civil/how/mq\\_peerreview.asp#what](http://www.legalservices.gov.uk/civil/how/mq_peerreview.asp#what)

## Technical requirements

Providers will be required to install and maintain relevant telephone equipment to interact with the CLS Direct telephony system. In addition, each Caseworker must have access to an individual direct line telephone and a computer with access to a named email account and the Internet, in particular, [www.clsdirect.org.uk](http://www.clsdirect.org.uk).

The Internet, via a secure channel, will be the transmission medium for case information transferred from the Operator Service to providers and all providers' IT infrastructures must support IPsec VPN (Internet Protocol security Virtual Private Network) connections as defined by the Internet Engineering Task Force (IETF).

The LSC is considering usage of voice over IP<sup>5</sup> in the future. When this is introduced, providers' IT infrastructures will need to support voice over IP as defined within the International

---

<sup>4</sup> Root cause analysis is looking at why you are getting so many cases on a particular element of law and making suggestions to change the cause of the problem.

<sup>5</sup> Voice Over Internet Protocol (VOIP) is a technology that enables you to make telephone calls using a broadband internet connection instead of an analogue telephone line.

Telecommunications Union (ITU) standards and the voice over IP connectivity must comply with the ITU H.323 series of standards. Providers' connections to the Internet must be of sufficient capacity and quality such that for the number of caseworkers providing the telephone advice, the additional data transfer must be possible whilst other, non CLS Direct, day to day business internet use continues.

Providers' infrastructures must provide adequate security, as the nature of the technical connection between the providers and the Operator Service would mean that a lack of security within a provider's network could cause a breach of security within the Operator Service, possibly leading to the discovery of sensitive personal information held about the callers to CLS Direct.

Providers' computer and telephony infrastructures will be required to connect and communicate with the computer and telephony infrastructures provided by the Operator Service (the Electronic Case Management System or "ECMS"). This will enable case records to be accessed and calls seamlessly transferred to and from the providers.

Providers will need staff in place to implement and maintain these systems and have suitable maintenance and back up systems available in the event of any problems with their telephone system/ equipment or IT so that they can be rectified within five days.

Providers will also need to maintain a backup copy of all of the CLS Direct data held on telephone advice clients advised. This data must be stored and transferred securely.

### **Working in partnership**

Successful applicants will be required to develop a partnership working approach with us, with all the specialist advice providers and the Operator Service, sharing ideas and suggestions for improving the delivery of CLS Direct. In any new contract there are likely to be initial problems with the delivery of the telephone advice - for example, in connecting the various elements together, transferring clients and information exchange. Providers will be expected to give feedback on elements that are problematic, together with suggestions as to how to resolve those issues.

We expect all providers to work together to create a seamless service for clients, to identify better ways of working and to initiate and implement ongoing improvements to CLS Direct. To achieve this, we expect to develop an open working relationship between all parties, where opinions can be voiced and ideas welcomed.

We are looking to contract with organisations that are prepared to work with us to provide added value to CLS Direct by telling us about the ways they can bring something to the relationship that adds value: e.g. identifying new opportunities for ways to benefit our business; infusing new skills, methodologies and capabilities in service delivery.

Providers will be required to attend liaison meetings with us and other providers from time to time. Time spent, and travel to, liaison meetings will not be paid for.

## **Payment**

Under the contract, we will pay providers monthly in arrears for the telephone advice hours they have carried out, as reported to us monthly on the 'hours worked report'<sup>6</sup>, the details of which are then set out in their monthly invoice.

Because we cannot guarantee demand for the service, the contract will offer a guaranteed minimum payment. If, which is exceptionally unlikely, providers do not have any telephone advice hours to invoice in any month due to a lack of incoming calls from CLS Direct, we will guarantee to pay them at the rate set out in their Price Bid Form for the first 6 months of the pilot – i.e. we will pay providers for a certain minimum number of hours @ their hourly rate for the first six months.

We will review providers' reports periodically to compare the total hours they have claimed and the total hours spent on the cases they have closed to see if they are roughly the same.

## **HOW THE CLS DIRECT SERVICE WORKS**

### **The Operator Service**

The LSC has developed the CLS Direct helpline to incorporate a new Operator Service level. The Operator Service was launched on 30<sup>th</sup> October 2006 and is being phased in gradually to answer all calls to the CLS Direct 0845 345 4 345 number and replace the automated IVR (Interactive Voice Response) menu system. The Operator Service will answer all calls to CLS Direct by the start date of this contract.

The operators within the Operator Service diagnose clients' problems; carry out the eligibility test; give non-tailored legal rights information; provide access to information delivered by other CLS Direct services (the website and information leaflets on the Internet via email and post) and external help line services; accept referrals from other services; and transfer clients on to specialist telephone advice providers, along with the client's case record.

Ineligible clients are not given access to specialist telephone advice but can receive up to 15 minutes' advice and information from the Operator Service. Eligible clients requiring specialist telephone advice will be referred to a provider by the Operator Service either transferring them directly through to a specialist telephone advice caseworker, or making an appointment or arranging a call back with a face-to-face service to ensure the client follows up the call with a visit to the appropriate service; the latter arrangement may not be in place for the start of this pilot. The specialist telephone caseworker is able to conduct up to two hours of advice under Legal Help before requiring a signed Legal Help form from the client, if further advice/casework is needed.

Where legal advice is not necessary or not the most appropriate course of action, operators will refer clients to other services such as Government helplines, counselling services or specific client support groups. Where possible, calls will be directly transferred out to these linked services.

---

<sup>6</sup> The 'hours worked report' means the electronic data providers will submit to us monthly showing the telephone advice hours carried out on open cases.

Callers from Wales are directed to Wales-specific providers due to differences of language and law.

Callers wishing to speak to either an operator or a specialist caseworker in languages other than English are advised through a three-way telephone interpreting service, currently provided by Language Line. Callers may also access the service through Typetalk, textphone (or another similar service).

### **Opening hours**

Caseworkers must be available to provide telephone advice within the opening hours of 9.00am to 5.00pm Monday to Friday, excluding public holidays.

### **Receiving calls**

To receive calls from CLS Direct, caseworkers log into a call plan by telephone or via the Internet. A call plan lists the telephone numbers for every caseworker working for each provider. Call plans exist for each category of law for the delivery of telephone advice in English, advice about Welsh law in English, and advice about Welsh law in Welsh.

With the exception of callers from Wales (see above), providers must accept any call from a caller/ client using CLS Direct, regardless of from where they are calling. No geographical restrictions apply. Callers will be routed to providers through a central non-geographical telephone number.

Management information provided by the call routing software will be used to monitor the times the caseworkers are logged into the system, the number and duration of calls from clients to caseworkers, and the client's telephone number.

### **Case management**

Providers will be required to access a web based ECMS (Electronic Case Management System) which will be maintained by the Operator Service. The ECMS has been designed to suit the demands of running a case file by telephone and will be able to record case notes, client details and other relevant information at the Operator Service level. The ECMS will contain details of the client's problem(s) and the action taken/ advice offered at the Operator Service level. Providers will need to import some of the client's data fields into their own case management system to record the remaining casework undertaken in each case. The Operator Service will work with the providers to automate/ set up this process. Providers may choose the system they use, provided it is able to generate the reports required.

### **Messages**

A message taker will be available for callers who have been dropped into a queue to speak to a caseworker when the queue is busy. Messages will be left on the answer phone centrally and must be checked by caseworkers the following morning and at intervals through the day – e.g. at 9.00am and 1.00pm, as these are the peak call times.

Caseworkers must ring in and pick up the messages and must then return calls on the day the message is picked up.

## **Branding and script**

Successful applicants will be expected to train caseworkers working within CLS Direct to answer the telephone under the CLS Direct brand and operate as part of the CLS.

A script will be provided as part of the contract to ensure that all providers answer the phone with consistency.

All promotion of the CLS Direct helpline and the family service will be carried out by the LSC.

The contract will stipulate that any communication sent out by providers under this contract must be co-branded with the CLS Direct logo and their organisation's logo. Providers' stationery and any emails sent must make it clear that liability remains with the organisation and not with CLS Direct. Further information will be distributed at contract award stage.

## **Balancing calls and casework**

Whilst making caseworkers available to receive calls referred to them, providers will also need to ensure that caseworkers are able to conduct the casework necessary to progress files in a timely manner. This will be a requirement of the contract. To manage this successfully, providers may want to consider creating a rota to ensure that (a) sufficient caseworkers are available to answer calls between 9.00am and 5.00pm; (b) calls to backdoor numbers (i.e. calls from existing clients) can be answered; (c) caseworkers have time set aside to undertake the casework needed to assist the client to resolve their problem; (d) call backs can be taken from the message taker; and (e) holidays and sick leave are covered.

To show how they would meet this contract requirement, applicants are required to demonstrate in their application how they would balance calls and casework.

This is a difficult balance to achieve, and the contract will require providers to monitor their service carefully and have a clear plan about how they deal with fluctuating demand daily, weekly and seasonally.

## **PUTTING TOGETHER YOUR TENDER – WHAT TO BID FOR**

We are seeking to let a number of contracts on the basis of purchasing a number of hours of telephone advice from providers. At the outset of the pilot we are looking to fund 4,264 hours of caseworker time over the 12 month term. We are looking for approximately four full time equivalent (FTE) caseworkers to deliver the service, though this figure may vary depending on the quality and price of applications received.

Applicants must indicate on their Application Form and Price Bid Form the size of their bid i.e. the number of telephone advice hours in family law they are looking to provide over the 12 month term. Contracts will be awarded on the basis of a number of telephone advice hours, not on the basis of numbers of caseworkers.

The caseworkers may come from a number of providers and could be full time or part time. We are not stipulating that applicants must submit a minimum bid – it is up to you. Applicants will, however, need to ensure that they are able to offer sufficient capacity to allow for caseworkers to

be away from the telephone (e.g. to take breaks, be on leave, work on casework) whilst still ensuring coverage of phone lines.

We are only looking for bids from organisations, not from individual caseworkers.

The Price Bid Form will ask you to state both the number of hours you are applying for and the minimum number of hours you would accept if we were to award you a contract.

### **Nature of current family calls into the CLS Direct Operator Service**

The data below demonstrates the breakdown of calls relating to family law into the Operator Service from the end of October 2006 to the beginning of January 2007.

There have been a total of 5,053 family-related calls from the end of October 2006 to early January 2007. This breaks down as follows:

Category of query:

- Divorce 23%
- Children (public law) 13%
- Children (private law) 10%
- Domestic violence 9%
- Relationship breakdown 17%
- Civil Partnerships Act 6%
- Other family 2%

The eligibility of callers was not assessed; the figures do not therefore show the likely volume of calls that would have been passed through to specialist family caseworker(s).

As this service is new, no further data on historical call volumes or likely call patterns is available at this time.

### **Size of bids**

As a guide, a caseworker (FTE/ full time equivalent) can deliver approximately 1,100 hours of claimable telephone advice per annum, and providers may wish to use this as a basis for establishing staff numbers. You should also bear in mind the need to be able to deal with the typical peaks and troughs in family work over the year.

Information on the size of your bid must be entered on both the Application Form and the Price Bid Form. Please note there is no minimum size for a bid.

It is possible that we may wish to expand providers' contracts in the case of increased demand for the service. You will, therefore, need to indicate on your Price Bid Form (a) how many of the total number of hours available you are bidding to provide; (b) how many hours you would be able to provide over and above that figure (if the need arose during the contract term); and (c) the hourly rate you would charge for providing any additional hours. The hourly rate you propose in your Price Bid Form will apply to any additional hours we may add on to your contract.

As stated above, we are looking to fund 4,264 hours of caseworker time over the 12 month term. This equates to approximately four full time equivalent (FTE) caseworkers. The LSC is unlikely to award all available contract hours to one applicant. We anticipate that we will award a maximum of four to five contracts, but this could change once we have assessed the applications.

## **Remuneration**

This is an open tender in which we are looking for competitive bids. There is no minimum or maximum hourly rate set for applicants to follow. However, applicants offering an hourly rate of over £50.00 per hour (excl VAT) are very unlikely to be successful, as this approximates to the current hourly rate for legal aid work.

Applicants must provide a detailed breakdown of their bid on the Price Bid Form to demonstrate that it includes provision for all overheads. Hourly rates will be fixed for the term of the pilot. The same hourly rate will be paid for providing telephone advice and delivering training to the Operator Service.

Disbursements will be paid for separately. The LSC will also pay for providers' outgoing calls related to the provision of telephone advice to clients. We will work with a telecoms operator to gain preferential rates on call minutes and providers must agree to sign up to these arrangements.

For the avoidance of doubt, the LSC will not pay any start up costs to successful applicants. We expect applicants to factor any start up costs into their hourly rate.

## **APPLICATION AND SELECTION PROCESS**

### **What we are looking for - Selection Criteria**

The criteria will we use to assess tenders are:

- exclusion or rejection for honesty and solvency issues (pass/fail barrier);
- economic and financial standing; and
- technical and professional ability ("best fit" for this contract).

The nature of the work means that we will be seeking to award contracts to those providers that are able to offer a quality service to clients through having skilled and experienced staff and effective supervision arrangements; that have the ability to be flexible in managing the service; that are committed to working with the LSC in developing CLS Direct; and that can offer value for money and have (where relevant) a good track record with the Commission.

All applicants are asked to firstly complete the Exclusion Criteria Form, which is a pass/fail test. We are looking for applicants who pass the honesty/ solvency test.

Applicants that are not excluded, having completed the Exclusion Criteria Form, should complete the Application Form.

We have split the selection criteria into two sections:

Section 1: essential criteria; and  
Section 2: desirable criteria.

Applications will be assessed against the essential and desirable criteria.

**Essential criteria** are those that any organisation bidding for a contract must be able to meet. The criteria in Section 1 are listed in order of importance in accordance with the weightings we will give each criterion on evaluation. Any bid that fails to meet the essential criteria will not be considered further. Further details are set out in the table “Selection Process” below at Stage 4.

Applicants that pass the essential criteria stage will go on to be assessed against the **desirable criteria**. These criteria are ‘desirable’ only. They are listed in order of importance in accordance with the weightings we will give each criterion on evaluation. Further details are set out in the table “Selection Process” below at Stage 5.

Section 3 asks for any additional information that applicants have not included elsewhere in the Application Form but which they think is relevant.

The various criteria will be tested through the questions set out in the Application Form and the Price Bid Form. The selection criteria are set out at the end of this document.

### **The Selection Process**

To apply, applicants must complete the Exclusion Criteria Form, the Application Form and the Price Bid Form. The application process is set out below.

If you cannot meet the requirements of Section 1 (essential criteria) please do not complete Section 2 (desirable criteria), as your application will not be assessed.

As stated, the selection criteria will be tested through the questions set out in the Application Form and the Price Bid Form. Applicants must read the selection criteria carefully and ensure that they address all the points listed in their answers.

**Important:** applicants must also read, and comply with, the **Conditions of Tender** (see below) when completing their application. It is possible that a high number of applicants will tender for these contracts, so it is crucial that applicants put together the best application they can, and comply with all the conditions, in order to be considered.

The selection process we propose to follow and the anticipated timetable for the tender process is set out in the table “Selection Process” below.

Please note that the following table reflects the time scales we hope to adhere to. These may be subject to change (see ‘Conditions of Tender’ below).

## Selection Process

Stage	Activity	Dates
Stage 1	Issue tender documents: <ul style="list-style-type: none"> <li>• Information for Applicants;</li> <li>• Exclusion Criteria Form;</li> <li>• Application Form;</li> <li>• Price Bid Form; and</li> <li>• Quality Standards.</li> </ul>	19 Feb 2007
Stage 2	Application forms received.  Price bids will be kept in a sealed envelope, not assessed at this stage.	Up to noon 30 <sup>th</sup> March 2006
Stage 3	Exclusion Criteria Form assessed (pass/ fail).  Applicants who fail the criteria will be notified in writing and the application will go no further – i.e. it will not be considered against the essential or desirable criteria.	
Stage 4	Applications assessed against Section 1 essential criteria (excepting price and value for money).  We will assess the extent to which applications have demonstrated compliance with each essential criterion as ‘unacceptable’, ‘poor’, ‘acceptable’, ‘good’ or ‘excellent’.  Short-listing of applications that best meet the essential criteria: we will compare the applications against others received and select those applications that best meet the essential criteria, on the basis of the information submitted in the application.  We will be very unlikely to short-list an application that was assessed as ‘poor’ or ‘unacceptable’ in one or more of the essential criteria as ‘acceptable’ is our desired minimum standard. Where applications are broadly comparable, we may distinguish between them with reasons, e.g. stating why we preferred one application to another on a particular criterion, even though both were broadly assessed as ‘good’.  We may choose to ask applicants supplementary questions if, for example, certain aspects of their application require clarification. (Note: this does not relieve applicants from complying with the Conditions of Tender).	Week commencing 2 <sup>nd</sup> April 2007

	Where Section 1's essential criteria are not met (i.e. 'poor' or 'unacceptable'), bids will go no further and unsuccessful applicants will be notified in writing. The application will not be considered against the desirable criteria.	
Stage 5	<p>Applications assessed against Section 2 desirable criteria for applicants meeting Section 1 essential criteria.</p> <p>We will assess the extent to which remaining applications have demonstrated compliance with each desirable criterion as 'unacceptable', 'poor', 'acceptable', 'good' or 'excellent'.</p> <p>We will also assess the information provided in Section 3, if any, in accordance with the above ratings.</p> <p>Short-listing of applications that best meet the desirable criteria: we will compare the applications against others received and select those applications that best meet the desirable criteria, on the basis of the information submitted in the application.</p> <p>We will be less likely to short list an application that was assessed as 'poor' or 'unacceptable' in one or more of the desirable criteria. Where applications are broadly comparable, we may distinguish between them with reasons, e.g. stating why we preferred one application to another on a particular criterion, even though both were broadly assessed as 'good'.</p> <p>We may choose to ask applicants supplementary questions if, for example, certain aspects of their application require clarification. (Note: this does not relieve applicants from complying with the Conditions of Tender).</p>	Weeks commencing 23 <sup>rd</sup> and 30th April 2007
Stage 6	<p>Sealed envelopes containing the Price Bid Forms are opened for the short-listed applicants.</p> <p>Applications assessed against the remaining Section 1 criterion – price and value for money – on the basis of 'unacceptable', 'poor', 'acceptable', 'good' or 'excellent'.</p> <p>Short-listing of applicants that best meet the price and value for money criteria, compared with other applicants.</p>	Week commencing 7 <sup>th</sup> May 2007
Stage 7	<p>If we consider it necessary or useful, we may invite some applicants to attend an interview/give a short presentation to a panel from the LSC. We would ask those applicants to be represented by individuals who can demonstrate their commitment to the contract and their expertise.</p> <p>Alternatively, members of the LSC's assessment panel may wish to undertake a site visit at an applicant's premises, and</p>	Weeks commencing 7 <sup>th</sup> and 14 <sup>th</sup> May

	<p>also conduct and interview / invite the applicant to give a short presentation.</p> <p>Where we do this, applicants will be notified by telephone no later than the Friday before if they are required to attend an interview or hold a site visit the following week. Where we invite applicants to give a presentation, we will circulate any questions we wish them to answer in advance.</p>	
Stage 8	<p>Selection of providers.</p> <p>After completion of all the interviews (if held), we will re-evaluate the short listed applications, taking into account any additional information obtained at interview, and interview performance.</p> <p>We will then carry out a final evaluation of the short listed applications against all the criteria and, applying a weighting of quality 60% and price 40%, will select those applicants that best meet the essential and desirable criteria overall. Contracts will not automatically be awarded to bidders offering the lowest price.</p>	Week commencing 21 <sup>st</sup> May 2007
Stage 9	Presentation to Tender Panel of the outcome of the tendering exercise and who the proposed successful applicants are.	Week commencing 21 <sup>st</sup> May 2007
Stage 10	<p>Award of contracts. Offers sent out to successful applicants will be 'subject to contract'.</p> <p>Unsuccessful applicants notified.</p>	Week commencing 21 <sup>st</sup> and 28 <sup>th</sup> May 2007
Stage 11	Contracts drawn up for signature <sup>7</sup> .	Week commencing 28 <sup>th</sup> May 2007
Stage 12	Contract start date.	2 July 2007

A panel of four assessors within the LSC will assess the bids (the "Assessment Panel"). Once the Assessment Panel has drawn up its list of proposed successful applicants, it will present its proposals to a higher panel (the "Tender Panel"), which will decide whether to accept, reject or modify the Assessment Panel's proposals. The Tender Panel will comprise of one LSC Commissioner and two members from the Commission's Executive Board.

If contracts are awarded, awards will be based on the detailed evaluation of all of the selection criteria set out at the end of this document, and contracts will be awarded to those applicants who best satisfy the selection criteria as such criteria are weighted by us.

<sup>7</sup> The contract will include terms based on the tender documents and the successful applicants' Application Forms, along with other standard terms from the current CLS Direct contract.

Unsuccessful applicants will be given full written reasons as to why they were unsuccessful. There will be no right of appeal following receipt of this information.

### The Application Process

You will need the following documents:

- Information for Applicants;
- Exclusion Criteria Form;
- Application Form;
- Price Bid Form; and
- Quality Standards (containing the 'supervisor standard and self-declaration form' at Annex A).

You must return to us **hard copies** of all of the following documents:

Document	Number of copies
Completed Exclusion Criteria Form.	1
Completed Application Form – with any attached pages numbered sequentially – e.g. 1 of 6.	4 (3 bound copies and 1 unbound copy)
Completed Price Bid Form - in a sealed envelope with your details clearly marked on the front.  Please ensure your Price Bid Form is not referred to elsewhere.	4 (3 bound copies and 1 unbound copy)
Solicitors firms and commercial organisations only – audited accounts for the last two years.	1 of each
Not for Profit organisations only – funding matrix, last set of accounts and your Annual Report (if you have one).	1 of each
Other supporting documentation requested in the Application Form: <ul style="list-style-type: none"> <li>• Current professional indemnity insurance certificate</li> <li>• One bank reference</li> <li>• One credit reference</li> <li>• Training and induction plan for caseworkers and supervisors</li> <li>• Supervisor standard and self-declaration form for each supervisor</li> </ul>	1  1  1  4 (3 bound copies and 1 unbound copy)

Responses must be submitted in English and be word-processed for ease of reading. They should have sufficient spacing to allow those evaluating responses to annotate copies and be printed single-sided.

You must **also** submit a copy of some of the information on **CD**, namely:

- Exclusion Criteria Form;
- Application Form (and supporting documents);
- Price Bid Form; and
- Training and induction plan for caseworkers and supervisors.

There will be an opportunity for applicants to ask questions before they decide whether to submit a tender. Questions must be sent to the LSC in writing to [fiona.dagenais@legalservices.gov.uk](mailto:fiona.dagenais@legalservices.gov.uk) before **12 noon on Friday 2<sup>nd</sup> March 2007**. We will consider the questions and post our answers on the LSC website at

[http://www.legalservices.gov.uk/civil/tendering/clsdirect\\_family\\_pilot.asp](http://www.legalservices.gov.uk/civil/tendering/clsdirect_family_pilot.asp) on **Wednesday 14<sup>th</sup> March 2007**. Applicants should visit our website for the answers on that date; we will not respond to applicants individually. All questions must be submitted on the basis that the questioner agrees to them being published (anonymously). The answers will be available to all applicants as part of the tender process and we would advise all applicants to review the questions and answers section on the website, prior to finalising your tender.

**The tender closing date is 12 noon on Friday 30<sup>th</sup> March 2007**. We must receive completed applications before 12 noon on the day. Unless there are exceptional circumstances (e.g. fire or accident), late applications will not be accepted.

Applications should be delivered by hand or sent by recorded delivery/ guaranteed post, normal post or DX, but not by fax. If you send your application by normal post or DX, please note that this is at your risk, as there is no guarantee we will receive it.

All applications, however sent, must be marked "Family CLS Direct Pilot Tender – Private & Confidential - for the attention of Fiona Dagenais" and returned to:

Fiona Dagenais  
Civil Policy – Family  
Legal Services Commission  
4<sup>th</sup> Floor  
Roger Street  
London  
WC1X 2JL                      or DX 328 Chancery Lane/London

It is your responsibility to telephone us on 020 7759 1118 to check we have received your application, however it was sent. We are not responsible for any failure of post or DX. Please note that we will not acknowledge receipt of any applications in writing. Please do not assume we have received your application until you have telephoned us and we have confirmed receipt.

### **Bidding for more than one contract and sub-contracting**

An applicant may only bid for one contract in this tendering exercise. Organisations are not permitted, for example, to submit one tender in their own name and another tender naming

themselves as a sub-contractor for another organisation. An organisation may submit and be involved in only one tender.

The contract will prohibit providers from sub-contracting work to anyone outside their organisation – i.e. the advice can only be given by staff employed by that organisation.

## **FREEDOM OF INFORMATION ACT 2000**

Applicants should note that under the Freedom of Information Act 2000 (“the Act”), we may be required to disclose details of your application to third parties, either during or after the tender process. This may include prices and other information that you provide. We can only withhold information where it is covered by a valid exemption as set out in the Act. If you are concerned about possible disclosure you should clearly identify the specific parts of your application and supporting documentation that you consider commercially sensitive or confidential (within the meaning of the Act), the harm that disclosure may cause and an estimated timescale of that sensitivity. You should be aware, however, that the receipt by us of information marked confidential does not mean that we accept any duty of confidence in relation to that marking. Neither do we guarantee that information identified by you will not be disclosed, especially where the public interest favours disclosure. It is important to note that the sensitivity of information is likely to change over time and therefore it is likely that general contract details would be disclosed once the selection process is complete. Where possible, we would consult with you before any disclosure was made.

## **CONDITIONS OF TENDER**

Note: in these Conditions of Tender, “Application Form” means both the Application Form and the Price Bid Form (and any supplementary form that may be introduced during the tendering exercise).

1. Tenders will be received until 12.00 noon on the tender closing date. No tender will be opened until after that time. We will not consider any tender submitted in a different manner. We will not consider any late responses nor will we consider requests for extension of the time or date fixed for the submission of responses. We may, however, in our own absolute discretion, extend the time or date fixed for submission and, in such an event, we will notify all applicants accordingly.
2. All applications shall be signed by a duly authorised director, partner or designated member of the applicant. The details contained in each applicant’s response may be specified in any future contract or may form an appendix to that contract. Applicants should therefore make sure that their responses are authorised at an appropriate level which would enable them, should they be successful, to become the subject of a binding contract.
3. We reserve the right to amend the tendering rules, the tendering process/procedure and/or the selection criteria, at any time in writing (a) before the tender closing date, by giving general notice on our website at [www.legalservices.gov.uk/civil/tendering/clsdirect\\_family\\_pilot.asp](http://www.legalservices.gov.uk/civil/tendering/clsdirect_family_pilot.asp), or (b) after the tender closing date, by giving general notice in writing by email (to the email address provided on the Application Form) to all applicants who have submitted tenders, and who are still

being considered in the tender process. An amendment could include, for example, inserting additional stages in the process (such as asking supplementary questions), changing our requirements or adding new requirements.

4. Where we refer to asking applicants supplementary questions during the tendering process, please note that we would not intend to ask such questions where, for example, an applicant has not answered every part of every question in their Application Form.
5. It is the obligation of applicants to make sure that their Application Form is fully and accurately completed and accompanied by the appropriate documents. We are under no obligation to contact you to clarify your application or to obtain missing information or documents. It may not be possible to consider a tender if incomplete information is given at the time of tendering, or if any particulars and data asked for in the Information for Applicants or Application Form are not provided in full.
6. We reserve the right to take into account any knowledge of an applicant that we may have, but applicants should not assume that any such information will be taken into account and should restate it on their Application Form if they consider it relevant. For applicants that hold a current General Civil/ Criminal Contract, we may corroborate the information given on your Application Form with your regional office. For applicants that hold a current CLS Direct contract, we may corroborate the information given on your Application Form with the CLS Direct team.
7. You are required to reply to all questions on the Application Form, even if you have previously provided this information or if you think we are already aware of it (e.g. if you hold an existing contract with us). This is to ensure that we can compare each application and applicant in a fair, like-for-like and reasonable manner. If a question is similar to a question included elsewhere in the Application Form, you should repeat your response and expand upon it where necessary.
8. We may request applicants to give additional information/clarification at any time during the tender process. You should be prepared to discuss any aspect of your response with us.
9. The information supplied by you will be used for the purpose of evaluating your response to this tender and for no other purpose.
10. After evaluation is complete, we will retain copies of all responses to satisfy our audit obligations and for other purposes.
11. If you have previously applied for a telephone advice contract within CLS Direct, this application will be treated as a fresh application.
12. This tendering exercise does not constitute a binding contract.
13. We reserve the right to cancel this tendering exercise at any time at our absolute discretion.
14. We reserve the right not to award any contract relating to this tendering exercise; we are under no obligation to accept any tender. However, if we do award a contract, this

Information for Applicants, the Application Form and documents submitted as part of the application, will form part of the contract for the successful applicants.

15. Tenders are submitted on the conditions stated in this Information for Applicants. Tenders submitted subject to additional or alternative conditions may be rejected on the grounds of such conditions alone.
16. By submitting a tender, you are agreeing to be bound by the terms and conditions in any contract you may be awarded.
17. Tenders must be exclusive of any VAT chargeable.
18. Figures must not be altered or erased. Any alteration of prices, etc. must be made by striking through the incorrect figures and inserting the correct figures above the original figures. The applicant must initial all such alterations.
19. There will be no right of internal appeal for unsuccessful candidates.
20. Applicants will be responsible for and bear all of their own costs, liabilities and expenses which may be incurred in the preparation of their responses or any subsequent tender negotiations, regardless of whether a contract is awarded.
21. All intellectual property rights in these tender documents (the Information for Applicants and all documents referred to in the Information for Applicants) are and shall remain our property.
22. The information contained in the Information for Applicants is subject to constant updating and amendment in the future. It does not purport to contain all of the information which an applicant may require. While we have taken all reasonable steps to ensure, as at the date of this document, that the facts which are contained in this document are true and accurate in all material respects, we do not make any representation or warranty as to the accuracy or completeness or otherwise of this document, or the reasonableness of any assumptions on which this document may be based. All information supplied by us to applicants, including that within this document, is subject to applicants' own due diligence. We accept no liability to applicants whatsoever resulting from the use of this document, or any omissions from or deficiencies in this document.
23. Applicants should note that any quantities or volumes contained in the Information for Applicants are for indicative purposes only and any future quantities or volumes may vary from those stated.
24. It is your responsibility to obtain at your own expense all additional information necessary for the preparation of your response to the tender documents. No claims of insufficient knowledge will be entertained.
25. We may use the information included in your response for any reasonable purpose connected with this tendering exercise. In particular, once you have been excluded, we reserve the right to use any ideas contained in your bid in any ongoing discussions with other applicants, but we undertake not to reveal the identity of the provider of such ideas.

26. Applicants are requested not to contact us during the tender assessment period. When you receive notification of the evaluation of the tenders, you may contact our representative dealing with the tender for a debriefing.
27. Any applicant who directly or indirectly canvasses any employee of the LSC concerning the award of the contract(s) will be disqualified.
28. All applicants are recommended to seek their own financial and legal advice.
29. Confidentiality

Applicants must treat the tender documents (the Information for Applicants and all documents referred to in the Information for Applicants) as confidential. These documents are issued solely for the purpose of enabling a tender to be completed and may not be used for any other purpose. Applicants shall ensure that all third parties to whom disclosure is made shall keep the tender documents confidential and not disclose them to any other third party except as set out above.

30. Applicant changing its status

If, between submitting your tender and being awarded a contract, your organisation changes its status in any way from that named in the Application Form, (e.g. from a partnership to a limited liability partnership or a limited company), we reserve the right to decide whether to award a contract to the new organisation. Any decision would be solely within our discretion. You must inform us immediately of any such change in writing. For these purposes, a change in more than one-third of the membership of a partnership is a change of status, as is an organisation merging with another, splitting off or being sold to another. These are all factors we would wish to consider when evaluating the tenders.

An applicant must notify us immediately in writing if any of the details set out on its Application Form change in any way after the tender closing date has passed. If the selection criteria are no longer met as a result of the change, the application will be unsuccessful.

We reserve the right to revoke any contract award to any applicant who fails to inform us of such a change.

## SELECTION CRITERIA

<b>SECTION 1 – ESSENTIAL CRITERIA</b> <b>Please note these are listed in order of importance</b>	
1	<p>Experience of managing and delivering a telephone advice service offering complex legal advice in the family category of law (including taking details of the problem, discussing options and advising on potential courses of action) to:</p> <p style="padding-left: 40px;">(a) vulnerable client group(s) ; <u>and</u>            (b) clients eligible for legal aid; <u>and</u>            (c) clients whose form of access to such advice is by the telephone.</p> <p><i>Please note that we will prefer applicants who can meet all three elements of (a), (b) and (c) to applicants who can only meet one or two elements. Each element will be assessed.</i></p>
2	<p>Availability of:</p> <p style="padding-left: 40px;">(a) suitably skilled, experienced and trained caseworkers to deliver the telephone advice (including casework); <u>and</u></p> <p style="padding-left: 40px;">(b) suitably skilled, experienced and trained supervisors to supervise the caseworker’s work (i.e. they must meet the supervisor standards set out in our Specialist Quality Mark)</p> <p>in family law.</p> <p><i>Both caseworkers and supervisors must be able to provide family advice across the full range of family problems as set out in the section ‘Level of service/ topics’ in this document.</i></p> <p><i>We would prefer the service to be delivered by legally qualified caseworkers and supervisors – i.e. solicitors or legal executives (Fellows of the Institute of Legal Executives or FILEX). It may be that some applicants propose to use paralegals, trainee solicitors or other legal advice workers as caseworkers to deliver the advice. We will prefer applicants that propose to use solicitors and legal executives as caseworkers to paralegals, trainees and other legal advice workers.</i></p> <p><i>Regarding supervisors, we will prefer applicants that propose to use solicitors and legal executives as supervisors to paralegals and other legal advice workers (trainee solicitors would not be acceptable as supervisors).</i></p>
3	<p>Quality of advice – all applicants must be able to provide telephone advice in accordance with the Quality Standards <u>and</u>:</p> <p style="padding-left: 40px;">(a) existing LSC contract holders must hold the SQM in Family <u>and</u> comply with the Additional Requirements and Definitions for Telephone Services;</p>

	<p>(b) applicants that do not currently hold a LSC contract must be able to provide:</p> <ul style="list-style-type: none"> <li>(i) evidence of an externally validated quality management system, e.g. ISO 9001:2000, Lexcel, Investors in People, Charter Mark; <u>and</u></li> <li>(ii) details of how you measure and monitor the performance of similar services you currently provide; <u>and</u></li> <li>(iii) details of current procedures for ensuring quality services are provided and how you ensure that standards are maintained in those procedures.</li> </ul>
4	Ability to demonstrate value for money through competitive hourly rates.
5	Ability to meet the IT requirements set out in the 'Technical requirements' section of the Information for Applicants.
6	<p>(a) Applicants who do <u>not</u> hold a current LSC contract only (e.g. commercial organisations/ potential new providers):</p> <p>The ability to meet any regulatory or legal rules. For example, if you are employing solicitors to provide any element of the services, you will need permission/ freedom to deliver advice as regulated by Rules 4 and 7 of the Solicitors' Practice Rules 1990 and the Employed Solicitors Code 1990. In this example, we would require sight of your waiver from The Law Society.</p> <p>(b) NFPs/registered charities only:</p> <p>The ability to comply with (or amend) any rules or restrictions laid out in your constitutional documents.</p>
7	<p>Ability to demonstrate flexibility in terms of expansion and management of staff by:</p> <ul style="list-style-type: none"> <li>(a) expanding the contract to deliver a greater number of hours of family telephone advice at a future date, in the case of higher than forecast demand for the service; <u>and</u></li> <li>(b) effectively managing resources in a controlled and reasonable manner so as to allow the service to respond to peaks and troughs in call volumes; <u>and</u></li> <li>(c) rapidly increase the number of caseworkers available to give family telephone advice during occasional or sustained peak times.</li> </ul>
8	Willingness to deliver this service under the CLS Direct brand.
9	Willingness to deliver training modules in family law to the Operator Service and to produce and update the Case Handling System.
10	For those bidding to provide a service in Wales, the ability to provide a full telephone advice service in Welsh and with knowledge of Welsh procedures.

<b>SECTION 2 – DESIRABLE CRITERIA</b> <b>Please note these are listed in order of importance</b>	
1	Experience of managing a dedicated telephone line delivering advice over the telephone and not just e.g. responding to ad hoc queries requesting advice.
2	Your caseworkers and supervisors have experience of delivering family advice over the telephone.
3	Financial stability and sound financial management of the applicant organisation.
4	The ability to work in partnership with the LSC and the Operator Service - e.g. by testing new ways of working, striving to continuously improve CLS Direct, participating in new initiatives and finding new ways of adding value - so as to increase the value for money and client satisfaction.
5	Ability to demonstrate that the number of caseworkers (and supervisors) you propose to deliver (and supervise) the telephone advice hours you are bidding for is reasonable and will enable you to adhere to all the contract requirements, such as quality standards.
6	Ability to make the service operational by 2 <sup>nd</sup> July 2007 (e.g. availability of qualified staff, supervision and accommodation).
7	Clear plans and policies in place relating to staff induction and ongoing training.
8	The ability to fit this contract in with other work and the availability of other work streams, allowing caseworkers and supervisors to keep up to date with the law by conducting casework and attending training courses in family law.
9	The caseworkers are able to identify other problems the client may have and know when and how to refer them on to another service.  <i>Research has shown that family problems often occur in clusters, i.e. where there is a relationship breakdown there are often debt and/or housing issues. Caseworkers must be able to identify these problems and refer these clients on to other CLS services.</i>
10	If you are proposing to provide the telephone advice from more than one location, the ability for all your caseworkers and supervisors to work as if they were on one site (e.g. access to files, telephony systems in place).
11	Ability to report all the data outlined in the section 'Monitoring, reporting and performance reviews' in this document.
12	For existing and previous LSC contract holders only: you have not received a termination notice from us since 1 February 2004 (such a notice is relevant even if you are in the appeal process).

13	For existing LSC contract holders only: you have not received any adverse findings from any Peer Review carried out on any of your work in the last 12 months (an adverse finding means a rating of PR4 or PR5 – ‘Below Competence’ or ‘Failure in Performance’). If a Peer Review has rated you as PR4 or PR5, you must be able to provide evidence to show that corrective action has been taken and problems rectified to our satisfaction.
14	For not for profit organisations that have an existing LSC contract only: you have shown acceptable levels of contract performance since 1 February 2005 – i.e. you have performed 95% + hours of your contracted hours.
15	Commitment to providing access to (a) disabled clients and (b) clients with poor or no English.
16	<p>Applicants that do not hold a current LSC contract:</p> <ul style="list-style-type: none"> <li>• have a corporate social responsibility statement in place and an effective record of meeting it; <u>and</u></li> <li>• comply with all necessary race/ sex/ disability discrimination/ employment legislation.</li> </ul>