

## **Family CLS Direct pilot Tender Question and Answers**

The closing date for submitting questions was Friday 2<sup>nd</sup> March. All questions received during the tender process have been published in this document.

**Q1. If the pilot is a success and the service continues would there be another tender for the future service?**

A1. We have never delivered specialist family legal advice over the telephone. This pilot will be assessing the demand for such a service and the quality of the outcomes achieved for the telephone clients. If the pilot is successful, we may use the option of extending the pilot contracts further by up to 12 months. Should we wish the service to continue after this point, we will run a tendering exercise for future contract(s).

**Q2. I am writing in connection with the above named pilot and wish to raise a query in relation to the figures that have been included in the information for applicants. On this the numbers of calls which have a family element between end October and early January was 5,053. Given that this is roughly a 2-month period this would equate to 30,318 calls with a family element per annum. You have also stated that the number of hours that you are looking to purchase is 4,264.**

**If we work on the basis that only 50% of clients that call the advice line would be considered eligible and therefore would get past the triage provided by the operator service then this would leave approximately 15,000 cases which would need to be dealt with in 4,264 hours.**

**This would mean that on average a client could expect to receive advice for on average 18 minutes. Within this average all the required records to comply with the requirements of the SQM would need to be collected.**

**Can you confirm that the figures in the information for applicants are correct and if so what are the LSC's assumptions regarding the number of clients that would be referred to the service? Is the LSC proposing that all diagnostic work and follow up work be conducted within 3 units on average per case?**

A2 . The 5,053 calls quoted in the Information for Applicants document were made to the Operator Service, and received over a period of 9 weeks. Assuming this volume of calls is representative, this would equate to 29,195 family-related calls per annum being made to the Operator Service.

These calls would include clients requiring information, details of advice agencies or solicitors, or wishing to order a CLS Direct information leaflet. The 5,053 calls quoted were also from a combination of eligible and ineligible clients – no data is available on the breakdown of callers' eligibility.

Calls that will be put through to specialist advisors will need to meet the following:

- a) be eligible for legal aid;
- b) have a family matter that does not require obvious immediate face to face advice (i.e. where there is risk of harm, where it involves a public law children matter); and
- c) require specialist *legal* advice.

We have estimated that 10% of callers to the Operator Service with a family related matter would meet the above criteria for needing (and being suitable for) telephone specialist family legal advice. This equates to some 2,920 calls per annum (or 243 per month). Over the course of the pilot, with publicity and increased awareness of the family telephone service, this estimated call volume is likely to rise. Applicants should consider how many additional hours they might be able to deliver in order that we can scale up if call volumes demand increased cover, and include details in their Application Form and Price Bid Form.

**Q3. Essential criteria 1 - "experience of managing and delivering a telephone advice service in the family category of law...":**

**a) does this mean that only bodies with experience of managing etc. a service comparable to CLS Direct are eligible, or does having delivered advice to clients by tel. from time to time, in addition to face to face and written advice, as a solicitors firm count? Would experience of delivering advice by telephone as a volunteer and being on the committee of a voluntary telephone advice group count?**

**b) We are part of CLS Direct offering telephone advice in welfare benefits, debt and housing, however this does not include family law. Does this mean that our tender will fail as 'any bid that fails to meet the essential criteria will not be considered further' (p.15)?**

A 3a - We are looking for providers who have experience of managing and delivering a telephone advice service offering complex legal advice in family law. This experience does not need to be through a 'standalone' telephone advice service, but can be through the provision of advice by telephone, which is supported by face-to-face and written advice. However, to meet this criterion, applicants will need to demonstrate that the telephone advice given included taking details of the problem, discussing options and advising on potential courses of action, all by telephone.

In addition, by asking for experience of managing and delivering a telephone advice service over the last 2 years, we are looking for organisations that have experience of the 'soft skills' required to deliver advice over the telephone. This includes experience of dealing with difficult calls and/or difficult callers; the ability to manage resources to cover the conflicting demands of new callers, repeat callers and follow-up work; and being able to offer the flexibility required to meet the constantly changing demands of a telephone service.

A3b – Applicants will need to demonstrate that they meet all of the Essential Criteria to be considered any further. Essential Criterion no. 1 does require experience of managing and delivering a telephone advice service in the family category of law.

**Q4 a) It seems that the size of the contract to be bid for is small, in essence funding will only be awarded for 1 caseworker, is this correct? Why is the contract so small when economy of scale is really the only way to make the project profitable?**

A4 a) The pilot is looking to provide 4,264 hours in the first 12 months, equivalent to approximately 4 FTE caseworkers (see pages 13-14 of the Information for Applicants). The Information for Applicants states that we are unlikely to award one contract and anticipate awarding no more than four or five contracts, although this could change once we have assessed the applications received.

The size of the contracts let depends on the bids received and their assessment against the criteria – it may be that two bids best meet the criteria and, therefore, those providers are contracted to provide the 4,264 hours between them. We have deliberately left open the question of how many contracts we will award in order not to exclude applicants that may only be able to offer the equivalent of one FTE caseworker.

As CLS Direct has not delivered specialist family legal advice over the telephone before, we have no evidence base to work from. We are, therefore, initially launching a small-scale pilot to test out the demand for this service, and may increase the volumes of hours contracted in case of increased demand for the service. Applicants should therefore demonstrate their ability to provide an increased number of hours in their Application Form and Price Bid Form (see Essential Criterion no. 7).

**b) It will be very difficult to make the project viable if we must allocate a senior, experienced family lawyer who can deal with complex areas of family law across the board at a rate of less than £50 per hour.**

A4 b). The Information for Applicants document (p7) states that we would **prefer** (bold has been added here for emphasis) the telephone advisor/caseworker to be a solicitor or legal executive (FILEX), but we accept that some applicants may propose to use paralegals or trainees.

With regards to senior solicitors, we have stated that we will **prefer** (again, bold added here for emphasis) applicants that propose to use more senior levels of qualified staff as supervisors.

Applicants must, therefore, decide upon the level of experience of advisors and supervisors that they propose to use, considering the above, and the fact that bids of more than £50 per hour (excl VAT) are unlikely to be successful.

**Q 5 a) Can you please clarify, for all telephone legal advice, whose client the enquirer will be?**

**A5a.** The CLS Direct helpline provides factual information and identifies the best referral options for callers to the service. The helpline is responsible for *delivering* callers to the specialist providers under the telephone advice contracts. Once the specialist advisor takes a call from CLS Direct, the caller becomes their client and the advice given under this contract will be delivered on behalf of CLS Direct. The specialist advisors will be employees of the provider awarded the contract and not of Community Legal Service Direct.

When speaking to clients, specialist advisors will be required to confirm the name of their organisation and that the advice is being given on behalf of Community Legal Service Direct. Guidance on possible scripts and branding of communication with clients will be provided at contract award.

**b) If they are the client of the firm then we could potentially be required to complete our entire client set up process, which would include money laundering information and a considerable administrative burden. In general, what information would be expected to be taken from the enquirer and would the LSC pay for the administration involved?**

A5 b) As stated above, once the specialist advisor takes a call from CLS Direct, the caller becomes their client. The LSC expects the contracted specialist providers to undertake a full family casework service for these clients (insofar as telephone and postal contact allows for any individual matter), in the same way that they would for any other client. This assumes that the specialist provider will undertake any normal client set-up process.

Page 3 of the Price Bid Form outlines all the elements that should be considered in the hourly rate when submitting a bid.

**Q 6. What scope is there to pick up referrals for non-telephone casework? If only 4 or 5 contracts are to be awarded can the Commission confirm that any referrals for face-to-face casework would primarily be directed to the other providers in the pilot who are most geographically suitable?**

A6. Telephone calls to the specialist advisors may come from anywhere in England or Wales (in the case of the latter, where the client requires a Welsh speaker, these calls will go to providers offering a Welsh language specialist).

The likelihood of a caller being in the local area to the specialist provider is, therefore, slim. If a caller lived in the specialist provider's local area (and needed to be signposted or referred to face-to-face advice), then they could be referred to the specialist provider's firm. In this case, the telephone advisor may/ may not act as the face-to-face advisor for that client; they could, if they were, for example, part-time telephone advisor and part-time face-to-face provider, and the client was advised under their face-to-face contract. In all other cases, the client must be signposted or referred to their most local face-to-face provider(s).

**Q 7. Would a bid be accepted to only deliver the training and development of the case handling system?**

A7. No, we are looking for the operator service training and the development of the case handling system to be delivered by one/more of the specialist providers.

**Q 8. At page 6 of the document *Information for Applicants*, reference is made to Training. On the basis it is anticipated that the LSC will award more than more contract during this Pilot and on the assumption that more than one successful applicant will offer training – what criteria will apply to the selection of Trainers? Will each successful bidder who has offered to provide training be offered a set number of hours or will it be permissible to train in association with other successful bidders?**

A8. If, for example, three contracts were let for the specialist telephone advice, and all three applicants had bid for the full amount of the training, we would look at the applicants' respective hourly rates, and consider where we would achieve best value for money on the training.

**Q 9. Reference is made at page 8 of the *Information for Applicants* document to providers being required to install and maintain *relevant* telephone equipment to interact with the CLS Direct telephony system. Could you please supply details of the CLS telephony system so we can assess the suitability of current equipment and cost any applicable upgrades. Please also provide details of the level of required integration.**

A9. The level of interaction is minimal; calls are transferred from the Operator Service into a queue which attempts to connect with DDIs listed in the queue module

The level of interaction is minimal; calls are transferred from the Operator Service into a Call Plan which attempts to connect with dedicated direct line telephone numbers listed for Family advice.

In order to receive new calls and deliver Telephone Advice, you will need to provide us with the telephone numbers you wish to log in to the Call Plans. These are the telephone numbers you intend to use to provide the Telephone Advice

**Q 10. Please advise as to the exact nature of information that will be sent over the VPN so we can properly assess the security aspect. Will full access to the Provider's service be necessary or will it be acceptable to set up a restricted access site dedicated to the Telephone Advice Service?**

A10. Providers do not need full access to the Operator Service system. The Operator Service will provide the necessary system. Providers only need to access the system via an agreed method, either VPN (Virtual Private Network) or password protected website, and will view a sub set of the full case record. This will include:

- Case Reference Number
- Name
- Address
- Nature of problem
- Category of law
- Outcome

In addition, there is a separate web based system that calculates and records financial eligibility for Legal Aid. Providers will also access this system.

**Q 11. Please provide details of the Electronic Case Management System referred to – will this system need to be integrated with the Provider's system and again please specify what level of integration is required.**

A11. The Electronic Case Management System is a bespoke system maintained by the Operator Service. It will **not** be integrated with the provider's system. Providers will access it via a password protected website to view a sub set of the full case record.

Providers will also be able to set a flag that indicates they have viewed the case and select the action that they have followed from a predefined list.

In the future it is planned to provide an XML feed of a case data from the ECMS. This would be carried out in full consultation with providers to ensure compatibility.

Extensible Markup Language (XML) is a standard for creating markup which describes the structure of data. It provides a flexible way to create common information formats and share both the format and the data via the Internet.

**Q 12 a) The documentation refers to the possible introduction of voice over IP *in the future* please provide details as to the earliest possible introduction date that is envisaged.**

**b) Further, in respect of voice over IP – will it be acceptable to use SKYPE.**

A12 a) There is no date set to implement this. We are currently investigating how best to utilise VOIP technology. To ensure that providers are in a position to implement future proposals providers' IT infrastructure must support voice over IP as defined within the International Telecommunications Union (ITU) standards.

A12 b) Once a proposal to implement VOIP has been drafted a full consultation with providers will be undertaken. Until then it is not possible to rule any one particular technology in or out.

**Q 13. Please clarify the way in which calls will be allocated. It is presumed that the bid for specific hours (at page 11 of the said document) will be allocated by the LSC and it is further presumed that you manage all calls received in your allocated hours and that calls that you cannot answer fall to an answer service rather than being re-routed to another provider. Please confirm.**

A13. All calls referred by the Operator Service to the specialist telephone advisors will be dropped into a category-specific queue (so that, for example, callers requiring welfare benefits advice are not routed to the family specialist advisors). Where the queue is busy, clients will be given the option to leave a message and be called back. Calls will be allocated equitably to telephone lines logged into the relevant call plan, based upon a system of 'longest wait'. All providers are required to accept any call referred by the Operator Service, regardless of where the client is calling from.

The message taker is held centrally and it is the advisor's responsibility to log into it and pick up messages.

**Q. 14 Does a bid for the Welsh service mean that each and every caseworker has to be bi-lingual?**

A14. No. If possible, we would like to ensure that there is Welsh-speaking provision within the pilot; however, we have no indication of the level of calls that a Welsh-speaking advisor(s) may have to take – this is one of the matters that the pilot will monitor. Applicants able to offer a Welsh-speaking service should indicate in their response the number of caseworkers who could offer the full telephone advice service in Welsh and have knowledge of Welsh procedures. It is likely that those organisations providing a service to clients in Wales may also be required to take calls from England.

**Q 15. How often is it envisaged that the Providers will be required to attend liaison meetings and where is the likely venue to be? What is the anticipated duration of such meetings?**

We aim to make communication and liaison between the LSC, the Operator Service and the specialist providers as efficient as possible. We intend to use an email forum and telephone contact for dealing with day-to-day operational issues and general contact.

Quarterly liaison meetings will be used to bring together all providers, LSC representatives and, where appropriate, representatives from the Operator Service. The location of these meetings is likely to vary during the course of the pilot. For the purpose of tendering, please assume that the meetings will be held in London and will run for approximately half a day.