

COMMUNITY LEGAL ADVICE CONTRACTS

Invitation to Tender to deliver publicly funded specialist family legal services by telephone

Answers to questions

Q1. Is it envisaged that the provider should be operating a call centre handling a substantial number of hours? Please advise as to the anticipated number of hours the provider should be willing to accommodate.

A1. There is neither a minimum nor a maximum size for a bid. However, we would urge applicants to be as flexible as they can when stipulating bid sizes. Any tenders which state minimums greater than the contract hours we wish/have available to award will be disregarded. Applicants are therefore advised to be careful not to set their minimum hours too high.

Please see *“Allocation of Work”* at section 3.8 on page 25 of the Invitation to Tender (ITT).

Q2. How many Providers is the LSC ultimately seeking to provide the telephone advice service e.g. one national provider or several regional providers?

A2. We have not set either a maximum or minimum number of contracts to be awarded. However, we would anticipate that the service would be delivered by more than one organisation.

Providers are invited to tender for a proportion of the hours of advice available and contracts will be awarded following assessment of all the tenders against the criteria set out in the ITT.

Q3. You did not state how much the IT software compatible with BSS would cost. Please advise.

A3. The Legal Services Commission (LSC) cannot advise on the cost of any equipment or software the provider may need to purchase in order to deliver the CLA service.

The ITT sets out the resource requirements for delivering the CLA service. Please see *“Resource requirements for delivering the CLA service”* on page 10 of the ITT.

Full technical details are contained within Annex 8 of the CLA contract standard terms, *“IT requirements, the CMS and business continuity”*.

Bidders are expected to include any start up costs and other costs in the hourly rate they tender at.

Q4. Is there any limit on the number of cases it is anticipated by the LSC would be converted from telephone advice to legal help?

A4. Data from the pilot indicates that a very small proportion of clients who receive advice over the telephone subsequently receive face-to-face advice. However the profile of cases may change once the service is rolled out nationally and marketed to clients. There is therefore no limit on the number of cases that may move from telephone to face-to face advice provided the relevant criteria have been met. The number of cases converted from telephone advice to Legal help will be looked at as part of contract management and any concerns discussed with the provider.

Further information is set out in Appendix 5 of the ITT and the full evaluation report of the pilot which is on our website at http://www.legalservices.gov.uk/docs/cls_main/CLA_Family_Pilot_Final_Evaluation_January_09.pdf

Q5. Is it anticipated the telephone advice service will replace advice under Legal help?

A5. No. For the majority of cases telephone advice will be offered as an alternative to face-to-face services. Legal aid clients have the choice to access advice in the way that works best for them.

There may be specific areas of work where advice is limited to the telephone. In a recent consultation, *Civil Bid Rounds for 2010 Contracts*, we asked a consultation question on whether change of name work should be available only over the telephone. The consultation closed on 23 January 2009 and we will be publishing our response later this year.

Q6. Is the figure of £53.86 intended to be a guideline price for a successful bid?

A6. No. The figure of £53.86 represents the average cost per hour during the pilot and is an average of the 3 pilot providers' hourly rates. This is not an indication of a successful bid price. The information is provided so that new bidders have the same information as the pilot providers when considering a bid.

Q7. We currently run a helpline which does not employ any legally trained staff. Do we have to have a legal advisor in post before tendering for the contract or could we recruit one if successful?

A7. Criterion I requires providers to demonstrate the availability of suitably skilled and trained advisers, and suitably skilled, experienced and trained supervisors, to deliver the telephone advice (including casework) in the family category of law by the contract start date.

If you do not currently have such staffing in place you would need to demonstrate in your application how you can achieve this by the contract start date.

Q8. Criteria G asks for evidence of managing and delivering a telephone advice service over the last two years. Does this mean we need experience of running a call centre? We often speak to our clients over the phone or conduct an initial assessment prior to giving face-to-face advice – would this be sufficient?

A8. 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.

Q9. What proportion of call volumes are expected to be outbound calls (responding to messages or follow-ups)?

A9 The LSC does not collect data on the number of outbound calls made. The figures provided in Annex 3 of the ITT are for case volumes; each one of these cases will have at least one call associated with it. As with face-to-face work the nature of the case will determine how often the adviser needs to contact the client in order to progress the matter.

Q10. Does the operator service only live transfer callers or do they provide call back details in some cases? Are these outbound calls included in the estimated hours of service required?

A10 Yes, as per 2.A.3 of the ITT the Operator Service will provide call back details in some cases. The estimated hours include allowance for all work to be performed under this contract including outbound calls.

Q11. Will the GMP be for 6 months or 3 months?

A11. The GMP is for six calendar months as, provided for in Annex 7 to the contract standard terms (paragraph 8).

Q12. We are a non-solicitor commercial organisation who wish to deliver family telephone advice by subcontracting the legal work to a firm of solicitors.

We do not hold a Unified Contract in our organisation's name. The solicitors firm to whom we wish to subcontract the work do hold a Unified Contract but would not be the named Provider in the telephone advice contract.

If we were successful in obtaining a family telephone advice contract in our own name, would we be permitted to subcontract all the non CLA services referred to in para 2.B.12 to that solicitor's firm in addition to the CLA services, namely (a) face to face Family Help (Lower) 1 and Licensed Work for clients living within the local procurement area, and (b) Licensed Work over the telephone regardless of the client's location?

A12 Sub-contracting is not permitted under this Contract.

Q13. As a firm of solicitors we currently subcontract legal advice work from a commercial organisation who hold the existing civil CLA contract in housing, debt, welfare benefits and employment.

If we successfully obtain a new CLA contract for family telephone advice in our own firm's name, would we be able to cross-refer existing CLA family and civil clients requiring telephone advice between our 2 organisations without referring them back to BSS first? Would the answer be any different if the family telephone advice contract was in the name of the commercial non-solicitor organisation?

A13: If the Family CLA Contract was awarded to the same solicitor firm entity that provides housing, debt, welfare benefits and employment under the existing civil CLA contract then that firm would be able to cross-refer CLA clients internally between the family and civil (housing, debt, welfare benefits and employment) categories with the clients' consent without having to refer the client back to the operator service first (if their telephony system supported this).

If the Family CLA contract was awarded to the commercial non-solicitor organisation then they would have to undertake the contract work (in the family category) themselves (see the answer to Question 12 above) but could cross-refer clients internally advice within the housing, debt, welfare benefits and employment categories under their existing civil CLA contract (again, provided their telephony system supported this).

Q14. We are a commercial organisation who are intending to subcontract delivery of telephone legal advice to a Solicitors firm. For the Essential Criteria do we need to respond on behalf of and provide the following documents for our subcontractors:

- A) Equality & Diversity Policy**
- B) Data Protection**
- E2) Professional Indemnity Certificate**
- F) Health and Safety**

A14 Sub-contracting is not permitted under the family CLA Contract. See the answer to Question 12 above.

Q15. Question S1 of the Essential Criteria asks "Do you currently hold a unified contract in the family category of Law? We are a non solicitor commercial organisation who intend to subcontract service delivery to a solicitors firm who hold a unified contract in the family. Is this acceptable to meet this criteria?"

A15 It is not a requirement of being awarded a CLA Contract for family work to hold a Unified Contract in the Family Category of work and NO additional points will be awarded to bidders who do hold a Unified Contract. Sub-contracting is not permitted under the family CLA Contract, see the answer to Question 12 above.

Q16: Can organisations use subcontractors for this service?

A16 Sub-contracting is not permitted under the Contract. See the answer to Question 12 above.

Q17: Does Section 2 of the Tender form have a section missing? For example currently it reads as Section 2.1 Information about your organisation and then jumps to Section 3: Your Tender in Hours

A.17: There is not a section missing, this is a typing error.

Q18: We are a supplier with a current Unified Contract in the family category of law to deliver face to face advice. We have a sister company which is our wholly owned subsidiary. Our sister company is currently subcontracted to deliver CLA advice on behalf of a commercial organisation but does not have a Unified Contract in its own name. If we were to be successful in obtaining a family telephone advice contract in the name of our sister company would our sister company be permitted to refer all the non-CLA services in paragraph 2.B.12 of the ITT to us?

A18 If an organisation was awarded a family telephone advice contract but did not hold a Unified Contract then they would not be permitted to deliver the non CLA services set out in paragraph 2.B.12 of the ITT. They would be required to refer the client to a face to face provider/s close to the client, or the website if appropriate.

Q19: IPsec VPN is method of connection but do we need any specific client software or it just a normal SSL connection to your website.

A19 For connection to the Operator Service Case Handling System a normal SSL connection will be sufficient

Q:20 : Do you require us to have a specific dedicated communications line to your infrastructure or can use our existing internet connection to connect to your website.

A20 Connection can be made to the Operator Service Case Handling System using any internet connection. However, please note anything less than a 1 meg connection speed (not withstanding contention or other sharers) may result in performance issues.

Q:21: Do you have list of reports you will require us to provide as part of the contract. What format do you require the reports in (electronic or paper).

A21: Providers will be required to report monthly to the LSC; these reports will need to be submitted electronically. The current monthly reporting sheet referred to in 2.B.7 of the ITT is attached as annex A and consists of a Monthly Case Report, a Complaints Log and a monthly invoice.

In order to assist potential bidders in understanding the Monthly Case Report the current "Reporting Codes Extract" (from the current CLA contract) is attached. The Monthly Case Report requires a line of data for each case and the extract provides further information on the nature of the data required. These requirements may be amended before the contract start date, but will give you an idea of the types of information we require providers to submit.

Q22: Fix periods are these working hours or real time hours e.g. fault at 7pm does this need to be resolved by 11pm or 11am the next day?

A22: These are real time hours. Providers should have IT agreements in place that meet the requirements of Annex 8 the Contract Standard Terms.

Q23: Disclosure -what procedures do you have to ensure maximum security relating to the information given about our infrastructure and associated services. Do you require information relating to our infrastructure that has no affect on this contract?

A23: The information that you provide on your infrastructure and associated services is only shared with the nominated tender panel who assess the bids and decide on the award of contracts. This panel consists of internal LSC staff and an LSC Commissioner who is an external appointment.

We retain copies of all bids in a secure place. In the case of tender documents for bids which were rejected, those documents are retained for 1 year after the date the decision to reject them was taken. In the case of tender documents for bids which were accepted, those documents are retained for 6 years after the end of the contract awarded. In each case, as soon as practicable following expiry of the retention period, the documents are destroyed as 'confidential waste.'

We only require information on your infrastructure and associated services to the extent that it is necessary to demonstrate compliance with Annex 8 to the draft contract standard terms.

Q24: It is unclear as on the operational side when a call is received it states that we log onto your system and retrieve the case information but later we put this information into our own case management system. On reviewing schedule 1 it states that we have the ability to do either a manual or automatic download. If we choose automatic how often do we need to synchronise as there is risk that the case we have just retrieved will not be on our system if a synchronisation has not yet occurred between taking the case and updating the case.

A24: When the Operator Service refers a client to a Specialist adviser they will make the case details available via the Case Handling System (CHS). This is so that the case details are immediately available enabling the adviser to quickly appraise themselves of the relevant facts and the client does not have to repeat themselves.

Providers will wish to use their own case management systems to manage their case load. In order to assist in transferring client records from the Operator Service CHS to providers own systems the LSC has developed the data export facility described in schedule 1. How providers use this facility is a matter for them.

Q25: It states in the ITT that you will pay for any outgoing call costs. At what rate are these reimbursed are there different rates for calls to local, national, international and mobile numbers

A25: The LSC will pay for actual costs incurred in relation to CLA service cases. Providers should submit a copy of their phone bill as evidence when claiming these costs.

Q26: How are we going to report cases to you? What format do you require the reports in (electronic or paper). Do we need to upload directly from our case management system.

A26: Please see A21 for details on reporting. The Monthly Case Report will require Providers to provide a data extract from their Case Management System.

Q27: Further information in relation to calls would be beneficial. What is the average length of the first telephone attendance on the client. We have the average length of the case but this includes follow up work and cases which have multiple calls.

A27 The average case length for a case defined as 'first meeting' was 67 minutes. This was a case where the client's issues were dealt with during the first phone call and there were no subsequent calls. The 67 minutes does, however, include both the time spent on the telephone call and any follow-up work such as writing up attendance notes or sending a client care letter.

The reporting requirements for the pilot did not ask the pilot providers to submit an exact breakdown of the time spent on the telephone versus the time spent on follow-up work. However, estimates were provided and the pilot evaluation includes a graph showing the breakdown of 'time on telephone/time on follow-up work' on page 18.

Annex A

**CLA CONTRACT: REPORTING REQUIREMENTS
EXTRACT ON MONTHLY CASE REPORT**

Monthly Case Report data fields

Below is an explanation of the fields that are listed in the Monthly Case Report, along with the permitted values for these fields.

The majority of these fields would have been completed by the Operator Service before referring the case to the Specialist Adviser.

*****Open Cases and Closed Cases*****

Open cases: closed date, stage reached, outcome, total time and total cost columns can be left blank

Closed cases: all columns must be filled in with either the outcome for client concluded or outcome for client not concluded column filled in.

Fields:

OS case ref (generated by Operator Service)

This is the unique reference number assigned to the case by the Operator Service.

Case ref (generated by Specialist Adviser)

This refers to your organisation’s reference for the matter. This reference is essential for effective auditing of files as it enables the file to be retrieved if requested at an audit.

Organisation name (generated by Specialist Adviser)

The name of Specialist Advice organisation should be listed. This field is used to identify the Case Report sent in by providers.

Client first name(s) and Client surname (generated by Operator Service)

Client first name and surname should be input (in that order). The purpose of these fields is to facilitate retrieval of specific files for audit.

Client date of birth (generated by Operator Service)

Client date of birth should be entered in the following format **dd/mm/yyyy**.

Client age range (generated by Specialist Adviser)

The clients age range should be derived from the date of birth and should be in the following format.

Age range	Reported code
0 –16	A
17 -24	B
25 -34	C
35 - 49	D
50 - 64	E
65+	F
Unknown	U

Client gender and Client ethnic origin (generated by Operator Service)

Gender field to be completed with ‘F’ for Female or ‘M’ for Male.

The categories to be used for ethnic origin are coded as follows:

Code	Ethnic Origin
01	White British
02	White Irish
03	Black or Black British African
04	Black or Black British Caribbean
05	Black or Black British Other
06	Asian or Asian British Indian
07	Asian or Asian British Pakistani
08	Asian or Asian British Bangladeshi
09	Chinese
10	Mixed White & Black Caribbean
11	Mixed White & Black African
12	Mixed White & Asian
13	Mixed Other
14	White Other
15	Asian or Asian British Other
00	Other
99	Client will not provide info

Client postcode part 1 and Client postcode part 2 (generated by Operator Service)

Client postcode all (generated by Specialist Adviser)

This field should contain the full client postcode. (i.e. postcode 1 and postcode 2)

Media Code (generated by Operator Service)

These codes are currently being reviewed and a revised list will be issued to all successful bidders.

Disability Indicator (generated by Operator Service)

If the client has a disability please mark the disability monitoring column with the letter **Y**, if not then mark the column with the letter **N**. Where a client does not wish to provide this information please mark the column with the letter **U**

Date Matter Opened (generated by Specialist Adviser)

This field must be completed. This date will be the date the matter opened. This must be recorded in the format: DD/MM/YYYY e.g. 5th February 2000 should be recorded 05/02/2000.

Date Matter Closed (generated by Specialist Adviser)

This date will be the date the matter ended / was closed, which may be the same day as the client's case commences. This must be recorded in the format: DD/MM/YYYY e.g. 5th February 2000 should be recorded 05/02/2000.

Total Time Spent on Matter (generated by Specialist Adviser)

This field must be completed. Record here the total number of minutes spent on the matter.

If your organisation currently records time in units rather than minutes, please convert units to minutes i.e. where 1 unit = 6 minutes, the number of units multiplied by 6.

Total Cost of Disbursements (generated by Specialist Adviser)

In this field, record the total amount of disbursements spent on this matter. This should be in the form £__ . __. If your organisation is registered for VAT and the disbursements attract VAT, this figure should INCLUDE VAT.

Disbursements should be incurred where it is in the best interest of the client to do so. A non-exhaustive list of disbursements, which may or may not be incurred is provided in Annex 12.

Eligibility Confirmed (generated by Specialist Adviser)

This field must be completed. Please use **one** of the following codes. The specialist adviser does not have to record the operator codes as they are recorded at operator level..

Eligibility Status of Client	Code (TBC)
Legal Help Pass at Operator Service, no Legal Help form sent, there no evidence of means requested	
Legal Help Pass at Operator Service, evidence of means impossible to obtain due to client situation (i.e. exceptional case), case signed off by supervisor and details kept on file	
Legal Help Pass at Operator Service, Evidence Requested, Received and Confirms Eligibility	
Legal Help Pass at Operator Service, Evidence Requested, Received and shows Ineligibility	
Legal Help Pass at Operator Service, Evidence Requested but not Received	
Legal Help Pass at Operator Service, but client was passed in error and is ineligible	
Legal Help Pass at Operator Service, Evidence Requested, Received and Confirms Eligibility, but client later becomes ineligible due to change in circumstances (e.g. lottery win)	
Public Law children non-means tested	

Matter Type Part 1 and 2, Stage reached and Outcome for the client

Each category of law has its own set of Matter Types I and II, Stage Reached and Outcome codes. These must be used exclusively in that category of law.

Matter type – Part 1	Used to explain what the matter is about or involves in more detail
Matter type – Part 2	Generally used to explain ‘who the matter involves’ but can also be used to provide other information
Stage Reached	Used to explain the ‘stage reached’
Outcome for the client	Used to explain the ‘outcome for the client’

Family

Matter type Part I - What the matter is about

Code	Description
FAMA	Divorce/Judicial Separation/Nullity
FAMB	Dissolution of Civil Partnership
FAMC	Domestic Abuse
FAMD	Private Law Children only
FAME	Private Law Children and Financial Provision
FAMF	Private Law Children and Divorce/Judicial Separation/Nullity
FAMG	Private Law Children and Civil Partnership Dissolution
FAMH	Private Law Children and Domestic Abuse
FAMI	Private Law Children, Domestic Abuse and Divorce/Judicial Separation/Nullity
FAMJ	Private Law Children, Domestic Abuse and Civil Partnership Dissolution
FAMK	Financial Provision Only
FAML	Financial Provision and Divorce/Judicial Separation/Nullity
FAMM	Financial Provision and Civil Partnership Dissolution

FAMN	Financial Provision and Domestic Abuse
FAMO	Financial Provision, Domestic Abuse and Divorce/Judicial Separation/Nullity
FAMP	Financial Provision, Domestic Abuse and Civil Partnership Dissolution
FAMQ	Financial Provision, Private Law Children and Domestic Abuse
FAMR	Financial Provision, Private Law Children, Domestic Abuse and Divorce/Judicial Separation/Nullity
FAMS	Financial Provision, Private Law Children, Domestic Abuse and Civil Partnership Dissolution
FAMT	Family Wills
FAMU	Change of Name applications
FAMV	Other
FAMW	Public Law Proceedings – Section 31 Care Proceedings
FAMX	Public Law Proceedings – Other
FAMZ	Financial Provision / Private Law Children and Divorce / Judicial Separation / Nullity

Matter Type Part II - What the matter involves

FADV	Client is seeking advice only
FPET	Client is the petitioner in Divorce/Judicial Separation/Nullity/ Dissolution of Civil Partnership
FRES	Client is the respondent in Divorce/Judicial Separation/Dissolution of Civil Partnership
FAPP	Client is applicant where proceedings issued
FREP	Client is the respondent where proceedings issued
FCHG	Client is a child with a guardian
FCHS	Client is a child instructing solicitor directly
FOTH	Other

Stage reached

FA	First meeting
FB	Further Work
FC	Negotiation with Local Authority where written notice of intention to issue care proceedings – Family Help (Lower) public
FD	Divorce Proceedings – Petitioner only Level 1

Outcome for the Client - Matter concluded

FA	Decree Absolute/Dissolution obtained
FB	Client and partner reconciled
FC	Advice given – no further action required
FD	Client referred to mediation and resolved through mediation
FE	Settlement with benefit for the client
FF	Settlement with no benefit for the client
FG	Client received lump sum/property adjustment AND periodical payments
FH	Client received lump sum/property adjustment
FI	Client received periodical payments
FJ	Liability to pay other side reduced or avoided
FK	Inappropriate for telephone advice

Outcome for the Client - Matter not concluded

FT	Client ceased to give instructions
FU	File transferred to another solicitor
FV	Matter stopped on advisor's recommendation
FW	Matter proceeding under other CLS Funding where the client is the Applicant
FX	Matter proceeding under other CLS Funding where the client is the Respondent
FY	Client referred to another contracted supplier for advice in a different category
FZ	Client referred to a non-funded service