



**Procurement of Detained Duty Advice Scheme Services at Derwentside Immigration
Removal Centre from 1 January 2022
Invitation To Tender Information for Applicants**

Introduction

The Legal Aid Agency (“**LAA**”) has identified a need to provide advice at a new Immigration Removal Centre in Derwentside, County Durham.

It is inviting Applicants to submit a Tender for an IRC Exclusive Schedule under a 2018 Standard Civil Contract to deliver work conducted in an Immigration Removal Centre (“**IRC**”) setting through the Detained Duty Advice Scheme (“**DDAS**”).

The LAA intends to award IRC Exclusive Schedules to a minimum of **3** organisations but there is no upper limit on the number of organisations that may be awarded IRC Exclusive Schedules under this procurement process.

Applicants do not need to be a current legal aid provider to submit a tender, enabling organisations new to legal aid to bid to deliver this work. To be awarded Contract Work Applicants must:

- a) Either:
 - Hold a 2018 Standard Civil Contract with authorisation in the Immigration and Asylum Category of Law; or
 - Bid for and be awarded a 2018 Standard Civil Contract with authorisation in the Immigration and Asylum Category of Law; and
- b) meet the Generic Requirements and the Derwentside IRC requirements set out in section 2 of this Information For Applicants document (“**IFA**”).

Organisations solely regulated by OISC are not eligible to bid in this procurement process unless they are permitted to carry out “reserved legal activities” under the Legal Services Act 2007. This is because one of the requirements of this procurement process is that Applicants are able and willing to undertake the full range of Licensed Work in the Immigration and Asylum Category of Law and as such employ an Authorised Litigator. OISC registered individuals may not necessarily be permitted to undertake the full range of activities required during litigation.

Applicants will be required to meet the Derwentside IRC Immigration & Asylum Supervisor Standard at the Office from which they tender. The Derwentside IRC Immigration & Asylum Supervisor Standard has been introduced for this procurement process to ensure the quality of provision of legal advice that is available. This Supervisor Standard requires Supervisors to provide additional case examples of experience of common elements of work

encountered at IRCs. This will ensure that supervisors can demonstrate their depth and breadth of the knowledge, skills and procedure that are key to successful delivery of this service.

The amendments to the Supervisor Declaration Form are set out at Annex E. The Derwentside IRC Immigration & Asylum Supervisor Declaration Form can be found at: <https://www.gov.uk/government/publications/standard-civil-contract-2018>.

Please note the LAA is not looking to generally increase the supply of Immigration & Asylum provision through this procurement process. This means that:

- the LAA will not award a 2018 Standard Civil Contract and/or authorisation in the Immigration and Asylum category of law to an Applicant that is not successful in being awarded an Exclusive Schedule for the Derwentside IRC;
- Applicants can bid from **one** Office only. This may be either an existing Office or a new one.

The Deadline for submitting Tenders is 12 noon on 23 August 2021 (“Deadline”)

All Applicants submitting a Tender must submit a response to:

- i the Selection Questionnaire (“**SQ**” or “**SQ Response**”); and
- ii. the Derwentside IRC ITT (“**Derwentside IRC ITT Response**”).

This IFA document provides information about the SQ and Derwentside IRC ITT, including how Applicants submit a Tender, and the rules governing this procurement process.

A Tender consists of a response to the SQ plus a Derwentside IRC ITT Response.

All Applicants must submit a response to the SQ, regardless of whether they have previously submitted a SQ Response as part of any other Procurement Process.

Before submitting their Tender, Applicants must read this IFA in its entirety and all supplementary information provided, such as Frequently Asked Questions (“**FAQs**”). Applicants are also strongly advised to read the 2018 Standard Civil Contract in full to ensure that they understand the full nature and extent of the obligations they are proposing to accept.

Where not defined in the body of this IFA, capitalised terms are either defined in the glossary at Annex F or in the 2018 Standard Civil Contract which is available alongside this IFA and words denoting the singular include the plural and words denoting the plural include the singular.

Timetable

Below is a list of indicative dates for key activities as part of this procurement process. These dates may be subject to change and the LAA will notify Applicants of any changes through the e-Tendering system.

| Activity | Timescale |
|---|--------------------------------|
| Procurement process opens | 22 July 2021 |
| Deadline for questions about this IFA | 23:59 6 August 2021 |
| 'Frequently Asked Questions' document published (if required) | w/c 9 August 2021 |
| Deadline for submission of Tenders | 12 noon 23 August 2021 |
| Outcome of Tenders notified to Applicants | September 2021 |
| Deadline for submission of verification information | 23:59 15 October 2021 |
| Rota's issued | No later than 30 November 2021 |
| Contract Start Date | 1 January 2022 |

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SECTION 1: OVERVIEW

About the LAA and this procurement process

- 1.1 The LAA, on behalf of the Lord Chancellor, is responsible for commissioning and administering legal aid services (publicly funded advice and representation) across England and Wales in accordance with the Legal Aid, Sentencing and Punishment of Offenders Act 2012 and associated legislation. All contract documentation is issued by the LAA on behalf of the Lord Chancellor.
- 1.2 The Deadline for submitting Tenders is **12 noon on 23 August 2021**. All Tenders must be completed and submitted using the e-Tendering system. Late submissions will not be accepted. It is the Applicant's sole responsibility to ensure that the LAA receives its Tender before the Deadline.

What are Applicants tendering for?

- 1.3 Applicants are tendering for an IRC Exclusive Schedule to deliver advice at Derwentside IRC as part of the DDAS from 1 January 2022 until 31 August 2022 (subject to the LAA's right to extend for up to a further 12 months and the LAA's rights of early termination). The LAA intends to award IRC Exclusive Schedules to a minimum of 3 organisations but there is no upper limit on the number of organisations that may be awarded Exclusive Schedules under this procurement process.
- 1.4 Organisations holding an IRC Exclusive Schedule must also hold (and continue to hold) a 2018 Standard Civil Contract with authorisation in the Immigration and Asylum Category of Law.
- 1.5 Applicants who do not currently hold a 2018 Standard Civil Contract and/or authorisation in Immigration and Asylum will also need to tender for a Contract through this procurement process. Where an Applicant is successful in being awarded an Exclusive Schedule and does not already hold a 2018 Standard Civil Contract with authorisation in the Immigration and Asylum Category of Law the LAA will also award the Applicant a Contract with authorisation in the Immigration and Asylum Category of Law. Please note the LAA will not award a Contract where an Applicant is not successful in being awarded an Exclusive Schedule for the Derwentside IRC.
- 1.6 Applicants should refer to the Category Definitions 2018 for detail on the scope of work included in the Immigration and Asylum Category of Law. Part E of the Immigration and Asylum Specification sets out how DDAS services operate.

Who can bid?

- 1.7 Any organisation may tender to deliver DDAS Contract Work if they:
 - a) Meet the minimum contract requirements by:

- i. Holding a 2018 Standard Civil Contract with authorisation in the Immigration and Asylum Category of Law; or
 - ii. Holding a 2018 Standard Civil Contract and bid for and are awarded, subject to passing verification, authorisation in the Immigration and Asylum Category of Law; or
 - iii. Bidding for and being awarded, subject to passing verification, a 2018 Standard Civil Contract with authorisation in the Immigration and Asylum Category of Law; and
 - b) meet the Generic Requirements and the Derwentside IRC requirements set out in section 2 of this IFA.
- 1.8 Please note the LAA is not looking to generally increase the supply of Immigration & Asylum provision through this procurement process. This means that:
- the LAA will not award a 2018 Standard Civil Contract and/or authorisation in the Immigration and Asylum category of law to an Applicant that is not successful in being awarded an Exclusive Schedule;
 - Applicants can bid from one Office only. This may be either an existing Office or a new one.
- 1.9 Organisations solely regulated by OISC may not be eligible to bid (see paragraphs 2.19 – 2.20 of this IFA).
- 1.10 The LAA will only contract with single legal entities (including individuals). Subcontracting and consortium bids are not permitted. The contracting entity will be responsible for performing all provider obligations under any and all 2018 Contracts awarded as a result of this procurement process.
- 1.11 Each separate legal entity which submits a Tender will be known as an Applicant for the purposes of this procurement process.

About the IRC Exclusive Schedule and the Immigration and Asylum Face to Face Contract

- 1.12 Schedules and any Face to Face Contracts will start on 1 January 2022 (the “Contract Start Date”) and will run until 31 August 2022 (subject to the LAA’s rights of early termination and LAA’s right to extend the Contract for up to a further 1 year i.e. 31 August 2023).
- 1.13 Each Face to Face Contract consists of and is formed by the following parts:
- Contract for Signature;
 - 2018 Standard Terms (applicable to all contracts irrespective of the specific services to be provided);
 - Specification (governs how work must be delivered and includes the key performance indicators that Providers must meet. There are two parts to the Specification – the General Specification which applies to all services under the Face

to Face Contract, except Family Mediation, and the Category Specific Specifications which apply to individual Categories);

- Schedules (set out the Categories of Law a Provider is authorised to undertake work in, the volume of work and any bespoke terms relevant to the delivery of Services at a particular Office location); and
- Category Definitions (set out the scope of work permitted in each Category of Law).

1.14 Face to Face Contract documentation, is available on the LAA's website: <https://www.gov.uk/government/publications/standard-civil-contract-2018>.

Please note that the Contract for Signature for successful Applicants who do not currently hold a 2018 Standard Civil Contract will be amended so that recital A refers to the date on which this IFA was published and, at Clause 2.1, the Contract Start Date will be expressed as being 1 January 2022 and the Contract Period defined as the period from the Contract Start Date to 31 August 2022.

1.15 Applicants may be party to no more than one 2018 Standard Civil Contract. Therefore, if an Applicant successfully bids for Contract Work available through this procurement process and who already holds a 2018 Standard Civil Contract, Contract Work awarded through this procurement process will be added to their existing 2018 Standard Civil Contract, either through a new Schedule or through an amendment to an existing Schedule as further provided in paragraph 1.16.

1.16 Under the 2018 Standard Civil Contract organisations have one or more Schedules (i.e. one Schedule for each Office). Each Schedule details the Contract Work (including Categories of Law and Matter Start allocations) authorised at the Office. Where an Applicant has tendered through this procurement process from an Office for which they already have a Schedule, Contract Work awarded through this procurement process will be added to their Contract through an amendment to that existing Schedule. Where an Applicant has tendered through this procurement process from an Office for which they don't already have a Schedule, a new Schedule for that Office will be added to their 2018 Standard Civil Contract.

1.17 Contract Work is divided into two broad areas:

- Controlled Work: generally basic levels of advice and assistance prior to issue of proceedings; and
- Licensed Work: generally representation – issue and conduct of proceedings and advocacy.

1.18 Controlled Work cases are known as 'Matters' or 'Matter Starts'. Controlled Work permits Providers with available Matter Starts to assist clients directly without prior authority from the LAA.

1.19 There is no limit to the volume of Licensed Work that a Provider may undertake. However, funding applications must be submitted to the LAA for each Licensed Work case.

- 1.20 Whilst the LAA may allocate a certain volume of Matter Starts to Providers, no guarantee is provided in relation to the volume or value of work which individual Providers will receive/be paid for under any Face to Face Contract. Services are provided under open market conditions and clients are free to choose from those Providers holding a Face to Face Contract.
- 1.21 The delivery of Immigration and Asylum Contract Work at IRCs is subject to Exclusive Schedule Arrangements. This means that, subject to the limited exceptions at paragraph 8.6 of the Immigration and Asylum Category Specification, only Applicants successful in this process and who are awarded an IRC Exclusive Schedule will be permitted to deliver services in Derwentside IRC from 1 January 2022.
- 1.22 To join the IRC Rota, Applicants must hold or be awarded through this procurement process and continue to hold a Face to Face Contract to deliver Immigration and Asylum Contract Work and must be awarded and continue to hold an IRC Exclusive Schedule for Derwentside IRC.
- 1.23 All Applicants that successfully tender to join the IRC Rota will be awarded an IRC Exclusive Schedule, subject to verification.
- 1.24 There is no limit to the number of Applicants that can be awarded an IRC Exclusive Schedule. The available Rota work, including the Matter Starts available to deliver Controlled Work for clients seen at a DDAS Surgery at Derwentside IRC, will be divided equally between the organisations that successfully tender. The Matter Starts for use at Derwentside IRC will be added to the Schedule for the Applicant's Office from which it has made its Individual Bid.

Payment

- 1.25 Payments under Face to Face Contracts, including for work done under Exclusive Schedule Arrangements, will be at the rates set out in Legal Aid Legislation.

About Derwentside IRC and Detained Duty Advice Scheme Contact Work

- 1.26 The Home Office has acquired the former Hassockfield Secure Training Centre in County Durham and will open it as an immigration removal centre (Derwentside IRC) by the autumn. The proposed site will provide modern, decent and secure accommodation for 84 women. Derwentside will replace Yarl's Wood as the main IRC for detained women and is a new, smaller, facility that will maintain the standards and high expectations for the detention of women. In the initial stages, the IRC is likely to accommodate low numbers of women as it ramps up to full occupancy by Spring 2022.
- 1.27 Derwentside IRC's address is Derwentside IRC, Corbridge Road, Burnhope DH8 6QY. This is in the County Durham Local Authority. As such Derwentside IRC is located in the County Durham East, Teesside, Tyne & Wear and Gateshead Access Point within the North East, Yorkshire and the Humber Procurement Area.

- 1.28 It is anticipated that Derwentside IRC will operate the DDAS in a similar way to other IRCs in that clients who wish to attend a DDA Surgery will attend the IRC library to have their name added to the IRC Rota. The IRC library staff generally email or fax the Provider the day before the DDA Surgery detailing the number of client appointments required and the client's language needs (in order that, if necessary, the Provider can arrange any translation services).
- 1.29 Successful Applicants must offer each client a 30-minute advice session (regardless of the client's means or the merits of their cases). The purpose of the advice session is to ascertain the basic facts of the case and to make a decision as to whether it requires further investigation or whether further action can be taken. Clients should also receive advice in relation to immigration bail.
- 1.30 Following this advice, and subject to both the means and merits test, further services may be provided to eligible clients under Controlled Work and in accordance with the terms of the Specification and relevant Regulations which govern this level of service.
- 1.31 The volume of work through DDA Surgeries is variable. Surgeries are not always full and sometimes do not take place due to lack of demand. However, a Provider must ensure it has sufficient numbers caseworkers available each Rota day to meet its obligations to deliver all DDA Surgeries for that day.
- 1.32 Applicants must be able to deliver advice through DDAS face to face in person at Derwentside IRC.
- 1.33 The available Rota work for Derwentside IRC will be divided equally between all successful Applicants. Rota's are scheduled on a daily basis. It is expected that there will be two Rota days each week at Derwentside IRC.
- 1.34 In a Rota day the maximum number of clients that a Provider will see is 10. Approximately 20-25% of those clients seen at a DDA surgery could result in a Controlled Work Matter Start being opened, for which Providers will be responsible for delivering to the client. Therefore, successful Applicants will also receive an initial nominal allocation of Immigration Matter Starts to cater for this Controlled Work, which we will continue to review to meet any demand. Matter Starts awarded for use at Derwentside IRC may be used only in the delivery of Immigration & Asylum Contract Work at Derwentside IRC. This allocation is separate to any other Matter Starts for Immigration & Asylum Contract Work awarded through this procurement process.
- 1.35 There are 180 Matter Starts available annually to deliver Controlled Work opened for clients seen at a DDAS Surgery at Derwentside IRC. This volume will be allocated on a pro-rata basis from 1 January 2021 to 31 August 2022 and then divided equally between the successful Applicants and will be reflected separately from other Immigration and Asylum Contract Work on a Provider's Schedule.

1.36 Part E of the Immigration and Asylum Specification (section 8 of the Specification) explains in detail how services at all IRCs will operate.

About Immigration and Asylum Face to Face Contract Work

1.37 Contract Work is delivered at individual Offices. Through this procurement process, Applicants may bid from one Office only.

1.38 Where the LAA awards a Contract, successful Applicants will be awarded 300 Matter Starts per year, subject to completing verification. This will be on a pro-rata basis between 1 January 2021 and 31 August 2022.

1.39 Successful Applicants will be able to deliver up to the volume of Matter Starts awarded, in addition to the Contract Work awarded to deliver the DDAS at Derwentside, subject to Face to Face Contract rules on the award of Supplementary Matter Starts (see paragraphs 1.40 – 1.41 below)

Supplementary Matter Starts

1.40 Applicants awarded a Face to Face Contract will, subject to notifying their LAA Contract Manager and receiving Contract Manager confirmation, be able to self-grant up to an additional 50% of their Matter Start allocation at that Office each year if required. For example, where an Applicant is awarded 300 Matter Starts they will be able to self-grant up to an additional 150 Matter Starts (50% of 300), resulting in a total of 450 Matter Starts for that Schedule Period.

1.41 Applicants should familiarise themselves with the Face to Face Contract provisions regarding the award of Supplementary Matter Starts and re-allocating Matter Starts at clauses 1.21 - 1.24 of the General Specification.

Miscellaneous Contract Work

1.42 Applicants awarded a Face to Face Contract to undertake Contract Work will receive an additional allocation of 5 Miscellaneous Matter Starts included on each Schedule. Where an Applicant already holds a Schedule for an Office and has been awarded an additional Schedule Authorisation to undertake Immigration & Asylum Contract Work it will not receive an additional allocation of Miscellaneous Matter Starts as these will already have been allocated to that Office.

1.43 Detail on the work classified as 'Miscellaneous' for the purposes of the Face to Face Contract is included in the Category Definitions which forms part of the Face to Face Contract.

SECTION 2: PROCUREMENT PROCESS REQUIREMENTS

- 2.1 All Applicants must submit a Tender which consists of a response to the SQ and a response to the Derwentside IRC ITT.
- 2.2 SQ and ITT Responses submitted must each be capable of assessment.
- 2.3 Applicants may not submit more than one response to the SQ and to the ITT. Where an Applicant submits more than one SQ Response and/or more than one Derwentside IRC ITT Response the last submitted prior to the Deadline shall be assessed by the LAA.
- 2.4 If a SQ Response or an ITT Response is not submitted or is incapable of assessment it will be rejected.
- 2.5 An Applicant must ensure that its entire Tender is capable of concurrent delivery.
- 2.6 By submitting a Tender, Applicants commit to providing evidence that they meet the Exclusive Schedule and Face to Face Contract requirements by 23:59 on 15 October 2021. The LAA requires this period to issue or amend contracts, produce the Rota for the IRC and give Providers a minimum of one month's notice prior to the start of the Rota, which will begin on the Contract Start Date. The LAA cannot add any Applicant to the Rota if they have not successfully completed the verification process and been issued with contract documentation and/or had contract documentation amended.
- 2.7 In accordance with the verification process set out at Section 8 of this IFA, all Applicants, regardless of whether they already hold a 2018 Standard Civil Contract, will be required to evidence they meet minimum contract requirements and the Derwentside IRC requirements by 23:59 on 15 October 2021. Requirements are contained in Annex C of this IFA and summarised below.
- 2.8 By submitting a tender, Applicants agree to the following:
 - a) The LAA will collate details of successful Applicants through this procurement process and will share details of these Applicants with the Home Office and local authorities who will use these details to assist in their referral of clients to a Provider.
 - b) Successful Applicants bidding through this procurement process agree that they will meet any urgent request by the LAA during the Contract Period to assist clients regardless of their location in the wider Procurement Area in which they have bid. The LAA may make such a request if it deems that there is an urgent need to advise clients (or a group of clients) within the Procurement Area. This could be as a result of a national, regional or other emergency (for example, a sudden movement of asylum-seeking children following the closure of a refugee camp), or an urgent need for legal advice has otherwise arisen and would not otherwise be sufficiently met. Such Providers may need to travel as necessary to advise clients where remote working arrangements are not appropriate for the client.

- c) Successful Applicants will be able to self-grant Matter Starts for the Office from which they bid without an upper limit to conduct work in accordance with paragraphs 1.40 – 1.41 subject to agreement with their LAA Contract Manager. For the avoidance of doubt this does not apply to the Matter Starts exclusively for use for clients at Derwentside IRC.

Generic requirements

- 2.9 All Applicants responding to this procurement process must be able to evidence by 15 October 2021 as to how they meet the following requirements:

| Requirement | Who must evidence this requirement |
|--|------------------------------------|
| The Applicant holds a relevant Quality Standard | All Applicants |
| The Applicant has appropriate authorisation from a Relevant Professional Body where required under the Legal Services Act 2007 | All Applicants |

Quality Standard requirement

- 2.10 Contract holders will be required to hold a Quality Standard throughout the Contract Period.
- 2.11 Applicants must be able to evidence by 23:59 on 15 October 2021 they hold either the LAA’s Specialist Quality Mark (“**SQM**”) following audit by the LAA’s SQM Audit Provider or the Law Society’s Lexcel Practice Management standard (“**Lexcel**”).
- 2.12 Applicants are solely responsible for paying all necessary fees to the Quality Standard auditing organisation.
- 2.13 Where an Applicant already holds the SQM following audit by the LAA’s SQM Audit Provider or is in the process of being audited by them, it need not reapply for the SQM, unless it must do so to continue to hold the SQM.
- 2.14 Requirements according to the Quality Standard an Applicant chooses to hold are detailed below:

| Applicant Type | Requirement |
|---------------------------------------|---|
| Applicants who intend to hold the SQM | <ul style="list-style-type: none"> - Pass desktop audit before Contract Start Date - Fully pass the Pre-QM audit within six months of the Contract Start Date |
| Applicants who intend to hold Lexcel | <ul style="list-style-type: none"> - Achieve Lexcel accreditation before Contract Start Date |

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| Applicants who already hold Lexcel | - Must hold a valid accreditation that will be in force until at least 1 January 2022 |
| Applicants who already hold an SQM audited by the LAA's SQM Audit Provider | - Must hold a valid accreditation that will be in force until at least 1 January 2022 |

2.15 It is an Applicant's responsibility to ensure it meets the LAA's requirements before the Contract Start Date (see paragraph 8.4 – 8.5). Applicants are therefore advised to apply for their chosen Quality Standard as early as possible.

2.16 It is the sole responsibility of the Applicant to contact the Quality Standard auditing organisation and arrange any necessary audits. The LAA assumes no responsibility for monitoring Applicants' progress towards achieving a Quality Standard.

2.17 Further information about the SQM and how to register with the LAA's current SQM Audit Provider can be found at <http://www.recognisingexcellence.co.uk/sqm/>.

2.18 Further information on Lexcel can be found on The Law Society's website: <http://www.lawsociety.org.uk/productsandservices/lexcel.page>.

Appropriate authorisation from a Relevant Professional Body

2.19 The required services include "reserved legal activities" which can only be carried on by authorised persons, exempt persons, or certain non-commercial organisations which are subject to transitional provisions, as defined within the Legal Services Act 2007. Applicants for a Face to Face Contract must, therefore, ensure that they have all necessary licences and authorisations from a Relevant Professional Body to conduct Contract Work by 23:59 on 15 October 2021.

2.20 Organisations solely regulated by OISC are not eligible to bid in this procurement process unless they are permitted to carry out "reserved legal activities" under the Legal Services Act 2007. This is because one of the requirements of this procurement process is that Applicants are able and willing to undertake the full range of Licensed Work in the Immigration and Asylum Category of Law and as such employ an Authorised Litigator. OISC registered individuals are not necessarily permitted to undertake the full range of activities required during litigation.

Derwentside IRC-specific requirements

2.21 In addition to meeting the requirements of the SQ and the above generic requirements, Applicants will need to meet the requirements specific to this procurement process for DDAS services at Derwentside IRC. Applicants must warrant at the time of submitting their ITT Response that they will meet these requirements. Applicants must be able to evidence how they meet these requirements by 23:59 on 15 October 2021.

| Requirements which all Applicants responding to the Derwentside IRC ITT must meet by the Contract Start Date | |
|---|--|
| Supervisor | <p>The Applicant must at the Office from which it is tendering:</p> <ul style="list-style-type: none"> employ at least one Full Time Equivalent (FTE) Supervisor who meets the Derwentside IRC Immigration and Asylum Supervisor Standard and who will actively supervise the Immigration and Asylum Contract Work tendered for; and meet the one FTE Supervisor: four FTE caseworkers ratio. |
| Office Presence | <p>The Office in the Access Point in which the Applicant is tendering to deliver Immigration and Asylum Contract Work must be a Permanent Presence.</p> <p>Any additional locations the Applicant wishes to use (see paragraph 2.28) in the wider Procurement Area (i.e. outside the Access Point) must be at least a Part Time Presence and meet the Office requirements of the Contract (2.33 – 2.37 of the Specification)</p> |
| Controlled Work | The Applicant must be able and willing to conduct the full range of Controlled Work in the Immigration and Asylum Category of Law. |
| Accreditation | All of the Applicant's caseworkers delivering the Immigration and Asylum Contract Work must be accredited by the Law Society's Immigration and Asylum Accreditation Scheme (IAAS) |
| Caseworkers | The Applicant must, at the Office from which it is tendering, have at least one FTE IAAS Senior Caseworker (or Advanced Caseworker) employed for every two FTE IAAS Trainee Caseworker Assistants and/or Casework Assistant caseworkers |
| Licensed Work | The Applicant must be able and willing to undertake the full range of Licensed Work in the Immigration and Asylum Category of Law |
| Advanced Caseworker accreditation | The Applicant must employ an FTE who is an IAAS accredited Advanced Caseworker at the Office related to the Individual Bid |
| Delivery of Contract Work for detained clients | The Applicant must be able and willing to deliver Contract Work in the Immigration and Asylum Category of Law for detained clients at Derwentside IRC in accordance with the terms of the Face to Face Contract including that all Contract Work for clients detained at an IRC must be conducted by an individual accredited to IAAS Senior Caseworker level or above. |
| Interpretation services | In respect of Derwentside IRC, the Applicant must have access to interpretation services at short notice to interpret in any language required by a client. |
| Female caseworker | By the Contract Start Date the Applicant will, if tendering to deliver Contract Work at Derwentside IRC, employ at least one PTE female caseworker who is IAAS accredited to at least the level of Senior |

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|--------------------------|---|
| | Caseworker and who can be deployed to deliver this service if requested. |
| Exceptional Case Funding | The Applicant must be able and willing to apply for Exceptional Case Funding on behalf of a client and if funding is granted to take on the case. |

Supervisor requirements

- 2.22 As part of the LAA’s ongoing process of review and improvement an updated Supervisor Standard and Declaration form has been introduced in this procurement process to ensure the quality of provision of legal advice that is available. Additional examples of experience of common elements of work encountered at IRCs forms the basis for this change to ensure that supervisors can demonstrate their depth and breadth of the knowledge, skills and procedure that are key to successful delivery of this service. The amendments to the Supervisor Declaration Form are set out at Annex E. The full Derwentside IRC Immigration & Asylum Supervisor Declaration Form can be found here: <https://www.gov.uk/government/publications/standard-civil-contract-2018>.
- 2.23 Successful Applicants will have the requirement to meet the Derwentside IRC Immigration & Asylum Supervisor Standard added to their Contract through Table 7 Special Provisions in their Office Schedule.
- 2.24 Supervisor Standards are set out at sections 2.10 – 2.25 of the General Specification and the Legal Competence Standards set out in detail in the relevant Category Specification. Minimum Supervisor ratios are detailed at 2.26 – 2.28 of the General Specification.
- 2.25 An individual Supervisor may not supervise more than two Offices in total.
- 2.26 Each Applicant must employ at least one Full Time Equivalent (“**FTE**”) Supervisor who meets the Supervisor Standard in the relevant Category. Each FTE Supervisor may supervise no more than 4 FTE caseworkers.
- 2.27 For the purposes of obtaining a Contract, use of external (i.e. non-employed) Supervisors is not permitted. To evidence that an Applicant employs an individual who (1) meets the Supervisor Standard and (2) works at the Office from which it has submitted an Individual Bid, at least one compliant Supervisor Declaration Form in the relevant Category must be provided with the Applicant’s Tender.

Offices

- 2.28 Applicants must meet the minimum requirement of delivering services from a Permanent Presence within an Access Point. Where successful, they may additionally confirm at verification any additional locations in the wider Procurement Area (i.e. outside an Access Point) which are either a Part Time Presence or a Permanent Presence and

from which they intend to deliver Immigration and Asylum Contract Work. These additional presences will not receive a separate allocation but, subject to validation of address details, will be added to the Schedule for the relevant Office and the Applicant will be able to use Matter Starts allocated to their linked Office from additional presences in the same Procurement Area. Providers will be able to add and/or remove additional presences during the Contract Period with the agreement of their LAA Contract Manager to respond to changing dispersal patterns. For avoidance of doubt, the use of additional locations is for the delivery of non-IRC Immigration & Asylum Contract Work only.

2.29 Through this procurement process Applicants should bid from a single Office at which they will meet the requirements to deliver DDAS Contract Work at Derwentside IRC. Subject to the rules of on additional locations set out in paragraph 2.28, Applicants may open a maximum of one new Office through this procurement process in order to facilitate the delivery of DDAS Contract Work at Derwentside IRC:

| Type of Applicant | May bid for Contract Work: |
|--|---|
| New to legal aid (i.e. does not hold a 2018 Standard Civil Contract) | from one Office located in any Access Point |
| New to Immigration & Asylum (i.e. holds a 2018 Standard Civil Contract in other Categories of Law) | from either: i. an existing Office located in any Access Point; or ii. a new Office located in any Access Point |
| Current Immigration & Asylum provider (i.e. holds a 2018 Standard Civil Contract with authorisation to deliver Contact Work in the Immigration & Asylum Category of Law) | from either: i. an existing Office located in any Access Point; or ii. a new Office located in any Access Point |

2.30 Derwentside IRC will be located in the County Durham East, Teesside, Tyne & Wear and Gateshead Access Point and North East, Yorkshire and the Humber Procurement Area. Applicants are not required to bid from or open an Office in either this Access Point or other Access Points in this Procurement Area to be eligible to bid for DDAS Contract Work. However, Applicants should note that they will be expected to deliver the DDAS Contract Work on a face to face basis at Derwentside IRC and the LAA will not pay for travel.

2.31 In their ITT Response, Applicants must confirm the Access Point for the Office from which they intend to deliver the services. Applicants should note that the LAA commissions Immigration & Asylum Contract Work in specific Access Points only and that Applicants cannot bid from an Office that is not located in one of these Access Points.

- 2.32 Applicants should check that they tender in the correct Access Point for their Office. To do this, an Applicant must enter the postcode for their Office (or intended Office) into the 'Find your local council' tool on the Gov.uk website: <https://www.gov.uk/find-local-council>. Annex A lists the Procurement Areas and Access Points for the Immigration and Asylum Category and the local authorities included in each.
- 2.33 Applicants are not required to have an operational Office at the point of submitting a Tender. Applicants are required to confirm they will meet the relevant Office requirements as part of their Tender. As part of an ITT Response Applicants should provide the address of where they intend to deliver Contract Work where known at the time of tender, together with the relevant LAA account number where the Applicant is a current LAA contract holder. An Applicant's Office must be in the Access Point for which it tenders. The LAA will validate address details provided.
- 2.34 All Applicants must be able to evidence by 23:59 on 15 October 2021 that they meet the verification requirements, including those relating to Offices.
- 2.35 Where an Applicant's Individual Bid includes an Office which is not in the Access Point stated in their Individual Bid, the LAA will not reject the Individual Bid outright. Rather, the LAA will inform the Applicant at the point of notification that their Office is not in the Access Point tendered for. Where an Applicant is unable evidence at the point of verification that they have an Office which is in the Access Point tender for as part of the Individual Bid the LAA will reject the relevant Individual Bid.

Authorised Litigator

- 2.36 The Applicant must be able and willing to undertake the full range of Licensed Work in the Immigration and Asylum Category of Law. To demonstrate this Applicants must employ least one Part Time Equivalent (PTE) Authorised Litigator with experience of delivering Immigration & Asylum cases at the Office from which they are bidding.

Accreditation

- 2.37 When delivering Contract Work successful Applicants must comply with the rules set out in the Immigration and Asylum Specification at paragraphs 8.18 – 8.20 regarding the use of suitably accredited staff. All caseworkers delivering Immigration and Asylum Contract Work must be accredited by the Law Society's Immigration and Asylum Accreditation Scheme (IAAS). All Contract Work at IRCs, including Derwentside IRC, will be classified as Reserved Matters and all Contract Work for clients detained at an IRC must be conducted by an individual accredited to IAAS Senior Caseworker level or above. Applicants will, as part of verification, be required to provide the certificates of accreditation of their Senior Caseworkers employed at the Office from which the Applicant is tendering and who will be deployed to deliver the DDAS services at Derwentside IRC.

- 2.38 Additionally, for the delivery of DDAS Contract Work at Derwentside IRC, the Applicant must employ an FTE who is an IAAS accredited Advanced Caseworker at the Office related to the Individual Bid. Successful Applicants will have the requirement to employ an FTE who is an IAAS accredited Advanced Caseworker added to their contract through Table 7 Special Provisions in their Office Schedule.
- 2.39 Derwentside IRC will house adult women. Applicants should have regard to the particular issue of gender in this IRC. Providers would be expected to provide a female IAAS accredited Senior Caseworker (and/or interpreter) if the client requests one.

SECTION 3: THE e-TENDERING SYSTEM

- 3.1 All Tenders must be completed and submitted using the e-Tendering system. This can be accessed either through a link on the tender pages of the LAA website or directly at www.legalaid.bravosolution.co.uk
- 3.2 Applicants already registered on the e-Tendering system whose registration details remain up to date do not need to register again. Applicants are encouraged to ensure that they review the contact details held in the e-Tendering system to ensure these are up to date.
- 3.3 Where an Applicant already has multiple registrations on the e-Tendering system it should ensure that it uses the registration which matches the name and trading status of the organisation on whose behalf the Tender is submitted.
- 3.4 Applicants who have forgotten their password, must click on the 'Forgotten your password?' link on the e-Tendering system homepage to get their password reset.
- 3.5 Applicants must familiarise themselves with the e-Tendering system guides available through the 'Technical Support and Guidance' link on the e-Tendering system home page. These provide detailed guidance on how to complete a Tender.
- 3.6 The LAA will communicate with Applicants about this procurement process through the e-Tendering system message board. Applicants must check the message board regularly to ensure that any messages are read promptly. The LAA highly recommends that Applicants set up multiple additional users under their e-Tendering system registration (see 'Technical Support and Guidance' link) as back-up to ensure that urgent messages, which may affect an Applicant's Tender, can be actioned as necessary.
- 3.7 The SQ and Derwentside IRC ITT are available via the 'Project' or 'ITT Open to all Suppliers' link on the front page of the e-Tendering system.
- 3.8 All Applicants must submit a Response to the SQ and the Derwentside IRC ITT.

- 3.10 Applicants must click 'Edit response' to be able to complete their responses to the questions asked. Applicants must click the 'Save Changes' or 'Save and Exit Response' buttons to ensure information inputted is saved.
- 3.11 Once Applicants have completed their response to the SQ and Derwentside IRC ITT, they must submit it by clicking on the "Submit Response" button.
- 3.12 Applicants may amend and re-submit their response at any time up to the Deadline. If so amended and re-submitted, only the last response shall be assessed.
- 3.13 An Applicant may check that it has successfully submitted its SQ/ITT Response by going to the 'My ITTs' screen, which should show the 'Response status' as 'Response submitted to Buyer'. The registered email address will also receive confirmation when the Applicant submits its SQ/ITT Response for the first time. It is therefore important for an Applicant to ensure that any and all contact details held in the e-Tendering system are up to date.
- 3.14 ITT Responses are sealed. This means that the LAA is unable to access submitted SQ/ITT Responses prior to the Deadline. The LAA cannot confirm receipt of an SQ/ITT Response or Tender, nor can it confirm if an SQ/ITT Response or Tender has been completed correctly.
- 3.15 All questions marked with a red asterisk on the e-Tendering system are mandatory. The e-Tendering system will not permit an Applicant to submit its SQ/ITT Response unless answers to those questions are provided.
- 3.16 There is a button in the e-Tendering system called 'check mandatory questions'. By clicking on this the e-Tendering system will check that an Applicant has provided a response to all mandatory questions and will flag where a response to a mandatory question has not been given. For the avoidance of doubt, it does not provide an assessment of the responses to those questions or confirmation that they have been answered correctly.
- 3.17 When an Applicant submits its SQ/ITT Response for the first time, it will receive an automated message confirming that its response has been successfully submitted. This only provides an indication of whether the SQ/ITT Response has been transmitted to the LAA and not whether the SQ/ITT Response or Tender is fully completed and/or will be assessed as being successful.

SECTION 4: COMPLETION OF THE SELECTION QUESTIONNAIRE AND ITT

COMPLETION OF THE SELECTION QUESTIONNAIRE

- 4.1 A Response to the SQ must be submitted by **all** Applicants regardless of whether they have previously submitted a SQ Response as part of any other procurement process

If no SQ Response has been submitted, this will be considered an incomplete Tender and the LAA will reject the Applicant's Tender in its entirety.

- 4.2 The SQ can be found in Project 132 at ITT 696 – 'Selection Questionnaire for Detained Duty Advice Scheme Services at Derwentside from 1 January 2022' in the e-Tendering system.
- 4.3 The SQ contains a series of questions covering the following areas:
- Section A - Organisation and contact details
 - Section B - Grounds for mandatory exclusion
 - Section C - Grounds for discretionary exclusion
 - Section D – Declarations
- 4.4 A full breakdown of each of the questions and what would constitute a pass or a fail is set out in Annex A.

Section A - Organisation and contact details

- 4.5 This information may be used in the verification of the Applicant's Tender. Applicants who have yet to form legal entities may provide "N/A" responses to some questions within this section. Where successful, and as part of verification, they will be required to confirm, for example, their head office address or other details not provided as part of the Tender.

Sections B and C – Grounds for mandatory and discretionary rejection

- 4.6 For each question the Applicant is presented with a series of drop-down options from which to select a response.
- 4.7 Where a requirement is not met outright the Applicant will be provided with a series of 'free text' boxes in which to give further details (known as 'exceptional circumstances'). These will be used by the LAA to consider whether those exceptional circumstances are deemed to be satisfactory for the Applicant to meet the SQ requirement.
- 4.8 Where the opportunity to provide exceptional circumstances is given, specific details in response to the supplemental questions are requested within the SQ. This must not be used as an opportunity to provide other supplementary information to an Applicant's SQ response and any information provided that is not relevant to the particular SQ requirement and explanation of exceptional circumstances will not be considered.
- 4.9 Subject to paragraph 4.10 below, the LAA will assess SQ responses on the basis of information submitted by the Applicant in its SQ Response. SQ Responses for Sections B and C will be assessed on a pass or fail basis.
- 4.10 Where an Applicant's SQ Response states it does not meet the SQ requirements outright in questions C.8 (LAA contract terminations), C.9 (Peer Review) and C.10 (individuals prohibited from undertaking publicly funded work) the LAA will review its own

records in assessing whether the requirements have been met. For all other questions in Section B and C, the LAA's assessment will be solely reliant on information provided by the Applicant. That information must be complete and accurately expressed. Applicants' attention is drawn to the LAA's right to disqualify an Applicant for submitting false and/or misleading information as provided at paragraphs 9.30 - 9.32 of this IFA.

Section D – Declaration

- 4.11 A declaration in the form set out at Section D of the SQ (see Annex A below) must be provided by:
- a) the Compliance Officer for Legal Practice (COLP) or the individual intending to be the COLP where Applicant is or intends to be authorised by the Solicitors Regulation Authority (SRA); or
 - b) the Head of Legal Practice (HOLP) or the individual intending to be the HOLP where Applicant is or intends to be authorised by the Bar Standards Board (BSB); or
 - c) the Compliance Manager (CM) or the individual intending to be the CM where Applicant is or intends to be authorised by CILEx Regulation (CILEx); or
 - d) where the Applicant is not (and will not be) authorised by the SRA, the BSB or CILEx, a member of Key Personnel who either (i) has decision and / or veto rights over decisions relating to the running of the Applicant; or (ii) has the right to exercise, or actually exercises, significant influence or control over the Applicant

COMPLETION OF THE DERWENTSIDE IRC ITT

- 4.12 In addition to submitting a Response to the SQ, **all** Applicants must submit a response to the Derwentside IRC ITT. If no Derwentside IRC ITT Response has been submitted, this will be considered an incomplete Tender and the LAA will reject the Applicant's Tender in its entirety.
- 4.13 The Derwentside IRC ITT can be found at Project 132 at ITT 697 – 'ITT for Detained Duty Advice Scheme Services at Derwentside from 1 January 2022'
- 4.14 The ITT contains a series of questions covering the following areas:
- Bid details (Section A)
 - Verification (Section B)
 - Warranties and Declarations (Section C)
- 4.15 A full breakdown of each of the questions for the Derwentside IRC ITT is included in the ITT and is replicated at Annex C.
- 4.16 Applicants must respond to each question in the relevant ITT by selecting the correct drop-down option or by providing a typed answer in the free text box provided. Each free text box is limited to 2000 characters (including spaces).
- 4.17 Where a question requires a response from a drop-down menu, Applicants may either select an option from the drop-down list or, if they know the answer option they wish

to select, use the quick search functionality by typing in the 'response' box in the e-Tendering system.

- 4.18 Applicants who want to submit compliant verification information with their Derwentside IRC ITT Response can do so at Section B. An Applicant who confirms in Section B that they wish to provide compliant verification information must provide all the information required to verify its ITT Response.
- 4.19 Where an Applicant wishes to submit more than one Supervisor Declaration Form or more than one certificate of accreditation for its ITT Response, the completed Supervisor Declaration Forms/certificates of accreditation must be merged into a single document and the single document uploaded into the e-tendering system.
- 4.20 Before submitting its ITT Response an Applicant must check that it has answered all questions correctly. If an ITT Response is incomplete it may be assessed as unsuccessful.
- 4.21 Tenders, including ITT Responses, will not be opened by the LAA until after the Deadline and therefore if an Applicant's Tender is incomplete, this will only be identified on assessment, at which point it shall be too late for Applicant to submit any further information.

SECTION 5: APPLICANTS' QUESTIONS

- 5.1 If an Applicant has a question about the procurement process to which they cannot find an answer either in this document or in the guidance provided in the e-Tendering system, they may direct it through one of two different channels depending on the nature of the query.

Questions about this IFA

- 5.2 If an Applicant has any questions about the content of this IFA, it may submit them up until **23.59 on 6 August 2021**. This is referred to in the e-Tendering system as the 'End date for supplier clarification messages'.
- 5.3 All such questions must be submitted using the e-Tendering system message boards.
- 5.4 Because of the way the LAA downloads messages from the e-Tendering system, it may appear that Applicants' messages have not been read. Applicants should not assume that this is the case and re-send messages to the LAA. All messages will be responded to. However, during peak periods of activity it may take the LAA longer to respond due to the increased volumes of messages received.
- 5.5 Applicants should assume that questions and answers may be published. Questions that the LAA considers to be of wider interest may be collated and answered centrally in writing to ensure that all potential Applicants have equal access to information. Questions and answers will be published on the LAA's tender pages

<https://www.gov.uk/government/publications/civil-tender-activity-2021> in the 'Procurement Process for DDAS Services at Derwentside IRC from 1 January 2022 Frequently Asked Questions (FAQ)'.

- 5.6 Applicants should note that this is the only opportunity to ask questions about the procurement process. The LAA will not be able to provide responses to questions about the process through any other method.

Technical questions about how to operate the e-Tendering system

- 5.7 There is an e-Tendering helpdesk to provide technical support in relation to the use of the e-Tendering system. The helpdesk is **unable** to assist with problems with Applicants' own computer hardware or systems. For these types of issues Applicants should contact their own IT support.
- 5.8 Questions for the e-Tendering helpdesk should be emailed to: help@bravosolution.co.uk Alternatively, the telephone number for the helpdesk is 0800 069 8630 and lines are open from 8am to 6pm Monday to Friday.
- 5.9 The LAA recommends that Applicants start to complete their Tenders early so that they identify any areas in which they need help as soon as possible as the helpdesk is likely to be very busy in the days leading up to the Deadline. The LAA cannot guarantee that queries received close to the Deadline will be dealt with in time and accepts no responsibility if they are not.
- 5.10 Applicants should note that the e-Tendering helpdesk is the only method by which they can receive assistance on using the e-Tendering system.

SECTION 6: TENDER ASSESSMENT

SQ Assessment

- 6.1 The LAA will check that the Applicant has submitted an SQ Response. If no SQ Response has been submitted this will be considered an incomplete Tender and the LAA will reject the Applicant's Tender in its entirety.
- 6.2 The LAA will assess an Applicant's SQ Response in accordance with the assessment approach detailed in Annex A.
- 6.3 The LAA will then review the declarations given in an Applicant's SQ Response (Section D of the Derwentside IRC SQ) to ensure the Applicant has provided the necessary declarations.
- 6.4 The LAA will assess the declarations on the basis of information submitted. Responses will be assessed on a pass or fail basis.

- 6.5 Where the Applicant fails to provide the necessary declarations, the whole SQ Response may fail.
- 6.6 The sole right of appeal is set out at paragraph 9.40 of this IFA. That right of appeal applies solely where the LAA assesses the Applicant's SQ Response as unsuccessful.
- 6.7 Applicants that are assessed as having passed the SQ will proceed to the assessment of the Derwentside IRC ITT, as set out below.
- 6.8 Where an Applicant is notified that its SQ Response is unsuccessful but the Applicant subsequently successfully appeals against the outcome the Applicant's Tender will proceed to the assessment for the Derwentside IRC ITT, as set out below.

Derwentside IRC ITT Assessment

6.9 Responses to the Derwentside IRC ITT will be assessed in the following stages:

- Stage 1 – ITT requirements check
- Stage 2 – Verification (where applicable)
- Stage 3 – Contract award (subject to verification)
- Stage 4 – Verification

Stage 1 – ITT requirements check

6.10 The LAA will conduct an assessment of:

- Any address and postcode details provided as part of an Individual Bid; and
- The declarations and warranties provided as part of an ITT Response.

Address and postcode assessment

6.11 The LAA will review any address and postcode details provided as part of an Individual Bid for an Office. The LAA will check the Office is in the relevant Access Point.

6.12 Where an Applicant is assessed as having provided the address of an Office which is not in the Access Point stated in the corresponding Individual Bid, the LAA will act in accordance with paragraph 2.35.

6.13 Where no address details as part of an Individual Bid, an address check will be conducted as part of verification (stage 4). Applicants must be able to evidence an Office in the relevant Access Point by 23:59 on 15 October 2021.

Declarations and warranties assessment

6.14 The LAA will review the warranties and declarations given in an Applicant's Tender (Section C of the Derwentside IRC ITT) to ensure the Applicant has provided the necessary declarations and warranties.

- 6.15 The LAA will assess the declarations and warranties on the basis of information submitted. Responses will be assessed on a pass or fail basis.
- 6.16 Where the Applicant fails to provide the necessary declarations and warranties, the whole ITT Response may fail.
- 6.17 Applicants who are assessed as having provided the necessary declarations and warranties will be eligible for the award of an Exclusive Schedule, and where relevant, a Face to Face Contract, and their Tender will be assessed as successful subject to verification (stage 2 or a stage 4 as appropriate).

Stage 2 – Verification (if applicable)

- 6.18 If an Applicant has submitted verification information with their ITT Response the LAA will verify an Applicants ITT Response at this stage in accordance with the process set out in Section 8 of this IFA.

Stage 3 – Contract award (subject to verification)

- 6.19 All Applicants will be notified of the outcome of their Tender through the e-Tendering message board. Notifications to Applicants whose Tender is unsuccessful will include details of why their Tender is unsuccessful.
- 6.20 The LAA intends to notify Applicants of the outcome of their Tender in September 2021.
- 6.21 More detail of the notification process is set out in Section 7 of this IFA.

Stage 4 - Verification

- 6.22 Applicants who have not already concluded the verification process at Stage 2 of the tender assessment process and are notified that they have been successful in this procurement process will be required to verify their Tender following the verification process detailed at Section 8 of this IFA.

SECTION 7: NOTIFICATION OF TENDER OUTCOMES

- 7.1 The LAA will notify Applicants of the outcome of their Tender in accordance with the timetable set out earlier in this IFA at page 3.
- 7.2 Applicants will be notified of the outcome of their Tender through the e-Tendering system message board. Notifications to unsuccessful Applicants will include reasons why their Tender, SQ Response, ITT Response or Individual Bid has been assessed as unsuccessful.
- 7.3 Where an Applicant's SQ Response is assessed as unsuccessful the Applicant's ITT response will not be assessed, unless any appeal made by the Applicant is successful.

- 7.4 The sole right of appeal is set out at paragraph 9.40 of this IFA. The sole right of appeal applies to the outcome of the LAA's assessment of an Applicant's SQ Response as unsuccessful.
- 7.5 There is no right of appeal against the LAA's assessment of ITT Responses.
- 7.6 Where the LAA assesses an Applicant's SQ Response as being successful, the ITT Response submitted by the Applicant will then be assessed and Applicants will be notified in accordance with the timelines set out in this IFA.

SECTION 8: VERIFICATION OF DERWENTSIDE IRC ITT

- 8.1 All successful Applicants will be required to verify their Individual Bids and all Contract awards will be conditional on Individual Bids being satisfactorily verified by the LAA. Details of the verification requirements are set out at Annex D of this IFA. Verification information must be provided at the latest by 23:59 on 15 October 2021.
- 8.2 Applicants will have the opportunity to submit verification information with their ITT Response. Where an Applicant does not submit compliant verification information with their ITT Response, requests for verification information will be sent to Applicants at the same time as they are notified that they have been successful. They must submit compliant verification information no later than 23:59 on 15 October 2021.
- 8.3 If verification is successfully concluded an Applicant's Contract documents will be uploaded or amended to enable them to deliver Contract Work awarded under this procurement process from 1 January 2022.
- 8.4 It is the Applicant's sole responsibility to ensure they provide us with all the necessary information to evidence they meet the relevant verification requirements not later than 23:59 on 15 October 2021.
- 8.5 Where the Applicant has not submitted information in accordance with the verification process for either an Individual Bid or its entire Face to Face Contract by 23:59 on 15 October 2021, then the award in respect of an Individual Bid or the entire Face to Face Contract may be withdrawn as applicable.
- 8.6 For the avoidance of doubt, if it becomes necessary for the LAA to withdraw the award to an Individual Bid or an entire Face to Face Contract as a consequence of their failure to satisfactorily verify any aspect of their Tender, the LAA shall have no responsibility whatsoever to the Applicant (or any related party) for any cost, expense or any other liability they have incurred or may incur in the course of submitting their Tender.
- 8.7 Please note, the LAA will not enter into contract or issue or amend any Contract Schedule with Applicants until pre-contract verification process is concluded i.e. the Applicant satisfactorily verifies information required at the latest by 23:59 on 15 October

2022. Likewise, the LAA will not add an Applicant to the Rota until the verification process is complete and a Contract has been issued or a Schedule amendment made.

8.8 In addition to meeting the verification requirements, Applicants must complete the two following administrative processes, where relevant, before the LAA can issue Contract documentation to an Applicant:

- i. Provide a completed indemnity where the Applicant organisation has limited liability
- ii. Provide a completed AC1 form and associated documentation for each new Office

8.9 The LAA will be unable to enter into contract with an Applicant that fails to provide this information where necessary. Where an Applicant fails to provide a properly completed indemnity at the latest by the time and date which will be stated in the contract award notification letter, the LAA may withdraw its offer of a Contract. Where an Applicant fails to provide a completed AC1 form and associated documentation at the latest by the time and date which will be stated in the contract award notification letter the LAA may withdraw its offer of Contract Work to the relevant Office(s).

Indemnity

8.10 Applicants with limited liability (unless a registered charity) must supply the LAA with a properly completed indemnity.

8.11 The indemnity must be signed by the ultimate owners of the Applicant and/or such persons as the LAA might reasonably regard as being controllers and/or senior managers of the Applicant and/or where the Applicant is a limited company, from any company which is its holding company.

8.12 A copy of the indemnity form is available at:

<https://www.gov.uk/government/publications/personal-guarantee-and-indemnity>

AC1 form

8.13 Where Applicants intend to open an Office to deliver the Contract Work tendered for, in addition to confirming the Office address and postcode, they will be required to complete and return an AC1 form and supporting documents so the new Office can be allocated a LAA Account Number and set up on the LAA systems. Applicants cannot be issued with Contract documentation or start, or be paid for, Contract Work until a completed AC1 form has been received and processed by the LAA. The AC1 form is available at: www.gov.uk/guidance/update-your-details-with-laa.

Issuing of Face to Face Contract documentation (Applicants that did not hold a 2018 Standard Civil Contract prior to this procurement process)

- 8.14 When an Applicant satisfactorily verifies their Individual Bid through the verification process, they will be notified that their Face to Face Contract documentation is available to view and, where necessary, execute online.
- 8.15 Face to Face Contract documentation will be issued and executed electronically via Adobe Sign. Once executed Applicants will be able to view their Contract documents, including the Schedule in the LAA's 'Contracted Work and Administration (CWA)' system.
- 8.16 To view their Face to Face Contract an Applicant must have been set up on the LAA systems and issued with an LAA Account Number for each new Office.
- 8.17 Contracts that have not been executed two weeks after the Contract Start Date, may be withdrawn at the LAA's sole discretion. The LAA will have no liability to an Applicant whatsoever as a consequence of any such withdrawal.

Amendment of Face to Face Contract documentation (Applicants that already held a 2018 Standard Civil Contract prior to this procurement process)

- 8.18 Successful Applicants that have previously executed a 2018 Standard Civil Contract through a previous procurement process will have their Office Schedule amended or a new Office Schedule added to their 2018 Contract as appropriate, as set out at paragraph 1.16.

Issuing of the Rota

- 8.19 The LAA will issue the Rota for the Derwentside IRC no later than 30 November 2021, to give Providers at least one month's notice prior to the Rota start date.

SECTION 9: GENERAL RULES OF THIS PROCUREMENT PROCESS

Introduction

- 9.1 This procurement process is governed by this IFA which represents a complete statement of the rules of the procurement process. This IFA supersedes all prior negotiations, representations or undertakings, whether written or oral. References to 'Tender' include, as applicable, any submission forming part of a Tender such as the Response to the ITT.
- 9.2 'Legal services' are classified as Social and Other Specific Services to which The Public Contracts Regulations 2015 (the "Regulations") only apply in part. The LAA is not bound by any of the Regulations except those which specifically apply to the procurement of Social and Other Specific Services.
- 9.3 This IFA and any supplementary documents issued as part of this procurement process are governed and construed in accordance with English Law.

Submitting a Tender

- 9.4 The Applicant agrees to comply with the rules (contained in this Section 9 and elsewhere in this IFA) of this procurement process, the terms of the user agreement governing the use of the LAA e-Tendering system and any contract awarded to them by the LAA (including any conditions of contract award). If the Applicant fails to comply with the rules of this procurement process and/or the terms of the user agreement, the LAA will assess the Applicant's Tender as unsuccessful.
- 9.5 The Applicant must submit a complete Tender (in accordance with paragraph 9.8) by the Deadline. For the purposes of the Deadline, the time specified on the e-Tendering system shall be the definitive time. A Tender will be rejected if it is submitted by the Applicant after the Deadline. The LAA will not consider:
- (a) any requests by the Applicant to amend or submit the Tender after the Deadline; or,
 - (b) any requests by the Applicant for an extension of the time or date fixed for the submission of the Tender
- and the Applicant accepts all responsibility for ensuring all parts of its Tender are submitted through the e-Tendering system by the Deadline.
- 9.6 The Applicant must submit a complete Tender (in accordance with paragraph 9.8) using the e-Tendering system at www.legalaid.bravosolution.co.uk. The LAA will not consider any Tender submitted by the Applicant in any other form, or by any other method.
- 9.7 A Tender comprising of a Response to the SQ and the Derwentside IRC ITT must be authorised by one of the following:
- a) the Applicant's COLP, HOLP or CM; or

- b) where the Applicant is not authorised by a Relevant Professional Body, a member of Key Personnel who either:
 - (i) has decision and / or veto rights over decisions relating to the running of the Applicant; or
 - (ii) has the right to exercise, or actually exercises, significant influence or control over the Applicant.
- 9.8 The Applicant must submit a complete Tender (i.e. a SQ Response and an ITT Response) prior to the Deadline. The Applicant must reply to every question in the Tender and upload all requested documentation, even if it has previously provided this information or if it is otherwise of the view that the LAA is already aware of such information. Where an Applicant does not submit a complete Tender, their Tender will be rejected its entirety and there will be no right of appeal.
- 9.9 The Applicant may only submit one Tender (i.e. maximum of one response to the SQ and/or Derwentside IRC ITT). Where an Applicant submits more than one SQ Response and/or Derwentside IRC ITT Response, the LAA will assess only the last SQ and/or Derwentside IRC ITT Response submitted prior to the Deadline.
- 9.10 The Applicant may amend and re-submit its Tender at any time up to the Deadline. Only the last Tender submitted by an Applicant prior to the Deadline will be considered by the LAA.
- 9.11 The Applicant must ensure that its Tender is fully and accurately completed. The Applicant must ensure that information provided as part of its response is of sufficient quality and detail that an informed assessment of it can be made by the LAA.
- 9.12 Subject to the LAA's right to clarify at paragraph 9.27, the Applicant will not be permitted to amend or alter the Tender after the Deadline except in circumstances expressly permitted by the LAA.
- 9.13 In the event of any conflict between the information, answers or responses submitted as part of a Tender, without prejudice to the other rules of the procurement process, including the LAA's right to clarify, the conflict will be resolved by accepting the information, answer or document least favourable to the Applicant. This may mean that the LAA may reject the Tender in whole or in part.
- 9.14 When providing Contract Work within Wales, the Applicant must ensure it is accessible to, and understandable by, Clients whose language of choice is Welsh, in accordance with the Welsh Language Act 1993 and Welsh Language (Wales) Measure 2011 and any other relevant statutory instruments which come into force from time to time.
- 9.15 The Applicant, by submitting a Tender, warrants to the LAA that:
 - (i) it has complied with all the rules and instructions applicable to this IFA and the e-Tendering system in all respects;
 - (ii) all information, representations and other matters of fact communicated (whether in writing or otherwise) to the LAA by the Applicant are true, complete and accurate in all respects; and

- (iii) it has capacity to concurrently deliver all of the services it has submitted a Tender for.
- 9.16 The Applicant must keep any Tender valid and capable of acceptance by the LAA up to the Contract Start Date.
- 9.17 By submitting a Tender the Applicant agrees to be bound by the Contract without further negotiation or amendment.
- 9.18 In submitting its Tender, the Applicant acknowledges the fact that Applicants may be party to no more than one 2018 Standard Civil Contract. Further the Applicant acknowledges that subject to the provisions on the holding of a single Face to Face Contract as referred to in this paragraph 9.18, this procurement process is entirely independent of any other procurement processes that have been run by the LAA or any predecessor organisation. Accordingly, no previous conduct or decisions of the LAA can be relied upon by the Applicant as setting any precedent for the LAA's conduct in respect of this procurement process.
- 9.19 The Applicant must monitor and respond as appropriate to messages received through the e-Tendering system throughout this procurement process and the LAA accepts no liability where the Applicant fails to do so. All communication with Applicants through the e-Tendering system, including that outlined in 9.20 will be deemed to have been received by the Applicant at the time of transmission in the e-Tendering system. The time specified in the e-Tendering system shall be the definitive time.
- 9.20 Any Frequently Asked Questions published through the e-Tendering system in accordance with Section 5 of this IFA will form part of the documentation for this procurement process. Applicants should have regard to the relevant Frequently Asked Questions documents prior to submitting a Tender.
- 9.21 Without prejudice to any warranties given, these rules of the procurement process do not form a separate collateral contract between the Applicant and the LAA. The Applicant's Tender will form part of any Contract subsequently awarded.

Right to Cancel or Amend the Procurement Process

- 9.22 The LAA reserves the right to amend the procurement process (including any related documentation) at any time. Any notices of amendments will be published on the LAA's website at <https://www.gov.uk/government/publications/civil-tender-activity-2021> and notified to individual Applicants through a message on the e-Tendering system.
- 9.23 A Tender submitted by an Applicant which does not comply with any amendments made in accordance with 9.22 before the Deadline may be rejected.
- 9.24 The LAA reserves the right to suspend or cancel the procurement process in its entirety or in part, and not to proceed to award contracts at any time at its absolute discretion.
- 9.25 While the LAA has taken all reasonable steps to ensure, as at the date of the issue of the IFA, that the facts which are contained both within it and associated documents are true and accurate in all material respects, it does not make any representation or

warranty as to the accuracy or completeness or otherwise of these documents, or the reasonableness of any assumptions on which these documents may be based. If contradictory information is contained in this IFA and / or associated documents, the provisions of this Section 9 will take precedence.

9.26 All information supplied by the LAA to the Applicant, including that within the IFA, is subject to that Applicant's own due diligence. The LAA accepts no liability to the Applicant whatsoever resulting from the use of the IFA and any associated documents, or any omissions from or deficiencies in them.

Right to Clarify / Verify

9.27 The LAA may at its sole discretion seek to clarify or verify the Applicant's Tender. It will not do so where this would afford an Applicant the opportunity to improve its Tender by submitting a changed bid which would constitute a new tender. Where it does exercise its discretion to seek clarification or verification, in making its decision following receipt of an Applicant's response, the LAA will not take into account any information received which falls outside of the scope of the specific clarification or verification it is seeking.

9.28 Where the LAA contacts the Applicant in circumstances outlined in 9.27, the Applicant must provide the information requested by the date specified by the LAA. Any information provided by the Applicant after the specified date may not be taken into account by the LAA when evaluating the Applicant's Tender.

9.29 The SQ and Derwentside IRC ITT request some information that the LAA requires to be able to progress the issuing of contract documentation. Where this information is not provided or is inaccurate in the Tender, the LAA may contact the Applicant for these details. If the Applicant fails to provide the accurate information requested this will not result in a Tender being unsuccessful. However, this may delay the issuing of contract documentation to an Applicant who has been successful. That may prevent the Applicant from commencing and being paid for services under the relevant contract.

Right to Exclude

9.30 If the LAA receives information to suggest that any aspect of the Applicant's Tender is false, misleading or incorrect in any material way it may undertake such enquiries as it considers necessary to determine the accuracy of the Tender. The Applicant must assist with any such enquiries.

9.31 The LAA reserves the right at its absolute discretion to disqualify from the procurement process any Applicant for submitting:

- (i) false information; and/or
- (ii) information which misrepresents the Applicants actual position; and/or
- (iii) misleading information.

9.32 Paragraph 9.31 of this IFA applies regardless of whether the information concerned was submitted with the intention of misleading the LAA or misrepresenting the Applicant's actual position or whether it was submitted recklessly, negligently or innocently.

Canvassing

9.33 The Applicant (including its employees and agents) must not, whether directly or indirectly:

- (a) canvass, or attempt to obtain any information from, any Ministers, officers, employees, agents or advisers of the LAA in connection with this procurement process; or
- (b) offer or agree to pay or give any sum of money, inducement or valuable consideration to any person for doing or having done or causing or having caused to be done any act or omission in relation to this procurement process.

Collusion

9.34 The Applicant must not collude with any other person or organisation in any way during this procurement process. This would include, but not be limited to, the following examples:

- (a) Fixing or adjusting any element of its Tender by agreement with any other person, unless such an act would reasonably be permitted as part of this procurement process;
- (b) Communicating to any other person any information relating to any fees or rates contained in the Applicant's Tender which will be competitively assessed as part of the procurement process, unless such communication is with a person who is a participant in the Applicant's Tender;
- (c) Entering into any agreement with any person for the purpose of inciting that person to refrain from submitting a Tender;
- (d) Sharing, permitting or disclosing access to any information relating to its Tender.

9.35 If the LAA reasonably believes that the Applicant has colluded with another person in any way that breaches paragraph 9.34, the LAA may (without prejudice to any other criminal or civil remedies available to it) immediately exclude the Applicant from any further involvement in this procurement process.

Award

9.36 Where a material change occurs to the Tender information submitted by an Applicant, including issues relating to any current contract the Applicant holds, the Applicant must inform the LAA using the e-tendering message boards for this procurement process at www.legalaid.bravosolution.co.uk. The LAA will conduct a re-assessment to ensure the Tender is not adversely impacted. If upon re-assessment, the Applicant's Tender is deemed to be unsuccessful or any conditions of contract award are not met, the LAA will not proceed with any decision made to award a contract. Failure to notify the LAA of

a material change may result in disqualification from the procurement process and/or termination of the contract.

- 9.37 The LAA reserves the right, prior to any execution of a contract, to carry out further due diligence checks as it deems necessary or appropriate. Where, as part of any due diligence, an Applicant is found not to comply with any of the minimum contract requirements which the Applicant committed to meeting in its Tender, the LAA will not proceed with any decision made to award a contract.
- 9.38 The LAA reserves the right to place additional contractual conditions on the award of a contract to an individual Applicant.
- 9.39 The award of a contract does not guarantee a minimum amount of work for the Applicant or that a minimum level of income will be generated for the Applicant as a result of that contract.

Appeal and costs and expenses of Tender

- 9.40 Subject to paragraph 9.43 the Applicant's sole right of appeal is limited to circumstances where it reasonably, on the information contained in the SQ Response (subject to paragraph 9.27-28), considers that the LAA has made an error in its assessment of the Applicant's SQ Response.
- 9.41 There is no other right of appeal, including, for example but not limited to, in respect of any mistakes, inaccuracies or errors made by the Applicant in its Tender. Where an Applicant seeks to appeal on other grounds not covered by this paragraph, any such appeal will be rejected. For the avoidance of doubt there is no right of appeal based on a purported failure of the LAA to clarify Tender information.
- 9.42 For the avoidance of doubt, there is no right of appeal in respect of the LAA's assessment of Derwentside IRC ITT Responses.
- 9.43 Appeals must relate to the specific grounds of failure set out in the notification letter received from the LAA. Legal Aid Agency.
- 9.44 Appeals should be submitted using the appeals pro-forma which will be made available as part of their notification letter.
- 9.45 The LAA will not accept any appeal submitted after the date detailed in the notification letter for receipt of appeals.
- 9.46 The LAA's Principal Legal Adviser (or their appointed representative) will review all appeals on the papers only and make a determination on the outcome of the appeal. For the avoidance of doubt, there is no further right of appeal.
- 9.47 The Applicant is solely responsible for its own costs and expenses incurred in connection with the preparation and submission of a Tender irrespective of any subsequent cancellation or suspension of this procurement process by the LAA. Under no circumstances will the LAA, or any of its employees, be liable for any costs incurred by the Applicant.

Confidentiality, Data Protection & Freedom of Information

- 9.48 The LAA may share any information contained in an Applicant's Tender with the provider of the e-Tendering system for the purposes of administering the procurement process.
- 9.49 The Applicant should note that under the Freedom of Information Act 2000 (the "FOIA") the LAA may be required to disclose details of its Tender in response to a request from third parties, either during or after the procurement process. The LAA can only withhold information where it is covered by a valid exemption as set out in the FOIA.
- 9.50 If an Applicant is concerned about possible disclosure it should contact the LAA and clearly identify the specific parts of the Tender that it considers commercially sensitive or confidential (within the meaning of the FOIA), the harm that disclosure may cause and an estimated timescale for that sensitivity. The Applicant must familiarise itself with the Information Commissioner's current position on the disclosure and non-disclosure of commercially sensitive information and accordingly should not notify the LAA of a blanket labelling of its entire Tender as confidential.
- 9.51 The Applicant must be aware that the receipt by the LAA of information marked 'confidential' does not mean that the LAA accepts any duty of confidence in relation to that marking. Neither does the LAA guarantee that information identified by the Applicant as confidential will not be disclosed where the public interest favours disclosure pursuant to the LAA's obligations under FOIA.
- 9.52 The LAA, will collect, hold and use Personal Data obtained from and about the Applicant and its Key Personnel during the course of the procurement process.
- 9.53 By submitting a Tender an Applicant consents and confirms that they have obtained all necessary consents from the relevant Data Subject to such Personal Data being processed and used in accordance with and/or for the purposes of administering the procurement process as contemplated by the IFA, the Tender and for the management of any Contract subsequently awarded.
- 9.54 The LAA and the Applicant anticipate that the LAA shall act as a Controller and Processor in respect of any Personal Data provided to it by the Applicant as a requirement of the Tender.
- 9.55 The Applicant warrants and undertakes, as a condition of the Tender, to the LAA, on a continuing basis, that it has:
- (a) all requisite authority and has obtained and will maintain all necessary consents required under the Data Protection Laws and shall not disclose, transfer or otherwise process Personal Data outside the UK without the prior written agreement of the LAA; and
 - (b) otherwise fully complied with all of its obligations under the Data Protection Legislation, in order to disclose to the LAA the Personal Data and allow the LAA to carry out the procurement process. The Applicant shall immediately notify the LAA if any of

the consents is revoked or changed in any way which affects the LAA's rights or obligations in relation to such Personal Data.

- 9.56 The Applicant agrees that it shall notify the LAA immediately if any Data Subject revokes, withdraws and/or changes their consent to the disclosure of the Personal Data to the LAA in connection with the Tender.
- 9.57 The LAA shall implement and maintain appropriate technical and organisational security measures to comply with the obligations imposed on the LAA by the Security Requirements.
- 9.58 The LAA may disclose any documentation or information submitted by the Applicant as part of a Tender, whether commercially sensitive or not, for the purposes of complying with any control and/or reporting obligations, to any other central Government Department or Executive Agency. For the avoidance of doubt, information will not be disclosed outside Government for these purposes. By submitting a Tender, Applicants consent to documentation and information being held and used for these purposes.
- 9.59 The LAA will publish details of all contracts awarded in accordance with the Government's transparency standards.
- 9.60 Following completion of this procurement process, the LAA will retain copies of the Tender for such time as it considers reasonable to satisfy the LAA's audit obligations and for any associated contract management purposes.

Copyright & Intellectual Property Rights

- 9.61 The information contained in this IFA is subject to Crown Copyright. Applicants may, subject to 9.62, re-use this document (excluding logos) free of charge in any format or medium, under the terms of the Open Government Licence v3.0. To view this licence, visit: <http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3> or write to the Information policy team, The National Archives, Kew, London, TW9 4DU, complete the online enquiry form: <https://www.nationalarchives.gov.uk/contact/contactform.asp?id=8>
- 9.62 If an Applicant uses this IFA under the Open Government Licence v3.0, it should include the following attribution: "Procurement of Detained Duty Advice Scheme Services at Derwentside Immigration Removal Centre from 1 January 2022 Invitation To Tender Information for Applicants, Legal Aid Agency, Licensed under the Open Government Licence v3.0."

ANNEX A: IMMIGRATION AND ASYLUM PROCUREMENT AREAS AND ACCESS POINTS

Applicants should check that they tender in the correct Access Point for their Office. To do this, Applicants must enter the postcode for their Office (or intended Office) into the 'Find your local council' tool on the Gov.uk website: <https://www.gov.uk/find-local-council>. This Annex A lists the Access Points and the local authorities included in these Access Points.

Applicants should note that the LAA commissions Immigration & Asylum Contract Work in specific Access Points only and that Applicants cannot bid from an Office that is not located in one of these Access Points.

Below is a list of Procurement Areas and Access Points for the purposes of the Derwentside IRC ITT.

| Region | Procurement Area | Access Point | Local Authorities included in the Access Point |
|-------------------------------|-------------------------------|--|---|
| London and South East England | London and South East England | Buckinghamshire | Buckinghamshire County Council Milton Keynes Council |
| | | Hampshire, Southampton, Portsmouth & Isle of Wight | Hampshire County Council Isle of Wight Council Portsmouth City Council Southampton City Council |
| | | London | Barking and Dagenham London Borough Council Barnet London Borough Council Bexley London Borough Council Brent London Borough Council Bromley London Borough Council Camden London Borough Council City of London Corporation Croydon London Borough Council Ealing London Borough Council Enfield London Borough Council Greenwich London Borough Council Hackney London Borough Council Hammersmith & Fulham London Borough Council Haringey London Borough Council Harrow London Borough Council Havering London Borough Council Hillingdon London Borough Council Hounslow London Borough Council Islington London Borough Council Kensington & Chelsea London Borough Council Kingston upon Thames London Borough Council Lambeth London Borough Council Lewisham London Borough Council Merton London Borough Council Newham London Borough Council Redbridge London Borough Council Richmond upon Thames London Borough Council Southwark London Borough Council |

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| | | | <p>Sutton London Borough Council Tower Hamlets London Borough Council Waltham Forest London Borough Council Wandsworth London Borough Council Westminster City Council</p> |
| | | Mid, South West and Coastal Kent | <p>Ashford Borough Council Canterbury City Council Dover District Council Maidstone Borough Council Sevenoaks District Council Shepway District Council Thanet District Council Tonbridge and Malling Borough Council Tunbridge Wells Borough Council</p> |
| | | Oxfordshire & Berkshire | <p>Bracknell Forest Council Oxfordshire County Council Reading Borough Council Slough Borough Council West Berkshire Council Windsor and Maidenhead Borough Council Wokingham Borough Council</p> |
| | | Surrey & Sussex | <p>Brighton and Hove City Council East Sussex County Council Surrey County Council West Sussex County Council</p> |
| Midlands and East of England | Midlands and East of England | Bedfordshire & South Hertfordshire | <p>Bedford Borough Council Broxbourne Borough Council Central Bedfordshire Council Dacorum Borough Council Hertsmere Borough Council Luton Borough Council St Albans Borough Council Three Rivers District Council Watford Borough Council</p> |
| | | Cambridgeshire & Northamptonshire | <p>Cambridgeshire County Council Northamptonshire County Council Peterborough City Council</p> |
| | | City of Leicester | Leicester City Council |
| | | City of Stoke-on-Trent | Stoke-on-Trent City Council |
| | | Coventry | Coventry City Council |
| | | Greater Nottingham, Derby & South Derbyshire | <p>Amber Valley Council Broxtowe Borough Council Derby City Council Erewash Borough Council Gedling Borough Council Nottingham City Council</p> |

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| | | | Rushcliffe Borough Council South Derbyshire Council |
| | | South Staffordshire, Sandwell and Birmingham | Birmingham City Council Dudley Metropolitan Borough Council Sandwell Metropolitan Borough Council Walsall Metropolitan Borough Council Wolverhampton City Council |
| North East, Yorkshire and the Humber | North East, Yorkshire and the Humber | County Durham East, Teesside, Tyne & Wear and Gateshead | Darlington Borough Council Gateshead Council Hartlepool Borough Council Middlesbrough Borough Council Newcastle City Council North Tyneside Council Redcar and Cleveland Council South Tyneside Council Stockton Council Sunderland City Council |
| | | South Yorkshire | Barnsley Metropolitan Borough Council Doncaster Metropolitan Borough Council Rotherham Metropolitan Borough Council Sheffield City Council |
| | | West Yorkshire | City of Bradford Metropolitan District Council Calderdale Metropolitan Borough Council Kirklees Metropolitan Borough Council Leeds City Council Wakefield Metropolitan District Council |
| | | City of Kingston upon Hull | Hull City Council |
| North West England | North West England | East & West Lancashire | Blackburn with Darwen Council Blackpool Council Burnley Borough Council Chorley Borough Council Fylde Borough Council Hyndburn Borough Council Lancaster City Council Pendle Borough Council Preston City Council Ribble Valley Borough Council Rossendale Borough Council South Ribble Borough Council West Lancashire Borough Council Wyre Council |
| | | Greater Manchester | Bolton Metropolitan Borough Council Bury Metropolitan Borough Council Manchester City Council Oldham Metropolitan Borough Council Rochdale Metropolitan Borough Council Salford City Council Stockport Metropolitan Borough Council |

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| | | | Tameside Metropolitan Borough Council Trafford Metropolitan Borough Council Wigan Metropolitan Borough Council |
| | | Merseyside | Knowsley Metropolitan Borough Council Liverpool City Council Sefton Metropolitan Borough Council St. Helens Metropolitan Borough Council Wirral Borough Council |
| South West England | South West England | City of Bristol, Gloucestershire and North Somerset | Bristol City Council Gloucestershire County Council North Somerset Council South Gloucestershire Council |
| | | City of Plymouth and Devon | Devon County Council Plymouth City Council Torbay Council |
| | | Swindon | Swindon Borough Council |
| Cardiff | Wales | Bridgend, Cardiff and South East Wales | Blaenau Gwent County Borough Council Bridgend County Borough Council Caerphilly County Borough Council City of Cardiff Council Monmouthshire County Council Newport City Council Torfaen County Borough Council Vale of Glamorgan Council |
| | | Neath Port Talbot and Swansea | City and County of Swansea Council Neath Port Talbot County Borough Council |
| | | North East Wales | Denbighshire County Council Flintshire County Council Wrexham County Borough Council |

ANNEX B – SELECTION QUESTIONNAIRE

Section A – organisation and contact details

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| Note | All Applicants must submit a response to this Selection Questionnaire (SQ), regardless of whether they have previously submitted a SQ Response as part of any other procurement process. Applicants must ensure that they also complete and submit a response to the Derwentside IRC ITT (ITT_697). | |
| No. | Question | Response options and assessment |
| A.1 | Full name of Applicant including trading name(s) that will be used if successful in this procurement process | Free text |
| A.2 | Registered or head /main office address Where the Applicant does not yet have a registered or head/main office, please enter “N/A” | Free text |
| A.3 | Postcode of registered or head/main office address Where the Applicant does not yet have a registered or head/main office, please enter “N/A” | Free text |
| A.4.i | Intended trading status | Options list a) Public limited company b) Limited company c) Limited liability partnership d) Other partnership e) Sole trader |

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| | | f) Third sector g) Other |
| A.4.ii | If you answered "Other" to question A.4.i, please explain your trading status | Free text |
| A.4.iii | Will the Applicant be delivering the Contract Work as an Alternative Business Structure? | Options list: i) Yes ii) No |
| A.4.iv | Date of registration with Companies House or Charities Commission Where the Applicant does not yet have a registered trading status, please enter "N/A" | Free text |
| A.4.v | Company registration number (if applicable) If this does not apply to the Applicant, please answer "N/A" | Free text |
| A.4.vi | Charity registration number (if applicable) If this does not apply to the Applicant, please answer "N/A" | Free text |
| A.4.vii | Registered VAT number | Free text |

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| | If this does not apply to the Applicant, please answer “N/A” | |
| A.5 | <p>Where the Applicant is required to provide a Personal Guarantee and Indemnity (e.g. where it is an LLP or limited company), please confirm the names of the individuals required and authorised to sign.</p> <p>An Applicant with limited liability (unless a registered charity) must supply the LAA with a properly completed indemnity when requested.</p> <p>Where the Applicant is not required to provide a Personal Guarantee and Indemnity, please answer “N/A”</p> | Free Text |
| A.6 | <p>LAA Account Number for registered or head/main office</p> <p>LAA Account Numbers are alpha-numeric and are 6 characters long, e.g. 1A234B and can be found on the Applicant’s current LAA Contract Schedule documentation (where applicable).</p> <p>Where the Applicant does not currently have an LAA Account Number for this office, please enter “N/A”</p> | Free text |
| A.7.i | <p>Predecessor bodies – has the Applicant been subject to any change to its status in the three years preceding the date of its Selection Questionnaire Response submission? This may include (but is not limited to) merger, de-merger or change in legal status such as becoming a limited liability partnership.</p> | <p>Options list:</p> <p>i) Yes</p> <p>ii) No</p> |
| A.7.ii | <p>If you answered “Yes” to question A.7.i, please provide details of all status changes in this time period.</p> | Free text |
| A.8 | <p>Parent companies – please list any organisation which owns more than 50 percent of the voting shares of the Applicant or has an overriding material influence over its operations (the largest individual shareholder</p> | Free text |

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| | <p>or if they are placed in control of the running of the operation by non-operational shareholders). In your response please include:</p> <ul style="list-style-type: none"> - Full name of the parent company - Registered office address (if applicable) - Registration number (if applicable) - Head office VAT number (if applicable) <p>If the Applicant does not have any parent companies, please answer "N/A"</p> | |
| A.9.i | <p>Does the Applicant currently hold the appropriate authorisation to provide Contract Work from one of the Relevant Professional Bodies?</p> <p>Where, in accordance with the Legal Services Act 2007, the Applicant is able to deliver reserved legal services without authorisation from a Relevant Professional Body, please answer "iii) N/A, exempt"</p> <p>Where the Applicant answers "ii) No, not currently authorised" they must obtain authorisation from a Relevant Professional Body by the deadline stipulated in the relevant ITT IFA.</p> | <p>Options list:</p> <ul style="list-style-type: none"> i) Yes, currently authorised (answer questions A.9.ii and A.9.iii) ii) No, not currently authorised (answer question A.10) iii) N/A, exempt (answer question A.10) |
| A.9.ii | <p>If the Applicant has answered "Yes" to A.9i, which Relevant Professional Body is the Applicant authorised by?</p> | <p>Options list:</p> <ul style="list-style-type: none"> i) Solicitors Regulation Authority ii) Bar Standards Board iii) CILEx Regulation iv) Office of the Immigration Services Commissioner |

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| A.9.iii | If the Applicant has answered “Yes” to A.9.i please provide the authorisation number/reference | Free text |
| A.10 | Contact details for the purposes of this procurement process – contact name and role within the Applicant | Free text |
| A.11 | Contact address and postcode | Free text |
| A.12 | Contact email address | Free text |
| A.13 | Contact telephone number | Free text |

Section B – grounds for mandatory exclusion

Where the Applicant answers “Yes” to any question within this section the LAA will exclude it from participating further in this procurement process, unless there are mitigating circumstances which the LAA deems to be satisfactory.

In the event that an Applicant answers “Yes” to any of the following questions, it must provide information in the free text box to the supplementary questions provided, outlining the circumstances including exceptional circumstances that it wishes the LAA to consider in assessing the response. If there is more than one incident, the Applicant must give the information about each incident.

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| | <p>If the Applicant answers “Yes” to question B.1 on convictions it may still avoid exclusion if it is able to demonstrate mitigating circumstances which the LAA deems to be satisfactory. If the Applicant is in that position, please provide details in the free text box to the supplementary question B.1(a) - (e).</p> <p>If the Applicant answers “Yes” to question B.2 on the non-payment of taxes or social security contributions, and has not paid or entered into a binding arrangement to pay the full amount, it may still avoid exclusion if only minor tax or social security contributions are unpaid or if it has not yet had time to fulfil its obligations since learning of the exact amount due. If the Applicant is in that position, please provide details in the free text boxes to the supplementary question B.2(a) - (f).</p> <p>Applicants that fail to provide the required information will be excluded. Applicants must be explicit and comprehensive in responding to these questions as this will be the single source of information that the LAA</p> | |
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| | will use to decide whether or not exceptional circumstances (which may result in the LAA deciding not to reject the SQ Response) apply. | |
| B.1 | <p>The detailed grounds for mandatory exclusion of an organisation are set out on the following webpage, which should be referred to before completing these questions: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf</p> <p>Please indicate if, within the past five years the Applicant or any of its Key Personnel have been convicted anywhere in the world of any of the offences within the summary below and listed on the webpage referred to above:</p> <ul style="list-style-type: none"> a) Participation in a criminal organisation; b) Corruption; c) Fraud; d) Terrorist offences or offences linked to terrorist activities; e) Money laundering or terrorist financing; f) Child labour and other forms of trafficking in human beings. | <p>Yes (Fail, subject to information in B.1(a) – (e))</p> <p>No (Pass)</p> |
| B.1(a) | If the Applicant has answered “Yes” in relation to Key Personnel, please give the name and position of the person(s) convicted. If the response relates to the Applicant, please enter “Relates to Applicant” | Free text |
| B.1(b) | Please explain which of the grounds listed the conviction was for and the reasons for conviction | Free text |
| B.1(c) | Please give the date of the conviction | Free text |
| B.1(d) | If the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents | Free text |
| B.1(e) | Have measures been taken to demonstrate the reliability of the Applicant despite the existence of a relevant ground for exclusion? If so, please give details of the steps taken by the Applicant. | Free text |

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| B.2 | <p>Within the past five years has the Applicant or any of its Key Personnel been established by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which the organisation is established (if outside the UK), to be in breach of obligations related to the payment of tax or social security contributions?</p> <p>Please note that if the Applicant is a new organisation which does not yet have obligations relating to payment of social security and taxes, it should still answer the question above in relation to its Key Personnel.</p> | <p>Yes (Fail, subject to information in B.2(a) – (f))</p> <p>No (Pass)</p> |
| | If the Applicant has answered “Yes” to question B.2, it must give details by answering questions B.2(a)– (f) below. | |
| B.2(a) | Please give the name and position of the person(s) involved. If the response relates to the Applicant, please enter “Relates to Applicant” | Free text |
| B.2(b) | Please explain what the obligations were, which the Applicant or any of its Key Personnel has failed to meet, including the name of the social security contribution or tax, the date(s) it fell due and the date of the binding decision referred to in B.2 above. | Free text |
| B.2(c) | Please confirm that you have paid the outstanding sum (including the date paid in full) or give the value of unmet obligation(s) | Free text |
| B.2(d) | If the social security contribution or tax relates to the Applicant, please confirm the percentage value of the unmet obligation(s) of the Applicant’s annual turnover. If the social security contribution or tax relates to Key Personnel, please enter "N/A". | Free text |
| B.2(e) | <p>Please give details of any binding agreement to fulfil the obligation(s) with a view to paying, including, where applicable:</p> <ul style="list-style-type: none"> - the date the agreement was made; and - any accrued interest and/or fines; and - the date by which the amount(s) were or will be repaid. <p>If no agreement is in place, please enter “No agreement”</p> | Free text |

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| B.2(f) | Please attach evidence of the binding agreement reached, where appropriate. Where you do not have evidence of a binding agreement there is no need to attach a document. | Attachment |
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Section C – grounds for discretionary exclusion

The LAA may exclude Applicants that submit a response designated as ‘discretionary fail’ to any one of the following questions but will consider the exceptional circumstances submitted by Applicants.

In the event that an Applicant submits a response designated as ‘discretionary fail’ to any of the following questions, it must provide information in the free text box to the supplementary questions provided, outlining the circumstances including exceptional circumstances that it wishes the LAA to consider in assessing the response. If there is more than one incident, the Applicant must give the information about each incident.

Applicants that fail to provide the required information will be excluded. Applicants must be explicit and comprehensive in responding to these questions as this will be the single source of information that the LAA will use to decide whether or not exceptional circumstances (which may result in the LAA deciding not to reject the SQ Response) apply.

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| | <p>The detailed grounds for discretionary exclusion of an organisation are set out on the following webpage, which should be referred to before completing these questions: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf</p> <p>Unless a different time period is specified in any question, please indicate if, within the past three years, anywhere in the world any of the following situations have applied to the Applicant or any of its Key Personnel.</p> | |
| C.1 | Breach of environmental obligations, breach of social obligations and/or breach of labour law obligations? | Yes (discretionary fail) No (pass) |

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| | Exceptional circumstances – if the Applicant has answered “Yes” to question C.1 it must give details by answering questions C.1(a) - (d) below. | |
| C.1(a) | Please give details about the nature of the event(s) leading to this violation | Free text |
| C.1(b) | Please give details about the nature of the violation and any sanction applied | Free text |
| C.1(c) | Please give the date when the violation occurred | Free text |
| C.1(d) | Please confirm any steps taken to ensure there is no repeat of the circumstances leading to a violation | Free text |
| C.2 | <p>Is/has the Applicant or any of its Key Personnel at this organisation or any of its predecessor bodies or at any previous organisation (been):</p> <ul style="list-style-type: none"> • Bankrupt; or • the subject of insolvency; or • the subject of winding-up proceedings, where the assets are being administered by a liquidator or by the court, or where its business activities are/have been suspended; or • entered into a pre-pack administration arrangement; or • entered into an arrangement with creditors. For the avoidance of doubt this includes the imposition of Individual Voluntary Arrangements (IVA) or Company Voluntary Arrangements (CVA); or • it is/has been in any analogous situation arising from a similar procedure under the laws and regulations of any State? | <p>Yes (discretionary fail)</p> <p>No (pass)</p> |
| | Exceptional circumstances – if the Applicant has answered “Yes” to question C.2, it must give details by answering questions as appropriate below. | |
| C.2(a) | <p>Where it relates to the Applicant please enter “Relates to Applicant”.</p> <p>Where this relates to a member of your Key Personnel please give the name and position of the person(s) involved.</p> | Free text |
| C.2(b) | Is/has the Applicant or any member of its Key Personnel either at this organisation or any previous organisation (been) the subject of an IVA or a CVA as a result of the non-payment of taxes or social security contributions? | Yes (Answer C.2(c) to C.2(j)) |

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| | | No (Answer C.2(l) to C.2(n)) |
| C.2(c) | Have/Are the outstanding taxes or social security contributions been/being repaid in full as a result of the imposition of the IVA or CVA? If yes, please also confirm the date they were/will be repaid in full. | Free text |
| C.2(d) | Please provide the value of the IVA or CVA when entered into | Free text |
| C.2(e) | What proportion of the outstanding taxes or social security contributions has been/will be repaid through the IVA/CVA, expressed as a percentage? | Free text |
| C.2(f) | Please provide the date on which the IVA or CVA was entered into | Free text |
| C.2(g) | Where the IVA or CVA has been subject to any rescheduling of repayments, please provide: <ul style="list-style-type: none"> • details of what changes were agreed, including the date when the rescheduling occurred; and • confirmation of changes to the repayment amount (including the amount the repayments were changed from); and • confirmation of any change to the date of discharge (including the original date of discharge). Where the IVA or CVA has not been subject to any rescheduling of repayments please enter "N/A". | Free text |
| C.2(h) | When is the IVA or CVA due to be discharged? | Free text |
| C.2(i) | On what dates do each of the next payments of taxes and social security contributions for which the Applicant or any of its Key Personnel is liable fall due? For the avoidance of doubt this includes, but is not limited to, Income Tax, PAYE, National Insurance contributions, Corporation Tax and VAT. | Free text |
| C.2(j) | Have all payments of taxes and social security contributions for both the Applicant and each of its Key Personnel following the imposition of the IVA/CVA been met? | Yes No (Answer C.2(k)) |
| C.2(k) | Where the Applicant has answered "No" to C2(j), please provide details of: | Free text |

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| | <ul style="list-style-type: none"> - the type liability owing (which tax or social security contribution); and - to whom the liability relates (either Applicant or provide the name and position of the person(s) involved); and - the amount of the outstanding liability; and - the date on which the amount became due; and - whether there is a binding agreement in place to repay the amount. | |
| C.2(l) | Please give details of the type of event and the date on which it occurred | Free text |
| C.2(m) | Please give details about the situation, including the amount of money involved and the date when the issue arose | Free text |
| C.2(n) | Please give details about any measures the Applicant has taken to ensure that the situation is resolved and confirm the current position on repayments including the date by which the amount will be repaid. | Free text |
| C.3 | Issued with a County Court Judgment (“CCJ”) under which liabilities will not be discharged by the Contract Start Date? | Yes (discretionary fail) No (Pass) |
| | Exceptional circumstances – if the Applicant has answered “Yes” to question C.3, it must give details by answering questions C.3 (a) - (e) below. | |
| C.3(a) | If the Applicant has answered “Yes” in relation to Key Personnel, please give the name and position of the person(s) involved. If the response relates to the Applicant, please enter “Relates to Applicant” | Free text |
| C.3(b) | Please give the date(s) when the incident(s) occurred leading to the CCJ(s), and the date when the CCJ(s) was/were issued | Free text |
| C.3(c) | Please give details of the situation, including the amount owed, resulting in the CCJ(s) being issued | Free text |
| C.3(d) | Please give details of any written plan in place to discharge these liabilities including the date by which the amount(s) will be repaid | Free text |

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| C.3(e) | Please give details about any measures the Applicant has taken to ensure that similar situations will not arise in the future | Free text |
| C.4 | Guilty of professional misconduct or has been referred to a disciplinary body following allegations of grave professional misconduct, or has been disqualified as charity trustee? | Yes (discretionary fail) No (pass) |
| | Exceptional circumstances – if the Applicant has answered “Yes” to question C.4, it must give details by answering questions C.4 (a) - (e) below. | Free text |
| C.4(a) | If the Applicant has answered “Yes” in relation to Key Personnel, please give the name and position of the person(s) involved. If the response relates to the Applicant, please enter “Relates to Applicant” | Free text |
| C.4(b) | Please give the date when the event(s) occurred | Free text |
| C.4(c) | Please confirm the nature of the event(s) leading to the finding or allegations of grave professional misconduct or disqualification | Free text |
| C.4(d) | Please give: <ul style="list-style-type: none"> the date that the finding of grave professional misconduct/disqualification was made. If no finding has been made to date, please give the date of any disciplinary body hearing date if known; detail of any sanction applied; and which body made the finding of guilt / is investigating the allegations | Free text |
| C.4(e) | Please give details about any measures the Applicant has taken to ensure that there is no repeat of the circumstances leading to the finding or allegations of grave professional misconduct or disqualification. | Free text |
| C.5 | Entered into agreements with other economic operators aimed at distorting competition? | Yes (discretionary fail) No (pass) |
| | Exceptional circumstances – if the Applicant has answered “Yes” to question C.5, it must give details by answering questions C.5 (a) - (d) below. | |

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| C.5(a) | If the Applicant has answered “Yes” in relation to Key Personnel, please give the name and position of the person(s) involved. If the response relates to the Applicant, please enter “Relates to Applicant” | Free text |
| C.5(b) | Please give the date when the event(s) occurred | Free text |
| C.5(c) | Please confirm the nature of the event(s) leading to an agreement with other market operators aimed at distorting competition | Free text |
| C.5(d) | Please give details about any measures the Applicant has taken to ensure that there is no repeat of the circumstances leading to the distortion of competition. | Free text |
| C.6 | Aware of any conflict of interest within the meaning of regulation 24 of the Public Contracts Regulations 2015 due to the participation in the procurement procedure or been involved in the preparation of the procurement procedure? | Yes (discretionary fail) No (pass) |
| | Exceptional circumstances – if the Applicant has answered “Yes” to question C.6, it must give details by answering question C.6(a) below. | Free text |
| C.6(a) | Please describe the nature of the conflict, including how this might be perceived to compromise the Applicant’s impartiality and independence in the context of the procurement procedure. | Free text |
| C.7 | Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract (other than with the LAA), a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions? The Applicant must also answer “Yes” to this question if any of its Key Personnel worked as Key Personnel at another organisation that has had a contract terminated (other than by the LAA) within the last three years. | Yes (discretionary fail) No (pass) |
| | Exceptional circumstances – if the Applicant has answered “Yes” to question C.7, it must give details by answering questions C.7(a) - (h) below. | |
| C.7(a) | Please give the name of the organisation with whom this contract was held | Free text |
| C.7(b) | Please give the date on which this contract commenced | Free text |

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| C.7(c) | Please give the value of the contract and the time period for which the full contract was due to run | Free text |
| C.7(d) | Please confirm the nature of the sanction that was applied | Free text |
| C.7(e) | Please give the date when the early termination/damages/comparable sanction took effect | Free text |
| C.7(f) | If the Applicant has answered “Yes” in relation to Key Personnel working at a previous organisation, please confirm the name of the member of Key Personnel and the organisation to which the termination relates. If the termination relates to the Applicant, please answer "Relates to Applicant" | Free text |
| C.7(g) | Please confirm the reason for the early termination/damages/comparable sanction | Free text |
| C.7(h) | Please confirm any steps taken to ensure there is no repeat of the circumstances leading to the early termination/damages/comparable sanction | Free text |
| C.8 | <p>Had any contract with the LAA or its predecessor body terminated in whole or in part within the last five years (not restricted to civil contracts), or is it currently in receipt of a notice to terminate?</p> <p>The Applicant must also answer “Yes” to this question if any of its Key Personnel worked as Key Personnel at another organisation who has had a contract with the LAA or its predecessor body terminated in whole or in part within the last five years or is currently in receipt of a notice to terminate.</p> <p>For the avoidance of doubt, do not answer “Yes” if the termination was by the LAA in accordance with its “no fault” termination rights.</p> | <p>Yes (discretionary fail)</p> <p>No (Pass)</p> |
| | Exceptional circumstances – if the Applicant has answered “Yes” to question C.8, it must give details by answering questions C.8(a) - (f) below. | |
| C.8(a) | <p>Please indicate whether the Applicant’s termination or notice to terminate relates to the whole contract or a particular Category of Law.</p> <p>If the termination relates to a particular Category of Law, please state which.</p> | Free text |
| C.8(b) | Please give the date when the termination took effect/notice to terminate was received | Free text |

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| C.8(c) | If the Applicant has answered “Yes” in relation to Key Personnel working at a previous organisation, please confirm the name of the member of Key Personnel and the organisation to which the termination/notice to terminate relates. If the termination/notice to terminate relates to the Applicant, please answer "Relates to Applicant" | Free text |
| C.8(d) | Please confirm the reason for the termination/notice to terminate | Free text |
| C.8(e) | If the Applicant has received a notice to terminate, please tell us what has happened since the notice was received, and what stage the Applicant is at in any appeal process. If the appeal process has concluded, or the Applicant chose not to appeal, please confirm the outcome of the appeal or that the Applicant chose not to appeal, as appropriate. | Free text |
| C.8(f) | Please confirm any steps taken to ensure there is no repeat of the circumstances leading to the notice to terminate or termination | Free text |
| C.9 | Received either: a) two consecutive Peer Review ratings of 4; or b) two consecutive Peer Review ratings of 5, in any Category of Law following the outcome of any appeal in the last 5 years? The Applicant must also answer “Yes” to this question if any of its Key Personnel received two consecutive Peer Review ratings of 4 or a Peer Review rating of 5 whilst working as Key Personnel at another organisation in the last 5 years. | Yes (discretionary fail) No (Pass) |
| | Exceptional circumstances – if the Applicant has answered “Yes” to question C.9, you must give details by answering questions C.9 (a) - (d) below. | |
| C.9(a) | Please confirm the Category(ies) of Law in which the Peer Review rating(s) have been received | Free text |
| C.9(b) | Please confirm the Peer Review rating(s) received | Free text |
| C.9(c) | Please give the dates when you were notified of the relevant Peer Review rating(s) | Free text |

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| C.9(d) | Please confirm any steps taken to ensure there is no repeat of the circumstances leading to the Peer Review rating(s) | Free text |
| C.10 | <p>Has anyone in your organisation received notification from the LAA that they may not conduct publicly funded work under an LAA Contract?</p> <p>For the avoidance of doubt this includes any Civil, Crime, VHCC, CLA, HPCDS or Exceptional Case Contract.</p> <p>Any individual who has received notification from the LAA that they may not conduct publicly funded work under an LAA Contract may not conduct publicly funded work under a 2018 Standard Civil Contract.</p> <p>Where that individual is a member of your Key Personnel, the Applicant may be excluded from the procurement process, subject to an assessment of the questions below</p> | <p>Yes (discretionary fail)</p> <p>No (pass)</p> |
| | Exceptional circumstances – if the Applicant has answered “Yes” to question C.10, you must give details by answering questions C.10(a) - (h) below. | |
| C.10(a) | Please provide the full name(s) of the individual(s) who have been notified that they may not conduct publicly funded work under an LAA contract? | Free text |
| C.10(b) | Is/are the individual(s) a member of Key Personnel? | <p>Option:</p> <p>Yes</p> <p>No</p> |
| C.10(c) | Please confirm the job title(s) of the individual(s) who has/have been notified that they may not conduct publicly funded work under an LAA contract | Free text |
| C.10(d) | Please provide the date on which the individual(s) was/were notified | Free text |
| C.10(e) | Please provide details of the events which led to the individual(s) being excluded from conducting publicly funded work under an LAA contract. | Free text |

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| C.10(f) | Please provide a copy of the letter sent by the LAA informing the Applicant/individual(s) of this restriction | |
| C.10(g) | What action has the Applicant undertaken to ensure that the individual does not conduct publicly funded work under an LAA contract? | Free text |
| C.10(h) | What action has the Applicant and/or individual undertaken to ensure that the events which led to the individual excluded from conducting publicly funded work under an LAA contract does not occur again? | Free text |
| | Please answer the following statements: | |
| C.11 | The Applicant — (i) is/has been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria; or (ii) has withheld such information or is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015 | Yes (discretionary fail) No (pass) |
| | Exceptional circumstances – if the Applicant has answered “Yes” to question C.11, it must give details by answering questions C.11(a) - (e) below. | |
| C.11(a) | Please give the name of the contracting authority from whom your organisation withheld/misrepresented information | Free text |
| C.11(b) | Please confirm the nature of the affected contract(s) | Free text |
| C.11(c) | Please give the date when the event(s) occurred | Free text |
| C.11(d) | Please confirm the action taken by the contracting authority as a result of the Applicant withholding/misrepresenting information | Free text |
| C.11(e) | Please confirm any steps taken to ensure there is no repeat of the circumstances leading to the Applicant misrepresenting/withholding information | Free text |

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| C.12 | The Applicant or any of its Key Personnel has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award. | Yes (discretionary fail) No (pass) |
| | Exceptional circumstances – if the Applicant has answered “Yes” to question C.12, it must give details by answering questions C.12(a) - (e) below. | |
| C.12(a) | Please give the name of the contracting authority(ies) affected | Free text |
| C.12(b) | Please confirm the nature of the affected contract(s) | Free text |
| C.12(c) | Please give the date when the event(s) occurred | Free text |
| C.12(d) | Please confirm the action taken by the contracting authority as a result of the Applicant’s action | Free text |
| C.12(e) | Please confirm any steps taken to ensure there is no repeat of the circumstances leading to undue influence/undue advantage/negligently or materially influencing procurements and/or contracting authorities | Free text |
| C.13 | Have any of the Applicant’s Key Personnel (irrespective of which organisation they were working for) received any conditions on their practising certificates imposed by a regulatory body, Relevant Professional Body or Complaints Body within the last three years? | Yes (discretionary fail) No (Pass) |
| | Exceptional circumstances – if the Applicant has answered “yes” to question C.13, it must give details by answering questions C.13(a) – (e) below. | |
| C.13(a) | If the Applicant has answered “Yes” in relation to Key Personnel, please give the name and position of the person(s) involved. | Free text |
| C.13(b) | Please give details about the nature of the event(s) leading to the imposition of the condition(s), including the date when the event(s) occurred | Free text |
| C.13(c) | Please give details of the condition(s) that were imposed, including the date they were imposed | Free text |

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| C.13(d) | Please give details of the nature of any current condition(s) on practising certificates | Free text |
| C.13(e) | Please confirm any steps taken to ensure there is no repeat of the circumstances leading to the imposition of condition(s) | Free text |
| C.14 | Is the Applicant a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")? | Yes (Answer C.14(a)) No (Pass) |
| C.14(a) | If you have answered yes to question C.14 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015? | Yes (pass) (Answer C.14(b)) No (discretionary fail) |
| C.14(b) | Please provide the relevant URL to view the statement | Free text |
| | Exceptional circumstances – if the Applicant has answered “No” to question C.14(a), it must give details by answering question C.14(c) below. | |
| C.14(c) | Please provide all relevant information for the LAA to consider your exceptional circumstances including why you are currently not compliant and what steps are being taken to become compliant with the Act. Please provide timescales for activity to be completed. | Free text |

Section D – Declaration

I give my undertaking that I am either

- the Compliance Officer for Legal Practice (COLP) or the individual intending to be the COLP where the Applicant is or intends to be authorised by the Solicitors Regulation Authority (SRA); or

- the Head of Legal Practice (HOLP) or the individual intending to be the HOLP where Applicant is or intends to be authorised by the Bar Standards Board (BSB); or
- the Compliance Manager (CM) or the individual intending to be the CM where Applicant is or intends to be authorised by CILEx Regulation (CILEx); or
- where the Applicant is not (and will not be) authorised by the SRA, the BSB or CILEx, a member of Key Personnel who either (i) has decision and / or veto rights over decisions relating to the running of the Applicant; or (ii) has the right to exercise, or actually exercises, significant influence or control over the Applicant;

and so authorised to make this submission on behalf of the Applicant and confirm that the answers submitted in this Selection Questionnaire Response are correct. I understand that the information will be used in the process to assess the Applicant’s suitability to be offered an IRC Exclusive Schedule (under the 2018 Standard Civil Contract) to deliver Detained Duty Advice Scheme services at Derwentside Immigration Removal Centre and, where relevant, a 2018 Standard Civil Contract with authorisation to undertake Immigration and Asylum Contract Work.

I understand that the LAA may conduct verification checks and may reject this Selection Questionnaire Response if there is a failure to answer all relevant questions fully or the information provided is inaccurate in any material way.

| | Question | Response Type |
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| D.1 | Name of the individual making declaration on behalf of the Applicant | Free text |
| D.2 | Status within the Applicant organisation | Option List: i) COLP or intended COLP ii) HOLP or intended HOLP iii) CM or intended CM iv) Key Personnel |

ANNEX C: DERWENTSIDE IRC ITT

Section A – Bid details

| | Question | Response Type |
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| Note | Applicants must submit a response to Selection Questionnaire for this procurement process (available at ITT 696) in addition to this Derwentside IRC ITT | |
| A.1. | Please confirm the Access Point in which your Office is (or will be) based. Please note, Applicants are only able to bid from one Office to deliver Contract Work. | Options list (list all I&A Access Points) |
| A.2.i | If the Applicant knows the address for the Office from which it will deliver Contract Work please enter the Office address (excluding postcode). Where you do not yet know the address for this Office please enter 'N/A'. | Free text |
| A.2.ii | If the Applicant knows the postcode for the Office from which it will deliver Contract Work please enter the Office postcode. Where you do not yet know the postcode for this Office please enter 'N/A'. | Free text |
| A.2.iii | If the Applicant currently delivers legal aid contract work from the Office, please enter the LAA Account Number for this Office. LAA Account Numbers are alphanumeric and are 6 characters long, e.g. 1A234B and can be found on the Applicant's current LAA Contract Schedule documentation. Where you do not currently have a LAA Account Number for this Office please enter 'N/A'. | Free text |

Section B – Verification information

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| <p>Note</p> | <p>In accordance with paragraphs 4.18 and 8.2 of the IFA, Applicants may submit verification information with their ITT Response. This consists of a compliant:</p> <ul style="list-style-type: none"> • SRA number, BSB number or CILEx Regulation ID • Lexcel Certificate or SQM Certificate, valid at 1 January 2022 • Supervisor Declaration Form • Authorised Litigator name and roll number • Senior Caseworker(s) name(s) and certificate(s) of accreditation, valid at 1 January 2022 • Advanced Caseworker name and certificate of accreditation, valid at 1 January 2022 • Female staff member name and certificate of accreditation, valid at 1 January 2022 <p>Where an Applicant chooses to do so it must submit all the information required to verify its ITT Responses, except the Office address.</p> <p>In accordance with paragraph 8.2 where an Applicant does not submit compliant verification information with their Tender, requests for verification information will be sent to Applicants at the same time as they are notified that they have been successful. Applicants must submit verification information no later than 23:59 on 15 October 2021.</p> | |
| <p>Note</p> | <p>Applicants are not required to provide evidence of their Office as part of this ‘Verification information’ section of questions. However, Applicants must provide their Office address and postcode by no later than 23:59 on 15 October 2021.</p> | |
| | <p>Question</p> | <p>Response Type</p> |
| <p>B.1</p> | <p>Does the Applicant wish to provide compliant verification information as part of its ITT Response?</p> <p>Please note, an Applicant answering ‘Yes’ to question B.1.i will be required to provide all the information (except Office address) required to verify its ITT Response.</p> | <p>Yes (answer B.2 – B.8.ii)</p> <p>No</p> |

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| B.2 | <p>Please provide the Applicant organisation's SRA number, BSB number or its CILEx Regulation ID</p> <p>If your organisation does not require authorisation from a Relevant Professional Body under the Legal Services Act 2007 because transitional arrangements apply, please enter N/A.</p> | Free text |
| B.3 | Please provide the Applicant's Lexcel Certificate or SQM Certificate, valid at 1 January 2022 | Attachment |
| B.4 | <p>The Applicant must employ at least one FTE Supervisor that meets the requirements of the Contract and the Derwentside IRC Immigration and Asylum Supervisor Standard.</p> <p>Please provide at least one compliant Derwentside IRC Immigration and Asylum Supervisor Declaration Form for each Supervisor.</p> <p>Where an Applicant wishes to submit more than one Supervisor Declaration Form the completed Supervisor Declaration Forms must be merged into a single document and the single document uploaded as an attachment.</p> <p>As set out at paragraph 2.26 of the 2018 Standard Civil Contract Specification, a Supervisor may supervise at a maximum of two Offices or across two Providers with one Office each.</p> <p>The Derwentside IRC Immigration and Asylum Supervisor Declaration Form is available to download from: https://www.gov.uk/government/publications/standard-civil-contract-2018.</p> | Attachment |
| B.5 | <p>The Applicant must be able and willing to conduct the full range of licensed work in the Immigration and Asylum Category of Law.</p> <p>Please provide the name and roll number of the PTE Authorised Litigator employed at the Office from which the Applicant is tendering.</p> | Free Text |
| Note | The Applicant must be able and willing to deliver Contract Work in the Immigration and Asylum Category of Law for detained clients in accordance with the terms of the Face to Face Contract including that all Contract Work for clients detained at an IRC must be conducted by an individual accredited to IAAS Senior Caseworker level or above. | |

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| B.6.i | Please provide the name of the individual(s) employed at the Office from which the Applicant is tendering that are accredited to IAAS Senior Caseworker level or above and will be deployed to delivering Contract Work at Derwentside IRC | Free Text |
| B.6.ii | Please provide the certificate(s) of accreditation which is valid at 1 January 2022 for the individual(s) employed at the Office from which the Applicant is tendering that are accredited to IAAS Senior Caseworker level or above and will be deployed to delivering Contract Work at Derwentside IRC. Where an Applicant wishes to submit more than one certificate of accreditation these must be merged into a single document and the single document uploaded as an attachment. | Attachment |
| B.7.i | The Applicant must employ an FTE who is an IAAS accredited Advanced Caseworker at the Office from which they are tendering. Please provide the certificate of accreditation which is valid at 1 January 2022 for the individual(s) that comprise the FTE Advanced Caseworker | Attachment |
| B.7.ii | Please provide the name of the individual(s) that comprise the FTE Advanced Caseworker | Free Text |
| NOTE | By the Contract Start Date the Applicant will, if tendering to deliver Contract Work at Derwentside IRC, employ at least one PTE female caseworker who is IAAS accredited to at least the level of Senior Caseworker and who can be deployed to deliver this service if requested. | |
| B.8.i | Please provide the name of the individual(s) that comprise the PTE female staff member | Free Text |
| B.8.ii | Please provide the certificate of accreditation(s) which is valid at 1 January 2022 for the individual(s) that comprise the PTE staff member | Attachment |

Section C: Warranties and Declaration

This section MUST BE COMPLETED by all Applicants wishing to bid for an IRC Exclusive Schedule under a 2018 Standard Civil Contract and, where applicable, a 2018 Standard Civil Contract

By completing and submitting this ITT Response, the Applicant confirms that it will meet the following requirements by the Contract Start Date to be awarded an IRC Exclusive Schedule and, where applicable, a Face to Face Contract and confirms it will evidence that it meets these requirements either at time of tender or by 23:59 on 15 October 2021.

- Will be authorised by a Relevant Professional Body; and
- Will hold a relevant Quality Standard; and
- Will employ at least one Full Time Equivalent (FTE) Supervisor who meets the Derwentside IRC Immigration and Asylum Supervisor Standard and who will actively supervise the Immigration and Asylum Contract Work tendered for; and
- Will meet the one FTE Supervisor: four FTE caseworkers ratio at the Office from which it is tendering to deliver Immigration and Asylum Contract Work; and
- Will have an Office in an Access Point which is a Permanent Presence; and
- All caseworkers delivering the Immigration and Asylum Contract Work will be accredited by the Law Society's Immigration and Asylum Accreditation Scheme (IAAS); and
- The Office from which it is tendering to deliver Immigration and Asylum Contract Work will have at least one FTE IAAS Senior Caseworker employed for every two employed IAAS Trainee Caseworker Assistant/Casework Assistant FTE caseworkers; and
- Will be able and willing to undertake the full range of Controlled Work and Licensed Work in the Immigration and Asylum Category of Law; and
- Will employ an FTE who is an IAAS accredited Advanced Caseworker at the Office from which it tenders; and

- Will be able and willing to deliver Immigration and Asylum Contract Work for detained clients in accordance with the terms of the Face to Face Contract including that all Contract Work for clients detained at an IRC must be conducted by an individual accredited to IAAS Senior Caseworker level or above; and
- Will have access to interpretation services at short notice to interpret in any language required by a client; and
- Will employ at least one PTE female IAAS accredited Senior Caseworker (or Advanced Caseworker) staff member who can be deployed to delivering this service if requested; and
- Will be able and willing to apply for Exceptional Case Funding on behalf of a client and if funding is granted to take on the case.

By completing and submitting this Derwentside IRC ITT Response I give my undertaking that I am either:

- the Compliance Officer for Legal Practice (COLP) or the individual intending to be the COLP where the Applicant is or intends to be authorised by the Solicitors Regulation Authority (SRA); or
- the Head of Legal Practice (HOLP) or the individual intending to be the HOLP where Applicant is or intends to be authorised by the Bar Standards Board (BSB); or
- the Compliance Manager (CM) or the individual intending to be the CM where Applicant is or intends to be authorised by CILEx Regulation (CILEx); or
- where the Applicant is not (and will not be) authorised by the SRA, the BSB or CILEx, a member of Key Personnel who either (i) has decision and / or veto rights over decisions relating to the running of the Applicant; or (ii) has the right to exercise, or actually exercises, significant influence or control over the Applicant;

and am authorised to make this submission on behalf of the Applicant and that the answers submitted in this ITT Response are correct. I understand that the information will be used in the process to assess the Applicant's suitability to be offered an Exclusive Schedule and, where applicable, a Face to Face Contract for Contract Work in the Immigration and Asylum Category of Law. I understand that the LAA may conduct verification checks and may reject this ITT Response if there is a failure to answer all relevant questions fully or the information provided is inaccurate in any material way. I understand the LAA will verify my Tender and I will be required to evidence the information and warranties in the Applicant's Tender, including in this ITT Response, by 23:59 on 15 October 2021.

| | Question | Response Type |
|-----|--|--|
| C.1 | Name of the individual making declaration on behalf of the Applicant | Free text |
| C.2 | Status within the Applicant organisation | Option List: i) COLP or intended COLP ii) HOLP or intended HOLP iii) CM or intended CM iv) Key Personnel |

ANNEX D- INFORMATION THE LAA REQUIRES TO VERIFY APPLICANTS' SUCCESSFUL TENDERS

Applicants should note that the LAA may seek evidence of employment where the same individual is named by different Applicants. This is to determine that the conditions of tender and the Contract are met. For example, if two Applicants were reliant on the same FTE Supervisor to meet the Tender requirements the LAA may seek evidence of the basis upon which each individual organisation employs this individual. The LAA reserves the right to request this evidence during verification and after the Contract Start Date.

An Applicant which is notified of our intention to award them an IRC Exclusive Schedule and, where applicable, a Face to Face Contract to conduct Contract Work in the Immigration & Asylum Category of Law must be able to demonstrate it meets the following minimum Face to Face Contract requirements by 23:59 on 15 October 2021:

| Verification which must be submitted by all Applicants who tender to deliver DDAS Contract Work at Derwentside IRC | |
|---|---|
| What the LAA will verify | What evidence will be required |
| <p>The Applicant holds appropriate authorisation to deliver legal services from a Relevant Professional Body</p> <p>See paragraphs 2.19 – 2.20 for further information</p> | <p>Confirmation of the Applicant's SRA number, BSB number, CILEx Regulation ID or OISC reference</p> <p>Where, in accordance with paragraph 2.19, transitional provisions apply to an Applicant, they must confirm this in their verification response</p> |
| <p>The Applicant holds a valid Quality Standard</p> <p>See paragraph 2.10 – 2.18 for further information on Quality Standards</p> | <p>Lexcel Certificate or SQM Certificate, valid at 1 January 2022</p> <p>Where the Applicant has passed the desktop SQM audit only, a copy of the relevant letter of confirmation must be provided</p> |
| <p>The Applicant employs at least one FTE Supervisor that meets the requirements of the Contract and the Derwentside IRC Immigration and Asylum Supervisor Standard.</p> | <p>At least one compliant Derwentside IRC Immigration and Asylum Supervisor Declaration Form for each Supervisor at the Office from which the Applicant is tendering.</p> <p>As set out at paragraph 2.26 of the Face to Face Contract Specification, a Supervisor may supervise at a maximum of two Offices or across two Providers with one Office each</p> |
| <p>The Applicant meets the one FTE Supervisor: four FTE caseworkers ratio at the Office delivering Immigration & Asylum Contract Work under the Face to Face Contract</p> | <p>A LAA Contract Management visit will be conducted to confirm compliance within six months of the Contract Start Date</p> |

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| The Office from which the Applicant is applying to conduct Contract Work is in the relevant Access Point and is a Permanent Presence | Full address including postcode for the Office and, if applicable, the Office's current LAA account number |
| Each additional location is an Office which meets the Permanent Presence or Part Time Presence definition and which is located in the relevant wider Procurement Area. See paragraph 2.28 for further information | Full address including postcode for the Office and, if applicable, the Office's current LAA account number |
| All the Applicant's caseworkers delivering Immigration and Asylum Contract Work will be accredited by the Law Society's Immigration and Asylum Accreditation Scheme (IAAS) | A LAA Contract Management visit will be conducted to confirm compliance within six months of the Contract Start Date |
| The Applicant has at least one FTE IAAS Senior Caseworker (or Advanced Caseworker) employed for every two FTE IAAS Trainee Caseworker Assistants/Casework Assistants | A LAA Contract Management visit will be conducted to confirm compliance within six months of the Contract Start Date |
| All Contract Work for clients detained at an IRC must be conducted by an individual accredited to IAAS Senior Caseworker level or above. | Certification of accreditation which is valid at 1 January 2022 for all individuals employed at the Office from which the Applicant is tendering that accredited to IAAS Senior Caseworker level or above who will be deployed to delivering Contract Work at Derwentside IRC. |
| The Applicant is able and willing to conduct the full range of Licensed Work in the Immigration and Asylum Category of Law At the Office from which it is tendering, the Applicant employs at least one PTE Authorised Litigator with experience of delivering Immigration & Asylum cases | Authorised Litigator name and roll number Where the Applicant is regulated by OISC, the LAA may require the Applicant to submit further information to demonstrate that they are permitted to carry out "reserved legal activities" under LSA and therefore able to conduct the full range of Licensed Work in the Immigration and Asylum Category of Law |
| The Applicant employs an FTE who is an IAAS accredited Advanced Caseworker at the Office related to the Individual Bid | Certificate of accreditation which is valid at 1 January 2022 for the individual(s) that comprise the FTE for the relevant Individual Bid |
| The Applicant has access to interpretation services at short notice to interpret in any language required by a client at each IRC for which it has tendered | LAA Contract Management visit will be conducted to confirm compliance within six months of the Contract Start Date |
| The Applicant employs at least a PTE female staff member who is IAAS accredited to at least the level of Senior Caseworker and who is deployed to delivering Contract Work at Derwentside IRC | Certificate of accreditation which is valid at 1 September 2018 for the individual(s) that comprise the PTE staff member |

ANNEX E: CHANGES TO THE SUPERVISOR STANDARD

The Derwentside IRC Immigration and Asylum Supervisor Standard requires a Supervisor to demonstrate, through case examples, experience of common elements of work encountered at IRCs. Consequently, the Immigration & Asylum Supervisor Declaration Form Section 3 iii) – Skills/Procedure/Knowledge has been amended. The changes are set out below. The full Derwentside IRC Supervisor Declaration Form is available at <https://www.gov.uk/government/publications/standard-civil-contract-2018>.

Successful Applicants will have the requirement to meet the Derwentside IRC Immigration and Asylum Supervisor Standard added to their contract through Table 7 Special Provisions in their Office Schedule.

| iii) | Skills/Procedure/Knowledge – examples from the last 12 24 months | File name/reference | Date closed/ worked on |
|------|--|---------------------|------------------------|
| a) | 1 example of the ability to recognise a possible contravention of the rights and freedoms expressed in the European Convention on Human Rights 1950, as given effect in the Human Rights Act 1998 | 1. | 1. |
| b) | 2 examples of successfully obtaining bail for persons detained under immigration powers | 1. 2. | 1. 2. |
| c) | 1 example of a successful Judicial Review of a Home Office decision | 1. | 1. |
| d) | At least 2 additional examples of conducting or preparing judicial review proceedings from the following list of decisions: 1. to refuse to treat further submissions as a fresh claim under paragraph 353 of the Immigration Rules 2. a negative trafficking decision, 3. where removal directions had been issued 4. an unlawful detention claim | 1. 2. | 1. 2. |
| e) | 2 examples of obtaining a grant of ECF for an out-of-scope immigration matter | 1. 2. | 1. 2. |

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| f) | 1 example of the ability to recognise a possible claim for unlawful detention | 1. | 1. |
| g) | 1 example of the ability to recognise a potential victim of trafficking, including where necessary facilitating a referral to the NRM | 1. | 1. |
| h) | 1 example of representation before the First-tier Tribunal (IAC) or Upper Tribunal (IAC) in an appeal involving section 72 and/or section 117C of the Nationality, Immigration & Asylum Act 2002 | 1. | 1. |

ANNEX F: GLOSSARY OF DEFINED TERMS

| Term | Description |
|---|--|
| 2018 Contract | Contract documentation can found at https://www.gov.uk/government/publications/standard-civil-contract-2018 . |
| AC1 form | The form that must be used for an Applicant to apply for a LAA account number for an Office. The AC1 form is available from: https://www.gov.uk/guidance/update-your-details-with-laa |
| Access Point | Geographic level in which the LAA will procure Contract Work where a Procurement Area has been further broken down into smaller areas |
| Advanced Caseworker | A level of accreditation within the Law Society's Immigration and Asylum Accreditation Scheme (IAAS), previously known as 'level 3' accreditation |
| Applicant | A single legal entity (including an individual) Tendering to deliver the advertised services. "You" and "Your" shall hold the same meaning. |
| Authorised Litigator | An individual who conducts litigation services as an authorised person in accordance with the Legal Services Act 2007 |
| Bar Standards Board/BSB | Bar Standards Board; a Relevant Professional Body |
| Category, Categories or Categories of Law | The category or categories of law, which are publicly funded legal services being tendered for and listed in this IFA, the definitions of which are set out in the Category Definitions 2018 |
| Category Definitions 2018 | The document published on the LAA's website that outlines the Categories of Work that apply to this Specification, which is incorporated into this Contract. |
| CILEx | Chartered Institute of Legal Executives; a Relevant Professional Body |
| Civil Contract | The 2018 Standard Civil Contract |
| Client | An individual whom the Legal Aid Agency Director (or a person authorised by the Director) or the court has determined qualifies for the receipt of Contract Work |
| CM | Compliance Manager for an organisation authorised by CILEx |
| COLP | Compliance Officer for Legal Practice for an organisation authorised by the SRA. |
| Contract Documents | The documents listed at paragraph 1.13 of the IFA in relation to the Face to Face Contract. |
| Contract for Signature | The document of that name issued by the LAA and signed by the LAA and the Applicant in relation to this Face to Face Contract. |
| Contract Management | A department within the LAA, responsible for managing relationships with Providers and their performance under the contract. |
| Contract Manager | An individual employed with LAA's Contract Management department with responsibility for managing relationships with Providers. |

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| Contact Period | Has the meaning given in the Contract for Signature |
| Contract Specification | Services that may be performed for clients as specified in the Schedule(s) and the Specification under or by virtue of the Civil Contracts covered by this procurement process. |
| Contract Start Date | The date from which the Provider must deliver the Contract Work being 1 January 2022 |
| Contract Work | As defined in Section 1 of the Contract Specification and regulation 2 of the Civil Legal Aid (Procedure) Regulations 2012 (as amended) Services to be delivered under a legal aid contract, including Exclusive Schedule Arrangements, in accordance with the requirements of the Contract |
| Controlled Work | As defined in Section 1 of the Contract Specification and regulation 2 of the Civil Legal Aid (Procedure) Regulations 2012 (as amended) |
| Controlled Work and Administration (“CWA”) | A digital billing service that contains all Providers’ contracts and schedules |
| Crown Copyright | As defined under section 163 of the Copyright, Designs and Patents Act 1988 |
| Data Protection Laws | Means (a) any law, statute, declaration, decree, directive, legislative enactment, order, ordinance, regulation, rule or other binding restriction (as amended, consolidated or re-enacted from time to time) which relates to the protection of individuals with regards to the processing of personal data including, but not limited to, the Data Protection Act 2018 and the UK GDPR; and (b) any code of practice or guidance published by the ICO from time to time. |
| Data Subject | As defined in the UK GDPR |
| Deadline | The deadline to submit a Tender under this process which is 12 noon, 23 August 2021. |
| Detained Duty Advice Scheme (“DDAS”) | Immigration and Asylum Contract Work delivered through an advice surgery at the designated IRC(s), including Derwentside IRC. |
| e-Tendering system | The LAA’s secure internet site at www.legalaid.bravosolution.co.uk through which Tenders and the procurement process as a whole are managed. |
| Exclusive Schedule or Exclusive Schedule Arrangements | The Contract Schedule authorising providers to conduct Immigration and Asylum Contract Work in an IRC setting. |
| Executive Agency | A body tasked with carrying out executive functions within government |
| Face to Face Contract or Contract | The 2018 Standard Civil Contract |
| FAQ or Frequently Asked Questions | Questions with corresponding responses as published by the LAA and termed ‘Frequently Asked Questions’. |
| Full Time Equivalent (FTE) | The equivalent of one individual working 5 days a week and 7 hours on each such day (excluding breaks). For example the following working pattern would represent on Full Time Equivalent: - Person A – 20 hours per week |

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| | <ul style="list-style-type: none"> - Person B - 10 hours per week - Person C – 5 hours per week <p>One FTE is based on a 35 hour working week. Applicants are not permitted to claim an individual member of staff as more than one FTE even if they work more than 35 hours per week</p> |
| HOLP | Head of Legal Practice for an organisation authorised by the BSB |
| Immigration and Asylum | Publicly funded face to face advice and representation to clients in the Immigration and Asylum Category of Law as defined in the Category Definitions 2018 document |
| Immigration and Asylum Accreditation Scheme (“IAAS”) | An accreditation scheme operated by the Law Society to accredit immigration and asylum law practitioners. |
| Immigration Removal Centres (“IRCs”) | Holding centres for foreign nationals awaiting decisions on their asylum claims or awaiting deportation following a failed application |
| Individual Bid | A bid for Immigration and Asylum Contract Work in a particular Access Point. |
| Information for Applicants (“IFA”) | This Information for Applicants document (in its entirety) |
| Invitation to Tender (“ITT”) or Derwentside IRC ITT | The ITT for the Derwentside IRC Exclusive Schedule and, where applicable, Immigration and Asylum Face to Face Contract |
| ITT Response | An Applicant’s response to the ITT as part of this procurement process |
| Key Personnel | <p>Any individual who has, or is held out as having either expressly or impliedly, or exercises, (or will have, be held out as having or exercising by the Contract Start Date) powers of representation, decision, veto, influence or control in relation to an Applicant including partners, directors, trustees and other senior managers and employees of the Applicant.</p> <p>Where a trust or company would satisfy the above in relation to an Applicant, any individual who has the right to exercise significant influence or control over the activities of that trust or company.</p> |
| LAA Account Number | The unique reference assigned to each provider Office from which legal aid work is undertaken |
| Lead Office | The Applicant’s principal Office for the purpose of the Face to Face Contract. |
| Legal Aid | Has the meaning given to it in Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 |
| Legal Aid Agency or LAA | The Executive Agency of the Ministry of Justice that from 1 April 2013 has been responsible for the administration of legal aid (including this procurement process) |

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| Legal Aid Legislation | The Legal Aid, Sentencing and Punishment of Offenders Act 2012 and statutory instruments made under it that are relevant to the 2018 Civil Contract |
| Legal Competence Standards | As detailed in the relevant Category Specification |
| Lexcel Practice Management standard ("Lexcel") | The Law Society's legal practice quality mark, which is a relevant Quality Standard |
| Lexcel Certificate | Certification evidencing that an entity holds the Lexcel Quality Standard |
| Licensed Work | Has the meaning given in regulation 2 of the Procedure Regulation. Generally covers legal representation. There is no limit to the volume of Licensed Work a provider can undertake. However, funding applications need to be submitted to the LAA for each Licensed Work case and the LAA decides whether the relevant criteria are met. |
| Matter Start or Matter | A Controlled Work case as defined at Section 1 of the Face to Face Contract Specification |
| Miscellaneous | Publicly funded face to face advice and representation to clients in the Miscellaneous Category of Law as defined in the Category Definitions 2018 document |
| Office | As defined at paragraph 2.32 of the 2018 Standard Civil Contract General Specification |
| OISC | Office of the Immigration Services Commissioner. Organisations solely regulated by OISC are not eligible to bid in this procurement process. |
| Part Time Equivalent (PTE) | The equivalent of an individual working 17.5 hours a week during business hours excluding breaks One PTE is based on a 35 hour working week (i.e. half of one FTE). Applicants are not permitted to claim an individual member of staff as more than one FTE even if they work more than 35 hours per week. |
| Part Time Presence | As defined at 2.36 - 2.37 of the 2018 Standard Civil Contract Specification |
| Permanent Presence | As defined at 2.33 - 2.34 of the 2018 Standard Civil Contract Specification |
| Pre QM | An on site audit to assess an organisation's application to be granted the SQM Quality Standard where the entity is applying for the SQM Quality Standard for the first time |
| Personal Data | As defined in the UK GDPR |
| Processing | As defined in the UK GDPR |
| Processor | As defined in the UK GDPR |

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| Procurement Area | A geographical area in which the LAA will procure Contract Work |
| Provider | A party to a contract with the LAA in respect of the provision of Legal Aid. |
| Quality Standard | The LAA Specialist Quality Mark (SQM) or the Law Society's Lexcel Practice Management Standard (Lexcel). |
| Recognising Excellence Limited | The body which, since 1 April 2017 has been the SQM Audit Provider |
| Relevant Professional Body | The body or organisation which regulates or exercises control over your professional or service activities or such activities of any of your personnel and/or any other body to whose rules you have elected to be subject to. For the avoidance of doubt this includes any relevant approved regulator for the purposes of the Legal Services Act 2007. |
| Remuneration Regulations | The Civil Legal Aid (Remuneration) Regulations 2013 |
| Reserved Matters | As set out at 8.18 of the Immigration and Asylum Category Specification |
| Response | An Applicant's response to this ITT as part of this procurement process |
| Roll Number | The number or SRA ID given to all solicitors admitted by the Law Society of England and Wales |
| Schedule | A Contract document issued by the LAA as specified in the 2018 Standard Civil Contract |
| Security Requirements | The requirements regarding security of the Personal Data, as set out in the Data Protection Laws (including, in particular, the measures set out in Article 32(1) of the GDPR (taking due account of the matters described in Article 32(2)) |
| Selection Questionnaire or SQ | The Selection Questionnaire at Annex A of this IFA |
| Senior Caseworker | A level of accreditation within the Law Society's Immigration and Asylum Accreditation Scheme (IAAS), previously known as 'level 2' accreditation |
| Solicitors Regulation Authority or SRA | Solicitors Regulation Authority; a Relevant Professional Body |
| Specification | The 2018 Standard Civil Contract Specification, as amended, which sets out the nature of the Contract Work to be delivered. |
| SQ Response | An Applicant's response to the SQ as part of this procurement process |
| SQM Audit Provider | Recognising Excellence Limited |
| SQM Certificate | Certification issued by the SQM Audit Provider evidencing that an entity holds the SQM Quality Standard |
| Standard Terms | The contractual document which governs the commercial relationship between the Legal Aid Agency and providers |
| Supervisor | Any person employed by the Applicant who meets the Supervisor Standard set out in the Specification, and who will be actively supervising the Contract Work tendered for |

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| Supervisor Declaration Form | A form setting out how the Applicant's Supervisor(s) meets the Supervisor Standard in the relevant Category of Law. Forms are available to download from https://www.gov.uk/government/publications/standard-civil-contract-2018 . |
| Supervisor Standard | The required supervision experience, Category-specific case experience and Category-specific case involvement that any Supervisor must meet and which is evidenced via the Supervisor Declaration Form. |
| Supplementary Matter Starts | As defined at Section 1 of the General Specification |
| Surgery Rota or Rota | A rota to deliver advice at a designated IRC(s) |
| Tender | An Applicant's complete response to this procurement process. This must consist of an SQ Response and one Derwentside IRC ITT Response |
| UK GDPR | The General Data Protection Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (United Kingdom General Data Protection Regulation), as it forms part of the law of England and Wales, Scotland and Northern Ireland by virtue of section 3 of the EU (Withdrawal) Act 2018. |