



## Procurement of Civil Legal Aid services in England and Wales

### Selection Questionnaire

#### Information for Applicants

The Legal Aid Agency (LAA) is inviting Selection Questionnaire (“**SQ**”) Responses as the first stage of the procurement process for the delivery of publicly funded civil legal aid services from 1 September 2018 (1 October 2018 for Housing Possession Court Duty Scheme Contracts) under the following contracts:

- 2018 Standard Civil Contract (“**Face to Face Contract**”); and
- 2018 Civil Legal Advice Contract (CLA) (“**CLA Contract**”); and
- 2018 Standard Civil Contract for Housing Possession Court Duty Schemes (“**HPCDS Contract**”)

Collectively these contracts will be referred to as the “**2018 Contracts**” and individually as a “**2018 Contract**” in this document.

**The deadline for submitting Tenders is 5pm on 10 November 2017 (“Deadline”)**

A Tender consists of:

- An SQ Response; and
- A Response to the relevant Invitation(s) to Tender (“ITT(s)”) for the civil legal aid services the Applicant wishes to deliver under the 2018 Contracts (see below for a summary of requirements for each 2018 Contract).

#### **The SQ**

The SQ tests whether Applicants meet the minimum requirements to hold a 2018 Contract.

An SQ Response must be submitted **once** by a tendering organisation, regardless of which 2018 Contracts or Categories of Law it is tendering for or from how many Offices it intends to deliver services.

This Information for Applicants (“**IFA**”) document provides information about the SQ, including how Applicants submit a SQ Response, and the rules governing this element of the procurement process.

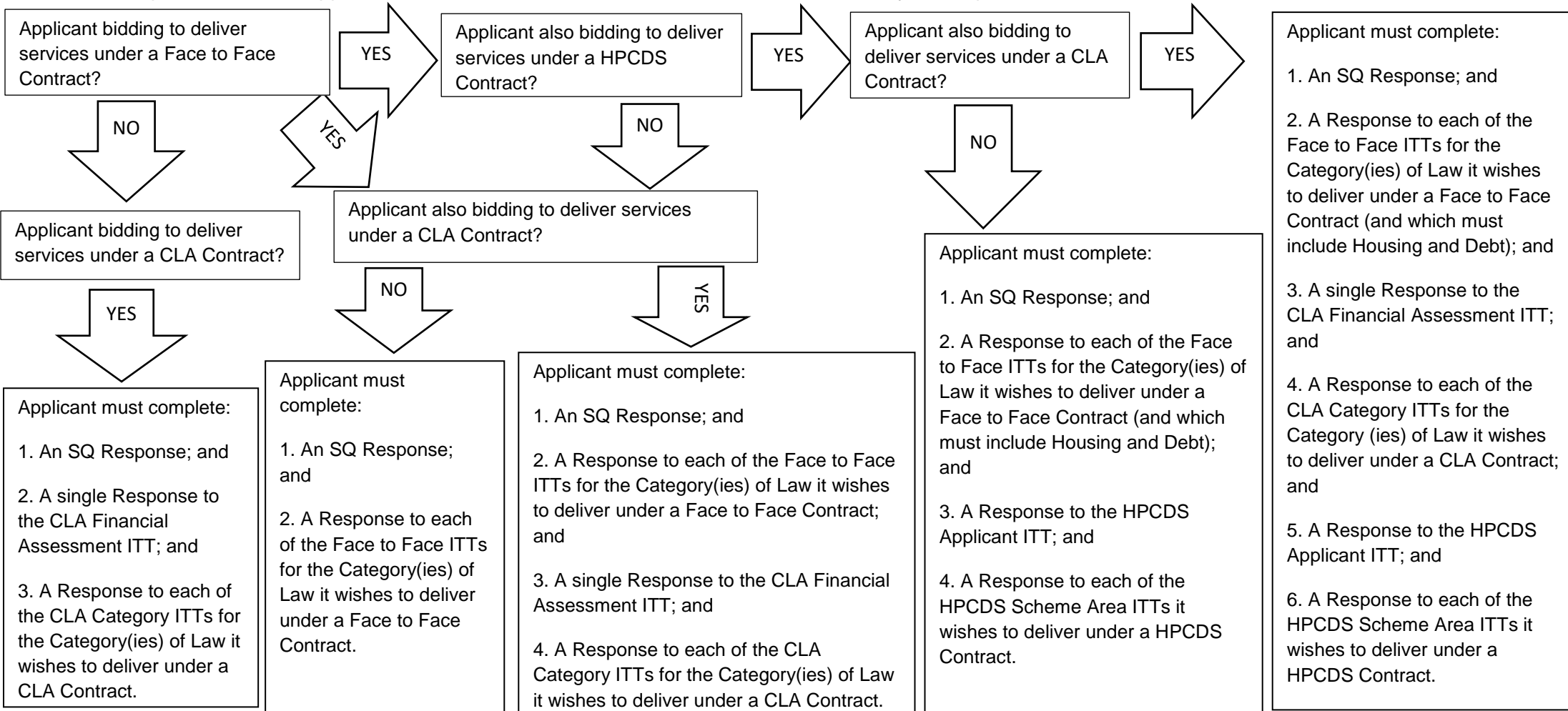
Applicants must read this SQ IFA in its entirety before submitting their SQ Response together with all supplementary information provided, such as any ‘Frequently Asked Questions’ documents published by the LAA during the procurement process.

Where not defined in the body of this IFA, capitalised terms are either defined in Annex B or in the 2018 Contracts. References to the 'procurement process' or 'procurement procedure' are to the process for the procurement of the 2018 Contracts.

## The Procurement Process

Applicants wishing to deliver services under a 2018 Contract **must** complete and submit an SQ Response and a Response to the relevant ITT(s) for the civil legal aid services the Applicant wishes to deliver.

The type and/or combination of 2018 Contract(s) the Applicant wishes to bid for will determine the number of ITT Responses the Applicant is required to submit. Applicants should use the chart below to confirm which ITTs they are required to submit in order to bid.



Examples:

Red & Co wishes to deliver services in the Family and Immigration and Asylum Categories of Law under a Face to Face Contract. It must submit a Tender which consists of:

- i. a single SQ Response; and
- ii. a Face to Face ITT Response for the Family Category of Law; and
- iii. a Face to Face ITT Response for the Immigration and Asylum Category of Law

by 5pm on 10 November 2017.

White & Partners wishes to deliver services in the Family and Discrimination Categories of Law under a CLA Contract. It must submit a Tender which consists of:

- i. a single SQ Response; and
- ii. a single Response to the CLA Financial Assessment ITT; and
- iii. a CLA Category ITT Response for the Family Category of Law; and
- iv. a CLA Category ITT Response for the Discrimination Category of Law

by the deadline set out in the CLA Contract IFA which will be published in late September.

Blue Limited wishes to deliver Family Contract Work under both a CLA Contract and a Face to Face Contract. It must submit a Tender which consists of:

- i. a single SQ Response; and
- ii. a Face to Face ITT Response for the Family Category of Law

by 5pm on 10 November 2017; and

- iii. a single Response to the CLA Financial Assessment ITT; and
- iv. a CLA Category ITT Response for the Family Category of Law

by the deadline set out in the CLA Contract IFA which will be published in late September.

Black LLP wishes to deliver civil legal aid in the Housing and Debt Category of Law under a Face to Face Contract and deliver the HPCDS in one Scheme Area under a HPCDS Contract. It must submit a Tender which consists of:

- i. a single SQ Response; and
- ii. a Face to Face ITT Response for the Housing and Debt Category of Law;

by 5pm on 10 November 2017; and

- iii. a HPCDS Applicant ITT Response; and
- iv. a HPCDS Scheme Area ITT Response for the relevant Scheme Area

by the Deadline set out in the HPCDS IFA, which will be published in October.

Green & Brown wishes to deliver civil legal aid in the Family and Housing and Debt Categories of Law under a Face to Face Contract, the Education Category of Law under a CLA Contract and the HPCDS in one Scheme Area under a HPCDS Contract. It must submit a Tender which consists of:

- i. a single SQ Response; and
- ii. a Face to Face ITT Response for the Family Category of Law; and
- iii. a Face to Face ITT Response for the Housing and Debt Category of Law

by 5pm on 10 November 2017; and

- iv. a single Response to the CLA Financial Assessment ITT; and
- v. a CLA ITT Response for Education Category of Law

by the Deadline set out in the CLA IFA, which will be published in late September; and

- vi. a HPCDS Applicant ITT Response; and
- vii. a HPCDS Scheme Area ITT Responses for the relevant Scheme Area

by the Deadline set out in the HPCDS IFA, which will be published in October.

Before submitting their Tender, Applicants must read in their entirety the separate “Information for Applicants” documents for each 2018 Contract they wish to bid for and all supplementary information provided, such as ‘Frequently Asked Questions’. Applicants are also strongly advised to read the 2018 Contract(s) they wish to bid for in full before submitting their SQ Response and ITT Response(s).

#### **Additional Information on the Procurement Process for HPCDS Contracts**

Applicants wishing to deliver HPCDS Contract Work **must** tender for, obtain and subsequently hold a Face to Face Contract to deliver services in the Housing and Debt Categories.

For the avoidance of doubt, any Applicant who does not successfully obtain a Face to Face Contract in the Housing and Debt Categories will **not** be entitled to perform HPCDS work from 1 September 2018 onwards and any HPCDS Tender response submitted by the Applicant will be rejected.

The Ministry of Justice has recently consulted on policy proposals to move to fewer, larger HPCDS Contracts and to compete contracts based on both quality and price. Its response to the consultation was published on 16 August 2017. Further information can be found at: <https://consult.justice.gov.uk/digital-communications/housing-possession-court-duty-scheme/>

The LAA anticipates the ITTs for HPCDS Contracts will open in October. The HPCDS IFA will be published when the tender opens and will confirm the deadline for the submission of the HPCDS Applicant ITT and the HPCDS Scheme Area ITTs.

#### **Additional Information on the Procurement Process for CLA Contracts**

The LAA anticipates the ITTs for CLA Contracts will open in late September. The CLA IFA will be published when the tender opens and will confirm the deadline for the submission of the CLA Financial Assessment ITT and the CLA Category ITTs.

## Timetable

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

<b>Activity</b>	<b>Timescale</b>
SQ stage opens on e-Tendering portal	19 September 2017
Final date for submission of questions about this SQ	23.59 on 19 October 2017
Final 'Frequently Asked Questions' to be published	Week commencing 30 October 2017
Deadline for submission of Tenders including this SQ Response	5pm on 10 November 2017
Notification of mandatory rejection	January 2018
Notification of discretionary criteria rejection	January 2018
Deadline for submission of appeals	January 2018
Notification of appeal outcome	February 2018

**Please refer to the relevant ITT IFAs for indicative timetables setting out further key dates for the procurement process.**

## Contents

<b>Section 1: Introduction and background</b>	<b>Page 8</b>
About the LAA and this procurement process	<b>Page 8</b>
About the 2018 Contracts	<b>Page 8</b>
About the services	<b>Page 8</b>
Who can bid?	<b>Page 9</b>
What if organisations are considering merging or changing their status?	<b>Page 9</b>
When do organisations need to have been formed as legal entities?	<b>Page 11</b>
Rules for Connected Entities	<b>Page 11</b>
What is a Connected Entity?	<b>Page 11</b>
What are the rules that Applicants must comply with?	<b>Page 12</b>
What will the LAA do where it believes Applicants are Connected Entities?	<b>Page 13</b>
What if Connected Entities wish to bid to deliver Face to Face Contract Work in the same Procurement Area or Category of Law?	<b>Page 13</b>
<b>Section 2: Procurement process requirements</b>	<b>Page 14</b>
<b>Section 3: e-Tendering system</b>	<b>Page 15</b>
<b>Section 4: Completion of the Selection Questionnaire</b>	<b>Page 16</b>
Section A – Organisation and contact details	<b>Page 17</b>
Section B and C – Grounds for mandatory and discretionary rejection	<b>Page 17</b>

Section D – Declarations	Page 17
<b>Section 5: Applicants' questions</b>	<b>Page 18</b>
Questions about this IFA	Page 18
Technical questions about how to operate the e-Tendering system	Page 18
<b>Section 6: Notification of SQ Response outcomes</b>	<b>Page 19</b>
<b>Section 7: Rules for 2018 Contracts Procurement Process</b>	<b>Page 19</b>
Introduction	Page 19
Submitting a Tender	Page 19
Right to Cancel or Amend the Procurement Process	Page 21
Right to Clarify/Verify	Page 22
Right to Exclude	Page 22
Canvassing	Page 22
Collusion	Page 23
Award	Page 23
Appeal and costs and expenses of Tender	Page 23
Confidentiality, Data Protection & Freedom of Information	Page 24
Copyright & Intellectual Property Right	Page 25
<b>Annex A: Tender questions and assessment</b>	<b>Page 26</b>
<b>Annex B: Glossary of defined terms Common questions</b>	<b>Page 45</b>

## SECTION 1: INTRODUCTION AND BACKGROUND

### 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 SQ Responses is **5pm on 10 November 2017**. The deadline for submitting ITT Responses can be found in the relevant 2018 Contract IFA.
- 1.3 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.

### About the 2018 Contracts

- 1.4 Face to Face Contracts will be awarded for a period of three years from the Contract Start Date. CLA Contracts and HPCDS Contracts will be awarded for a period of three years from the Service Commencement Date. The 2018 Contracts are subject to rights of early termination and the LAA's right to extend for up to a further two years.

### About the services

#### *Face to Face Contracts*

- 1.5 The procurement process will implement new contracts to deliver face to face legal advice and representation in the following Categories of Law from 1 September 2018:
  - Family
  - Housing, Debt and Welfare Benefits
  - Immigration and Asylum (including work at Immigration Removal Centres)
  - Mental Health
  - Community Care
  - Claims Against Public Authorities (formerly known as 'Actions Against the Police etc')
  - Clinical Negligence
  - Public Law
  - Family Mediation
- 1.6 There is no limit to the number of organisations that can be awarded a Face to Face Contract. All those that meet the LAA's minimum requirements and the relevant Category-specific requirements set out in the Face to Face ITT IFA will be awarded a Face To Face Contract.
- 1.7 Further details on all of the Categories of Law covered by the Face to Face Contract ITTs can be found in the Face to Face Contract ITT IFA.
- 1.8 Draft Face to Face Contract documentation is available on the LAA's website at <https://www.gov.uk/government/publications/standard-civil-contract-2018>.

#### *CLA Contracts*



1.9 This procurement process will implement new CLA Contracts to deliver specialist telephone advice in the following Categories of Law from 1 September 2018:

- Family
- Housing and Debt (combined)
- Education
- Discrimination

1.10 The LAA intends to award two CLA Contracts in the Family Category and three CLA Contracts in each of the Housing and Debt, Education and Discrimination Categories.

1.11 CLA Contracts will be competed based on quality and price.

1.12 CLA Contract documentation will be published at the time that the CLA tender opens.

#### *HPCDS Contract*

1.13 Applicants wishing to deliver HPCDS Contract Work must also tender for, and subsequently be awarded and hold a Face to Face Contract to deliver services in the Housing and Debt Categories.

1.14 The Government has recently consulted on proposals to move to fewer, larger HPCDS contracts and to compete contracts based on both quality and price. Its response to the consultation was published on 16 August 2017. Further information can be found at: <https://consult.justice.gov.uk/digital-communications/housing-possession-court-duty-scheme/>

1.15 HPCDS Contract documentation will be published at the time that the HPCDS tender opens.

#### **Who can bid?**

1.16 Any organisation who can meet the minimum contract requirements may tender to deliver Contract Work under a 2018 Contract.

1.17 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.

#### **What if organisations are considering merging or changing their status?**

1.18 Applicants must bid as the contracting entity that they intend to be to deliver Contract Work.

1.19 Applicants for any 2018 Contract may not assign, novate or otherwise transfer their Tender or any part of their Tender to any other organisation. Please note, this means that following the final submission of their Tender, an Applicant will not be able to make any changes to their status until after 2018 Contracts are operational. For the avoidance of doubt, organisations seeking to change their status from a partnership to a Limited Company, for example, will only be considered once any 2018 Contract is in operation.

1.20 The LAA understands that organisations may be thinking about the organisational structure they will use to deliver Contract Work and may be considering merging with

other organisations to do so. Where this is the case, whilst it is not a requirement for the contracting entity to have been formed at the time it submits its Tender, the Applicant's Tender must be based on the single merged entity providing the Contract Work under any 2018 Contract awarded as further detailed in paragraphs 1.23 and 1.25.

- 1.21 The general rule is that organisations may submit Tenders through more than one legal entity, if they wish, in order to deliver Contract Work through those different legal entities. Each separate legal entity which submits a Tender will be known as an Applicant for the purposes of this procurement process.

**However, organisations that wish to bid to deliver services under a CLA Contract or HPCDS Contract, must also comply with the rules on Connected Entities.**

**Those rules mean that they are not permitted to bid against Connected Entities.**

**Further information on the rules applying to Connected Entities is set out below.**

- 1.22 By submitting a Tender, Applicants bid for, and commit to delivering, all of the Contract Work tendered for. Where an organisation submits more than one Tender for Contract Work which it intends to deliver through different legal entities, that commitment applies to each of those Tenders. This means that the organisation is not permitted to 'transfer' the Contract Work awarded to a specific entity to any other entity under any of its other Tenders.

Example:

Smith & Co wish to bid to deliver Contract Work in the Housing and Debt Categories of Law under a Face to Face Contract.

Smith & Co also wish to form a new legal entity with Jones LLP known as Smith & Jones LLP in order to bid to deliver HPCDS work.

Smith & Co will need to submit two Tenders:

1. A Tender as Smith & Co which consists of:

- i. an SQ Response; and
- ii. a Face to Face ITT Response in the Housing and Debt Category of Law

and

2. A Tender as Smith & Jones LLP which consists of:

- i. an SQ Response; and
- ii. a Face to Face ITT Response in the Housing and Debt Category of Law; and
- iii. a HPCDS Applicant ITT Response; and
- iv. a HPCDS Scheme Area ITT Response for the relevant Scheme Area(s).

Following the procurement processes, both Smith & Co and Smith & Jones LLP are awarded the Contracts bid for. Where Smith & Co and Smith & Jones LLP pass the verification requirements, they must both deliver all of the Contract Work bid for.

That means that Smith & Jones LLP must take up and deliver the Contracts for both Face to Face Housing and Debt and HPCDS. It will not be possible for Smith & Co to deliver

the Face to Face Housing and Debt Contract Work and for Smith & Jones LLP to deliver only HPCDS Contract Work as such an arrangement will breach the requirements of the 2018 Contracts.

### **When do organisations need to have been formed as legal entities?**

- 1.23 It is not necessary for the contracting entity to have been formed at the time an Applicant submits its Tender, however it must be clear from the Tender which organisation intends to hold the Contract(s) for which it bids.
- 1.24 The contracting entity must be fully constituted and be able to demonstrate it meets the minimum 2018 Contract requirements for each 2018 Contract it is bidding for by the following dates:
- CLA Contracts by 23.59 on 10 June 2018;
  - HPCDS Contracts Applicants must be fully constituted before the end of the 10-day standstill period that follows notification of contract award and meet the minimum requirements no later than 23:59 on 19 August 2018;
  - Face to Face Contracts by 23.59 on 20 July 2018.
- 1.25 Where the Applicant:
- has been dissolved or is, for any other reason, incapable of executing a contract;
  - is not fully constituted as the contracting entity named in its Tender; or
  - is unable to meet the Contract requirements by the applicable deadlines,

any contract offer made to it may be withdrawn.

### **Rules for Connected Entities**

- 1.26 Whilst organisations may bid to deliver Contract Work as different legal entities, organisations which are connected by their parent company, other companies which have significant control in the decision-making of that organisation or Key Personnel of the organisation are not permitted to bid in the same competition.
- 1.27 For the avoidance of doubt, competition is within the:
- Category of Law for CLA Contracts; and
  - Scheme Area for HPCDS Contracts except the Liverpool, Wirral and Cheshire Scheme Area) and different Lots (the Liverpool, Wirral and Cheshire Scheme Area only).
- 1.28 Connected Entities may bid in different Categories of Law and/or HPCDS Scheme Areas and or Lots as applicable without breaching the rules set out below.

### **What is a Connected Entity?**

- 1.29 Applicants may be Connected through corporate entities or through individuals. In the context of this procurement and the LAA's assessment of compliance with these rules, the term Connected shall mean:
- having a legal or beneficial interest; or

- being able to effect substantive influence or control or having powers of representation over the business affairs of the relevant organisation

and the term “Connection” shall bear a similar meaning.

1.30 Such Connection may be either direct, for example where an organisation is the parent entity of two Applicants in the same HPCDS Scheme Area or CLA Category of Law, or indirect, for example a ‘chain’ of Connection (however long that chain might be) where an organisation or individual is Connected to another organisation that is itself Connected to the Applicant.

### **What are the rules that Applicants must comply with?**

1.31 Applicants bidding within the same competition cannot bid against a Connected Entity.

#### **Example 1:**

Smith & Co wish to bid to deliver HPCDS Contract Work in Manchester and Cumbria.

Smith & Co also wish to form a new legal entity with Jones LLP known as Smith & Jones LLP in order to bid to deliver HPCDS Contract Work in Manchester.

Both organisations will be required to bid for Contract Work in the Housing and Debt Categories of Law under a Face to Face Contract.

Under the rules on Connected Entities, Smith & Co and Smith and Jones LLP cannot both bid to deliver HPCDS Contracts in Manchester.

The Applicants could choose to bid in the following ways in order to comply with the rules on Connected Entities:

1. Smith & Co bids to deliver HPCDS Contract Work in Cumbria only and Smith and Jones LLP bids to deliver HPCDS Contract Work in Manchester only; or
2. Smith & Co bids to deliver HPCDS Contract Work in Cumbria and Manchester. Smith and Jones LLP does not bid for HPCDS Contract Work in either Scheme Area; or
3. Smith and Jones LLP bids to deliver HPCDS Contract Work in Cumbria and Manchester. Smith & Co does not bid in either Scheme Area for HPCDS Contract Work.

#### **Example 2:**

Burns & Partners Ltd is the parent company of both Simpsons Ltd and Flanders Ltd and has significant control of the decision-making within each organisation.

Both Simpsons Ltd and Flanders Ltd intend to bid to deliver Contract Work in the Family Category of Law under a CLA Contract.

Were both Applicants to bid for this Category of Law under the CLA Contract, this would be a breach of the rules on Connected Entities.

- 1.32 Key Personnel of an organisation, having the meaning set out in the glossary of defined terms at Annex B, may not bid against other organisations in which they are also Key Personnel in the same competition.

Example 3:

Mr Black is a member of Key Personnel of Black & Co and also a member of Key Personnel at Green LLP.

Black & Co wishes to bid to deliver Contract Work in the Housing and Debt Categories of Law under both a CLA Contract and a Face to Face Contract.

Green LLP also wishes to bid to deliver Contract Work in the Housing and Debt Category of Law under a CLA Contract and Contract Work in the Housing and Debt Category of Law under a Face to Face Contract.

Under the rules on Connected Entities, Black & Co and Green LLP cannot both bid to deliver Contract Work in the Housing and Debt Category of Law under a CLA Contract by virtue of their Connection through Mr Black.

However, both Black & Co and Green LLP may both bid to deliver Contract Work in the Housing and Debt Categories of Law under a Face to Face Contract.

- 1.33 Applicants should note that any existing or proposed ethical wall or other information or business partitioning arrangement will not bring any arrangement into compliance with these rules.

#### **What will the LAA do where it believes Applicants are Connected Entities?**

- 1.34 In accordance with paragraph 7.27, the LAA reserves the right to clarify with one or both Applicants, as required.

- 1.35 Where the LAA believes that the rules on Connected Entities have not been complied with, and that Applicants are Connected through legal or beneficial interest as set out in paragraphs 1.30 and 1.31, all those HPCDS Scheme Area Tenders and/or CLA Category of Law Tenders that the LAA deems to be Connected may be rejected.

#### **What if Connected Entities wish to bid to deliver Face to Face Contract Work in the same Procurement Area or Category of Law?**

- 1.36 Connected Entities may bid for Face to Face Contracts in the same Procurement Areas and/or Access Points and within the same Category of Law without breaching the rules on Connected Entities.

## **SECTION 2: PROCUREMENT PROCESS REQUIREMENTS**

- 2.1 Applicants wishing to deliver services under either a Face to Face or CLA Contract must submit a Tender which consists of:
- i. a single SQ Response; and
  - ii. a Response to the relevant ITTs for the services the Applicant wishes to deliver under 2018 Contracts

which must in each case be capable of assessment.

For the avoidance of doubt each Applicant is required to submit only one SQ Response regardless of which of the 2018 Contracts it wishes to deliver. As set out at paragraph 7.9 if more than one SQ Response is received from the same Applicant, only the latest SQ Response submitted prior to the Deadline shall be assessed by the LAA.

- 2.2 Applicants wishing to deliver HPCDS Contract Work must submit a Face to Face Contract Housing & Debt ITT Response. Any Applicant that submits a Response to a HPCDS ITT but does not also successfully tender to deliver Face to Face Housing and Debt Contract Work will have their HPCDS ITT Response(s) rejected.
- 2.3 If a SQ Response is not submitted or is incapable of assessment the Tender will be rejected.
- 2.4 If an ITT Response is not submitted, is incomplete or is incapable of assessment the Tender will be rejected. As set out in each 2018 Contract ITT IFA, where an Applicant submits more than one ITT Response for a 2018 Contract in the same Category of Law or HPCDS Scheme Area, the LAA will assess only the last ITT Response submitted prior to the Deadline.
- 2.5 An Applicant must ensure that its entire Tender is capable of concurrent delivery. Where an Applicant submits a response to multiple ITTs, it is warranting that it will be able to deliver services concurrently under all corresponding 2018 Contracts if successful.
- 2.6 Applicants wishing to deliver services under a Face to Face Contract should refer to the Face to Face Contract ITT IFA for further details regarding the minimum requirements which Applicants must meet or commit to meeting to be awarded that contract.
- 2.7 Applicants wishing to deliver services under a CLA Contract should refer to the CLA Contract ITT IFA when the ITT for these Contracts opens in late September. The CLA ITT IFA will include further details regarding the minimum requirements which Applicants must meet or commit to meeting to be awarded that contract.
- 2.8 Applicants wishing to deliver services under a HPCDS Contract should refer to the HPCDS Contract ITT IFA when the ITT for these Contracts opens in October. The HPCDS ITT IFA will include further details regarding the minimum requirements which Applicants must meet or commit to meeting to be awarded that contract.

### **SECTION 3: 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](http://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 SQ Response 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 SQ Response, can be actioned as necessary.
- 3.7 The documents for the procurement process including the SQ and the ITTs for Face to Face, CLA and HPCDS Contracts will all be available via the 'Project' or 'ITT Open to all Suppliers' link on the front page of the e-Tendering system. The ITTs for CLA Contracts will also be available on the e-Tendering system when ITTs for these contracts open in late September. The ITTs for HPCDS Contracts will also be available on the e-Tendering system when ITTs for these contracts open in October. No information relating to this procurement process is available via the 'PQQs open to all Suppliers' section of the e-Tendering system.
- 3.8 Applicants must submit a Response to the SQ and at least one of the Face to Face Contract ITTs, and where they wish to deliver HPCDS Contract Work the HPCDS Applicant ITT and at least one of the HPCDS Scheme Area ITTs, and/or where they wish to deliver CLA Contract Work the CLA Financial Assessment ITT and at least one the CLA Category ITTs. Applicants are not obliged to respond to all of the ITTs; they only need to submit a Response to the ITT(s) relevant to the Face to Face Contract (and HPCDS ITT(s) where appropriate) and/or CLA ITT(s) in the Category(ies) of Law they wish to deliver. Applicants must ensure that they access and respond to the SQ and the correct ITT(s) for the Category(ies) of Law they wish to deliver under the 2018 Contracts.
- 3.9 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.

- 3.10 Once Applicants have completed their SQ Response, they must submit it by clicking on the “Submit Response” button.
- 3.11 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.
- 3.12 An Applicant may check that it has successfully submitted its SQ 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 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.
- 3.13 SQ Responses are sealed. This means that the LAA is unable to access submitted SQ Responses prior to the Deadline. The LAA cannot confirm receipt of a SQ Response or if a SQ Response has been completed correctly.
- 3.14 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 Response unless answers to those questions are provided.
- 3.15 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.
- 3.16 When an Applicant submits its SQ Response for the first time, it will receive an automated message that its response has been successfully submitted. This only provides an indication of whether the SQ Response has been transmitted to the LAA and not whether the SQ Response is fully completed and/or will be assessed as being successful.

#### **SECTION 4: COMPLETION OF THE SELECTION QUESTIONNAIRE**

- 4.1 The SQ can be found in Project 81 at ITT – 445 – ‘Selection Questionnaire for Civil 2018 Contracts’ in the e-Tendering system.
- 4.2 Applicants will be required to have expressed an interest in an ITT for a Category of Law before the e-Tendering system will make the SQ available for completion. This does not mean submitting the ITT Response.
- 4.3 The SQ contains a series of questions covering the following areas:
  - Section A (non-assessed) - 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 is non-assessed but 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 paragraph 7.31 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.

## SECTION 5: APPLICANTS' QUESTIONS

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

### Questions about this IFA

- 5.2 Questions about the content of this IFA must be submitted by **23:59 on 19 October 2017**. 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 at <https://www.gov.uk/government/publications/civil-2018-contracts-tender> in the 'Procurement Process for Civil Legal Aid Services from September 2018 Selection Questionnaire 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 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 to assist Applicants' 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 usual IT support.
- 5.8 Questions for the e-Tendering helpdesk should be emailed to: [help@bravosolution.co.uk](mailto: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 Tender 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: NOTIFICATION OF SQ RESPONSE OUTCOMES**

- 6.1 The LAA will notify Applicants whose SQ Response has been assessed as unsuccessful in accordance with the timetable set out earlier in this IFA at page 6.
- 6.2 Where unsuccessful, Applicants will be notified of the outcome of their SQ Response through the e-Tendering system message board. Notifications to those Applicants will include reasons why their SQ Response has been assessed as unsuccessful.
- 6.3 Where an Applicant's SQ Response is assessed as unsuccessful the Applicant's ITT response(s) will not be assessed, unless any appeal made by the Applicant is successful.
- 6.4 The sole right of appeal is set out at paragraph 7.39 of this IFA.
- 6.5 Where the LAA assesses an Applicants' SQ Response as being successful, the ITT Response(s) submitted by the Applicant will then be assessed in accordance with the timelines set out in the IFA(s) applicable to the 2018 Contract(s) the Applicant is bidding for.

## **SECTION 7: 2018 CONTRACTS PROCUREMENT PROCESS**

### **Introduction**

- 7.1 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 SQ Response and Response to ITTs.
- 7.2 '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.
- 7.3 This IFA and any supplementary documents issued as part of this procurement process (including the SQ and the ITTs) are governed and construed in accordance with English Law.

### **Submitting a Tender**

- 7.4 The Applicant agrees to comply with the rules (contained in this Section 7 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 may assess the Applicant's Tender as unsuccessful.
- 7.5 The Applicant must submit a complete Tender (in accordance with paragraph 7.8) 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.

- 7.6 The Applicant must submit a complete Tender (in accordance with paragraph 7.8) using the e-Tendering system at [www.legalaid.bravosolution.co.uk](http://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.
- 7.7 A Tender must be authorised by one of the following:
  - (a) the Applicant's COLP, HOLP or CM (or proposed 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.
- 7.8 The Applicant must submit a complete Tender 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.
- 7.9 The Applicant may only submit one Tender (i.e. one SQ Response and a maximum of one ITT Response per Category/HPCDS Scheme Area). Where an Applicant submits more than one ITT Response for a 2018 Contract in the same Category of Law or HPCDS Scheme Area, the LAA will assess only the last ITT Response submitted prior to the Deadline.
- 7.10 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.
- 7.11 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.
- 7.12 Subject to the LAA's right to clarify at paragraph 7.27, the Applicant will not be permitted to amend or alter the Tender after the Deadline except in circumstances expressly permitted by the LAA.
- 7.13 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.
- 7.14 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.
- 7.15 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.

7.16 The Applicant must keep any Tender valid and capable of acceptance by the LAA up to the Contract Start Date.

7.17 By submitting a Tender the Applicant agrees to be bound by the relevant 2018 Contract without further negotiation or amendment.

7.18 In submitting its Tender, the Applicant acknowledges that 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.

7.19 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 7.22 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.

7.20 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.

7.21 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**

7.22 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-2018-contracts-tender> and notified to individual Applicants through a message on the e-Tendering system.

7.23 A Tender submitted by an Applicant which does not comply with any amendments made in accordance with 7.22 before the Deadline may be rejected.

7.24 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.

7.25 While the LAA has taken all reasonable steps to ensure, as at the date of the issue of this 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 7 will take precedence.

- 7.26 All information supplied by the LAA to the Applicant, including that within this 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**

- 7.27 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.
- 7.28 Where the LAA contacts the Applicant in circumstances outlined in 7.27, 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.
- 7.29 The ITTs request some non-assessed information that the LAA requires to be able to progress the issuing of contract documentation. Where this non-assessed 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 2018 Contract(s).

### **Right to Exclude**

- 7.30 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.
- 7.31 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 Applicant's actual position; and/or
  - (iii) misleading information.
- 7.32 Paragraph 7.31 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**

- 7.33 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**

7.34 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 in to 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.

7.35 If the LAA reasonably believes that the Applicant has colluded with another person in any way that breaches paragraph 7.34, 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**

7.36 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. 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.

7.37 The LAA reserves the right to place additional contractual conditions on the award of a contract to an individual Applicant.

7.38 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**

7.39 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 7.25), considers that the LAA has made an error in its assessment of the Applicant's SQ Response. There is no other right of appeal, including, for example, 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.

- 7.40 Appeals must relate to the specific grounds of failure set out in the notification letter received from the LAA.
- 7.41 Appeals should be submitted using the appeals pro forma which will be made available at <https://www.gov.uk/government/publications/civil-2018-contracts-tender>. The LAA will not accept any appeal submitted after the date detailed in the notification letter for receipt of appeals.
- 7.42 The LAA's Principal Legal Adviser (or an 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.
- 7.43 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**

- 7.44 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.
- 7.45 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.
- 7.46 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.
- 7.47 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.
- 7.48 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.
- 7.49 By submitting a Tender an Applicant consents and confirms they have obtained all necessary consents to such Personal Data being collected, held and used in accordance with and for the purposes of administering the procurement process as contemplated by the IFA and for the management of any Contract subsequently awarded.
- 7.50 The Applicant warrants, 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 Legislation (which includes the Data



Protection Act 1998, the Privacy and Electronic Communications (EC Directive) Regulations 2003 and any other relevant regulations together with any codes of conduct and guidance issued by the Information Commissioner); 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.

7.51 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.

7.52 The LAA will publish details of all contracts awarded in accordance with the Government's transparency standards.

7.53 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 Right**

7.54 The information contained in this IFA is subject to Crown copyright. Applicants may, subject to 7.55, 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, or complete the online enquiry form <https://www.nationalarchives.gov.uk/contact/contactform.asp?id=8>

7.55 If an Applicant uses this IFA under the Open Government Licence v3.0, it should include the following attribution: "Procurement of Civil Legal Aid Services in England and Wales from 1 September 2018, Selection Questionnaire, Legal Aid Agency, Licensed under the Open Government Licence v3.0."

## ANNEX A: SQ QUESTIONS AND ASSESSMENT

### Section A – organisation and contact details

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 office address  Where the Applicant does not yet have a registered or head office please enter "N/A"	Free text
A.3	Postcode of registered or head office address  Where the Applicant does not yet have a registered or head 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 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  If this does not apply to the Applicant please answer "N/A"	Free text
A.5	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.  An Applicant with limited liability (unless a registered charity) must supply the LAA with a properly completed indemnity when requested.  Where the Applicant is not required to provide a Personal Guarantee and Indemnity please answer "N/A"	Free Text
A.6	LAA Account Number for registered or head office  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).  Where the Applicant does not currently have an LAA Account Number for this office please enter "N/A"	Free text

A.7.i	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.	Options list: i) Yes ii) No
A.7.ii	If you answered “Yes” to question A.7.i, please provide details of all status changes in this time period.	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 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"> <li>- Full name of the parent company</li> <li>- Registered office address (if applicable)</li> <li>- Registration number (if applicable)</li> <li>- Head office VAT number (if applicable)</li> </ul> <p>If the Applicant does not have any parent companies please answer “N/A”</p>	Free text
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, Applicant is able to deliver reserved legal services without authorisation”</p>	<p>Options list:</p> <p>i) Yes, currently authorised (answer questions A.9.ii and A.9.iii)</p> <p>ii) No, not currently authorised (answer question A.10)</p> <p>iii) N/A, Applicant is able to deliver reserved legal services without authorisation (answer question A.10)</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.	
A.9.ii	If the Applicant has answered “Yes” to A.9i, which Relevant Professional Body is the Applicant authorised by?	Options list: i) Solicitors Regulation Authority ii) Bar Standards Board iii) CILEx Regulation
A.9.iii	If the Applicant has answered “Yes” to A.9.i please provide the authorisation number/reference	Free text
A.10	Contact telephone number for the purposes of this procurement process	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.

	<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</p>	
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	<p>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 must be explicit and comprehensive in responding to these questions as failure to do may result in the LAA rejecting their Selection Questionnaire Response.</p>	
B.1	<p><b>Regulations 57(1) and (2)</b>  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:  <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf</a></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"> <li>a) Participation in a criminal organisation;</li> <li>b) Corruption;</li> <li>c) Fraud;</li> <li>d) Terrorist offences or offences linked to terrorist activities;</li> <li>e) Money laundering or terrorist financing;</li> <li>f) Child labour and other forms of trafficking in human beings.</li> </ul>	<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
B.2	<p><b>Regulation 57(3)</b>  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>	Yes (Fail, subject to information in B.2(a) – (f))  No (Pass)
	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)	Please give details of any binding agreement to fulfil the obligation(s) with a view to paying, including, where applicable: <ul style="list-style-type: none"> <li>- the date the agreement was made; and</li> <li>- any accrued interest and/or fines; and</li> <li>- the date by which the amount(s) were or will be repaid.</li> </ul>	Free text

	If no agreement is in place, please enter “No agreement”	
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

### 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 must be explicit and comprehensive in responding to these questions as, other than as set out at paragraph 4.10 in the IFA, failure to do may result in the LAA rejecting their Selection Questionnaire Response.

	<p><b>Regulation 57 (8)</b>  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:  <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf</a></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)
	<b>Exceptional circumstances</b> – 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	Is/has the Applicant or any of its Key Personnel (been) bankrupt or the subject of insolvency or winding-up proceedings, where the assets are being administered by a liquidator or by the court, where it is/has been in an arrangement with creditors, where its business activities are/have been suspended or it is/has been in any analogous situation arising from a similar procedure under the laws and regulations of any State?  For the avoidance of doubt this includes the imposition of Individual Voluntary Arrangements (IVA) or Company Voluntary Arrangements (CVA).	Yes (discretionary fail)  No (pass)
	<b>Exceptional circumstances</b> – if the Applicant has answered “Yes” to question C.2, it must give details by answering questions as appropriate below.	
C.2(a)	Where it relates to the Applicant please enter “Relates to Applicant”.  Where this relates to a member of your Key Personnel please give the name and position of the person(s) involved.	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(h))  No (Answer C.2(j) to C.2(l))
C.2(c)	Please provide the value of the IVA or CVA when entered into	Free text
C.2(d)	Please provide the date on which the IVA or CVA was entered into	Free text

C.2(e)	<p>Where the IVA or CVA has been subject to any rescheduling of repayments, please provide:</p> <ul style="list-style-type: none"> <li>• details of what changes were agreed, including the date when the rescheduling occurred; and</li> <li>• confirmation of changes to the repayment amount (including the amount the repayments were changed from); and</li> <li>• confirmation of any change to the date of discharge (including the original date of discharge).</li> </ul> <p>Where the IVA or CVA has not been subject to any rescheduling of repayments please enter "N/A".</p>	Free text
C.2(f)	When is the IVA or CVA due to be discharged?	Free text
C.2(g)	<p>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?</p> <p>For the avoidance of doubt this includes, but is not limited to, Income Tax, PAYE, National Insurance contributions, Corporation Tax and VAT.</p>	Free text
C.2(h)	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?	<p>Yes</p> <p>No (Answer C.2(i))</p>
C.2(i)	<p>Where the Applicant has answered “No” to C2.(h), please provide details of:</p> <ul style="list-style-type: none"> <li>- the type liability owing (which tax or social security contribution); and</li> <li>- to whom the liability relates (either Applicant or provide the name and position of the person(s) involved); and</li> <li>- the amount of the outstanding liability; and</li> <li>- the date on which the amount became due; and</li> <li>- whether there is a binding agreement in place to repay the amount.</li> </ul>	Free text
C.2(j)	Please give details of the type of event and the date on it occurred	Free text

C.2(k)	Please give details about the situation, including the amount of money involved and the date when the issue arose	Free text
C.2(l)	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)
	<b>Exceptional circumstances</b> – 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
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 professional misconduct, or has been disqualified as charity trustee?	Yes (discretionary fail) No (pass)
	<b>Exceptional circumstances</b> – 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 professional misconduct or disqualification	Free text
C.4(d)	Please give: <ul style="list-style-type: none"> <li>the date that the finding of 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;</li> <li>detail of any sanction applied; and</li> <li>which body made the finding of guilt / is investigating the allegations</li> </ul>	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)
	<b>Exceptional circumstances</b> – if the Applicant has answered “Yes” to question C.5, it must give details by answering questions C.5 (a) - (d) below.	
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)
	<b>Exceptional circumstances</b> – 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)
	<b>Exceptional circumstances</b> – 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
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>
	<b>Exceptional circumstances</b> – 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
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	<p>Received either:</p> <p>a) two consecutive Peer Review ratings of 4; or b) a Peer Review rating of 5,</p> <p>in any Civil Category of Law following the outcome of any appeal in the last 5 years?</p> <p>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.</p>	<p>Yes (discretionary fail)</p> <p>No (Pass)</p>
	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
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 any LAA 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 Contract.</p> <p>Where the Applicant answers “Yes” and responds to the questions below, the LAA will, in addition, contact the Applicant to obtain further information regarding the exclusion.</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) - (e) 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)	Was/were the individual(s) a member of Key Personnel at the time they received notification?	Option: Yes No
C.10(c)	Please confirm the status of the individual(s) who has/have been notified that they may not conduct publicly funded work under an LAA contract within the Applicant	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
	<b>Please answer the following statements:</b>	
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)
	<b>Exceptional circumstances</b> – 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
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)
	<b>Exceptional circumstances</b> – 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)
	<b>Exceptional circumstances</b> – if the Applicant has answered “yes” to question C.13, it must give details by answering questions C.13(a) – (d) 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 nature of any current condition(s) on practising certificates	Free text
C.13(d)	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
	<b>Exceptional circumstances</b> – 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
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### 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 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 any 2018 Contract covered by this Selection Questionnaire. 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
D.1	Name of person completing this Selection Questionnaire Response	Free text
D.2	Status within the Applicant organisation	Free text
D.3	Name of the individual making declaration on behalf of the Applicant	Free text

D.4	Status within the Applicant organisation	Free text
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## ANNEX B: GLOSSARY OF DEFINED TERMS

Unless otherwise expressly stated, words and expressions defined in this IFA and ITTs shall have the same meaning as defined in the Contract Documents.

In this IFA and the ITTs the following terms shall have the meaning set out below.

Defined Term	Definition
2018 Contracts	2018 Standard Civil Contract (" <b>Face to Face Contract</b> "); and  2018 Civil Legal Advice Contract (CLA) (" <b>CLA Contract</b> "); and  2018 Standard Civil Contract for Housing Possession Court Duty Schemes (" <b>HPCDS Contract</b> ")  Collectively these contracts will be referred to as the ' <b>2018 Contracts</b> ' and individually as a ' <b>2018 Contract</b> ' in this document.
Alternative Business Structure	A firm where a non-lawyer: <ul style="list-style-type: none"> <li>• is a manager of the firm, or</li> <li>• has an ownership-type interest in the firm</li> </ul> <p>A firm may also be an ABS where another body:</p> <ul style="list-style-type: none"> <li>• is a manager of the firm, or</li> <li>• has an ownership-type interest in the firm</li> </ul> <p>and at least 10 per cent of that body is controlled by non-lawyers.</p> <p>A non-lawyer is a person who is not authorised under the Legal Services Act 2007 to carry out reserved legal activities</p>
Applicant	A single legal entity (including an individual) tendering to deliver the advertised services
BSB	Bar Standards Board; a Relevant Professional Body
Category, Categories, Categories of Law or Category of Work	As defined in the Specification
CILEx	Chartered Institute of Legal Executives; a Relevant Professional Body
Civil Legal Advice (or "CLA")	The brand name given by the LAA to the legal advice service it offers to members of the public
CLA Contract	2018 Specialist Telephone Advice Contracts for Civil Legal Advice
Complaints Body	A body or organisation, which handles complaints in relation to your professional or service activities, including Ombudsmen
Connected	Has the meaning given in paragraph 1.30 of the IFA and "connection" shall be construed accordingly
Connected Entities	An Applicant who is Connected to one or more other Applicants

Contract Start Date	The date specified in the Contract holder's Contract for Signature as the date the relevant 2018 Contract starts.
Contract Work	Services to be delivered under a legal aid contract in accordance with the requirements of the relevant 2018 Contract
Deadline	The deadline for submitting a SQ Response to this procurement process (i.e. 5pm on 10 November 2017)
e-Tendering system	The LAA's secure Internet site at <a href="http://www.legalaid.bravosolution.co.uk">www.legalaid.bravosolution.co.uk</a> through which Tenders and the procurement process as a whole are managed
Face to Face Contract	The 2018 Standard Civil Contract
Frequently Asked Questions (FAQ)	Questions that the LAA considers to be of wider interest which will be published to ensure that all potential Applicants have equal access to information.
HPCDS	Housing Possession Court Duty Scheme
HPCDS Contract	The 2018 Housing Possession Court Duty Scheme Contract
Invitation to Tender (ITT)	That part of the procurement process containing Category-specific criteria
ITT IFA	The Information for Applicants governing the Face to Face Contract ITT or the CLA Contract ITT or the HPCDS Contract ITT in its entirety
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 exercise 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>
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)
LAA Account Number	The unique reference assigned to each Office from which civil legal aid work is undertaken
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 Contract
Peer Review	A quality assessment tool operated by or on behalf of the LAA which directly measures the quality of advice and legal work carried out by legal aid providers
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.
Response	An Applicant's response to this SQ and any of the Face to Face ITTs, the CLA Financial Assessment ITT, the CLA Category ITTs, the HPCDS Applicant ITT and the HPCDS Scheme Area ITTs as applicable; and which form a part of its Tender
SRA	Solicitors Regulation Authority; a Relevant Professional Body
Selection Questionnaire	A self-declaration, made by the Applicant, that it does not meet any of the grounds for exclusion. If there are grounds for

	exclusion, there is an opportunity to explain the background and any measures taken to rectify the situation
Service Commencement Date	The date on which services will begin – 1 September 2018 under a CLA Contract and 1 October 2018 under a HPCDS Contract
SQ IFA	This Information for Applicants in its entirety
SQ Response	An Applicant's response to this SQ and a part of its Tender
Tender	An Applicants response to both the SQ and relevant ITT(s) for 2018 Contracts