Procurement of Civil Legal Advice Specialist Advice Services in the Category of Discrimination
Purpose of today’s event:

- Provide information on the upcoming tender for CLA Discrimination services.
- Provide background on the CLA service and the changes we intend to make to its operation.
- Allow prospective providers an opportunity to ask questions about the service.
Background – why are we tendering?

- Tender for CLA Discrimination contracts launched in September 2017 did not receive sufficient compliant bids and was cancelled.

- Existing contract holders have been offered a contract extension and not all have chosen to accept.

- There is a legislative requirement to maintain telephone access to the Discrimination Category of Law through CLA.
About CLA
What is Civil Legal Advice?

• Civil Legal Advice (CLA) provides access to telephone-based Remote Advice in 5 categories of law for individuals that meet the relevant scope, eligibility and merits test. Non-eligible individuals are directed to alternative sources of help.

• CLA is the Mandatory Gateway for the categories of Education, Discrimination and Debt.

• Individuals seeking legal aid support in these Categories must use the CLA Service in the first instance, and they are not permitted to contact Face-to-Face providers directly.
How CLA Works

Stage 1: CLA Operator Service
Initial scope and eligibility assessment

Stage 2: Specialist Advice Providers
(Remote Advice plus Face to Face in Education and Discrimination)

Alternative sources of online, telephone or face-to-face help.

0345 345 4 345
https://www.gov.uk/check-legal-aid

Face-to-face legal advice
About Discrimination
Scope of Discrimination Category

• Contravention of Equality Act 2010
• Contravention of previous discrimination enactments e.g. The Disability Discrimination Act 1995;
• Full category definition can be found at paragraph 28 in the 2018 standard civil contract category definitions 2018 document on our website: https://www.gov.uk/government/publications/standard-civil-contract-2018
Forecast Case Volumes and Case Length per annum

<table>
<thead>
<tr>
<th></th>
<th>Number of Cases per annum</th>
<th>Average Case Length (minutes)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Determination</td>
<td>1,920</td>
<td>42</td>
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<tr>
<td>Cases up to 899 minutes</td>
<td>1,322</td>
<td>209</td>
</tr>
<tr>
<td>Cases 900 minutes and above</td>
<td>198</td>
<td>2,310</td>
</tr>
<tr>
<td>Total</td>
<td>3,440</td>
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Forecast category value per annum - £556,970
Service requirements under the new Discrimination Contracts
How the service will operate in Discrimination

• The LAA is seeking a maximum of five Providers to deliver the Discrimination Service.

• Members of the public applying for legal aid in Discrimination must do so through the CLA Operator Service.

• Eligible individuals will be offered Remote Advice unless they meet certain exemptions or are assessed as not suitable for Remote Advice – here they will be offered Face-to-Face Advice. The numbers this currently applies to are very low (5 cases 2015/16 and 0 in 2016/2017)

• CLA providers can provide both Controlled Work and Licensed Work in Discrimination

• Providers will deliver Contract work concurrently during 9am to 6pm Monday to Friday.

• Providers have telephony infrastructure to allow seamless transfer of clients (i.e. a dedicated telephone line)
Changed requirements

- No requirement to deliver the services out of ‘core hours’ i.e. between 6pm and 8pm weekdays or on Saturday mornings.
- However, Providers will be required to provide telephone advice appointments during Extended Hours (weekday evenings (6-8pm) or Saturday mornings) if the client requests.
- Changed KPIs, focus on response times and the timescales to offer telephone advice appointments during Extended Hours.
- Supervisor standard revised - have to evidence 7 cases, of which any type of 4 must relate to discrimination at work.
- Extend existing provisions so that Face to Face Advice can be provided for by Agents or a nearer Discrimination CLA Specialist provider.
Minimum Requirements

Applicants will still be required to meet the following minimum requirements:

- Have appropriate authorisation for a relevant legal sector regulator to deliver legal services
- Have at least one Office that meets the relevant requirements in the Specification
- Employ at least one FTE Supervisor who meets the relevant Supervisor Standard
- Maintain a ratio of 1 FTE Supervisor to 4 FTE Caseworkers
- Hold a relevant quality standard
- Telephony and IT which meets the CLA Contract requirements
About the Contract
The CLA 2018 Contract (Discrimination)

- 2 years with no provision to extend. It will start on 1 September 2018 and end on 31 August 2020
- Provider unable to end contract early (unlike face to face)
- Based on 2018 CLA Contract published on website but we will make changes
- The full contract will be published alongside the tender.
Payments

- Flat hourly rate.
- There will continue to be a separate Determination Fee
- There will be no separate maximum case cost.
- The hourly rate will be determined through price competition with a price cap of £53 p/h.
- Costs to be assessed by LAA if a case duration exceeds 900 minutes
- Licensed work – assessed by LAA and remunerated at rates set out in the Remuneration Regulations in accordance with sections 7 and 8 of the CLA Contract Specification
About the tender
The procurement process

- The submission requirements will be streamlined and will not be resource intensive for Applicants to complete.
- The tender will be comprised of an SQ and an ITT. Providers who bid for a 2018 Civil Tender may not have to complete a second SQ.
- Bids will be assessed against telephony capability, experience of supervisors and caseworkers, plans for delivering face to face advice and price submitted.
- Open in late April for four weeks
- Open process – anyone can respond
Any Questions?