



Legal Aid  
Agency

## **Final Frequently Asked Questions document related to the Invitation to Tender to deliver Mediation Services in England and Wales from 1 February 2015**

Many questions will be answered by the information given in the Information for Applicants document (IFA), which is available on the Tenders pages of our website:

<https://www.gov.uk/government/publications/family-mediation-tender-2015>

The IFA is also available within the PQQ in the eTendering system.

The deadline for questions about the IFA or the tender was **12 noon on 16 October 2014** (note this is referred to as the “End date for supplier clarification messages”) on the eTendering system.

Questions that we consider to be of wider interest will be collated and answered centrally in writing to ensure that all interested parties have equal access to information in the answers. These questions and answers will be published in this FAQ document.

In addition, at the end of this document is an Annex setting out answers to general questions, most of which refer back to information available in the IFA document.

### **Technical Questions on how to use the eTendering system**

There is a Helpdesk to provide technical support to Applicant Organisations using the eTendering System. However, the Helpdesk is **unable** to assist with problems with your own computer hardware or systems - for these types of issues, you should contact your usual IT support.

Questions should be emailed to the following email address: [help@bravosolution.co.uk](mailto:help@bravosolution.co.uk). Alternatively, the telephone number for the Helpdesk is 0800 368 4850 (lines are open from 9am to 6pm Monday to Friday).

We recommend that you start to complete your tender early so that you identify any areas where you need help as soon as possible, as the Helpdesk is likely to be very busy in the days leading up to the tender deadline and cannot guarantee that queries received close to the tender deadline will be dealt with in time.

**The deadline for receipt of Tenders is 12 noon on 31 October 2014.**

### **1. We are an existing Mediation Provider. Do we need to respond to this tender?**

No. Existing Mediation Providers who already hold a 2010 Standard Civil Contract to deliver Mediation Services do not need to respond to this invitation. However, there is a separate process for existing Mediation Providers wishing to open additional Outreach locations. Applications for this must be received by 31<sup>st</sup> October 2014. Further information on this Registration Process, including how to apply, is available at <https://www.gov.uk/government/publications/family-mediation-tender-2015>.

**2. Our service currently consists of two accredited family mediators who are also founders of the business as a joint venture, and soon to be directors of the business as a limited company. We would like to know, in this form (i.e. without other staff), whether it is mandatory to take on a permanent office? Or whether we can use a dedicated, lockable office space in one of houses for the purposes of administration and keeping files and continue to hire rooms as needed and have use of a postal address in our Main Office. The venue in question for the Main Office location is a commercially run shared office block with meeting rooms and is very well suited to mediation, with two separate waiting areas, disabled access, full time reception staff and close proximity to a main transport hub.**

An Applicant Organisation must have an Office in England or Wales which meets the definition set out at paragraph 1.6 of the Mediation Specification.

*“Office” means a building which is suitable to cater for the needs of your Clients and personnel, enabling you to satisfy all relevant Health and Safety legislation, the Quality Standards and Service Standards of this Contract and to protect Client confidentiality. An Office must have separate waiting facilities for each party and at least one confidential interview room which allows Client privacy to be protected. An Office must be a secure location suitable for the storage of Client files, have the appropriate equipment to deliver services and be suitable to undertake work to progress a Client’s case. Hotels and vehicles cannot count as Offices for these purposes (although such temporary arrangements may form part of authorised Outreach services)’*

The Mediation Specification can be found on the GOV.UK website at

<https://www.gov.uk/government/publications/standard-civil-contract-2010>

**3. As a company we have three qualified mediators one of whom is also our internal supervisor and a registered PPC, they are all shareholders owning 25 shares. They are all board members and attend all board meetings. Does this meet your requirement at question D.3.1 and D.4 of Annex B referring to "employed" and "formal arrangements".**

Paragraph 5.4 of the IFA sets out our definition of ‘employ’.

For the purposes of obtaining a Contract, use of external (or non-employed) Supervisors is permitted. The external Supervisor’s role must be formalised by a contract between the Applicant Organisation and the Supervisor, which must document, in detail, the supervisory arrangements in place to ensure accessibility to your organisation’s Mediators and control over Mediation work.

**4. Can you please clarify whether Lexcel meets the requirements of MQM, or whether we need to apply for a separate MQM?**

Holding Lexcel does not meet the requirements for this tender. Organisations providing public Mediation Services under legal aid must hold the Family Mediation Quality Mark (MQM).

Applicant organisations need to apply for the MQM via the QMM form which is available on the Gov.uk website at: <https://www.gov.uk/legal-aid-agency-quality-standards>. If this application is not submitted for assessment and received by the **15th December 2014** we cannot guarantee that Desk Top Audits can be completed by 1st February 2015.

Where an Applicant Organisation is in the process of acquiring the MQM (i.e. has already submitted a completed MQM application form at the point this tender is submitted) it need not reapply for the MQM.

**5. I would like some more information regarding the Mediation Quality Mark. Specifically I would like to understand:**

- **Is this assessed by an independent assessor – like Lexcel?**

No, the MQM is audited by internal staff of the Legal Aid Agency.

- **What is the frequency of this assessment?**

By the Contract Start Date the LAA will have completed desk top audits on those MQM applications received by the LAA by 15<sup>th</sup> December 2014. Within 6 months of the contract start date the LAA will conduct a further audit to assess how well the requirements of the MQM are being met and test that they are in effective operation. Thereafter, MQM accreditation will be subject to an annual audit.

- **Is there a cost associated with this assessment and maintaining the MQM?**

There is currently no cost associated with the assessment and maintenance of the MQM.

## ANNEX A

Set out below are answers to general questions, most of which refer back to information available in the IFA document.

### **SECTION 1: Questions about using the Bravo eTendering System**

#### **Q - Do we need to register in Bravo again?**

If you have already registered on the system as part of a previous LAA tender exercise you do not need to register again unless your organisation name or status has changed. If your organisation has changed its name or status since you last tendered, you will need to register again to participate in this tender.

If you have forgotten your password you can click on the 'Forgotten your password?' link on the eTendering homepage to have your password reset. If you are having technical difficulties you can also contact our technical helpdesk by phone on 0800 368 4850 or by sending an email to [help@bravosolution.co.uk](mailto:help@bravosolution.co.uk)

#### **Q - My organisation's status has changed (e.g. merged, novated with another organisation). Can I use the Bravo registration I created for my old organisation?**

If your organisation has changed its name or status since you last tendered, you will need to register again as a new organisation within the eTendering system to participate in these tenders.

#### **Q - How do I use the e-tender system/I don't understand a specific part of the e-tender system**

Technical guidance on how to use the e-tender system can be accessed through the 'Technical Support and Guidance' link on the eTendering system home page <https://legalaid.bravosolution.co.uk>

If you are having technical difficulties you can also contact the technical helpdesk by phone on 0800 368 4850 or by sending an email to [help@bravosolution.co.uk](mailto:help@bravosolution.co.uk)

#### **Q - The PQQ is saying that I have un-read buyer attachments, but I've read them all**

This facility informs you when you have not opened documents within the PQQ, for example the IFA document. The red text at the top of the PQQ will confirm the number of unread attachments you have.

Attachments can be found by clicking on the 'Buyer Attachments' button on the left-hand side of the page.

#### **Q – Have you received my Tender? / Can you confirm I have submitted everything?**

Tenders are sealed. This means that the LAA is unable to access information about submitted Tenders prior to the deadline on 31 October 2014. The LAA cannot confirm receipt of a Tender or if a Tender has been completed correctly.

To check you have successfully submitted your Tender go to the 'My PQQs' screen, which will show the new 'Response status' as 'Response submitted to Buyer'. The registered email address will also receive confirmation when you submit your response to this tender for the first time.

You can check the information you have submitted in your response and if necessary edit and re-submit your response prior to the deadline. You can do this by clicking on the PQQ, clicking 'Edit Response', make the changes then click 'Keep Changes' and 'Submit Changes' to re-submit your response. However, you will only receive confirmation that your response has been submitted the first time you submit your Tender.

**Q - What do I do if I have made a mistake or want to make an amendment and I have already submitted my Tender?**

You can check the information you have submitted in your response and if necessary edit and re-submit your response prior to the deadline. You can do this by clicking on the PQQ, clicking 'Edit Response', make the changes then click 'Keep Changes' and 'Submit Changes' to re-submit your response. However, you will only receive confirmation that your response has been submitted the first time you submit your Tender.

**SECTION 2: Questions about the Tender**

**Q - Where can I find the IFA?**

Further information about the PQQ for Mediation Services from February 2015 including the IFA is available on the GOV.UK website at

<https://www.gov.uk/government/publications/family-mediation-tender-2015>

Alternatively, the IFA can be found as an attachment to the PQQ for Mediation Services from February 2015 in the eTendering system. Attachments can be found by clicking on the 'Buyer Attachments' button on the left-hand side of the page within the PQQ.

**Q - What is the deadline for questions?**

If an Applicant Organisation has any questions about the content of the IFA they may submit them up until 12 noon on 16 October 2014 through the eTendering system (note this is referred to in the eTendering system as the 'End date for supplier clarification messages').

Applicant Organisations that have questions about how to use the eTendering system may contact the technical support helpdesk. Questions on how to use the eTendering system should be emailed to the following email address: [help@bravosolution.co.uk](mailto:help@bravosolution.co.uk). Alternatively, the telephone number for the helpdesk is 0800 368 (lines are open from 9am to 6pm Monday to Friday).

Please refer to Section 7 of the IFA for Mediation Services from 1 February 2015 for further information on how to ask questions.

**Q - What is the deadline for submitting a Tender?**

The deadline for submitting a Tender is 12 noon on 31 October 2014

**Q - Can I use a PQQ I have submitted for a previous tender?**

No. Applicant Organisations must complete and submit a full response, including answering the questions relating to the grounds for mandatory and discretionary rejection contained in the Technical Envelope of the relevant PQQ.

**Q - If I do X will I pass?**

We are unable to advise Applicant Organisations on how to structure their Tender. Each Applicant Organisation must decide how to structure their response. Please refer to the IFA for further information on how to complete and submit a Tender response and for detail on the Tender questions and how they will be assessed.

**Q - When will I be informed of the outcome of my Tender?**

Page 1 of the IFA includes an indicative timetable for the tender process. This indicative timetable confirms that Applicant Organisations will be notified of the outcome of the Tender in December 2014.

**Q - How will we be informed of the outcome of our Tender?**

All Applicant Organisations will be notified of the outcome of their Tender through the eTendering message board. Further information about what happens after a Tender is submitted is set out at Section 8 of the IFA.

**Q - Where is the Additional Outreach Locations form/ supervisor declaration form?**

If you require an Additional Outreach Locations Form (in the event that you wish to deliver Mediation Services from more than four Outreach locations), you must send a message through the eTendering message board requesting a form on which to complete details of these additional Outreach locations.

The Supervisor declaration form can be found as an attachment to the PQQ for Mediation Services from February 2015 in the eTendering system. Attachments can be found by clicking on the 'Buyer Attachments' button on the left-hand side of the page within the PQQ.

The Supervisor Declaration Form can also be found on the GOV.UK website at

<https://www.gov.uk/government/publications/standard-civil-contract-2010>

**Q - Where can I find the Mediation Contract documents?**

Draft Contract documentation is available on the GOV.UK website at

<https://www.gov.uk/government/publications/standard-civil-contract-2010>