



Legal Aid  
Agency

## **Procurement Process for DDAS Services at Derwentside IRC from 1 January 2022 Frequently Asked Questions (FAQ)**

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

[Civil tender activity 2021 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/civil-tender-activity-2021)

The deadline for questions about the IFA or the tender was **23:59 6 August 2021** (note this is referred to as the “End date for supplier clarification messages” on the e-Tendering system). We are therefore unable to answer questions received after that deadline.

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

### **Technical Questions on how to use the e-Tendering system**

There is a Helpdesk to provide technical support to Applicant Organisations using the e-Tendering system. However, the Helpdesk is **unable** to assist you 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 069 8630 (lines are open from 9am to 6pm Monday to Friday).

The Helpdesk remains open until the tender closes. However, we recommend that you start to complete your tender early so that you identify any areas where you might need technical 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 Monday 23 August 2021.**

**Q.1. The IFA at 2.20 appears to exclude all organisations that are solely regulated by the OISC. This exclusion is incorrect and too widely drawn. Non-commercial/not-for-profit organisations that are entity regulated by the OISC who employ authorised litigators (e.g. solicitors) are able to conduct reserved legal activities (e.g. judicial review) and therefore can provide the full range of licensed work and have been doing so. Please confirm that not-for-profit organisations that are entity regulated solely by the OISC are not excluded from the tender because they are able to conduct the full range of licensed work.**

A.1. As set out in the IFA, 'reserved legal activities' can only be carried out by authorised persons, exempt persons, or certain non-commercial organisations which are subject to transitional provisions, as defined within the Legal Services Act 2007 (LSA). Section 23 of the LSA which deals with 'bodies' permitted to carry out 'reserved legal activities' refers to non-commercial organisations including not for profit organisations being entitled to carry on 'reserved legal activities' during the transitional period. The transitional period commenced on 1 January 2010 and will be brought to an end by an order of the Lord Chancellor.

The entitlement of a *person* to carry on an activity which is a 'reserved legal activity' is covered under Section 3 of the LSA which includes; (a) an authorised person (Section 18); and (b) an exempt person (Section 19) however, this is subject to Section 23 as stated above. In addition, certain non-commercial bodies are permitted to carry out this work if they fall within the relevant sections of the LSA.

For these reasons we will be making amendments to the tender documents to ensure clarity for bidders.