

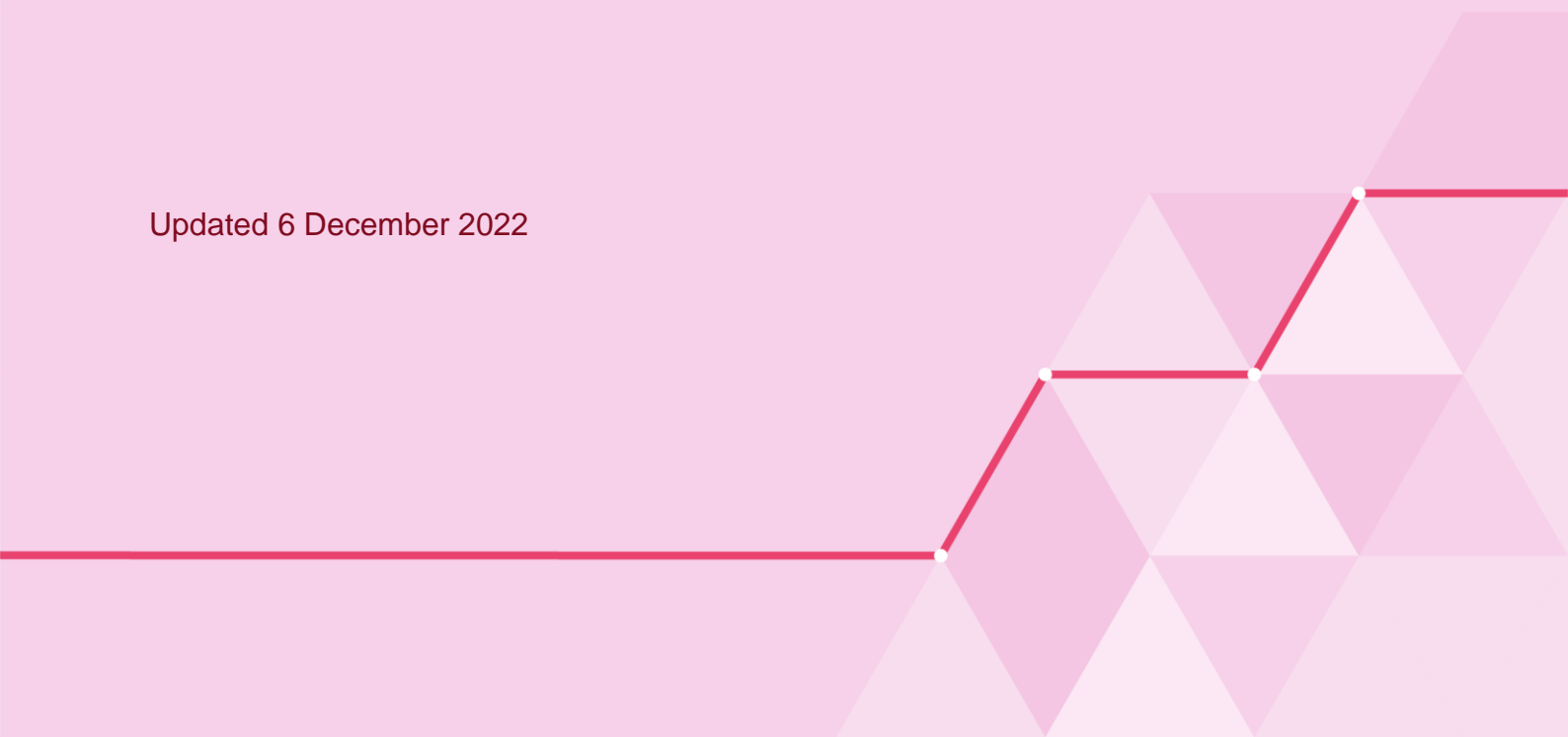


Ministry
of Justice

MoJ Lawtech Grant

Q&A document

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Questions and Answers

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This document has been produced by the Legal Services Innovation Team. If you have any further queries please email MoJLawtechGrant@justice.gov.uk

Eligibility

Is there a limit on the number of teams in the consortium?

No. Applicants will be required in the evaluation form to set out all members of the consortium and what their roles will be. They will also be required to explain the governance structure of the consortium. Applications that have unnecessarily complex governance structures or include consortium members that don't have clear defined roles are unlikely to score favourably in these aspects.

What happens if the lead applicant changes?

Submitted applications will be considered final unless MoJ are informed otherwise. There may be an opportunity to change submitted applications if MoJ is informed of any changes before the deadline for the submission of applications. If the successful application is changed after this deadline MoJ reserves the right to refrain from awarding the grant to this applicant.

What counts as a track record in project delivery?

Applicants are expected to demonstrate that they have credible plans for delivery and the capacity to meet all of the grant objectives. Experience of successfully delivering other projects that are comparable regarding scale, ambition or funding will be helpful in demonstrating this credibility. Examples of other grant funded projects or projects in support of government objectives will be particularly relevant, but a range of other experience will be considered.

Do I have to have undertaken a government grant before to be eligible?

No, this is not a requirement. Please find the full eligibility criteria in the Invitation to Application.

Do I need in-house PR capabilities or could I plan to contract them in and still be eligible?

In-house PR capabilities are not a requirement. An important aspect of the programme is promotion in respect to the UK lawtech sector. Therefore, the provider will need to have access to the marketing and PR capabilities to deliver this. Existing capabilities in this regard are desirable but a credible plan to commission such capabilities, for example through a 3rd party supplier, may be sufficient.

Public sector organisations are not eligible to apply for the funding. What counts as a public sector organisation in this context? i.e. could a regulator apply for this funding?

We consider public sector organisations to be Ministerial Departments, non-Ministerial Departments, Non-Departmental Public Bodies, Local Authorities, and Mayoral Combined Authorities. We do not consider Universities and/or Higher Education Institutions or regulators to be public sector organisations in this context.

Are charities/not-for-profit organisations eligible to apply?

Yes.

Can we utilise offshore staff in delivering the programme?

All applications that meet the stated eligibility criteria will be evaluated against the evaluation criteria set out in the ITA. The Grant Agreement does not prohibit the use of offshore staff. However, applications will be assessed in terms of whether they represent a credible plan to deliver the grant objectives. Applicants should include staffing plans in their answer to question B1 as set out in the application form. These plans are required for all staffing circumstances.

The successful applicant will be obliged to:

- Adhere to general obligations regarding the assurance of ethical practice of subcontractors; and
- Ensure that any offshore staffing is in line with Government legislation and

Funding

Can I use other funds (e.g. match funding) in addition to the grant?

Organisations can commit their own resources to the project but this is not a requirement. You should include any descriptions of any additional funds or resources in your application. For the purposes of this grant, match funding means any contribution to activities funded by this grant from a third party to the grant recipient.

Does the MoJ have to allocate the total budget?

The MoJ does not have to allocate the total budget and funds will be allocated at the MoJ's discretion. If the applicant does not believe that it would require the maximum funding available to achieve the grant objectives, it should state this and the reasons why in their response to section E (finance) of the evaluation questions. Under the grant, if the grant recipient intends to receive any match funding, they will be required to request MoJ approval before accepting or using any such match funding.

Do we keep any funding that is not spent on the project?

No. Payments will be made in arrears for eligible costs supported by invoices and other relevant supporting evidence.

Will I be able to transfer underspend from one financial year to another?

No, this will not be possible under the grant. The maximum funding available for each financial year as set out in the Invitation to Application applies only in the respective financial year.

Who determines how much of the funding goes to the salaries of the delivery provider?

This is for the provider to determine in the delivery plan for each financial year. The delivery plans will be subject to MoJ approval.

The Invitation to Application outlines the maximum funding available. What would lead to the provider receiving less than the maximum?

Our assumption is that the maximum funding available will be required to meet the grant objectives most effectively. If the applicant does not believe that it would require the maximum funding available to achieve the grant objectives, they should state this and the reasons why in their response to section E (finance) of the evaluation questions.

The delivery plan for each financial year will set out the activities that the provider will undertake to achieve the objectives and the associated costs up to the maximum funding available. The development of these delivery plans will be solely the responsibility of the provider. The delivery plans will be subject to MoJ agreement.

Can you please refer me to the T&Cs of the funding?

A draft version of the grant agreement is available on the gov.uk page with the application form. This agreement would be subject to negotiation with the successful applicant, but the expectation of MoJ is that applicants will be willing to sign the agreement with minimal changes from the draft version currently available.

What will happen at the end of the funding period in March 2025, will the impact of the programme be measured after that point?

This grant funding runs until March 2025. The grant recipient will be required to fund, from the overall grant funding, an independent evaluation of the success of the grant funding against the objectives towards the end of the funding period. MoJ may evaluate the case for further funding beyond this funding period. This will be dependent on several factors such as the success of the programme, the development of the sector and Government priorities at the end of the funding period.

Will plans for beyond the funding period be considered as part of the evaluation process?

Answers to the evaluated questions will be evaluated as set out in the ITA document and the application form. This does not include any questions that relate to beyond the funding period (April 2023 – March 2025).

How will value for money be evaluated by MoJ?

MoJ will consider value for money in line with the HMT Green Book method. We will consider value for money when assessing delivery plans proposed by the grant recipient. MoJ takes value for money considerations very seriously and this will be an important part of the process of agreeing the yearly delivery plans. The nature of an innovation grant is that it is facilitative, and it is not possible to foresee the specific outcomes of the grant at this stage. Delivery plans will be required to include KPIs and milestones. These will be reviewed and assessed on a regular basis throughout the grant funding period to ensure compliance with grant conditions and value for money is being achieved.

Finance

Can we include contingency costs in our application as part of our anticipated project costs?

Contingency costs – costs to cover the monetary impacts of project risks, uncertainties, unforeseen costs or situations - should not be included in your project costs.

How will you fund collaborative bids?

The lead applicant will have overall accountability for the use of all project funding. All consortium partners should be set out in the application form as well as the governance structure of the consortium.

The Programme

Are you able to provide any examples of the types of emerging issues the programme should address?

MoJ expects that each delivery plan will take into account emerging issues facing the UK lawtech sector, such as. new challenges affecting the growth of the UK lawtech sector or new barriers to increased innovation in UK legal services. It will be the responsibility of the provider to be aware of such issues and factor them into a delivery plan that will most effectively achieve the grant objectives.

Does the MoJ prioritize any particular objective over others?

No. The purpose of this grant funding is to meet the grant objectives, so the MoJ seeks to identify the provider who can use the grant funding most effectively to achieve these objectives.

Are there any particular initiatives the MoJ would want a new provider to work with?

The expectation is that the provider will work collaboratively with as broad a range of stakeholders in the lawtech and legal services sectors as possible to source the best ideas when developing their approach to achieving the objectives. This is likely to include, but is not limited to; universities, regulators, law firms, legal service businesses, in-house lawyers, communities (e.g., Legal Geek) and incubators and accelerators. It is for the provider to determine how to do this and who the most effective partners will be.

MoJ requires that the provider works with and consults the LawtechUK Panel as an expert advisory board.

Do the objectives for phase I need to be taken into account for Phase II?

No. The objectives for this grant funding are those set out in the Invitation to Application.

Does the new provider need to take forward any projects from Phase I (e.g. the sandbox)?

No. There is no set requirement to continue with specific projects that the current programme currently provides. We are interested to hear about new and innovative approaches to delivering the objectives.

Who will review the delivery plan?

The provider will be required to agree delivery plans with MoJ. Policy officials at MoJ will engage with the provider as part of the process of developing the delivery plans, but the drafting of delivery plans will solely be the responsibility of the provider. The SOR (Senior

Officer Responsible) for the grant at MoJ will have final approval of the delivery plans. The SOR will be a Senior Civil Servant.

The provider will also be expected to consult the LawtechUK Panel on the development of its delivery plan.

Why does the programme focus both on lawtech and innovation, and English law and emerging technologies?

The purpose of this grant funding is to help develop a culture of innovation within the legal services sector; increase understanding of the benefits of lawtech in legal service providers of all sizes; support the development of technology which will increase access to legal services and aim to reduce unmet legal need; and help grow the economic contribution of the legal sector. These are all priorities for the MoJ, which believes that the balance of the grant objectives presents the best way to achieve these priorities.

The objective to enable English and Welsh law and the UK's jurisdictions to become the foundation for emerging technologies, is seen as particularly important to help grow the legal sectors' economic contribution. This is because as an increasing volume of legal disputes relate to emerging technologies it is vital to the jurisdiction's international competitiveness that English and Welsh law supports the resolution of these disputes.

It is important to note that this objective relates to the promotion of the work of the UK Jurisdiction Taskforce of the LawtechUK Panel. Therefore, the provider is not required to provide the relevant legal expertise on how English and Welsh law deal with emerging technologies.

Does the scope of the funding cover both the business to business (B2B) and business to consumer (B2C) sides of the lawtech sector?

Yes, the first phase of the programme has focused more on the B2B side of the sector but the intention is to take a broader approach in phase II. MoJ believes that much of the infrastructure needed to support innovation in legal services applies to both B2B and B2C lawtech. Lawtech has the potential to enable new ways of delivering legal services that are more responsive to users' needs. The objectives for this phase of funding recognise this and place a new emphasis on how lawtech can help address unmet legal need.

What is the difference between the aims and the grant objectives?

The aims set out at a broad level the impact the funding is expected to deliver. The objectives are informed by the aims and set out in more tangible form what the grant recipient should be seeking to achieve. The objectives will be used to assess whether the delivery plans proposed by the grant recipient represent suitable proposals for the funding. The nature of an innovation grant is that it is facilitative, and it is not possible to foresee the

specific outcomes of the grant at this stage. Applicants should carefully consider both the aims and the grant objectives as part of their application.

Where can I find out about the current programme?

Details of the current programme and the projects that it has delivered can be found at <https://lawtechuk.io>

Is the MoJ's expectation that the grant recipient will distribute the grant funding to i) innovators participating in the programme ii) external programme providers/partners iii) or both?

The purpose of the funding is to achieve the grant objectives that are set out in the ITA document. MoJ does not have specific expectations about how this should be achieved. We are interested to hear about new and innovative approaches to delivering the objectives. Applicants should explain how they would achieve the grant objectives in their answers to the evaluated questions in the application form.

Are there any key MoJ staff working alongside / seconded into the delivery team?

There are no plans for MoJ staff to be seconded to the grant recipient. Applicants should include information regarding whether they will deliver this programme with existing staff and if not, how many new staff they will need to hire and the plan for achieving this in responses to question B1.

The Legal Services Innovation team at MoJ will be responsible for managing the grant, this will include the tracking and monitoring of delivery as set out in the Planned Delivery outcomes section of the ITA document. MoJ staff will not be involved in delivery of the programme, which will be the sole responsibility of the grant recipient.

Advisory Panel

How often does the panel have to be consulted?

The panel meets quarterly. Panel meetings will be the formal mechanism through which the provider consults the panel. Panel members will also be available to the provider on an ad-hoc basis to act in an advisory capacity on individual projects and decisions. The delivery provider will be responsible for ensuring that it is utilising the expertise of the LawtechUK panel.

In particular, the provider will be expected to consult the panel on the delivery plans. One panel meeting each year will focus on the respective delivery plan.

Are you able to provide examples of when the Panel should be consulted?

See above.

Does the panel have a decision-making role or is it only advisory? To what extent can the panel veto ideas put forward by the delivery provider?

The panel acts in an advisory capacity and does not have a veto over ideas put forward by the provider. MoJ would expect that in the event that aspects of delivery are in conflict with the advice of the panel or individual panel members this would be brought to the attention of MoJ officials.

Will the membership of the advisory panel remain the same as it is currently under this new grant?

The advisory panel will continue to support the programme. The grant recipient will be required to consult the panel on the development of delivery plans and on issues of strategic approach. The grant recipient will be kept informed of any changes to the membership of the panel.

Competition Process

What constitutes a convincing vision for how to deliver the grant objectives?

This is for the applicant to determine. Evaluators will consider whether applications demonstrate suitable ambition and credibility in terms of how the funding will achieve the grant objectives. Applications should set out a clear and compelling vision of how the funding help develop a culture of innovation within the legal services sector; increase understanding of the benefits of lawtech in legal service providers of all sizes; support the development of technology which will increase access to legal services and aim to reduce unmet legal need; and help grow the legal sectors' economic contribution.

How are you ensuring this is a fair competition when one competitor (TN) has already shown they're able to do all that is required?

The grant objectives are different to the objectives of the grant funding that was originally provided to Tech Nation in 2019. There is no set requirement to continue with specific programmes that the current programme currently provides. MoJ is open to new and innovative approaches to delivering the objectives of the funding. Applications will be evaluated through a fair process that will consider all relevant experience.

How can I demonstrate I have all the desired qualities? Do I have to evidence it with specific previous roles/projects?

Applicants should answer all of the evaluation questions to the best of their ability. Where possible and applicable examples of previous experience are welcomed. The application form includes guidance on how to answer each question. The application form should be

considered alongside the Invitation to Application that set outs the qualities that MoJ is seeking.

The Invitation to Application says the MoJ can change the timetable of the competition. Could this include bringing the deadline forward, reducing the time in which applicants can submit?

MoJ does not anticipate reducing the time which applicants have to submit applications and would not do so without reasonable notice.

Can I submit my application after the competition window closes?

You will not be able to submit an application once the competition window closes.

FoI requests on submitted bids.

We will not be publishing the bids. However, if your project is selected, we would publish the public description you include in your application. If we received an FoI, we would consult with you to see if any of the FoI exemptions apply.

Will the details of our application be made public?

Unsuccessful projects, scores and feedback will not be made public.

How are the members of the expert evaluation panel chosen?

The final selection of the grant recipient will be made by an expert evaluation panel appointed by MoJ. MoJ will appoint senior individuals who are able to fairly evaluate bid without any conflict of interest. The appointments will be made to ensure a balance of knowledge and expertise in the following areas; government priorities, grant funded programmes, lawtech and legal services sectors, project delivery and acceleration of tech sectors.

What happens once I've applied for the grant?

MoJ will confirm that we have received your application and will let you know the outcome of the evaluation process once it has been completed. Should your application be successful we would then proceed to agreeing the grant funding agreement and awarding the funding.

How will I know my application has been received?

MoJ will confirm that we have received your application.

What does the governance/reporting structure look like for the successful bidder?

Applicants are required to describe the proposed project management processes and governance structures, including the main risks and uncertainties for delivering the project and your mitigations as part of the evaluation questions. This is a matter for applicants.

Once the funding has been awarded, MoJ approval of delivery plans will be required. A monthly meeting between the MoJ and the provider will be required to discuss a monthly reporting pack produced by the provider which will include the progress made towards delivering the agreed outputs and longer-term outcomes set out in the relevant delivery plan. The provider will also be required to provide the MoJ with a regular financial report in a form agreed by both.

As the grant objectives include the promotion of the lawtech sector in the UK, it is anticipated that the grant activities will include spend on promotional and marketing activities. MoJ will take particular steps to ensure that this spending is appropriate and proportionate. The recipient will be required to seek permission from MoJ prior to any proposed expenditure on advertising, communications, consultancy or marketing either in connection with, or using the grant.

What does the proposed engagement look like for the potential bidder with the MoJ?

MoJ officials will be available for engagement with potential applicants throughout the competition process. There will be a webinar with the opportunity for questions prior to the opening of the competition period. There will also be a further formal Q&A session roughly halfway through the competition period. MoJ officials will also be contactable via MoJLawtechGrant@justice.gov.uk for any further queries, but please note that only questions submitted in advance of the formal Q&A session will be answered so that all questions and answers can be shared with all potential bidders as a matter of fairness.

Would you like to see a theory of change as part of the application?

A theory of change is not required. It is for applicants to decide how to best answer the evaluated questions within the stated word limits.

Other

Does the phrasing in the TUPE section mean the MoJ desires the new provider to take on the existing staff but is not required to do so?

No. Applications should set out how initial activities will commence and should detail the process for setting up the project including how it will be staffed. MoJ is open to new and innovative approaches to delivery.

MoJ does not believe TUPE applies to this grant if the incumbent provider is not the successful applicant, but it is the applicant's responsibility to consider whether TUPE applies in the specific circumstances of your application.



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