



**Further Procurement: 2024 Standard Civil Contract  
Selection Questionnaire Invitation to Tender (“SQ ITT FURTHER”)**

The Legal Aid Agency (“LAA”) is inviting Tenders to deliver the publicly funded civil legal aid services from 1 September 2024 under the 2024 Standard Civil Contract for:

- 2024 Standard Civil Contracts (“**2024 Contract**”) in the Housing and Debt and Welfare Benefits Categories of Law; and
- 2024 Standard Civil Contract Schedules for Housing Loss Prevention Advice Service (“**HLPAS**”)

**The Tender Deadline is 17:00 on 25 July 2024. Due to the urgent need for contracts to be in place to allow services to commence, the timescale from launch to the deadline for submission of tenders has been set at 14 days.**

**Late submissions will not be considered under any circumstances.**

**It is the Applicant’s sole responsibility to ensure that it submits a Complete Tender before the Tender Deadline.**

**It is the Applicant’s sole responsibility to ensure its Tender has been correctly completed to fully and properly represent its tender for the 2024 Contract.**

Organisations that meet the Tender Requirements to hold a 2024 Contract and successfully Tender will be awarded a 2024 Contract.

There is no limit to the number of 2024 Contracts in the Housing and Debt and Welfare Benefits Categories of Law that may be awarded under this procurement process, however, the LAA will only award a single Schedule to deliver HLPAS in each of the Housing Loss Prevention Advice Service Areas (“HLPAS Areas”). This additional procurement opportunity will be **restricted to the following areas only:**

- Barnstaple, Torquay & Newton Abbot
- Boston, Lincoln

**Future procurement opportunities**

The LAA intends to offer opportunities at regular intervals for new entrants to tender to deliver Contract Work under the 2024 Contract and for existing Providers to tender for additional work in Categories of Law or from additional Offices. More details will be provided on those opportunities after the 2024 Contract has commenced.

## **Timetable**

For guidance purposes only, a list of indicative dates for key activities as part of this procurement process for 2024 Contracts is set out below. These dates may be subject to change and the LAA will notify Applicants of any significant changes through the eTendering system.

<b>Activity</b>	<b>Timescale</b>
2024 Contract procurement ITTs open on eTendering system	11 July 2024
Final date for submission of questions about this procurement process	23:59 on 17 July 2024
Final 'Frequently Asked Questions' to be published	19 July 2024
<b>Tender Deadline:</b> for submission of Tenders including 2024 Contract ITT Responses	17:00 on 25 July 2024
Outcome of Tenders notified	Week commencing 5 August 2024
<b>Verification Deadline:</b> final date by which the Applicant must provide compliant Housing and Debt verification information to be eligible for a HLPAS Schedule (subject to outcome of competitive tender)	23.59 on 18 August
2024 Contracts and Schedules sent to successful Applicants for execution	From late August 2024*
Contract Start Date	1 September 2024

**\*Please note: As this is an additional procurement exercise, and supplemental to those launched on 13 September 2023 and 18 March 2024, the LAA can make no guarantee that any Contract Work tendered for under this process will be awarded prior to the Contract Start Date or that successful applicants will be able to commence Contract Work on the Contract Start Date.**

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## **SECTION 1: INTRODUCTION AND BACKGROUND**

1.1 This SQ ITT FURTHER explains:

- the general rules governing the procurement process as a whole,
- the rules governing this element of the procurement process; and
- how you must submit an SQ ITT FURTHER Response.

1.2 Before submitting a Tender you must review the following documents which set out the complete rules of the procurement process and should be read in the following order:

- SQ ITT FURTHER;
- Award ITT FURTHER;
- Category-Specific Information;
- HLPAS ITT FURTHER (if you wish to tender for HLPAS Contract Work);
- HLPAS-Specific Information Document (if you wish to tender for HLPAS Contract Work);
- 2024 Contract;
- Procurement process for 2024 Standard Civil Contract from September 2024- Frequently Asked Questions (FAQ); and
- Additional Procurement: 2024 Standard Civil Contract – Frequently Asked Questions (FAQ)

1.3 Where not defined in the body of this SQ ITT FURTHER, capitalised terms are defined in the:

- Glossary of defined terms; or
- 2024 Contract.

### **About the LAA and this procurement process**

1.4 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.

### **What are Applicants tendering for?**

1.5 Applicants may tender to undertake Housing and Debt and Welfare Benefits Contract Work.

1.6 In addition, we are procuring the HLPAS under the 2024 Contract through this procurement process.

### **Who can submit a tender?**

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- 1.7 Any organisation that meets the Tender Requirements may submit a Tender.
- 1.8 The LAA will not accept subcontracting or consortia arrangements.
- 1.9 The LAA will only contract with single legal entities (including individuals who are sole traders). Applicants must bid as the contracting entity that they intend to deliver Contract Work. It is not necessary for the contracting entity to have been formed at the time an Applicant submits a Tender, however, where this is the case it will be required to confirm that the contracting entity has been formed as part of the verification process.
- 1.10 The contracting entity must have been formed by:
  - **23:59 on 18 August 2024** when an Applicants for a HLPAS Contract Work; or
  - the Contract Start Date for all other Individual Bids.

This is to enable the LAA to establish the contracting entity is fully constituted prior to the notification of the contract Work awards. Where Applicants do not comply with this requirement, the LAA may reject your Tender.

- 1.11 Where Applicants are:
  - incapable of executing a 2024 Contract for any reason (including but not limited to) company dissolution or similar event or is, for any other reason, incapable of executing a 2024 Contract;
  - not fully constituted as the contracting entity named in the Tender; or
  - are unable to meet the 2024 Contract Requirements by the applicable deadlines, any contract offer may be withdrawn.

## **SECTION 2: APPLICANTS' QUESTIONS**

- 2.1 If Applicants have a question about the procurement process to which they cannot find an answer either in this document or in the guidance provided in the eTendering system they may submit it through one of two different channels depending on the nature of the query.

### **Questions about the procurement process**

- 2.2 If an Applicant has any questions about the procurement process, they may submit them up until **23:59 on 17 July 2024**. This is referred to in the eTendering system as the 'End date for supplier clarification messages'.
- 2.3 All such questions **must** be submitted using the eTendering system message boards.
- 2.4 Because of the way the LAA downloads messages from the eTendering 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.
- 2.5 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 on the LAA's tender pages <https://www.gov.uk/government/publications/civil-2024-contract-procurement-process>

- 2.6 Applicants should note that this is the only opportunity to ask questions about the procurement process. The LAA will not be able to provide responses to questions about the process through any other method. Applicants may find a resolution to their question via the published document entitled: 'Procurement process for 2024 Standard Civil Contract from September 2024 – Frequently Asked Questions (FAQ)' <https://www.gov.uk/government/publications/civil-2024-contract-procurement-process> or 'Additional procurement process for 2024 Standard Civil Contract from September 2024- Frequently Asked Questions (FAQ)' <https://www.gov.uk/government/publications/additional-procurement-civil-2024-contract-procurement-process>. Applicant questions that can be resolved from these documents will be directed accordingly.

### **Technical questions about how to operate the eTendering system**

- 2.7 There is a helpdesk to provide technical support to Applicants in relation to the use of the eTendering 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 own IT support.
- 2.8 Questions for the 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.
- 2.9 The LAA recommends that Applicants start to complete their Tenders 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 Tender Deadline. The LAA cannot guarantee that queries received close to the Tender Deadline will be dealt with in time and accepts no responsibility if they are not.
- 2.10 Applicants should note that the eTendering helpdesk is the only method by which they can receive assistance on using the eTendering system.

### **SECTION 3: eTENDERING SYSTEM**

- 3.1 The eTendering system can be accessed either through a link on the tender pages of the LAA website or directly at <https://legalaid.bravosolution.co.uk> Organisations not yet registered will need to do so to submit a Tender and should click "Register here" on the home page.
- 3.2 Applicants already registered on the eTendering system and whose registration details remain up to date do not need to register again. Applicants must however ensure that they review their contact details held in the eTendering system to ensure these are up to date and remove access to the system of any individual who is no longer engaged by the Applicant or who no longer has the authority to submit Tenders or information on its behalf. Applicants should note that failure to do so will mean those individuals no longer engaged by/or acting on behalf of the Applicant will have access to its Tender and details of other individuals registered on behalf of the Applicant on the eTendering system.
- 3.3 Where an Applicant already has multiple registrations on the eTendering system it must ensure that it uses the registration which matches the name and trading status of the organisation on whose behalf the Tender is submitted.

- 3.4 Applicants must familiarise themselves with the eTendering system guides available through the 'Technical Support and Guidance' link on eTendering system home page at <https://legalaid.bravosolution.co.uk/web/technical-support.shtml> These provide detailed guidance on how to use the eTendering system.
- 3.5 **The LAA will only communicate with Applicants through the eTendering system message boards for this procurement process. Applicants must check the message boards regularly to ensure that any messages are read promptly.**
- 3.6 The LAA strongly recommends that Applicants set up multiple additional users under their eTendering system registration (see 'Technical Support and Guidance' at <https://legalaid.bravosolution.co.uk/web/technical-support.shtml>) as back-up to ensure that urgent messages, which may affect an Applicant's Tender, can be actioned as necessary. Where an Applicant relies on a single user to submit its Tender and monitor communications, it accepts the risks associated with reliance on a single user registration.
- 3.7 The documents for the procurement process including the SQ ITT FURTHER and Award/HLPAS ITTs FURTHER will all be available via the 'Project' or 'ITT Open to all Suppliers' link on the front page of the e-Tendering system.
- 3.8 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. If Applicants do not correctly save changes to the relevant Response, changes may be lost and cannot be retrieved.
- 3.9 Once Applicants have completed the relevant Response, they must submit it by clicking on the "Submit Response" button.
- 3.10 Applicants may amend and re-submit their Response(s) at any time up to the Tender Deadline. If so amended and re-submitted, only the last Response shall be assessed. It will not be possible for an Applicant to make amendments to its Tender after the Tender Deadline.
- 3.11 An Applicant may check that it has successfully submitted its Response(s) by going to the 'My ITTs' screen, to view the 'Response status'. The registered email address will also receive confirmation each time the Applicant submits a Response. It is therefore important for an Applicant to ensure that any and all contact details held in the eTendering system are up to date.
- 3.12 The confirmation referred to in paragraph 3.11 above only provides an indication of whether a Response has been transmitted to the LAA and not whether the Response or the Tender is fully and correctly completed and/or will be assessed as being successful.
- 3.13 Responses are sealed. This means that the LAA is unable to access submitted Responses prior to the Tender Deadline. Other than the automated confirmation of submission referred to in paragraph 3.11, the LAA cannot confirm receipt of a Response or Tender, nor can it confirm if a Response or Tender has been fully and correctly completed.
- 3.14 All questions marked with a red asterisk on the eTendering system are mandatory. The eTendering system will not permit an Applicant to submit its Response(s) unless answers to those questions are provided.

- 3.15 There is a button in the eTendering system called 'check mandatory questions'. By clicking on this the eTendering 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.

## **SECTION 4: THE PROCUREMENT PROCESS**

### **What is a Complete Tender?**

4.1 Applicants must submit a Complete Tender which consists of:

- a SQ ITT FURTHER Response; **and**
- at least one Award ITT FURTHER Response and (where applicable)
- at least one HLPAS ITT FURTHER Response (where you are tendering for HLPAS Contract Work).

For the avoidance of doubt; Applicants who submitted a Tender under the procurement exercise for 2024 Contract Work which opened on 13 September 2023 and/or 18 March 2024 MUST submit a SQ ITT FURTHER Response under this procurement process.

- 4.2 If a Complete Tender is not submitted or is incomplete or any element is incapable of assessment the Tender will be rejected.
- 4.3 Applicants must ensure that the 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 the 2024 Contract if successful.
- 4.4 Applicants wishing to deliver HLPAS Contract Work must submit at least one Individual Bid for Housing and Debt Contract Work and subsequently obtain and hold a 2024 Contract for the delivery of Housing and Debt Contract Work. They must also successfully tender for HLPAS Contract Work.
- 4.5 Any Applicant that submits a response to a HLPAS Area ITT but does not also successfully tender to deliver Housing and Debt Contract Work will have their Individual HLPAS Bid(s) rejected.

## **SECTION 5: COMPLETION AND ASSESSMENT OF SQ ITT FURTHER RESPONSE**

- 5.1 The SQ ITT FURTHER can be found in Project 161 at ITT\_1026 – 'Selection Questionnaire – Further tender' in the eTendering system.
- 5.2 Applicants will be required to have expressed an interest in the Housing and Debt and Welfare Benefits Award ITT before the eTendering system will make the SQ available for completion.
- 5.3 The SQ ITT FURTHER contains a series of questions covering the following areas:  
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- Section A - Organisation and contact details
- Section B - Grounds for mandatory exclusion
- Section C - Grounds for discretionary exclusion
- Section D - Declarations

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**

- 5.4 This information may be used in the verification of an Applicant's Tender.
- 5.5 Applicants will be asked to provide the contact details of an individual with the appropriate status to provide responses on behalf of the Applicant when requested by the LAA.
- 5.6 Question A.8 of the SQ requires Applicants to name any individual and/or organisation who meets the conditions for being a Person of Significant Control.
- 5.7 Applicants who are UK companies and Limited Liability Partnerships ("LLPs") will be required to identify and record the people who own or control their company/LLP. Limited companies and LLPs will need to keep a PSC register and must file the PSC information with the central public register at Companies House in accordance with the requirements.
- 5.8 If the Applicant is not a limited company or LLP, they should answer N/A to question A.8.
- 5.9 Where the Applicant is required to provide a personal guarantee and indemnity (e.g. where it is a LLP or limited company), individuals named in response to this question (as a minimum) will be required to sign the indemnity on behalf of the Applicant.
- 5.10 Where Applicants are limited companies or LLPs but do not meet the criteria to have a PSC register because no individual has more than 25% of shares and/or voting rights, they will still be required to provide details of individuals who will sign the personal guarantee and indemnity agreement. They should use their response to question A.5 to provide those details.

### **Sections B and C – Grounds for mandatory and discretionary rejection**

- 5.11 For each question the Applicant is presented with a series of drop-down options from which to select a response.
- 5.12 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.

- 5.13 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 Response and any information provided that is not relevant to the SQ requirement and explanation of exceptional circumstances will not be considered.

#### **Section D – Declaration**

- 5.14 A declaration in the form set out at Section D of the SQ (see Annex A) must be provided by an individual who has sufficient authority to bind the Applicant.

#### **SQ Assessment**

- 5.15 An SQ Response **must** be submitted by all Applicants regardless of whether they have previously submitted a SQ Response as part of any other procurement process, including where the Applicant is currently delivering Contract Work under any contract with the LAA.
- 5.16 The LAA will assess an Applicant's SQ Response in accordance with the assessment approach detailed in Annex A.
- 5.17 Subject to paragraph 5.18 below, the LAA will assess SQ Responses only on the basis of information submitted by the Applicant in its Tender. SQ Responses will be assessed on a 'pass' or 'fail' basis.
- 5.18 In respect of questions C.8, C.9 and C.10 the LAA will review its own records in assessing whether the requirements have been met. For all other questions in Section B and C of the SQ, 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 reject an Applicant for submitting false and/or misleading information as provided at paragraphs 6.29 - 6.31.
- 5.19 Where the Applicant fails to provide the necessary declarations, the whole SQ Response may fail.

#### **Notification of SQ FURTHER outcome**

- 5.20 Applicants will be notified of the outcome of their Tender through the eTendering system message board.

#### **Applicants who pass the SQ ITT FURTHER**

- 5.21 Where an Applicant's SQ Response is assessed as successful the LAA will proceed, as applicable, to assess the Award ITT FURTHER Response(s) for each Category of Law, Legal Aid Agency – Further Procurement: 2024 Standard Civil Contract: SQ ITT FURTHER\_V1

and where applicable, HLPAS ITT FURTHER Response(s). Please refer to the relevant ITT for further details regarding those stages of the procurement process.

### **Applicants who do not pass the SQ ITT FURTHER**

- 5.22 Notifications to unsuccessful Applicants will include reasons why their SQ Response has been assessed as unsuccessful.
- 5.23 The sole right of appeal is set out at paragraph 6.37. That right of appeal applies solely where the LAA assesses the Applicant's SQ Response as unsuccessful.
- 5.24 Where an Applicant's SQ ITT FURTHER Response is assessed as unsuccessful the Applicant's Award/HLPAS ITT FURTHER Response(s) will not be assessed unless any appeal is successful.

## **SECTION 6: GENERAL RULES OF THIS PROCUREMENT PROCESS**

### **Introduction**

- 6.1 This procurement process is governed by the documents set out at paragraph 1.2 of this SQ ITT FURTHER, and which are governed and construed in accordance with English and Welsh Law.
- 6.2 '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.

### **Submitting a Tender**

- 6.3 The Applicant agrees to comply with the rules (contained in this Section 6 and elsewhere in any of the relevant ITTs) of this procurement process, the terms of the user agreement governing the use of the LAA eTendering 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 will assess the Applicant's SQ ITT FURTHER Response, Award/HLPAS ITT FURTHER Response(s) as appropriate, or its Tender as unsuccessful.
- 6.4 The Applicant must submit a Complete Tender (in accordance with paragraph 4.1) by the Tender Deadline. For the purposes of the Tender Deadline, the time specified on the eTendering system shall be the definitive time. An Applicant's SQ ITT FURTHER, Award/HLPAS ITT FURTHER Response(s) or Tender will be rejected if it is submitted by the Applicant after the Tender Deadline.
- 6.5 The LAA will not consider:

- (a) any requests by the Applicant to amend or submit a SQ ITT FURTHER Response, Award/HLPAS ITT FURTHER Response(s) or Tender after the Tender 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 eTendering system by the Tender Deadline.

- 6.6 Applicants must submit an Award ITT FURTHER Response for each Category of Law, and where applicable, an individual HLPAS ITT FURTHER Response for each HLPAS Area they wish to deliver and each ITT Response must be authorised by an individual who is authorised to make this submission on behalf of the Applicant.
- 6.7 Applicants must reply to every question in the SQ ITT FURTHER and Award/HLPAS ITT(s) FURTHER 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. Where an Applicant does not submit a complete Tender, their Tender will be rejected its entirety and there will be no right of appeal.
- 6.8 The Applicant may only submit one Tender (i.e. a maximum of one Response to the SQ ITT FURTHER Award/HLPAS relevant ITT(s) FURTHER for the civil legal aid services the Applicant wishes to deliver under the 2024 Contract). Where an Applicant submits more than one SQ Response and/or more than one Response to each Award/HLPAS ITT FURTHER, the LAA will assess only the last relevant Response submitted prior to the Tender Deadline.
- 6.9 The Applicant must ensure that its Responses are fully and accurately completed. The Applicant must ensure that information provided as part of its Responses are of sufficient quality and detail that an informed assessment of it can be made by the LAA.
- 6.10 Subject to the LAA's right to clarify at paragraph 6.24, the Applicant will not be permitted to amend or alter its Responses to the SQ ITT FURTHER Award/HLPAS ITT(s) FURTHER after the Tender Deadline except in circumstances expressly permitted by the LAA and set out in the relevant documents stated at paragraph 1.2.
- 6.11 In the event of any conflict between the information, answers or responses submitted as part of any Response under this procurement process, 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 relevant Response or the Applicant's Tender.
- 6.12 The Applicant, by submitting a Response to the SQ ITT FURTHER and Response(s) to the relevant Award/HLPAS ITT(s) FURTHER warrants to the LAA that:

- (a) it has complied with all the rules and instructions applicable to this SQ ITT FURTHER, the Award/HLPAS ITT(s) FURTHER and the eTendering system in all respects;
  - (b) 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
  - (c) it has capacity to concurrently deliver all of the services it has submitted a Response for.
- 6.13 The Applicant must keep any Tender valid and capable of acceptance by the LAA up to the Contract Start Date.
- 6.14 By submitting a Tender, the Applicant agrees to be bound by the 2024 Contract without further negotiation or amendment.
- 6.15 By submitting a Tender, the Applicant acknowledges the fact that Applicants may be party to no more than one 2024 Contract. Further the Applicant acknowledges that subject to the provisions on the holding of a single 2024 Contract as referred to in this paragraph 6.16, 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.
- 6.16 The Applicant must monitor and respond as appropriate to messages received through the eTendering system throughout this procurement process and the LAA accepts no liability where the Applicant fails to do so. All communication with Applicants through the eTendering system, including that outlined in paragraph 6.21 will be deemed to have been received by the Applicant at the time of transmission in the eTendering system. The time specified in the eTendering system shall be the definitive time.
- 6.17 Any FAQs published through the eTendering system in accordance with Section 2 of this SQ ITT FURTHER will form part of the documentation for this procurement process. Applicants should have regard to the relevant FAQ documents prior to submitting a Tender.
- 6.18 Without prejudice to any warranties given or anything other provisions or statements made in the procurement documentation, these rules of the procurement process do not form a separate collateral contract between the Applicant and the LAA.

### **Right to Cancel or Amend the Procurement Process**

- 6.19 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/additional-procurement-civil-2024-contract-procurement-process> and notified to individual Applicants through a message on the eTendering system.

- 6.20 A Tender submitted by an Applicant which does not comply with any amendments made in accordance with paragraph 6.19 may be rejected.
- 6.21 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.
- 6.22 While the LAA has taken all reasonable steps to ensure, as at the date of the issue of the ITTs, 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 ITT and / or associated documents, the provisions of this Section 6 will take precedence.
- 6.23 All information supplied by the LAA to the Applicant, including that within the ITTs, is subject to that Applicant's own due diligence. The LAA accepts no liability to the Applicant whatsoever resulting from the use of the SQ FURTHER, Award and /or HLPAS ITT FURTHER and any associated documents, or any omissions from or deficiencies in them.

#### **Right to Clarify / Verify**

- 6.24 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 tender 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.
- 6.25 Where the LAA contacts the Applicant in circumstances outlined in 6.24, 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.
- 6.26 Prior to commencement of the 2024 Contract the LAA may require information from the Applicant to enable the preparation and issue of contract documentation. Where this 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 automatically 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 2024 Contract.

#### **Right to Reject**

6.27 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.

6.28 The LAA reserves the right at its absolute discretion to reject from the procurement process any Applicant for submitting:

- (a) false information; and/or
- (b) information which misrepresents the Applicants actual position; and/or
- (c) misleading information.

6.29 Paragraph 6.28 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**

6.30 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**

6.31 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 into 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.

6.32 If the LAA reasonably believes that the Applicant has colluded with another person in any way that breaches paragraph 6.31, the LAA may (without prejudice to any other

criminal or civil remedies available to it) immediately reject the Applicant from any further involvement in this procurement process.

## **Award**

6.33 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 using the eTendering message boards for this procurement process at [LAA eTendering portal \(bravosolution.co.uk\)](https://bravosolution.co.uk). The LAA will conduct a re-assessment to ensure the Tender is not adversely impacted. A material change includes but is not limited to:

- (a) change in the legal status of the Applicant; and
- (b) any event which would, had it occurred prior to the Tender Deadline have resulted in differences in the Applicant's SQ Response.

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 2024 Contract. Failure to notify the LAA of a material change may result in rejection from the procurement process and/or termination of any 2024 Contract or Contract Worked awarded.

6.34 The LAA reserves the right, prior to any execution of a 2024 contract, to carry out further due diligence checks as it deems necessary or appropriate. Where, as part of any due diligence, an Applicant is found not to comply with any of the minimum contract requirements which the Applicant committed to meeting in its Tender, the LAA will not proceed with any decision made to award a 2024 Contract.

6.35 The LAA reserves the right to place additional contractual conditions on the award of a 2024 Contract to an individual Applicant.

6.36 The award of a 2024 Contract does not guarantee a minimum amount of work or that a minimum level of income will be generated as a result of that 2024 Contract.

## **Appeal and costs and expenses of Tender**

6.37 Subject to paragraph 6.39 the Applicant's sole right of appeal is limited to circumstances where it reasonably, on the information contained in the SQ ITT FURTHER (subject to paragraphs 6.24 – 6.25), considers that the LAA has made an error in its assessment of the Applicant's SQ ITT FURTHER Response.

6.38 There is no other right of appeal, including, for example but not limited to, 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.

6.39 For the avoidance of doubt, there is no right of appeal in respect of the LAA's assessment of ITT FURTHER Responses.



- 6.40 Appeals must relate to the specific grounds of failure set out in the notification letter received from the LAA.
- 6.41 Appeals must be submitted using the appeals pro-forma which will be made available as part of their notification letter.
- 6.42 The LAA will not accept any appeal submitted after the date detailed in the notification letter for receipt of appeals.
- 6.43 The LAA 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.
- 6.44 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**

- 6.45 The LAA may share any information contained in an Applicant's Tender with the provider of the eTendering system for the purposes of administering the procurement process.
- 6.46 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.
- 6.47 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.
- 6.48 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.
- 6.49 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.
- 6.50 By submitting a Tender an Applicant consents and confirms that they have obtained all necessary consents from the relevant Data Subject to such Personal Data being processed and used in accordance with and/or for the purposes of administering the procurement process as contemplated by the ITTs, the Tender and for the management of any contract subsequently awarded.

- 6.51 The LAA and the Applicant anticipate that the LAA shall act as a Controller and Processor in respect of any Personal Data provided to it by the Applicant as a requirement of the Tender.
- 6.52 The Applicant warrants and undertakes, as a condition of the Tender, to the LAA, 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 Laws and shall not disclose, transfer or otherwise process Personal Data outside the UK without the prior written agreement of the LAA; (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 are revoked or changed in any way which affects the LAA's rights or obligations in relation to such Personal Data.
- 6.53 The Applicant agrees that it shall notify the LAA immediately if any Data Subject revokes, withdraws and/or changes their consent to the disclosure of the Personal Data to the LAA in connection with the Tender.
- 6.54 The LAA shall implement and maintain appropriate technical and organisational security measures to comply with the obligations imposed on the LAA by the Security Requirements.
- 6.55 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.
- 6.56 The LAA will publish details of all 2024 Contracts awarded in accordance with the Government's transparency standards.
- 6.57 Following completion of this procurement process, the LAA will retain copies of the Tender in accordance with the LAA's retention policy.

### **Copyright & Intellectual Property Rights**

- 6.58 The information contained in these ITTs are subject to Crown Copyright. Applicants may, subject to paragraph 6.59, 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, complete the online enquiry form: <https://www.nationalarchives.gov.uk/contact/contactform.asp?id=8>
- 6.59 If an Applicant uses the ITTs under the Open Government Licence v3.0, it should include the following attribution: "2024 Standard Civil Contract Procurement Process, Legal Aid Agency, Licensed under the Open Government Licence v3.0."

## ANNEX A: SELECTION QUESTIONNAIRE

### Section A – organisation and contact details

Note	<b>All Applicants must submit a Response to this SQ ITT FURTHER, regardless of whether they have previously submitted a SQ Response as part of any other procurement process. Applicants must ensure that they also complete and submit a response to each relevant ITT</b>	
Note	<p>Before submitting your SQ ITT FURTHER Response, please carefully read the ITTs which relate to the 2024 Contract procurement process.</p> <p>They can be downloaded from the 'Buyer Attachments' section at the top of this page. The ITTs provide information about the procurement process, including how to complete a Tender.</p> <p>When completing your SQ ITT FURTHER Response you should save your work regularly.</p> <p>If you are logged onto the eTendering system but do not use it for 15 minutes, the eTendering system will notify you through a 'pop up'. So that you can see this and click the 'Refresh' link in this 'pop up', please ensure that 'pop ups' are NOT blocked on your browser so you are not disconnected from the eTendering system and do not lose any unsaved information.</p> <p>Do not use the 'Back' or 'Forward' buttons on your browser; you could potentially lose your work. Please use the links on the eTendering system to navigate.</p>	
A.1	Name (if registered, please give the registered name)	Free text
A.2.i	Registered address (if applicable) or head office address	Free text
A.2.ii	Registered website address (if applicable)	Free text
A.3.i	<p>Trading status</p> <p>a) - public limited company</p> <p>b) - private limited company</p> <p>c) - limited liability partnership</p>	<p>Options list</p> <p>a) - public limited company</p> <p>b) - private limited company</p> <p>c) - limited liability partnership</p> <p>d) - other partnership</p>

	<p>d) - other partnership</p> <p>e) - sole trader</p> <p>f) - third sector</p> <p>g) - other (please specify your trading status)</p>	<p>e) - sole trader</p> <p>f) - third sector</p> <p>g) - other</p>
A.3.ii	If you answered "Other" to question A.3.i, please explain your trading status	Free text
A.4.i	Date of registration (if applicable) or date of formation.	Free text
A.4.ii	Registration number (company, partnership, charity, etc if applicable).	Free text
A.4.iii	Registered VAT number.	Free text
A.5.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 "c) N/A, exempt"</p> <p>Where the Applicant answers "b) No" they must obtain authorisation from a Relevant Professional Body by the deadline stipulated in the SQ ITT FURTHER.</p>	<p>Options list</p> <p>a) Yes</p> <p>b) No</p> <p>c) N/A, exempt</p>
A.5.ii	If the Applicant has answered "Yes" which Relevant Professional Body is the Applicant authorised by?	<p>Options list:</p> <p>a) Solicitors Regulation Authority</p> <p>b) Bar Standards Board</p> <p>c) CILEx Regulation</p>

		d) Office of the Immigration Commissioner
A.5.iii	If the Applicant has answered “Yes” to A.5.i please provide the authorisation number/reference	Free text
A.6	Relevant classifications (state whether you fall within one of these) a) Voluntary Community Social Enterprise (VCSE). b) Sheltered Workshop. c) Public service mutual.	Options list: a) Voluntary Community Social Enterprise (VCSE). b) Sheltered Workshop. c) Public service mutual d) Not applicable
A.7	Are you a Small, Medium or Micro Enterprise (SME) <sup>1</sup> ?	Options list a) Yes b) No
A.8	Details of Persons with Significant Control (PSC) <sup>2</sup> , where appropriate <sup>3</sup> : - Name - Date of birth - Nationality - Country, state or part of the UK where the PSC usually lives - Service address	Free text

<sup>1</sup>See definition of SME [https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition\\_en](https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en)

<sup>2</sup>UK companies, Societates European (SEs) and limited liability partnerships (LLPs) are required to identify and record the people who own or control their company. Companies, SEs and LLPs are required to keep a PSC register, and must file the PSC information with the central public register at Companies House. See [PSC guidance](#). Overseas bidders are required to provide equivalent information.

<sup>3</sup>Only information that relates to the persons with powers of representation, decision or control within the meaning of regulation 57(2) can be considered in relation to the mandatory exclusion grounds and other details are requested for information only.

	<ul style="list-style-type: none"> <li>- The date they became a PSC in relation to the company;</li> <li>- Which conditions for being a PSC are met:</li> <li>- Over 25% up to (and including) 50%</li> <li>- More than 50% and less than 75%</li> <li>- 75% or more</li> </ul> <p>(Please enter N/A if not applicable)</p>	
A.9	<p>Details of your immediate parent company:</p> <ul style="list-style-type: none"> <li>- Full name of immediate parent company,</li> <li>- Registered or head office address,</li> <li>- Registration number (if applicable),</li> <li>- VAT number (if applicable),</li> </ul> <p>Please enter N/A if not applicable</p>	Free text
A.10	<p>Details of ultimate parent company:</p> <ul style="list-style-type: none"> <li>- Full name of ultimate parent company,</li> <li>- Registered or head office address,</li> <li>- Registration number (if applicable),</li> <li>- VAT number (if applicable),</li> </ul> <p>(Please enter N/A if not applicable)</p>	Free text

NOTE	By providing the details below, the individual consents to their personal details being held by the Legal Aid Agency.	
A.11	Contact details for the purposes of this procurement process – contact name and role within the Applicant	Free text
A.12	Contact address and postcode	Free text
A.13	Contact email address	Free text
A.14	Contact telephone number	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.

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). Full details of the offences can be found at: [Annex C Exclusion Grounds.pdf \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/100000/Annex_C_Exclusion_Grounds.pdf)

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.

B.1	<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) Terrorist offences or offences linked to terrorist activities;</li> <li>d) Money laundering or terrorist financing;</li> <li>e) Child labour and other forms of trafficking in human beings;</li> <li>f) Any other offence within the meaning of Regulation 57(1) of the Directive as defined by the law of any jurisdiction outside England, Wales or Northern Ireland.</li> <li>g) Any other offence within the meaning of Regulation 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland.</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 give the date of the conviction	Free text
B.1(c)	Please explain which of the grounds listed in question B.1 the conviction was for and the reasons for 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

### 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 5.13 in the SQ ITT FURTHER, failure to do may result in the LAA rejecting their Selection Questionnaire Response.

C.1	Have you failed to meet all your obligations relating to the payment of taxes and social security contributions, both in the country in which you are established and in the UK.	Yes (Fail, subject to information in C.1(a) – (c) No (Pass)
	If the Applicant has answered “Yes” to question C.1, it must give details by answering questions below.	
C.1 (a)	If the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents	Free text
C.1(b)	Please provide further details including the following: <ul style="list-style-type: none"> <li>● Country concerned,</li> <li>● what is the amount concerned</li> <li>● how the breach was established, i.e. through a judicial or administrative decision or by other means.</li> <li>● if the breach has been established through a judicial or administrative decision please provide the date of the decision,</li> <li>● if the breach has been established by other means please specify the means.</li> </ul>	Free text
C.1(c)	Please also confirm whether you have paid or have entered into a binding arrangement with a view to paying, the outstanding sum including, where applicable, any accrued interest and/or fines.	Free text

C.2	<p>Within the past three years, anywhere in the world have any of the following situations applied to the Applicant or any of its Key Personnel:</p> <ul style="list-style-type: none"> <li>• breach of environmental obligations;</li> <li>• breach of social obligations and/or</li> <li>• breach of labour law obligations?</li> </ul>	<p>Yes (discretionary fail)</p> <p>No (pass)</p>
	<p><b>Exceptional circumstances</b> – if the Applicant has answered “Yes” to question C.2 it must give details by answering questions C.2(a) - (d) below.</p>	
C.2(a)	Please give details about the nature of the event(s) leading to this violation	Free text
C.2(b)	Please give details about the nature of the violation and any sanction applied	Free text
C.2(c)	Please give the date when the violation occurred	Free text
C.2(d)	Please confirm any steps taken to ensure there is no repeat of the circumstances leading to a violation	Free text
C.3	<p>Within the past three years, anywhere in the world, has the Applicant or any of its Key Personnel been the subject of bankruptcy or insolvency?</p>	<p>Yes (discretionary fail)</p> <p>No (pass)</p>
	<p><b>Exceptional circumstances</b> – if the Applicant has answered “Yes” to question C.3 it must give details by answering questions C.3(a) - (c) below.</p>	
C.3(a)	<p>Please give the name and position of the person(s) to whom bankruptcy applies and set out:</p> <ul style="list-style-type: none"> <li>• whether the individual is a member of Key Personnel of the Applicant;</li> <li>• whether the individual was a member of Key Personnel of any of the Applicant’s predecessor bodies;</li> <li>• whether the individual was a member of Key Personnel at a previous organisation at the time that the bankruptcy/insolvency took place.</li> </ul> <p>For the avoidance of doubt, where Applicants need to provide details relating to multiple bankruptcies and/or insolvencies, information should be provided for each instance.</p>	Free text

C.3(b)	Please give details about each situation set out in your response to question C.3 including the amount of money involved and the date(s) when the issue(s) arose.	Free text
C.3(c)	Please give details about: <ul style="list-style-type: none"> <li>any measures the Applicant has taken to ensure that the situation(s) are resolved</li> <li>the current position on repayments including the date by which the amount will be repaid and/or whether the bankruptcy/ insolvency have been discharged.</li> </ul>	Free text
C.4	Within the past three years, anywhere in the world, has the Applicant or any of its Key Personnel been found guilty of grave professional misconduct or has been referred to a disciplinary body following allegations of grave 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	Within the past three years, anywhere in the world, has the Applicant or any of its Key Personnel 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	Within the past three years, anywhere in the world, has the Applicant or any of its Key Personnel been 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	Within the past three years, anywhere in the world, has the Applicant or any of its Key Personnel 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>Has the Applicant 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)	Please indicate whether the Applicant's termination or notice to terminate relates to the whole contract or a particular Category of Law.  If the termination relates to a particular Category of Law, please state which.	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	Has the Applicant received either:  a) two consecutive Peer Review ratings of 4; or b) a Peer Review rating of 5,  in any Civil Category of Law following the outcome of any appeal in the last 5 years?  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.	Yes (discretionary fail)  No (Pass)
	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 2024 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?	<p>Option:</p> <p>Yes</p> <p>No</p>
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

C.11	<p>Please answer the following statements:</p> <p>Within the last three years has the Applicant</p> <p>(i) 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</p> <p>(ii) withheld such information; or</p> <p>(iii) has undertaken to unduly influence the decision-making process of the contracting authority to obtain confidential information that may confer undue advantages in the procurement procedure, or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award.</p>	<p>Yes (discretionary fail)</p> <p>No (pass)</p>
	<p><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.</p>	
C.11(a)	<p>Please give the name of the contracting authority from whom your organisation withheld/misrepresented information</p>	Free text
C.11(b)	<p>Please confirm the nature of the affected contract(s)</p>	Free text
C.11(c)	<p>Please give the date when the event(s) occurred</p>	Free text
C.11(d)	<p>Please confirm the action taken by the contracting authority as a result of the Applicant withholding/misrepresenting information</p>	Free text
C.11(e)	<p>Please confirm any steps taken to ensure there is no repeat of the circumstances leading to the Applicant misrepresenting/withholding information</p>	Free text
C.12	<p>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?</p>	<p>Yes (discretionary fail)</p> <p>No (Pass)</p>



	Exceptional circumstances – if the Applicant has answered “yes” to question C.12, it must give details by answering questions C.12(a) – (d) below.	
C.12(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.12(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.12(c)	Please give details of the nature of any current condition(s) on practising certificates	Free text
C.12(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.13	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.13(a) No (Pass)
C.13(a)	If you have answered yes to question C.13 are you compliant with the annual reporting requirements contained within Section 54 of the Act?	Yes (pass) (Answer C.13(b)) No (discretionary fail)
C.13(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.13(a), it must give details by answering question C.13(c) below.	

C.13(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 an individual who is authorised to make this submission on behalf of the Applicant and confirm that the answers submitted in this SQ ITT FURTHER Response are correct.

I understand that the information will be used in the process to assess the Applicant’s suitability to be offered a 2024 Contract.

I understand that the LAA may conduct verification checks and may reject this SQ ITT FURTHER 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 the individual making declaration on behalf of the Applicant	Free text
D.2	Status within the Applicant organisation	Free text

## ANNEX B: GLOSSARY OF DEFINED TERMS

Term	Definition
2024 Contract	The 2024 Standard Civil Contract governing the provision of certain civil legal aid services subject to legal aid funding.  Contract documentation can be found at: <a href="https://www.gov.uk/government/publications/standard-civil-contract-2024">https://www.gov.uk/government/publications/standard-civil-contract-2024</a>
AC1 form	The form that must be used for an Applicant to apply for a LAA account number for an Office. The AC1 form is available from: <a href="https://www.gov.uk/guidance/update-your-details-with-laa">https://www.gov.uk/guidance/update-your-details-with-laa</a>
Additional Office Information Form	The form Applicants must submit with their Award ITT Response where they wish to deliver Contract Work from more than the number of Offices that are catered for in the eTendering system. This form can be found in the 'buyer attachments' section of the ITT.
Agent(s)	An individual or organisation (other than Counsel) engaged by you to undertake Contract Work in accordance with the provisions of the Contract
Applicant(s)	A single legal entity (including an individual) tendering to deliver the advertised services
Authorised Litigator	An individual who conducts litigation services as an authorised person in accordance with the Legal Services Act 2007
Award Criteria Invitation to Tender (Award ITT FURTHER)	Part of the procurement process containing Contract Work-specific requirements
Award ITT FURTHER Response	An Applicant's response to the Award ITT FURTHER as part of this procurement process
Bar Standard Board (BSB)	Bar Standards Board; a Relevant Professional Body
Category, Categories, or Categories of Law	The category or categories of law, which are publicly funded legal services being tendered for under this procurement process, the definitions of which are set out in the Category Definitions 2024 document
Category Definitions 2024	The document published on the LAA's website that outlines the Categories of Work that apply to this Specification, which is incorporated into this Contract.
Category-Specific Information	Documents which set out information on each of the Categories of Law available through this procurement process
Category-Specific Requirements	The contract requirements set out in each of the Category-Specific Information documents
Category ITT	The ITT specific to each Category of Law
CILEx	Chartered Institute of Legal Executives; a Relevant Professional Body
Complete Tender	As set out in paragraph 4.1 of this ITT document
Contract Management	A department within the LAA, responsible for managing relationships with Providers and their performance under contract.
Contract Manager	An individual employed within LAA's Contract Management department with responsibility for managing relationships with Providers.
Contract Period	As defined in the Contract for Signature.

Contract Specification or Specification	Services that may be performed for clients as specified in the Schedule(s) and the Specification under or by virtue of the Civil Contracts covered by this procurement process.
Contract Work	The work that you may perform for Clients in the Category or Categories of Law and/or HLPAS as specified in your Schedule(s) and the Specification under, or by virtue of, the Contract
Controlled Work	As defined in Section 1 of the 2024 Standard Civil ITT Specification and regulation 2 of the Procedure Regulations
Controlled Work and Administration (CWA)	A digital billing service that contains all contracted organisations contracts and schedules
Crown Copyright	As defined under section 163 of the Copyright, Designs and Patents Act 1988
Data Protection Legislation	Means (a) any law, statute, declaration, decree, directive, legislative enactment, order, ordinance, regulation, rule or other binding restriction (as amended, consolidated or re-enacted from time to time) which relates to the protection of individuals with regards to the processing of personal data including, but not limited to, the Data Protection Act 2018 and the UK GDPR; and (b) any code of practice or guidance published by the ICO from time to time.
Data Subject	As defined in the UK GDPR
Debt	As set out in the 'Category Definitions 2024' guide published on our website
Designated Signatories	The user 'role' within the CWA system which is able to accept, reject or query contract offers
Early Legal Advice	As described in Paragraph 10.33 of the Specification
eTendering system	The LAA's secure internet site at <a href="http://bravosolution.co.uk">LAA eTendering portal (bravosolution.co.uk)</a> through which Tenders and the procurement process as a whole are managed
Executive Agency	A body tasked with carrying out executive functions within government
Exclusive Schedule or Exclusive Schedule Arrangements	The Contract Schedule authorising providers to conduct Immigration and Asylum Contract Work in an IRC setting
Frequently Asked Questions (FAQ)	Questions with corresponding responses as published by the LAA and termed 'Frequently Asked Questions'
Final Score	The score (out of a maximum of 100) achieved by an Applicant following the assessment of the Technical Envelope
Full Time Equivalent (FTE)	The equivalent of one individual working 35 hours per week (excluding breaks)
Generic Tender Requirements	As set out in paragraphs 2.17 – 2.28 of the Award ITT FURTHER
Housing	As set out in the 'Category Definitions 2024' guide published on our website
Housing Loss Prevention Advice Service	The service set out in Section 10 of the Specification
Housing Loss Prevention Advice Service Invitation To Tender (HLPAS ITT)	Part of the procurement process containing HLPAS Contract Work-specific requirements
HLPAS Area	An individual service made up of one or more courts
HLPAS Contract Work	HLPAS Contract Work undertaken in accordance with Section 10 of the Specification

HLPAS ITT FURTHER Response	An Applicant's response to the HLPAS ITT FURTHER as part of this procurement process
HLPAS Manager	A nominated individual member of your personnel who is responsible for the overall management of the HLPAS
HLPAS Schedule(s)	The document of that name incorporated within a 2024 Contract which includes an authority for a Provider to perform HLPAS Contract Work in a HLPAS Area
HLPAS-Specific Information	A document which sets out information on each of the HLPAS Areas available through this procurement process
HLPAS Tender Requirements	The requirements set out at paragraph 2.6 of the HLPAS ITT FURTHER
Verification Deadline	The final date by which the Applicant must provide compliant Housing and Debt verification information to be eligible for a HLPAS Schedule (subject to outcome of competitive tender), which is 23.59 on 18 August 2024
HPCDS	The Housing Possession Court Duty Scheme operated under and in accordance with the requirements of the HPCDS Contract.
In-Court Duty Scheme	An 'on the day' emergency face-to-face advice and advocacy to anyone facing possession proceedings in court
Individual Bid / Individual HLPAS Bid	A tender for Contract Work in a particular Category of Law or HLPAS Area from a particular Office.
Key Personnel	Any person who has or is held out as having either expressly or impliedly, (or will have by the Contract Start Date) powers of representation, decision or control of an Applicant including partners, directors, trustees and other senior managers and who are employed by the Applicant. This includes Persons with Significant Control
Lead Office	The Applicant's principal Office for the purpose of 2024 Contract.
Legal Aid	Has the meaning given to it in Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012
Legal Aid Agency (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 Administrative Processes	An Applicant's completion and submission of, where applicable, a completed and compliant indemnity form and /or AC1 Gorm with relevant supporting documents
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 2024 Standard Civil Contract
Legal Competence Standards	As detailed in the relevant Category Specification
Lexcel Practice Management standard ("Lexcel")	The Law Society's legal practice quality mark, which is a relevant Quality Standard
Lexcel Certificate	Certification evidencing that an entity holds the Lexcel Quality Standard
Licensed Work	Has the meaning given in Regulation 2 of the Procedure Regulation
Mandatory Attachment	As set out in paragraph 3.15 of the HLPAS ITT FURTHER

Matter Start or Matter	A Controlled Work case as defined at Section 1 of the Specification
Miscellaneous	As set out in the 'Category Definitions 2024' guide published on our website
Office	As defined at Paragraph 2.33 of the 2024 Standard Civil Contract Specification: General Rules. For Family Mediation, as defined at Paragraph 1.5 of the 2024 Standard Civil Contract Specification Category Specific Rules: Family Mediation
Part Time Equivalent (PTE)	The equivalent of one individual working 17.5 hours each week during business hours (excluding breaks)
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
Permanent Presence	As defined at Paragraphs 2.34 - 2.35 of the 2024 Standard Civil Contract Specification: General Rules
Persons with Significant Control (PSC)	A person who owns or controls an organisation, sometimes called 'beneficial owners'
Personal Data	As defined in the UK GDPR
Priority Questions	The Quality Award Criteria that the LAA will use in the event that Applicants are tied following the calculation of the Final Score in a HLPAS Area
Processor	As defined in the UK GDPR
Procurement Area	A geographical area in which the LAA will procure Contract Work except Family Mediation, where Procurement Areas do not apply.
Professional Indemnity Insurance	A commercial policy designed to protect business owners if clients claim a service is inadequate
Provider(s)	A party to a contract with the LAA in respect of the provision of Legal Aid
Proximity Award Criterion	Part of the assessment of HLPAS ITT FURTHER Responses, which awards points based on whether an Applicant's Office is based within a corresponding or neighbouring Housing and Debt Procurement Area for the HLPAS area bid for
Quality Award Criteria	The Award Criteria against which the Applicant's responses to the HLPAS ITT FURTHER will be assessed
Quality Standard	The LAA Specialist Quality Mark (SQM) or the Law Society's Lexcel Practice Management Standard (Lexcel)
Relevant Professional Body	The body or organisation which regulates or exercises control over professional, service or personnel activities and/or any other body to whose rules the Applicant has elected to be subject to.
Response(s)	An Applicant's SQ ITT FURTHER Response and Response(s) to the relevant Award and HLPAS ITT(s) for the civil legal aid services the Applicant wishes to deliver under the 2024 Contract
Roll Number	The number or SRA ID given to all solicitors admitted by the Law Society of England and Wales
Schedule	A Contract document issued by the LAA as specified in the 2024 Standard Civil Contract

Security Requirements	The requirements regarding security of the Personal Data, as set out in the Data Protection Laws (including, in particular, the measures set out in Article 32(1) of the GDPR (taking due account of the matters described in Article 32(2))
Selection Questionnaire (SQ) FURTHER	The Selection Questionnaire for this procurement process
Sheltered Workshop	A place of work specially designed to provide a safe environment for disabled people
Signed Engagement Agreement	An agreement between an individual and an Applicant confirming that the individual will be Employed by the Applicant from the Contract Start Date
Small, Medium or Micro Enterprise or SME	A business which meets two of the following three criteria: <ul style="list-style-type: none"> <li>• A turnover of no more than £36 million</li> <li>• No more than 250 employees</li> <li>• Gross assets (balance sheet total) of no more than £18 million</li> </ul>
SQ ITT FURTHER	The Selection Questionnaire (SQ) Invitation To Tender in its entirety (this document)
SQ ITT FURTHER Response	An Applicant's response to the SQ as part of this procurement process
Specialist Quality Mark (SQM)	The LAA's legal practice quality mark which is a relevant Quality Standard
SQM Audit Provider	The SQM Delivery Partnership or Recognising Excellence Limited
SQM Certificate	Certification issued by the SQM Audit Provider evidencing that an entity holds the SQM Quality Standard
SRA	Solicitors Regulation Authority; a Relevant Professional Body
Staff Organogram	As set out in paragraph 3.16 of the HLPAS ITT FURTHER
Standard Terms	The contractual document which governs the commercial relationship between the Legal Aid Agency and providers
Supervisor	Any person employed by the Applicant who meets the Supervisor Standard set out in the LAA's Contract Specification in the relevant Category of Law, and who will be actively supervising the Contract Work tendered for  For Family Mediation, any person who meets the Supervisor Standard set out in the LAA's Mediation Specification and who is employed by the Applicant or who has a formalised contract with the Applicant which documents, in detail, the supervisory arrangements in place to ensure accessibility to the Applicant's Mediators and control over the Family Mediation Contract Work tendered for.
Supervisor Declaration Form	A form setting out how the Applicant's Supervisor(s) meets the Supervisor Standard in the Categories of Law for which the Applicant is tendering. Forms are available to download from <a href="https://www.gov.uk/government/publications/standard-civil-contract-2024">https://www.gov.uk/government/publications/standard-civil-contract-2024</a>
Supervisor Standard	The required supervision experience, Category-specific case experience and Category-specific case involvement that any Supervisor must meet and which is evidenced via the Supervisor Declaration Form.
Supplementary Matter Starts	As defined at Section 1 of the General Specification

Technical Envelope	The section in the eTendering system where Applicants submit responses to the Quality Award Criteria and Proximity Award Criterion in the HLPAS ITT FURTHER
Tender(s)	An Applicant's complete response to this procurement process.
Tender Deadline	The deadline to submit a Tender under this process which is 17:00 on 22 April 2024.
Tender Requirements	The Generic Tender Requirements, Category-Specific Requirements; and Lot-Specific Requirements, as applicable, as set out in the Award ITT FURTHER and Category-Specific Information documents
Verification Date	The date for submitting Tender verification information for all Individual Bids, that being 23.59 on 8 July 2024.
Verification Requirements	The verification requirements Applicants must meet by the dates and deadlines set out in the relevant ITTs in order for a 2024 Contract to be issued
Voluntary Community Social Enterprise (VCSE)	An incorporated voluntary, community or social enterprise organisation which serves communities solely within England and which is either:  (a) a charity, Community Interest Company or Community Benefit Society, registered with the relevant registry body; or  (b) an unregulated organisation.
Welfare Benefits	As set out in the 'Category Definitions 2024' guide published on our website