

This is a published notice on the Find a Tender service: <https://www.find-tender.service.gov.uk/Notice/004664-2021>

Contract

2018 Standard Civil Contract: Discrimination Category of Law Note: Published for completeness, see description for details

The Legal Aid Agency

F03: Contract award notice

Notice identifier: 2021/S 000-004664

Procurement identifier (OCID): ocds-h6vhtk-0299a9

Published 8 March 2021, 10:56pm

Section I: Contracting authority

I.1) Name and addresses

The Legal Aid Agency

102 Petty France

London

SW1H 9AJ

Email

civiltenders@justice.gov.uk

Country

United Kingdom

NUTS code

UKI - LONDON

Internet address(es)

Main address

<https://www.gov.uk/government/organisations/legal-aid-agency>

I.4) Type of the contracting authority

Ministry or any other national or federal authority

I.5) Main activity

Other activity

Other publicly funded services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

2018 Standard Civil Contract: Discrimination Category of Law Note: Published for completeness, see description for details

II.1.2) Main CPV code

- 79100000 - Legal services

II.1.3) Type of contract

Services

II.1.4) Short description

The Legal Aid Agency ('LAA') has awarded authorisation under the 2018 Standard Civil Contract to two providers. As a result, these providers will be able to undertake face to face Contract Work in the Discrimination Category of Law from 1 April 2021 in the LAA's 'North' Procurement Area. This contract award notice has been published for transparency purposes to provide a record of existing departmental contracts.

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £430,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKC22 - Tyneside

II.2.4) Description of the procurement

The Legal Aid Agency (“LAA”) has awarded authorisation under the 2018 Standard Civil Contract to two providers. As a result, these providers will be able to undertake face to face Contract Work in the Discrimination Category of Law from 1 April 2021.

Background

In the Frequently Asked Questions published as part of its recent procurement process for 2021 Civil Legal Advice (“CLA”) contracts, the LAA confirmed that CLA providers wishing to conduct Licenced Work may refer cases to themselves provided they hold a 2018 Standard Civil Contract which authorises them to carry out Licenced Work in the relevant Category of Law.

It was identified that two organisations that were successful in tendering for a 2021 CLA contract were holders of a 2018 Standard Civil Contract but did not have authorisation to undertake work in the Discrimination Category of Law. This meant they would not automatically be able to self-refer CLA clients requiring Licenced Work.

The CLA contracts held by these two organisations were awarded in 2018. At that time CLA provided the mandatory gateway to Discrimination advice, meaning that the CLA service was the only route to legally aided Discrimination advice. Their CLA contracts therefore permitted the full range of Controlled and Licensed Work (and face to face advice where appropriate).

However, since the government announced in 2019 that it would be removing the mandatory telephone gateway, the LAA have sought to align former gateway Categories, including Discrimination, with other CLA Categories that were not subject to the mandatory telephone gateway.

CLA specialist telephone advice contracts let after 2019, including those awarded as a result of the procurement process for 2021 CLA contracts, have therefore permitted Controlled Work only.

In 2019, the LAA also ran a procurement to re-introduce contracts for face to face Discrimination advice under the 2018 Standard Civil Contract.

The LAA has accepted that current CLA providers that were awarded a CLA contract in 2018 were in a unique position of potentially not having fully understood the impact of the 2019 contracting approach on any future CLA contract for which they tendered.

Contract work awarded

So that providers in this unique position were not adversely affected as a result, the LAA has awarded authorisation under the 2018 Standard Civil Contract to include authorisation to

undertake Discrimination Contract Work.

This award means that providers will be authorised to undertake Discrimination Contract Work in accordance with the 2018 Standard Civil Contract at the office from which they also deliver Discrimination advice under the 2021 CLA contract. Common with other Discrimination providers delivering advice under the 2018 Standard Civil Contract, providers have been awarded:

- Authorisation to begin up to 100 Matter Starts per Contract Year (pro rated to 42 Matter Starts for the current Contract Year which ends on 31 August 2021);
- Licensed Work authorisation;
- Schedule Authorisation; and
- Authorisation to use Delegated Functions.

The authorisation will take effect on 1 April 2021, to align with the service commencement date for the 2021 CLA contract and will expire at the same time as other categories delivered under the 2018 Standard Civil Contract.

Contract documents

2018 Standard Civil Contract documentation is available at:

<https://www.gov.uk/government/publications/standard-civil-contract-2018>

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 100

Cost criterion - Name: Price / Weighting: 0

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

The Legal Aid Agency (“LAA”) has awarded authorisation under the 2018 Standard Civil Contract to two providers. As a result, these providers will be able to undertake face to face Contract Work in the Discrimination Category of Law from 1 April 2021.

Background

In the Frequently Asked Questions published as part of its recent procurement process for 2021 Civil Legal Advice (“CLA”) contracts, the LAA confirmed that CLA providers wishing to conduct Licenced Work may refer cases to themselves provided they hold a 2018 Standard Civil Contract which authorises them to carry out Licenced Work in the relevant Category of Law.

It was identified that two organisations that were successful in tendering for a 2021 CLA contract were holders of a 2018 Standard Civil Contract but did not have authorisation to undertake work in the Discrimination Category of Law. This meant they would not automatically be able to self-refer CLA clients requiring Licenced Work.

The CLA contracts held by these two organisations were awarded in 2018. At that time CLA provided the mandatory gateway to Discrimination advice, meaning that the CLA service was the only route to legally aided Discrimination advice. Their CLA contracts therefore permitted the full range of Controlled and Licensed Work (and face to face advice where appropriate).

However, since the government announced in 2019 that it would be removing the mandatory telephone gateway, the LAA have sought to align former gateway Categories, including Discrimination, with other CLA Categories that were not subject to the mandatory telephone gateway.

CLA specialist telephone advice contracts let after 2019, including those awarded as a result of the procurement process for 2021 CLA contracts, have therefore permitted Controlled

Work only.

In 2019, the LAA also ran a procurement to re-introduce contracts for face to face Discrimination advice under the 2018 Standard Civil Contract.

The LAA has accepted that current CLA providers that were awarded a CLA contract in 2018 were in a unique position of potentially not having fully understood the impact of the 2019 contracting approach on any future CLA contract for which they tendered.

Contract work awarded

So that providers in this unique position were not adversely affected as a result, the LAA has awarded authorisation under the 2018 Standard Civil Contract to include authorisation to undertake Discrimination Contract Work.

This award means that providers will be authorised to undertake Discrimination Contract Work in accordance with the 2018 Standard Civil Contract at the office from which they also deliver Discrimination advice under the 2021 CLA contract. Common with other Discrimination providers delivering advice under the 2018 Standard Civil Contract, providers have been awarded:

- Authorisation to begin up to 100 Matter Starts per Contract Year (pro rated to 42 Matter Starts for the current Contract Year which ends on 31 August 2021);
- Licensed Work authorisation;
- Schedule Authorisation; and
- Authorisation to use Delegated Functions.

The authorisation will take effect on 1 April 2021, to align with the service commencement date for the 2021 CLA contract and will expire at the same time as other categories delivered under the 2018 Standard Civil Contract.

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: No

Section V. Award of contract

Contract No

1

Title

Face to Face Discrimination

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

26 January 2021

V.2.2) Information about tenders

Number of tenders received: 2

The contract has been awarded to a group of economic operators: Yes

V.2.3) Name and address of the contractor

Citizens Advice Gateshead

The Davidson Building, Swan Street

Gateshead

NE8 1BG

Country

United Kingdom

NUTS code

- UKC22 - Tyneside

The contractor is an SME

Yes

V.2.3) Name and address of the contractor

Stephensons Solicitors LLP

Wigan Investment Centre, Waterside Drive

Wigan

WN3 5BA

Country

United Kingdom

NUTS code

- UKD36 - Greater Manchester North West

The contractor is an SME

Yes

V.2.4) Information on value of contract/lot (excluding VAT)

Total value of the contract/lot: £430,000

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

Legal Aid Agency

102 Petty France

London

SW1H 9AJ

Country

United Kingdom

VI.4.2) Body responsible for mediation procedures

Centre for Effective Dispute Resolution (CEDR)

70 Fleet Street

London

EC4Y 1EU

Country

United Kingdom

VI.4.4) Service from which information about the review procedure may be obtained

Legal Aid Agency

102 Petty France

London

SW1H 9AJ

Country

United Kingdom