

Update on Civil Bid Rounds for 2010 Contracts

All our timelines remain subject to the outcomes of ongoing consultations. However, we currently plan to publish our response to the *Civil Bid Rounds for 2010 Contracts* consultation in late June; and our response to the *Family Legal Aid Funding from 2010* consultation and the current *Phase 1 Civil Fee Schemes Review* consultation in August. The links between the proposals outlined in these consultations means that we will not be able to launch the civil contracts tender process before September 2009.

We are aware that some legal aid providers, especially social welfare law providers, are already getting ready for the forthcoming civil bid rounds, basing their preparations on our proposals. To ensure that providers avoid making unnecessary or inappropriate preparations, we would like to offer the following clarification and explanation of our current thinking. This does not pre-empt our publication of the final proposals but should ensure that unwarranted work is not carried out.

Consortium

- As stated in the *Civil Bid Rounds for 2010 Contracts* consultation, only legal aid providers wanting to deliver services in debt, housing and welfare benefits can form consortium in order to do so.
- No other categories of law can be delivered through a consortium. For example, if a provider in a consortium wants to bid for employment work, they will have to bid for this separately and not as part of the consortium.
- We are unlikely to use the proposed selection criteria described in paragraph 6.43 of the consultation: *“Preference will be given to organisations able to deliver a higher number of social welfare law categories providing that category gaps can be filled.”*
- Our current thinking is that we will only allow one type of consortium, based on the ‘separate but linked contracts’ model mentioned in the *Civil Bid Rounds for 2010 Contracts* consultation paper. This means that:
 - while consortium providers will need to work together, individual members will have their own individual contract with the LSC; and
 - consortium providers will have to meet certain requirements, such as: delivering appointments in each other’s premises (where this is the client’s preference).
- We have already discussed this model with the Solicitors’ Regulatory Authority. The details will shortly be discussed with legal aid provider representative bodies.