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LAPG Member Update

Issue 24 of 2023

2024 Standard Civil Contract including Housing Loss Prevention Advice Service (HLPAS) Tender is now live

Deadline 17.00 on Tuesday 17 October

This Update is about today's launch of the tender for 2024 Standard Civil Contracts

The Legal Aid Agency has today launched the tender to deliver civil legal aid services from 1 September 2024 under the 2024 Standard Civil Contract in the following areas of law:

- Family;
- Housing and Debt and Welfare Benefits;
- Immigration and Asylum (including work at Immigration Removal Centres (IRCs));
- Mental Health;
- Community Care;
- Claims Against Public Authorities;
- Clinical Negligence;
- Public Law;
- Family Mediation;
- Education; and
- Discrimination.

Alongside tenders for the above categories of Law, applicants may also tender for HLPAS, commencing on 1 September 2024. HLPAS will be delivered in 106

HLPAS areas across England and Wales.

Tenders must be submitted using the LAA's eTendering system and must be submitted by **17:00 on 17 October 2023**. Applicants may ask questions about the process until **23.59 on 26 September 2023**. The LAA's FAQ document summarising key questions raised will be published during the week commencing 2 October 2023.

Please note that the deadline for submitting verification information for all individual bids is **23:59 on 15 March 2024**. However there is a different verification deadline for HLPAS services and bids that include IRC work of **23:59 on 3 June 2024**. Please contact the LAA as soon as possible if you plan to bid but anticipate problems with obtaining all the information you will need for verification purposes.

All of the relevant information including guidance documents about tendering, contract documentation and the link to the LAA's eTendering system can be found in [the LAA's new story here](#).

These contracts are for one year initially but may be extended for further one year periods. Future contracts will be informed by the findings of the Review of Civil Legal Aid (RoCLA).

This process follows a formal contact consultation exercise where we pushed the LAA for a wide range of changes to promote sustainability based on the views of our Advisory Committee and wider LAPG membership. A limited number of our requests have been incorporated into the new contract, but many have not. A further and more detailed Member Update will follow explaining our key asks and how these will be incorporated into our submissions through the ROCLA process.

We have summarised below the main changes to the Standard Terms and General Specification. We have not included the numerous changes to the Category Specific Rules in this update but would advise careful scrutiny of each relevant category of legal aid.

There have been changes made to the Standard Terms and the General Specification in relation to Standard Monthly Payments and Variable Monthly Payments and the changes are as a result of a separate engagement exercise on this issue. The LAA published a news story in relation to the changes [which can be found here](#). We had pressed for more flexibility rather than the strict change that had been proposed.

Key differences between the 2018 and 2024 SCCs

Supervision and remote working arrangements for supervisors

- Supervisors can now supervise fee earners in more than category of law. There is no limit set within the General Specification on the number of categories a person can supervise or restrictions on whether they can cross-supervise civil, family and crime. Limits are however set by the category specific requirements. Crime has different criteria around the use of supervisors and the LAA are working this through and this is likely to be addressed in the FAQ.
- The FTE (Full Time Equivalent) remains in some categories but more flexibility on working hours is being introduced – 35 hours over the course of a week (be it one person or more) – so this allows for condensed hours and other flexible working arrangements.
- The requirement for supervisors to attend each office that they supervise at least one day per calendar month has been removed.
- Providers can now make their own decision on whether face-to-face supervision (in the same location) is required and how often supervision is required.
- The requirement that a supervisor must not supervise more than four caseworkers across a maximum of two offices or across two providers with one office each has been removed – but remains subject to the 1FTE to 4FTE requirement.
- Supervisors are to complete training covering key supervisory skills in the previous 24 month period rather than 12 month period if relying on this provision;
- The option of having completed an NVQ as acceptable evidence of experience/knowledge of supervision has been removed;
- The requirement to recognise HRA cases as a mandatory requirement has been removed and now stipulated on a category-by-category basis;
- The requirement for a supervisor to only be employed by one provider has been removed.

Office requirements

- Residential property has been added as an exclusion as a type of office.
- For the purposes of the permanent presence requirements, you may now operate an office in a shared building such as another legal services provider's premises or in a serviced office arrangement, but must have a right of access to the office at all times during Business Hours for the purpose of providing face-to-face legal services at that office.
- The following locations do not constitute an Office for the purposes of this Contract:
 - Virtual offices or any such similar arrangement whereby all communication (written, electronic or by telephone) is referred to another location;
 - serviced premises, shared premises or similar where you do not have exclusive use of a designated space; or

- serviced premises, shared premises or similar which are not staffed by a representative of your organisation (whether employed by you or not) who is able to arrange appointments and other meetings and where appropriate arranging advice in emergency cases.

Variable and Standard Monthly payments

- Variable Monthly Payments are now the default payment method, whilst maintaining Standard Monthly Payments has been retained as an option until such point when the future of this payment mechanism has been determined.
- Unless you have elected to receive Standard Monthly Payments, you will be paid by Variable Monthly Payments.

Comment

We will cover issues that arise in more detail in future Updates but wanted to send this out today in the hope that this will be of assistance to members.

Please ensure that you carefully consider the category specific rules for your area of law for further details of the changes. Do use the FAQ process to seek clarity and please **do not hesitate to copy us into your questions.**

Please get in touch with us if you have any questions about the tender process or content of the new contract.

Take care one and all,

Chris Minnoch, CEO [@ChrisLAPG](#)

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LEGAL AID LAWYER OF THE YEAR AWARDS



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