



The Law Society

**The Legal Services Commission's consultation on
Best Value Tendering**

Results of online survey closing 29 January 2008

Legal policy

4 February 2008

SUPPORTING
solicitors

1. The survey asked how suppliers would prefer to be remunerated by indicating their preferences on a scale of 1 to 5 (1 = strongly in favour and 5 = strongly opposed).

Option	No of answers	Percentage of total answers
Fees set administratively by the LSC as now happens.		
5 - Strongly opposed	116	32
3	84	23
1 – Strongly in favour	57	16
4	53	15
2	48	13

Option	No of answers	Percentage of total answers
A full national roll-out of the Public Defender Service and an equivalent civil legal aid service in due course.		
5 -Strongly opposed	223	62
1 - Strongly in favour	44	12
3	37	10
4	31	9
2	23	6

Option	No of answers	Percentage of total answers
Best Value Tendering		
5 - Strongly opposed	240	67
1 – Strongly in favour	39	11
4	36	10
3	30	8
2	13	4

Option	No of answers	Percentage of total answers
Independent Pay Review Body responsible for setting rates with the LSC commissioning Services.		
1 - Strongly in favour	196	55
2	67	19
3	41	11
5 – Strongly opposed	36	10
4	18	5

2. The survey asked whether providers considered there should be a minimum contract price in any future BVT scheme.

Option	No of answers	Percentage of total answers
Yes	255	71
No	103	29

3. The survey asked which types of quality assurance should be used to monitor the quality of existing providers in any future BVT scheme. Those responding could indicate more than one measure of quality assurance.

Option	No of answers	Percentage of total answers
Peer Review	174	29
Compulsory Panel Accreditation	169	28
LSC Specialist Quality Mark	161	26
Key Performance Indicators	104	17

4. The survey asked whether firms would be in a position to bid at a later stage if unsuccessful in the first stage.

Option	No of answers	Percentage of total answers
No	305	85
Yes	55	15

5. The survey asked how long possible BVT contracts should last.

Option	No of answers	Percentage of total answers
Five years or more	173	48
Three years	112	31
Two years or less	50	14
Four years	25	7

6. The survey asked what factors would dissuade providers from tendering in any BVT scheme. Those responding were able to indicate more than one factor.

Option	No of answers	Percentage of total answers
Onerous terms	334	27
Bureaucratic tendering process	314	25
Length of contract	197	16
No minimum contract price	166	13
Minimum contract size	145	12
No minimum contract size	77	6

7. On the BME issues, 16% of firms considered themselves BME practices. The survey then asked all those responding whether BVT, in their view, might have an adverse effect on BME practices.

Option	No of answers	Percentage of total answers
Don't know	182	50
Yes	144	40
No	35	10

8. On the rural issue, 76% of those responding considered their office was located in a rural area. The survey then asked all those responding whether, in their view, BVT would have an adverse effect on practices with offices in rural locations.

Option	No of answers	Percentage of total answers
Yes	217	60
Don't know	130	36
No	14	4

9. In answer to the question as to whether there should be a minimum contract size in urban areas, 59% answered no, and 41 % yes. Those responding yes were then asked what the minimum contract size should be.

Option	No of answers	Percentage of total answers
£50,000	52	35
£100,000	52	35
£250,000	28	19
Greater than £250,000	18	12

10. **As regards criminal work, the survey asked whether only those practices successful in obtaining magistrates court work and police station work should be allowed to undertake Crown Court work in that area.**

Option	No of answers	Percentage of total answers
No	235	65
Yes	126	35

11. **The survey went on to ask whether Out of Area working should be prohibited, unrestricted or subject to a percentage allowance?**

Option	No of answers	Percentage of total answers
Unrestricted	219	61
Subject to a % allowance	112	31
Prohibited	30	8

12. **56% of criminal legal aid firms responding undertook civil legal aid work, and 74% of those firms considered there would be an adverse impact on their civil legal aid work if they were unsuccessful with their criminal bids.**

13. The survey asked those firms which undertook civil legal aid, what action would be taken in the event of failure to obtain a criminal contract

Option	No of answers	Percentage of total answers
Cease civil legal aid work	48	39
No action	28	23
Decrease civil legal aid work	27	22
Increase civil legal aid work	20	16