**Call-Off Schedule 20 (Call-Off Specification)**

This Schedule sets out the characteristics of the Deliverables that the Supplier will be required to make to the Buyers under this Call-Off Contract

# Purpose

## The UK Covid-19 Inquiry requires a Solicitor with a supporting legal team to provide legal advice to the Inquiry Chair on the operation of the Inquiry following agreement and publication of the Terms of Reference.

# Background to The Contracting Authority

## On 15 December 2021 the Prime Minister announced Baroness Hallett as the Chair of the UK Covid-19 Inquiry, a statutory public inquiry to be held under the Inquiries Act 2005.

## The Terms of Reference of the Inquiry will be established through consultation with the Devolved Administrations in Scotland, Wales and Northern Ireland, and through consultation with bereaved families and other groups affected by the Covid-19 pandemic.

## The Inquiry will cover all four UK nations. A separate Inquiry will be held in Scotland that will examine decisions taken by the Scottish Government only. Wales and Northern Ireland are not expected at this stage to carry out their own inquiries into devolved matters.

## Although the work under this contract will be carried out for the UK Covid-19 Inquiry, the Cabinet Office as the sponsoring department will be the contracting authority.

# Background to Requirement/Overview of Requirement

## The UK Covid-19 Inquiry will be a high profile and highly complex public inquiry, examining events that have impacted on all aspects of life in the UK over the past two years. The Inquiry will need to take an innovative approach to ensure that it examines issues with sufficient depth and rigour, while also completing its work within a timely manner.

## Following the appointment of the Chair, the Inquiry requires a Solicitor to the Inquiry and supporting team, to provide legal advice on its work, including its investigative strategy, the collation and evaluation of evidence, preparation for and delivery of public hearings, and compliance with the Inquiries Act 2005 and Inquiry Rules 2006.

## The Chair has appointed REDACTED TEXT under FOIA Section 40, Personal Information to act as Counsel to the Inquiry.

# Definitions

|  |  |
| --- | --- |
| Expression or Acronym | Definition |
| UK | United Kingdom |
| The Inquiry | Means the UK Covid-19 inquiry, a statutory public inquiry to be established under the Inquiries Act 2005 |
| Terms of Reference | Means the broad scope of the UK Covid-19 Inquiry, including how its work will be conducted. |

# Scope of Requirement

## The Inquiry will require support on items including the below. This is not an exhaustive list and is likely to develop further as the Inquiry progresses.

### Key personnel – the supplier’s team will include a Partner or Senior Solicitor to fulfil the role of Solicitor to the Inquiry. That individual will remain in the Solicitor to the Inquiry role throughout the duration of the contract.

### Advice on Investigative strategy – the Supplier will provide advice to the Chair on the investigative approach to fulfil the Inquiry’s Terms of Reference, including (but not limited to): advising the Chair on topics and witnesses for public hearings; the scheduling of such hearings; and taking evidence and witness statements from relevant organisations and individuals.

### Legal Team – working with Counsel to the Inquiry to ensure the Inquiry has access to the legal expertise it requires, and ensuring a suitable division of duties between Counsel, Solicitors and Paralegals.

### Inquiry procedures – the Supplier will be responsible for the legal elements of delivery of the Inquiry’s operation, including procedures for evidence management and disclosure, assessing and maintaining a log of Core Participant status and Section 40 funding, and delivery of hearings. The Supplier will also be responsible for working with the Inquiry Secretariat to plan resources for the Inquiry Counsel and Paralegal teams, and assisting with the monitoring of those budgets. This may include providing paralegals to supplement the Inquiry’s team on occasions.

### Production of Inquiry reports – the Supplier will be responsible for advising on the production of formal Inquiry reports, working alongside the Counsel team and the Inquiry’s Policy and Research Unit. The Supplier may be required to assist with the drafting of reports on occasion, and will be expected to assist with establishing and maintaining a consistent ‘house style’ for reports.

## Any changes and developments to this Statement of Requirements will be within scope of the specification for the Commercial Agreement RM6179 Legal Services Panel Lot 1 General Legal Advice Services.

# The Requirement

## The supplier’s team will need to include a Partner or Senior Solicitor to fulfil the role of Solicitor to the Inquiry. The Solicitor to the Inquiry will need to demonstrate strong leadership and organisational skills and the ability to work flexibly and at pace. They should have strong legal skills, an excellent knowledge of the Inquiries Act 2005 and Inquiry Rules 2006, and the ability to work both independently and as part of a multi-disciplinary team. The post holder should have excellent drafting and analytical skills and be able to take a proactive approach to problem solving, dealing with novel and unpredictable challenges.

## The Inquiry will require advice on its overall investigative strategy, including but not limited to:

### Providing advice to the Chair on the segmentation of the Inquiry’s Terms of Reference, including potential topics for public hearings and seminars.

### Requesting evidence from organisations and individuals, and analysing that evidence for relevance.

### Analysis of evidence, and advice on the provision of expert evidence and selection of witnesses, including providing advice on any anonymity issues.

### Drafting the Inquiry’s redaction protocols and overseeing the implementation of redactions to material to be disclosed to Core Participants.

### Management of the disclosure process.

### Identifying witnesses for public hearings, and taking witness statements from them in the event that the witness is unrepresented.

## The Supplier will coordinate the work of the Inquiry’s wider Legal Team, including but not limited to:

### Working with Counsel to the Inquiry to recruit additional members to the Counsel team, and to support CTI in the management of the Counsel team in a way which best allocates resources to each topic the Inquiry intends to cover, ensuring that there is sufficient drafting capacity on each team.

### Oversight of work across the wider Inquiry Legal Team, ensuring that duties are divided appropriately between Counsel, Solicitors and Paralegals, while having due regard to value for money.

## The Inquiry will require advice on Inquiry procedures, including but not limited to:

### Working with the Inquiry’s Information Management team to oversee procedures for management of the Inquiry’s evidence and eventual transfer of material to The National Archives at the Inquiry’s conclusion.

### Advice and direction on applications for Core Participant status, and management of the interactions with Core Participants during the Inquiry’s work. The Supplier should forge productive relationships with Core Participants and their legal representatives.

### Advice and direction on funding applications made under Section 40 of the Inquiries Act 2005. This will include monitoring actual spending against awarded funds, for which a costs assessor will be required.

### Working with Counsel to the Inquiry and the Inquiry Secretariat to plan the resources required in the Inquiry Counsel and Paralegal teams, and monitor spending against those budgets. This may include the Supplier providing paralegals to work on the Inquiry on occasions where the Inquiry’s internal resources need supplementing.

### Advice on the management and delivery of Inquiry public hearings, and the legal implications of other areas of the Inquiry’s work - for example seminars and commissioning research.

### Providing legal advice on other ad-hoc aspects of the Inquiry’s work where appropriate - for example, providing advice on the Inquiry’s safeguarding responsibilities, responses to correspondence and media enquiries, and advising on website policies and content.

## The Supplier will assist with the production of Inquiry reports, including but not limited to:

### Working with the Counsel team and the Inquiry’s Policy and Research Unit to advise the Chair on potential findings and recommendations they may wish to make arising from the Inquiry’s investigations.

### Working with the Inquiry’s Communications Team to establish and maintain a consistent ‘house style’ for Inquiry reports.

### Quality assuring Inquiry reports to ensure that, for example, references to the Inquiry’s evidence base are accurately recorded.

### Management of the ‘Maxwellisation’ process to ensure that all parties criticised in draft reports have the opportunity to respond prior to publication.

### On occasion, the Supplier may be required to support assist with the drafting of Inquiry reports.

# Key Milestones and Deliverables

## The following Contract milestones/deliverables shall apply:

|  |  |  |
| --- | --- | --- |
| Milestone/Deliverable | Description | Timeframe or Delivery Date |
| 1 | Commencement of first substantive public hearing | By Spring 2023 |
| 2 | Publication of Interim Report of the first investigation module | Anticipated by end 2023 |
| 3 | Publication of the Inquiry’s Final Report | Anticipated by end 2025 |

#

# Management Information/Reporting

## Management information requirements will be established in discussion with the Supplier upon contract award.

# Volumes

# 9.1 The Inquiry is likely to require advice from the Solicitor to the Inquiry and/or their team on a daily basis. The resource requirement is likely to peak during the periods where the Inquiry is holding public hearings and writing reports of module strands.

# Continuous Improvement

## The Supplier will be expected to continually improve the way in which the required Services are to be delivered throughout the Contract duration.

## The Supplier should present new ways of working to the Authority during quarterly Contract review meetings.

## Changes to the way in which the Services are to be delivered must be brought to the Authority’s attention and agreed prior to any changes being implemented.

# Sustainability

## 11.1 The awarded Supplier should review their company policies to ensure that they’re sustainable during the entirety of the contract period.

# Quality

## Advice should be provided in the timescales requested by the Inquiry. Advice should account for the specific context of public inquiries and Covid-19, and consider the Inquiry’s compliance with relevant legislation.

# Price

## The maximum available budget for the contract is £9,800,000.00 (exclusive of Value Added Tax (VAT) and inclusive of expenses). For the avoidance of doubt, the contract shall operate on a call-off basis up to this maximum cost and there shall be no minimum payments guaranteed.

## Prices are to be submitted via the e-Sourcing Suite Attachment 4 – Price Schedule excluding VAT and including all other expenses relating to Contract delivery.

# Staff and Customer Service

## The Supplier shall provide a sufficient level of resource throughout the duration of the Contract in order to consistently deliver a quality service.

## The Supplier’s staff assigned to the Contract shall have the relevant qualifications and experience to deliver the Contract to the required standard.

## The Supplier shall ensure that staff understand the Authority’s vision and objectives and will provide excellent customer service to the Authority throughout the duration of the Contract.

# Service Levels and Performance

## The Authority will measure the quality of the Supplier’s delivery by:

### Responsiveness – the Supplier will be expected to respond to 98% of requests within the deadline specified when the request is made.

### Quality of Advice – the Supplier will provide legal advice that is technically sound and considers the Inquiry’s compliance with relevant legislation. The advice will also be clearly expressed and strike an appropriate balance between length and detail.

### Client Engagement – the Supplier will establish effective working relationships with Inquiry staff, and in particular the Chair, Secretary to the Inquiry, and Counsel to the Inquiry (once appointed). The Supplier will ensure requests for direction and decisions are channelled through the appropriate internal routes.

|  |  |  |  |
| --- | --- | --- | --- |
| KPI/SLA | Service Area | KPI/SLA description | Target |
| 1 | Responsiveness | Supplier to respond to requests for advice through acknowledgment within 24 hours | 98% within deadline |
| 2 | Quality of Advice | Solicitor provides good advice and covers all issues requested appropriately | Advice is technically sound and clearly expressed – Solicitor strikes appropriate balance between covering issues thoroughly and providing unnecessary detail |
| 3 | Client Engagement | Solicitor establishes effective working relationships | Solicitor builds good relationships with internal staff with the Client – Solicitor uses the right channels for decision-making within the organisation |
| 4 | Escalation | Any issues or complaints should be addressed in the first instance to the Partner (and acknowledged within 24 hours) but if not satisfactorily resolved, escalated to the Senior Partner | Issues or complaints are dealt with in a timely and appropriate manner to encourage a quick resolve with necessary Partners involvement  |

##

# Security and Confidentiality Requirements

## Staff allocated to work on the Inquiry will need to be cleared to the Counter-Terrorist Check (CTC) level of the National Security Vetting levels.

# Payment and Invoicing

## Invoices should be issued monthly in arrears.

## Payment can only be made following satisfactory delivery of pre-agreed certified products and deliverables.

## Before payment can be considered, each invoice must include a detailed elemental breakdown of work completed and the associated costs.

## All electronic invoices must be sent, quoting a valid Purchase Order (PO) Number to the following address: REDACTED TEXT under FOIA Section 40, Personal Information

## Paper invoices can be sent to: REDACTED TEXT under FOIA Section 40, Personal Information

## You must be in receipt of a valid PO Number before submitting an invoice. To avoid delay in payment it is important that the invoice is compliant and that it includes a valid PO Number, PO Number item number (if applicable) and the details (name and telephone number) of your Buyer contact (i.e., Contract Manager). Non-compliant invoices will be sent back to you, which may lead to a delay in payment. If you have a query regarding an outstanding payment please contact our Accounts Payable section either by email to: REDACTED TEXT under FOIA Section 40, Personal Information

# Contract Management

## Contract Review meetings shall take place on a quarterly basis.

## Such meetings are likely to take place online, but where physical attendance is required at Contract Review meetings, this shall be at the Supplier’s own expense.

# Location

## The service will be delivered through a combination of online meetings, in-person attendance at the Inquiry’s premises in Central London, and in-person meetings at the Supplier’s premises. As the Inquiry progresses there may also be a requirement to support public hearings held at locations across the UK, including in Wales, Scotland and Northern Ireland.