Request For Information (RFI)

Debt Collection Enforcement Services (DCES)

**Description/Requirement**

The Authority is issuing this RFI to understand the availability, capability, and competitiveness of solutions for the provision of the below indicative requirement. The anticipated contract length is approximately 3 years with a potential option to extend by 1 + 1 year.

**Indicative Requirement**

The Legal Aid Agency (LAA) was created by the Legal Aid, Sentencing and Punishment of Offenders Act 2012, as an Executive Agency of the MoJ, and it runs the legal aid scheme in England and Wales. The LAA ensures that eligible individuals receive the legal advice, assistance and representation they need to deal with a wide range of problems. The LAA works in partnership with solicitors and not for profit organisations to ensure that these services are provided to individuals most in need.

The introduction of Crown Court Means Testing (CCMT) in 2010 underpinned the Government’s commitment to the principle that those who can afford to pay for their defence should do so. It ensures that the best use is made of taxpayers’ money and that limited resources can be utilised where most needed. The scheme ensures that Defendants appearing in Crown Court cases pay contributions from income or capital or both towards their legal representation at an appropriate level to their financial circumstances.

In February 2019, the Ministry of Justice announced the Legal Aid Means Test Review (MTR) – the outcome of which will have a direct impact on any future contract. Further information on the MTR can be seen [here](https://www.gov.uk/government/consultations/legal-aid-means-test-review/legal-aid-means-test-review).

The full current specification is attached to provide a broader understanding and is for information purposes only.

It is important that any potential supplier fully understands how the LAA requirement differs from more typical collection and enforcement requirements, specifically in the following areas:

1. Understanding that there are 2 debt schemes 1) Pre conviction Income Contribution Orders 2) Post conviction Capital Contribution Orders.  See paras 6.6 and 6.72 and 6.73 of schedule 1 (attached). Some LAA defendants will be on both schemes (i.e. they have sufficient income to contribute **and** have capital over £30k ) or they will be only on one scheme i.e. they don’t meet the income threshold but have capital over £30k or they hit the income threshold but don’t have capital over £30k
2. Managing a pre conviction liability and collection schedule that is subject to potential continuous changes in pre conviction financial circumstances, evidence sanctions, hardship reviews, including back dating changes (See para 6.9 to 6.15 of Schedule 1).
3. Undertaking Capital and Equity checks and using this evidence to validate those who have over £30k and issuing Capital Contribution Orders on behalf of Authority (admin) and dealing with queries, reviews and reassessments of same (Paras 6.56 to 6.60 of schedule 1)
4. Post conviction case balancing of final defence costs for those who are convicted and refunding those who have overpaid their Final defence costs and also managing refunds, to include interest calculations for those who are acquitted (See paras 6.34 to 6.53 of schedule 1)
5. Nature of IT data feed that is fed across on a daily overnight run, handling personal details/ processing new & update files to action changes. Requires close alignment with Authority supported by ie Daily query logs to check/verify information or anomalies, approve refunds, clarify unclear data
6. Nature/content of IT data flows. Means test review means that IT development will be ongoing not just at start of contract but will need further adjustment as we roll out further phases of Means Test Review in first 2 years.
7. Financial transactions/remittances and need for an LAA dedicated bank account and to create accounting systems and reports that identify uncrystallised receipts, refunds & remittances and crystallised receipts, refunds and remittances. Section 14 of Schedule 1

**RFI Intended Outcomes**

This RFI aims to achieve the following three (3) outcomes:

1. Align the Authority’s requirement and expectations with Industry’s ability to deliver.

2. Gather feedback on perceived benefits, risks and challenges relating to the procurement

3. Develop a procurement strategy to deliver a replacement DCES contract by October 2023.

**Information Request**

If you would like to participate in this RFI, the Authority anticipates that responses will be no more than 5 pages of A4 and based on the information above, responses will include answers to the following questions:

1. Company name, address, contact details/website and no. of years in the market.

2. Do you have any previous experience in providing similar services? If so, could you please provide details.

3. Are you a supplier on the CCS Debt Resolution Services Framework (DRS – RM6226)? If so, what Lot were you awarded? What do you believe are the main benefits and challenges of using the CCS DRS Framework?

4. What percentage (if any) of work would you look to subcontract?

5. What lessons can you share on recovering aged debt, i.e. Specific analysis on propensity to pay?

6. The Authority is considering a payment by results model, what are your initial thoughts on viability and how it could operate?

7. What timescales will be needed for the IT development, testing and implementation?

8. Will any of the bespoke elements in the bullets above be difficult for your company to accommodate and if so why?

The Authority is seeking responses from companies that can provide information on their capacity and capability in respect of the above information required. If you are unable to answer a question, please respond with ‘N/A’ to signify that it has been reviewed.

By receiving this information, the MOJ is not obligated to enter into contract and future procurement actions will be at MOJ discretion. The Authority will not be liable to reimburse any costs incurred by any parties who respond to this notice. The Authority does not intend to provide any formal debriefs following receipt of responses. Furthermore, a response or non-response to this notice will not preclude involvement in future procurement activities for this requirement.

Please submit responses to the RFI by 8th July to the Authority’s Commercial Officer via e-mail submission to rebecca.hazel@justice.gov.uk