
From: REDACTED
Sent: Wednesday, January 10, 2024 11:14 AM
To: REDACTED
Subject: RE: Calculations of day rates

Good Morning REDACTED

I'm taking our client off copy for this.

Ref point one, this goes back to the discussion with REDACTED that each individual post should be assessed in it's own right and discussed with the hiring manager as to the correct fit. Although OAG are sticking with the pay band structure other hiring managers may not and that is the premise of the new agreement. We want to move away from engaging temps who are newly qualified or with limited experience as this takes time and resource for our managers to train them when they may be with us for a short time, we need our placements to hit the ground running and be able to make a difference in a short space of time, therefore are willing to pay more to attract the right candidate.

On practising certificates, they are not to be included in the rate, the contract is clear in that there will be no additional costs to SG. These are temporary roles. It is a service level that the candidate should have a certificate in place when they start. Should this be an issue for them they may prefer not to apply for a role, it is as much for the candidate to decide how they wish to be paid and what rate they wish to settle for.

Regards
REDACTED

From: REDACTED
Sent: Wednesday, January 10, 2024 10:41 AM
To: REDACTED _____

Cc: [REDACTED](#)
Subject: RE: Calculations of day rates

Hi REDACTED,

We queried this point on our discussion on 23rd November when you advised REDACTED that B3 was more to cover the salary banding for very experienced paralegals and that all Qualified lawyers will be C1.

In relation to the practising certificate – where the hiring manager requests parity arrangement (starting on base C1 level) if the candidate is to assume the costs of the PC then that would take them below parity, if other Permanent Solicitors have this paid for.

On our call on 23rd November you advised that if we were unhappy and had concerns with the procurement process we should contact the Procurement department in relation to those specific concerns. We have since taken legal advice from the procurement lawyers at Burness Paull and they are preparing a letter outlining our position, which will hopefully be finalised soon. We intended to contact you when this was submitted to keep you in the loop, we understand it will be finalised in the next week or so. We are willing and able to continue to work under the framework agreement while these issues are being discussed.

Kind regards,

REDACTED
Operations Manager
Tel: REDACTED

We support agile working, so please don't feel you need to respond to this email outside your working hours.

From: REDACTED
Sent: Tuesday, January 9, 2024 3:14 PM
To: [REDACTED](#)
Cc: [REDACTED](#)
Subject: RE: Calculations of day rates

[EXTERNAL]
Hi REDACTED

Please can I clarify a couple of points – the C1 rate, I don't recall agreeing to this, was your reference to a discussion we had? This would require a contract amendment which I would not agree to.

I have also previously advised that the practising certificate does not get added to the rate unless the candidate is proposing their own rate as part of the new process, they would then be entitled to include whatever costs they wish but that would be their personal business and we would not know that.

You mention you are still in discussion – I thought we had concluded our discussions. If you have taken this up further with the contract management team then I would not expect FWA to be accepting any work until this was concluded?

Regards
REDACTED

From: REDACTED
Sent: Tuesday, January 9, 2024 2:31 PM
To: REDACTED
Cc: REDACTED
Subject: RE: Calculations of day rates

Hi REDACTED,

Happy New Year to you too, I hope you had a lovely time.
 Thanks for getting in touch re the rates / breakdown, we are still in discussions about it, however we are honouring that rate for now.

We discussed the experience levels further and were advised that C1s would be on the same charge rate – for all years of experience – unless the role was sent to us / advertised as a B3 role.

1st January 2024 - £56,020

C1	Rate to candidate	Set Commission / Charge	Charge to HIRER	
56,020	REDACTED	N/A	REDACTED	HOURLY
REDACTED (rolled up)	REDACTED	REDACTED	REDACTED	DAILY

1st April 2024 - £57,141

	Rate to candidate	Set Commission / Charge	Charge to HIRER	
57,141	REDACTED	N/A	REDACTED	HOURLY
REDACTED (rolled up)	REDACTED	REDACTED	REDACTED	DAILY

1st January 2025 - £57,701

	Rate to candidate	Set Commission / Charge	Charge to HIRER	
57,701	REDACTED	N/A	REDACTED	HOURLY
REDACTED (rolled up)	REDACTED	REDACTED	REDACTED	DAILY

The rates above include cost to cover practising certificate / SLCC Levy – Worker to arrange this themselves directly on daily rate set up.

From 1 Jan REDACTED rate will be as below - *REDACTED still to be included in OAG practising certificate renewals*

Jan-24				
C1	Hourly Rate to candidate	Hourly Cost (Inc.Hols & NI)	REDACTED%	Hourly Charge to HIRER
56,020	REDACTED	REDACTED	REDACTED	REDACTED

Kind regards,

REDACTED
 Operations Manager
 Tel: REDACTED

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From: REDACTED
Sent: Monday, January 8, 2024 3:08 PM

To: [REDACTED](#)
Cc: REDACTED
Subject: RE: Calculations of day rates

[EXTERNAL]
Good afternoon and happy new year REDACTED

I was looking for an update on the day rates under the new framework?
I am assuming your discussions with REDACTED have concluded by now.

A reminder that OAG have agreed that all solicitors will be hired at C1 grade, and the if there is a different of commission in the daily rates based on years of experience (under 5 years, and over 5 years) should be applied to the flat daily rate of the candidate.

Hope that all makes sense.

Thank you

REDACTED
Business Manager



Office of the Advocate General | Queen Elizabeth House, EH8 8FT |
Work Mobile: REDACTED | Email: [REDACTED](#)

From: REDACTED
Sent: 09 November 2023 09:15
To: [REDACTED](#)
Cc: [REDACTED](#)
Subject: RE: Calculations of day rates

Hi REDACTED

The below table is based on daily rate (rolled up) and maximum salary on the pricing schedule.

REDACTED request was on different salaries and so the figures will be different each time.

Our fee rate hasn't changed and has always been calculated based on REDACTED%, however our rates will always look different in a breakdown as we won't calculate based on 206.5 or 211.5 days, all of our temps will continue to be paid holiday accrual, not rolled up. Though you are not charged when they take the time off.

Kind regards,

REDACTED
Operations Manager
Tel: REDACTED

We support agile working, so please don't feel you need to respond to this email outside your working hours.



Frasia Wright Associates, The Barn, Stacklawhill, By Stewarton, Ayrshire, KA3 3EJ www.frasiawright.com FWA (Scotland) Ltd. Registration in Scotland No. 260173. VAT Registration No. 659 3821 02

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From: REDACTED
Sent: Thursday, November 9, 2023 8:51 AM
To: [REDACTED](#)
Cc: [REDACTED](#)
Subject: RE: Calculations of day rates

[EXTERNAL]
Good Morning REDACTED

There is not an option to amend this, this was how it was set out in the tender pack and you have subsequently signed the framework agreement which also details the pricing mechanism. We need consistency in working out the day rate and that is how the whole of SG works out day rates for all temps. Every other provider of temporary staff has a set commission daily fee, it is clear in the tender pack that it is fixed therefore the rates in the table below are what we expect to see.

REDACTED

From: REDACTED
Sent: Wednesday, November 8, 2023 9:13 AM
To: REDACTED
Cc: REDACTED
Subject: RE: Calculations of day rates

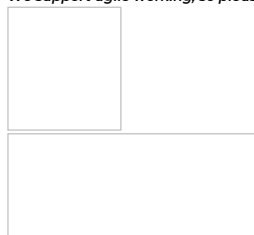
Morning REDACTED,

The difference will be due to not paying rolled up holidays, so we wouldn't divide by 211.5 as that is rolling up. The worker then is paid a lower day rate, as they are paid when they take their holidays, the cost then includes (HOLS PAY % – but the final charge is lower.) I have attached both docs we have on file so that you can see the workings and removed the cost for Pr.Cert, Levy & Disclosure so that you can see the straight comparison based on £56,020
Our price is actually lower - FWA daily charge £REDACTED Vs SG rolled up £REDACTED.
Every bidder is going to have to use a % to work out their pricing.

Kind regards,

REDACTED
Operations Manager
Tel: REDACTED

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From: REDACTED
Sent: Wednesday, November 8, 2023 7:39 AM
To: REDACTED
Cc: REDACTED
Subject: RE: Calculations of day rates

[EXTERNAL]
Good morning REDACTED

There was no option to bid a % in the tender, I received the below from procurement as your tender bid for the day rate which is in £'s. This is also detailed in the framework agreement. I don't know what day rate has been agreed but I'd expect we are in the category of the day rate to be £REDACTED. I also attach a reminder of the parameters of the pricing schedule.

Regards
REDACTED

Year 1					
Role	SG Grade	Day Rate (based on annual maximum salary)	Indicative Days per Annum	Indicative Numbers of Staff per Annum	*Daily Commission Rate £
Paralegal	B1 Equivalent	£152.74	206.5	4	
Lawyer (Experience up to 5 years)	B3 Equivalent	£241.45	206.5	8	
Lawyer (Experience over 5 years)	C1 Equivalent	£316.11	206.5	15	

All commission rates are exclusive of VAT and fixed for the duration of the length of any individual call off contract under the Framework.

The actual daily rates are indicative and will be agreed following review of candidates at call-off for each individual assignment/role.

The scenarios below are only being used for Evaluation Purposes and the indicative numbers used are only estimates as there is no guarantee of any volume of work during the duration of this Framework.

The Indicative Cost per Annum in the below table is calculated using the following : (day rate x indicative days per annum x numbers of staff per annum) + (numbers of staff per annum x commission rate)

* *these figures will be used for Evaluation Purposes

From: REDACTED

Sent: Tuesday, November 7, 2023 4:32 PM
To: REDACTED
Cc: REDACTED _____
Subject: RE: Calculations of day rates

Hi REDACTED,

The pricing schedule did allow for higher and lower rates for experience, but we kept all at a reduced REDACTED% fee as we do now, and no increases in our fees for year 2, 3, 4 etc.

Kind regards,

REDACTED
Operations Manager
Tel: REDACTED

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From: REDACTED
Sent: Tuesday, November 7, 2023 4:26 PM
To: REDACTED
Cc: REDACTED _____
Subject: RE: Calculations of day rates

[EXTERNAL]
REDACTED
Thank you for the tables below.

It was my understanding that under the new framework the costs of the agency were applied on a fixed daily fee arrangement based on the solicitors experience. 0-5 years and 5+ years requiring different costs. Instead of the REDACTED%.

Happy with the REDACTED's costs confirmation.

REDACTED
Business Manager



Office of the Advocate General | Queen Elizabeth House, EH8 8FT |

 Please consider the environment before printing this e-mail

From: REDACTED
Sent: 07 November 2023 16:22
To: REDACTED
Cc: REDACTED _____
Subject: RE: Calculations of day rates

Hi REDACTED,

Please find the breakdown of daily rate below, if you need anything else please just let me know –
Candidate Rate - INCLUDES recoup costs for Practising
Certificate, Levy & Disclosure

1st April 2023 - £54,973

C1	Rate to candidate	Cost (Inc.AL/PH, ERS NI &	REDACTED%	Charge to HIRER
----	-------------------	---------------------------	-----------	-----------------

		Pension)			
£54,973	REDACTED	REDACTED	REDACTED	REDACTED	HOURLY
	REDACTED	REDACTED	REDACTED	REDACTED	DAILY

1st January 2024 - £56,020

C1	Rate to candidate	Cost (Inc.AL/PH, ERS NI & Pension)	REDACTED%	Charge to HIRER	
	REDACTED	REDACTED	REDACTED	REDACTED	HOURLY
	REDACTED	REDACTED	REDACTED	REDACTED	DAILY

1st April 2024 - £57,141

C1	Rate to candidate	Cost (Inc.AL/PH, ERS NI & Pension)	REDACTED%	Charge to HIRER	
	REDACTED	REDACTED	REDACTED	REDACTED	HOURLY
	REDACTED	REDACTED	REDACTED	REDACTED	DAILY

1st January 2025 - £57,701

C1	Rate to candidate	Cost (Inc.AL/PH, ERS NI & Pension)	REDACTED%	Charge to HIRER	
	REDACTED	REDACTED	REDACTED	REDACTED	HOURLY
	REDACTED	REDACTED	REDACTED	REDACTED	DAILY

In January REDACTED rate will be as below – (he will still be included in your Practising certificate renewals) -

Jan-24				
C1	Hourly Rate to candidate	Hourly Cost (Inc.Hols & NI)	REDACTED%	Hourly Charge to HIRER
	56,020	REDACTED	REDACTED	REDACTED

Kind regards,
REDACTED

REDACTED
Operations Manager
Tel: REDACTED

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From: REDACTED
Sent: Friday, November 3, 2023 12:07 PM
To: REDACTED
Cc: REDACTED
Subject: Calculations of day rates

[EXTERNAL]
Good morning REDACTED,

As you know under the new framework we are meant to advertise posts with a day rate included. OAG have opted to offer a set rate based on the C1 pay step 1 of the advertised SG rates.

1st April 2023 - £54,973

1st January 2024 - £56,020

1st April 2024 - £57,141

st

1 January 2025 - £57,701

Could you please provide us with the day rate for each of those steps, in a table format that then includes commission (which I understand is offered on 2 costs depending on years of experience) and please also include the final costs to us in the table. Having those in advance would help speed up any future engagement.

Thank you for those in advance REDACTED.
Have a nice weekend

REDACTED



Office of the Advocate General | Queen Elizabeth House, EH8 8FT |
Work Mobile: REDACTED Email: [REDACTED](#)

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From: REDACTED
Sent: Tuesday, September 12, 2023 11:53 AM
To: REDACTED
Subject: RE: Forms

Hi REDACTED

Thank you for this and your time earlier. Looking through the templates and the letter I am happy with the contents of these and we can obviously monitor and amend any changes that may appear. We will keep you in the loop with how these are used and fingers crossed no one deviates from this!

We'll keep an eye out for any new requirements that come up and get started on those!

Kind regards,
REDACTED
Team Leader
Legal



t: REDACTED
e: REDACTED



How was my service?
Leave me a review:



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From: [REDACTED](#)
> **Sent:** 12 September 2023 11:25
To: REDACTED
Subject: Forms

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Hi REDACTED

Thanks for your time earlier. As discussed, please see attached the forms that we will use as part of the process to engage temporary staff. Hopefully you are familiar with these from the tender pack. The addition of the letter, the last document, is to replace the process of adding the contract details to the purchase order, hopefully it is sensible, please let me know if you think any changes are required.

I have shared these with the other member offices and the inquiries who are able to use our framework so there should be consistency in the way everyone engages with your team, please do let me know if anyone deviates from this.

For info, I've had a few queries from the covid inquiry and also the hospital's inquiry so it may be you see some requirements coming through from them soon.

Kind
REDACTED

regards

REDACTED | Outsourcing Manager | Scottish Government Legal Directorate | Victoria Quay, Edinburgh & Working remotely | Mobile: REDACTED

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From: REDACTED
Sent: Thursday, November 23, 2023 3:49 PM
To: REDACTED
Subject: RE: Form B

Hi REDACTED

Yes that would work thanks. As you use the umbrella company it is probably not an issue anyway, we touched on it earlier, so the NI, holiday pay etc is all in the day rate and your commission fee is the only other cost?

Kind regards
REDACTED

From: REDACTED
Sent: Thursday, November 23, 2023 1:48 PM
To: REDACTED
Subject: RE: Form B

Afternoon REDACTED,

No don't worry honestly feel free to email or call anytime.

We can look into it if you feel that it is causing more questions or things arising and making it difficult. We can discuss it next week if that's ok? I don't think there will be another order until our call on Tuesday? If there is I will use the old form for now.

Then we can discuss exactly what is needed in the form all together.

Kind Regards,

REDACTED



t: REDACTED
e: REDACTED



How was my service?
Leave me a review:



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From: REDACTED

Sent: 23 November 2023 13:27

To: REDACTED

Subject: Form B

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Hi REDACTED

Sorry to bother you again. I'm going through all the paperwork from the tender and the forms for candidates. Do you think it's more confusing now we've added the other box in for employment costs? Was it better before and more sensible before? I'm starting to think that was possibly a wee error adding that in and it has made things worse!

Kind regards
REDACTED

REDACTED | Outsourcing Manager | Scottish Government Legal Directorate | Victoria Quay, Edinburgh & Working remotely | Mobile: REDACTED

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From: REDACTED

Sent: Tuesday, November 7, 2023 11:44 AM

To: REDACTED

Subject: Updated Forms

Hi

Please see attached forms, slightly updated following learnings from using the new process, as I know you can't get into erdm links.

Kind regards
REDACTED

**REDACTED | Outsourcing Manager | Scottish Government Legal Directorate | Victoria Quay,
Edinburgh & Working remotely | Mobile: REDACTED**

LAW

Legal
Awareness
Week

6 to 10 November 2023