

Research Specification: 2015 Analysis of the Small Business Legal Needs Survey

Purpose

The Legal Services Board (LSB) is seeking to update the 2013 survey of the legal needs of small businesses. The purpose of this research is to undertake analysis of and produce a report on the findings of a questionnaire of small businesses experience of legal issues. This should include robust comparisons with the 2013 work to assess levels of change since 2012. This research tender is for the analysis of and reporting on the survey data. There is a separate research tender for the survey work.

Background

The LSB has been set up to reform and modernise the legal services market in the interests of consumers, enhancing quality, ensuring value for money and improving access to justice across England and Wales. The LSB seeks to achieve this through pursuing its regulatory objectives¹ and providing regulatory oversight for the nine approved frontline regulators². All approved regulators share these regulatory objectives. The LSB undertakes annual assessments to evaluate whether these regulatory objectives are being delivered, and more specifically whether the outcomes associated with these regulatory objectives can be seen. Understanding whether access to particular services from legal providers changes, and if so how it changes, is an important part of the LSB's overall evaluation strategy.

The Legal Services Act 2007 introduced major changes to regulatory structures for legal services in England and Wales.³ In summary these reforms have delivered:

- a clear separation between the representation of providers interests and the regulation of providers (set up from 2007 onwards),
- an independent complaints resolution process in the form of the Legal Ombudsman (established 2009) and a formal signposting process (2010 onwards),
- new regulations to allow non-lawyer ownership of firms providing reserved legal services (2011 onwards).

Surveys of legal needs track how an individual or business responds when faced with a problem that can be resolved using legal processes. Figure 1 below shows the breakdown of what small businesses do when faced with a legal problem using the benchmarking survey of small business legal needs in England and Wales.⁴ This covers small businesses who had a legal need over the preceding twelve

¹ http://www.opsi.gov.uk/acts/acts2007/ukpga_20070029_en_2#pt1

² The Law Society, General Council of the Bar, Council for Licensed Conveyancers, The Institute of Legal Executives, The Chartered Institute of Patent Attorneys, The Institute of Trade Mark Attorneys, Association of Law Costs Draftsmen, Master of the Faculties, Association of Certified and Chartered Accountants, Institute of Chartered Accountants of Scotland.

³ For more information see the LSB website -

http://www.legalservicesboard.org.uk/about_us/history_reforms/index.htm

⁴ See In Need of Advice? Findings of a Small Business Legal Needs Benchmarking Survey

<https://research.legalservicesboard.org.uk/wp-content/media/In-Need-of-Advice-report.pdf>

months⁵ in one or more of nine different types of legal problem. Rates of incidence vary substantially by sector as shown in Figure 2 below.

Figure 1. Small Businesses responses to any type of legal need

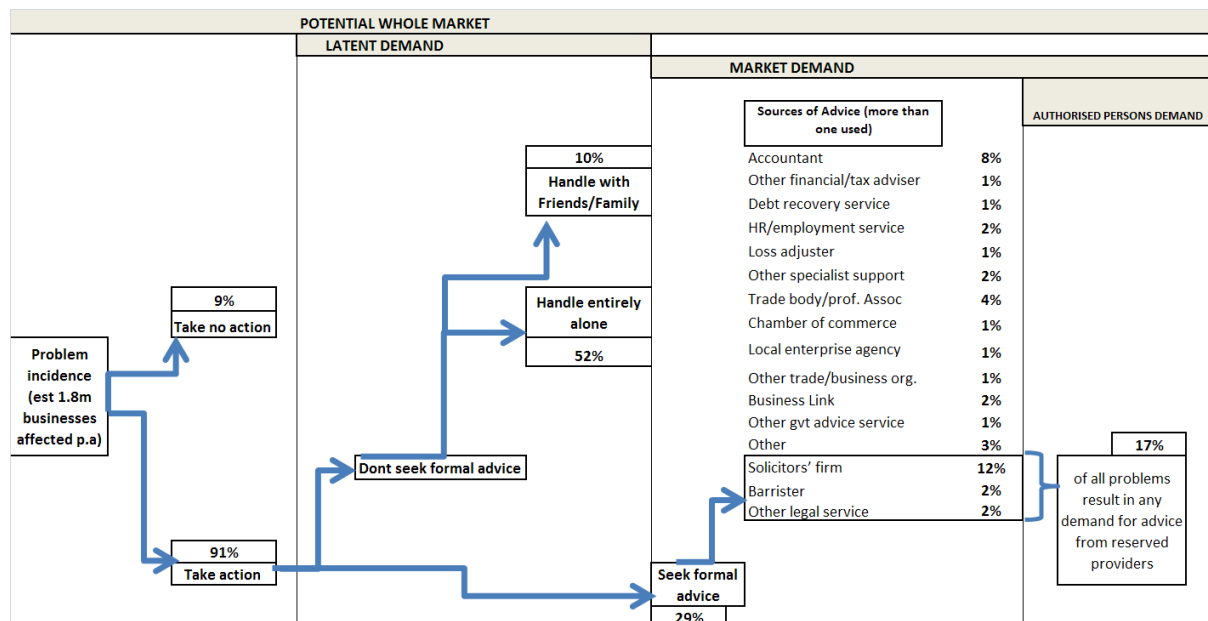
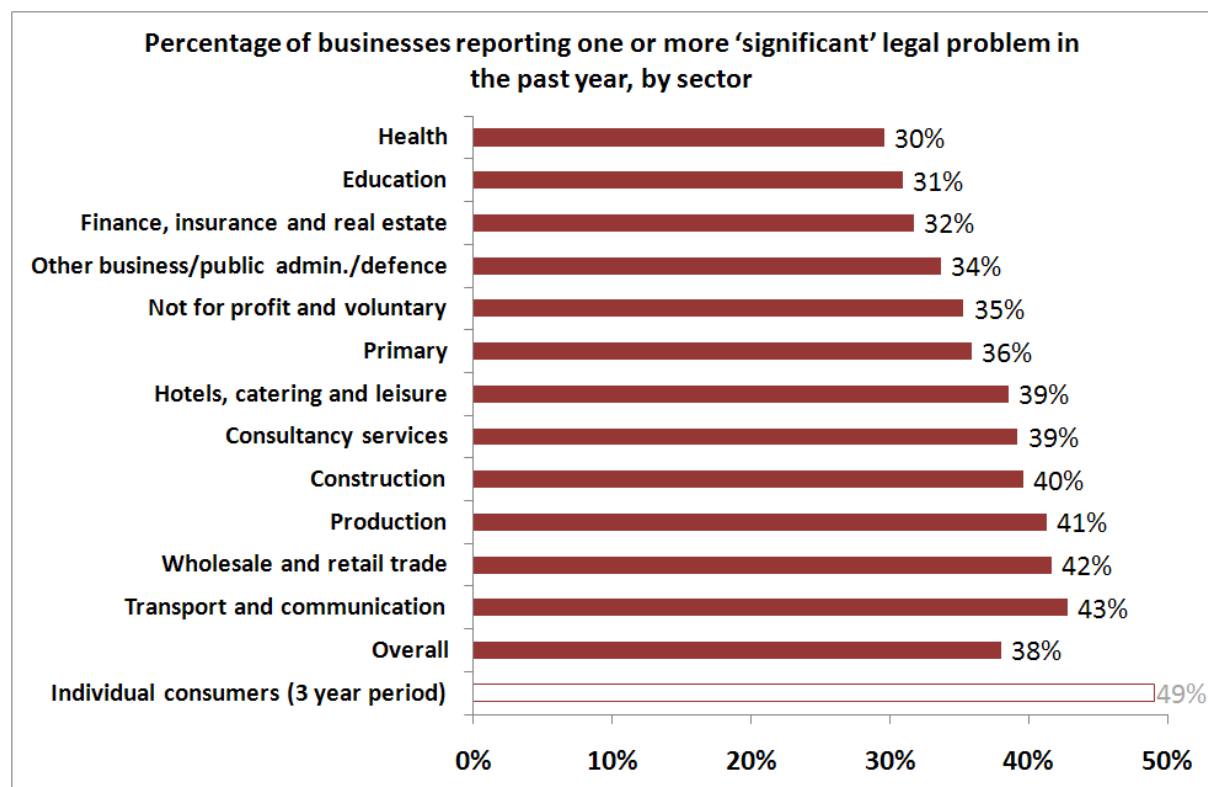


Figure 2. Legal need incidence by business sector



⁵ More details and the published data set can be found here - <https://research.legalservicesboard.org.uk/news/data-sources/>

This project will help the LSB to monitor changes in the market that have arisen as a result of changes to regulation. Therefore a key part of the project for the LSB will be ensuring sufficient consistency with the 2013 benchmarking survey⁶ to enable reliable and accurate assessments of change – or lack of change - over time, and the potential reasons for this.

From a consumer perspective many of these changes in the legal services market will not be immediately obvious, as most consumers are unlikely to be regular users of legal services, nor will they have general interest in legal services regulation or funding. The LSB has conducted research to look at changes in the supply of legal services.⁷ This approach has been taken on the basis that suppliers will respond more quickly to the reforms than consumers, meaning these impacts will be able to be observed more quickly. However, the reforms will have some impact on the way that consumers respond to legal problems, and how they choose and use legal services, over time. This project seeks to capture these impacts alongside other drivers of change such as technology, or changes in the underlying pattern of legal needs for small businesses.

At this stage, it is envisaged that the survey will be repeated every two to three years, but as a standalone survey on each occasion rather than a longitudinal survey.

Aims and Objectives

This research should rerun the 2013 survey of small businesses – those with less than 50 employees. The research should analyse and report on a dataset that is representative of the English and Welsh population of these businesses, across all business sectors, with a minimum sample size of 10,000 respondents. The research should definitively answer what changes there have been in the way small businesses respond to legal needs since 2013, and seek to analyse what has driven those changes.

Issues and scope

The survey will be carried out online by a survey company, who will provide a full SPSS data set labelled and formatted to support ease of analysis. Working with a survey company (who we will be appointing in a separate tender process) and the LSB, the researchers would be expected to advise with regard to any problems that may arise in relation to sampling and representativeness.

This research will conduct an analysis of the SPSS data file containing the anonymised results of a representative survey of small businesses. Specifically this analysis should provide:

- A general description of respondent characteristics, compared to the findings of the 2013 benchmarking report.
- A general description of the incidence of legal problems amongst respondents, looking at different problem types and business characteristics, compared to the findings of the 2013 benchmarking report.
- Analysis of the use of different support services, by respondent characteristics, and levels of legal capability, the 2013 benchmarking report.

⁶ See In Need of Advice? Findings of a Small Business Legal Needs Benchmarking Survey
<https://research.legalservicesboard.org.uk/wp-content/media/In-Need-of-Advice-report.pdf>

⁷ See Evaluation: Changes in competition in different legal markets, LSB, 2013
<https://research.legalservicesboard.org.uk/wp-content/media/Changes-in-competition-in-market-segments-REPORT.pdf>

- Analysis of different responses to these legal problems by respondent characteristics, and attitudes
- Analysis of how the pattern of response to legal problems has changed, how change varies by businesses sector and size of business (sole trader, micro, and small businesses), and what the scale of the change has been, and what has driven that change.

A copy of the 2013 survey is included in Annex A. Our expectation is that the analysts will need to devise a small number of additional survey questions to capture any changes in how small businesses respond to legal problems. Beyond changes in response patterns, this might include capturing additional information on the type of provider used, how providers were found, and payment arrangements for example. The researchers will be expected to work with the survey company and the LSB to develop these additional questions required to meet this objective.

Tender Evaluation Criteria

All projects commissioned by the LSB are subject to our standard terms of contract. Tenders will be evaluated on best value for money and will be assessed on the basis of:

1. Overall cost. Please include appropriate breakdowns.
2. The extent to which tenders are clearly written and meet the specified objectives, present a sound methodology, ensure robust comparability with the 2013 survey, identifying any potential problems, and proposing suitable solutions.
3. Address outputs and ensure these are in line with requirements and the required timing of the project.
4. Proposed team composition, expertise and management and the organisation's diversity policy.
5. How diversity issues would be addressed in the research activity.

Deliverables

Output

The final output will be a factual report setting out the key survey findings, and analysis of changes against each problem type, business sector, and other factors. A summary set of data tables should be produced in Excel as well as a full data set in SPSS. This should be clearly labelled so as to allow others to undertake further analysis in due course.

Full survey data will be shared by the survey company in mid March.

The LSB will retain ownership of the report and underlying data which will be delivered in a publishable format. The report should be completed by May 2015. The successful bidder should be prepared to write and deliver a presentation at a research launch event.

Project plan

Tenders should include a project plan and time schedule for the work that identifies the main tasks and key milestones that will be used to monitor progress. The plan should be accompanied by a resource profile, giving a breakdown of the resources in person days allocated to each task. We would

also expect the tenders to include a clear analysis of the potential risks and how they propose to mitigate them during the project.

Duration

The research should commence in January 2015. Tenders should set out dates for completing key milestones. Data will be made available to the researchers by mid-March 2015. A draft report should be made available for comment in May 2015, and the final report should be completed by June 2015.

Legal Services Board Contact Details

Tenders with any queries about the research specification should contact:

Rob Cross 020 7271 0091 or Chris Handford 020 7271 0074

Tenders must be submitted by 5pm on Tuesday 16 December 2014

This annex is taken from the appendices to the 2013 report *In Need of Advice? Findings of a Small Business Legal Needs Survey, Pleasence & Balmer*. It shows the questionnaire used in the survey.

Appendix 2: The Questionnaire

Introduction

Thank you for agreeing to participate in this survey. It has been commissioned by the Legal Services Board – the independent body responsible for the regulation of lawyers in England and Wales – to investigate use of the broad range of professional services that assist businesses deal with everyday problems concerning finance, sales/purchasing, staff, business premises, regulation, etc. The survey will help inform future change in the professional services market, aimed at promoting access to services and more competitive services. If the business you work for is part of a group of businesses, or you work with more than one business, please provide answers only in relation to one business, which should be the business that you have the most involvement with and knowledge of. All survey responses are confidential, and will be used for research purposes only.

BUSINESS CHARACTERISTICS

1. Which one of the following BEST applies to you?

1. I'm employed by an organisation
2. I'm self-employed
3. I am not working

[IF Q1 = 3 THANK AND END]

2. What level of management responsibility do you hold in your current position?

1. Owner/ Proprietor
2. Partner
3. Chairman
4. Chief Executive
5. Managing Director
6. Non-Executive Director
7. Other board-level manager/ director
8. Other senior manager or director below board level
9. Middle manager
10. Junior manager/ team leader/ supervisor

11. Executive/ clerical/ other worker with no managerial responsibilities
12. Other
13. None of these

[IF Q2 = 9,10,11,12,13 THANK AND END]

3. How many people work within the business, including yourself?

NUMERIC

[IF Q3 > 49 THANK AND END]

4. Are you the most senior person in day-to-day control of your business?

1. Yes
2. No

5. [If Q4=2]

Do you have a good knowledge of the day-to-day operations of your business across all areas of its activity?

1. Yes
2. No

[IF Q5=2 THANK AND END]

6. Is your business a company, a partnership or are you a sole proprietor (also known as a sole trader)?

1. Sole trader
2. Private limited company (Ltd)
3. Public limited company (PLC)
4. Limited partnership (LLP)
5. Partnership
6. Other (specify)

7. How many years has the business been trading?

YEARS/MONTHS

8. And in which specific sector does your business or organisation primarily operate?

Manufacturing and production

- 1 Agriculture, forestry and fishing
- 2 Manufacturing
- 3 Construction
- 4 Mining and extraction
- 5 Energy and water supply

Education

- 6 Primary and secondary schools
- 7 Further and higher education

Healthcare

- 8 NHS
- 9 Other private healthcare

Voluntary/ NFP

- 10 Voluntary and not-for-profit sectors

Private sector services

- 11 Hotels, catering and leisure
- 12 IT industry
- 13 Transport and communications (including media)
- 14 Consultancy services
- 15 Finance, insurance and real estate

16 Wholesale and retail trade

17 Other business services

Public administration and defence

18 Public administration – central government

19 Public administration – local government, including fire services

20 Armed forces

21 Quango

9. [If Q3> 1]

Are you or is anybody else within your business a qualified lawyer?

1. Yes

2. No

9b [If Q3=1]

Are you a qualified lawyer or have you had training in handling legal issues?

1. Yes

2. No

10 [If Q9 = 1 or Q9b =1]

What areas of legal specialism do you have within the business?

1. Contract

2. Tax

3. Crime
4. Employment
5. Personal injury
6. Property
7. Intellectual property
8. Regulation/competition
9. Business ownership
10. Other (specify)

USE OF BUSINESS SUPPORT SERVICES

11/12 Which of these independent professional services has your business made use of in the _last 12 months_? Please exclude any services that you deliver as part of your business. Please say if these services have been provided formally or informally. By formal we mean a paid for service and by informal we mean advice or a service delivered by friends or family, for example.

[Two columns of tick boxes, one formally (Q11), one for informally (Q12)]

1. Accountant
2. Tax adviser
3. Financial adviser

4. Solicitors' firm
5. Barrister
6. Licensed conveyance
7. Patent/trademark attorney/agent
8. A legal helpline
9. Another legal service (specify)

10. Citizens Advice Bureau or similar independent advice agency

11. Debt collection/recovery service
12. HR/Employment service (includes outsourcing)
13. Other business support service (specify)

14. None of the Above

13 [ALL]

Do you have an on-going contract with any organisation to provide such legal services – in general, or of a particular type - as your business requires?

1. Yes
2. No

14 [If (Q11=12 or Q12 = 12) and Q3 > 1]

Do you have on-going contract with an HR/Employment service?

1. Yes
2. No

15 [For each service identified where Q11=4-9]

In which areas did a service you have mentioned help your business in the past 12 months?

[Matrix of tick boxes with columns for each Q11 (4-9) item]

1. Trading (including commercial contracts)
2. Tax
3. Crime
4. Employment (excluding work related injury/illness)
5. Work related injury/illness
6. Business premises
7. Finance/insurance

8. Debt
9. Intellectual property
10. Government regulation/competition
11. Environmental/nuisance
12. Business set-up/legal-status/ownership
13. Other (specify)

16 [For each service identified where Q11=4-9]

How was this service MAINLY delivered to your business? [insert indicated Q11 item **4,5,6,7 or 9**]

1. In-person meetings
2. Telephone conversations
3. Correspondence by post
4. Through someone else
5. Texting
6. Email
7. Internet (excluding email)

17 [ALL]

How important are legal services to the running of your business?

1. Very Important
2. Important
3. Moderately Important
4. Of Little Importance
5. Unimportant

18 [ALL]

Thinking of accessing any type of services for your business, including use of any services you have already mentioned, did your business use the Internet to do any of the following things in the past 12 months?

1. Download a contract/terms and conditions template
2. Download another type of legal document template
3. Obtain information about the law/regulations
4. Obtain information about ways to resolve disputes
5. Obtain tailored advice about a legal issue
6. Obtain tailored advice about a legal issue
7. Start an online dispute resolution (e.g. eBay dispute resolution)

19 [Q9 = 1 or Q9b = 1]

If your business encounters a legal issue as part of the business's normal activities (for example, around employee rights) which of the following is most likely to happen first?

1. Talk to lawyer in the business (if Q3 > 1)
2. Talk to another colleague in the business (if Q3 > 1)
3. Talk to a lawyer outside the business
4. Talk to someone else outside the business
5. Look for information/resources on the Internet

PROBLEM EXPERIENCE

The following questions are about different types of problems that your business might have faced over the past 12 months.

A problem is an issue that diverted or distracted you or anybody else within your business, in a significant way, from everyday work activities or responsibilities.

We are only interested in problems that started within the last 12 months, or problems that started longer than 12 months ago, but are still on-going. Please do not include problems which ended longer than 12 months ago.

Also, please only include problems faced by the business, not problems that you may have faced in your personal capacity.

20a. In the last 12 months, has your business faced any significant problems concerning the following? Please indicate all that apply.

GOODS OR SERVICES PROVIDED TO YOUR CUSTOMERS

- 1 Not as described /not of satisfactory quality/fit for purpose

- 2 Unacceptably late delivery
- 3 Unacceptably late or non-/partial-payment
- 4 Distance selling consumer rights (e.g. Internet, telephone, mail order)
- 5 Other contract problems or disputes

GOODS OR SERVICES PURCHASED BY YOUR BUSINESS

- 6 Not as described /not of satisfactory quality/fit for purpose
- 7 Unacceptably late delivery
- 8 Unacceptably late or non-/partial-payment
- 9 Other contract problems or disputes
- 10 Supplier insolvent

FRAUDULENT/WRONGFUL TRADING

- 11 Fraudulent or wrongful trading (concerning insolvency)

PUBLIC TENDER

- 12 Unfair operation of a public tender

INTERNATIONAL TRADING

- 13 Legal/regulatory issues relating to international trading

20b. And how many individual significant problems of these types has your business experienced in the past year?

NUMERIC FOR EACH OPTION IDENTIFIED

21a. In the last 12 months has your business faced any significant problems concerning the following? Please indicate all that apply.

- 1 Liability for tax / amount of tax owed
- 2 Errors in your business tax return
- 3 Failure to maintain appropriate records (for tax purposes)
- 4 Failure to register/report changes when required (e.g. VAT registration, registration as a sole trader)
- 5 International taxation

21b. And how many individual significant problems of these types has your business experienced in the past year?

NUMERIC FOR EACH OPTION IDENTIFIED

22a. In the last 12 months has your business faced any significant problems concerning the following? Please indicate all that apply.

1. Staff misconduct (including unauthorised absence and disciplinary procedures)
2. Dismissal (or threat of dismissal) of staff
3. Making staff redundant
4. Content or exercise of parental rights (including maternity) leave/pay or flexible working requests
5. Payment of wages/pension
6. Working conditions
7. Employee injury at work
8. Other employment contract issues (including changes to contract terms)
9. Adjustments to jobs/workplace for disabled workers
10. Complaints/grievances made by employees/job applicants (including allegations of discrimination and harassment)
11. Employment of non-EU nationals

22b. And how many individual significant problems of these types has your business experienced in the past year?

NUMERIC FOR EACH OPTION IDENTIFIED

23a. In the last 12 months has your business faced any significant problems concerning the following? Please indicate all that apply.

RENTED/LEASED BUSINESS PREMISES

1. Rent arrears
2. Eviction/threat of eviction
3. Repairs/maintenance or provision of services by landlord
4. Terms of rental agreement/lease
5. Boundaries/rights of way
6. Recovery of rental deposit

OWNED BUSINESS PREMISES

7. Mortgage arrears
8. Repossession/threat of repossession
9. Repairs/maintenance of communal areas
10. Boundaries/rights of way
11. Planning permission
12. Conveyancing
13. Squatters

23b. And how many individual significant problems of these types has your business experienced in the past year?

NUMERIC FOR EACH OPTION IDENTIFIED

24a. Since (12 months), has your business owed money to any creditors that it has been unable to pay?

1. Yes
2. No
3. Don't know

24b. At any stage in the last 12 months has your business been officially declared insolvent?

1. Yes
2. No

24c. In the last 12 months has your business been threatened with or subject to any of the following?

1. Bankruptcy
2. Receivership
3. Administration
4. Winding up order
5. Individual voluntary arrangement Show if a4==1
6. Company voluntary arrangement Show if a4 in [2,3]
7. Debt relief order
8. Partnership voluntary agreements Show if a4 in [4,5]

25a. In the last 12 months has your business faced any significant problems concerning the following? Please indicate all that apply.

INFRINGEMENT OF YOUR BUSINESS' INTELLECTUAL PROPERTY

1. Trademarks (e.g. brand name, business name, logo, slogan)
2. Copyright (e.g. text, software, sound recording, drawings)
3. Design right/registered design

4. Database rights
5. Patents
6. Disclosure of trade secrets

INFRINGEMENT OF INTELLECTUAL PROPERTY BY YOUR BUSINESS

7. Trademarks (e.g. brand name, business name, logo, slogan)
8. Copyright (e.g. text, software, sound recording, drawings)
9. Design right/registered design
10. Database rights
11. Patents
12. Unlawful obtaining of trade secrets

25b. And how many individual significant problems of these types has your business experienced in the past year?

NUMERIC FOR EACH OPTION IDENTIFIED

26a. In the last 12 months has your business faced any significant problems concerning the following? Please indicate all that apply.

1. Mandatory licenses/permits/accreditation
2. Product safety
3. Other health and safety
4. Data protection
5. Import/export regulation
6. Mandatory insurance
7. Filing/content of annual company accounts
8. Need for/outcome of audit
9. Other government regulation

10. Advertising standards

26b. And how many individual significant problems of these types has your business experienced in the past year?

NUMERIC FOR EACH OPTION IDENTIFIED

27a. In the last 12 months has your business faced any significant problems concerning the following? Please indicate all that apply.

1. Technicalities of business start up
2. Change of legal status
3. Break-up of partnership
4. Partnership/shareholder disputes
5. Merger
6. Take-over of another business
7. Sale of business (in part/whole)
8. Joint venture

27b. And how many individual significant problems of these types has your business experienced in the past year?

NUMERIC FOR EACH OPTION IDENTIFIED

28a. In the last 12 months has your business faced any significant problems concerning the following? Please indicate all that apply.

1. Defamation
2. Incorrect information held by a credit reporting agency leading to the refusal of credit
3. Mismanagement of business money/investments by financial service

28b. And how many individual significant problems of these types has your business experienced in the past year?

NUMERIC FOR EACH OPTION IDENTIFIED

29. SINGLE THEME RANDOMLY SELECTED FROM THOSE WITH 1+ SUBCATEGORY AT Q20a – Q28a

Which of the following best describes the most recent issue that your business faced?

ALL Q20a-Q28a SUBCATEGORIES IDENTIFIED BY RESPONDENTS SHOWN FOR THE SELECTED THEME ONLY

30. For the following questions please think of the issue that affected your business most recently. You told us that this was (INSERT ISSUE FROM Q29)

And again thinking of this problem would you say this problem is now over or still on-going?

1. Now over
2. Most likely now over
3. Too early to say
4. On-going
5. Don't know

31. Who is/was the problem with? (i.e. Who was the other side?)

1. Individual members of the public
2. Other businesses
3. Government
4. Employees
5. Other (Specify)

32. Thinking about the time when this particular problem first started, would you say (please select all that apply):

1. The other side had done something wrong, or were at fault
2. The other side thought your business had done something wrong, or were at fault
3. Neither
4. Don't know

33. Which, if any, of these descriptions best indicates the character of the problem? Please select all that apply (RANDOMISED).

1. Bad luck
2. Moral
3. Private business matter (i.e. not something to involve others with)
4. Criminal
5. Legal
6. Bureaucratic
7. Social
8. None of the above (NOT RANDOMISED)

34. Looking at this scale – where the top of the bar represents the most serious type of problem your business could possibly face, and the bottom of the bar represents the least serious – please mark on the scale where you would place (INSERT PROBLEM IDENTIFIED AT Q29).

SCALE PRESENTED TO RESPONDENTS FROM 0 – 600, INCLUDING TWO DESCRIPTORS.

A problem that threatened the existence of the company (e.g. a strike by employees) AND

A problem that had only a small impact on the company (e.g. a non-critical late delivery by a supplier)

35. Which of these descriptions best indicate how your business went about sorting out the problem?

1. No action
2. Entirely on its own
3. With help from outside business friends/colleagues
4. With help from an independent adviser/representative/support service
5. Outside business friends/colleagues sorted out the problem (or are sorting it out)
6. An independent adviser/representative/support service sorted out the problem (or are sorting it out)

36. [Q35 = 3,4,5,6]

You said that you had help from business friends/colleagues and/or the help of an adviser/representative/support service. Was the help that you got from any of the following?

1. Solicitor's firm
2. Independent barrister
3. Other organisation offering legal advice (including legal helplines) (Specify)
4. Accountant
5. Other financial/tax adviser (Specify)
6. Debt collection/recovery service
7. HR/Employment service
8. (Insurance) Loss adjuster
9. Other specialist support service (Specify)
10. Trade body/professional association
11. Chamber of Commerce
12. Local enterprise agency

13. Other trade/business organisation (Specify)
14. Business Link
15. Other government advice service (Specify)
16. other independent source of help (Specify)

36b. [If >1 advisers identified at Q36]

Please order the suppliers in the order that your business contacted them. (RESPONDENTS PRESENTED WITH ADVISERS IDENTIFIED AT Q36)

37. [If >0 advisers identified at Q36b]

You said that you used (INSERT MOST RECENT ADVISER FROM Q36b), when your business got this help, how was the service mainly delivered?

1. In-person meetings
2. Telephone conversations
3. Correspondence by post
4. Through someone else
5. Texting
6. Email
7. Internet (excluding email)

38. And did your business contact any of the following and to try to get help but found they weren't able to help you? Please select all that apply.

LEGAL

1. Solicitor's firm
2. Independent barrister
3. Other organisation offering legal advice (including legal helplines)

FINANCIAL/TAX RELATED

4. Accountant
5. Other financial/tax adviser

SPECIALIST SUPPORT

6. Debt collection/recovery service
7. HR/Employment service
8. (Insurance) Loss adjuster
9. Other specialist support service

A TRADE/BUSINESS ORGANISATION

10. Trade body/professional association
11. Chamber of Commerce
12. Local enterprise agency
13. Other trade/business organisation

GOVERNMENT PROVIDED HELP

14. Business Link
15. Other government advice service
16. Other independent source of help (Specify)

39. Did your business use the internet or any leaflet, booklet or book to help sort out the problem?

1. Yes, the Internet to obtain contact details
2. Yes, the Internet for information on my business's legal position
3. Yes, the Internet for information on what I should do

4. Yes, leaflet, booklet or book

40. And did any of the following things happen as part of the problem or sorting the problem out?

1. Your business was contacted by a lawyer or formal agent (e.g. debt collection agency) of the other side
2. Conciliation, mediation or arbitration took place
3. A regulator or ombudsman became involved
4. The police became involved
5. A formal appeals service became involved
6. Tribunal proceedings commenced/a tribunal became involved
7. Legal proceedings commenced/a court became involved
8. There was a tribunal hearing
9. There was a court hearing
10. Online dispute resolution e.g. Ebay or something similar

41. [Q40 = 9]

And did a lawyer appear on behalf of your business at any court hearing?

1. Yes
2. No

42. [Q30 = 1,2]

You said earlier that the problem is (over/most likely now over – from Q30). Which of these descriptions best describes how the problem concluded?

- 1 Decision of a court/tribunal
- 2 Decision of a formal appeals service

- 3 Decision/action of an independent third party (e.g. the police, a regulator)
- 4 Agreement reached through conciliation, mediation or arbitration sessions, hosted by an independent person/organisation
- 5 Agreement reached through somebody who was acting for your business (e.g. solicitor or accountant)
- 6 Agreement reached directly between your business and the other side
- 7 The other side acted independently to sort out problem
- 8 Your business acted independently of the other side to sort out problem
- 9 The problem sorted itself out without your business or the other side doing anything
- 10 Your business is just putting up with the problem.
- 11 Online dispute resolution e.g. Ebay or something similar

43. And, to what extent would you say the disagreement concluded in your business's favour?

1. Completely in your favour
2. Mostly in your favour
3. Mostly not in your favour
4. Not at all in your favour
5. Don't know

44. Did your business experience any of the following as a result of this problem? (randomised order)

1. Loss of customer/contract
2. Loss of income
3. Additional costs (e.g. increased insurance costs)
4. Inability to take on new work
5. Inability to complete scheduled work

6. Damage to property
7. Damage to reputation
8. Damage to relationship with another business
9. Loss of employees (other than through dismissal/redundancy)
10. Had to cease trading
11. Change in ownership/structure of the business

45. [If any response at Q44]

What would you estimate the monetary value of any negative consequences of the problem to be? If you cannot put it in monetary terms, please say don't know.

POUNDS STERLING

46. Did you _personally_ or anybody else within your business experience any of the following as part of, or as a result of, this problem?

1. Stress related illness
2. Other mental health issue
3. Physical ill health
4. None of the above

**47. And lastly on the subject of this problem, could you tell me when did the problem start_?
Please give your best estimate.**

MONTH/YEAR

48. And when did it conclude_?

MONTH/YEAR

COMPOSITE PROBLEM QUESTIONS

49. [If problems identified at Q20a – Q28a]

Thinking of the other times you experienced problems with (INSERT EACH PROBLEM THEME), on how many occasions did your company go about sorting out individual problems in each of these ways?

NUMERIC FOR EACH STRATEGY

1. Did nothing
2. Entirely on its own
3. With help from only outside business friends/colleagues
4. With help from an independent adviser/representative/support service

50. [Q49 option 4 > 0]

And on those occasions when your business obtained help from an adviser/representative/support service, what types of service were used?

LEGAL

1. Solicitor's firm
2. Independent barrister
3. Other organisation offering legal advice (including legal helplines)

FINANCIAL/TAX RELATED

4. Accountant
5. Other financial/tax adviser

SPECIALIST SUPPORT

6. Debt collection/recovery service
7. HR/Employment service
8. (Insurance) Loss adjuster

9. Other specialist support service

A TRADE/BUSINESS ORGANISATION

10. Trade body/professional association
11. Chamber of Commerce
12. Local enterprise agency
13. Other trade/business organisation

GOVERNMENT PROVIDED HELP

14. Business Link
15. Other government advice service
16. Other independent source of help

ADDITIONAL CHARACTERISTICS

- 51.** Is your business a family owned business (i.e. majority owned by members of the same family)?

1. Yes
2. No

- 52.** [If Q3 > 1]

In total, how many people are there involved in running the business e.g. the senior management team?

NUMERIC

- 53.** What do you expect your business's turnover to be in its current financial year?

1. First year of trading

2. Less than £50k
3. £50-100k
4. £100-250k
5. £250-500k
6. £500-£1 million
7. £1-£5 million
8. £5-£10 million
9. £10-£50 million
10. £50-£100 million
11. £100-£500 million
12. £500 million or more
13. Don't know

54. Do you expect the business will make a profit in its current financial year?

1. Yes
2. No
3. Not sure

55. Thinking about your business's clients, how would you describe them? Please select all that apply.

1. Individual members of the public
2. Other businesses
3. Government
4. Charities
5. Other (specify)

56. How many customers do you expect your business to have in the current financial year?

NUMERIC

57. How many suppliers do you expect your business to have in the current financial year?

NUMERIC

58. Which of the following best describes your employment status?

1. Employed full time (30 or more hours per week) including temporarily off work
2. Employed part time (8 to 29 hours per week) including temporarily off work
3. Employed part time (less than 8 hours a week) including temporarily off work

59. To which of these ethnic groups do you consider you belong?

1. White British
2. Any other white background
3. White and Black Caribbean
4. White and Black African
5. White and Asian
6. Any other mixed background
7. Indian
8. Pakistani
9. Bangladeshi
10. Any other Asian background
11. Black Caribbean

12. Black African
13. Any other black background
14. Chinese
15. Other ethnic group
16. Prefer not to say

60. [If Q52 > 1]

Previously you mentioned that you have (Insert figure from Q52) people involved in running your organisation, how many of those people involved in running the business (i.e. the senior management team) are from a Black and Minority Ethnic group?

NUMERIC

61. Do you have any long-standing illness, disability or infirmity? By long-standing we mean anything that has troubled you over a period of time or that is likely to affect you over a period of time?

1. Yes, limited a lot
2. Yes, limited a little
3. No

62. [If Q52 > 1]

Previously you mentioned that you have (Insert figure from Q52) people involved in running your organisation, how many of those people involved in running the business (i.e. the senior management team), if any, have a long-standing illness, disability or infirmity?

NUMERIC

ATTITUDES TO LAW AND BUSINESS

63a. Could you indicate the extent to which you agree or disagree with the following statements?

You can't get ahead in business without taking risks.

1. Agree strongly
2. Agree
3. Neither agree nor disagree
4. Disagree
5. Disagree strongly
6. Don't know

63b. Sometimes, product or service quality is more important than profit margin.

1. Agree strongly
2. Agree
3. Neither agree nor disagree
4. Disagree
5. Disagree strongly
6. Don't know

63c. Being competitive involves taking shortcuts

1. Agree strongly
2. Agree
3. Neither agree nor disagree
4. Disagree
5. Disagree strongly

6. Don't know

63d. Law and regulation provide a fair environment for business to succeed.

1. Agree strongly

2. Agree

3. Neither agree nor disagree

4. Disagree

5. Disagree strongly

6. Don't know

63e. It is more important to comply with the spirit than the letter of the law

1. Agree strongly

2. Agree

3. Neither agree nor disagree

4. Disagree

5. Disagree strongly

6. Don't know

63f. Legal processes are essential for businesses to enforce their rights

1. Agree strongly

2. Agree

3. Neither agree nor disagree

4. Disagree

5. Disagree strongly

6. Don't know

63g. Lawyers provide a cost effective means to resolve legal issues

1. Agree strongly

2. Agree

3. Neither agree nor disagree

4. Disagree

5. Disagree strongly

6. Don't know

