
Purpose

The Legal Services Board (LSB) is seeking to update its 2015 and 2013 surveys of the legal needs of small businesses (those with up to 49 employees). The purpose of this research is to undertake a large scale representative survey that enables robust comparisons with previous waves to assess change over time. This research tender is for the fieldwork only, we will carry out survey design, analysis and report writing in-house.

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 objectives and providing regulatory oversight for the nine approved frontline regulators.

The LSB undertakes periodic 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.

Small businesses are a vital part of the UK economy. They may require access to information and advice about legal issues to start, grow and deal with a wide variety of issues they may encounter. Such issues might involve trading issues, employment disputes or intellectual property, for example. Our previous legal needs surveys with this audience have analysed their experiences in today’s economy, showing the origin of legal problems that they face and their strategies for dealing with these problems, including where they seek advice and their experiences of doing so. This research has identified substantial unmet need and perceptions that legal services are not cost-effective, whilst also underlining the significant financial and other negative impacts of legal disputes.

The 2015 wave was the largest ever survey of small firms’ interactions with the legal sector – an online survey of 10,528 respondents, including 1,463 also interviewed in the 2013 wave. The LSB draws on this evidence to inform policy development in a range of areas, while the research has also been used by external organisations, most recently by the Competition and Markets Authority in its legal services market study. The CMA has recommended measures to increase market transparency on the price, quality and protections offered by providers to help empower individuals and small business consumers to increase competition. We have added new questions to the survey to help us understand how small firms use information to identify and compare providers.

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. This covers small businesses who had a legal need over the preceding twelve

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1 http://www.opsi.gov.uk/acts/acts2007/ukpga_20070029_en_2#pt1
months\(^4\) in one or more of nine different types of legal problem. The graphic provides a visual picture of the choices that small firms make and the journeys we seek to trace through the survey. While a useful overview, we suggest this should be read alongside the most recent full report\(^5\) in order to obtain a full understanding of the scope, focus and research approach used in the survey.

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

\[\text{Diagram showing responses to legal needs} \]

**Aims and Objectives**

The main aim of this research is to re-run the 2015 survey of small businesses – those with up to 49 employees. 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 2015 and 2013 waves of the survey to enable reliable and accurate assessments of change – or lack of change - over time, and the potential reasons for this.

The survey should produce a dataset representative of the English and Welsh population of these businesses, across all business sectors, with a target sample size of 10,000 respondents. This research tender is for survey testing and fieldwork only, we will carry out survey design, analysis and report writing in-house. A copy of the draft survey is included in Annex B with changes to the 2015 survey highlighted.

We have made some changes to the previous survey, by removing and adding questions and amending others, but overall we anticipate the survey length is about the same as last time – about fifteen minutes. This will need to be tested prior to the main stage field work.

\(^4\) More details and the published data set can be found here - [https://research.legalservicesboard.org.uk/news/data-sources/](https://research.legalservicesboard.org.uk/news/data-sources/)

**Issues and scope**

The main issue to consider is how to ensure comparability with 2015 survey so as to identify statistically significant changes, and the underlying drivers of change.

We expect the survey to be carried out online. The successful company will use the survey developed in the previous research with some changes. Working with LSB, the researchers will need to ensure that the survey will achieve robust results with a sufficient sample for statistical analysis – particularly by key variables such as industry section, region, number of employees, age of business etc.

The output of this research will be a dataset (with no report) in MS Excel and SPSS format that can be used by the LSB. The successful company would be expected to work with the LSB research team to deal with any problems with the dataset and ensure it is fit for purpose and accurately labelled.

**Tender Evaluation Criteria**

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

a) Overall cost. Please include costed options for different sample sizes and criteria for inclusion in the survey. As with previous surveys we are looking to achieve sufficient sample sizes for each of the three key groups of small business (1 employees, 2-9 employees, 10-49 employees).

b) The extent to which tenders are clearly written, concise, and meet the specified objectives, present a sound methodology, ensure a robust approach to including respondents, identifying any potential problems, and proposing suitable solutions;

c) Address outputs and ensure these are in line with requirements and the required timing of the project. A detailed timeline should be provided.

d) Proposed team composition, expertise and management and the organisation’s diversity policy

**Deliverables**

**Output**

The output for this research should be Excel and SPSS data files of the anonymised results of the survey, suitable for analysis. The LSB will retain ownership of the data which will be delivered in a publishable format.

**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 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 late February 2017. Tenders should set out dates for completing key milestones such as survey testing, coding, fieldwork, and data cleansing. The final dataset must be submitted by late April 2017.
For budgetary reasons we expect to spread the fieldwork period over two financial years, perhaps half and half although this will depend on the contract value.

Legal Services Board Contact Details

Tenders with any queries relating to the research specification should contact: Robert Cross on 020 7271 0091/ Meera Amin on 020 7271 0044/meera.amin@legalservicesboard.org.uk

Tenders must be submitted by 5pm on 23 February to Chidinma Alufuo (chidinma.alufuo@legalservicesboard.org.uk)

Please sign and return non-collusive tendering agreement with your tender (see Annex A).

Interviews with shortlisted companies will take place in the week commencing 27 February 2017.
Legal Services Board

Contract for the provision of research services to the Legal Services Board

Non-collusive tendering certificate

We certify that this is a bona fide tender, and that we have not fixed or adjusted the amount of the tender by or under or in accordance with any agreement or arrangement with any other person. We also certify that we have not done and we undertake that we will not do at any time before the hour and date specified for the return of this tender any of the following acts:

(a) communicate to a person other than the person calling for those tenders the amount or approximate amount of the proposed tender, except where the disclosure, in confidence, of the approximate amount of the tender was necessary to obtain insurance premium quotations required for the preparation of the tender;

(b) enter into any agreement or arrangement with any other person that he shall refrain from tendering or as to the amount of any tender to be submitted;

(c) offer or pay or give or agree to pay or give any sum of money or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any other tender or proposed tender for the said work any act or thing of the sort described above.

In this certificate, the word "person" includes any persons and any body unincorporate; and "any agreement or arrangement" includes any such transaction, formal or informal, and whether legally binding or not.

Dated this day of year

Signature

In the capacity of (e.g. director, secretary etc.)

(capitals)

Duly authorised to sign tenders for and on behalf of

Postal address

Telephone no

Fax no

E-mail address:

______________________________
SECTION A. BUSINESS CHARACTERISTICS

[S2] (single) 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

[S3] (single) 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

[S4] (open-intrange) How many people work within the business, including yourself? If you are self employed please think of your own business rather than a business you may be based at currently.

[A2 if S4_num >1] Are you the most senior person in day-to-day control of your business?
<1> Yes
<2> No
[A3 if A2==2] Do you have a good knowledge of the day-to-day operations of your business across all areas of its activity? By day-to-day operations we require you to have knowledge of legal issues your organisation may have encountered as well as some knowledge of employment issues and finance.

<1> Yes
<2> No

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.

We have tested the survey and found that, on average it takes around XX minutes to complete. This time may vary depending on factors such as your internet connection speed and the answers you give.

In order to begin the survey please click below.

[A4] Is your business a company, a partnership or are you a sole proprietor (also known as a sole trader)?

<1> Sole proprietor/sole trader
<2> Private limited company (Ltd)
<3> Public limited company (PLC)
<4> Limited partnership (LLP)
<5> Partnership
<6> Other [A4_other]{open}

[A5][open-inrange] How many years has the business been trading? If your business has been trading for less than a year please type in zero.

[A6 if A5_num==0][open-inrange] How many months has the business been trading?
[A7] And in which specific sector does your business or organisation primarily operate?

<1> Agriculture, forestry and fishing
<2> Manufacturing
<3> Construction
<4> Mining and extraction
<5> Energy and water supply
<6> Primary and secondary schools
<7> Further and higher education
<8> NHS
<9> Other private healthcare
<10> Voluntary and not-for-profit sectors
<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
<18> Public administration – central government
<19> Public administration – local government, including fire services
<20> Armed forces
<21> Quango

[A8 if S4_num>1] Are you or is anybody else within your business a qualified lawyer or trained in handling legal issues?

<1> Yes
<2> No

[A8b if S4_num ==1] Are you a qualified lawyer or have you had training in handling legal issues?

<1> Yes
<2> No
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 [A9_other][open]
11. Don’t know
SECTION B. USE OF BUSINESS SUPPORT SERVICES

Which of these independent professional services, if any, has your business made use of in the _last 12 months_? Please exclude any services that you deliver as part of your business.

1. Accountant
2. Tax adviser
3. Financial adviser
4. Solicitors’ firm
5. Barrister
6. Licensed conveyancer
7. Patent/trademark attorney
8. Patent/trademark filing agent
9. Invention promotion company
10. Costs Lawyer ([ADD IN HOVER DEFINITION FOR TEXT TO RIGHT OVER ‘COSTS LAWYER’] Costs Lawyers can help with any legal matter that has legal costs associated with it such as general advice on costs, bills of costs, points of disputes, costs management and costs budgeting)
11. Notary
12. Legal Executive
13. Membership or trade body service (e.g. FSB)
14. A legal helpline (e.g. Business Support Helpline)
15. Online document provider
16. Citizens Advice Bureau or similar independent advice charity
17. Debt collection/recovery service
18. HR/Employment service (includes outsourcing)
19. A government advice website or service (e.g. .gov.uk, Insolvency Service, Companies House, Information Commissioners Office)
20. ACAS (Advisory, Conciliation and Arbitration Service)
21. An insurance service
22. A Business Consultant/ consultancy service
23. A business advisor in your bank.
24. An outside investor e.g. Angel investors or venture Capitalists
25. Company Secretary service for corporate governance issues.
Another legal service [B1a_other] {open} (PLEASE SPECIFY)

Other business support service [B1b_other] {open} (PLEASE SPECIFY)

None of these

[B2] Do you have an on-going contract with any organisation to provide you with legal services – in general, or of a particular type - as your business requires?

<1> Yes
<2> No
<3> Don’t know

[B3 if 12 in B1_2017 and S4_num>1] Do you have on-going contract with an HR/Employment service?

<1> Yes
<2> No
<3> Don’t know

[B4] {grid-check} In which areas did a service you have mentioned help your business in the _past 12 months_? Please select at least one response for each column.

- [GRID - Responses to B1_2017]

<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
Other

[grid] How was this service MAINLY delivered to your business?

- [Responses to B1_2017]

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

[if A8==1 or A8b==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. (if S4_num>1) Talk to lawyer in the business #(not if S4 equals 1]
2. (if S4_num>1) Talk to another colleague in the business #(not if S4 equals 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
6. Other [B8_other] {open}
SECTION C. 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.

Trading:

[C19a] {multiple} 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 /"GOODS OR SERVICES PROVIDED TO YOUR CUSTOMERS Not as described"> Not as described /not of satisfactory quality/fit for purpose

<2 /"GOODS OR SERVICES PROVIDED TO YOUR CUSTOMERS Late delivery"> Unacceptably late delivery

<3 /"GOODS OR SERVICES PROVIDED TO YOUR CUSTOMERS Unacceptably late or non-/partial-payment "> Unacceptably late or non-/partial-payment

<4 /"GOODS OR SERVICES PROVIDED TO YOUR CUSTOMERS Distance selling consumer rights"> Distance selling consumer rights (e.g. Internet, telephone, mail order)

<5 /"GOODS OR SERVICES PROVIDED TO YOUR CUSTOMERS Other contract problems or disputes "> Other contract problems or disputes

<new> /"GOODS OR SERVICES PROVIDED TO YOUR CUSTOMERS Other contract problems or disputes "> customer insolvent

GOODS OR SERVICES PURCHASED BY YOUR BUSINESS</b>>

<6 /"GOODS OR SERVICES PURCHASED BY YOUR BUSINESS Not as described"> Not as described /not of satisfactory quality/fit for purpose

<7 /"GOODS OR SERVICES PURCHASED BY YOUR BUSINESS Late delivery"> Unacceptably late delivery

<8 /"GOODS OR SERVICES PURCHASED BY YOUR BUSINESS Unacceptably late or non-/partial-payment"> Unacceptably late or non-/partial-payment

<9 /"GOODS OR SERVICES PURCHASED BY YOUR BUSINESS Other contract problems or disputes"> Other contract problems or disputes

<10 /"GOODS OR SERVICES PURCHASED BY YOUR BUSINESS Supplier insolvent"> Supplier insolvent

FRAUDULENT/WRONGFUL TRADING
Fraudulent or wrongful trading (concerning insolvency)

Unfair operation of a public tender

Legal/regulatory issues relating to international trading

Don't know

None of these

Trading:

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

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

Unacceptably late delivery

Unacceptably late or non-/partial-payment

Distance selling consumer rights (e.g. Internet, telephone, mail order)

Customer insolvent

Unacceptably late delivery

Unacceptably late or non-/partial-payment

Other contract problems or disputes

Supplier insolvent

Fraudulent or wrongful trading (concerning insolvency)

Unfair operation of a public tender

Legal/regulatory issues relating to international trading

Number

Tax:

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

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

<98 xor amended> Don't know

<99 xor amended> None of these

Tax:

[C20b][grid-ope] And how many individual significant problems of these types has your business experienced in the past year?

-[C20b_1 if 1 in C20a] Liability for tax / amount of tax owed

-[C20b_2 if 2 in C20a] Errors in your business tax return

-[C20b_3 if 3 in C20a] Failure to maintain appropriate records (for tax purposes)

-[C20b_4 if 4 in C20a] Failure to register/report changes when required (e.g. VAT registration, registration as a sole trader)

-[C20b_5 if 5 in C20a] International taxation

<1> Number

Employees:

[C21a] {multiple} 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
Complaints/grievances made by employees/job applicants (including allegations of discrimination and harassment)

Employment of non-EU nationals

Don't know

None of these

Employees:

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

Staff misconduct (including unauthorised absence and disciplinary procedures)

Dismissal (or threat of dismissal) of staff

Making staff redundant

Content or exercise of parental rights (including maternity) leave/pay or flexible working requests

Payment of wages/pension

Working conditions

Employee injury at work

Other employment contract issues (including changes to contract terms)

Adjustments to jobs/workplace for disabled workers

Complaints/grievances made by employees/job applicants (including allegations of discrimination and harassment)

Employment of non-EU nationals

Business Premises:

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

RENTED/LEASED BUSINESS PREMISES

Rent arrears

Eviction/threat of eviction

Repairs/maintenance or provision of services by landlord

Terms of rental agreement/lease
Business Premises:

[C22b] {grid-open="1, 1000"} And how many individual significant problems of these types has your business experienced in the past year?

- [C22b_1 if 1 in C22a] Rent arrears
- [C22b_2 if 2 in C22a] Eviction/threat of eviction
- [C22b_3 if 3 in C22a] Repairs/maintenance or provision of services by landlord
- [C22b_4 if 4 in C22a] Terms of rental agreement/lease
- [C22b_5 if 5 in C22a] Boundaries/rights of way
- [C22b_6 if 6 in C22a] Recovery of rental deposit
- [C22b_7 if 7 in C22a] Mortgage arrears
- [C22b_8 if 8 in C22a] Repossession/threat of repossession
- [C22b_9 if 9 in C22a] Repairs/maintenance of communal areas
- [C22b_10 if 10 in C22a] Boundaries/rights of way
- [C22b_11 if 11 in C22a] Planning permission
- [C22b_12 if 12 in C22a] Conveyancing
- [C22b_13 if 13 in C22a] Squatters

<1> Number
[C23a] In the last 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

[C23b if C23a==1] At any stage in the last 12 months has your business been officially declared insolvent?
<1> Yes
<2> No

Finance:
[C23c if C23a==1] {multiple} 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 if A4==1> Individual voluntary arrangement
<6 if A4 in [2,3]> Company voluntary arrangement
<7> Debt relief order
<8 if A4 in [4,5]>Partnership voluntary agreements
<98 xor amended> Don't know
<99 xor amended> None of these

Intellectual Property:
[C24a] {multiple} 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 INFRINGEMENT OF YOUR BUSINESS' INTELLECTUAL PROPERTY"> Trademarks (e.g. brand name, business name, logo, slogan)
Copyright (e.g. text, software, sound recording, drawings)

Design right/registered design

Database rights

Patents

Disclosure of trade secrets

INFRINGEMENT OF INTELLECTUAL PROPERTY BY YOUR BUSINESS

Trademarks (e.g. brand name, business name, logo, slogan)

Copyright (e.g. text, software, sound recording, drawings)

Design right/registered design

Database rights

Patents

Unlawful obtaining of trade secrets

Don't know

None of these

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

- Trademarks (e.g. brand name, business name, logo, slogan)
- Copyright (e.g. text, software, sound recording, drawings)
- Design right/registered design
- Database rights
- Patents
- Disclosure of trade secrets
Trademarks (e.g. brand name, business name, logo, slogan)
Copyright (e.g. text, software, sound recording, drawings)
Design right/registered design
Database rights
Patents
Unlawful obtaining of trade secrets

Regulation:
In the last 12 months has your business faced any significant problems concerning the following? Please indicate all that apply.
Mandatory licenses/permits/accreditation
Product safety
Other health and safety
Data protection
Import/export regulation
Mandatory insurance
Filing/content of annual company accounts
Need for/outcome of audit
Other government regulation
Advertising standards
Don't know
None of these

Regulation:
How many individual significant problems of these types has your business experienced in the past year?
Mandatory licenses/permits/accreditation
Product safety
Other health and safety
Data protection
Import/export regulation
In the last 12 months has your business faced any significant problems concerning the following? 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
98 xor amended> Don't know
99 xor amended> None of these

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

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)
Joint venture

Other:

[C27a] {multiple} In the last 12 months has your business faced any significant problems concerning the following? 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

<new> Personal injury of a customer.

<new> A breach of commercial confidentiality.

<98 xor amended> Don't know

<99 xor amended> None of these

[page break]

Other:

[C27b] {grid-open ranges="1, 1000"} And how many individual significant problems of these types has your business experienced in the past year?

-[C27b_1 if 1 in C27a] Defamation

-[C27b_2 if 2 in C27a] Incorrect information held by a credit reporting agency leading to the refusal of credit

-[C27b_3 if 3 in C27a] Mismanagement of business money/investments by financial service

<new> Personal injury of a customer.

<new> A breach of commercial confidentiality.

<1> Number

For the following questions please think of the issue that affected your business most recently. You told us that this was: ADD IN RESPONSE

[C29] 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
Don’t know

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

Individual members of the public
Other businesses
Government
Employees
Other [open]

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

The other side had done something wrong, or were at fault
The other side thought your business had done something wrong, or were at fault
Neither
Don’t know

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

Bad luck
Moral
Private business matter (i.e. not something to involve others with)
Criminal
Legal
Bureaucratic
Social
None of the above

A problem that had only a small impact on the company (e.g. A non-critical late delivery by a supplier)
A problem that threatened the existence of the company (e.g. a strike by employees)
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 _this problem_.

[C35] {multiple} Which of these descriptions best indicate how your business went about sorting out the problem? Please select all that apply.

<1 xor> No action
<2 xor> Entirely on its own
<3> With help from outside business friends/colleagues
<4> With help from an independent adviser/representative/support service
<7> With help from family members
<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)
<8> Family members sorted out the problem (or are sorting it out)

<98 xor amended> Don’t know

[C35b 2017 if C35.has_any([3,5,7,8])] {grid} You said that you had help from business friends/colleagues or help from family members, how would you describe their level of legal / professional knowledge in relation to the issue you faced?

-[C35b_1 if C35.has_any([3,5])] Business friends/ colleagues

-[C35b_2 if C35.has_any([8,7])] Family members

<1> Excellent knowledge
<2> Good knowledge
<3> Adequate knowledge
<4> A little knowledge
<5> No knowledge at all
<6> Don’t know

[C36m if C35.has_any([3,4,5,7,8])] {multiple} 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> Accountant
<2>Tax adviser
<3>Financial adviser
<4>Solicitors’ firm
<5>Barrister
<6>Licensed conveyancer
<7>Patent/trademark attorney
<new> Patent/trademark filing agent
<new> Invention promotion company
<new> Costs Lawyer ([ADD IN HOVER DEFINITION FOR TEXT TO RIGHT OVER ‘COSTS LAWYER’] Costs Lawyers can help with any legal matter that has legal costs associated with it such as general advice on costs, bills of costs, points of disputes, costs management and costs budgeting)
<new> Notary
<new> Legal Executive
<new> Membership or trade body service (e.g. FSB)
<8>A legal helpline (e.g. Business Support Helpline)
<new> Online document provider
<10>Citizens Advice Bureau or similar independent advice charity
<11>Debt collection/recovery service
<12>HR/Employment service (includes outsourcing)
<new> ACAS (Advisory, Conciliation and Arbitration Service)
<new> An insurance service
<9 amended>Another legal service [B1a_other] [open] (PLEASE SPECIFY)
<13 amended>Other business support service [B1b_other] [open] (PLEASE SPECIFY)

[C36_rank] {rank required=0} Please order the suppliers in the order that your business contacted them. With the first in the first slot and so on.

-(Only responses to C36m_2017)
<1>Accountant
<2>Tax adviser
<3>Financial adviser
<4>Solicitors’ firm
<5>Barrister
Licensed conveyancer
Patent/trademark attorney
Patent/trademark filing agent
Invention promotion company
Costs Lawyer (Costs Lawyers can help with any legal matter that has legal costs associated with it such as general advice on costs, bills of costs, points of disputes, costs management and costs budgeting)
Notary
Legal Executive
Membership or trade body service (e.g. FSB)
A legal helpline (e.g. Business Support Helpline)
Online document provider
Citizens Advice Bureau or similar independent advice charity
Debt collection/recovery service
HR/Employment service (includes outsourcing)
ACAS (Advisory, Conciliation and Arbitration Service)
An insurance service
Another legal service (PLEASE SPECIFY)
Other business support service (PLEASE SPECIFY)

NEW QUESTION 2017: And which of the providers that you contacted was your MAIN provider?
- [Only responses to C36m_2017]}
Accountant
Tax adviser
Financial adviser
Solicitors’ firm
Barrister
Licensed conveyancer
Patent/trademark attorney
Patent/trademark filing agent
Invention promotion company
Costs Lawyer ([ADD IN HOVER DEFINITION FOR TEXT TO RIGHT OVER ‘COSTS LAWYER’]) Costs Lawyers can help with any legal matter that has legal costs associated with it such as general advice on costs, bills of costs, points of disputes, costs management and costs budgeting

Notary

Legal Executive

Membership or trade body service (e.g. FSB)

A legal helpline (e.g. Business Support Helpline)

Online document provider

Citizens Advice Bureau or similar independent advice charity

Debt collection/recovery service

HR/Employment service (includes outsourcing)

ACAS (Advisory, Conciliation and Arbitration Service)

An insurance service

Another legal service [B1a_other] (PLEASE SPECIFY)

Other business support service [B1b_other] (PLEASE SPECIFY)

[C49.2017] {multiple order=randomize max=3} What was the most important factor in making your choice of MAIN provider? Please select up to three factors.

They were family/friends believed to have relevant legal/managerial/business expertise

They were recommended to me by friends or family

They were recommended to me by my accountant

They were recommended to me by my trade body

Whether you have used them previously

Convenience of where they are located

Cost of advice

Distance from where you live

Gender of the adviser

Quality mark

Specialist in the area of law

Speed of delivery

Their reputation

Don't know
NEW QUESTION – Did you shop around for the provider you chose? (By shopping around we mean comparing services or prices from a number of different providers before selecting the provider you used.)

- Yes I did
- No I didn’t
- No, I wanted to shop around, but didn’t know how to
- Don’t know/ can’t remember

NEW QUESTION –
If NO I DIDN’T Please indicate which of the following factors were relevant in your reasons for not shopping around:

- I was happy to go with people we had used before
- I was happy to go with someone I knew,
- A friend recommended someone to me
- I used the provider recommended by my trade body
- I didn’t have a choice because of how the service was funded
- I was happy to go with the first provider I came across,
- I didn’t have the time,
- I thought it would be too difficult

NEW QUESTION –
If YES I DID - Thinking about the service as a whole, how easy or difficult was it to make comparisons between different providers?

- Very easy
- Easy
- Neither easy nor difficult
- Difficult
- Very difficult
- Don’t know

NEW QUESTION –
How easy or difficult was it to find the information you wanted about your MAIN provider?

ROTA CODES LIST EACH PIECE OF INFORMATION SELECTED. FOR CODE 8 SHOW FREE TEXT ENTERED AT (CODE 8)

ROWS

1. Cost of service
2. Information about the quality of services
3. Information about regulation of services
4. Information about professional indemnity insurance (Insurance that regulated lawyers must take out to compensate clients for damages or loss caused by any work related mistakes)
5. Information about expertise or experience for the problem/issue
6. Information about how quickly services could be accessed
7. Information about how long it would take
8. Other [INSERT TEXT FROM ABOVE]
9. Did not require any information

COLUMNS

1. Very easy
2. Quite easy
3. Not easy or difficult
4. Quite difficult
5. Very Difficult
6. I did not try to find the information I wanted
7. Don’t know

NEW QUESTION: Did you check whether your MAIN provider was regulated?

“By “regulated” we mean providers that are authorised and must comply with requirements set out by a specific regulating body, including requirements concerning complaints handling (e.g. solicitors are regulated by the Solicitors Regulation Authority).”

1. Yes
2. No
3. Don’t know

NEW QUESTION

If No:

Why did you not check whether your MAIN provider was regulated? Please select all that apply

1. Did not know how to find that information
2. Did not know what regulation meant
3. Did not think regulation was important
4. I just assumed they would be regulated
5. Other, please specify
6. Don’t know

NEW QUESTION For the services you received from your MAIN provider, did you have to directly pay for all or part of the help you received? Please select one

1. Yes - paid for all of it
2. Yes - paid for part of it
3. No win no fee agreement
4. No - it was free
5. No - it was covered by insurance
6. No – it was covered by my business subscription
7. No it was covered by my legal services subscription
8. Don’t know
NEW QUESTION: IF 1 OR 2 THEN ASK: How did you find out the price of the service?

- ____ Price was advertised on the providers website
- ____ The price was available in an advertisement
- ____ I had a discussion with the provider to determine the cost of the case
- ____ Other (please specify)

NEW QUESTION IF ABOVE = 1 OR = 2 ASK: How did you fund the payment of your legal services?
Please select all that apply

_____ 1 From savings
_____ 2 From my business turnover
_____ 3 I took out a loan
_____ 4 I borrowed the money from family/friends

5 A charge was put on my property
6 It was paid for by family or friends
7 Other, please specify
8 Don’t know [SA]
9 Refused [SA]

NEW QUESTION Below are some statements about how the payment terms were presented, please indicate whether any of them applies to your experience?
Please select all that apply

1 I was quoted a fixed price for the work which is what I paid for
2 I was quoted a fixed price which was different to what I actually paid for
3 I was given an estimate of what the advice might cost
4 I was given a ratecard/pricing structure
5 I was given an hourly rate but not given an estimate of the hours required
6 I was given an hourly rate and was told roughly how many hours would be required
7 I was not told what the price would be [SA]
8 I was given a breakdown of costs, (including disbursements and VAT)

[C37 if C36m.has_any([1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16]) and Ranked!=0] {multiple}You said that you used $C37_ToS

How last, when your business got this help, how was the service mainly delivered?

<1> In-person meetings
Telephone conversations
Correspondence by post
Through someone else
Texting
Email
Internet (excluding email)

[C38m] {multiple} 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.

1. Accountant
2. Tax adviser
3. Financial adviser
4. Solicitors’ firm
5. Barrister
6. Licensed conveyancer
7. Patent/trademark attorney
8. Patent/trademark filing agent
9. Invention promotion company
10. Costs Lawyer ([ADD IN HOVER DEFINITION FOR TEXT TO RIGHT OVER ‘COSTS LAWYER’] Costs Lawyers can help with any legal matter that has legal costs associated with it such as general advice on costs, bills of costs, points of disputes, costs management and costs budgeting)
11. Notary
12. Legal Executive
13. Membership or trade body service (e.g. FSB)
14. A legal helpline (e.g. Business Support Helpline)
15. Online document provider
16. Citizens Advice Bureau or similar independent advice charity
17. Debt collection/recovery service
18. HR/Employment service (includes outsourcing)
19. ACAS (Advisory, Conciliation and Arbitration Service)
20. An insurance service

9 amended. Another legal service [B1a_other] (open) (PLEASE SPECIFY)
Other business support service [B1b_other] (open) (PLEASE SPECIFY)

[C40] (multiple) 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

[C41 if 9 in C40] And did a lawyer appear on behalf of your business at any court hearing?

<1> Yes
<2> No

[C42 if C29 in [1,2]] You said earlier that the problem is.... 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
The problem sorted itself out without your business or the other side doing anything.

Your business is just putting up with the problem.

Online dispute resolution e.g. Ebay or something similar

Don’t know

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

- Completely in your favour
- Mostly in your favour
- Mostly not in your favour
- Not at all in your favour
- Don’t know

Did your business experience any of the following as a result of this problem?

- Loss of customer/contract
- Loss of income
- Additional costs (e.g. increased insurance costs)
- Inability to take on new work
- Inability to complete scheduled work
- Damage to property
- Damage to reputation
- Damage to relationship with another business
- Loss of employees (other than through dismissal/redundancy)
- Had to cease trading
- Change in ownership/structure of the business

None of these

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.

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
<99 xor amended> None of the above

NEW QUESTION Thinking about your MAIN provider and the experience of using the service overall, how satisfied or dissatisfied, if at all, were you with the service?

Please select one

1. Very satisfied
2. Fairly satisfied
3. Neither satisfied nor dissatisfied
4. Fairly dissatisfied
5. Very dissatisfied
6. Don't know/ can't remember
7. Not applicable

IF NEW QUESTION = 4 OR = 5 ASK

What were the reasons for your dissatisfaction?

Please select all that apply

- Delays to the amount of time the matter took
- Mistakes were made by them in dealing with the matter
- I was not kept up to date on progress
- Legal advice proved to be wrong
- The quality of service provided was poor or not up to scratch
- I was not treated very well by staff
- The person dealing with me did not seem to know what he or she was doing
- The person dealing with my matter was more junior than the person I was led to believe would be dealing with it
- Lost paperwork
- The final bill was higher than I expected
- Breach of confidentiality
- Failed to follow my instructions
- Poor value for money
- Other (Please Specify)
- Don't know/ can't remember
IF NEW QUESTION = 4 OR = 5 ASK:

Following your dissatisfaction with the service you experienced, what was your INITIAL response to being dissatisfied? Please select one

- Raised my concerns with the service provider but did not make a formal complaint
- Got advice from a third party about what I should do about it
- I made a formal complaint to the professional service provider
- Complained/ sought advice from The Citizens Advice Bureau
- I complained to the Legal Ombudsman
- Complained to someone else (please specify) ____________
- I intend to complain but have not yet
- I didn’t do anything about it
- Other Response (Please specify) ____________

IF NEW QUESTION = 4 OR = 5 ASK

NEW QUESTION After the complaint had been processed by the MAIN professional service provider; did any of the following happen? Please select all that apply

- You received an apology from the legal professional service provider against whom you made the complaint
- You were provided a full explanation about why things went wrong
- You received back documents that they were holding on to
- The legal service professional service provider did further work to correct what had gone wrong
- Your legal fees were reduced or refunded
- You were awarded compensation
- The professional service provider did not respond
- You took your complaint to an independent complaints body such as an ombudsman
- Went to court
- None of the above
- Don't know/ can't remember

NEW QUESTION

Imagine that you were dissatisfied with the service you received from a provider and were unable to resolve your complaint with them. Would you want to be able to take your dispute to an independent ombudsman-type scheme? (HOVER definition to be supplied)

- Yes – I already can;
- Yes, but this option isn’t available to me;
- No;
- Don’t know

IF NEW QUESTION = 4 OR = 5 ASK
If you remained dissatisfied with the legal service provided what action did you/would you have taken:

- Nothing
- Nothing but I would have used an ombudsman scheme if able
- Took further legal action
- Use an ADR service
- Other (with box to fill in information)

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

[C47_year]{dropdown required=0} Year

<2017>2017  
<2016>2016  
<2015>2015  
<2014>2014  
<2013>2013  
<2012>2012  
<2011>2011

[C47_month]{dropdown required=0} Month

<1>Jan  
<2>Feb  
<3>Mar  
<4>April  
<5>May  
<6>June  
<7>July  
<8>Aug  
<9>Sep  
<10>Oct  
<11>Nov  
<12>Dec
And when did it conclude?

[C48_year if C29 in [1,2]]{dropdown required=0} Year

<2017>2017
<2016>2016
<2015>2015
<2014>2014

[C48_month if C29 in [1,2]]{dropdown required=0} Month

<1>Jan
<2>Feb
<3>Mar
<4>April
<5>May
<6>June
<7>July
<8>Aug
<9>Sep
<10>Oct
<11>Nov
<12>Dec
SECTION E. ADDITIONAL CHARACTERISTICS AND ATTITUDES

[E51 if A4!= 1] Is your business a family owned business (i.e. majority owned by members of the same family)?

<1> Yes
<2> No

[E52] [open-int 1 49 required=0] In total, how many people are there involved in running the business e.g. the senior management team?

[E63 if S4_num >1] Which of the following best describes when you joined the organisation you currently work for?

<1> Since January 2015
<2> Between December 2013 and December 2014
<3> Between December 2012 and November 2013
<4> Before December 2012
<5> Can’t remember

[E53] 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
<98> Don’t know
Do you expect the business will make a profit in its current financial year?

<1> Yes
<2> No
<3> Not sure

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 [E55_open][open]

How many _customers_ do you expect your business to have in the current financial year?

How many _suppliers_ do you expect your business to have in the current financial year?

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

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
Any other mixed background
Indian
Pakistani
Bangladeshi
Any other Asian background
Black Caribbean
Black African
Any other black background
Chinese
Other ethnic group
Prefer not to say

Previously you mentioned that you have $E52\_num$ 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?

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?
Yes, limited a lot
Yes, limited a little
No

Previously you mentioned that you have $E52\_num$ 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?

NEW QUESTION In which of the following regions is your business based? (Please select all that apply)
East of England
East Midlands
South East
London
North West
South West
West Midlands
Yorkshire and Humber
North East
Wales

NEW QUESTION (if more than one selected) in which of region is your main office? (Please select all that apply)

(Agree completely    Agree    Neither agree nor disagree    Disagree    Strongly disagree, Don't know)

[E62] [grid] Could you indicate the extent to which you agree or disagree with the following statements?

- [E62_4] Law and regulation provide a fair environment for business to succeed.
- [E62_7] Lawyers provide a cost effective means to resolve legal issues
- [E62_8] When doing business, I generally trust the people that I come into contact with (eg. suppliers, customers, employees etc)
- [E62_9] I use a legal services provider to solve business problems as a last resort
- [E62_10] When I need one, I find it easy to find a suitable legal services provider that I can afford
- [E62_11] Not being able to find a suitable legal services provider when I need one has affected the growth of my business
- [E62_12] I feel the need to take legal advice more often than I did two years ago (or when the business first started trading, if less than two years ago)

<new> Legal services providers are transparent about their costs

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