



Legal Aid
Agency

Briefing Note for Civil CCCG

Civil Higher (Taxed Bills) – Pre Payment Audits (PPA)

Jan 2016

1. Background

- 1.1. The purpose of this document is to update civil CCCG re the Pre-Payment Audit (PPA) process for civil taxed bills the LAA started at the end of September 2015. Representative bodies are encouraged to circulate to their members.
- 1.2. As previously discussed at CCCG, the LAA has seen a significant level of error in Civil Taxed Bills identified through our Core Testing results for 2015/16. The level of error was in excess of 5% in this area and this presents a significant risk that the LAA would have its accounts qualified by the National Audit Office, who rely on our testing results to form their annual audit opinion.
- 1.3. Many of the errors in our Core Testing results are as a result of work not properly evidenced on file, incorrect travel time and work claimed not covered by the certificate. The PPA process involves a line-by-line assessment on approximately 10% of all taxed bills submitted to the LAA after the Court assessment has been made. The audit is undertaken after the provider has submitted the full file of papers but before any payment is made.

2. PPA Results to date

- 2.1 To date, of the files audited through the PPA process we have seen an overall error rate of 1.44%. The reduction in error rate to date is pleasing.
- 2.2 Over 16% of the files audited have had a reduction of 3% or more with the highest reduction being over 21%.
- 2.3 The summary of the reasons behind the errors identified are detailed below.

Number of Errors	Description
54	<p>Work not evidenced on file (predominantly letters, telephone calls) - <i>Costs Assessment Guidance 2013, Section 1.26;</i></p> <p>Disbursement vouchers – for expenses over £20 – not provided - <i>Costs Assessment Guidance 2013, Section 3.1;</i></p> <p>Travel time and associated costs (mileage/fares/etc) not fully justified on file - <i>Costs Assessment Guidance 2013, Section 2.42 2.51</i></p>
8	<p>Work claimed not covered by the certificate - <i>Costs Assessment Guidance 2013, Section 10;</i></p> <p>Work claimed during a Show Cause (Under Funding Code) - <i>Funding code procedures C55.3;</i></p>
6	Claims for the same work have been duplicated
14	Administrative/non remunerable work claimed - <i>Costs Assessment Guidance 2013, Section 2.1 – 2.3;</i>

3. Next Steps and Recommendations

3.1. The group is asked to share the above information with members as appropriate. We are still seeing a higher error rate than is tolerable in this area of testing. We acknowledge that the overall error rate to date is lower than that we have seen for core testing, however, it remains important that we work together to help all providers claim correctly not least as this will prevent delays in making payments.

3.2 Providers are reminded that the claims must be made in line with the contractual provisions that:

a) Claims must be true, accurate and reasonable (Clause 14.3)

b) In making a claim you must have regard to the relevant Costs Assessment Manual (Clause 14.4)

3.3 The LAA will continue to undertake the PPA process for the foreseeable future. While not all providers will necessarily be subject to the PPA process it remains important that all providers be reminded that all the work they claim for must be accurately evidenced and available on the file.

3.4 Providers who have a claim reduced by more than 10% as a result of the PPA process are being contacted by their Contract Manager to discuss the robustness of their billing procedures.