

Civil Contracts Consultative Group (CCCG) Minutes

14 January 2014

Date:	Tuesday 14 January 3pm		
Where	The Law Society – 113 Chancery Lane, Fetter Room		
Chair:	John Sirodcar - LAA		
Attendees:	Alison Harvey-ILPA Avrom Sherr – IALS Brooke Stevens – Government Digital Service Carol Storer – LAPG Catriona Myers-Wilson - LAA Dave Foley – LAA Eleanor Druker – LAA	Elisse Jones – Government Digital Service Gail Frankland - LAA Gillian Hothersall - LAA Jan Luba – BC Janet Phillipson - LAA Jean McMahon – MoJ Kathy Hartup-LAA	Kerry Wood - LAA Matt Howgate – LAPG Neil Lewis – LAA Nicola Jones-King – ALC Richard Busby - Resolution Sarah-Jane Bennett-BC Sara Stephens - HLP Simon Cliff – TLS Steve Starkey – LAA
Apologies:	David Keegan (LAA); Kevin Westall (MoJ); Richard Miller (TLS)		

1. Minutes and actions from 11 November

It was agreed that a heading be added to the update on AP9 [Sep] to clarify that this referred to a specific MoJ information gathering exercise. Aside from this, the minutes were approved. A final version will be circulated shortly.

AP7 [Nov] S Hugo-Lake reported that the information on Welfare Benefits providers would be on the Justice website shortly.

J Luba commented that the page linking to providers is not showing on the Justice website; he was also concerned that it was not available in November/December. It was noted that the November minutes stated that LAA was working with LCN to provide an appropriate link, but that in the meantime the advice was to phone the CLA service on 0845 345 4345.

Post meeting note: Melena Ward circulated a list of locations at which Law Centres Network is providing Welfare Benefit services. She also confirmed that their website has information on referrals, at:

<http://www.lawcentres.org.uk/our-work/welfare-benefits-upper-tribunal-service>

J Luba also commented that the LCN's welfare benefits service line had given an out of office message this afternoon, and J Sirodcar agreed to ensure this was checked.

Post meeting note: it has been confirmed that LCN were experiencing a temporary problem with their telephone system, which has now been resolved.

AP16 [Nov] K Hartup said she would confirm the rationale for the figures included in the LAA Performance Measures.

Post meeting note: These figures were produced by the case management team within the Legal Aid Agency for internal use and represent the work of that team only. That is why the figures do not match up with overall legal aid expenditure for 2012-13. For example, civil legal help and crime lower (other than non standard fee claims) are not covered in these figures.

A safer dataset for external use is the formal stats pack:

<http://www.justice.gov.uk/downloads/publications/corporate-reports/lsc/legal-aid-stats-12-13.pdf>

AP 17 [Nov] E Druker confirmed that a further breakdown of mediation statistics had been circulated, but it was unlikely that they could be broken down any further.

Post meeting note: E Druker later clarified that the breakdown of statistics circulated at the November meeting was the one she referred to. There has been no further document circulated. Action closed.

AP6 [Nov] (taken forward from AP8 [Sep])

D Keegan had provided a note of the action LAA was taking regarding CFA suitability - see 7.3 of November minutes. This closed action AP6 [Nov].

The SurveyMonkey survey had been initially developed with a smaller sub-group, but as stated in the minutes, any Civil CCG members are invited to be involved in the next stage. A Harvey commented that she had collated evidence regarding this which she requested LAA should take into account. She will forward this to J Sirodcar who will liaise with D Keegan.

All other actions were closed.

2. Update on gov.uk website

Elisse Jones and Brooke Stevens outlined the work which the Government Digital Service is doing concerning the gov.uk website. An electronic version of the handout will be circulated to members after the meeting.

K Hartup requested that Civil CCG members should be involved in feeding in to the work of transferring specialist information from the Justice site to gov.uk. An internal user needs workshop was held on 21 January involving key people at the LAA. Relevant information from this workshop will be shared with the Civil CCG.

Post meeting note: Brooke Stevens from GDS and KaPoh Ling LAA Communications will both attend March Civil CCG meeting to provide an update a further update on gov.uk, outline next steps and how Civil CCG can feed in.

There was particular interest in the 'Find a legal adviser' tool. The LAA is working with the owners of the tool, requesting user improvements that will be made shortly. These improvements include:

- improving the visibility of the 'Find a legal adviser tool'
- making it easier for members of the public visiting LAA pages to navigate to GOV.UK to see if they are eligible for legal aid

It was confirmed that it would make more sense to focus on developing gov.uk content rather than updating Justice website content given timeframes for transitioning information over to gov.uk.

AP2 [Jan]: All invited to inform K Hartup of any inaccuracies encountered using the 'Can you get legal aid' checker and any specific places on the existing Justice website where a link would be helpful.

Post meeting note: LAA confirmed that the 'can you get legal aid' checker is a public tool that refers those who qualify for legal aid to further, relevant information.

To ensure that issues with gov.uk content are dealt with by the site owners, they should be directed to the gov.uk feedback page:

<https://www.gov.uk/contact/govuk>

3. Update on rejects and email

Dave Foley (Head of Civil Case Management) updated the meeting on progress made in reducing rejects, specifically by telephone and email services. A summary will be circulated after the meeting. J Sirodcar also thanked The Law Society and LAPG for their help in making sure that the message to providers on this issue was correct.

D Foley also highlighted the significant improvements that had been made to reduce the average waiting time for telephone work.

There was some discussion of whether a single email address was preferable to the existing system. However, it was noted that the fix-it email address had been very successful, and that a small amount of separate email addresses for different functions could be more efficient than one address which then needed messages to be sifted.

Members were invited to feed back their views on these improvements, and also invited to visit the South Tyneside and Bristol offices to see the system working.

AP3 [Jan]: All invited to feed back to Gillian if they are interested in visiting one of the offices.

4. IDP

J Sirodcar confirmed that the number of providers on the CCMS system will not yet be expanded further, due to stability issues which were currently being resolved. Members would be informed of further developments. The update is available on the Justice website at:

<http://www.justice.gov.uk/legal-aid/news/latest-updates/civil-news/update-on-client-and-cost-management-system/>

The pilot with the providers in the north-east and the large provider is still continuing. Once the system is stable, the detail of further roll out will be confirmed.

S J Bennett asked if there was still one go-live date for Counsel, and J Sirodcar confirmed that this was the case.

In response to a query from J Luba, J Sirodcar said he would confirm the position regarding Counsel instructed by the one large provider outside the NE.

AP4 [Jan]: J Sirodcar to find out what is happening re Counsel instructed by the non NE provider.

5. Web chats

J Sirodcar reported on the use of web chats and webexes (i.e. web chats with a telephone conversation so that presentations can be delivered live). It was proposed to run a web chat or webex on preventing rejects, and also future ones on various topics. People can be invited to submit questions in advance for these.

AP5 [Jan]: All invited to contribute ideas for web chats or webexes.

6. Operational update

6.1 Civil billing information

S Starkey outlined the operational report. The use of checklists has dramatically reduced rejects, and further use was encouraged.

In response to a query from S J Bennet, S Starkey confirmed that it should be possible to provide the top ten reasons for FAS rejects; it should also be noted that reject reasons are often used in combination. It was also acknowledged that the length of the FAS checklist was testament to the complexity of this scheme but we were committed to working with the Bar and Bar CM's to help drive down FAS rejects.

AP6 [Jan]: S Starkey to investigate providing the top ten reasons for FAS rejects.

6.2 Volume and value figures

No comments.

6.3 NMS

A Sherr queried whether the YTD figures include HPCDS and telephone advice service. The table states that the previous years' figures do not. J Sirodcar will investigate.

AP7 [Jan]: J Sirodcar to investigate the issues raised re the NMS report.

6.4 VHCC

J Sirodcar gave an update on Exceptional Case Funding. Historical information on this will be published on 13 February, and then published at the end of each quarter. He confirmed that interim figures will not be available.

M Howgate requested information on response time for emergency applications. He also raised the issue of direct communication with clients without going through the solicitor. J Sirodcar confirmed that this was a one-off instance caused by a delay in dispatch, which should not reoccur.

J Luba requested processing times for: non-emergency claims for legal aid; emergency claims for legal aid; processing app 8 applications to amend; applications for specific authority.

AP8 [Jan]: S Starkey to investigate what detail is available that is in a format that can be shared with CCCG.

7. Commissioning update

K Wood outlined the latest position on tenders as follows:

Tenders have opened for the provision of two Housing Possession Court Duty Schemes: Barnstaple, Torquay & Newton Abbot and Lambeth (with a view to services starting in March and April respectively). These have been opened following the withdrawal of existing providers. The closing

date for tenders is 12pm on 3 February. More details can be found on the tender pages of the website and a story will be included in this week's LAA update.

The Welfare Benefits tender for provision of services in the North and South West & Wales Procurement Areas closed on 13 January. A total of 11 tenders were received in the North Procurement Area and 3 in the South West & Wales so we are confident of being able to put services in place for February. We are aiming to notify bidders of the outcome by the start of next week.

Work is ongoing on developing Mental Health and Community Care tenders with a view to them opening in mid February. Following correspondence received on behalf of a number of larger Mental Health providers, we plan to publish more information on the forthcoming tender round, including details of procurement areas and matter starts that will be made available, by the end of January. We are also meeting with the MHLA this Thursday to discuss their concerns and also plan to discuss communications with them to ensure we can work together to make the provider base as comfortable as possible with the tender process, including doing what we can to deter speculative bidding which appears to be a key concern.

We are currently liaising with organisations that have expressed an interest in delivery housing advice in Dorset and Shropshire, where there is presently no face-to-face housing provision and hope to be able to place services in these procurement areas imminently.

Current information on the location of Welfare Benefits providers would be circulated after the meeting.

Post meeting note: this has now been circulated to members in an email from Melena Ward.

Jan L queried whether the new SI regarding fixed rates had been applied to the existing contracts. E Druker confirmed that this was only applied to the 2014 contracts.

8. Issues raised by representative bodies

J Luba asked what happens when a quality provider exhausts their NMS; they cannot take more until the rest of the market is saturated, but how do they know when to ask again? J Sirodcar confirmed that for Mental Health and Immigration & Asylum, increases of up to 50% can be made without considering the position regarding any other provider. Some providers can also self grant up to an additional 50%. For providers in other scenarios, the Contract Manager will be able to give them an idea of when to ask again.

N Jones-King raised the issue previously queried, of a travel claim being refused when a solicitor needed to travel to see a child. J Sirodcar confirmed that there should be no issue with payment, but to avoid any problems, it was helpful to state on the claim the reason for the travel. S Starkey commented that this clarification would be included in the next update to the handbook.

AP9 [Jan]: E Druker to confirm the position regarding travel claims when a solicitor needs to travel to see a child.

The next meeting is on Monday 10 March.

Actions from this meeting		Owner	By when
AP1 [Jan]	K Hartup to arrange for information from the user needs workshop to be fed back to the group. GDS to be invited to a meeting in March (either the CCCG or a separate meeting) for a longer session looking at next steps and how Civil CCG can feed in.	K Hartup	21 Feb
AP2 [Jan]	All invited to inform K Hartup of any inaccuracies encountered using the 'Can you get legal aid' checker and any specific places on the existing Justice website where a link would be helpful.	All	31 Jan
AP3 [Jan]	All invited to feed back to Gillian if they are interested in visiting one of the offices.	All	10 Mar
AP4 [Jan]	J Sirodcar to find out what is happening re Counsel instructed by the non NE provider. Tracey Courtney-Williams has responded to J Luba – action can be closed.	J Sirodcar	Closed
AP5 [Jan]	All invited to contribute ideas for web chats or webexes.	All	10 Mar
AP6 [Jan]	S Starkey to investigate providing the top ten reasons for FAS rejects. Responded directly to S J Bennett/J Luba – action can be closed.	S Starkey	Closed
AP7 [Jan]	J Sirodcar to investigate the issues raised re the NMS report.	J Sirodcar	10 Mar
AP8 [Jan]	S Starkey to investigate what detail is available that is in a format that can be shared with CCCG.	S Starkey	10 Mar
AP9 [Jan]	E Druker to confirm the position regarding travel claims when a solicitor needs to travel to see a child.	E Druker	10 Mar

Actions from November meeting		Owner	By when
AP7 [Nov]	K Wood to liaise with S Hugo-Lake regarding the information to be provided on Civil 2010 replacement contracts. S Hugo-Lake to circulate link to the information on Welfare Benefits providers, when it is available. Closed – see section 1	K Wood / S Hugo-Lake	Closed
AP16 [Nov]	K Hartup to confirm the rationale for the figures included in the LAA Performance Measures. Closed – see section 1	K Hartup	Closed
AP17 [Nov]	S Hugo-Lake to explore whether mediation statistics can be broken down further. Closed – see section 1.	S Hugo-Lake	Closed