

**Civil Contracts Consultative Group (CCCG)
Minutes**

11 July 2016

V3

Date:	Monday, 11 July 2016	
Where	MoJ, 102 Petty France, London	
Chair:	Lynn Evans – Head of Service Development-Commissioning	
Attendees	<p>Carol Storer – LAPG Caroline Leach – Central Commissioning [LAA] Dominique Smith – BC Eleanor Druker – Service Development [LAA] Eleanor Solomon – HLP Grazia Trivedi-minutes [LAA] James Martin – Civil Legal Aid Scope and Eligibility [MoJ] John Sirodcar – Contract Management [LAA] Jon Cable – Operational Assurance [LAA]</p>	<p>Kathy Hartup-Communications [LAA] Malcolm Bryant-Head of High Cost Civil [LAA] Nimrod Ben-Cnaan – Law Centres Paul Seddon – ACL Richard Busby-Resolution Richard Miller – TLS Sara Stephens – HLP Zara Topping – CCMS [LAA] Zoe Harper – ILPA</p>
Apologies	<p>Avrom Sherr –IALS Carita Thomas-ILPA Jackie White – Shelter Jayne Nevitt – Civil Operations [LAA] Jenny Beck – LAPG Kerry Wood – Head of Commissioning [LAA]</p>	<p>Martin Westgate – BC Nicola Jones-King – ALC Stephen Aynsley-Smith- Head of Quality Assurance [LAA] Steve Starkey – Head of Civil Operations [LAA] Vicky Ling – Resolution</p>

1. **Minutes** from the last meeting were approved. All actions were closed except one to be covered under item 2.1 below.
 2. **LAA Updates**
 - 2.1. **Client and Cost Management System [CCMS]** Z Topping gave an update.
 - Uptake continued to be high, around 99% and reaching 100% in mid-June.
 - As the system had been mandatory for three months and all Crime Associated Civil Work had become mandatory from 4th July, the CCMS transition arrangements had formally been closed.
 - 58 submissions had been submitted under the CCMS contingency arrangements during June. Some of these (28%) were not applications but correspondence, documents and substantives that providers were out of time to submit. Only 13 of the 58 submissions were from providers using the process to submit without first contacting on-line support.

This number (13) was reassuringly low however the CCMS team were reviewing the existing arrangements with online support and case management to find a way to capture the IT issues that prevented providers from using the system. Internal consultation was ongoing to ensure that a revised process didn't slow down CCMS performance. Any changes would be communicated first and phased in by case management.
- On 3 July an IT solution had been introduced to:
 - a. Detect whether a provider was on a supported browser. If a provider didn't have the right browser, they would be directed to a page explaining how to download an upgraded browser. Only 3% of users had incompatible browsers.
 - b. Direct all providers on compatible browsers to the upgraded version of CCMS and the latest functionality. 97% of users were on the upgraded version in week 1.
 - Work on improvements to the system would continue.
 - There wasn't a fixed budget for further work on CCMS. Funding had to be requested when needed from the LAA central fund.
 - Providers with specific problems on individual cases needed to contact the case management team by submitting either a Case Enquiry or General Enquiry via the CCMS or a call to the Customer Service Team: 0300 200 2020.
 - General Feedback or emerging themes were to be directed to CCMSservicedelivery@legalaid.gsi.gov.uk
- P Seddon pointed out that there was only one external software provider for Claims uploads; this provider said that the LAA could not give them a platform to work with. P Seddon was asked to send details of this to Z Topping who would look into it. **Action 1 [July]**.
- No provider had submitted an application via the transition or contingency route more than 4 times. Contract managers had contacted users that had submitted paper applications in order to help them submit them online instead. Providers experiencing issues submitting online were advised to use the contingency route as this ensured the application would be processed; the problem would be dealt with afterwards.

- The contingency process for bills remained the same; the webpage had been updated to inform providers. P Seddon to check the [webpage](#) Z Topping **Action 2 [Jul]**

2.2 Operational Update. There were no questions on the operations report

2.3 Commissioning Update Caroline Leach updated the group

- i. Civil Legal Advice [CLA] contract extensions – The LAA had exercised their right under the contract to extend all CLA Specialist Legal Advice Contracts for a second year. These contracts would now end on 31 March 2018.
- ii. Welfare Benefits [WB] tender – The previous week the LAA notified bidders of the outcome of their tenders for WB contracts in the North and/or South West and Wales Procurement Areas. Organisations would now need to verify the information provided in their tenders by the contract start date on 1 November 2016.
- iii. Housing Possession Court Duty Schemes – the LAA would be writing to providers affected by the HMCTS court closure programme to outline how this would affect their specific scheme. **Post meeting note** – letters were sent to affected providers on 12 July.
- iv. Housing & Debt Services in Surrey – Following the expression of interest for at least one contract in this Procurement Area the LAA had received several responses. In respect of some the LAA had been able to make the offer of a contract and were awaiting further information from others before determining whether they could award work. A further update would be given to CCCG once the LAA had been able to place at least one contract.

2.4 High Cost Cases [HCC] M Bryant said that the Exceptional Case Funding [ECF] litigation had been determined by the Court of Appeal on 20 May. The merits regulations that had been in place before the earlier High Court judgment (Collins J) had been declared lawful by the Court of Appeal as was the operation of the scheme and the Lord Chancellor guidance. Permission to appeal to the Supreme Court was refused by the Court of Appeal.

The LAA had therefore reversed to the so called pre-Collins position on prospect of success which meant that applications had to have a prospect of success of 50% or more to be granted. All other aspects that were put in place following Collins to improve the ECF scheme would remain in place:

- The simplified form
- Dedicated phone line
- Better assistance for direct applicants

[Legal Aid Statistics](#), including those on exceptional funding, had been published on 1 July. The statistics showed that 50% of requests had been granted and for immigration the grant rate was over 70%.

- **Immigration CW3** M Bryant clarified that the HCC Group dealt only with representations [e.g. certificates] and the case management team dealt with controlled work, therefore J Nevitt would respond to ILPA's questions on CW3 applications [agenda item 3.3] outside the meeting. **Action 3 [Jul]**.

- **Standard Operating Procedures [SOP] for referrals.** Ruth Wayte, LAA's Principal Legal Adviser, had discussed this with C Storer; the LAA were deliberating what information could be published in relation to this.
- **HCC performance** LAA had received more family case plans than had been able to process; a recovery plan was in place to catch up by September. Rep bodies were requested to ask, if possible, that their members only chase with regard urgent cases so that they could be prioritised.
- **Transitional cases** Z Harper asked whether there was any guidance on these cases. M Bryant said that his team were aware of the issue and were looking into it generally but there was no intention to review determinations previously made, although new applications would be determined in accordance with the regulations pre Collins.

3 Issues raised by Representative Bodies

Immigration Act 2016 Z Harper asked what legal advice provisions were in place for children that were dispersed around the country. E Druker said that the LAA would consider what provision should be put in place when the volume of cases and areas became known following discussions with the Home Office. There would likely be a range of options with different alternatives being appropriate in different areas e.g. paying more travel costs.

It was difficult to predict costs at this stage without having any information on volumes.

The situation would be assessed area by area. Z Harper pointed out that interviews conducted by telephone or skype were not appropriate for children that had suffered torture, abuse or had been victims of trafficking.

Z Harper asked what support was going to be given to the increasing number of dispersal centres, and in particular in the Lancaster area. Davinder Sidhu was the LAA contact for this.

5.1 AOB

- G Trivedi said that the Sep meeting would start half an hour earlier at 14:30.
- G Trivedi asked whether CCCG meetings could be held on a Wednesday from 2017. This was agreed.

Actions from this meeting		Owner	when
AP1 [Jul]	P Seddon to send the details of the issue with the external software provider for Claims upload to Z Topping	P Seddon	carried 4ward
	Z Topping to look into it	Z Topping	
AP2 [Jul]	Check the webpage http://ccmstraining.justice.gov.uk/contact-use/when-ccms-isnt-working and feedback to Z Topping	P Seddon	Closed
AP3 [Jul]	Contact ILPA to answer queries about CW3 applications	J Nevitt	Closed