

Civil Contracts Consultative Group (CCCG) Minutes

17 May 2017

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Date:	Wednesday, 17 May 2017	
Where	MoJ, 102 Petty France, London SW1	
Chair:	Laura Wensley - Service Development and Commissioning [LAA]	
Attendees	Avrom Sherr - IALS Carol Storer - LAPG David Martin – Family Legal Aid/LASPO Review [MoJ] Dominique Smith - Bar Council Eleanor Druker - Service Development [LAA] Eleanor Solomon - HLP Grazia Trivedi - minutes [LAA] Hannah Payne - Service Development and Commissioning [LAA] Helen Keith – Exceptional and Complex Cases [LAA] Joanne Lumsden –Digital Business Analyst-User Relations[LAA] Nicola Jones-King ALC	Nimrod Ben-Cnaan Law Centres Network Paul Seddon ACL Rachel Rogers – Resolution Sally Cheshire - HLP Simon Cliff – The Law Society Steve Starkey – Civil Operations [LAA] Stuart Hearne - Shelter Tam Gill - MHLA Zara Topping - Digital [LAA] Zoe Harper - ILPA
Apologies	John Sirodcar – Contract management – LAA Jon Cable – Assurance [LAA] Kerry Wood – Commissioning [LAA] Malcolm Bryant Exceptional & Complex Cases [LAA] Richard Miller – The Law Society	

1. Minutes from the March meeting were approved.

L Wensley said that due to the imminent general elections the civil service was in purdah so the LAA would not be able to make any comment on policy or future strategy.

- Actions 1, 2, 3, 4, 5, 6, 7, 9 and 10 [Mar] related to CCMS and would be covered under item 2.1.
- Action 8 [Mar], LAPG were in the process of editing the output from their members' survey on CCMS user experience. C Storer would share the final version as soon as it was ready. **Action 1 [Mar]**
- Action 11 [Mar] the meeting on Family High Cost Cases was being arranged and would probably take place at the start of June. **Action 2 [May]** H Keith to ensure R Rogers and N Jones-King were copied into all communications.
- Action 18 [Mar] E Druker was waiting for a response from the digital team about improving the search ranking for legal aid advisers. **Action 3 [Mar]**

2. LAA Updates

2.1. Client and Cost Management System [CCMS] Z Topping said that the team were aware that communications and engagement with users needed to improve and were working on it.

The focus in 2016 had been on improving the payment process, ensure case workers had everything they needed to deal with applications, claims and bills and to support the general ledger and any debt recovery as the system processed all payments and financial transactions for the LAA. Stability and resilience had been built into the system.

The team held two focus groups with rep bodies in housing and urgent work to discuss forthcoming priorities.

The output from the engagement events and focus groups had been split into either training needs/research requirements, or matters that needed a technical change. With regards to the latter the team had:

- a) Released a document upload application to ease and speed up urgent/emergency work.
- b) Moved every provider off the classic version of the system and onto the new browser which gave them maximum benefit from the functionality of the system.
- c) Introduced an email notification to providers informing them that their application had been received.

Housing providers' feedback was that a) they had to spend too much time moving through the amendments and the interviews b) some of the back and forth functionality did not work and they had to step through reassessment when they just wanted to look at a merit limitation. In response to this the team had released to beta providers upgraded functionality to the amendment interview which includes a navigation functionality without the need to use the back and forth button.

The means side of amendments would shortly be released into Beta – the team were gathering feedback from Beta providers before a full release into production.

Feedback and engagement

A revised feedback loop has been introduced to the system homepage which was giving very helpful information.

A group, including representation from Representative bodies had been set up called Process Efficiency Team [PET] to look at improving the system outside of the technical area. They looked at ways of improving the user experience and processes, such as suggesting changes to the words used in declarations or the questions used in interviews.

User engagement has been continuing with focus groups looking at Notifications, Amendment functionality, billing and means assessments.

One of the outputs from providers' feedback had been to look at how work and anything that was an exception, could be directed to the special cases unit so it could be dealt with very quickly. This change was currently going through.

Z Topping updated the group on CCMS actions from the last meeting:

- Action 1 and 2 [Mar]. Z Topping said that the work around solutions for billing had been published on the quick guides; she planned to have a discussion with P Seddon about whether they were fit for purpose. **Action 4 [May]**, Z Topping to send the link to the guides to P Seddon.
- Action 3 [Mar]. The team had not worked through the release of the enhancements to reduce rejects/assessments on bills so this action to be taken forward **Action 5 [Mar]**. P Seddon was liaising with Antony Evans on this problem and was working on producing a summary of members' feedback on CCMS which he would share with CCCG **Action 6 [Mar]**.
- Action 4 [Mar]. The accounting estimate put the commencing date of CCMS as August 2014 but it remained part of the LAA's standard annual reviews accounting estimates. P Seddon asked what the rationale was for pinning the commence date to August 14. Z Topping to find out **Action 7 [May]**
- Action 6 [Mar] and 7 [Mar]. Z Topping to take these forward to the next meeting **Actions 8 and 9 [Mar]**.
- Action 10 [Mar]. Case managers would expect CCMS means assessed legal aid application forms to be signed by a guardian in cases where practitioners acted for a child. G Trivedi to circulate the guidance **Action 10 [May]**

2.2 Civil operations S Starkey spoke about the main points in the report; the target on applications processing times had been tightened to 85% at 15 days [instead of 20 days] and on bills 90% at 15 days [instead of 25 days]. Operationally the position had been challenging with the legal means and billing teams working overtime at weekends to maintain the current position. In respect of billing document requests, levels had been very high [please read the post meeting note for more details].

An increasing number of firms were submitting their CCMS claims and outcomes at the same time, which slowed down the payment time. Guidance on this had been published in March. S Starkey to circulate the guidance [see below].

P Seddon said that as it was usually not the fee earner that submitted the claim on CCMS and so it was often preferable to submit outcome and claim at the same time to save time even though it would take longer to get the payment.

Post meeting note The recent article on the importance of prompt recording of **Case Outcomes** prior to submitting a final claim can be found here [Civil news: submitting case 'outcomes' and prompt payments - GOV.UK](#) This article will be re-issued. The quick guide for Reporting Case Outcomes can also be found here: [Recording Outcome and Dischargev5.0.pdf](#)

The system treats the 'outcome' and the 'claim' as separate processes and the claim will only join our billing work queues to be processed once the outcome has been dealt with. If you think about our processing timescales, for the vast majority of claims if you have already had your outcome determined you can reasonably expect the majority of your claims to be processed within 10-15 days and so paid within a month. However, if the outcome and claim are sent in together then these timescales are significantly elongated (probably nearly doubled) and if the outcome is complex that can add a significant delay to your eventual bill payment so it really is always best to get this resolved first.

The other issue we are facing, which is causing a significant drain on our resources (as well as adding additional administrative costs for yourselves) is the volume of '**document requests**' our caseworkers are having to make due to either lack of evidence being provided or lack of clear explanations. We did send out a bulletin in March covering this topic [civil news: faster payment claims and documentary evidence - GOV.UK](#) but it really would pay dividends for us all if we could really try collectively to tackle this issue. The fewer document requests or re-requests we need to make the faster and more efficiently we can pay your claims.

A recent survey we did to analyse the main reasons for document requests and they were found to be:

	Reason for Document Request	%
1	Travel Justification	13.07%
2	Counsel Fees do not reconcile (FAS)	11.93%
3	Other*	11.76%
4	Disbursement Voucher Missing	8.99%
5	Court order for interim court bundle fee	7.35%
6	AAF incomplete	6.54%
7	Court order for IRH payable as final	6.05%
8	Expert Invoice Details Insufficient	5.39%
9	Counsel Fee Note	5.23%

And if you were to look at what is actually in the 'Other' category above a more detailed breakdown of that is given below.

	Breakdown of 'Other'	% of Other	% as a whole
1	Discretionary FI request	31.94%	3.76%
2	All documents missing	26.39%	3.10%
3	Incorrect documents uploaded	12.50%	1.47%
4	Provider entering issues	6.94%	0.82%
5	Enhancement issues	5.56%	0.65%
6	Associated cases issues	4.17%	0.49%
7	Explanation of 'Other' codes	4.17%	0.49%
8	Stat Charge issues	2.78%	0.33%
9	Bill of Costs missing	1.39%	0.16%
10	CCMS Technical Issues	1.39%	0.16%
11	Counsel Bill Before Solicitors	1.39%	0.16%
12	Schedule of Disbursements missing	1.39%	0.16%

There are occasions when our caseworkers have made unnecessary requests for information that has already uploaded and we appreciate that this must be really frustrating. I have asked them to be more vigilant in future but it would really help if documents were uploaded in a way that would facilitate their retrieval. It would be really helpful for instance if all 'disbursement vouchers' were scanned into a separate document for ease of identification. We do find that some firms scan everything together and that makes it so hard for caseworkers to find what they are looking for so things can be missed.

Any assistance you can give to help get these messages across would be really appreciated.

2.2.1 From June and every two months thereafter the Management Information team would be sending out to all firms a list of live cases including those where outstanding **payments on account** existed. This was for information only to help providers to see whether there were any substantial amounts of un-recouped payments on account so they could manage any ongoing cases more effectively.

Post meeting note a sample list is attached.¹

2.2. Exceptional and Complex Cases [ECC]. H Keith said that the phone service run by the customer service team in South Tyneside was working well; as concerns had been expressed previously by rep bodies about this service, M Bryant had asked them for feedback on live scenarios where problems had occurred but so far none had been received. Complex calls that operatives could not deal with



were put straight through to the ECC team and messages from callers about cases were sent to the team via e-mails. The team would respond within the set timescales.

Emergency immigration work was on target and only a few immigration case planning cases were outside the 20 days target. The team were focusing on the work in progress cases outside the 20 days..

In relation to family case planning Anthony Leal was working with the VHCC team in South Tyneside to develop their ability to deal with more case planning work. Eventually ST would become the main hub for processing very high cost cases. A Leal would remain in control of that work to ensure consistency and quality. The target for processing VHCCs was 100% within 20 days and the team were focusing their resources on achieving this target. Rep bodies whose members were involved in VHCC work were encouraged to attend the meetings A Leal was about to arrange.

Work had been done on CCMS to streamline queues and a coordinator would be in place to go through queues to pull out the work and direct resource.

2.3. Commissioning update.

Tender for 2018 Contracts. In light of the announcement that a General Election was to be held on 8 June it had been necessary to revise the planned start date for the procurement process for new Civil Legal Advice (CLA) and civil face to face legal aid contracts. The LAA would release information again as soon as possible after 8 June. LAA still planned to undertake market engagement to support the procurement of HPCDS contracts with a combination of face to face and WebEx sessions.

SQM. H Payne said that the SQM Delivery Partnership was no longer contracted to administer the SQM quality standard on the LAA's behalf. From 1 April, Recognising Excellence Ltd had taken responsibility for delivering the audit process and should be contacted in respect of all SQM accreditations/re-accreditations.

Some changes to the audit process had been introduced through the new SQM contract. Details were on the SQM pages of the website but the key changes were:

- a reduction in stages of the audit award process
- an increase in requirements at the Pre-QM stage.

This meant that organizations applying for the SQM for the first time would be awarded the SQM after the pre-audit, after which they would require re-audit on a 3-yearly basis. There was no longer a post-QM audit stage.

Access and capacity. There had been no new withdrawals or reasons to increase capacity.

LAA were aware that in North Hertfordshire there was no access to face to face Housing advice. The access gap persisted following the lack of response from contracted providers to an EOI and the commissioning team continued to take action to address this.

The commissioning team would shortly be notifying organizations of the outcome of their expressions of interest for supplementary Immigration & Asylum matters. Requests had been received in respect of approximately 20 offices. These matters were advertised to cater for identified additional need arising from a) a greater number of unaccompanied asylum seeking children following the closure of the Jungle in Calais and b) changes in dispersal by UKBA which has seen an increase in clients transferring to London from other parts of the UK.

3 Issues raised by Representative Bodies

3.1 The outcome of the meeting with rep bodies in 2016. Covered in the CCMS update, item 2.1.

3.2 Summary of the budget allocated to CCMS. This was a restricted subject due to purdah.

3.3 Change of personnel dealing with CCMS. C Storer said that rep bodies had been shocked to realise that Laurence Lewis, Director of Digital whom they held in high esteem, had left the organisation and the LAA had not communicated this to them. L Wensley apologised for this oversight. Luke Crosby had taken over as interim director of digital and planned to meet with all the rep bodies to discuss the digital portal and the technical work done by the LAA. **Action 11 [May].** Look into areas where CCMS might need more user research, such as that done by Luke Wilson **Action 12 [May].**

R Rogers said that there had not been a specific family focus group. Resolution had fed back some specific issues to the team which were still outstanding. Z Topping asked Rachel to send these to her so that she could direct them to the right person for action. **Action 13 [May]**

Z Harper requested that ILPA be included in the HCC focus group. **Action 14 [May]**

N Ben-Cnaan asked about the changes proposed in the recent consultation to means testing and specifically passporting universal credit [UC] clients. There were two options but the second option was rejected for several reasons, one of which was that it didn't fit into CCMS. He asked what the problem was. L Wensley said that as this was subject to an open policy consultation it could not be discussed today given the Purdah period.

4 AOB - none

Actions from this meeting		Owner	deadline
AP1 [Mar]	Share the output from the LAPG members' survey on CCMS user experience	C Storer	30 June
AP2 [May]	Include R Rogers and N Jones-King in all communications regarding the forthcoming meeting on Family High Cost Cases	H Keith	Closed
AP3 [Mar]	Chase the digital team on the issue of improving the search ranking for legal aid advisers	E Druker	30 June
AP4 [May]	Circulate the link to the quick guides	Z Topping	25 May
AP5 [Mar]	Share planned CCMS enhancements to reduce rejects/assessments on bills	Z Topping	30 June
AP6 [May]	Share ACL members' feedback on CCMS	P Seddon	30 May
AP7 [May]	Find out what the rationale was for pinning CCMS start date to August 2014.	Z Topping	30 June
AP8 [Mar]	Update CCCG on caseworkers' handling of scope limitations and	Z Topping	30 June
AP 9 [Mar]	Ensure that CCMS is updated with the correct scope limitations, specifically housing	Z Topping	30 June
AP10 [May]	Circulate the guidance on applications forms signed by a guardian in	G Trivedi	30 May

	cases where a practitioner acted for a child		
AP11 [May]	Set up a meeting between Luke Crosby and rep bodies to talk about the technical work done by the LAA	Z Topping	Closed
AP12 [May]	Look into areas where CCMS might need more user research	Z Topping	30 June
AP13 [May]	Send family specific issues to Z Topping	R Rogers	Closed
AP14 [May]	Include ILPA in the HCC focus group	Z Topping	30 June
AP15 [Mar]	Confirm universal credit point post-election	L Wensley	30 June