


COMMISSIONING OF ADVICE SERVICES FROM THE VOLUNTARY & COMMUNITY SECTOR FROM APRIL 2007

INTRODUCTION

 This report clarifies the principles and processes that will be used to make commissioning decisions for the advice sector from the Council allocation of £1.3m for the period from April 2007 onwards.

BACKGROUND

- The Community Legal Advice Service Partnership formed in Autumn 2001, with one of its aims being to improve the effectiveness and co-ordination of funding decisions.
- Agreement was reached by CLASP with funders to act as advisors to the Council in recommending where and how the funding available for advice provision in the voluntary & community sector should be used.
- A review was undertaken of existing provision; development of strategy, needs analysis, supply mapping & a gap analysis exercise.
- Funding was allocated for the period October 2004 to March 2007.
- A revised needs analysis & supply mapping; & CLASP strategy & action plan was developed in 2006.

UNDERLYING PRINCIPLES

The CLASP has made access to free, confidential, independent and quality advice a key underlying principle and priority in its work. The CLASP recognises that Bradford District delivers advice services in an almost unique way, by offering widespread local, community-based service provision. Prior to commissioning in the future work will begin to start a new consultation about how best to deliver services in the long term.

Throughout the decision making process the commissioning group of CLASP used the following additional principles to determine the allocation of funding.

- Access for the majority of groups will be addressed through the commissioning of a community-based generalist advice sector, maintaining and developing equal and diverse practices.
- It is intended that the majority of commissions will be for a three year period, with some given on an annual basis where commissioners have contractual concerns about groups. All agencies will be subject to a quarterly review of performance against agreed MoA's and in the light of the changing needs of the District.
- All allocations across the sector will be made in a consistent way and will be subject to formal Memorandum of Agreements, to be negotiated with individual organisations. How organisations deliver to the MoA will be subject to negotiation, but ultimately delivery will be the responsibility of the individual organisations.
- All funds will be used for direct service provision rather than infrastructure support for the sector.
- All commissioned agencies must have the CLS Quality Mark at the General Help level as a minimum, and that if an agency has the Mark withdrawn, the CFU has

the power to withdraw the agency's funding, and will do so unless there are extraordinary circumstances.

- As a minimum all local community based services will provide a General Help Quality Mark level of service in benefits, debt, housing, employment and (in areas with 'high' BME population) immigration. To provide the latter the agency must also be registered with the OISC at Level 1 or above. In addition all agencies must have in place a debt counselling licence.
- Consideration was given to the level of funding which would be made available to the different areas of work, i.e. Specialist, Generalist and Communities of Interest, as well as determining how that work should be covered on a geographical basis.
- Generalist agencies will be expected to work in partnership within local boundaries to ensure access to drop-in advice sessions throughout the week. Within the Bradford City area, agencies will need to co-ordinate with CAB to ensure services are available.
- The commissioning body considered the funding allocation for Specialist, Generalist and Communities of Interest services based on an objective measure of need from information contained in the revised Needs Analysis, which was adjusted to take account of the revised Supply Map (2006). Further, the group considered the level of funding that goes into different areas of the district.

ANALYSIS OF NEED/ SUPPLY MAPPING

See separate document

MONITORING REQUIREMENTS

Separate document being drafted currently.

Representations Process

Where groups feel that the process undertaken has been other than open, fair, & transparent, they may make representations. A panel consisting of two senior officers within the Local Authority will review any representations. Their decision will be final.

Future developments

After the commissioning process, 2007-2010 has been concluded a consultation exercise will begin to consider how best to deliver advice services in the future.

Service specifications

These are attached as appendices.

Appendix 1

Service specification for advice service delivery by generalist community advice services

Period of funding: It is intended that the majority of agencies will be commissioned for a period of 3 years, subject to an annual review of performance against targets agreed in the Memorandum of Agreement (MoA), the total funding allocation for the voluntary sector and CLASP related services and the changing needs of the District. Where there has been underperformance a one year contract may be provided.

Period of service delivery during the year: all agencies will be required to deliver at least 48 weeks service provision over a year. If agencies are staffed by a single person, details of this provision will be negotiated in individual MoAs.

Categories of law and levels of advice: each commissioned agency should provide as a minimum free, confidential, independent and impartial legal advice at the CLS Quality Mark levels indicated below:

- I. General Help in Welfare Benefits.
- II. General Help in Debt.
- III. General Help in Housing.
- IV. General Help in Employment.
- V. [For agencies working in areas with high black and ethnic minority populations] General Help in Immigration and these agencies must also be registered with the OISC at least at level 1.
- VI. Assisted Information in consumer, mental health, community care, education, family/domestic violence, [if not in an area with a high black and ethnic minority population] immigration and related enquiry areas.

Agencies must ensure that they use their Council Funding to achieve this level of service. If agencies cannot meet these requirements because of an identified training or resource need, this should be raised with the MoA negotiator and a development plan agreed. The plan should ensure delivery at the required level within 12 months.

CLS Quality Mark

i) General Help level CLS QM: All agencies commissioned to deliver generalist community advice services must gain and retain the CLS QM at the General Help level as a minimum.

ii) Advice at the General Help with Casework level: Generalist community agencies that intend *regularly* to deliver advice at the General Help with Casework level must specify in their MoA the categories of law they will provide at that level. Those agencies will be expected to gain and retain the CLS QM at the General Help with Casework level in the specified categories of law within 12 months of commissioning.

iii) Advice at the Specialist level – occasional: Generalist community agencies that intend *occasionally* to provide advice at the Specialist level must record this intention in their MoA and specify the categories of law they will provide at that level. They must also explain how they will be able to ensure specialist level quality of advice in those cases.

iv) Advice at the Specialist level – regular: Generalist community agencies that intend *regularly* to provide advice at the Specialist level must record this intention in their MoA and specify the categories of law they will provide at that level. They must also explain how they will be able to ensure specialist level quality of advice in those cases. Those agencies will be expected to gain and retain the CLS QM at the Specialist level at least in the specified categories of law within 12 months of commissioning.

v) CLS QM decisions: If an agency has their CLS QM withdrawn having previously succeeded at the ‘pre-QM’ stage, the Community Funding Unit (CFU) has the power to terminate the agency’s funding and will do so unless there are exceptional circumstances.

Decisions of the LSC about award of the CLS QM will be used in this respect. However the CFU will always seek the views of the CLASP Board before reaching a final decision to terminate funding.

Signposting and referral

Agencies must adopt the agreed CLASP signposting and referrals system as a minimum.

It is acknowledged that some agencies may be able to provide higher levels/other categories of advice using non-Council funding. However commissioned agencies should only use Council funding for such provision if this does not compromise their capacity to meet the agreements in their MoA.

Client/adviser contact time: agencies are expected to ensure that their advisers spend approximately 40% of their time not delivering advice sessions. This time will be used for an appropriate mix of follow up casework and research, general research and development, social policy work, attending training courses, conferences and meetings, casework supervision and general supervision.

Methods of service delivery: the methods by which advice can be delivered are:

- Face-to-face drop-in at main office site (including women-only sessions)
- Face-to-face appointment at main office site (including women-only sessions)
- Face-to-face drop-in at each outreach site (including women-only sessions)
- Face-to-face appointment at each outreach site (including women-only sessions)
- Telephone/minicom
- Letter/fax/e-mail
- Home visit

Each agency is expected to employ a mix of delivery methods and advisers with relevant skills (including languages) to meet the needs of actual and potential clients. Each agency should address these issues within its business or development plan. Each agency is expected to ensure their services are accessible to all communities and that they are providing services to all communities irrespective of age, disability, ethnicity, gender, religion or sexual orientation.

Geographical coverage: agencies are required to work in partnership with other agencies based in the same constituency to improve overall access – the CFU will provide details of the constituency areas and other agencies within them.

Agencies working within the same constituency area should ensure that men and women can access a drop-in advice session every morning from Monday to Friday

somewhere in their constituency area. This means that agencies must ensure that women-only sessions, appointment-only sessions and closure days are co-ordinated among local agencies.

Agencies will continue to be funded to provide a service for specific areas and these clients will continue to be the priority. However agencies will be expected to offer a service to people from other areas when another generalist community service provider is unavailable. Agencies that experience difficulties with this requirement should raise their concerns with their local partners or if appropriate with the CFU.

Publicity: all agencies are required to publicise their services in formats that are clear and accessible to all actual and potential clients and (if appropriate) in languages other than English

Publicity should be updated regularly and should include details of alternative provision when access is restricted.

The Bradford District Community Legal Advice Service Directory will be re-published in 2007 on the CLASP website.

Home visits

Home visits enable access for some excluded groups. They may be the only way some clients, can access the service and therefore should be made available by all agencies in limited circumstances.

However they are resource intensive and create risks for staff so should only be used when there is no realistic alternative.

Monitoring

Agencies will be expected to comply with the CFU's quarterly monitoring requirements.

(See separate document)

Short Term Staff Absence: up to 4 weeks

As far as is reasonably practicable, agencies are expected to maintain delivery of the full MoA level of service during periods of short-term staff absence. Where agencies cannot cover drop-in sessions with other workers from their own agency, they are expected to negotiate with local partner agencies to provide some cover or ensure signposting to the nearest available service.

Long Term Staff Absence: 4 weeks and over

In the event of long-term staff absence, the agency must inform the CFU as soon as possible. As far as is reasonably practicable, the agency will be expected to make alternative arrangements to maintain at least 50% of the agreed MoA level of service provision.

Appendix 2

Service specification for advice service delivery by specialist advice services

Period of funding: It is intended that the majority of agencies will be commissioned for a period of 3 years, subject to an annual review of performance against targets agreed in the Memorandum of Agreement (MoA), the total funding allocation for the voluntary sector and CLASP related services and the changing needs of the District. Where there has been underperformance a one year contract may be provided.

Period of service delivery during the year: all agencies will be required to deliver at least 48 weeks service provision over a year.

Categories of law and levels of advice: each commissioned agency should provide as a minimum free, confidential, independent and impartial legal advice at the CLS Quality Mark levels indicated below:

- VII. Specialist Help in [**specify** as agreed from Welfare Benefits, Debt, Housing, Employment, Immigration)
- VIII. **General Help/Casework** in [**specify** as agreed]

Note: specialist level agencies are expected not to routinely give advice at the general help level.

- IX. **Assisted Information** in (specify as agreed from: consumer, mental health, community care, education, family/domestic violence, Welfare benefits, Debt, Housing, Employment, Immigration and related enquiry areas).

LSC funding: If an agency also receives funding from the LSC in the same categories of law, the specialist services provided by Bradford Council funding should be targeted on clients for whom help under the LSC contract is not appropriate.

In drawing up MoAs with agencies that also receive LSC funding, the CFU will have regard to the extent to which there is evidence of unmet need/demand for specialist level legal advice by considering:

- Whether the agency's LSC contract is working at full capacity
- The number of clients who need specialist level advice but who are not eligible for assistance under the LSC contract

CLS Quality Mark: all agencies commissioned to deliver specialist advice services must gain and retain the CLS Quality Mark (QM) at the Specialist level.

If an agency has their CLS QM withdrawn the Community Funding Unit (CFU) has the power to terminate the agency's funding and will do so unless there are exceptional circumstances.

Decisions of the LSC about award of the CLS QM will be used in this respect.

However the CFU will always seek the views of the CLASP Board before reaching a final decision to terminate funding.

Signposting and referral

Agencies must adopt the agreed CLASP signposting and referrals system as a minimum. Agencies should not signpost elsewhere clients whose enquiries are in the above categories at the agreed level unless there are exceptional circumstances.

Methods of service delivery: the methods by which advice can be delivered are:

- Face-to-face drop-in at main office site (including women-only sessions)
- Face-to-face appointment at main office site (including women-only sessions)
- Face-to-face drop-in at each outreach site (including women-only sessions)
- Face-to-face appointment at each outreach site (including women-only sessions)
- Telephone/minicom
- Letter/fax//e-mail
- Home visit

Each agency is expected to employ a mix of delivery methods and advisers with relevant skills (including languages) to meet the needs of actual and potential clients. Each agency should address these issues within its business or development plan.

Service delivery should be planned to achieve a reduction in the number of non-specialist level contacts. Therefore referrals for appointments should be balanced carefully with self-referral drop-ins.

Geographical coverage

The geographical area covered by specialist agencies will be Bradford District. Agencies will be expected to accept referrals at specialist level from, and provide consultancy over the telephone to generalist & community of interest agencies funded by the Community Funding Unit.

Publicity: all agencies are required to publicise their services in formats that are clear and accessible to all actual and potential clients and (if appropriate) in languages other than English.

Publicity should be updated regularly and should include details of alternative provision when access is restricted.

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Monitoring

Agencies are expected to comply with the CFU's quarterly monitoring requirements. Detailed targets of cases/clients and/or public advice sessions to be provided over a year will be negotiated in individual MoAs.

(See separate document)

Short Term Staff Absence: up to 4 weeks

As far as is reasonably practicable, agencies are expected to maintain delivery of the full MoA level of service during periods of short-term staff absence. Where agencies cannot cover drop-in sessions with other workers from their own agency, they are expected to negotiate with local partner agencies to provide some cover or ensure signposting to the nearest available service.

Long Term Staff Absence: 4 weeks and over

In the event of long-term staff absence, the agency must inform the CFU as soon as possible. As far as is reasonably practicable, the agency will be expected to make alternative arrangements to maintain at least 50% of the agreed MoA level of service provision.

Appendix 3

Service specification for advice service delivery by community of interest advice services

Period of funding: It is intended that the majority of agencies will be commissioned for a period of 3 years, subject to an annual review of performance against targets agreed in the Memorandum of Agreement (MoA), the total funding allocation for the voluntary sector and CLASP related services and the changing needs of the District. Where there has been underperformance a one year contract may be provided.

Period of service delivery during the year: all agencies will be required to deliver at least 48 weeks service provision over a year. If agencies are staffed by a single person, details of this provision will be negotiated in individual MoA's.

Categories of law and levels of advice: each commissioned agency should provide as a minimum free, confidential, independent and impartial legal advice at the CLS Quality Mark levels indicated below:

- X. General Help/Casework in [to be agreed]
- XI. Assisted Information in [to be agreed]

Agencies must ensure that they use their Council Funding to achieve this level of service. If agencies cannot meet these requirements because of an identified training or resource need, this should be raised with the MoA negotiator and a development plan agreed. The plan should ensure delivery at the required level within 12 months.

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i) General Help level CLS QM: All agencies commissioned to deliver advice services to communities of interest (Col agencies) must gain and retain the CLS QM at the General Help level as a minimum.

ii) Advice at the General Help with Casework level: Col agencies that intend *regularly* to deliver advice at the General Help with Casework level must specify in their MoA the categories of law they will provide at that level. Those agencies will be expected to gain and retain the CLS QM at the General Help with Casework level in the specified categories of law within 12 months of commissioning.

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iv) Advice at the Specialist level – regular: Col agencies that intend *regularly* to provide advice at the Specialist level must record this intention in their MoA and specify the categories of law they will provide at that level. They must also explain how they will be able to ensure specialist level quality of advice in those cases. Those agencies will be expected to gain and retain the CLS QM at the General Help with Casework level at least in the specified categories of law within 12 months of commissioning.

v) CLS QM decisions: If an agency has their CLS QM withdrawn, the Community Funding Unit (CFU) has the power to terminate the agency's funding and will do so unless there are exceptional circumstances.

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Agencies should not signpost elsewhere clients whose enquiries are in the above categories at the agreed level unless there are exceptional circumstances.

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- Face-to-face appointment at each outreach site (including women-only sessions)
- Telephone/minicom
- Letter/fax//e-mail
- Home visit

Each agency is expected to employ a mix of delivery methods and advisers with relevant skills (including languages) to meet the needs of actual and potential clients. Each agency should address these issues within its business or development plan.

Geographical coverage: District wide

Publicity: all agencies are required to publicise their services in formats that are clear and accessible to all actual and potential clients and (if appropriate) in languages other than English

Publicity should be updated regularly and should include details of alternative provision when access is restricted.

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Monitoring

Agencies will be expected to comply with the CFU's quarterly monitoring requirements.

(See separate document)

Short Term Staff Absence: up to 4 weeks

As far as is reasonably practicable, agencies are expected to maintain delivery of the full MoA level of service during periods of short-term staff absence. Where agencies cannot cover drop-in sessions with other workers from their own agency, they are expected to negotiate with local partner agencies to provide some cover or ensure signposting to the nearest available service.

Long Term Staff Absence: 4 weeks and over

In the event of long-term staff absence, the agency must inform the CFU as soon as possible. As far as is reasonably practicable, the agency will be expected to make alternative arrangements to maintain at least 50% of the agreed MoA level of service provision.