

City of Bradford Metropolitan District Council

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Notes of a meeting of the Bradford Community Legal Advice Service Partnership Board held on 12th November 2008 at City Hall, Bradford

Commenced 1800
Concluded 1945

PRESENT

Members of the Board

Lindsey Johnson	Bradford Law Society	Private Sector
Shakeela Lal	Labour Group	Bradford Council
Howard Middleton	Liberal Democrat Group	Bradford Council
Dave Preston	Community Funding Unit	Bradford Council

Also present

Sikander Hussain	Key House Project	Voluntary Sector
Julie Robinson-Joyce	Community Funding Unit	Bradford Council
Jane Tiffany	Account Manager	Legal Services
		Commission
Steve Chapman		Legal Services
		Commission

195. APOLOGIES

Apologies for absence were received on behalf of Graham Moore, Zahida Mallard, Malcolm Sykes, Andy Taylor.

196. MINUTES

Deferred to next meeting, as current meeting was inquorate.



197. LEGAL SERVICES COMMISSION SPEAKERS

Dave confirmed the need for an update from the Legal Services Commission as the LSC was no longer involved in CLASP on a regular basis. Jane clarified that their focus had been on contracted providers as the Partnership & Planning department had been subsumed into contracting. The Commission is currently undergoing re-structuring and part of the Leeds office will be closed. New directorates are being planned – this is an area of change. Peter Nelson will be leaving the Commission at the end of December. Julie Parkin is the lead for contracts for the time being.

CLAC's & CLAN's: In future these will be classified as Community Legal Advice Services. It was felt that there was no need to distinguish between the two models. These are commissioning face-to-face advice up to specialist level in social welfare law. The five original areas of work have expanded as the need for flexibility has been expanded.

In 2007 the Law Society judicially reviewed the Commission and part of the judgement was to disclose who the Commission would be working with until 2010.

Hull: This is now up and running. Service is provided by A4E and Howell's.

East Riding: Needs analysis has been completed. Currently developing service specification. Plan to tender in the New Year with service commencing in Autumn 2009.

Wakefield – in discussion.

Process is for LSC's London policy team to meet with Local Authority and form a working group to look at needs analysis and service standards. There is then an open tender process. Service commences with new matter starts opened and then monitoring begins.

Dave explained that for Bradford the issue was that LA funding available for advice was restricted to the Voluntary sector.

There is currently an evaluation being undertaken by the LSC research centre into the pilots in Gateshead, Leicester, Derby and Portsmouth. This will be reporting in December 2009.

Currently there are still some LSC contracts in place where CLAS have been created. These will eventually end and centres will close.

On LSC website there is a Q & A document.

In 2010 there will be discussions with other Local authorities who have already expressed an interest. What the situation will be for LA's such as Bradford will need to be considered at some point in the future.

Fixed fees: Standard fixed fees were introduced because of discrepancies between average case costs. They were implemented in most categories of law in July 2007, and in mental health in January 2008. They mean that time spent on a case is not taken into account unless it is three times more and than an exceptional fee can be claimed. Family has a more complicated structure, which is dependent on the type of family issue, who is acting for and geographical location.

Mental health lawyers association have concerns about the implementation.

All phase 1 schemes are being reviewed and will be published in 2009.

There have been some problems with electronic submission claims. The system crashed the first time it was used and hasn't been re-used yet. It is planned to be re-issued and will be a phased implementation. In Yorkshire that should be during January/ February 2009.

Other categories – will be launched in future. Subject to consultation – still with Minister. Planned to be published in 2008 for 2010 implementation.

Lindsey explained that due to recruitment issues and fixed fees they had pulled out of their mental health contract and therefore had to give up their community care contract. This has meant that there is no provision in community care in Bradford. The LSC are looking at this.

Julie explained this has impacted on the CLASP strategy as we had been working on increasing the volume of referrals in this area as it was felt there was unmet demand.

Lindsey expressed the view that it should be possible to do some mental health work with community care work without taking on the full scope of work including representation.

As LSC needs to ensure they comply with EU procurement law there will need to be a full bid round to look at plugging this gap.

Quality Mark: LSC is looking to outsource the auditing for the quality mark. LSC have concentrated on auditing contracted providers. Will re-audit all general help QM providers from 1st April 2009 and then their will be bi-annual assessments. An Equalities Impact Assessment has been completed on this, which showed that all organisations felt this would have an impact. Once the work is outsourced – will be a charge. Concern was expressed that this could preclude organisations. It is likely the charge will be in the region of £700 - £1,400 on a sliding scale. The audit costs will be published in December 2008. If groups don't then register they will be considered to have withdrawn. This is intended to be a mid term solution until the advice sector agrees a resolution. Currently work undergoing with ASA. Self help, assisted information, websites and community mediation levels have already been withdrawn.

Training grants: Funding has been increased to £3m. Currently 2 grants in place in Bradford. These grants won't benefit not for profit sector.

Sikander raised the issue of a lack of supervisors locally. Agreed there was a need to ensure capacity building in general. LSC is aware that insufficient supervisors has led to contracts collapsing on occasion. Two organisation in district have had additional matter starts allocated – will need to monitor whether they are able to recruit to supervisor posts.

Peer review: This will be rolled out with best value tendering. BV tendering is being consulted on. Priority will be peer review in criminal cases. Report in peer review is due out in January 2009. It was acknowledged that ANTP lottery funding includes an element of peer review. Sikander clarified this would be aimed at generalist level.

Bid rounds: There is a civil bid round for 2010 currently underway. 23rd Jan is closing date. It is planned to bundle areas of law together for procurement – for broader contracts. Consortia will be allowed to bid into the process. Want to go from legal help to legal representation. Will be a minimum ratio of supervisors to caseworkers. Will be barring certain categories – under tolerance levels – because there is evidence to show that results are not as good for clients. Name changes will be removed.

Currently tendering for telephone advice.

Have been 3 successful bids in family for existing providers and 2 successful bids for welfare benefits, housing, debt and employment and for specific areas, i.e. Ilkley, Bingley, Keighley & Shipley.

Dave offered access to LSC of council information on needs analysis.

Future consultations: 2010 – changes to LSC structure. Dave stressed the Council's desire to maintain contact with the LSC. Sikander explained that contracted providers meet with LSC.

198. REVIEW OF ACTION PLAN

Deferred until next meeting.

199. COMMISSIONING

Dave outlined that the advice commissioning would be joint with the PCT and LA. This would ensure consistency and a reduction in bureaucracy. There would be joint contracts and monitoring. Progress had been made with the needs analysis.

It was hoped that a final decision would be made by the 11th November on Working Neighbourhoods Fund funding which was a replacement for the Neighbourhood Renewal Funding, which should lead to increased provision. £1,075,000 over 2 years is the proposal. This will include work on financial literacy. There is some work to be done in unpicking this work. There is also a need to clarify who will be responsible for the commissioning. Representations have been made to the partnership team for CLASP to take on this responsibility.

It is hoped that it will be possible to commission jointly.

Cllr Middleton expressed his concerns that the work CLASP had done on developing standards including the LSC quality mark. Also need to ensure no double counting takes

place.

Dave agreed to write to the Chairs of the partnerships & Roz Hall to try to ensure that commissioning was using agreed principles and that intelligence gathered by CLASP was used.

Dave explained it would be useful to have Cllr Middleton's endorsement.

It was explained that the needs analysis distributed at the meeting is a work in progress. Information is being used from data provided by Research & Consultation, work undertaken by CFU and information provided by CLASP members and advice workers.

Concerns were raised about Super Output Areas crossing ward boundaries and that some SOA's are very small areas. For CLASP needs analysis neighbourhood areas have been used.

It was pointed out that in the future ward boundary changes would mean Manningham will be moving into West & Little Horton into North.

Dave explained that useful meeting had been held with the PCT prior to jointly commissioning – looking at their funding which in the main goes into GP surgeries.

200. FUTURE MEETINGS

It was agreed to book in meetings in January & March and then consider whether meetings should be less frequent.

Diary dates: Wednesday 28 January 2009

Wednesday 18 March 2009

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Board.

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THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER