

**Wakefield Community Legal Advice Service  
Draft Service Specification Consultation – A Summary of Responses**

*Consultation Question 1a - Do you think that these are the right locations for delivery of face-to-face advice services across The Wakefield District? If not, where do you think the permanent sites should be?*

Responses received in respect to this question were fairly unanimous in their support for the service to have its permanent centre in Wakefield. The reasons that were given focussed on the fact that Wakefield is the hub of the district and all main transport links converge on the city centre.

Some respondents suggested that the service should have more than one permanent centre across the district. Whilst the advantages of such an approach are clear other responses pointed out that to have any more than one full time permanent site would be unfeasible and unsustainable with the funding available. Most respondents felt that having one full time and permanent site that is able to deliver the full range of services from a central and accessible location was the most important factor.

LSC/Wakefield Council Response

In light of the consultation responses received it seems clear that the permanent site for the new CLA service should be located within Wakefield City Centre. This will then be complemented by outreach points across the district.

*Consultation Question 1b - Are these the correct outreach locations? If not, where do you think they should be located?*

There were varied responses on this question. Many respondents felt that the list of outreach areas set out in the draft specification was somewhat limiting in terms of achieving an even spread across the district. It was suggested that if we only delivered outreach from the areas listed then the new service would be clustered in certain areas of the district whilst other areas would be left with no, or poor, access to the service. Therefore many respondents highlighted the need for flexibility in terms of where outreach services are delivered. Many suggested that, as a minimum, outreach should be delivered from the main market towns within the district, namely Pontefract, Castleford and Hemsworth.

Whilst there was general consensus that outreach should be delivered from the main market towns it was noted by several respondents that outreach sessions would need to be flexible so that it can effectively meet changing need. There was a suggestion that if outreach was focussed on priority clients rather than location then it would need to be able to move in response to changing needs and demand.

Whilst flexibility was highlighted as key to the success of any outreach service some respondents stated that it can take time for outreach services to build recognition and trust with local communities and there therefore needs to be some continuity as to where and when outreach services are delivered.

### LSC/Wakefield Council Response

From the responses received there are two clear and valid issues to address. Firstly, there is the need to implement an outreach network that is flexible enough to deal with changing demands. Secondly, there is a need to establish outreach services that can offer consistent access in order for them to build recognition and trust with the public.

Naturally there is an element of tension between these two needs; it will be very difficult to maintain flexibility whilst also establishing a regular service in any given locality. In order to address this we propose that a regular and consistent outreach service is delivered in the towns of Castleford, Pontefract and Hemsworth. In addition to this those bidding to run the new service will be asked to submit plans for additional and more flexible outreach services that will serve to meet local pockets of demand in areas that do not fall within the catchment areas of Wakefield, or the three outreach locations noted above.

*Consultation Question 2 - Are we ensuring equality of access to residents across The Wakefield District? If not, what have we missed? How do you think we can deliver services in a way that improves access?*

Many respondents requested clarification on who would be able to access the new service.

Some respondents questioned whether we would be able increase access to the full range of services through outreach, i.e. would each outreach point be able to offer the full range of services?

Many respondents supported the importance of the service being geared towards clients from the priority groups that are listed in the service specification. Some raised questions around covering the costs of providing translation services for clients at general help level.

Other respondents pointed out that the premises from which any face-to-face advice was delivered would need to be fully DDA compliant to ensure physical access for all. Given this requirement some respondents pointed out that it would be difficult to provide a permanent service from more than one site due to the cost of meeting DDA regulations.

Comments on service delivery outside of office hours, i.e. evenings and weekends, varied somewhat. Whilst there was broad consensus that some level of service should be available outside of traditional opening hours some questioned whether there was sufficient demand for Saturday opening.

Some respondents viewed the involvement of volunteers in the delivery of the new service as key to maximising accessibility by increasing the service's capacity to deal with more clients.

### LSC/Wakefield Council Response

With regards to access, the CLA will be open to all who live and work within the Wakefield District. We will monitor client postcode data during the course of the contract, if it becomes apparent that a disproportionate number of clients are accessing the service from outside of the District to the detriment of local residents then we may impose restriction on who is able to access the service.

In terms of access via outreach services we appreciate that it would be very difficult to deliver the full range of services at every outreach session. However, we feel that a pragmatic approach needs to be taken. We therefore propose that outreach sessions are delivered, in the first instance, by generalist advisers who are able to offer clients a triage and general help service. Whilst we understand that it may not be a good use of resource for specialist advisers to be present at every outreach session we would expect specialist appointments to be made available from outreach locations if that is the client's preference. Also, the presence of specialist advisers at outreach session should be dictated by need. For example, if there is a substantial need for specialist housing advice at a particular outreach point then it may be appropriate for a specialist housing adviser to be present at these sessions.

With regards to payment for translation services we have included, within the funding model (Annex ?), an allocation of disbursement costs. We have looked at the disbursements claimed in recent years by providers in the Wakefield district for services such as translators. We have then worked out what the average disbursement cost has been per case by each category of law. This figure has then been added to the fee paid for each new matter start to be delivered by the CLA service in each category of law. Therefore the budget for the CLA service does include some provision for incidental costs, such as payment for translation services.

We will consider opening times and set our final requirements in the Invitation to Tender document. We will most likely present options for out of office hours opening to allow bidders some flexibility as to when they choose to deliver the service during non-core hours.

Both the LSC and Wakefield Council fully acknowledge the important role that volunteers will play in delivering the CLA service. We envisage that the new service will become a centre of excellence for volunteers in terms of training and retaining high quality volunteer staff.

### *Consultation Question 3 - How should the funding be used?*

Many respondents asked for further clarification on the funding available for the new service. One of the main queries was around Council funding and

why funding for 'in house' advice services, namely the Springs advice service, was not included in the money available for the CLA service. Other queries related to how LSC funding was broken down between each of the specialist categories.

There were a few queries on how the LSC calculated the budget figures and case breakdown for specialist advice. There was a more specific question on the proposed case numbers for Community Care and Employment asking whether these numbers would be sufficient to meet local needs.

A few respondents asked whether there would be any funding available for preventative action work, for example financial literacy training.

There were mixed responses to the proposed split between generalist advice and specialist to be covered by Council funding. The consultation proposed that 15% of the Council's funding would be used to deliver non-means tested specialist advice. Some felt that this could potentially represent a cut in Council funding for generalist advice work.

### LSC/Wakefield Council Response

Council funding is based on historic levels of funding for the provision of generalist advice across the district. The decision was taken by Cabinet to only include corporate funding currently going into advice services. The aim of this was to develop a service which could be provided for three years with guaranteed income, with the intention of expanding the service over time. Whilst the Springs Advice Centre will remain as part of the council's provision, the CLAS will be expected to work closely with it in order to provide a seamless service to the client.

LSC funding is calculated using our Indicative Spend model whereby funding levels are directly linked to forecasted need. The LSC has struggled to allocate its full budget in Wakefield over recent years. The introduction of the CLA service is seen as an opportunity to ensure Wakefield receives its full allocation of LSC funding. The breakdown of LSC spend into individual categories is based on historic data which has been used to establish what proportion of overall funding is allotted to each individual category. This allocation is merely an indicator; the LSC will amend the case targets for each individual category if there is consensus from consultation responses that this is necessary.

In the consultation we set out plans to allocate a proportion of Council funding for non-means tested specialist advice. The purpose for this is to ensure that the new advice service has some capacity to help clients who do not qualify for Legal Aid and/or need help with a case that falls outside of the scope of Legal Aid funding. We feel that this is important in order to maximise clients' access to the full range of services delivered by the CLA service. We do not feel that the proportion of council funding being allocated to the provision of specialist advice should be seen as a reduction to generalist advice. This is because historically Council funding would have paid for an element of

specialist work, for example providing advice in relation to tribunal hearings, which is something that is not funded by the LSC. We therefore want to ensure that such services can continue to be provided by the CLA service. A full breakdown of funding can be found at Annex A. It is proposed to utilise 10% of the council funding for specialist services not covered by civil legal aid such as benefit appeals tribunals.

In light of the comments raised during the consultation period the LSC has taken the decision to significantly increase the number of available new matter starts in Community Care and Employment to 100 and 150 respectively. This increase will ensure that the CLA service is able to sufficiently meet local demand. This approach will also bring the number of matter starts available in Wakefield in line with other Procurement Areas in advance of the LSC's 2010 Civil Contract Bid Round. Full clarification of the matter starts available across all categories of law to be delivered by the CLA service will be provided in the Invitation to Tender document.

We will also aim to make a small number of 'tolerance' cases available to enable the CLA Service to assist clients who are facing problems that do not fit comfortably within the core categories of law.

With the funding available it will not be possible to directly fund public education and awareness activities, such as financial literacy training. However, both the LSC and the Council will work with strategic partners over the coming months with a view to linking the CLA service with such initiatives and drawing in additional funding wherever possible. The successful bidder will be expected to develop links with the White Rose Credit Union, who deliver financial literacy training.

*Consultation question 4 - Are these the right services to be delivered through The Wakefield District CLA service? If not which services should be included or excluded?*

Many respondents queried the exclusion of specialist Immigration and Mental Health advice from the service specification. Immigration in particular was cited as a category of advice that was a key feature in terms of meeting local advice needs. Others felt that it was not vital that the service would be able to deliver Immigration advice but it was important that the CLA service was able to build good referral links with local immigration providers.

A number of respondents felt that the services to be delivered by the CLA service were about right. However, many followed this up by suggesting that there would need to be an element of flexibility in the service specification to allow for emerging or changing trends in demand for advice services across the district.

A few respondents questioned how the new service would work with existing Council in-house services, namely the Springs advice service. It was suggested that the objectives of the new services, i.e. to deliver an integrated

advice service, may be compromised if there was a lack of partnership working between the new service and in-house services.

Some respondents questioned the way in which case numbers had been split between specialist categories

### LSC/Wakefield Council Response

The LSC is in the process of rolling out a national strategy for the delivery of specialist Immigration and Asylum advice. As part of this process the LSC will be tendering for Immigration and Asylum contracts later this year as part of the 2010 civil contract procurement exercise.

Immigration and Asylum must be part of a specialist and integrated service as a provider must be able to identify all the avenues open to a client and then act on this. Asylum is not suitable to sit in a CLA service, not least because levels of demand are dictated by Home Office dispersal policy and processes, therefore we need a flexible provider base.

We remain committed to ensuring that clients are able to access the advice services they need with ease and with as few referrals as possible. However, given the above we do not believe that Immigration and Asylum advice would fit comfortably within the CLA service model. As such, we intend not to include these categories in the final service specification.

We will, however, expand on how we expect the CLA service to work with local and regional Immigration and Asylum providers to ensure that clients requiring advice in these categories can be effectively referred to an appropriate provider. One option may be to consider holding immigration outreach services within the CLA service if there is deemed to be substantive demand. Although we do not want to be too prescriptive when setting out possible ways of working, instead we would encourage those applying to run the CLA service contract to present their proposals for working with Immigration and Asylum providers as part of their tender bid.

As with Immigration and Asylum we do not consider it suitable for Mental Health to sit within the CLA service but we would expect there to be strong referral links in place with local and regional providers. We will elaborate on these requirements in the final service specification.

It is expected that the successful bidder will forge close links with other advice providers in terms of referral both into and out of the CLAS. This will include public sector services such as the Springs Advice Centre, Open Door Project and the Welfare Rights and Assessment Team and third sector organisations such as Wakefield and District Housing Debt Team, Age Concern and DIAL.

*Consultation question 5 - Are these the correct performance standards for the service? If not, what performance standards should be included or excluded?*

There were a number of requests for clarification on the proposed performance standards set out in the draft service specification. The majority of respondents requested clarification around the appointment setting and referral targets. There were one or two more general comments raised on how the performance standards would ensure a high quality service.

#### LSC/Wakefield Council Response

We have taken on board the comments made in relation to the performance standards and will seek to clarify and quantify these standards further in the final service specification.

We will always try to build in as much flexibility to target allocation as is needed in order for the service to adequately address changing need over the course of the contract. However, some restriction will apply to this as too much variation from the original service specification and the service actually delivered may fall in breach of procurement rules and regulations.

With regards to a specific query raised in relation to the performance standard for 'successful specialist casework and representation outcomes' the LSC have taken the decision to reduce the number of cases providing 'substantive benefit' to 40% from 60% in order to bring the target in line with mainstream LSC contracts.

#### *Consultation question 6 - How much should be set aside out of the total budget to pay for room hire for outreach sessions?*

Many respondents felt that this question could not be easily answered and is something that should be left to the provider to negotiate with potential venues. In line with this other felt that it was unrealistic to set aside a budget at this stage. This was particularly so given the fact that the level of outreach to be delivered under the contract had not yet been confirmed.

Some respondents suggested that suitable outreach venues/facilities could range from £10 - £30 per hour. Others suggested working with other community-focussed agencies, such as libraries, GP surgeries and community centres, in order to obtain free or very cheap outreach facilities. There were already some examples of local community organisations/centres offering free facilities for outreach services by way of reciprocal arrangement in order to encourage members of the public to make use of local community facilities.

