



Legal Aid Agency

Information about your business

For submission with CIVMEANS2 only.

If this form is not fully completed, we may return it to you which could result in a delay in your application. This form must be completed in ink.

A separate CIVMEANS2A must be completed for each business. If you need any more forms you can get them from your solicitor or the Agency's website.

Name of person applying for legal aid: _____

Our reference number: _____

Name of self employed person/person in business partnership _____

Address where business operated from _____
_____ postcode _____

Nature of trade, profession or vocation _____

Date trading commenced _____

If you are in a partnership:

What is your percentage share of the partnership capital? _____

1. Are there any completed financial accounts (you may know these as profit and loss accounts) prepared for this business?

Yes: please submit a copy of the most recent accounts with this form

No: please state reason:

2. Please provide a schedule below of all bank/building society accounts held in your and/or your partner's name that were used in your self-employment and/or partnership during the last 6 months including any closed during that period.

| Bank/Building Society name | Name of account holder | Account number | The lowest balance in the account in the last 12 months | The agreed overdraft limit | The security the bank holds i.e property, insurance policies, shares. | Please give full details, including addresses of property and names of the companies whose shares the bank holds |
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3. Do you own or lease any buildings or land in connection with your business?

Yes: please give details below:

No: please go on to question 4.

| Description of the property | Address of the property | Is the property freehold or leasehold? | The present value of the property or lease | How much is owed for any charges against the property or lease | Please tick if this is an investment property, rather than an active part of the business |
|-----------------------------|-------------------------|--|--|--|---|
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4. Do you have a balance sheet for your business?

Yes: please provide a copy with this form.
Please go to question 6

No: please go on to question 5.

5. Please provide below a full schedule of assets and liabilities for your business.

| Please give details of the value of all assets currently owned by your business. | | Please give details of any current liabilities. | |
|--|--|---|--|
| Plant machinery and motor vehicles | | Trade creditors/accruals | |
| Premises (present value) | | Loans/overdrawn accounts | |
| Stock/work in progress | | Other liabilities | |
| Bank/building society balances | | | |
| Cash in hand | | | |
| Debtors | | | |
| Other assets | | | |
| Total assets: | | Total liabilities: | |

6. Are any assets held by the business which are not involved in generating profit e.g. artwork and other valuable items?

Yes: please give details below:

No: please go on to question 7.

7. Have you introduced any cash or other capital into the business in the last 12 months?

Yes: Please state amount and date paid in:

No: please go on to question 8.

Amount/asset £ _____ Date paid in ____/____/____

Amount/asset £ _____ Date paid in ____/____/____

8. Do you expect any changes to occur during the next 12 months which would affect any of the details provided about your business?

4 By changes we mean changes to either the profitability, ownership, assets or liabilities.

4 You must supply accountancy evidence to support any details provided below. It may not be possible to take account of these changes in the Agency's assessment.

Yes: Please state:

No: please go to the declaration below

Nature of Change: _____

Reason for Change: _____

4 Please enclose accountancy evidence to support the above.

LEGAL AID AGENCY

PRIVACY NOTICE

Purpose

This privacy notice sets out the standards that you can expect from the Legal Aid Agency (LAA) when we request or hold personal information ('personal data') about you; how you can get access to a copy of your personal data; and what you can do if you think the standards are not being met.

The LAA is an Executive Agency of the Ministry of Justice (MoJ). The MoJ is the data controller for the personal information we hold. The LAA collects and processes personal data for the exercise of its own and associated public functions. Our public function is to provide legal aid.

About personal information

Personal data is information about you as an individual. It can be your name, address or telephone number. It can also include the information that you have provided in a legal aid application such as your financial circumstances and information relating to any current or previous legal proceedings concerning you.

We know how important it is to protect customers' privacy and to comply with data protection laws. We will safeguard your personal data and will only disclose it where it is lawful to do so, or with your consent.

Types of personal data we process

We only process personal data that is relevant for the services we are providing to you. The personal data which you have provided in your legal aid application will only be used for the purposes set out below.

Purpose of processing and the lawful basis for the process

The purpose of the LAA collecting and processing the personal data which you have provided in a legal aid application is for the purposes of providing legal aid. Our lawful basis is 'the performance of a task carried out in the public interest or in the exercise of official authority' as set out in Article 6(1)(e) of UK GDPR. The tasks are those set out in the Legal Aid, Sentencing and Punishment of Offenders Act 2012. Specifically, we will use this personal data in the following ways:

- In deciding whether you are eligible for legal aid, whether you are required to make a contribution towards the costs of this legal aid and to assist the Legal Aid Agency in collecting those contributions, if appropriate.
- In assessing claims from your legal aid Provider(s) for payment from the legal aid fund for the work that they have conducted on your behalf.
- In conducting periodic assurance audits on legal aid files to ensure that decisions have been made correctly and accurately.
- In producing statistics and information on our processes to enable us to improve our processes and to assist us in carrying out our functions.

Were the LAA unable to collect this personal information, we would not be able to conduct the activities above, which would prevent us from providing legal aid.

We collect 'special categories of personal data'. This data is collected where necessary for the purposes set out above. The condition under which we process this data is Article 9(g) of UK GDPR – Reasons of substantial public interest. Our associated Schedule 1 condition is Statutory and Government purposes. We also collect this data for the purposes of monitoring equality, this is a legal requirement for public authorities under the Equality Act 2010. Special categories of personal data will be treated with the strictest confidence and any information published under the Equality Act will not identify you or anyone else associated with your legal aid application.

We collect 'personal data relating to criminal convictions and offences or related security measures'. This data is collected where relevant for the purposes set out above. The LAA is an Executive Agency of the MoJ, an Official Authority for the purposes of Article 10 of UK GDPR.

Who the information may be shared with

We sometimes need to share the personal information we process with other organisations. When this is necessary, we will comply with all aspects of the relevant data protection laws. The organisations we may share your personal information include:

- Your instructed legal aid Provider(s), including any advocate instructed by a legal aid solicitor;
- Public authorities such as: HM Courts and Tribunals Service (HMCTS), HM Revenue and Customs (HMRC), Department of Work and Pensions (DWP), Home Office and HM Land Registry;
- Non-public organisations such as: Credit reference agencies Equifax and TransUnion and our debt collection partners Advantis Credit Ltd;
- If false or inaccurate information is provided or fraud identified, the Legal Aid Agency can lawfully share your personal information with fraud prevention agencies to detect and to prevent fraud and money laundering. We may specifically share data with HMRC and DWP for fraud prevention, investigation and prosecution purposes; and
- Where a debt is owed to the Legal Aid Agency, we may share your data with public authorities such as HMRC and DWP and with debt collection partners such as Advantis Credit Ltd for the purposes of tracing, debt collection and enforcement.

You can contact our Data Protection Officer for further information on the organisations we may share your personal information with.

Data Processors

We may contract with third party data processors to provide email, system administration, document management and IT storage services. Any personal data shared with a data processor for this purpose will be governed by model contract clauses under data protection law.

We contract with Advantis Credit Ltd as a data processor for the collection and enforcement of criminal legal aid contributions. Any personal data shared with the data processor for this purpose is governed by model contract clauses under data protection law.

Automated decision making

We do not use solely automated decision making within the definition of Article 22(1) of UK GDPR. The overall decision on an application for legal aid or a claim for costs in a legal aid case will always be made by a human decision maker. This could be a member of our staff, or a staff member of a legal aid Provider acting under delegated authority from the LAA.

Details of transfers to third country and safeguards

Personal data may be transferred to locations in the European Economic Area (EEA) where required by our data processors for hosting, storage and secure backup of our IT services. Such transfers are made on the basis of Adequacy decisions between the UK and EEA in accordance with Article 45 of UK GDPR.

Retention period for information collected

Your personal information will not be retained for any longer than is necessary for the lawful purposes for which it has been collected and processed. This is to ensure that your personal information does not become inaccurate, out of date or irrelevant. The Legal Aid Agency have set retention periods for the personal information that we collect, this can be accessed via our website:

<https://www.gov.uk/government/publications/record-retention-and-disposition-schedules>

You can also contact our Data Protection Officer for a copy of our retention policies.

While we retain your personal data, we will ensure that it is kept securely and protected from loss, misuse or unauthorised access and disclosure. Once the retention period has been reached, your personal data will be permanently and securely deleted and destroyed.

Access to personal information

You can find out if we hold any personal data about you by making a 'subject access request'. If you wish to make a subject access request please contact:

Disclosure Team - Post point 10.25
Ministry of Justice
102 Petty France
London
SW1H 9AJ

Data.access@justice.gov.uk

When we ask you for personal data

We promise to inform you why we need your personal data and ask only for the personal data we need and not collect information that is irrelevant or excessive.

When we collect your personal data, we have responsibilities, and you have rights, these include:

- That you can withdraw consent at any time, where relevant;
- That you can lodge a complaint with the supervisory authority;
- That we will protect and ensure that no unauthorised person has access to it;
- That your personal data is shared with other organisations only for legitimate purposes;
- That we don't keep it longer than is necessary;
- That we will not make your personal data available for commercial use without your consent; and
- That we will consider your request to correct, stop processing or erase your personal data.

You can get more details on:

- Agreements we have with other organisations for sharing information;
- Circumstances where we can pass on personal information without telling you, for example, to help with the prevention or detection of crime or to produce anonymised statistics;
- Our instructions to staff on how to collect, use or delete your personal information;
- How we check that the information we hold is accurate and up-to-date; and
- How to make a complaint.

For more information about the above issues, please contact the;

The Data Protection Officer
Ministry of Justice
102 Petty France
London
SW1H 9AJ

dataprotection@justice.gov.uk

Complaints

When we ask you for information, we will comply with the law. If you consider that your information has been handled incorrectly, you can contact the Information Commissioner for independent advice about data protection. You can contact the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 0303 123 1113
www.ico.org.uk

Declaration

I declare that the information I have given on this form is correct and complete.

I understand that if I give false information or withhold any relevant information the services provided to me may be cancelled at which point I will become liable to pay all the costs that have been incurred and I may be prosecuted.

I understand that the Legal Aid Agency may verify these figures with HM Revenue and Customs, and I authorise HM Revenue and Customs to disclose any information relevant to my application if requested to do so.

Signature: _____ Date paid in ____/____/____