



Legal Aid  
Agency

# Family Help (Lower) Public Law

To be completed when advising parents or those with parental responsibility for a child where the local authority has given written notice that it intends to issue proceedings under Section 31 of the Children Act 1989.

## Equal Opportunities Monitoring

Please tick the boxes which your client would describe themselves as being:

### Ethnicity

#### White

- (a) British  
 (b) Irish  
 (c) White Other

#### Mixed

- (a) White and Black Caribbean  
 (b) White and Black African  
 (c) White and Asian  
 (d) Mixed Other

#### Asian or Asian British

- (a) Indian  
 (b) Pakistani  
 (c) Bangladeshi  
 (d) Asian Other

### Black or Black British

- (a) Black Caribbean  
 (b) Black African  
 (c) Black Other

- Chinese**  
 **Gypsy/Traveller**

- Other**  
 **Prefer not to say**

### Disability

The Equality Act 2010 defines disability as: a physical or mental impairment which has a substantial and long-term adverse effect on a persons ability to carry out normal day-to-day activities.

Not Considered Disabled

If a client considers himself or herself to have a disability please select the most appropriate definition.

Definitions:

- |                                |                          |  |                          |
|--------------------------------|--------------------------|--|--------------------------|
| Mental health condition        | <input type="checkbox"/> | Blind  | <input type="checkbox"/> |
| Learning disability/difficulty | <input type="checkbox"/> | Long-standing physical illness or health condition | <input type="checkbox"/> |
| Mobility impairment            | <input type="checkbox"/> | Other  | <input type="checkbox"/> |
| Deaf                           | <input type="checkbox"/> | Unknown  | <input type="checkbox"/> |
| Hearing impaired               | <input type="checkbox"/> | Prefer not to say                                  | <input type="checkbox"/> |
| Visually impaired              | <input type="checkbox"/> |  |                          |

<sup>4</sup> Completion of this section is voluntary. This will be treated in the strictest confidence and will be used purely for statistical monitoring and research.

## Your client's details

Title: \_\_\_\_\_ Initials: \_\_\_\_\_  
Surname: \_\_\_\_\_  
First name: \_\_\_\_\_  
Surname at birth: \_\_\_\_\_  
(if different)  
Date of birth: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ National Insurance no: | | | | | | | | | |  
Sex:  Male  Female  Prefer not to say  
Marital status:  Single  Married/Civil Partner  Cohabiting  
 Separated  Divorced/dissolved CP  Widowed  
Place of birth: \_\_\_\_\_ Job: \_\_\_\_\_  
(town)  
Current address: \_\_\_\_\_  
Postcode: \_\_\_\_\_

## Criteria for level of service.

Has evidence of the local authority giving written notice of the potential Section 31 proceedings been provided? Yes  No

Is the client a parent or person with parental responsibility for the child who is the subject of the intended proceedings? Yes  No

---

## Client's Certification

**Please tick the box below which applies to you:-**

- I have not already received family help (lower) from a solicitor or contracted provider on this matter.
- I have already received family help (lower) from a solicitor or contracted provider on this matter. If so, please state when

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

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

---

## LEGAL AID AGENCY

### PRIVACY NOTICE

#### **PURPOSE**

This privacy notice sets out the standards that you can expect from the Legal Aid Agency 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 Legal Aid Agency is an Executive Agency of the Ministry of Justice (MoJ). The MoJ is the data controller for the personal information we hold. The Legal Aid Agency 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 this form 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 on this form will only be used for the purposes set out below.

#### **Purpose of processing and the lawful basis for the process**

The purpose of the Legal Aid Agency collecting and processing the personal data which you have provided on this form is for the purposes of providing legal aid. 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 representative(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 Legal Aid Agency unable to collect this personal information, we would not be able to conduct the activities above, which would prevent us from providing legal aid.

The lawful basis for the Legal Aid Agency collecting and processing your personal data is in the administration of justice and the result of the powers contained in Legal Aid, Sentencing and Punishment of Offenders Act 2012.

We also collect 'special categories of personal 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 obtained for equality monitoring will be treated with the strictest confidence and any information published will not identify you or anyone else associated with your legal aid application.

## **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:

- Public authorities such as: HM Courts and Tribunals Service (HMCTS), HM Revenue and Customs (HMRC), Department of Work and Pensions (DWP) and HM Land Registry;
- Non-public authorities such as: Credit reference agencies Equifax and TransUnion and our debt collection partners, Marston Holdings; and
- Fraud prevention agencies: 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.

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

## **Data Processors**

The LAA 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.

## **Details of transfers to third country and safeguards**

It may sometimes be necessary to transfer personal information overseas. When this is needed, information may be transferred to: the European Economic Area (EEA)

Any transfers made will be in full compliance with all aspects of the data protection law.

## **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 Data Protection Officer  
Ministry of Justice  
3rd Floor, Post Point 3.20  
10 South Colonnades  
Canary Wharf  
London  
E14 4PU

[Privacy@justice.gov.uk](mailto:Privacy@justice.gov.uk)

For more information on how and why your information is processed, please see the information provided when you accessed our services or were contacted by us.

## **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](http://www.ico.org.uk)

## Time spent and costs

Item	Time Spent
1. Attendance	_____
2. Preparation	_____
3. Travel and Waiting	_____
Total:	_____

Item	Number
1. Letters written	_____
2. Phone calls	_____

**Total Profit Costs** £ \_\_\_\_\_ **Vat** £ \_\_\_\_\_

Disbursements	Amount	Vat
Mileage	£ _____	£ _____
Other disbursements	£ _____	£ _____
<b>Total</b>	<b>£</b> _____	<b>£</b> _____

Dated \_\_\_\_\_

**Note:** When calculating profit costs, the time spent on each activity and the letters and telephone calls must be separated out according to the remuneration rate which applied at the time the work was carried out. Please see the Remuneration regulations for the appropriate rates.

Remember that you may not charge separately for letters in.

The totals for profit costs and disbursements from this form should be the same (after adding VAT) as those reported by you in relation to the matter on the Consolidated Matter Report Form.