



Legal Aid
Agency

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Guidance for electronic submission of Escape Case Claims

May 2021



Contents

COVID-19 contingency process	2
Electronic submission process from 21 June 2021	3
Additional documentation needed	3
Labelling documentation	4
How to submit your Escape Case Claim electronically	4
Using SFE	4
Using email	5
Paper submission process from 21 June 2021	6

COVID-19 contingency process

Throughout the COVID-19 pandemic we have received and processed Controlled Work Escape Case claims electronically. This has allowed our staff to follow government advice in respect of remote working and the Escape Case team to maintain processing and payment levels.

The electronic approach implemented was based upon submitting the core documents from the file. This reflected the fact that many providers use paper files for these cases and would not be able to submit their entire file in support of the claim, as had been the case prior to remote working.

The contingency process was intended as a short-term measure to allow you to submit claims and continue to receive payment during a difficult period. We recognised that this method would reduce our assessment activity in respect of Escape Case claims.

Despite being a short-term contingency process to remain operational throughout the pandemic period, the adaptation of a digital process has proven effective, and popular with providers. As a result, we have developed a way to continue to allow you to submit your Escape Case claims electronically after the pandemic restrictions are removed, whilst meeting our assessment responsibilities in respect of the public monies we manage.

Electronic submission process from 21 June 2021

From 21 June 2021, we will require additional documentation to support your claim. We will require file notes for all items of 1 hour or 10 units, or more.

Without this we will not be able to verify the amounts claimed and will have to reduce them upon assessment. All assessment decisions will carry the usual right of appeal.

If your case file is electronic and it is easier to send the entire case file in support, then this is fine.

The revised electronic approach will not be mandatory after the contingency approach is withdrawn on 20 June 2021. However, it will be our preferred option. This is due to the enhanced security, speed and efficiency, and the reduced postage costs.

If you have some claims that are more suitable to one method of submission over the other, then you may use whichever is most suitable for each individual claim. For example, small to medium size claims may suit the electronic method but a very large case with many items over one hour may be more suited to paper submission.

Documentation needed

You should attach:

- EC CLAIM1 form and case summary
- Controlled Work Application form (CW1 / CW2)
- means assessment evidence
- disbursement vouchers
- running record of costs or cost ledger
- file notes in support of all items of 1 hour or 10 units, or more.
- any other information or documents you feel we should consider and that can be scanned and sent electronically (for example expert reports or documents considered)

In respect of attendance and preparation the primary source of evidence will be the attendance note from the case file detailing the reasonable work completed.

If documents or reports have been read or considered the attendance note should confirm a summary of:

- what you have considered
- how many pages you have reviewed
- your justification for reading them

It is not necessary to also submit the documents considered or notes made as part of that work.

Travel times above one hour should be noted on the relevant attendance note with details of the journey completed including transportation used (for example office to client in hospital via train including stations used). You should provide disbursement vouchers as normal for travel costs claimed as disbursements over £20.

Expert reports obtained to assist with the case are not a mandatory part of the electronic submission. However, if you feel that the expert reports will help us understand the issues within the case you may include them.

If we need further information to complete the assessment, we will request this. This may include requesting the full case file.

Labelling documentation

Clearly labelling attachments assists us greatly. Such as Controlled Work forms, means assessment evidence and disbursement vouchers. You should also include the client's surname. Evidence of work undertaken of 1 hour or 10 units or more should ideally be in chronological order.

This makes it easier to find documentation, reduces queries, and speeds up the process.

Submitting your claim

You can continue to submit claims via email or by using Secure File Exchange (SFE) through the Galaxkey platform (or a combination of both).

Using SFE

You will need to register an account on the platform by emailing:

mhu-ec@justice.gov.uk

The process is quick and straightforward and once registered you can upload your claim documents and send them to us directly through SFE.

More information on SFE can be found at:

<https://www.gov.uk/guidance/secure-file-exchange>

Using email

Submit your claims to mhu-ec@justice.gov.uk

We will issue assessment decisions via email for all Escape Case claims you submit.

We can accept email attachments up to 10MB per email. If attachments exceed this limit submit across several emails. If submitting a claim across several emails give the emails the same subject name and confirmation of the number of emails in the claim (client surname with email 1 of 3, for example).

If you are routinely submitting claims with attachments above the 10MB limit you will find SFE beneficial.

Paper submission process from 21 June 2021

If you cannot adopt the electronic submission process Escape Case, you can still submit paper-based claims. Submit the full file in support of the paper claims as you did prior to the introduction of the COVID-19 contingency process.

Submit paper-based claims as follows:

- send Civil Escape Cases to our South Tyneside office
- send Mental Health and Immigration and Asylum Escape Cases to our Liverpool office

We will continue to process claims in order of date received regardless of the method of submission. Although it is worth noting that the electronic process will be quicker due to removing postal delivery times.

If you have any questions, please contact the Escape Cases team at:

mhu-ec@justice.gov.uk.



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