

# **Framework for the Provision of Front Office Services in the Civil Courts**

## **Minimum Standards and Guidance**



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## Introduction

1. This document sets out the national framework for providing front office services in the civil courts. Civil courts in this context are county courts and District Registries; it does **not** include the civil business within magistrates' courts. Nor do these standards deal with the permanent closure of a county court. This is dealt with using a different procedure; further information on court closure procedures can be obtained from HMCS Estates.
2. The framework and the national minimum standards replace the current requirement that all county courts and District Registries must have at least one office open to the public (i.e. the public counter service) between 10.00am and 4.00pm every working day.
3. In applying the standards as set out in this framework, local managers are reminded of their responsibilities under the HMCS Framework Document which sets out the principles of the partnership agreement between the Lord Chancellor and the Lord Chief Justice in relation to the governance, financing and operation of Her Majesty's Courts Service.
4. These minimum standards and guidance are intended to create the opportunity for local management, working in partnership with the judiciary, to tailor their services according to local circumstances, thus allocating resources where there is the most need, whilst at the same time encouraging innovative ways of providing services.
5. Members of the public and professionals using the county courts can access frontline services in a variety of ways - face-to-face; telephone; fax; e-mail and via the Internet. However, the way in which services are delivered varies depending on the user demand.
6. The guidance contained within this document sets out some options on how front office services might be adapted. The options presented are by no means exhaustive; however, it is hoped that the document will be a useful source of information and advice to local managers, working with the Judiciary, in deciding how best to co-ordinate resources and maintain levels of customer service.

7. After consultation with Area Directors and Court Managers and after visits to courts, varying in size and jurisdiction, the following services have been identified:
  - general enquiries and signposting to sources of advice and dispute resolution services;
  - procedural information and assistance;
  - case specific enquiries;
  - issuing of court process, including the payment of court fees;
  - lodging of court documents e.g. trial bundles and obtaining copies of documents
  - making payments on warrants or administration orders; and
  - swearing of affidavits and statutory declarations.
8. This national framework has been developed so local managers can adapt their front office services whilst still respecting local needs. While this may involve, in some circumstances, the removal of the public counter service from the court, this is on the understanding that alternative front office service models will comply with the national minimum standards.
9. The standards allow for the introduction of different levels of counter provision to meet local need and the availability of resources. Examples of some of these options are:
  - a permanent change in counter opening hours to focus on periods of heavy business ;
  - a permanent change in counter opening hours on a particular day each week, for example to open the counter one hour later to allow for regular staff meetings;
  - an extension of counter opening hours on specific advertised days or if deemed appropriate every day;
  - a reduction in the number of days a counter is open to accommodate staff availability or to provide a counter service on sitting days only;
  - the permanent removal of the traditional counter service, to be fully replaced by other innovative alternatives which includes alternative face-to-face provision; and
  - an ad hoc closure of the counter service for one day to allow for staff training events or other meetings.

10. Regional Directors and the Designated Civil Judge have a joint responsibility to approve service alterations and certify that all of the standards have been met. The joint sign-off arrangements will ensure that the impact on judicial business and access to justice has been properly considered. The minimum standards set a level of service below which the provision must not fall. They act as a guarantee to the public in terms of accessibility to the full range of front office services we currently deliver. All of these standards are mandatory and will be monitored for compliance. For further information and guidance about the standards and to give an indication of plans at an early stage, please contact the Proportionate Dispute Resolution Policy team within the Civil Law & Justice Division on 020 7210 8830.

# **National Minimum Standards**

## **Consultation**

1. Where HMCS plans to make permanent alterations to the existing level of front office service provision, it must undertake appropriate consultation with the Judiciary, including the Designated Civil Judge, Trades Union Side, equality groups and other local stakeholders. As any provision must reflect local needs, and comply with the relevant equality and discrimination legislation, managers must take account of the views expressed in the consultation responses.

## **Personal Delivery of Process**

2. HMCS must ensure that in every county court district there is a facility for customers to attend in person to deliver court process. Such a facility must guarantee that the process will be recorded as received on the same day.

## **Urgent Court Process**

3. HMCS must ensure that where a counter service is reduced or removed that there should be adequate provision for the issuing and processing of urgent applications e.g.: applications to suspend eviction warrants. Such local arrangements must have the approval of the local judiciary and meet the needs of vulnerable court users.

## **Information and Assistance**

4. HMCS must ensure that court users are able to access appropriate information and assistance about court procedures, the progression of their case and the completion of court forms. As a minimum, a telephone service must operate daily between the hours of 9.00am and 5.00pm and where appropriate, HMCS must ensure that customers are offered information about sources of legal advice and assistance as well as information about dispute resolution services, which may provide an alternative to the court process.

## **Access to Services**

5. HMCS must ensure that details about when and how front line services are available must be readily accessible to all customers. As a minimum, this should be through posters in all local HMCS offices that are open to the public and through the “Court Finder” section of the HMCS website.

**Face-to-Face Provision**

6. Where there is a reduced or no permanent counter service provision, HMCS must consider and provide appropriate facilities for court users to access services via alternative face-to-face methods, taking into account local circumstances and the needs of the public with special requirements.



# Operational Guidance on the Implementation of the Framework

## Introduction

1. This guidance sets out some options for delivering services in accordance with the minimum standards. It is not intended to set out a definitive model; rather, it offers suggestions as to how front office services might be provided in full compliance with the standards.
2. The introduction of the standards encourages local management, working with the local judiciary, to explore creative and innovative ways of enhancing the overall service and making the best use of available resources. Among other things, this may provide the opportunity to reduce the need for a permanent face-to-face counter service, thereby delivering efficiencies in the local allocation of resources.
3. The guidance recognises that it is neither necessary nor practical to offer customers a counter service at every county court, particularly in smaller county courts, on every working day between the hours of 10.00am and 4.00pm. However, it acknowledges that some customer transactions, by their very nature, require the physical attendance of the customer. These include the issuing of urgent court process and the swearing of affidavits.
4. The permanent removal of a public counter service should only be considered if adequate alternative services can be implemented which have been developed following consultation with local stakeholders, including, staff and the Trade Union side. The national standards will ensure that our obligations to provide access to services are met. However, the facility to remove a face-to face counter service permanently is not directed at larger courts with court sittings every working day and many visits to the public counter.
5. Prior to submission to the Regional Director and Designated Civil Judge, the Area Director must be satisfied that a fully costed business case has been developed to support the proposal.
6. The guidance is set out with information under each of the standards, so that they can be easily interpreted and implemented correctly.

## **Guidance on Standard 1: Consultation**

7. Her Majesty's Courts Service is committed to providing an excellent service to the public. It works to ensure access to justice for all court users and others who rely on its services. User expectation of a face-to-face service still remains high, despite the provision of alternative accessible and convenient channels. In order to manage these expectations, local managers must ensure that there is an appropriate consultation process. The service has to meet local needs and therefore we must seriously consider the responses from any consultation exercise.

### **Initial Consultation with Courts Board, Judiciary & DTUS**

8. Courts Boards and HMCS are expected to work together to deliver high standards across the country as well as meeting local needs. Courts Boards work in partnership with the Area Director and they need to be able to perform their role in a way that is constructive and challenging. Their independent judgement ensures that the perspective of the local community and those who use the court is taken into account.
9. While there is no specific statutory role for Courts Boards to approve or consent to front office service modifications, they are required to scrutinise the way in which the Lord Chancellor fulfils his duty to provide support and services, including accommodation for the courts and to consider business plans. In practice, therefore, it will be appropriate for Courts Boards to be closely involved in any decisions that affect local services and facilities
10. The successful administration of justice is best served when there is a good working relationship between the administration and the judiciary at a local level. The HMCS Framework Document states that there must be judicial participation in the administration of HMCS at a regional, area and local level.<sup>1</sup> Therefore, the judiciary must be involved, from the outset, in the formulation of proposals, if any changes are considered. As the standards require, where changes impinge on a judicial process such as the provision for dealing with urgent court process, then judicial approval of those processes is required.
11. It is also advisable to engage with the Departmental Trade Union Side and equality groups at an early stage. Further guidance on the consultation process can be found at Annex A.

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<sup>1</sup> "Arrangements at the Royal Courts of Justice, regional area and local levels include participation in the administration of HMCS by the Presiding Judges (or by judges, justices, Justices' Clerks or legal advisers nominated by the Lord Chief Justice or by the Presiding Judges). This involvement requires discussion of significant issues such as budgets, the estate and important appointments." (HMCS Framework Document April 2008, s.7.5)

## **Guidance on Standard 2: Personal delivery of process**

12. Managers, in the event of a counter closure or a reduced counter service, can consider various arrangements that would allow customers to issue process. Every effort should be made to provide customers with information about the full range of dispute resolution options available, and where court action is pursued then the use of HMCS e-channels should be encouraged and actively promoted.
13. Customers wishing to issue other court process such as non-specified money claims, applications, or divorce petitions should be encouraged to do so by post. Messages to this effect should be included in any local information packs accompanying the forms for the process.

### **Secure Deposit/Drop-off facility**

14. The standards require the maintenance of a facility to deliver court process in person in **every** county court district. Where there is no counter service or a reduced counter service is in operation, managers should consider meeting this standard by installing a secure deposit facility at the court or another appropriate place. This would allow customers to lodge their application and fee in person. Process lodged via this facility would need to be collected on a daily basis via a secure courier service or some other secure collection method and sent to the designated county court office for processing. The documents would need to be logged as received on the same day for the purpose of limitation periods and other time limits.
15. A drop-off facility need not be within a courthouse; it may be housed within a local advice agency. In any event, appropriate guidance on using the facility, and if possible basic staff support, should be available to customers. Further advice on installing secure deposit facilities and handling fee-bearing process in this way can be obtained from HMCS Corporate Governance.

### **Making Third Party Payments e.g. Administration Orders and Warrants**

16. Court users should be encouraged to make payments on administration orders by cheque or postal order and send to the designated office by post. However, for customers wishing to make a payment in person, courts should consider arrangements that would make this possible. Such arrangements would not necessarily need to be available on a daily basis.
17. Payments on warrants should continue to be made to the bailiff in the same way as now. Court Managers and Bailiff Managers should advertise the times when members of the public can contact the bailiffs on a face-to-face basis. Alternatively, contact may be made by telephone, e-mail or post.

### **Payment Machines**

18. Already present in many courts, automatic payment machines could be introduced to handle payments on administration orders and warrants. Payments are collected by a security collection service and transferred to a designated office. Technical advice may be obtained from HMCS Resources.

### **Lodging and obtaining copies of non-urgent documents and swearing affidavits**

19. Court users are entitled to have a facility for lodging documents, such as trial bundles, with the court in person. However this does not mean that they cannot be encouraged to send less bulky documents by e-mail (where possible), via fax or by DX or post.

### **Secure Deposit facility**

20. Those, users lodging non-bulky documents, including those accompanied by a fee such as an allocation questionnaire, could also use the secure deposit facility described above. A separate facility for the deposit of bulky papers e.g. trial bundles could also be considered where the traditional counter service was limited.

### **Requesting/Photocopying Copy Documents**

21. Users should be encouraged to make timely requests for copies of documents from the court file by post, e-mail, or telephone. These can then be forwarded as necessary to the office where the court files are held, which may not always be the courthouse. Publicity about front office services should clearly state whether, when and where customers can attend to obtain copies in person.
22. As a minimum, there must be a facility for the photocopying of trial documents at all hearing venues. Local managers could consider installing a pay-as-you-go photocopier to ease the burden of any staff on site. The price for such a facility should be clearly displayed and should be set at no higher than the level needed to cover the cost of providing the facility. This will invariably be lower than the prescribed fee for photocopying by court staff.

### **Guidance on Standard 3: Urgent Court Process**

23. An issue arises in respect of urgent applications, which require judicial intervention on the same day such as an injunction, or a late application to suspend a warrant of eviction. A deposit box, as suggested earlier, will not necessarily guarantee that process requiring urgent judicial consideration will be dealt with on the same day.

24. Guidance for using the general lodging facility should make this clear and provide a phone number by which users can access an appropriate court office (between 9am and 5pm). HMCS staff would assist via the telephone, taking the case details and, in circumstances where an eviction is due that day, referring the matter to a district judge on an urgent basis, so that a judicial decision can be made. This is a practice that is used at the moment in smaller courts when there is no full time judicial presence. Staff would give guidance to the customer over the telephone and assist where possible with the completion of any forms and make arrangements for the recovery of a fee or an application for fee concession.
25. All procedures for dealing with the handling of urgent court process, defined as business requiring judicial intervention on the same day, whether this is by telephone or some other means, must have the confidence of the local judiciary. It is for this reason that the local judiciary must approve of local arrangements for urgent court business.
26. Local managers should work closely with the judiciary at court level to design a model for the provision of urgent business, which should include, applications to suspend warrants of eviction and injunctions. This should be done at an early stage.

#### **Guidance on Standard 4: Information & Assistance**

27. Receiving and responding to enquiries is a key service provided by the civil courts. Users approach the court for information relating to dispute resolution options, forms, court procedure and then more specifically on issues relating to their own case. Feedback from court staff has shown that the demand for information and related services varies according to the size and the location of the court as well as other local circumstances.
28. The public often contact the court with enquiries about court procedure and staff are asked to explain the procedural options available and assist customers as they make their way through the court process. Where other forms of assistance are required such as legal advice, county court staff have a signposting obligation as part of the partnership arrangements between HMCS and Community Legal Advice (CLA). Guidance for court staff on the distinction between procedural and legal advice is annexed.
29. There are a number of options available to local management in terms of how they provide alternative ways of delivering counter services.

### **Free Telephone Service linked to other local court/office**

30. In order to comply with the standard for information and assistance, local management should consider introducing a free telephone service, via a phone located in or near a court where there is a reduced or no permanent counter service, which is linked to an alternative local court office. This service should provide customers with access to a member of HMCS staff who can assist them with their enquiry between the hours of 9.00am and 5.00pm. Adequate resources should be directed to the operation of this service in the alternative venue, to ensure the standards are met.
31. The staff operating the telephone service should be able to provide an update on the progress of the customer's case and, if requested, send out any leaflets or forms. They should also assist customers who require information about dispute resolution or legal services, by sign-posting them to services in their area or referring them to helplines or websites such as Community Legal Advice, Consumer Direct, Citizens Advice or the National Mediation Helpline. The free telephone link might also offer procedural information and assistance explaining what happens at a hearing, or alternatively signpost the customer to the enhanced civil presence on the Direct Gov website (from November 2008).
32. This free-phone facility could be installed in a county court, magistrates' court, at another government office (e.g. Jobcentre), an advice agency such as the local Citizens Advice Bureau or other appropriate location.
33. If there is no HMCS staff presence on site, clear instructions will need to be provided as well as instructions on what to do in the event of a technical problem, preventing its use. If a court is considering the introduction of a telephone service, they may wish to liaise with HMCS Telecommunications Branch, part of E-Delivery Group for further technical advice.

### **Access to face-to-face services at court and alternative venues**

34. Face to face provision is not always a necessary channel for conducting court services. Many transactions can be conducted over the telephone or by post or electronic channels, where available.

### **Reduced Counter Service**

35. The introduction of more flexible opening hours for court counters will create opportunities for local managers to open the counter according to local need. This might mean opening only on two or three days a week or for shorter hours each day.
36. It would also allow smaller courts to reduce the number of days that the counter is open to when the court sits.

### **Counter Service by Appointment**

37. Another method of providing a face-to-face service for customers would be to operate a counter service on an appointment basis. Customers could be able to telephone the county court office to book appointments with a trained member of court staff who would be able to assist them with their non-urgent business.
38. Such arrangements will lead to an enhanced level of service, which will be tailored to the needs of the individual. The user would be able to book an appointment at a convenient time and have an allocated session with a member of court staff. This model should be considered, in order to assist users who do not have access to the Internet, or for those who have special requirements.

### **Outreach Surgeries**

39. Another option that could be used to supplement the counter service, especially when the level of counter service is being reduced, would be to hold enquiries surgeries which would be open to members of the public at advertised times and locations.
40. These surgeries would allow customers to make general enquiries and receive information and procedural advice as well as signposting to legal advice. Customers could also be given assistance with the filling in of forms and other face-to-face requests such as swearing an affidavit. Surgeries could be held at a magistrates' court, if space allows, or at an advice agency office, town hall or any other suitable site. They could be operated on a drop-in basis or by using an appointments system and could be held outside traditional working hours.
41. The scope to deal with case specific enquiries at an outreach service will necessarily be somewhat limited. However, staff members operating this service could have a telephone link with a remote back office, from where information from CaseMan/FamilyMan could be relayed to answer straightforward case specific enquiries.
42. Consideration could also be given to scope for enabling issue of court process and lodging of documents at these surgeries. Risk assessments would be required to ensure adequate recording and accounting procedures and the safety of staff when handling fee-bearing process in a remote location. In these circumstances, at least two members of staff would be required.

### **“Receptionist” role to provide basic assistance**

43. The standards require that information should be displayed about the local provision of these services at all local HMCS buildings open to the public (including criminal courts). Areas should consider supplementing this by ensuring that staff are on hand when there are civil and family hearings, who could explain the information about accessing services orally. This could involve an usher in all courts open for hearings, but where a counter service was not in operation. This staff presence, to explain how services may be accessed, would supplement the existing publicity and provide a useful point of contact for those who are more vulnerable and in need of greater assistance.

### **Use of Information Technology**

44. Courts may wish to consider having an IT facility for customers to access information and advice online and use HMCS e-channels (Money Claims Online and Possession Claims Online). Any facility, which could be located on or off site, would need to be secured and monitored. Internet access would have to be restricted to approved advice sites. Where staff are not available on site to assist, clear instructions on using the facility should be provided as well as contact details in the case of technical difficulties. This service could be delivered in partnership with a local advice agency. As an alternative, guidance may be given as to where and how Internet services may be accessed e.g. local library.
45. Local managers should work closely with the judiciary at court level to design a model for the provision of urgent business, which should include, applications to suspend warrants of eviction and injunctions. This should be done at an early stage.

### **Guidance on Standard 5: Access to Services**

46. Areas must advise the general public and local professionals about the ways in which services are delivered and how they may be accessed. As a minimum, there must be signage and posters, which are readily visible and written in plain English. The diverse needs of members of the local community must also be considered, for example the requirements of the elderly, blind and deaf people and those members of the public with learning difficulties. In addition, each court must ensure that up-to-date information about accessing its services is provided on the “Court Finder” section of the HMCS website. Further guidance on posters and the HMCS website can be obtained from HMCS Communications.



47. Others measures should include:

- changes to signage on the exterior of the building;
- promotional material for display in local advice agencies and legal practices, or inclusion in local business directories;
- the use of a local court information leaflet or newsletter to advertise the services;
- use of variable paragraphs on Caseman and Familyman advertising the services offered, which will state clearly how services can be accessed on all correspondence and orders.

48. Where an ad-hoc closure of the counter is planned to allow for a staff meeting or for training purposes it must receive joint authorisation from the Regional Director and the Designated Civil Judge. Adequate publicity about the ad hoc closure must be displayed in all local HMCS offices that are open to the public. Such notices should be displayed at least one week in advance of the planned temporary closure date. It is important to stress here that the ad hoc closure of the public counter, does not necessarily equate to the closure of the whole court office.

49. If local managers plan to close the front office service on a hearing day then they must ensure that, if hearings are taking place on that day, the judiciary is still appropriately supported and the plans in respect of support and security for the judiciary have the prior approval of the local judges.

50. When an Area has decided to amend the service provision, following appropriate local consultation, it should ensure that the new service levels are adequately communicated to the general public and local professionals. This should be done via publicity around the court building and in every local HMCS office. Local managers may also wish to consider placing an advertisement in the local press, detailing the revised services.

## **Guidance on Standard 6: Face-to-Face Provision**

51. There are now fewer situations where an affidavit<sup>2</sup> has to be sworn for civil county court business; however, for those situations where it is required, some provision must be made. The swearing of affidavits and statutory declarations is one of those services that although not urgent, requires a face-to-face service
52. Any HMCS staff member can be nominated and certified to administer oaths for county court business. Therefore, there is no reason why magistrates' court staff or bailiffs if desired could not perform this function. Provision for swearing oaths might be provided on an appointments basis.
53. Elsewhere in this guidance (see section on Standard 4 Information & Assistance) mention has been made of the different models of face-to-face provision that courts may chose to adopt. These include an appointments system, outreach surgeries or both.
54. Standard 6 requires field managers to consider how they are able to offer some form of face-to-face provision that will meet both the business need and the requirements of users with special needs. These special requirements may well mean that a face-to-face service is the only one that fully meets their needs. While managers cannot accommodate every possible need, due regard must be paid to statutory requirements.

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<sup>2</sup> An affidavit is a court document that requires the author to swear that the contents are true. They are now mainly used in the family and insolvency jurisdictions. Already largely replaced in civil work, there are plans to remove the need for them in the new Family Procedure Rules. Nominated officers are certified to take oaths by a Circuit Judge for family matters and a district judge for Insolvency matters. For District Registry work, the Court Manager can sign the certificate.

## **Joint Responsibility of the Regional Director & Designated Civil Judge in the approval process**

55. Regional Directors and the Designated Civil Judge have a joint responsibility to approve service alterations and certify that all of the standards have been met.
56. If the Designated Civil Judge (DCJ) and the Regional Director cannot agree on the proposed alterations submitted by the Area Director, then the Regional Director may either:
- refer the proposals back to the Area Director asking that the concerns of the DCJ and/or the Regional Director be addressed and that they be re-submitted when the concerns have been resolved; or
  - consult the Chief Executive as to whether the proposals should be put to the HMCS Board for discussion and agreement

### **Role of the HMCS Board**

57. If the proposals are submitted to the Board and the Board approves the proposals then they may be implemented by the Area Director.
58. In the event that the Board is unable to reach a consensus during the meeting and therefore cannot agree to the proposals, the provisions of s5.21 of the HMCS Framework Document<sup>3</sup> apply. This means that the issue will be referred to the Lord Chancellor and the Lord Chief Justice for a decision.

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<sup>3</sup> s5.21 states "The Board endeavours to reach agreement by consensus under the guidance of the Chair. Where the Board cannot reach agreement by consensus on matters of significance, it refers the issue to the Lord Chancellor and the Lord Chief Justice for a decision." HMCS Framework Document (April 2008)

## Annex A: Guidance on the Consultation Process

### Impact Assessments

1. Impact assessments are formal tools developed by central Government and their agencies to assist policy makers and managers to act as a filter to identify and assess the impact of proposals. Your regional diversity manager will be able to assist you in identifying which, if any, assessments are suitable. The main assessments likely to be relevant to court changes are listed below.
2. **Equality Impact Assessment (EIA):** The Race Relations Amendment Act, Disability Discrimination Act and Equalities Act all include statutory duties that require Government departments and their agencies to eliminate unlawful discrimination and to promote equality of opportunity. In order to meet these duties, HMCS must be able to demonstrate that the way it delivers services meets the needs of the diverse range of people that are most likely to be affected by its policies were consulted with and involved during their development. The EIA is a tool that allows HMCS to assess the impact of changes to services and helps managers to think about who is most likely to be affected by any proposals and ensure they are consulted and involved. Such groups may include ethnic minority groups; disability groups and groups looking after the interests of elderly people.
3. The possibility that a proposal will have an impact on any of the groups covered by EIAs should be considered in every case. The Civil Law & Justice Division has carried out an Equality Impact Assessment centrally. This initial screening, which can be found annexed to this document, suggests that where an EIA is deemed necessary the key areas of adverse impact are likely to be with the elderly and those users with disabilities. Local areas are encouraged to add to this impact assessment by considering the affect of their specific local proposals on their local community. The breakdown of the population will have to be obtained by age, ethnicity and other relevant categories. This information is available in census data from the local authority. Managers should contact the Regional Diversity Manager if an EIA is being completed. They will be able to advise and provide guidance on their completion.
4. **Small Firms Impact Test (SFIT):** The SFIT is intended to provide sufficient guidance for policy makers, to establish the impact on small businesses. The test will help you design proposals in a way to meet objectives, without unduly limiting or damaging opportunities for small business.
5. **Rural Proofing:** Rural Proofing is a commitment by Government to ensure that all its domestic policies take account of rural circumstances and needs. The Commission for Rural Communities is responsible for monitoring departmental

performance on rural issues across all Government departments. If a change to local court services will affect a rural area then you should refer to the rural proofing checklist, which is available from your regional diversity manager.

6. Where rural issues apply, consideration should also be given to approaching the Commission for Rural Communities as part of the informal consultation with stakeholders. This could provide further valuable information on alternative options for serving the local community.

### **Consultation Process**

7. The standards require alterations in existing front-line provision to be subject to appropriate consultation and communication. If an HMCS area is seeking to change the way it delivers front-line services, it will be necessary to obtain, and take into account, the views of users and local stakeholders. For example, equality groups, Citizens Advice and other appropriate advice agencies, as well as those organisations that have an interest in local civil and family court services. The consultation should set out the proposed changes and explain how the existing delivery of these services would be affected.
8. There is a legitimate expectation on the part of court users and those with an interest in local court issues to be consulted in advance of any proposal that will result in changes to services, functions, or facilities. It is now regular practice to consult on matters that may affect the local delivery of justice. Effective consultation can help identify the breadth of views and strength of feeling from various quarters and issues to enhance the quality of the decision reached and ensure its effective implementation.
9. In order to be effective the consultation must be genuine in that the decision in question has not been taken and a range of options exist that provide genuine alternatives. Those consulted need to be adequately informed about the key issues and should have enough time to consider the proposals before them.
10. The level of consultation to be undertaken should be proportionate to the significance of the planned modifications. Different levels of consultation will apply in accordance with the proposed alterations. As a general rule, minor alterations will require 4 weeks; more significant changes will require 8 weeks. A full consultation period of 8 weeks must always be given when the permanent removal of a face-to-face counter service is planned.
11. Ad hoc closures will not require consultation but must be communicated at least one week in advance.

## **Preparing a consultation paper**

12. In drawing up a consultation paper, you should bear in mind the following principles:

- the consultation document should be clear and concise, stating what the proposals are, who may be affected, what questions are being asked and the timescale for responses;
- the document should be compliant with the HMCS guidance on Disability Discrimination legislation. Other formats e.g. Braille, large print, translations; audiotapes and CD-Rom should be made available on request; and
- all documents relating to proposals affecting Wales should be made available in English and Welsh.

13. You should draw up a consultation list reflecting your local circumstances. Possible consultees include the following:

- Members of Parliament within the area
- Judiciary including the Designated Civil Judge (although all members of the judiciary would have been involved in the design of the proposals prior to a public consultation exercise.)
- Court User Committee
- The Trades Union Side
- Court staff
- Local authorities, District Councils and local councillors
- Local legal profession, solicitors and barristers
- Advice agencies and Law Centres (e.g. CAB)
- Small businesses that may be affected
- Local support groups for blind and deaf people and for people with other disabilities
- Local BME groups and Council for Racial Equality
- Age Concern/Help the Aged
- Other charities or agencies serving your local community

14. The document should be made available in both electronic and printed versions. If a full eight week consultation process is undertaken, then the consultation paper should also be published on the HMCS website.

### **Media Handling of Consultation process**

15. There will need to be a liaison with the HMCS Press Office to deal with any publicity for the consultation paper. HMCS Press Office will be able to advise further on any media-handling plan that may be required. It will require advance notification of the date of issue of any consultation paper together with any forms of consultation being employed.
16. The Press Office will also advise on whether a press notice is required possibly with a list of Questions and Answers and contact details. If you have an Area Communications Officer, they will be able to assist you in developing this material, alternatively contact the HMCS Press Office.

### **Analysis of Responses**

17. A summary of responses received and the views expressed will need to be recorded and response paper produced. The response paper should include a conclusion and next steps.
18. Responses should be analysed carefully and with an open mind. Do not simply count votes for and against the proposal, but consider the weight of the arguments expressed.
19. Decisions should then be made taking full account of the consultation responses received.
20. Further guidance on the consultation process can be found at <http://intranet/justice/consultation/index.htm> .

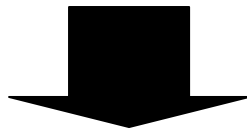
### **Stakeholder Event**

21. If an area plans to make only very minor alterations to front office services, for example, an early closure on one day each week of an hour or so, or late opening on one day each week, to allow for staff training or a staff meeting, then you may decide it is more appropriate to hold one or two stakeholder events rather than undergo a four week consultation process.
22. Replacing a consultation process with stakeholder event(s) would only be appropriate for very minor alterations that would attract a four-week consultation period. Stakeholder events may also form an effective strand of local consultation activity, in addition to the publication of a formal consultation paper.

## Annex B: Overview of Process

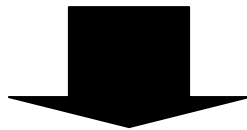
### **STAGE 1 – INITIAL CONSIDERATIONS AND PLANNING**

If circumstances warrant changes to front office services then begin to formulate proposals. Involve Judiciary, Courts Board and TUS at this early stage. All proposals particularly those for dealing with urgent applications should be developed with local judges.



### **STAGE 2 – CONDUCT IMPACT ASSESSMENTS**

Any changes in services should be assessed against the impact on the community, paying particular attention to the needs of people with disabilities and the elderly. Contact Regional Diversity Manager for further guidance on completing these assessments.



### **STAGE 3 – CONSULTATION PROCESS**

Decide which level of consultation is required, minor, or major. Identify who should be consulted. Following consultation, prepare response and amend proposals if needed



### **STAGE 4 – APPROVAL**

Ensure proposals meet National Standards, including plans for publicising the changes to services. Apply to the Regional Director and Designated Civil Judge for approval. If the proposals comply with the national minimum standards the RD and DCJ will approve.



### **STAGE 5 – IMPLEMENTATION**

New model of front office provision is implemented with appropriate communication to the public and local stakeholders.



## Equality Impact Assessment - Initial Screening

This form can be used to screen policies for equality and diversity impacts. **Before you complete this form you must read section 2.1 of the Guidance Notes.**

<b>A. Identify objectives and outcomes</b>	
1. Name of the legislation, policy or service being assessed	Provision of front office services in civil courts
2a. What is the aim, objective or purpose of the policy, legislation or service and who will benefit from it?	<p>The main aim of the initiative is to provide a more flexible framework for the provision of county court front office services in terms of accessibility, convenience and quality. The initiative, at this stage, does not make proposals for any specific changes in terms of service provision. But provides scope for managers to make changes, as and when necessary, that would enhance channels with which users may access county court front office services. The initiative also aims to ensure that services provided are tailored to circumstances and demand at local level, to meet the needs and expectations of local court users, as well as the requirements of the business. The initiative should also ensure sufficient safeguards in terms of access to services for all users.</p> <p>Currently, front office services in county courts are provided, mainly, face-to-face through court counters and a practice direction requires the court counter to be open every working day 10-4pm even though smaller courts do not sit every working day and have very few callers at the counter, but must have staff assigned to cover counter duties. This is often an obstacle to flexible deployment of resources and meeting the needs and expectations of court users. We aim to provide scope for managers to consider more innovative and flexible options for service provision. This will enable the current practice direction to be withdrawn to facilitate a more flexible service provision system. National minimum standards for service provision will be introduced to guarantee court users sufficient and appropriate access to services.</p>

2b. What are the intended outcomes?

- A more consistent, inclusive, transparent and legitimate process for making any changes to the way front office services are currently delivered;
- Safeguards to ensure service provision system meets the needs and expectations of users at the local court;
- Safeguards to ensure any changes to current service provision arrangements meet the requirements of relevant equality and discrimination legislation;
- More flexibility for future service delivery that should help enable better use of resources;
- Service provision tailored to local circumstances and demand;
- Enhanced user awareness of the channels available for accessing services;
- Increased flexibility for local managers in terms of where, when and how their services are provided;
- More flexible deployment of resources should facilitate greater efficiency and effectiveness in the overall business of the county courts;
- A more flexible system of customer service, which ensures that users have access to the right information at the right time.

3. Do you share responsibility for this legislation, policy or service with another Government Department or organisation (e.g. criminal justice partners). If so, who defines it and who implements it?

No

4. Who are the key stakeholders in relation to the legislation, policy or service? What outcomes do they want? Does the list of stakeholders include representatives from all relevant/interested groups of people? If not, why not?

**The table at Annex A summarises the stakeholders and their (perceived) interest in particular outcomes**

There has been extensive engagement with stakeholders and county court users in developing the initiative and this will continue, as we further develop guidance for local managers on service provision options and how they should meet the requirements of all court users. Information received from equality groups e.g Age Concern; Royal National Institute for the Deaf; Royal National Institute for the Blind; and Mencap has been particularly useful in producing the guidance.

**B. Analyse existing evidence and collect further data**

5. Please list the data used to facilitate the initial screening of the legislation, policy or service. For example, statistics, survey results, complaints analysis, consultation documents, comparative policies from internal and external sources and other Government Departments

- A data collection exercise in some courts of varying sizes across the county court regions for a snapshot of whether users preferred the court counter when compared with other service provision alternatives
- Information from 2006 Reading county court pilot on the concept of a smalls claims support officer, in respect of the effectiveness, for some users, of telephone rather than face to face contact in many cases
- The National Surveys of Civil & Family Court users 2005-06 and 2006-07
- Responses to consultation with stakeholders including the judiciary, law society, advice sector and equality groups.

6. Are there gaps in information which require further research or consultation, or that may require additional information to be collected as part of the monitoring and review process?

The initiative does not propose specific changes to current service provision, but provides scope for court managers to decide where, when and how local services are delivered. A review and evaluation of the initiative is planned 6 months and then 12 months after introduction of the national minimum standards and guidance. This will provide more direct information in respect of the types of changes court managers proposed and those implemented, as a result of this initiative. It should also provide better evidence of how users benefited from any changes and any consequential burden on all categories of user. Information from the review and evaluation would facilitate further improvements to the guidance to court managers.

**C. Assess the impact of the legislation, policy or service**

7. Is there any evidence that different groups of people have different participation rates for the legislation, policy or service (eg men do not access the services provided by the domestic violence courts in the same way that women do)?

	Yes	No	Not Known		Yes	No	Not Known
Age			X	Racial Group			X
Caring Responsibilities			X	Religion or Belief			X
Disability			X	Sexual orientation			X
Gender			X				

Please set out the evidence on which you based this conclusion:

Evidence from:

- Feedback from some front office court staff, Area and Regional Directors
- Feedback from stakeholders
- Feedback from the Judiciary

The initiative for a more flexible framework for the provision of county court front office services, at this stage, does not make proposals for any specific changes in terms of service provision. But provides scope for managers to make changes, as and when necessary, that would enhance channels with which users may access county court front office services. Clearer evidence in connection with participation rates may become available when managers propose and implement specific changes to the way services are currently delivered. However, we do not consider a more flexible system creates any specific barriers for users in terms of race, gender, religion or belief, caring responsibilities and sexual orientation.

Some service provisions options in the flexible framework may include electronic facilities and some users may not be conversant with such facilities. Conversely, some users may prefer electronic facilities. But the traditional counter service provision option would still be available within the framework and so access would not be reduced for any group. Personal service may also be available form a particular venue or location within a district. Where there may be additional burden for users in travelling to the venue or location, the framework creates scope for access to such personal service at a more convenient venue or location by way of e.g appointment with court staff. Guidance to court managers also include the option of taking some services to the local community by way of Outreach Surgeries at a convenient location where users could 'drop in' without appointment to access some services.

8. Are there barriers that might inhibit access to the benefits of the legislation, policy or service? Consider:

- Is anyone excluded from enjoying the benefits of the policy?
- Will information be available in alternative formats (<http://intranet.dda/alt.htm>) or languages (e.g. Welsh language)?
- Will disabled people be able to access the service?

	Yes	No	Not Known		Yes	No	Not Known
Age			X	Racial Group		X	
Caring Responsibilities			X	Religion or belief		X	
Disability			X	Sexual Orientation		X	
Gender		X					

Please indicate what the barriers may be or if there are no barriers, please set out the evidence on which you based this conclusion?

Evidence from:

- Consultation and discussions with some court users
- Consultation and discussions with front office court staff, Area and Regional Directors
- Consultation and discussions with stakeholders
- Consultation and discussions with the Judiciary

The initiative for a more flexible framework for the provision of county court front office services, at this stage, does not make proposals for any specific changes in terms of service provision. But provides scope for managers to propose and make changes, as and when necessary, that would enhance channels with which users may access county court front office services. Clearer evidence in connection any barriers or consequential burden on users would be identified when the initiative is reviewed and evaluated 6 months and then 12 months after introduction by which time court managers may have proposed and implemented some specific changes to the way services are currently delivered. But managers are required to carry out Equality Impact Assessment when specific changes are proposed. However, we do not consider a more flexible system creates any barriers, that inhibit access to services for users, in terms of race, gender, religion or belief, caring responsibilities and sexual orientation.

Some of the service provisions options in the flexible framework include electronic facilities and some users may not be conversant with such facilities. Conversely, some users may prefer electronic facilities. But the traditional counter service provision option would still be available within the framework and so access would not be reduced for any group. Personal service may also be available form a particular venue or location within a district. Where there may be additional burden for users in travelling to the venue or location, the framework creates scope for access to such personal service at a more convenient venue or location by way of e.g appointment with court staff. Guidance to court managers also include the option of taking some services to the local community by way of Outreach Surgeries at a convenient location where users could 'drop in' without appointment to access some services.

9. Is there any evidence that different groups have (or are likely to have) different needs, experiences, issues and priorities in relation to the current or proposed legislation, policy or service. For example, have any equality stakeholders (organisations or individuals) indicated that the legislation, policy or service could (or would) create exclusion or hold specific challenges for them?

	Yes	No	Not Known		Yes	No	Not Known
Age			X	Racial Group		X	
Caring Responsibilities			X	Religion or Belief		X	
Disability			X	Sexual orientation		X	
Gender		X					

Please set out the evidence on which you based this conclusion:

Evidence from:

- Consultation and discussions with some court users
- Consultation and discussions with front office court staff, Area and Regional Directors
- Consultation and discussions with stakeholders including equality groups
- Consultation and discussions with the Judiciary

The initiative for a more flexible framework for the provision of county court front office services, at this stage, does not make proposals for any specific changes in terms of service provision. But provides scope for managers to make changes, as and when necessary, that would enhance channels with which users may access county court front office services. Clearer evidence in connection with the needs, experiences and issues of particular groups would be identified when managers propose specific changes to the way services are currently delivered. Managers are required to carry out Equality Impact Assessment when specific changes are proposed. However, we do not consider a more flexible system creates any major barriers for users in terms of race, gender, religion or belief, caring responsibilities and sexual orientation.

Some of the service provisions options in the flexible framework include electronic facilities and some users may not be conversant with such facilities. Conversely, some users may prefer electronic facilities. But the traditional counter service provision option would still be available within the framework and so access would not be reduced for any group. Personal service may also be available from a particular venue or location within a district. Where there may be additional burden for users in travelling to the venue or location, the framework creates scope for access to such personal service at a more convenient venue or location by way of e.g appointment with court staff. Guidance to court managers also include the option of taking some services to the local community by way of Outreach Surgeries at a convenient location where users could 'drop in' without appointment to access some services.

10. Is the legislation, policy or service sensitive to the needs and cultures of different groups of people?

	Yes	No	Not Known		Yes	No	Not Known
Age	X			Racial group	X		
Caring Responsibilities	X			Religion or Belief	X		
Disability	X			Sexual orientation	X		
Gender	X						

Please set out the evidence on which you based this conclusion

Evidence from:

- Consultation and discussions with some court users
- Consultation and discussions with front office court staff, Area and Regional Directors
- Consultation and discussions with stakeholders
- Consultation and discussions with the Judiciary

The initiative for a more flexible framework for the provision of county court front office services, at this stage, does not make proposals for any specific changes in terms of service provision. But provides scope for managers to make changes, as and when necessary, that would enhance channels with which users may access county court front office services. Clearer evidence in connection with the needs, experiences and issues of particular groups would be identified when managers propose specific changes to the way services are currently delivered. Managers are required to consult with a wide range of user groups and carry out Equality Impact Assessment when specific changes are proposed. However, we do not consider a more flexible system would be inconsistent with the needs and cultures of court users.

Some of the service provisions options in the flexible framework include electronic facilities and some users may not be conversant with such facilities. Conversely, some users may prefer electronic facilities. But the traditional counter service provision option would still be available within the framework and so access would not be reduced for any group. Personal service may also be available from a particular venue or location within a district. Where there may be additional burden for users in travelling to the venue or location, the framework creates scope for access to such personal service at a more convenient venue or location by way of e.g appointment with court staff. Guidance to court managers also include the option of taking some services to the local community by way of Outreach Surgeries at a convenient location where users could 'drop in' without appointment to access some services.

11. Is there any evidence that this legislation, policy or service could directly or indirectly discriminate against any group of people?							
	Yes	No	Not Known		Yes	No	Not known
Age		X		Racial Group		X	
Caring Responsibilities		X		Religion or Belief		X	
Disability		X		Sexual Orientation		X	
Gender		X					
Please set out the evidence on which you base these conclusions							
Evidence from:							
<ul style="list-style-type: none"> <li>• Consultation and discussions with some court users</li> <li>• Consultation and discussions with front office court staff and Court Administrators</li> <li>• Consultation and discussions with stakeholders</li> <li>• Consultation and discussions with the Judiciary</li> </ul>							
<p>The initiative for a more flexible framework for the provision of county court front office services, at this stage, does not make proposals for any specific changes in terms of service provision. But provides scope for managers to make changes, as and when necessary, that would enhance channels with which users may access county court front office services. Clearer evidence in connection with discrimination issues would be identified when managers propose specific changes to the way services are currently delivered. Managers are required to consult a wide range of stakeholders, ensure the requirements of any relevant equality and discrimination legislation are met and carry out Equality Impact Assessment when specific changes are proposed. However, we do not consider a more flexible system creates any specific barriers for users in terms of race, gender, religion or belief, caring responsibilities and sexual orientation.</p>							
<p>Some of the service provisions options in the flexible framework include electronic facilities and some users may not be conversant with such facilities. Conversely, some users may prefer electronic facilities. But the traditional counter service provision option would still be available within the framework and so access would not be reduced for any group. Personal service may also be available from a particular venue or location within a district. Where there may be additional burden for users in travelling to the venue or location, the framework creates scope for access to such personal service at a more convenient venue or location by way of e.g appointment with court staff. Guidance to court managers also include the option of taking some services to the local community by way of Outreach Surgeries at a convenient location where users could 'drop in' without appointment to access some services.</p>							



12. Does the policy result in positive impacts, if so please list them here? For example, does it have a beneficial effect on a group of people or improve equal opportunities and/or relationships between different groups of people?

We do not consider there are equal opportunity issues with the initiative. The following positive impacts are envisaged for court users and court business:

- A more consistent, inclusive, transparent and legitimate process for making any changes to the way front office services are currently delivered;
- Safeguards to ensure service provision system meets the needs and expectations of users at the local court;
- Safeguards to ensure any changes to current service provision arrangements meet the requirements of relevant equality and discrimination legislation;
- More flexibility for future service delivery that should help enable better use of resources;
- Service provision tailored to local circumstances and demand;
- Enhanced user awareness of the channels available for accessing services;
- Increased flexibility for local managers in terms of where, when and how their services are provided;
- More flexible deployment of resources should facilitate greater efficiency and effectiveness in the overall business of the county courts;
- A more flexible system of customer service, which ensures that users have access to the right information at the right time.

13. What measures can be taken to promote equality of opportunity by altering the legislation, policy or service, or by working with others, for examples, partners? Is there any evidence of missed opportunities to promote equality of opportunity, if so please provide details?

The initiative does not impinge on equality of opportunity

14. Is a full equality impact assessment required?

YES/NO

If not, please explain why not.

We do not consider a full EIA is necessary, as the initiative for a more flexible framework for the provision of county court front office services, at this stage, does not make proposals for any specific changes in terms of service provision. But provides scope for managers to make changes, as and when necessary, that would enhance channels with which users may access county court front office services. Managers are required to consult a wide range of stakeholder groups and carry out Equality Impact Assessment when specific changes are proposed. It is only when a specific change is proposed that the impact of that particular proposed change can be fully considered or determined. There is no empirical evidence to suggest that the initiative in itself, which provides a more flexible system and highlights service provision options, will have any differential impact on the equality of different groups.

15. If a full equality assessment is not required what data is required in the future to ensure effective monitoring? How and when will the policy be monitored and reviewed?

Managers are required to consult a wide range of stakeholders and carry out Equality Impact Assessment when specific changes are proposed. The initiative will be reviewed and evaluated 6 months and then 12 months after introduction to determine what changes were proposed by managers and the impacts of any such changes on different groups. Data from feedback forms and user surveys would also be examined in the review exercise.

16. Any other comments on the policy and/or initial screening process:

You should now complete a brief summary (if possible, in less than 50 words) ) setting out which policy, legislation or service the EIA relates to, how you assessed it, a summary of the impacts (positive and negative) and any decisions made, actions taken or improvements made as a result of the EIA. The summary will be published on the external MoJ website

We do not consider a full EIA is necessary, as the initiative for a more flexible framework for the provision of county court front office services, at this stage, does not make proposals for any specific changes in terms of service provision. But provides scope for managers to make changes, as and when necessary, that would enhance channels with which users may access county court front office services. Managers are required to consult a wide range of stakeholders and carry out Equality Impact Assessment when specific changes are proposed. It is only when a specific change is proposed that the impact of that particular proposed change can be fully considered or determined. There is no empirical evidence to suggest that the initiative in itself, which provides a more flexible system and highlights service provision options, will have any differential impact on the equality of different groups.

Currently, front office services in county courts are provided, mainly, face-to-face through court counters and a practice direction requires the court counter to be open every working day 10-4pm even though smaller courts do not sit every working day and have very few callers at the counter, but must have staff assigned to cover counter duties. This is often an obstacle to flexible deployment of resources and meeting the needs and expectations of court users. We aim to provide scope for managers to consider more innovative and flexible options for service provision. This will enable the current practice direction to be withdrawn to facilitate a more flexible service provision system. National minimum standards for service provision will be introduced to guarantee court users sufficient and appropriate access to services.

Name (must be grade 5 or above): ANDREW FRAZER

Department:HMCS

Date:19 March 2008

If no adverse impacts have been identified and a full equality impact assessment is not going to be completed, please send a copy of the initial screening plus summary by e-mail to the Equality, Diversity and Human Rights Division. If a full equality impact assessment is required then retain the initial screening until the full impact assessment has been completed and then send both the initial screening and full equality impact assessment together to the Equality, Diversity and Human Rights Division.

## Annex D: Service Standards of Her Majesty's Courts Service

### At the counter

- We will staff public counters during advertised opening hours<sup>1</sup> with knowledgeable staff wearing identity badges. Where relevant this standard may not apply to those courts that are open for hearings only or those county courts where there is no permanent counter service.
- We will be prompt, courteous, polite and helpful at all times and treat customers with dignity and respect.
- We will wear identity badges at all times when in contact with customers and judiciary
- We will in Wales wear bilingual identity badges
- Where a counter service operates, we will attend to customers without an appointment within 10 minutes of arrival wherever possible
- If a customer in Wales wishes to conduct a conversation in Welsh they are welcome to do so. If no Welsh speaker is available, the customer will be given the choice of conversing in English or arrangements will be made for a Welsh speaker to be available at a later date or to use the Welsh Language Helpline 0800 212368
- Where a counter service operates, we will avoid vacating the counter position wherever possible. If assistance is required, where available we will use a telephone/buzzer to summon help.
- We will offer customers the opportunity to discuss matters in private, if they so wish.
- Where a counter service operates and there is a need to ask customers to wait, we will apologise, explain why and what we need to do and tell them how long they may have to wait.
- If a query is likely to take some time, and there are other customers waiting we will call for assistance/back-up at the counter (where a counter service operates) to minimise delay, wherever possible.

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<sup>1</sup> Adapted to take account of the Minimum Standards.

- If we are unable to resolve the query immediately, we will obtain contact details and offer to call the customer when we have obtained the information. We will ensure that the appropriate follow up action is taken.
- We will use simple, clear language and ensure all technical terms are explained.
- If a customer is dissatisfied with any aspect of our service, or wishes to give praise or other feedback, we will treat and log in accordance with the HMCS Complaint Handling Guide.
- If requested, we will provide customers with details of where they can obtain legal advice and assistance, (e.g. Community legal Advice ([www.clsdirect.org.uk](http://www.clsdirect.org.uk)), the Citizens Advice Bureau, Witness Service, Duty Solicitor or local solicitor).
- We will, where appropriate, provide customers with details of our website for on-line services and other information ([www.hmcourts-service.gov.uk](http://www.hmcourts-service.gov.uk))

There are similar standards for dealing with telephone enquiries, written correspondence, and complaints. The standards apply to all types of court.

## Procedural Help and Assistance: Guidance for HMCS Staff

√	X	Leaflet
You can advise people that court should be a last resort, and that they should try to settle before issuing a claim (EX301)	You cannot refuse to issue a claim, but if you have any concerns refer to the judge who will decide whether the claim should proceed	EX 301
You can advise people about other ways to resolve their dispute		LSC 23
You can tell people that any claim must have a legal basis and be supported by evidence. If in doubt, they should seek legal advice (see over)	You cannot give a view about the merits of a particular case	
You can suggest that people consider the defendant's ability, or likelihood, to pay should judgement be obtained against them		EX301
You can help people to complete forms by explaining what sort of information is required for each box	You should not tell people what to write on the form	Guidance notes
You can tell people what form to use, based on the information they have given you about their dispute	You should not direct people to follow a particular route	
You can tell people what will happen next in their case, depending on the actions of the other party	You cannot speculate on the outcome of any part of the procedure	
You can tell people how long the process is likely to take	You cannot guarantee how long the process will take	
You can describe each part of the court process and the time allowed for each step		
You can tell people what to expect from the court hearing; for example about the court environment and how to refer to the judge	You cannot predict the outcome	EX 342
You can explain any unfamiliar language used in orders or any other communication from the court	You cannot comment on the decision itself	
You can tell people about the possibility of an appeal, highlighting any implications in terms of time and cost	You cannot advise about whether an appeal is likely to succeed	EX 340
You can tell people about the various methods of enforcement	You cannot prescribe a particular method of enforcement	EX 321
You can advise people to consider the defendant's means, personal circumstances and likelihood of compliance when considering an appropriate method of enforcement	You should not give any view as to the likelihood of success	EX 321

## **Legal Advice**

If the dispute is unusual or complex, or involves a significant amount of money, the litigant should give serious thought to using a solicitor or other legally qualified person to help them with their case. For more straightforward disputes, or where the cost of a solicitor would be disproportionate to the amount claimed, there are a number of free or low-cost legal services available:

### Community Legal Advice 0845 345 4 345

This is a free helpline provided by the Legal Services Commission. It has a useful operator service that can direct people to advice provided by national agencies, helplines or local advice services. The service will also assess a caller's eligibility for legal aid, and where this is the case provides specialist legal advice over the telephone in the following areas:

- Debt; bailiffs/ council tax arrears, general repayment of debt, charging orders
- Housing; rent and mortgage arrears, disrepair, eviction, problems with your landlord and homelessness
- Employment; problems you may be facing with your employer including unfair dismissal, deduction of wages and discrimination
- Benefits; in relation to incapacity, tax credits or issues in relation to your entitlement
- Education; advice including special educational needs, exclusions, bullying and admissions

### Legal helplines

These are often provided by trades unions or professional associations, and routinely offered by insurance companies as part of their standard packages for household and motor insurance. Many people, however, are unaware – or have forgotten - that they have them, so it is worth flagging up this option to people in need of advice.

### Web-based Advice

There are a number of low-cost legal services available via the web. Some services are charged in blocks of 15 or 20 minutes, so are useful for people that need help with a specific point. Other services are offered on a subscription or insurance basis, and can therefore be accessed several times for a fixed cost. You cannot recommend a particular service, but instead suggest that people do a web search under 'legal advice' or 'small claims'.

Useful Contacts

	<b>Name</b>	<b>Tel no</b>	<b>E-mail</b>
National Standards & Guidance	Ken Lewis-Allagoa	020 7210 8310	Ken.lewis-allagoa@hmcourts-service.gsi.gov.uk
Estates	Andrew Hyland	020 7340 6625	Andrew.hyland@hmcourts-service.gsi.gov.uk
HMCS Communications	Emma Anderson	020 7340 6685	Emma.anderson@hmcourts-service.gsi.gov.uk
HMCS Press Office	Mark Kram	020 7340 6697	Mark.kram@hmcourts-service.gsi.gov.uk
MoJ Policy Support	Gabrielle Kann	020 7210 1326	Gabrielle.kann@justice.gsi.gov.uk
HMCS Resources	Neil Sheppard	020 7340 6782	Neil.sheppard@hmcourts-service.gsi.gov.uk
Telecomms Branch	Keith Bilton	020 7217 4887	Keith.bilton@justice.gsi.gov.uk
Equality & Diversity Unit	Christine Johnson	01582 522038	Christine.johnson2@justice.gsi.gov.uk



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