

Civil Contracts Consultative Group (CCCG) Minutes v3

10 July 2019

Date:	Wednesday, 10 July 2019	
Where	113 Chancery Lane, Breems Room, London	
Chair	Carol Storer – Chair of the Access to Justice Committee and Interim Director of the Legal Action Group	
Minutes	Grazia Trivedi – LAA	
Present	Avrom Sherr – IALS Bob Baker – ACL Chris Walton – Shelter Chris Owens - Legal Support Policy [MoJ] Claire Blades – CAB [TC] Eleanor Druker – Service Development [LAA] Ellie Cronin – Policy Adviser [TLS] Jamie Niven-Phillips [ALC] James Wrigley – Legal Aid Policy [MoJ] Jo Fiddian-Service Dev. and Commissioning [LAA] Kate Pasfield – LAPG Kathy Wong - BC Kerry Wood – Commissioning [LAA]	Liz Whiting – Statistics Analytical Services [MoJ] Malcolm Bryant – ECC [LAA] Marzena Lipman – Interim Head of Justice [TLS] Nimrod Ben – Cnaan Law Centres Network Noel Arnold – ALC Paddy Enright – Area Contract Manager [LAA] [TC] Rose Hahn - Legal Support Policy [MoJ] Russell Barnes – Communications [LAA] [TC] Sally Cheshire – HLP Steve Starkey – Civil Ops [LAA] Vicky Ling – Resolution Zara Topping – CCMS [LAA]
Apol	Kathryn Grainger – PET [LAA]	Nick Lewis – MHLA

1. Minutes and Actions.

Carol Storer stood in as Chair for Richard Miller who was away. The minutes from May were approved with a couple of minor amends to the list of attendees and would be [published](#).

J Fiddian informed CCG that Shaun McNally, the LAA's CEO, had from Monday 8 July taken over leadership of MoJ's preparations for a possible no-deal Brexit. Jane Harbottle, Head of Case Management at the LAA, had stepped in as interim CEO with her position being backfilled in turn.

- Action 1 [May] CCMS user research was continuing; the team were focusing on system performance monitoring but in order to do this effectively they asked rep bodies to identify specific fee earners that were active on the system throughout the day so they could be monitored. Z Topping to email rep bodies with the details **Action 1** [July] Rep bodies to find volunteers **Action 2** [July].
- Action 2 [May] check whether Sue Antell had received an invite to PET. **Action 3** [May]
- Action 4 [May] N Cnaan Ben had sent feedback to Mark Crosskill on both billing and applications but had not had a response. S Starkey to check with Mark **Action 4** [July]
- Action 5 [May] MoJ policy had currently no resources to conduct a survey to collect data on civil legal aid providers. P Enright to speak to David Thomas, head of Contract Management and Assurance, about the possibility of getting contract managers to collect the data from their providers. **Action 5** [July]
- Action 6 [May] The Flexible Operating Hours pilot in Manchester and Brentford commencing date had been pushed back to the 2nd September and the LAA planned to issue guidance to providers by the end of July. Ask a rep from MoJ to give an update in Sep **Action 6** [July]
- Action 7 [May] El Druker had circulated a draft Q&A document on the extended cost limitation in family cases. As this was still a draft rep bodies were welcome to offer additional Q&As to be included. The LAA had also put a new article on Gov.uk :
<https://www.gov.uk/government/news/civil-news-remember-to-use-streamlined-approach-to-family-work>
- Action 8 [May] Rep bodies had asked what would be revised next following the family case planning review; M Bryant said that it depended on volumes and that Court of Protection and Immigration were the areas to be looked at before Housing. The LAA would initially conduct internal workshops and then refer the matter to PET. The LAA would then ask the profession for views on their proposals. M Bryant would update CCG at the next meeting **Action 7** [Jul]
- Action 11 [May] a list of area contract managers had been circulated and rep bodies could share with their members for escalation purposes. P Enright to check how many contract managers operated at the LAA **Action 8** [Jul]

2. **CCMS** Z Topping gave an overview of the information the digital team was able to get on the system's performance, which depended on a) interface performance, b) background performance [EBS] and c) database, all working well together to deliver applications and billing. These 3 elements sit on the Infrastructure Platform. The system provided reports on all these. The team wanted to monitor the user's experience too and were working on that.

Work was progressing to replace the current interface and to make the system much less complicated; Z Topping showed how the team were approaching the task with a projected presentation. There wasn't a fixed delivery time for the new system but it remained a work in progress with the roll out done category by category. The old and new system would run concurrently unlike the Provider User Interface [PUI] that would be decommissioned. The team planned to hold a quarterly digital update meeting in August. Minutes were not taken at these meetings as they were meant to be a show & tell type of engagement. Z Topping agreed to share the list of people invited to these meetings. **Action 9** [Jul]

- 3. Legal Aid Awareness Campaign.** C Owens said that on 7th Feb the government published *the Legal Support: The Way Ahead* action plan alongside the post-implementation review of the *Legal Aid, Sentencing and Punishment of Offenders Act 2012* [LASPO]. The plan included six core strands of legal support work: piloting co-located hubs, investing £5million in developing innovative technologies and testing new methods of delivering services, the establishment of an advisory panel and wider network, a signposting campaign, an investment of £3 million in the Litigants in Person [LIP] campaign, and an awareness campaign, to address the issue of low uptake of legal aid services in areas of law that remained in scope, and wider legal support work to help make people aware of their entitlement and services that could support them in resolving their legal issues.

A number of initiatives were already in place like the Law Society's posters campaign on the tube network to raise awareness of legal aid services. The team was currently considering how to support 'gatekeepers' (e.g. those who work in law centres, advice bureaux, solicitor firms and so on) to drive forward the awareness message. The campaign could be conducted via traditional posters/leaflets, but also digitally. Direct awareness raising with the public could be tailored to the issues identified in different areas, particular areas of law, or particular groups of people. N Ben Cnaan pointed out that a poster in the A&E waiting room would be appropriate because members of the public needed the just-in-time kind of help rather than the just-in-case. A Sherr said that the approach should be specific about the type of problem like 'do you have a family problem' or 'are you in trouble with the law'. Other suggestions included tapping into the Legal Services Consumer Panel 's expertise, liaising with the NHS, making the phone number for the telephone advice service easier to find. It was a challenge to communicate with the general public about what was available on legal aid because the underlying rules were so complicated. C Owens said that a campaign plan would be ready by the end of the year with activities stretching into 2020.

Rep bodies were invited to send their views and ideas to the legalsupportpolicy@justice.gov.uk.

- 4. Tableau Functionality** L Whiting talked about the legal aid [statistics published](#) on Gov.uk and explained what data was available, where it could be found and how to search for specific information. The Tableau was based directly on the Detail Data files and allowed users to whittle down the information to suit their interest. Queries on anything relating to the tableau or legal aid statistics could be sent to statistics@justice.gov.uk or liz.whiting@justice.gov.uk

E Cronin asked if it was possible to separate data on private family work from that on public family work. E Druker to look into this. **Action 10** [Jul]

N Ben Cnaan asked whether the LAA planned to show any data on case starts at a regional or contract manager's area, and on the number of calls going through the gateway and progressing to a face to face referral with a solicitor. E Druker said that once the results of the CLA tender were known work could begin on how to manage the data. E Druker to update the group at the next meeting on both requests. **Action 11** [Jul]

5. **Trainee Scheme** E Druker said that some firms and especially small ones, might have difficulties offering trainees a range of work so the LAA had looked at what scheme might already be in place to support this. Subject to funding and approval from the Government Legal Department the LAA hoped to be able to offer a six-months secondment in the ECC team and another in the central legal team. E Druker to update CCG before the next meeting. **Action 12** [Jul]

6. **LAA Updates**

6.1 **Operations** There were no questions on the Operations report so S Starkey updated the group on the changes to the reject position of civil bills. One in two claims were going back to the provider so the LAA had put in place measures to drive down the return level and process claims at first pass. The new approach was described in two documents: a *checklist*¹ and an update of the *electronic manual*². The approach was going to be communicated in the [LAA Bulletin](#) on 25th July with a live date of 5th August. If the bill passed Stage 1 check, the most fundamental, the bill would be retained, if not it would be returned. Not all the stage 1 checks were classed as being KPI rejects; all the management information would be available to the contract managers so that they could have a discussion with the firm about their level of returns, how many of the stage 1 checks appeared to have failed and how the level of overall returns could be reduced. Comments on this approach were to go to Anthony Evans or S Starkey. S Starkey to share the top ten reasons for *rejects in billing and applications*. **Action 13** [July]³.

6.2 **Exceptional and Complex Cases** M Bryant said that Exceptional Case Funding itself was 95% within KPI, immigration 96% and child abuse 100%. Work was progressing together with MoJ to simplify the Exceptional Case Funding process. The ECC team had switched emails for CCMS cases, the avenue for CCMS queries was now via CCMS and M Bryant asked rep bodies for any feedback on how it was working for providers.

6.3 **Commissioning** K Wood gave a brief overview of capacity and access issues. As previously reported, there were more active civil schedules than was the case under the previous contract. Under the previous contract there were 2,257 and there were now 2,401. This was a reduction of approx. 100 from the initial awards as some bidders failed to meet the verification requirements. Biggest reductions were in Immigration where almost 4% of the bidders failed to successfully verify their schedules.

The increase to lot sizes under the 2018 tender appeared to be working well in that providers had plenty of capacity to take on work and there was an overall approx. 2% increase in run rates (providers starting work projected to year end) from Q2 to Q3.



1 Microsoft Word 97 -
2003 Document



2 Microsoft Word 97 -
2003 Document



3 Microsoft Word 97 -
2003 Document

Following a request from TLS to look at inactive schedules in Housing, it was reported that 89 out of 391 schedules had reported no work started to date. Some of these were in London Boroughs which was surprising but no clear trend had been established and some providers had fed back that it was a reporting issue. The group were of the view that the conclusion should not be that these providers were not undertaking work as they might be opening certificated matters. The LAA would continue to monitor this as usual with Contract Managers taking any required actions.

7. Items requested by representative bodies

7.1 Interpreters Fee Guidance This had been updated and changes applied from 1 April. LAPG had asked members for feedback on whether there had been any issues with this. Bob Baker to update CCCG at the next meeting. **Action 14** [Jul].

7.2 Payment of Police Disclosure Fees E Druker said that that the guidance and electronic handbook had been updated. Issues arising from this were to be sent to E Druker with specific details of the case so it could be found on CCMS and to see whether it was an issue relating to caseworker's training or a wider issue.

8. AOB A Sherr said that with approximately 100 contract managers looking after around 2,000 contracts it was inevitable that a meaningful understanding between firm and contract manager was going to be a challenge.

Actions from this meeting		Owner	deadline
AP 1 [Jul]	Email rep bodies the details of what was required from volunteer fee earners willing to take part in the performance monitoring exercise.	Z Topping	12 July
AP 2 [July]	Try to find volunteer fee earners for the performance monitoring exercise.	Rep Bodies	30 Aug
AP 3 [Jul]	Check whether Sue Antell had received an invite to PET. Post meeting note: PET is still focussed on family cases but when they look at Court of Protection cases they will invite providers who undertake that work.	G Trivedi	Closed
AP 4 [Jul]	Chaise a response to N Ben Canaan's feedback on the repetitive nature of caseworkers' inquiries relating to applications.	S Starkey	Closed
AP 5 [Jul]	Speak to David Thomas about getting MI data on providers.	P Enright	Ongoing
AP 6 [Jul]	Ask a rep from MoJ to give an update on FOH at CCCG in Sep.	G Trivedi	Closed
AP 7 [Jul]	Update CCCG at the next meeting on case planning reviews [on the agenda]	M Bryant	Closed
AP 8 [Jul]	Check how many contract managers operated at the LAA. Post meeting note: There are currently 88 contract managers.	P Enright	Closed
AP 9 [Jul]	Share the list of people invited to the Show & Tell digital quarterly meetings [invite has been sent out for meeting on 12 September] .	Z Topping	Closed

AP10 [Jul]	Check whether private family work could be separated from public family work in the data set.	E Druker	Closed
AP11 [Jul]	<p>Update the group at the next meeting on:</p> <p>a) telephone gateway MI.</p> <p>Post meeting note a) The LAA are currently looking at the IT requirements that will be needed to support the changes to the mandatory telephone gateway being phased in from 1 September 2019, focusing at present on the need to enable face-to-face providers to use CWA.</p> <p>b) data on case starts at a regional level</p> <p>Post meeting note b) The aim is to incorporate this into the civil csv that the LAA publish quarterly, with the first release planned for December's publication.</p>	<p>a) E Druker</p> <p>b) L Whiting</p>	Closed
AP12 [Jul]	Update CCCG on the training scheme at the next meeting.	E Druker	11 Sep
AP13 [Jul]	Share with the group the top ten reasons for rejects in billing and applications.	S Starkey	Closed
AP14 [Jul]	Share feedback from members on Interpreters Fees Guidance.	B Baker	11 Sep