



Legal Aid
Agency

Civil Legal Advice and the Gateway Guidance for Civil Contracted Providers

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Introduction

After reading this guidance you should understand:

- How Civil Legal Advice operates
- How people can contact Civil Legal Advice
- When to direct people to Civil Legal Advice for help and how to do this
- What to expect when Civil Legal Advice signposts or refers clients to you

You should read this guidance if:

- You are involved delivering a Standard Civil Contract 2018 in housing and debt, family, discrimination or education.
- It is also recommended reading for anyone involved in the delivery of a standard civil contract in any other category.

Civil Legal Advice (CLA)

Civil Legal Advice (formerly known as Community Legal Advice), is a national adviceline for England & Wales, paid for by Legal Aid.

How to contact Civil Legal Advice:	
Online	Go to www.gov.uk/civil-legal-advice Or just search for Civil Legal Advice on www.gov.uk
Telephone *	0345 345 4345
Text	'legalaid' and name to 80010
Minicom	0345 609 6677
Book a call back for date, time or language that suits	Go to www.gov.uk/check-legal-aid You can request the date, time, language or minicom or typetalk
Opening times	Monday to Friday 9am to 8pm and Saturday 9am to 12:30pm. Outside these times leave a message; CLA will call back within one working day.

* Calls from a BT landline cost 4p per minute. Calls from a mobile usually cost more. Anyone worried about the cost of the call can request a call back.

It provides specialist legal advice, primarily by telephone, online and post, to people who are eligible for legal aid with a problem in:

Debt (where their home is at risk)	Housing
Education (Special Educational Needs)	Discrimination
Family (involving domestic violence, child abuse or public children act proceedings)	

What happens when someone first contacts Civil Legal Advice

People will initially speak to an operator, who will assess whether their problem is within scope and if they are financially eligible for legal aid in one of the areas covered by the adviceline.

Where it appears from this initial assessment that a client will qualify for Legal Aid they will be put through to a CLA Specialist advisor immediately (or, in some instances, referred to a face-to-face provider).

If the client is ineligible for legal aid or CLA cannot help, the operator will suggest an alternative source of help. This can include giving details of other legal aid contracted providers who may offer a paid-for advice service.

Supporting client access

All CLA operators and specialist caseworkers have been trained to identify specific client needs and where possible will aim to accommodate them.

All clients will be given the opportunity to discuss whether any available reasonable adjustments or adaptations could be used to support their access to the service.

In addition to being able to communicate with CLA both online and by telephone the following service adaptations and adjustments are available:

- a free telephone interpretation service, if English is not a caller's first language;
- text relay and British Sign Language via webcam for deaf and deafened clients
- allowing an authorised friend, family member, support worker or other professional to contact CLA on behalf of the client;
- calling the client back where the cost of the call may be an issue
- access to a freepost service and provision of correspondence in an accessible format for the client e.g. large font, easy read, Braille or audio etc.

The assessment of suitability for remote advice

CLA Specialist advisors will assess all eligible clients to determine whether a remote advice service provided by telephone, online and post is appropriate for the client in their individual circumstances.

The assessment is based on a consideration of the client's current circumstances and whether CLA can:

- understand and act on the client's instructions and
- the client can understand and act on the advice provided by CLA

Clients who require Legal Representation under a certificate will always be offered a face to face advice service if this is what they would prefer.

Clients can always choose to be signposted or referred to a face to face advice service if they would prefer.

Signposting to Civil Legal Advice

When you can signpost to CLA

You **can** signpost people who are or are likely to be eligible for legal aid to Civil Legal Advice if they have a problem in Debt, Discrimination, Education, Housing or Family. Or you may choose to signpost or refer them to an appropriate face to face legal aid contracted provider.

When you should signpost to legal aid resources on www.gov.uk

If you are unsure whether someone is eligible for legal aid you should always consider directing them to the 'Can You Get Legal Aid' tool at www.gov.uk/check-legal-aid.

You should only direct such people to the Civil Legal Advice adviceline if you believe that they are likely to be eligible for legal aid or they do not have Internet access or they would have difficulty using the tool.

The online tool provides a simple high-level check of whether the user may qualify for legal aid. Whatever the outcome, the user will be directed to the most appropriate source of help.

Supporting clients to access Civil Legal Advice

You can assist clients to contact CLA, particularly those that may be worried about using an adviceline by:

- Explaining about the different ways to contact CLA
- Providing people with a way to access CLA from your offices
- Booking a call back for the client online or by text
- Or in exceptional circumstances, and only if the client consents, contacting CLA on their behalf

When Civil Legal Advice may signpost or refer clients to you

Where considered necessary CLA Specialists will refer clients for a face to face advice service. This is most likely to occur when:

- It has been determined a client should receive face-to-face advice or
- A client requires a representation service

More usually CLA Specialists will not have opened a new matter start but occasionally a referral may occur once initial advice has been provided.

Which organisations and how the client will be signposted or referred will be dependent on the circumstances of the case. For example, a client will be referred if the CLA Specialist has already undertaken some work on the case for the client.

Please note that referrals are when CLA will actually make contact with the other organisation to organise for the client to be assisted. Signposting is where the client is provided with details of who may be able to assist but the client will have to make contact themselves.

When making a referral CLA Specialists will:

- Contact the chosen face to face provider either by telephone or electronically e.g. by secure email.
- Share any relevant information about the client, their problem and advice needs including details of any reasonable adjustments required by the Client.

How CLA choose which face to face advice provider

CLA will use 'Find a Legal Advisor or Family Mediator' <https://find-legal-advice.justice.gov.uk/>

They will select relevant contract category holders only and will initially need to determine that the organisation is authorised to provide legal aid services in the relevant category.

Where there is more than one suitable provider any selection between them must be based first on the Client's choice and failing that, on proximity in accordance with the client's wishes (ie this can be closest to a home address, work address or place of the client's choosing). CLA provider preference cannot be taken into consideration.

Keeping your entry on the Find an Advisor Directory up to date

The information about your organisation on the directory is provided by the Legal Aid Agency information about contracted providers. If any of the information appears to be out of date you should follow the usual procedure to update.

Accepting referrals

You can accept a CLA referral and open a new matter in the usual way providing that you have sufficient matter starts and have determined that the client is financially eligible and meets the scope and merits criteria.

Education and Discrimination providers must accept a referral from a client based in their Procurement Area where the case is with the scope of their contract unless:

- they lack appropriate matter starts to take on the case;
- they do not have the capacity to take on the case;
- they do not have the necessary skill or expertise to take on the case; or
- other professional conduct reasons such as actual or potential conflict of interest.

You must have regard to s. 3.40 to 3.45 of the 2018 Civil Contract General Specification in relation to previous controlled work carried out by a different provider. Where a client has been assessed as requiring face to face advice by CLA this would be sufficient justification for opening a subsequent new matter start.

You cannot rely on the scope or financial assessment made by CLA and must make the relevant determinations yourself.

CLA or the client should provide you with:

- Advice and assistance already provided including any documentation
- Information on any reasonable adjustments that the client will need (you have a duty under the Equality Act 2010 to make reasonable adjustments for disabled clients)

Cost of non-standard reasonable adjustments

You can claim the costs for non-standard communication services provided as a reasonable adjustment as a disbursement

You cannot decline a matter for any reason connected to any needs protected under the Equality Act 2010 e.g. connected to a client's reasonable adjustment needs

If you cannot assist the client

You must notify CLA immediately, so that CLA can make another referral or

Where the client has contacted you directly, help the client to find another appropriate provider.
