

Report title: Legal and Advice Funding 2006-2010**Report of:** David Hennings – Assistant Chief Executive - Strategy

Introduction by Executive Member: access to good quality advice is of major importance to many of our residents, especially those on low incomes. The consequences of not getting access to good advice at an early stage can be debt, homelessness, loss of employment and the social exclusion and poor health that comes from living long-term with disrepair and inadequate income. More starkly, lack of legal help with immigration rights can result in deportation.

There has been a gradual reduction in the number of private solicitor firms taking on legal aid work and this has placed additional demands on the borough's advice agencies. In recognition of this we commissioned an independent evaluation of the borough's advice agencies and the recommendations in this report are based on that evaluation. In addition to agreeing funding for specific agencies this report also recommends that we develop a borough-wide Advice Strategy. This will make an important contribution to our anti-poverty work.

Wards(s) affected: ALL**Report for:** Key**1. Purpose**

- 1.1 To agree the recommendations for core grant funding to the legal and advice agencies based on the recommendations of the independent evaluation of their services over the last 3 years of funding.

2. Recommendations

- 2.1 To agree the funding recommendations (5.5.1& 5.5.4) up to March 2010.
- 2.2 That a Borough wide Advice Strategy is developed (5.5.2).
- 2.3 To agree that inflation is added to the core grant for advice agency from April 2007 to the end of the newly agreed funding agreement (5.5.5).

Report authorised by: David Hennings – Assistant Chief Executive, Strategy.

Contact officer:	
Amir Rashid Interim Head of Strategy Business Unit	Susan Humphries Head of Corporate Voluntary Sector Team
Telephone: 020 8489 6955	020 8489 6902
3. Executive Summary	
3.1 The Report provides information on the evaluation of the legal and advice agencies currently in receipt of council core grant aid and sets out the recommendations for the distribution of funding up to March 2010 through the legal and advice funding programme.	
4. Policy summary	
4.1 Current or proposed policy: None	
4.2 Reasons for any change in policy or for new policy development	
5. Access to information:	
Access to Information Local Government 1985	
<ul style="list-style-type: none"> • Office of Public Management (OPM): Best Value Review of Support and Funding to Advice – November 2002 • Michael Bell Associates: Review of Advice Funding - March 2006 	

5. REPORT

5.1 Background

5.1.1 The corporate grants budget provides core funding to range of voluntary organisations through long term funding arrangement and the a small grants budget. A Best Value Review of the support and funding to advice provider voluntary sector in Haringey was undertaken in 2002 by the Office of Public Management (OPM). This review recommended funding to 2003 with 2 dedicated advice providers in the Borough from April 2003 to March 2006.

Haringey Citizen's Advice Bureau (HCAB) – The funding of 3 Bureaux based at Tottenham Town Hall, Turnpike Lane and Hornsey.

Haringey Law Centre (HLC) formerly Tottenham Law Centre – One Centre in Tottenham High road

5.1.2 A further funding arrangement was put in place to the **Angolan & Cabinda Community Organisations (A&CCO)**, both based at the Selby Centre for the delivery of immigration advice from 1st January 2004.

5.1.3 Michael Bell Associates (MBA), who are recognised as experts in the field of advice reviews, were commissioned by the Council to undertake an independent evaluation of the quality of the services, effectiveness of their work and the value for money of the Council's investment to these 3 organisations over the last 3 years. The funding to these 3 organisations was extended to October 2006 to enable the evaluation to deliver its conclusions.

5.2 The need to fund advice provision

The Council's acknowledgement that provision of effective advice agencies is crucial for the following reasons:

- They contribute to regeneration and renewal across a wide spectrum of activities by offering opportunities to link the socially excluded to a range of regeneration initiatives;
- They empower individuals by transferring knowledge and skills about rights and entitlements;
- They bridging the gap between excluded individuals and mainstream services.
- They provide early intervention which prevents a problem getting worse, and may well lead to its prompt resolution.
- An active advice sector also strengthens local democracy by improving accountability of local services and can provide valuable feedback to local authorities and other statutory bodies about the impact of policies and about how their services are performing.

5.3 The changing context for advice services

5.3.1 The Legal Service Commission (LSC)

The LSC have moved to the commissioning of services based on outcome funding and have introduced of fixed fees for Not for Profit contracts. It is expected that this new way of funding will to have a significant impact on small advice providers, particularly those from the voluntary and community sector. This will in turn lead to a reduction locally in the supply of legal advice particularly to those in marginalised communities. HLC have already become a victim of this new funding regime with a reduction of their LSC contract of 50.1%.

5.3.2 As part of the LSC strategy they are also promoting the establishment of Community Legal Advice Centres or Networks (CLAC's or CLAN's). These are envisaged by the LSC to become the channel for distributing funding to local legal and advice agencies in partnership with local authorities and other funders. There has been no increase to the LSC legal aid budget over the last 5 years with little prospect of any increase in the future. This coupled, with the huge pressure on their budget through criminal law, has created a general scepticism as to the motivation of the LSC's for proposing the setting up of these Centres or Network which has meant that to date there does not appear to be any public move to implement these proposals.

5.3.3 Key Indicators and Local Strategy

The local provision of advice is assessed through Best Value Performance Indicator 177 and impacts on 3 Public Service Agreement target areas. Further more social welfare advice plays an important role in meeting four key themes of Haringey Community Strategy:

- Improving access to public services for everyone in the community
- Improving the most deprived neighbourhoods
- Better access to jobs and training
- Better housing for all.

5.4 Current Situation

5.4.1 **Findings:** The key finding from the MBA evaluation are summarised as follows (Appendix 1 for full details of findings):

5.4.2 Haringey Citizen's Advice Bureau

- HCAB is performing well and is of a good standard The service is well managed and has a committed workforce;
- Well-established and effective systems and processes with appropriate reference resources, quality systems and file management is of a high standard;
- Considerable pressure with long waiting periods for appointments and actual long physical queues. The service has adopted appropriate methods to manage this;
- There is a need for additional social policy work;
- The service has had to severely restrict its involvement in tribunal and court representation because of the impact on advisers' time.

5.4.3 Haringey Law Centre

- The Law Centre is providing a fair service with some good quality advice alongside other advice which is less satisfactory; feedback about the Centre in surveys was very variable
- There are concerns about a lower than expected level of outputs by the Law Centre;
- Haringey Law Centre appears to operate as a direct public access advice service rather than as a specialist second tier service;
- The Legal Services Commission has indicated that it is indeed to cut its funding to the Centre (see 5.2.1 of this Report); such a cut would cause sustainability problems;
- No Social Policy work taking place despite the regular evidence from cases about defective services and errors by statutory bodies.

5.4.4 Angolan & Cabinda Community Associations

- A good service is being provided on immigration law, but ACA/CCA are not equipped to provide advice on areas of social welfare law apart from immigration
- Both organisations have high levels of outputs and despite efforts to manage the flow of work, the advisers are often working well beyond what is expected;
- Good links with many other local organisations and communities and are not just a service for people of central African heritage.

5.4.5 Generic Findings –

- There is “a huge and unmet need” for advice in Haringey made worse by the gradual drift out of legal aid work by good quality private sector solicitors;
- Demand for advice services in Haringey appears to be significantly amplified by:
 - poor quality referrals by voluntary and statutory agencies
 - lack of knowledge and lack of engagement about social welfare law among many staff working in LBH and partner agencies
 - A noticeable trend to try to provide advice often on complex matters
 - Significant customer service failures by Jobcentre Plus Service in Haringey,
- Serious shortages of advisers in many areas especially for social security tribunal representation

- No strategic plan for the provision of social welfare law advice, either in-house or externally.
- Poor quality advice being provided by some local community and voluntary organisations which have drifted into advice work
- There is a small but active network of private, fee-charging individuals who provide advice on social welfare law to the public.
- Funding Agreements with the advice agencies are very comprehensive and based on best practice. Council officer support on such issues is both valued and forthcoming.
- Analysis of benefit take-up in Haringey shows that take-up levels, (especially among people of working age), are far lower than one would expect to see and they compare badly with other, similar London Boroughs.
- None of the local advice agencies are using benefits calculation software.

5.5 Recommendations

5.5.1 Based on the findings and recommendations of the MBA it is clear that withdrawal of funding from any of the agencies evaluated would have a negative impact on an already stretched advice sector. Therefore it is **recommended** that these 3 organisations are offered a further grant up to March 2010 with specific conditions built into their respective SLA's (see table below). Full summary of the recommendation are Appendix 2 of this report. The Council's Terms of Conditions of Revenue Grant Aid will apply to these grants.

ORGANISATION	RECOMMENDATIONS
Haringey Law Centre	<ul style="list-style-type: none"> • Need for a robust Development Plan to address to points of weakness identified by MBA (see Appendix 1):
Haringey Citizen's Advice Bureau	<ul style="list-style-type: none"> • Further improvement to the access of telephone advice • Additional representation work • Increase to supervision frequency
Angolan and Cabinda Organisations	<ul style="list-style-type: none"> • Undertake immigration work only • Referral systems for other advice work is put place • Increase of supervision frequency

5.5.2 The recommendations of the evaluation have identified the need for a consistent approach to the development of the Advice services in the Borough. To address this it is **recommended** that a borough wide Advice Strategy is put in place. This Advice Strategy will address areas of economic and social deprivation and support and complement the Anti Poverty Strategy and the currently being explored Voluntary Sector Strategy. This process will help develop service provision in line with identified needs and will in the future inform the Council as to how funding should be allocated. The putting place of putting in place this Strategy is estimated to be in the region of £25k.

5.5.3 While the development of this Strategy is being explored Council wide there is a need to put in place stable funding to the key voluntary sector agencies who are currently delivering advice in the Borough. With this in mind the SLA will also place on them an expectation of a strategic partnership role with the Council in the development of an Advice Strategy.

5.5.4 Funding is **recommended** to each organisation as follows:

	Current CE Core Grant Funding	Other Income 2005/06	Proposed CE Core Grant Funding 2006/2010	Timescale	Rational
HCAB	£640,000	£370,000	£640,000	1 st Oct 2006 – 31 st March 2010	The MBA report raised no major concerns. HCAB providing high quality services.
HLC	£110,000	£115,000	£110,000	1 st Oct 2006-31 st March 2008.	The MBA report raised several concerns that needs to be addressed before longer term funding is recommended. Some addition work is being undertaken by MBA to look at options with HLC and other stakeholders for their future sustainability. A further 2 years funding will be provided to March 2010 subject to a further Report to the VSGC on the progress of HLC to meet the reviews recommendation and the concerns being address to the satisfaction of the Council.
Angolan & Cabinda Partnership	£19,000	£13,000	£19,000	1 st Oct 2006 – 31 st March 2010	The MBA report raised no major concerns in respect to the funding provided by the core grant (Immigration only).
TOTALS	£769,000	£498,000	£769,000		

5.5.5 Currently voluntary organisations who are in receipt of 3 year grant funding through the Chief Executives core grants programme have been subject to a standstill budget over the 3 year period. This has been necessary so that inflation awarded can be off set to meet the required efficiency savings. However in light of the desperate need to advice in the Borough to be at least maintained at the level of the new SLA, it is **recommended** that inflation is awarded annually on these grants from April 2007 until the next review period. This will enable them to concentrate their efforts to further access external funding opportunities in order to develop much needed services.

6. Comments

6.1 Equalities Comments

Monitoring statistics provided by the legal and advice agencies demonstrate that the services are provided primarily to people from BME communities, (72%) women (61%) and the unemployed (90%). The Review commented that all advice agencies in Haringey have multi-lingual staff and an ethnically diverse workforce and this greatly facilitates access to advice.

6.2 Financial Services Comments

Director of Finance supports the need for a borough-wide advice strategy to ensure best value is achieved in delivering an advice service within limited resources. It is accepted that this will take time to implement and that in the interim it is in the interests of the Haringey community to achieve stability in funding, so support is given to re-award the three grants as outlined in this report.

The impact of agreeing inflationary increases (2.5%) from April 2007 to March 2010 would equate to an additional £20k per annum on the current proposed figure of £769k. If agreed this would have an impact on the section's ability to identify savings and would need to be built into future PBPR's.

As indicated in the report, the costs of developing a Borough Wide Advice Strategy will vary considerably depending on the ultimately agreed scope, although it is likely that a wider review encompassing the whole of the HSP would lead to greater value for money and improved outcomes in the longer term. It should be noted that currently no budget has been identified to fund this strategic work.

6.3 Legal Services Comments

The Head of Legal Services notes the contents of the report and does not have any comments but should be consulted on the specific projects/initiatives which result from the report

Generic findings

- There is “a huge and unmet need” for advice in Haringey
- Demand for advice services in Haringey appears to be significantly amplified by poor quality referrals by a wide range of voluntary and statutory agencies, lack of knowledge and lack of engagement about social welfare law (especially welfare benefits) among many staff working in London Borough of Haringey services and partner agencies, a very noticeable trend among some community organisations to try to provide advice often on complex matters and to frequently make mistakes, significant customer service failures by Jobcentre Plus services in Haringey,
- Serious shortages of advisers in many areas especially for social security tribunal representation (and Court representation in debt and housing matters) and employment advice. Just one debt adviser post.
- There is a shortage of health based advice initiatives.
- The gradual drift out of legal aid work by good quality private sector solicitor provision on social welfare law is placing additional demands on advice agencies as well as leading to a loss of specialist level help for more complex matters.
- There is no strategic plan for the provision of social welfare law advice, either in-house or externally.
- There is not enough informal contact between workers in different advice agencies.
- Staff employed by the London Borough of Haringey who have an advice giving function appear to have very little contact with advice agencies and the customer contact centre has no processes for referring people to independent advice agencies.
- Little use is being made of volunteers for advice work.
- Poor quality advice being provided by some local community and voluntary organisations which drifted into advice work
- There is a small but active network of private, fee-charging individuals who provide advice on social welfare law to the public.

- All advice agencies in Haringey have multi-lingual staff and an ethnically diverse workforce and this greatly facilitates access to advice.
- Funding Agreements with the advice agencies which cover governance and financial arrangements are very comprehensive and based on best practice and better than those encountered in other local authorities. Council officer support on such issues is both valued and forthcoming.
- There is a need for advice agencies to have access to timely and skilled advice on human resources challenges.
- Analysis of benefit take-up in Haringey shows that take-up levels, (especially among people of working age), are far lower than one would expect to see and they compare badly with other, similar London Boroughs.
- None of the local advice agencies are using benefits calculation software.

CAB findings

- Haringey Citizens Advice Bureau is performing well, having greatly improved in recent years and it has good prospects for further improvement. The service is well managed and has a committed workforce who use well-established and effective systems and processes.
- There is a raised level of sickness among advisers at Hornsey.
- The CAB is under considerable pressure with long waiting periods for appointments and actual long physical queues. The service has adopted appropriate methods to manage this.
- There is a need for additional social policy work coordinated with other advice agencies to address issues of service delivery by local welfare agencies.
- The service is accessible (save for the difficulty in waiting times and limited access hours, caused by volume of work) and has taken steps to ensure accessibility.
- Generally work is of a good standard. However, a number of shortfalls in advice giving in some of the small number of cases sampled were identified.
- This highlights the importance of thorough case checking, and a process for this and to address shortfalls is now under way.
- The service has had to severely restrict its involvement in tribunal and court representation because of the impact on advisers' time. It is felt that this is adversely affecting the overall quality of work.

- The service has appropriate reference resources, quality systems and file management is of a high standard. Process for updating advisers about changes could be enhanced by a process of having monthly verbal briefings.
- Feedback about the service from both stakeholder interviews and the survey of referring agencies was good.

Law Centre findings

- The Law Centre is providing a fair service with some good quality advice alongside other advice which is less satisfactory and a number of other concerns which can be surmounted with the right support and planning. The leadership of the Law Centre was already aware of these concerns and had begun to address them in a proactive manner before fieldwork was undertaken.
- There are concerns about a lower than expected level of outputs by the Law Centre.
- Haringey Law Centre appears to operate as a direct public access advice service rather than as a specialist second tier service.
- The Centre has faced a number of human resource challenges in recent months and this has placed additional strains on both staff and the Management Committee and they are to be commended for maintaining a service in the circumstances.
- The majority of customers reside within Haringey but the Centre may wish to consider explicitly restricting its work to Haringey residents, save for that proportion which relates to work which has to be done elsewhere (e.g. work funded by the Association of London Government).
- The Legal Services Commission has indicated that it is indeed to cut its funding to the Centre by 61% because of low output levels. Such a cut would cause sustainability problems.
- Core funding by the London Borough of Haringey has enabled the Centre to attract additional external funding.
- Some of the recruitment problems will only be solved by setting pay levels for solicitors at a more attractive level, but additional funding will be required to achieve this.

- The Centre's private landlord doubled the Centre's rent recently and this used up the Centre's contingency funding.
- The Centre has put a lot of effort into making its premises accessible, welcoming and a pleasant environment in which to work. The location of the premises is as near as perfect as one could expect.
- Feedback about the Centre in surveys was very variable but the return rate was too low to draw strong conclusions.
- The Law Centre's engagement with external networks in Haringey is not as strong as one might hope and there is no Social Policy work taking place despite the regular evidence from cases about defective services and errors by statutory bodies.
- The sampling of a small number of case files showed that there was some effective work being undertaken, but several cases were identified where it was felt that the advice was significantly deficient.
- The Centre's library appears to lack several reference books and journals and it is not catalogued. In addition, storage of case files was not always appropriate. There are no concerns about the Centre's systems and supervision arrangements, provided that the manager's post is filled.

Angolan Community Association/Cabinda Community Association findings

- A good service is being provided on immigration law, but a less good service on other areas of law.
- The ACA/CCA are not equipped to provide advice on areas of social welfare law apart from immigration and there is a considerable danger of people being misadvised as a result.
- Both organisations have high levels of outputs and despite efforts to manage the flow of work, the advisers are often working well beyond what is expected.
- The ACA/CCA advice services do not appear to operate as a single entity, though there clearly are close links between the two advice workers and they are located on the same campus.
- Both the advice workers are highly committed and have good links with many other local organisations and they are targeting communities which have particular needs for immigration law advice. They increasingly see their

service as a community immigration law advice service, not just a service for people of central African heritage.

- Supervision is provided externally but not by someone who is an experienced advice worker and it takes place every three months.
- Approximately 80% of clients are from the Haringey Area. This means that 20% of capacity is being spent on people who do not live in Haringey.

Generic recommendations

- The London Borough of Haringey should consider establishing a strategic planning and commissioning body and engage advice funders such as the Primary Care Trust and Legal Services Commission in developing a joint strategy.
- London Borough of Haringey should encourage community and voluntary organisations which receive funding for other services and activities, to identify a limit on the level of signposting and information giving work they will offer and also not provide any funding to additional organisations to provide advice and information.
- It would be advantageous for many London Borough of Haringey staff to have welfare rights training to enable them to be 'early identifiers' for advice problems.
- Up-to-date referral procedures should be developed and regularly updated and distributed.
- The London Borough of Haringey should work with the Citizens Advice Bureau and Law Centre to identify resources to develop tribunal representation and increase the supply of debt and employment advice.
- The London Borough of Haringey should provide resources for advice agencies which undertake welfare benefits advice to have appropriate benefit calculation software and training and to work with these agencies to maximise benefit take-up in the borough.
- The London Borough of Haringey should encourage the key advice providers to play an effective role in the Haringey Advice Providers' Network and resources are identified to enable the lead advice agencies to take on a strategic liaison function within the Network.
- The London Borough of Haringey should support the advice sector to recruit, train and support volunteer advice workers.
- London Borough of Haringey should work with local advice agencies to revise Service Level Agreements to include outputs, Social Policy work, supply copies of external audit/inspection reports.

CAB recommendations

- The London Borough of Haringey should monitor sickness levels and require the CAB to reduce sickness levels at Hornsey.
- Further work could be undertaken to improve access to telephone advice (possibly as a borough-wide telephone advice service on behalf of other agencies) and this is an area for investment by the London Borough of Haringey.
- Some limited, additional representational work is undertake as part of a selective and targeted approach to developing individual advisers' skills and knowledge.
- The current frequency of supervision every three months should be increased to monthly.

Law Centre recommendations

- Funding to the Law Centre should continue, subject to the Centre agreeing a development plan with the London Borough of Haringey. The plan would cover:
 - The role of the Centre's manager and recruitment to the vacancy (including recruitment of an interim manager as matter of urgency)
 - Possible cuts to LSC funding
 - Output levels
 - Developing a second tier function in partnership with other agencies in Haringey
 - Restricting service use to Haringey residents
 - Improving the Centre's staff's access to reference materials
 - Identifying areas where staff need additional support and training in order to deliver high quality complex advice and setting out how this will be achieved
 - Development of outcome measures
 - Communication issues with external agencies
 - Networking with external agencies
 - Development of Social Policy work.
 - The London Borough of Haringey to provide as much ongoing support with this as is possible.

Angolan Community Association/Cabinda Community Association

recommendations

- The number of cases referred to specialist level services should be recorded and reported on to the London Borough of Haringey
- A condition of future funding by the London Borough of Haringey should be that the advice services provided by ACA and CCA merge and are co-located.
- The London Borough of Haringey should make it a condition of funding that the ACA/CCA does not provide advice on debts, welfare benefits, employment, community care and housing law but should refer people with such issues to other local advice agencies. Workers also need some foundation training in these areas.
- The frequency of supervision should be increased to monthly and be provided by an experienced adviser.