

**GUIDANCE FOR REPORTING IMMIGRATION AND ASYLUM WORK UNDER
GENERAL CIVIL CONTRACTS: CONTROLLED WORK
THE SPAN SYSTEM**

Introduction

1. The SPAN coding framework was developed for the monthly reporting of all controlled general civil contracting from January 2000. The development of these codes was informed by first findings from the Block Contracting Pilot Research project commissioned by the Legal Services Commission using the BriefCase¹ classification system. The Law Society, the Advice Services Alliance and the Advice Networks have all been consulted on the codes and any amendments and their feedback has been incorporated into the framework. A number of practitioners from solicitors' firms, law centres and advice agencies have also been consulted. The LSC acknowledges the feedback from all those consulted.
2. The codes must be used when completing the **Consolidated Matter Report Form**. This form, together with a **Controlled Matter Start Form**, must be completed and returned on a monthly basis to the specified Regional Office of the Legal Services Commission within 10 days after the end of each month. **Suppliers in the Newcastle, Manchester, Liverpool, Leeds, Birmingham and Nottingham regions must send all matter start and matter report forms to the Nottingham Office. The address is as follows:**

Legal Services Commission - Nottingham Office
Fothergill House
16 King Street
Nottingham
NG1 2AS

MDX 10035 Nottingham 1

Suppliers in the Cambridge, London, Brighton, Bristol, Cardiff and Reading regions must send all matter start and matter report forms to the Reading Office. The address is as follows:

Legal Services Commission - Reading Office
80 King's Road
Reading
Berks
RG1 4LT

DX 4050 Reading

3. Each matter started must be recorded on a **Controlled Matter Start Form** which must be sent to the appropriate Regional Office to arrive within 10 days after the end of the relevant month. Under each category, report the number of new matter starts in that month and the number of matters reported as closed in that month. The matters closed figure should correspond with the number of matters reported as closed on the **Consolidated Matter Report Form** submitted in the same month and provides a control total against which the completeness of forms may be checked.
4. Each matter completed must be recorded on the **Consolidated Matter Report Form** which must be sent to the appropriate Regional Office within 10 days after the end of the relevant month. All matters must be reported on the **Consolidated Matter Report Form** within three months of being completed. Please note that failure to do this may result in payments being reduced. (see Civil General Contract Schedule Part B - Controlled Work, "Controlled Work claims - three months rule" for full details).

¹ BriefCase was developed as a classification system for the Block Contracting pilot research.

5. Please note that a Controlled Work matter ends whenever any of the following events occur (see Rule 2.10 General Civil Contract (Solicitor) and Rule 6.2 (Not For Profit) Specification:-
 - a) the client decides not to proceed, or indicates that they wish to take the matter forward themselves;
 - b) the client fails to give instructions for three months (unless the matter is on hold, for example, because you are waiting for a 3rd party to act;
 - c) a certificate is granted under Section C of the Funding Code procedures (unless further Legal Help is required on matters not covered by the certificate) or the matter begins to be funded outside this contract;
 - d) the matter is completed, for example by negotiation or adjudication;
 - e) you have informed the client that the provision of Controlled Work is no longer justified;
 - f) you can no longer act through a conflict of interest or other good reason or the client is referred to another organisation.
6. Contract payments depend on the timely return of these forms (see Civil General Contract Schedule Part B Controlled Work "Monthly Reports and Claims" for full details). **Failure to comply with this requirement will lead to a severe delay in monthly contract payment being made.**
7. Events constituting matter ends are defined in Rule 2.10 of the Contract Specification.
8. Matters commenced prior to and completed after 1 January 2000 ("old matter starts") must be reported on the same **Consolidated Matter Report Form** as is used to report the completion of matters commenced after 1st January 2000.
9. You do not need to complete all ten lines on the **Consolidated Matter Report Form** before sending it in. Complete as many sheets as required but remember to complete the boxes stating how many pages in total there are in a batch.
10. **All fields are mandatory except those relating to equal opportunities monitoring (all suppliers) and for NfP suppliers only, Profit Costs.**
11. Where there are no disbursement costs or counsel's fees these fields must be completed as either 00:00 or a dash in the box.
12. Completion of the ethnic origin and disability fields is voluntary. However, where the client is willing to provide this information it will greatly assist us in monitoring and researching access to LSC funded services in line with our commitment to promote equal opportunities, set out in our Equality Scheme (available on our website). This information will be treated in the strictest confidence and will be used purely for statistical monitoring and research.
13. **Forms will be rejected where mandatory fields are not completed.**
14. **NfP only :-** Level 1 work (which may only be carried out by Not for Profit organisations under the Not for Profit contract arrangements - see NfP Specification Rule 3.9 for definition of Level 1) **must not be recorded on the matter report forms**, but be recorded and held separately by NfPs (see rule 3.9 in NfP Specification).
15. The information provided on these forms is required for contract management and may also provide information about caseloads. This management information will be used to monitor the contract work and may trigger closer examination of work.

HOW TO COMPLETE THE CONTROLLED MATTER START FORM

Please see Appendix A for an example of a completed form.

All fields must be completed.

Supplier Name

Please enter your organisation's full name in this field.

Contract Number

This refers to your contract number under which you receive payment for your contract work. This is shown on your **contract schedule**.

Month

This must be completed in the format MON/YY; for example February 2000 should be recorded as FEB/00.

New Matter Starts

Under each category report the number of new matter starts in that month. Complete the total box.

Controlled work reported this month

Under each category show the number of matters reported as closed that month. Complete the total box. For example, where a matter was closed in April but the matter was not reported on the **Consolidated Matter Report Form** until June, the matter should be included in the "Controlled work reported this month" box for the month of June rather than the month of April.

Form Despatch

Controlled Matter Start Forms must reach the appropriate Regional Office within 10 days after the end of the relevant month regardless of the point in the month the matter started. For example, a matter started on 1 April must be reported on the form submitted in May, as must a matter started on 30 April.

HOW TO COMPLETE THE CONSOLIDATED MATTER REPORT FORM

Please see Appendix B for an example of a completed form.

Contract Number

This refers to your contract number under which you receive payment for your contract work. This is shown on your **contract schedule**.

Month

This must be completed in the format MON/YY; for example February 2000 should be recorded as FEB/00.

Case reference

Case reference refers to your organisation's reference for the matter. This reference is essential for effective auditing of contracts. Ensure that this reference enables the file to be retrieved if it is requested at an audit. Ensure that this will take account of any archiving system.

Client Name

Client initial and surname must be provided. The purpose of this field is to facilitate retrieval of specific files for audit.

Unique Client Number (UCN)

Where the client has been allocated a Home Office reference number, the client's Home Office reference number **must** be reported here. The Home Office reference number will be allocated to clients on the decision letter at the latest, and you should not use any separate reference number(s) allocated to the client, for example, by the Immigration Service at ports or the Immigration Appellate Authorities.

The format of Home Office Reference numbers which we will accept is one letter followed by between four and seven numbers.

In rare cases where a client has not been allocated a Home Office reference number by the time a claim is submitted (or where the Home Office reference number is not of a format covered in the previous paragraph) the following reference number should be used on the CMRF:

A0000000

We will be unable to process claims for costs where the correct reference number is not supplied.

Equal Opportunities Monitoring

Please see paragraphs 9 and 11 of the Introduction for guidance. Where a client does not wish to provide this information, you should enter "ref" in the relevant fields.

Complete the gender field with F for Female or M for Male.

If a client considers himself or herself to have a disability please mark the disability monitoring column with the letter Y, if not then mark the column with the letter N. Where a client does not wish to provide this information please mark the column with the letter U.

The Commission for Racial Equality recommended categories to be used in this field are coded as follows:

Ethnic Origin	Code
White British	01
White Irish	02
White Other	14
Mixed White & Black Caribbean	10
Mixed White & Black African	11
Mixed White & Asian	12
Mixed Other	13
Asian or Asian British Indian	06
Asian or Asian British Pakistani	07
Asian or Asian British Bangladeshi	08
Asian or Asian British Other	15
Black or Black British Caribbean	04
Black or Black British African	03
Black or Black British Other	05
Chinese	09
Other	00
Unknown	99

Age

Client age will be recorded in bands (based on the Office for National Statistics' Labour Force Survey)

Age Range	Code
0-16	A
17-24	B
25-34	C
35-49	D
50-64	E
65+	F

Postcode

This field must be completed. It is important that the client's FULL, accurate, postcode is entered here. This will normally be one to two letters, then one or two numbers, followed by a space and then one number and two letters; for example, B25 8RK, AB32 7PY.

If the client does not know their postcode Royal Mail operates a telephone postcode enquiry service on 08457 111222.

Do not enter fictitious codes.

If you or the client *genuinely* cannot provide an accurate postcode (perhaps because new properties have not yet had their codes notified), please enter the first two letters of the Postal Area only; for example, OX (Oxford), SO (Southampton) If the client is homeless you should enter IT (space) IN.

Date Opened

This field must be completed. This date will be the date the matter opened. This will usually be the date when the client signed the application form, but may be earlier where telephone advice was given before signature. This must be recorded in the format: DD/MM/YYYY e.g. 5th February 2000 should be recorded 05/02/2000.

Matter Type

Matter type has been divided into two parts: Part I and II. Both parts must be filled in for each individual case. **Only one code from Part I and one code from Part II must be recorded.**

Part I

<p>Asylum Legal Help This includes claims under Article 3 ECHR.</p> <p>This Matter Type code should not be used in cases where CLR has been provided in respect of an appeal.² Consequently, 3rd endpoint codes “G,” “H” and “K” should not be used in conjunction with this Matter Type code.</p>	IASY
<p>Immigration Legal Help This Matter Type code should not be used in cases where CLR has been provided in respect of an appeal.³</p>	IMMI
<p>Appeals - Asylum (CLR) This includes claims under Article 3 ECHR.</p> <p>This Matter Type code should be used for all asylum claims made after a negative initial Home Office decision. Consequently, 3rd endpoint codes “E” and “F” should not be used in conjunction with this Matter Type code.</p>	IAAS
<p>Appeals - Immigration (CLR) This Matter Type code should be used for all non-asylum claims made after a negative initial Home Office decision.</p>	IAIM

Where a transitional case that commenced prior to 1 April 2004 involves work done but not claimed under Legal Help AND an appeal under CLR, record the case as an appeal IAAS or IAIM.

Part II

<p>Grant/variation of leave to enter/remain This includes applications from those applicants who were granted some form of leave (e.g. student) and have applied to vary that leave. It may also include applications made to vary leave to refugee status whilst having some extant leave in accordance with the Immigration Act 1971.</p>	GOL
Visas/entry clearance	VIS
Concession/policy outside the rules applies	OUT
Obtaining citizenship/nationality	CZN
<p>Detention issues An example of when this Matter Type code should be used is where CLR has been granted for the purposes of making a bail application only.⁴ This code should not be used where the advice/representation provided in respect of bail is part of the client’s wider immigration case.</p>	BAI
<p>NASS only advice This Matter Type code should only be used where the advice given solely relates to a client’s NASS application or appeal.⁵</p>	NAS
<p>Removal/Deportation This is specifically in terms of current legislation.</p>	RVL

² In these circumstances Matter Type code “IAAS” should be used.

³ In these circumstances Matter Type code “IAIM” should be used.

⁴ If a claim is made using this Part II Matter Type code please note that 1st Endpoint code “X” should be used if an unsuccessful outcome was obtained. If a successful outcome was obtained in such a case, 1st Endpoint code “V” should be used.

⁵ If a claim is made using this Part II Matter Type code please note that 1st Endpoint code “X” should be used if an unsuccessful outcome was obtained. If a successful outcome was obtained in such a case, 1st Endpoint code “V” should be used.

Breach of conditions	BOC
Illegal entry This Matter Type code should be used;- <ul style="list-style-type: none"> - where the applicant has not been given leave to enter/remain in accordance with the terms of the Immigration Act 1971 prior to making an application; - where the client has specifically been termed an 'illegal entrant' by the Secretary of State. 	ILL
European Union Law/EEA	EUL
Other This Matter Type code should only be used if none of the other Part II Matter Type codes apply.	OTH
Fast Track Asylum Case This code should only be used if the case is a fast track case and you have a fast track asylum Contract Schedule. Please note that 3 rd endpoint code "T" should be used when making a fast track standby payment claim.	FST
Review and Reconsideration Hearing Please note that 3 rd endpoint code "K" must be used whenever a completed matter claim is made after a review and reconsideration application.	RAR

Controlled Work : Time (Minutes)

This field must be completed. Record here the total number of minutes spent on the matter. This should include travel, waiting time etc.

If your organisation currently records time in units rather than minutes, please convert units to minutes i.e. where 1 unit = 6 minutes, the number of units multiplied by 6.

Controlled Work : Profit Costs (£)

This field should not be completed by organisations with Not for Profit contracts. This field must be completed by organisations with solicitor contracts.

Organisations with solicitors' contracts must enter the total amount of profit costs associated with the matter in this field. This will be the total profit costs claimed for providing Legal Help or Controlled Legal Representation in that matter. Profit costs are calculated by multiplying the total time spent on each activity (e.g. preparation or travel and waiting) by the remuneration rate appropriate for that activity and then adding together the totals reached. The flat rate charge for each routine letter out or telephone call should also be added. This figure must be recorded in the form £__:__. If your organisation is registered for VAT, this figure should INCLUDE VAT. Please note however that VAT should not be claimed in respect of legal advice provided to the majority of asylum seekers (see page 19 of Focus 48) which can be found at: http://www.legalservices.gov.uk/docs/cls_main/Focus_48.pdf

The remuneration rates appropriate for each activity are specified in Annex A to your Contract Schedule. Remember that you are only entitled to claim franchised rates for work done before 1 January 2000 if you were fully franchised in that category at the time you performed the work.

Controlled Work : Disbursements (£)

This field must be completed. Record the total amount of disbursements spent on this matter. This should be in the form £__:__. If your organisation is registered for VAT and the disbursements attract VAT, this figure should INCLUDE VAT. Please note however that VAT should not be claimed in respect of legal advice provided to the majority of asylum seekers (see page 19 of Focus 48). If no disbursements were incurred, record 00:00 or a dash.

Controlled Work : Counsel Fees (£)

This field must be completed. Record here the total amount of counsel costs associated with the matter. This should be in the form £__:__. This figure should include VAT if applicable. Please note however that VAT should not be claimed in respect of legal advice provided to the majority of asylum seekers (see page 19 of Focus 48). If no fees were incurred, record 00:00 or a dash.

Endpoint

The three endpoint fields must be completed **except for stage claims where the first two fields should be left blank or a dash entered**. In the first field enter a letter from the list provided showing what outcome has been achieved for the client. Outcomes “A” to “E” or “R” to “X” must be used for completed matters.

The second endpoint field allows public interest cases to be recorded.

For the third endpoint field enter a letter which indicates the stage the case had reached when the matter ended or a stage claim was made.

Please note that in the tables below the lists of examples of when each of the endpoint codes should be used are **not exhaustive**. Please refer to your Account Manager if you are uncertain as to which code is appropriate.

First SPAN Endpoint Field

Matter not concluded

Codes “A” to “E” should be used for cases where the ultimate outcome of the matter for the client is not known.

<p>Matter proceeded under other CLS Funding If an immigration matter proceeds to court by way of appeal, judicial review or statutory review, outcomes “A” to “E” should not be used. In those circumstances choose from outcomes “T” to “X” described below to record the outcome achieved under Controlled Work.</p> <p>This code should be used where the client has not been referred to another organisation but other CLS funding has either been granted or is pending. CLS funding includes funding by bodies other than the LSC (e.g. local authority funding).</p>	A
Client referred/transferred to another organisation	B
Client advised and taking action themselves or with the help of a third party	C
<p>Client advised and third party action or decision awaited This code applies where the advice given is complete but a decision is still awaited from a third party. For example:-</p> <ul style="list-style-type: none"> - where the client receives basic legal advice in respect of citizenship to enable them to decide whether to make an application. In these circumstances the file would be closed since the outcome of the application would not be known. 	D
<p>Outcome not known/client ceased to give instructions Outcome “E” should only be used where the outcome is not known and none of “A” to “D” apply. For example:-</p> <ul style="list-style-type: none"> - where the client has failed to respond to correspondence or attempts to contact them for 3 months. 	E

Matter concluded

<p>Matter stopped on adviser’s recommendation (Please read the guidance below and the associated footnotes): This code should not be used where an organisation or the LSC⁶ refuse to grant CLR after an initial Home Office refusal because the case has insufficient merit.⁷</p> <p>This code should not be used if the matter is stopped on the adviser’s recommendation as a result of a negative decision at a substantive AIT hearing (e.g. after 3 hours spent</p>	R
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⁶ Only an organisation with Devolved Powers may self-grant CLR. Organisations without Devolved Powers must apply to the National Immigration and Asylum Team at the LSC’s Red Lion Street office in London.

⁷ Instead 1st endpoint code “X” (Application Refused) and 3rd endpoint code “F” (LH Completed, CLR Refused) should be used in those circumstances.

<p>considering the merits of pursuing a review and reconsideration application).⁸</p> <p>Examples of when this code should be used include:-</p> <ul style="list-style-type: none"> - where an organisation advises the client to withdraw their application prior to the initial Home Office decision;⁹ - where an organisation has undertaken CLR work after an initial Home Office refusal but withdrawn CLR prior to the initial AIT hearing on the grounds that the case had insufficient merit.¹⁰ 	
<p>Matter concluded otherwise</p> <p>Examples of when this endpoint code should be used include:-</p> <ul style="list-style-type: none"> - where the client/sponsor decides to withdraw the application (including where this is prior to an initial Home Office decision); - where the client voluntarily accepts deportation/removal. 	S
<p>Permission to enter or remain permanently is given</p> <p>Examples of when this endpoint code should be used include:-</p> <ul style="list-style-type: none"> - cases where indefinite leave to remain (ILR) is granted including where this is after a period of leave has already granted; - cases involving a successful family reunion application; - cases involving a successful application for settlement; - cases involving a successful application to remain in the UK on the basis of marriage. <p>This code should not be used where refugee status is granted because in those circumstances the client will not initially be given permanent leave to enter or remain. If however you act for an applicant who was originally granted refugee status is later granted ILR, this 1st endpoint code would be appropriate.</p>	T
<p>Humanitarian Protection or discretionary leave to enter or remain is granted</p>	U
<p>Case results in grant of other permission to enter or remain for a defined period</p> <p>Outcome “V” should not be used where permission to enter or remain is given only as a temporary measure pending the conclusion of the case. In such cases you should report as the endpoint the success or otherwise of the main application.</p> <p>Examples of when this endpoint code should be used include:-</p> <ul style="list-style-type: none"> - where a student or working visa is granted for a specific period of time; - where refugee status is granted for 5 years (or a lesser period). - where a successful outcome is achieved in a case which solely involves advice/representation in respect of NASS or Bail issues.¹¹ 	V
<p>Citizenship gained</p>	W
<p>Application refused</p> <p>This code should not be used where the matter is stopped on the adviser’s recommendation (i.e. CLR is withdrawn) on merits grounds after an initial Home Office decision but before the substantive AIT hearing.¹²</p> <p>Examples of when this endpoint code should be used include:-</p> <ul style="list-style-type: none"> - where a completed matter claim is submitted directly after a negative initial Home Office decision;¹³ - where a completed matter claim is made after a negative AIT decision (whether that be an initial AIT decision or an AIT decision made after a review and reconsideration or a remittal back to the AIT from a higher court). 	X

⁸ Instead 1st endpoint code “X” (Application Refused) and 3rd endpoint code “H” (Determined by the AIT) should be used in those circumstances

⁹ In these circumstances the 3rd endpoint code which should be used is “E” (LH Completed, CLR Not Applied For).

¹⁰ In these circumstances the 3rd endpoint code which should be used is “G” (Not Determined by the AIT).

¹¹ In these circumstances the appropriate Part II Matter Type Code will be either NAS or BAI.

¹² In these circumstances 1st endpoint code “R” (Matter Stopped on Adviser’s Recommendation) and 3rd endpoint “G” (Not Determined by the AIT) should be used.

¹³ In these circumstances 3rd endpoint code “E” (LH Completed, CLR not applied for) or “F” (LH Completed, CLR Refused) should be used depending on whether CLR was applied for or not.

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| <ul style="list-style-type: none">- where the matter is stopped on the adviser's recommendation after a substantive AIT hearing because (after spending up to 3 hours) it is considered there is insufficient merit to pursue a review and reconsideration application.¹⁴- where an unsuccessful outcome has been obtained in a case which solely involves advice/representation in respect of NASS or Bail issues.¹⁵ | |
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¹⁴ In these circumstances 3rd endpoint code "H" (Determined by the AIT) should be used.

¹⁵ In these circumstances the appropriate Part II Matter Type Code will be either NAS or BAI.

Second SPAN Endpoint Field

Public interest cases

<p>Significant wider public benefits achieved Use this indicator to record whether the matter realised a significant wider public interest, as defined in the Funding Code.</p> <p>This applies only to exceptional cases which produced significant benefits for persons other than the client, other than benefits to the public at large which normally flow from cases of a particular type. In other words benefits to the public must have flowed from the outcome of the individual case. See further section 5 of the Funding Code guidance.</p> <p>Public interest is most likely to arise where a third party has taken some action which not only benefits the client (outcome “M” in the first endpoint field) but also leads to real benefits for a significant number of other people.</p>	P
<p>No significant wider public benefits achieved</p>	N

Third SPAN Endpoint Field

The coding below should be used for reporting all Immigration claims, whether stage claims or completed matters. This structure should cover all the allowable options that can be reported.

STAGE CLAIMS

Stage claims should be reported with no completed first and second endpoint codes (e.g. “- - M”).

“Stage claim” refers to any interim claim reported where the overall case is not completed. When certain stages of the claim are reached, then **a stage claim is mandatory** for that element of work. Legal Help and Controlled Legal Representation should be recorded separately on the CMRF.

All suppliers should report each stage separately, but as **Not for Profit** agencies do not report profit costs, there is no requirement for them to report the time incurred at each stage when it completes. They can report all stages (in separate claims) at the completion of the matter.

A **completed matter claim must be made** at the conclusion of every case including those for which stage claims have been made.

LEGAL HELP

<p>Initial Home Office substantive decision, LH continuing Upon receipt of the initial Home Office decision either a LH stage claim or a LH completed matter claim should be made, depending on whether the decision is positive or negative and whether work is ongoing.</p> <p>A “--R” stage claim must be made when the initial Home Office decision is received and the LH form is kept open e.g. to make representations on the client’s behalf or advise the client on matters that are not in connection with his appeal.</p> <p>Please note that it is possible to have LH and CLR open at the same time therefore it may be that LH and CLR will both be continuing after the initial Home Office decision.</p> <p>A “--R” stage claim should not be made where you take a case on at a point after the initial Home Office decision.</p>	<p>R</p>
<p>LH completed, CLR continuing Please note that CLR costs should not be claimed as part of a “--M” stage bill. The earliest opportunity to claim CLR costs is at the point of the initial AIT substantive decision.¹⁶</p> <p>This endpoint should only be used where LH completes at some point after an initial Home Office refusal but where the matter continues under CLR e.g. in respect of an appeal or bail.</p> <p>Please note that if a “--R” stage claim has been made and a “--M” stage claim is made, only those costs incurred since the “--R” claim should be made under the “--M” bill.</p> <p>A “--M” LH stage claim cannot be followed by a “--Q” CLR stage claim or a LH completed matter claim. If a stage claim for LH costs is made using 3rd endpoint code “M”, the case completed claim must be for CLR using codes “G”, “H” or “K”.</p>	<p>M</p>

¹⁶ Unless of course the matter completes prior to the substantive AIT hearing, in which case a completed matter claim should be made.

CONTROLLED LEGAL REPRESENTATION

<p>Initial AIT substantive decision, CLR continuing¹⁷</p> <p>A "--O" CLR stage claim should not be made if, after a negative AIT decision, you consider there is insufficient merit to make a review and reconsideration application. In these circumstances a CLR completed matter claim should be made provided LH is also concluded.¹⁸ In the unlikely event that LH is still ongoing (e.g. in respect of limited advice regarding travel documents or a concurrent application) a "--Q" stage claim should be made for CLR costs and the further LH costs should be claimed as part of the LH completed matter claim.¹⁹</p> <p>A "--O" CLR stage claim should only be made where CLR is continuing after the substantive AIT hearing. For example:-</p> <ul style="list-style-type: none"> - where, after the initial AIT decision and after (spending up to 3 hours) considering the merits of the case, a review and reconsideration application is made; - where CLR is ongoing after the initial AIT decision for the purposes of a bail application. <p>Please note that if a review and reconsideration application is made the time spent considering the merits must be claimed as part of the "--O" CLR stage bill and any work undertaken thereafter will be should be claimed as part of the CLR completed matter claim.²⁰</p> <p>Please note that a "--O" CLR stage claim should be for CLR costs only and should not include LH costs.</p> <p>Where a matter is continuing by way of an appeal to the Court of Appeal an organisation must not keep a CLR form open by making a "--O" CLR stage claim solely because there is a chance the Court of Appeal might remit the case back to the AIT. Instead a completed matter claim should be made.²¹ If the matter is ultimately remitted back from the Court of Appeal to the AIT the organisation could then sign the client up to a fresh CLR form.</p>	<p>O</p>
<p>CLR completed, LH continuing</p> <p>A "--Q" CLR stage claim cannot follow a "--M" LH stage claim.</p> <p>Similarly, a "--Q" CLR stage claim cannot be made in respect of a case which proceeds to review and reconsideration. This is because all review and reconsideration work must be claimed using 3rd endpoint code "K" (Final Determination Following An Application for Review and Reconsideration).</p> <p>If a "--O" stage claim has already been made, a "--Q" stage claim cannot be made. This is because CLR can only be continuing after an initial AIT substantive decision if an application for review and reconsideration is being pursued.</p> <p>This code should only be used where CLR provided at any time up until the point of the initial AIT substantive decision has completed but where there are still (non-appeal) matters to be resolved under LH. It would be appropriate to use this endpoint code where a concurrent application has been made and an initial decision has yet to be given in respect of one of the applications e.g. where an asylum appeal before the AIT fails (and a review and reconsideration is not sought) but the outcome of a marriage application is</p>	<p>Q</p>

¹⁷ Please note that it is possible for LH and CLR to be running concurrently after this point.
¹⁸ In these circumstances 1st endpoint code "X" (Application Refused) and 3rd endpoint "H" (Determined by the AIT) should be used.
¹⁹ In these circumstances 3rd endpoint code "S" (LH Completed, CLR Completed) should be used.
²⁰ In these circumstances 3rd endpoint code "K" (Final Determination Following an Application for Review and Reconsideration) should be used and this work will be subject to the retrospective funding arrangements incorporated into the General Civil Contract in April 2005.
²¹ In these circumstances 1st endpoint "X" (Application Refused) should be used to record the outcome achieved under Controlled Work and the relevant 3rd endpoint code would be "H" (Determined by the AIT).

<p>awaited.</p> <p>Please note that a "--Q" CLR stage claim is for CLR costs only and should not include a claim for LH costs. If a "--Q" stage claim is made, the case completed claim must be for further LH costs only using 3rd endpoint code "S" (LH Completed, CLR Completed).</p>	
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A supplier is allowed to make a series of stage claims on one case, up to a maximum of three. Please note however that it is only possible to make three stage claims if two Legal Help stage claims are made (i.e. a "--R" and a "--M" stage claim) followed by one Controlled Legal Representation stage claim (i.e. a "--O" claim). **It is not possible to make two CLR stage claims** after two LH stage claims. This is because a "--Q" stage claim cannot follow a "--M" stage claim or a "--O" stage bill (see "M" and "Q" in table above for an explanation why).

COMPLETED MATTER CLAIMS

Completed matter claims require first and second endpoints (e.g. "X N H") indicating the client outcome and any wider public benefits. Please refer to point 5 on page 2 of this guidance for confirmation as to what constitutes a completed matter.

A completed matter claim must be made at the conclusion of every case including those for which stage claims have been made.

Within one case, **only one completed matter claim should be made**, which indicates the outcome of the matter achieved under Controlled Work.

Whether the completed matter claim is recorded under Legal Help or CLR depends on which activity is being undertaken when the case completes.

LEGAL HELP

<p>LH completed, CLR not applied for Examples of when this 3rd endpoint code should be used include:-</p> <ul style="list-style-type: none"> - where the initial decision from the Home Office is positive and there is therefore no further LH or CLR work to undertake; - where the initial decision from the Home Office is negative and, because the client does not wish you to pursue an appeal to the AIT, there is no further work to be done; - where a client first instructs you after a negative AIT decision and (after spending up to 3 hours) you advise the client there is insufficient merit to make a review and reconsideration application. 	E
<p>LH completed, CLR refused This code should only be used where the initial decision from the Home Office is negative and, either your application for CLR is unsuccessful, or (for Devolved Powers organisations) you refuse to grant CLR because you do not consider that there is sufficient merit to pursue an appeal to the AIT (or make a bail application).</p>	F
<p>LH completed, CLR completed This code should only be used where a matter completes under LH after the CLR aspect of the case has already completed. An example of when it would be appropriate to use this endpoint code is:-</p> <ul style="list-style-type: none"> - where a decision is given in respect of a concurrent application after CLR in respect of the original application has concluded e.g. where the outcome of a marriage application is known after the original asylum appeal concludes. <p>If a "--Q" CLR stage bill has already been claimed earlier in the case, 3rd endpoint code "S" (LH Completed, CLR Completed Beforehand) must be used for the subsequent completed matter claim. In these circumstances the completed matter claim will be for LH costs only.</p>	S

CONTROLLED LEGAL REPRESENTATION

<p>Not determined by the AIT Examples of when this endpoint code should be used include:-</p> <ul style="list-style-type: none"> - where, after an initial Home Office refusal, CLR has been granted but the case does not proceed to an appeal hearing before the AIT because the client/sponsor wants to withdraw their appeal;²² - where, after an initial Home Office refusal, CLR is initially granted but the case does not proceed to an appeal hearing before the AIT because the adviser considers that the merits test is no longer met;²³ - where, after an initial Home Office refusal, CLR is granted but the case does not proceed to an appeal hearing before the AIT because the Home Office concede the case. 	G
<p>Determined by the AIT Examples of when this endpoint code should be used include:-</p> <ul style="list-style-type: none"> - where a matter completes under CLR after a substantive AIT appeal hearing; - where, after an unsuccessful appeal to the AIT, an organisation decides that there is insufficient merit to pursue a review and reconsideration application;²⁴ - where CLR completes after the case is remitted back to the AIT by the Court of Appeal. 	H
<p>Final determination following an application for review or reconsideration This endpoint code should only be used whenever a case concludes after an application for review and reconsideration. In such cases the claim should only be made on the CMRF when a costs order is obtained. At that point the file should be forwarded to the National Immigration and Asylum Team at the Red Lion Street office of the Legal Services Commission for the purposes of cost assessment.</p> <p>In the vast majority of cases claims using this endpoint code will be for CLR costs only. In exceptional circumstances however a claim using this endpoint code could include a very limited amount of LH work. For example:-</p> <ul style="list-style-type: none"> - where CLR work in relation to an unsuccessful application for review and reconsideration has completed but the client requires brief advice under LH regarding travel documents or removal; - where review and reconsideration work under CLR has completed but the outcome of a concurrent application is awaited. 	K

IMMIGRATION DUTY SOLICITOR SCHEME (ASYLUM FAST TRACK) STANDBY CLAIMS

<p>IDSS Fast Track Standby Payment This code should only be used when making standby claims for being on the rota at Harmondsworth or Yarl's Wood. Claims for 'Standby payments' should be reported with no completed first and second endpoint codes (e.g. "--T").</p> <p>Please note that the appropriate Part II Matter Type code which should be used when making a claim for a fast-track standby payment is "FST" (Fast Track Asylum Case).</p>	T
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²² In these circumstances the appropriate 1st endpoint code would be "S" (Matter Concluded Otherwise).

²³ In these circumstances the appropriate 1st endpoint code would be "R" (Matter Stopped on Adviser's Recommendation).

²⁴ In these circumstances the appropriate 1st endpoint code would be "X" (Application Refused) and the completed matter claim would be for all costs incurred since the last stage bill up to and including the time spent considering the merits of making a review and reconsideration application (i.e. up to 3 hours).

EXAMPLES

The maximum number of individual claims on one matter is four (three stage claims and one completed matter claim). This is only possible if a matter commences with LH and proceeds under CLR to review and reconsideration. In these circumstances the 4 claims available are a "--R" LH stage bill, a "--M" LH stage bill, a "--O" CLR stage bill and a CLR completed matter claim using 3rd endpoint code "K."

The examples below illustrate how the codes might be used.

Endpoint codes (and 3 rd endpoint description)			Comments
<u>Example 1 – Legal Help completes before CLR</u>			
Stage claim 1	- - R	(Initial HO decision, LH continuing)	<i>If a stage claim for LH costs is made using code M, case completed claim must be for CLR using codes G, H or K</i>
Stage claim 2	- - M	(LH completed, CLR continuing)	
Stage claim 3	- - O	(Initial AIT decision, CLR continuing)	
Completed Matter	X N K	(Final determination following an application for review and reconsideration)	
<u>Example 2 – Further Legal Help continues after CLR is completed</u>			
Stage claim 1	- - R	(Initial HO decision, LH continuing)	<i>If a stage claim for CLR costs is made using code Q, case completed claim must be for further LH costs using code S</i>
Stage claim 2	- - Q	(CLR completed, LH continuing)	
Completed Matter	X N S	(LH completed, CLR completed)	