

WALES COMMITTEE FOR THE CLS

Minutes of the Meeting held on Friday 12th September 2008 At Local Government Data Unit, 3 – 7 Columbus Walk, Cardiff

Present: Tom Jones - Commissioner for Wales, LSC (Chair)
Lynne Schofield – Welsh Assembly Government
Fran Targett – Citizens Advice Cymru (Chair CLS National Forum)
Catrin Williams, CAF/CASS Cymru
Paul Newell - Head of Civil Policy non family), Legal Services Commission
Gareth Moss – SOLACE Wales
Graham Benfield – Wales Council for Voluntary Action
Paul Davies – Wales Director, Legal Services Commission
Alexy Buck - Legal Services Research Centre, Legal Services Commission
Dr Caroline Turner – Welsh Assembly Government
Eleanor Williams – Equality & Human Rights Commission
Angela McCarthy – National Offender Management Service (NOMS)

Legal Services Commission Wales Staff:

Tiana Williams - Wales Policy Manager
Emma Rouse – Policy Developer
Tracy Scott – Secretariat

Apologies for Absence: Clare Pillman - HMCS
Naomi Alleyne – Welsh Local Government Association
Rhys Evans – Wales Consumer Council
Crispin Passmore – Director of the Community Legal Service

1.	<p>Introductions, Apologies and Welcome</p> <p>Tom welcomed everyone to the meeting and apologies were noted on behalf of the above.</p>	
2.	<p>Minutes of the meeting held on 6th June 2008</p> <p>The minutes were agreed as an accurate record of the meeting. The minutes of the provider meeting were also agreed as an accurate record of the meeting.</p>	
3.	<p>Matters arising</p> <p>Tom Jones confirmed that following sign off of the Annual Report, it had been circulated to all committee members and a press release had been issued. The document was also available on the LSC website.</p> <p>It was confirmed that there were no matters arising from the minutes of the Providers meeting.</p>	

4. Legal Services Committee Update

Tiana Williams gave a brief update with regards to the proposed CLAN in Cardiff, Vale of Glamorgan and Bridgend. An open meeting had been held on 5th September to consult on the draft service specification. The consultation period was open until 26th September and a good volume of feedback had been received during the workshops and prior to the open meeting. A further meeting of the CLAN Steering Group was planned at the end of the month to analyse the responses and re-shape the specification, prior to each council taking it to their respective cabinets during October/November. A provisional tendering schedule had been produced should the decision to jointly commission move ahead at this point and it was noted that the tender process would take place in the New Year. The Committee would be sent any provisional updates as they arose, with a full report being made at the meeting in March.

Fran Targett reported that although there were reservations overall about the proposed CLAN, feedback from discussions with colleagues afterwards showed that the meeting had proved very helpful to providers. Gareth Moss commented that from the council's point of view, they were pleased with the quality of input and positive engagement. Fran Targett reported that a Communities First worker had feedback that they hadn't been engaged with prior to the event. Tiana confirmed that all Communities First co-ordinators had been contacted formally prior to the event as part of the engagement process and that there had been mixed levels of take-up.

Fran Targett suggested the Committee might want to consider the VAT implications, if a single contract was awarded. Paul Newell agreed that the position surrounding VAT would need to be clarified and reported that the LSC had been in a similar position before in joint commissioning arrangements and that these had been resolved.

Graham Benfield questioned how likely it was that the CLAN would go ahead and whether the position was one of consensual formality. Tiana Williams confirmed that this was not the case and that it could be rejected in part or in full at any point, by any of the local authorities. The specification had been drafted around existing funding levels taking into account a full assessment of the needs in the area and any future funding decisions would be made by each of the local authorities.

Paul Newell reported that there had been significant discussions in North Wales with the six local authorities. The research departments in the North Wales universities would be contacted in the following month to ascertain what they could provide in terms of needs analysis and assessment of services already in place. There was a considerable difference in provision in each of the local authority areas and some Council's wanted to review what was being provided in-house, as that could explain to a degree why there was a difference in what funding was being put into advice services. As part of that needs analysis, it was envisaged that stakeholder engagement would take place in order to feed into the process. Following this stage the local authorities would make their own decisions about whether to progress with joint commissioning. A Memorandum

of Understanding was currently being drafted, which committed the local authorities to working on this initial part of the project, and to prepare a report for consideration by local politicians to establish whether to proceed. No timetable had been set.

Alexy Buck reported that research project was being undertaken with regards to CLACs and CLANs, and would look at the process involved in setting them up in addition to an outcome study, which focused on the clients. The research involved operational CLACs and CLANs, and those in the development stage. It was envisaged that if there was a CLAN in an advanced enough development stage in Wales then this would be included in the process study. A report would be produced in December 09 and the process study was being tendered out with a view to appointing somebody in November. Fran Targett commented that in view of the timings, it looked unlikely that the outcomes study would involve CLANs in Wales. Tom Jones confirmed although the study may be complete by this period, evaluation would continue using other methods. Paul Newell confirmed that there were no plans for a wide-scale rollout of centres or networks in April 2010.

Paul Newell reported it was unclear whether the draft specification for the family contracts would meet the 2010 timescale. The commission was due to meet later in the month and there had been regular meetings with representatives. The document had not yet been signed off and Tiana Williams agreed to forward the consultation document to the Committee when available. Paul Newell reported that there would be engagement events with providers in November and the Committee members would be invited to attend.

Paul Newell provided an update on the tender for face-to-face debt advice to be delivered in the four prisons in Wales. This had been funded from the Treasury via the Financial Inclusion Fund and the Legal Services Commission. The LSC had been working closely with NOMS to produce a Service Specification and Angela McCarthy was thanked for her help throughout this work. It was noted that the closing date was at the end of September and it was hoped that contracts could be awarded during October. It was anticipated that the service could be linked in with existing provision and other projects. The funding enabled the provision of generalist debt advice and would act as a gateway to people getting further advice. It would be important to assess the impact of the advice on re-offending.

Alexy Buck reported that the evaluation of the Money Advice Project, which had included advice in prisons was complete and the report was likely to be published in October. The Committee would be notified when the document was available.

Tiana Williams gave an update on two Tendering Support workshops that had taken place supported by the Welsh Assembly Government, LSC, Law Society and Advice Services Alliance and distributed the advert that had been published. The events comprised of two 2-hour sessions on 16th & 18th September in South and North Wales. Input at the events from the LSC was to focus on experience gathered through tendering for CLACs to date and covering the lessons learnt

	<p>so far. The Assembly Government would offer further support and to run formal workshops that attendees at the events would be invited to sign up for on the day. They would also be able to sign up to one-to-one support, advising how to build a bid, look at key components of tendering and key aspects that needed to be addressed. The workshops were part of a pilot and it was not anticipated at this stage that it would be replicated in England until they were evaluated. Tom Jones commented that the event in South Wales was well subscribed however the numbers for North Wales were currently low. This emphasised the need to build up expertise in those organisations where size and capacity was low and there was the danger of having a two-tier Wales. Fran Targett agreed to send the flyer out to remind members.</p>	
<p>5</p>	<p>Involvement of client voice in commissioning decisions</p> <p>Since the previous Committee meeting, Paul Newell, Gareth Moss and Graham Benfield had met to discuss how client's voice could be heard through the commissioning process.</p> <p>Gareth Moss reported that the importance of the principle of ensuring citizen engagement had been agreed, but that it could not ultimately undermine the decision-making. Graham Benfield reported that there had also been agreement that the non-provider proxy voice of the citizen could be provided via the CVCs, who had subsequently agreed to enter into the process.</p> <p>Paul Newell highlighted that whilst the principles had been agreed, the practicalities of how the tender process and decision-making would take place remained to be worked out. It was agreed that there was a greater appetite for client engagement in Wales than in England and it was important that engagement was meaningful.</p> <p>Paul, Graham and Gareth would meet again to progress these discussions and would report back to the Committee.</p>	
<p>6</p>	<p>Young people update</p> <p>Tiana Williams reported that a questionnaire had been designed to obtain the views of young people and input had been sought from Committee members. The questionnaire had been used at two fresher's fairs in Ebbw Vale and Cross Keys, where 141 forms had been completed and part of incentive for young people to complete the forms had been to win an I-pod. It was noted that the draw for the two winners would take place at the end of the Committee meeting. Neath Port Talbot Youth Justice Council had agreed to take the questionnaire through their membership and Parc Prison had agreed to put it through its Young Offenders unit. It was hoped that other young people could complete the questionnaire over the forthcoming weeks, and further suggested opportunities to do this were welcomed from Committee members. The findings would be made available at December's meeting.</p> <p>Tiana Williams reported that December's meeting was to be a young people focussed meeting and would involve young people representative organisations</p>	

	<p>and those who had an interest or role in engaging with, or providing services to them. Potential invitees included Canllaw Online, Urdd, Funky Dragon and CWVYS. James Kenrick from Youth Access had agreed to attend the meeting and provide an overview of research around young people's need for access to legal advice services that was due to be published in December.</p> <p>Alexy Buck suggested that the PLEAS Task Force should be contacted as they were commissioning research around young people and agreed to give Tiana the contact details. It was also suggested that the Princes Trust be invited, and the Big Lottery Fund as they had funded projects in the past.</p> <p>Fran Targett suggested that although the work done by Youth Access was a good starting point, there was a danger of having presentations by organisations about what they did rather than about what the young people they engage with need. The organisations could be asked whether the information given by Youth Access was how they were seeing it 'on the ground' in a bid to get meaningful discussion and feedback. Tiana Williams confirmed that no other organisations had been invited to present.</p> <p>Tom Jones commented one purpose was to raise awareness of legal aid available to young people in Wales. One way of doing so was to check how aware the organisations were of all the facilities, helplines and providers. It was important to ensure the information got through to their young people membership via various organisations.</p> <p>Tiana Williams agreed to draft an outline plan for the event and send it to the Committee members. It was agreed this meeting would be a good opportunity to network and discuss means of consulting and engaging with young people.</p> <p>Gareth Moss suggested that the Youth Mayor be involved in view of recent problems faced by young people in Bridgend, and agreed that local government ought to have a wider engagement in the process.</p>	
<p>7</p>	<p>Wales Committee work programme</p> <p>Focus of citizen engagement; to identify current or future joint initiatives</p> <p>Tiana Williams reported that no comments had been received from Committee members regarding items for the Committee's future work programme since the last meeting. Whilst it was anticipated that joint work would take place outside of the formal meetings Committee Members would need to think ahead in terms of their own agendas and initiatives, which they would like, highlight or discuss with the Committee over the course of the following twelve months.</p> <p>The intention would be to highlight up any such items and produce a schedule of meetings, as opposed to a set programme of work. It had been identified there was a need to meet or engage with providers and citizens on an annual basis. The challenge was to ensure that these are undertaken in a meaningful way where all Committee members feel they benefit from the process. Tiana reported that she had asked the CLS Independent Advice Services National Forum to consider and feedback what they would wish the annual engagement</p>	

	<p>to focus on. It was agreed that the Committee needed to decide what it wanted from each of the scheduled meetings each year.</p> <p>Fran Targett suggested that for providers, future meetings might seek to include information on the various strategies and their implementation, in order for them to bring together questions surrounding them. Providers were also keen to look more closely at the links between the National Forum and Provider Reference Group in Wales, to ensure that they were better linked. It was noted that Advice UK was about to publish a report regarding systems thinking in advice and public sector provision, which the Committee could potentially discuss. Fran agreed to keep the Committee updated with any developments resulting from the report.</p> <p>Tom Jones suggested that the Committee continue as it was and emphasized the opportunities to work together should be taken forward where possible and to avoid any duplication. The Committee needed to be alert to any political legal developments in Wales that may impact on advice providers and their services. It was suggested that specific elements of the Welsh Assembly Government or other partners might be invited to the meetings from time to time in order to talk about the impact any legislation might have on advice services. Tom reported that he would like to invite the new Chair of the Legal Services Commission to the meeting in March and also the Ruth Marks, the Commissioner for Older People.</p>	
8	<p>CLS Independent Advice Services National Forum Update</p> <p>Fran Targett reported that members of the forum remained concerned about the CLAN and whether in the long term it would improve matters for clients. Members would respond individually to the consultation and intended to engage at all levels to help improve the specification. Many of the issues around the current draft were making sure it included things beyond individual pieces of advice. There was a potential risk of losing the quality of work, volunteering and community regeneration work.</p> <p>Paul Newell questioned whether providers were talking to each other and positioning themselves in order to bid, even though they had reservations regarding the proposed network. Fran Targett confirmed that they were.</p>	
9	<p>CAFCASS Cymru – update</p> <p>Catrin Williams provided an overview of the Children and Adoption Act 2006 and phase two, which related to private law proceedings. Implementation was due on 27th November, which would have far reaching implications. The legislation had been strongly influenced by fathers groups. Three million children were affected each year by separation, and arrangements for residence and contact were generally agreed. Around 10% were disputed and resulted in court proceedings. Difficulties arose when one person was hostile to contact. Currently, the court had limited powers to commit the parent to prison, make a suspended imprisonment order, impose a fine or transfer residence.</p>	

	<p>New provision enabled the court to facilitate contact and enforce contact orders, whilst being given greater powers to take action against breaches of contact orders. Courts had been given powers to direct a party to take part in contact activities that included classes, counselling and guidance sessions.</p> <p>There would be no grant funding, but fixed price contracts. The tendering process was to commence the following week, with contracts being signed by 28th October. The programme had already been written, which meant that the service could be delivered immediately.</p> <p>A lot of work had been undertaken by CAFASS Cymru in order to stimulate the market and the Committee agreed that there was an opportunity to share best practice. Fran Targett reported that there was a WCVA paper regarding public sector commissioning and long-term relationships with organisations. Fran agreed to send the document to Tiana Williams.</p>	
10	<p>Equality & Human Rights Commission – update</p> <p>Eleanor Williams provided an update on the Equality & Human Rights Act. The statute contained a combination of legal powers in order to encourage and promote, and sometimes to enforce and punish. It was the intention to strengthen the legal team in Wales and bring people together through furthering knowledge. A steer was sought from the Committee on how it could contribute. The Wales Strategy document was circulated. The intention was to set up a panel of solicitors, possibly link in with existing telephone services and be included in events in order to raise awareness.</p> <p>Tiana Williams and Paul Newell agreed to forward information about the Committee and it's work.</p>	
11	<p>Date For Future Meetings</p> <p>The dates for meetings in 2009 were noted as 6th March, 5th June, 11th September and 4th December.</p>	
12	<p>Any other business</p> <p>Paul Davies reported that the Community Legal Advice Pilot involving making appointments for people to receive face-to-face advice after using the CLA telephone service was going well and 90% of people had turned up for their appointments. However, very few needed face-to-face advice and there was a need for more volume of people going through. The Commission had a budget to deliver one million acts of assistance and after only four months into the year, the numbers were well below what was expected.</p> <p>The Provider Reference Groups were held every quarter to talk about issues that are currently under development and find out about local issues. The website was being re-designed to ensure it catered for providers needs.</p> <p>The LSC Chief Executive, Carolyn Regan had visited the Wales Justice tent at the Eisteddfod, where all the justice partners launched an initiative regarding</p>	

<p>having the ability to deliver services in Welsh in a consistent way. Legal terms could often be used in different ways when translated, which is confusing for the client. HMCS now provided that consistency. The LSC was eager to look at prevention rather than cure and had produced memory sticks in partnership with The Law Society, Citizens Advice Cymru, Shelter Cymru and Canllaw Online. The memory sticks were aimed at helping young people to access advice and were presented to Urdd, the movement for children and young people.</p>

<p>Lynne Schofield reported that an event was being held around financial capability on 26th November in Cardiff and Committee members were invited to attend.</p>
