

Bidding for extra Matter Starts - LSC Wales Delivery Plan

1 Introduction and Objectives

To help more people get access to good quality legal advice, the LSC wishes to allocate around 10% more matter starts to suppliers.

This plan sets out the proposals of the Legal Services Commission in Wales (LSC in Wales) to contribute to that target during the period April 2005 to March 2006 by funding a 10% increase in the number of Controlled Work matter starts in non-immigration cases.

In the twelve months from April 2004 to March 2005 the LSC in Wales supported 43,000 acts of assistance through its contracts. 73% of these were provided through contracts with private practice solicitor firms and 27% through not for profit organisations.

Our intention therefore is to increase the number of acts of assistance provided by our suppliers to 47,500 for the period April 2005 to March 2006.

We will wish to ensure that acts of assistance increase in accordance with our strategy. The Commission will be encouraging suppliers to provide integrated and seamless services across a number of areas of law, providing access to client groups that currently do not access mainstream services and working to meet priorities identified in the Wales Report 2004/5 and the Wales Contracting Strategy 2005.

It is important that the increased case numbers represent additional clients and problems dealt with - and we will be reviewing any proposals for expansion in that light.

Of course Controlled Work still operates within a fixed budget – and we will also be looking at value for money in awarding case starts. You should also note that this initiative does not affect contract reconciliations, which we will continue to carry out.

This plan therefore sets out:

- **Our initial areas for expansion - linked to priorities.** Suppliers that are interested in extra matter starts or a contract to meet those priorities should complete the form and return to **Delith Ward** at the Cardiff office by **Friday 10th June 2005** –see section 6 below. The form should give specific proposals to meet the relevant priority. You should include details of how many matter starts you are seeking, how the service will be delivered and how this will meet the priority set out. If you are seeking CLS Development Funding, you should give details of the amount and purpose – see section 4 below. You are advised to mark any correspondence "Delivery Plan" so that they can be easily identified and to check that they have been received.
- The extra incentives that may be available to help suppliers expand – see section 4 below.

Suppliers should note that this plan will be updated monthly from July 2005 (on the first Monday in the month) to add new priorities and allocate further matter starts and those suppliers interested in expansion should therefore check it regularly from that date so that they may submit further or revised proposals within a 14 day deadline. Specific details in respect of new or revised expressions of interest will be published as part of this plan.

2 Background

The priority areas for expansion detailed in section 3 below have been drawn from four main sources:

- the Legal Services Committee for Wales' Report 2004/5 (published in October 2004)
- the LSC Wales Contracting Strategy 2005 (published in November 2004)

- the research report “Causes of Action : Civil Law and Social Justice” (published in May 2004 – see www.lsrc.org.uk for more information); and
- information from an internal LSC review of Planning and Partnership activities across England and Wales undertaken in January and February 2005.

The priority areas for this version of the Plan are summarized in table form in section 3.1, and further explanatory information is set out in sections 3.2 to 3.4.

No specific targets for New Matter Starts have been allocated to the identified priorities for this first version of the Plan – at this stage, we are keen to encourage suppliers to identify proposals based on your knowledge of the market. It should be stressed, however, that we will expect you to deliver against any allocation of New Matter Starts, and our preference is for you to bid for a **realistic** amount – if it subsequently turns out that the initial bid was too low, it may well be possible to further increase the allocation. Depending on the response to this first invitation to submit bids, we may attach specific New Matter Start targets to priorities identified in later versions of the plan.

To assist suppliers wishing to submit a bid(s) for New Matters Starts in the identified priority areas, we have developed a pro-forma for completion in the first instance. This sets out the key information that you will need to submit for us to be able to assess ‘fit’ against the priorities, and to enable us to focus on the ‘best fit’ proposals in the first instance.

3 Key areas for expansion

3.1 Summary of key areas for expansion

Unitary Authority/CLSP area	Specific Focus Area	Category(ies) of Law
Anglesey; Gwynedd; Conwy;	n/a	Education
Denbighshire; Flintshire; Wrexham	n/a	Community Care
All-Wales	n/a	Mental Health
Pembrokeshire; Ceredigion;	n/a	Education
Carmarthenshire; Powys	n/a	Community Care
Caerphilly	Upper Rhymney Valley	Welfare Benefits & Debt
Rhondda Cynon Taf	Maerdy and Treherbert	Welfare Benefits & Debt
Merthyr Tydfil	Dowlais	Housing
	n/a	Welfare Benefits & Debt
Powys	Brecon and Ystradgynlais	Welfare Benefits & Debt
Blaenau Gwent	n/a	Housing
Cardiff	n/a	Debt
Ceredigion	n/a	Welfare Benefits, Debt & Housing
Pembrokeshire	n/a	Welfare Benefits, Debt & Housing
Torfaen	n/a	Welfare Benefits, Debt & Housing
All-Wales	n/a	Family (including Tolerances for related Social Welfare matters)

Unitary Authority/CLSP area	Specific Focus Area	Category(ies) of Law
All-Wales	Outreach services targeting hard-to-reach groups in specific geographic areas (e.g. rurally dispersed communities; peripheral housing estates; etc..) and/or communities of interest (e.g. disabled people; Black and Minority Ethnic people; etc..)	All categories
All-Wales	Services targeting offenders, ex-offenders and their families – specifically, the provision of civil advice services to reduce or prevent problems with housing, debt, benefits etc.. and thus reduce the likelihood of re-offending	Likely to focus mainly on Welfare Benefits, Debt, Housing and Family but other categories are not excluded
All-Wales	County Court Housing Possession Duty Schemes	Housing

3.2 **The Wales Report 2004/5 and the Wales Contracting Strategy 2005**

The Wales Report 2004/5 and the Wales Contracting Strategy 2005 identified the following priorities for service development in those categories of law that are planned for at an all-Wales level (Education; Employment; Immigration; Mental Health; and Community Care):

3.2.1 Education

The Report stated that: “additional contracts should be let to cover North Wales and Mid/West Wales”.

3.2.2 Mental Health

The Report stated that: “the draft Mental Health Bill and the Mental Capacity Bill may both have considerable impact on the demand for mental health advice in Wales and recommends that the [LSC in Wales] plans an appropriate response”.

3.2.3 Community Care

The Report stated that: “further contracts be let in future years in Community Care to meet the growing need in this area of law”. The Wales Report has highlighted priority areas in North Wales and Mid/West Wales in particular.

3.2.4 Unitary Authority Specific Priorities

See 3.1

3.2.5 Family

The Wales Contracting Strategy noted that work in relation to assessing the need for specialist level Family advice was being developed at an England and Wales level by the Legal Services Commission in conjunction with the Department for Constitutional Affairs and the Department for Education and Skills. It was anticipated that initial outputs from this work would become available in the later part of 2005. The Strategy then stated that: “When determining those suppliers to whom contracts should be let the Commission will favour those suppliers who can demonstrate:

- experience of children public law work
- experience of children private law work
- experience of domestic violence work

- membership of a relevant panel
- evidence of proactive engagement with other agencies involved in domestic violence
- evidence of appropriate referral to support agencies
- evidence of use of the Wales Specialist Support Service or appropriate referral to specialists in social welfare law if not also a social welfare law specialist
- an out-of-office-hours service”.

In addition, the Strategy made reference to research published by the Legal Services Research Centre to the effect that: “Most Family clients that are financially eligible may also have Debt, Welfare Benefits and Housing problems. We are therefore encouraging our Family suppliers to provide an integrated service to their Family clients and are actively encouraging this through the use of tolerances”.

3.3 **“Causes of Action: Civil Law and Social Justice”**

This is the research report stemming from a comprehensive survey of the experiences of people facing civil legal problems and their response to those problems. The survey revealed that one in five people took no action to resolve the problems that they faced, and that the majority of these thought that nothing could be done to help them. The research provides strong evidence to support the view that legal problems are seldom experienced in isolation – rather, people will typically face clusters of related problems that are best dealt with by advisers able to work across a number of categories of law. The research also provides strong evidence to suggest that people who are disabled or who have a limiting long term illness, those in rented housing, those on very low incomes, and the unemployed are more likely to experience legal problems than other groups in Society.

3.4 **Reducing Re-offending**

Evidence from a number of English pilot projects (in the West Midlands, the North East, and Merseyside) suggests that offenders, ex-offenders and their families often experience problems with housing, benefits and debt that have an adverse impact on the ability of the offender to move away from criminal behaviour and become rehabilitated into society. Civil advice services to address these needs are not always available within or allied to the Criminal Justice System and so problems that may in turn increase the risk of an offender re-offending are not being addressed.

The process and criteria that we will follow in making any allocations are set out in the main CLS section of this website in the Awarding Extra Matter Starts document; to find this document go to the Community Legal Service (CLS) menu on the LSC website homepage and you will be able to locate it under the CLS Development section.

4 Incentives and the CLS Development Fund

All matter starts granted under this plan will be guaranteed until April 2007. This means that we will not remove the extra matter starts in year even if your running rate is low, or reduce them in the next schedule. Where you already have matter starts in the category concerned, the guarantee will therefore apply to them as well.

Where relevant to the particular initiative:

We will also allow matter starts to be switched between priority categories of law in which suppliers have the SQM without seeking our authority.

In priority areas we will also allow suppliers to self authorize additional matter starts up to an additional limit if demand proves higher than expected.

We will aim to use the CLS Development fund – up to £131,000 available in Wales to support expansion in supply. Examples might be paying for training, recruitment or external supervision, and/or providing grants or loans to cover set-up costs for a new service. Suppliers may include bids for CLS Development

Fund money –but the cost will be taken into account in deciding between suppliers on a value for money basis.

5 Future developments

This Plan will be updated on a monthly basis from July 2005. We will be undertaking work to identify new initiatives and priorities for service development (in conjunction with partners and other stakeholders in the Community Legal Service in Wales) on an on-going basis throughout 2005/6. However, we recognise that suppliers will also have views on potential priority areas for development. We would therefore encourage you to write in with your suggestions and proposals to Delith Ward at the address below.

6 Contact

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