



**Crime Contracts Consultative Group (CCCG)
Minutes**

5 July 2011

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| When: | Tuesday, 5 July 2011, 14:00 – 16.00 | |
| Where: | Legal Services Commission, London SW1P 2BS Teleconference: Nick Poulter - LSC | |
| Who: | Chair: Neil Lewis-LSC | |
| | Alice Mutasa – TLS Catherine Ayton-LSC y Elaine Annable - LSC Greg Powell – LCCSA John Sirodcar-LSC y Matt Shelley – LSC y | Mike Jones – CLSA Paul Keleher-QC Rodney Warren - TLS Shamsun Nahar – LSC Simon Stanley-LSC Steve O'Connor – LSC y |
| Minutes | Grazia Trivedi (LSC) | |
| Apologies | Mark Taylor – MoJ; James MacMillan – MoJ; Helen Riley-LSC; Jim Meyer-LCCSA; Mark Lucraft-BC; Richard Miller-TLS; Colin McMahan-LSC; David Keegan-LSC; Raj Chada-SAHCA; Brigitte Humby-Jones- LSC; Vishal Dhal-LSC; Gus Ghataura – ILEX; Ruth Wayte – LSC; Avrom Sherr – IALS; Carol Storer – LAPG | |

| Action Points from June meeting | | By Whom | By when |
|---------------------------------|--|----------|---------------|
| AP1 | Amendment to April minutes: add the word <i>strong</i> before <i>concerns</i> | GT | closed |
| AP2 | Future of RDSCs | JS | To go forward |
| AP3 | Circulate a copy of the Rossendale letters | SSweeney | closed |
| AP4 | Update CCCG on Text pilot following meeting with DSCC | EA | closed |
| AP5 | Talk to the CEO about the profession's concerns re delays in applications process and feedback to CCCG | RWayte | closed |
| AP6 | Was the reduction of 25% in claims be evidenced in the V&V figures report for June | EO | closed |

The Chair welcomed everyone present.

1. Minutes review and actions from the previous meeting.

The second draft of the minutes was approved.

AP4. Update on Text Pilot. EA said that there was scope to expand the Text Pilot but the service needed to be enhanced first, as the take up had been lower than anticipated. Participants within the two duty schemes taking part in the pilot areas, West and South Yorkshire, continued to call in despite having been sent text messages by DSCC with details of their case.

Proposals being considered to improve the service included: testing the pilot further by extending it to more schemes; carrying out a survey of providers to find the most common reasons for calling DSCC; adding the name of the police station to the text message; publicising the scheme at police stations.

AP5. The LSC's CEO had agreed to a meeting between the Law Society, HMCTS and Lord Judge Saunders to discuss operational issues. It was agreed that the Law Society would take this forward.

AP6. SO responded to a query about the reason why the LSC recently quoted that the number of claims had dropped by 25% and yet this drop was not reflected in the Volume and Value figures reports seen by the CCCG. This was because the 25% drop covered the period starting from the introduction of means testing in 2006 to the present day.

2. Police Stations

Bostalls creditors winding up and related issues

JS thanked RWarren for his assistance in moving forward a difficult situation. Because of an ongoing contractual dispute the LSC could not talk about the issue. RWarren asked JS to read the letter he sent him. Afterwards it was agreed that the letter would be appended to the minutes – see Appendix A.

JS said that the contracts with the other two providers had been temporarily extended under the provisions of the contract whilst the LSC considered the longer term options.

Duty Solicitor Rota

EA acknowledged that mistakes had been made in the last rota, which resulted in some slots remaining vacant during the April/May bank holidays. EA said that all the slots would be covered from July 2011 to January 2012, including the August and Christmas bank holidays. Rotas would be released every three months, with the next one expected to be published by the middle of July. The necessary adjustments had been made to ensure the rota ran smoothly. It was agreed that EA would update the group at the next meeting.

Police Station/courts coverage during the Olympics

This item would be carried forward to the next meeting.

Volume and Value Figures Report.

There was discussion about the report, which included crime higher data for the first time. Following a query from PK, an action was taken away to find out why the data showed that litigators' graduated fee claims had increased significantly in FY10/11 compared with FY09/10. **AP1-MS**. GP asked whether data for crime higher could be split by case type and stages. It was agreed that this report would continue to be produced on a monthly basis and that the Investigations Claims by Scheme would be produced quarterly.

PK asked whether the LSC was on target with expenditure against budget. JS said that the budget was set at the start of the financial year but was regularly revisited. NL said that a yearly long trend analysis of the budget wasn't feasible as so many changeable factors influenced the availability/allocation of funds.

3. Magistrate Courts

Havering processing centre was likely to be back on track during the current week, thanks to increased staff and recent improvements in IT performance. HMCTS was confident that a satisfactory level of performance would be maintained going forward.

Stevenage processing centre, covering Herts and Beds, had a backlog of just over 1,000 applications. Applications for cases due to be heard imminently are given priority. There was an increase in calls activity and staff. Providers are informed about the date of applications presently being processed. The backlog was expected to be cleared by 15 July.

4. Crown Court

Update

MAAT non-progression issue for LGFS claims. NP said that the IT fix for LGFS claims had been successfully implemented on 16 June and a Recovery Plan had been published, together with a briefing jointly written with the Law Society, on how work would be progressed. All claims that dated 2010 had been processed. It was expected that the backlog would be cleared by the end of August.

MAAT non-progression issue for AGFS claims. Only one system change could be done at a time. Because the litigators' scheme had 5,000 claims caught in the MAAT non-progression issue and the advocates' scheme had 1,500, the former took priority. The IT fix for advocates' claims had been implemented the previous week and the backlog was expected to be cleared by the end of July.

Claims that progressed all the way through were processed at 8 weeks for litigators and 6 weeks for advocates. Extra resource was being used to improve on these time scales.

MJ asked whether the cause of these difficulties (cases not being progressed through MAAT by HMCTS staff) had been completely eliminated. NP said that non-progression of cases was still happening, however a report could now be run that flagged up claims that had been paid but had not been progressed through MAAT. The rate of non-progression was falling due to the LSC and HMCTS joint efforts to eradicate the problem. The link between non-progression and non-payment had been broken; therefore the underlying problem had been removed.

AM asked when data on unrepresented defendants in crown courts would become available. The LSC did not have this information but would find out where it could be obtained. **AP2-NL**

5. DSCC

There was discussion about the outage at Ventura's call centre on 28-29 June. Computers failed and staff was transferred to a recovery site several miles away where service could eventually be resumed. CCCG members complained about the way the service provider, Ventura, handled the incident.

JS said that lessons had been learned and Ventura would be asked to set an automated message system to inform people calling the centre. JS had an analysis of the incident which is attached to the minutes – Appendix B

Ventura had been bought by Capita.

6. AOB

JS wanted to share with the CCCG a case he was dealing with. The case – which would be circulated after being anonymised, concerned one of four providers that had submitted claims of around £1m each. The LSC had assessed the claims down to c £10K each; the issue was now with a costs appeal assessor. JS wanted views from the group on the principle involved in this case and would send anonymised details to members. **AP3-JS**

| Action Points | | By Whom | By When |
|---------------|---|---------|---------|
| AP1 | Investigate why LGFS figures showed a significant increase in value when comparing FY10/11 with FY09/10 and clarify at next meeting | MS | 6 Sep |
| AP2 | Find out where data on unrepresented defendants in crown courts could be obtained | NL | 6 Sep |
| AP3 | Circulate a case study re £1m claim and members to share their views | JS | 6 Sep |

Appendix A

(CDS Direct & DSCC)

Dear John,

I am pleased that we had an opportunity to discuss matters concerning the CDS Direct contract and Bostalls and I am now writing to you as agreed as to the points raised.

I understand that Bostalls approached the LSC as to a novation of the contract as part of their company restructuring in January. Based upon the explanation then given by Bostalls the LSC agreed to the novation which was effective on 1st February 2011.

Subsequently rather more information has come to hand including the fact that there was a creditors winding up with, it is reported, unpaid sums due to HMRC. You have also now established that there is no SRA waiver in favour of the new company (though one may have been applied for) and for these reasons, Bostalls contract has been suspended.

The current CDS contract for all three providers of the service currently runs until October 2011 (with the possibility of one years extension) and as a result the LSC is in a position to decide how best to proceed with a wide range of options available in the mid-term future including deciding when the next procurement round will be .

I am aware that you are still making enquiries which may determine more clearly how things will ultimately play out.

Best regards
Rodney

DST outage 29th June 2011 - Post Incident Review

| | | | |
|------------------------------|---|-------------------------|---------------|
| Title: | DST Outage PIR | Chair: | Vicky Jackson |
| Date of Meeting: | 29 th June 2011 | Time of Meeting: | 10-11.30am |
| Location of Meeting: | LSC Unit | | |
| Subject of Meeting: | Post Incident Review following system outage and invocation of DR | | |
| Objective of Meeting: | Obtain updates from Ops area and discuss what went well and take learnings from the incident. | | |

| Attendees | Initials | For Information | Initials |
|-------------------|----------|------------------|----------|
| Vicky Jackson | VJ | Ian A Brown | IB |
| Trish Green smith | TG | Debbie Glenister | DGI |
| John Geoghan | JG | David Goldsmith | DGo |
| Ian Vaines | IV | Rob Osborn | RO |
| Tariq Sidat | TS | Jackie Megson | JM |
| Pat Pugh | PP | | |
| Claire Moran | | | |

1. Discussions/Updates:

VJ requested this PIR as there learnings that became apparent during the outage and, and to discuss how/if service could have been improved during the period of the DR . This PIR should capture any issues that Ventura/LSC witnessed that solutions can be implemented for to improve any future planned or unplanned outage. The following information is a record of the meeting held on Thursday 29th June 2011 .

A PIR will be separately issued by IT.

Event Log and Key Points

| Event no and time | Event and Key Points | Action Required |
|-------------------|--|--|
| 1. 01.55 | DST failed – raised as PI with BSD | Move to manual log/deploy |
| 2. 03.15 | Invoked DR and Leeds site put into state of readiness | 5 staff transferred to Leeds and TL, leaving 5 staff., TL and Night Manager in DV |
| 3. 04.35 | 5 staff arrive in Leeds | Calls continue to route to DV, Leeds based resource adding faxed manual log/deploy to system |
| 4. 05.30 | DV resource reduced to 3 Calls routed into Leeds No timescales for system recovery | Leeds resource call taking DV resource adding manual log/deploy to system |
| 5. 06.45 | 3 x 7am starters and TL transferred to Leeds DV resource reduced to 2 No timescales for system recovery | As above |
| 6. 08.00 | 3 x 7am starters and TL arrive in Leeds and start taking calls No timescales for system recovery | All offline activity cancelled High ACW managed in real time |
| 7. 08.05 | 10 x 8am starters transferred to Leeds No timescales for system recovery | |
| 8. 08.50 | System reset and tested Leeds available resource continues to be greater than DV so calls continue routing to Leeds | |
| 9. 09.10 | 10 DV staff still being transported to Leeds 8 x 9am starters report to DV 5 overnight staff released from Leeds and | |

| | | |
|-----------|--|---|
| | DV resource now greater than Leeds so calls routed back to DV | |
| 10. 09.15 | 10 DV staff still being transported to Leeds advised to return back to DV 8 DV based resource now handling all calls | 3 staff based in Leeds now adding manual log/deploy to system |
| 11. 09.30 | Calls peak at 24 queuing and OCW in this period is at its highest for the day - 236 secs 6 staff call handling in DV, logging only 2 staff deploying only in DV 2 staff in Leeds deploying 1 member staff in Leeds adding manual log/deploy to system 10 staff still unavailable as in transit | Check whereabouts' of staff still in transit between Leeds and DV One taxi had arrived and 3 staff at Leeds site – instructed taxi to return for them. Calls made to 5 staff due to start shifts ahead of 2pm, all but one unavailable to start earlier |
| 12. 10.15 | 7 of the 10 staff in transit arrive on site and log on to take calls | Manage shrinkage – move breaks/lunches where able to based on regulations |
| 13. 11.00 | 3 remaining staff in transit arrive back on site and log on to take calls | Manage shrinkage – move breaks/lunches where able to based on regulations Performance review highlights staffing gaps at 6pm – 4 staff due to finish at this time requested to work over. |
| 14. 12.00 | All manual log/deploy added to system and 3 Leeds based staff released back to DV. | |

What went well in Operations

A service was available at all times during the system outage and whilst DR was invoked.

Consistent Floor Manager in both DV and Leeds sites throughout the outage, co-ordinating activities and prioritising workloads.

Floor Manager worked closely with Service Performance Manager to maximise resource and allocation of it.

Flexibility of all staff was excellent – the overnight staff that were deployed to Leeds remained available until next shift arrived, working a minimum of 2 hrs beyond their shift end.

2 TL's working deployment queue once system recovered in DV

All manual forms completed at 12.00.

4.43% above forecast and PCA at 95.3%.

ASA for the month being achieved despite this being failed at 18 secs on the day. ASA for the week expected to recover.

Access to up to date rota's and solicitor details available however for manual deployment.

Learning points for Operations

Invoke IVR message for Solicitors advising of outage and to call back (would need expected recovery timescale and use of staffing IDP's).

When DR site invoked, some MI data is excluded from internal and external reporting

2. Actions Raised This Meeting

| Item Ref. | Action / Discussion | Owner | Update Due | Status |
|-----------|--|-------|------------|--------|
| 29.6.1 | Review advisor contact lists in DR manual – some out of date | VJ | 4/7/2011 | Open |
| 29.6.2 | Booking taxi's on account needs to be agreed with facilities | VJ | 4/7/2011 | Open |

| Item Ref. | Action / Discussion | Owner | Update Due | Status |
|-----------|---|-------|------------|--------|
| 29.6.3 | Simplify directions to HH for staff travelling using own transport | VJ | 4/7/2011 | Open |
| 29.6.4 | CDS systems down approach – need clarity as reliant on our support | VJ/CM | 4/7/2011 | Open |
| 29.6.5 | Details of taxi firms with taxis that can be used on account added to DR manual | VJ | 4/7/2011 | Open |
| 29.6.6 | Review MI as data missing for periods and abandon call rate inflated due to 'look-ahead' to Ventura Park and Leeds. Offered and abandon stats whilst calls routing to Leeds are (at times) tripled. Reissue MI taking account of the above | VJ/TS | 30/6/2011 | Open |