

## **Debt Advice in Welsh Prisons**

**Q:** Could we have some clarification on how the form is to be completed if a group of providers are intending to bid together and commit to creating a single legal entity if successful?

**A:** In the “Information about your Organisation” table you should include details of both the existing consortia members and the proposed single legal entity. It is essential that we understand who the consortia members are as well as the nature of the proposed single legal entity. You only need to provide the contact details of the lead consortium member but you must provide the LSC Contract and Schedule numbers for all consortia members.

The Declaration must be signed by the lead consortia member and must do so for and on behalf of all of the members of any consortium.

Details of the Prisons and Rota Weeks applied for must, of course, be as for the anticipated single legal entity that will actually be providing the service.

Essential Criteria 1 and 2 must be responded to as if for the proposed single legal entity.

Essential Criteria 3, 4, 5 and 6 must be completed for each of the members of the Consortium. Those criteria will be applied to each of the consortium members and failure against those criteria by any individual member will mean that the consortium application also fails.

Selection Criteria 1, 2 and 3 must be answered as if by each of the existing consortium members and the as yet non-existent single legal entity cannot do so. Selection Criteria 4 and 5 are “future” criteria and should be answered as for the proposed single legal entity.

**Q:** We are currently providing a service at Parc prison for debt, we are not being funded for this at present as the project is already running will we be able to apply.

**A:** Any provider who feels that they are able to satisfy the criteria for the tender are eligible to apply. However the aim of this tender is to provide additional access to advice services not merely to pay for services that are already being provided through other funding or on a pro bona basis.

**Q:** Is any allowance to be made for traveling time which may be greatly

extended by the process of 'checking in' and out of prisons or by any unforeseen circumstance such as a lock down?

Q: Will any allowance be made, in terms of time with the inmate, for inmates with literacy problems?

**A: Remuneration for the Advice Surgery is being paid for on a fixed fee basis and is therefore inclusive of any travel and waiting time, including the process of "checking in and out" of prisons. The fee being paid is to see a maximum number of clients on each half or full day session. If at a particular surgery there are not the maximum number of clients attended and one of those attending requires more than 45 minutes advice, because they have "literacy problems" for example, it would be appropriate for the provider to spend additional time with the client subject to the operational demands of the establishment. Payment for this additional time with the client would be included in the fixed fee.**

Q: Please could you clarify the payment elements of the above specification. I've read it as:

One 45-minute legal advice session per client.  
Payment = £200 half day/£400 full day surgery.

Each client entitled to up to a further 45 minutes work, if necessary, paid for @ £40 per hour.

A colleague has read the tender document as allowing for three elements:

- (a) initial session
- (b) follow-up session, up to 45 minutes
- (c) office-based follow-up work, up to 45 minutes - all paid for as separate components.

**A: The first interpretation is correct. The initial 45 minutes advice at the surgery would be included in the fixed fee (£200 half day / £400 full day). Thereafter up to a further 45 minutes follow up work, delivered away from the prison in your office is allowed. This will be paid at the rate of £40 per hour.**

**If there a circumstances where a follow up session is allowed under the contract (because the client presents with a new / different matters), this session would take place as an appointment within a subsequent surgery and therefore the follow up session would be paid for as part of the fixed fee for that subsequent surgery.**

Q. How have the findings from the LSRC research of the outreach pilots informed the contract specification for this initiative?

**A. What is clear from the research is that although actual casework does not take longer in outreach settings, delivering services throws up significant challenges and in prisons this is specifically around access and limitations on what equipment (e.g. laptops) can be taken into a prison. The tender is therefore very much focused on these findings as the service is expected to act largely as a gateway where there is long-term advice needs. Where a prisoner's debt issues are limited then it is expected that this can largely be dealt with at the surgery or through the follow up work. Where it is identified that either long-term debt casework is required then it is not expected that this would be dealt with under the confines of this scheme. This presents an approach, which enables funders and providers to maximize the potential of differently regulated funding schemes.**

Q. Why are potential providers awarded extra points for holding specialist legal aid contracts in other categories when generalist level advice on welfare benefits and housing is likely to be more relevant e.g. stopping HB claims when a prisoner enters prison? Has the learning from the first wave of pilots informed this scoring criterion?

**A. As much research demonstrates people tend to experience problems in clusters rather than in individual categories of law or at a specific level of service. In addition it is clear that agencies need to develop working relationships with prisons to ensure that clients can get all the advice that they need. If a contract holder is able to deal with a range of categories of law and at different levels of complexity then the need to involve other providers through referral is reduced and the client is more likely to receive a consistent service.**

Q. How does this specification take into account:

- 1) the high levels of poor basic skills amongst prisoners
- 2) the key fact that prisoners are unlikely to have (all) the necessary paperwork in prison to facilitate an effective debt interview
- 3) the additional time it will take to access the prison environment for each surgery?

**A. Clients of this service will be able to access advice in the surgeries and there will be the opportunity for the adviser to carry out some follow up work following the surgery. The specification makes clear that the surgeries are primarily expected to facilitate initial debt advice with a provider and that follow up casework would be undertaken through different funding streams.**

Q. What additional allowances (financial and case times) will be made to cover these distinct features of the prison environment?

**A. The tender documents indicate the funding that is available to deliver this service. Any casework outside the scheme will be subject to the rules applicable to the particular funding stream that the casework is funded under.**

Q. Does the funder have a view on whether and if so at what point during a prisoner's sentence services should be targeted?

**A. The service should be made available to all prisoners, remand, unsentenced and sentenced, who are experiencing debt issues although these different groups of prisoners may present different problems.**

Q. Is there any provision to see prisoners and partners together? What logistical issues would this present and what impact would this have, if facilitated, on case times and the commitment of prison guard and other staff?

**A. The service specification has not included the provision of advice to prisoners and partners together although the intention is to try to pilot such arrangements in future tenders. It is anticipated that under this scheme providers will either make suitable referrals for the family or discuss with the prisoner how they would want to take forward the casework, e.g. if there are joint debts whether correspondence goes to the prisoner or the family.**

Q. Are there particular groups of offenders that any provider should focus on e.g. first time offenders, in order to reduce re-offending?

**A. As the prisons involved all cater for a range of prisoners we have not identified any no specific groups that should be focused on, all should have equal access to the service.**

Q. Given that this specification focuses on reactive, dealing with debt, work how will any necessary proactive and preventative financial capability, which could contribute to reducing re-offending, be funded?

**A. A pilot scheme is already running at HMP Parc and HMP Cardiff which addresses these issues.**

Q. What is the overall Wales budget for work within the prison establishments?

**A. There is no specific budget to provide legal services to prisoners.**

Q. How will this service link with existing projects such as FSA/NOMS pilot project in HMPs Parc/Cardiff?

**A. A two way referral process will operate between existing projects and this service.**

Q. What role will the LSC/NOMS funders take in facilitating partnership work with other providers, in order to deliver a workable service with demonstrable outcomes that will help to reduce re-offending?

**A. Funders will be responsible for facilitating partnership work with other providers both through the Finance, Benefits and Debt pathway and other existing advice networks.**

Q. Success of outcomes is monitored as one of the KPIs. Outcomes will be affected by the particular circumstances of the prison environment which are outside of the provider's control and sphere of influence e.g. the practicalities of getting access to the client, clients being moved or released before the case is concluded. How will these circumstances be factored into the measurement of outcomes?

**A. There is a requirement for the service provider to produce a quarterly report on the service and this will be the opportunity to highlight issues that may have been impacting on outcomes.**

Q. How flexible is LSC about staffing arrangements, as long as targets are met? How many advisers (inc. associated costs and cost of living) could be covered?

**A. How providers decide to structure themselves to deliver the service is a matter for them, however all advisers need to be security cleared and therefore for practical purposes it is likely that they would need to limit the number of advisers used.**

Q. Can volunteers who meet the appropriate quality standards be involved in delivering the service?

**A. Yes, as long as they have been security cleared.**

Q. Can you tell me when the Draft Contract will be available on the LSC website? Please note that we may want to ask further questions about the draft contract once it is available.

**A: It is already available on the website and was published the week after the IFA. The opportunity to ask questions has now passed.**

Q. Can you please tell me whether providers will be expected to provide a written note of advice given in every case to all clients seen under this contract?

**A: We would expect providers to keep a note of the advice given though we will not be asking for this to be submitted to us. It may be required for audit or quality assessment and one would expect that keeping advice of any advice given would be best practice in any event.**

Q. The IFA document lays considerable stress on the need for good referral processes where the need for advice in other categories of law is identified. However, whilst I note that crime is included in the list of other possible areas of law on Page 9 of the IFA you do not ask in Question 3 on Page 10 of the Tender Form whether the applicant holds the LSC Specialist Quality Mark in Crime. Can you please tell me whether the Commission would consider adding crime to this list?

**A: This tender is looking for expertise across the range of social welfare law categories and therefore we will not be adding crime to the list.**