

CLS POA1

Claim for Payments on Account – Guidance for Providers

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Introduction

The purpose of this form is to streamline the claiming process replacing forms Claim 4 and Claim 4A.

How to complete the form

This form allows for bulk claiming, whether under one reference or separate funding certificates. A maximum of fifteen separate claims can be made on one form.

However if payment of both Profit Costs and Disbursements is sought on the same case, these should be entered on separate lines showing the appropriate “Reason” code.

Multiple disbursements on the same case should not be consolidated, but should be claimed on separate lines. Providers should annotate the Claim form with reasons in the notes field on the form if no invoice has been received to avoid queries in this respect.

Where the answer to the question “Is this a unified claim for public law Children Act proceedings?” is positive: The various Legally Aided parties should be identified to apportion payment and items on that claim form should be limited to that case.

To ensure that any queries are dealt with promptly please supply:

- Supplier/Counsel No. – your account number, please indicate whether you are a Supplier (Solicitor or Not for Profit Agency) or Counsel by ticking the appropriate box
- Contact Name – supply details
- Contact Phone/Email – details of preferred method of contact supplied
- Date of submission – this will allow us to identify rejected/queried items using the line number, informing you by email where possible

Table 1 – First Page

You will be required to supply:

- LSC Reference Number – Please ensure that this is entered accurately as failure to do so will delay payment of your claim.
- Client’s Name – Please show the full name to aid in identification of the case.
- Client’s Date of Birth – format of dd/mm/yy
- Sols Ref – This will appear on BACS statement and will enable you to track payment.
- Supplier/Counsel Number – Account number required to generate payment.

- Reason - Nature of payment, see second page of the form for payment code explanations: A-G. Please note that Table 2, on the second page, must be completed for codes C and D.
- Net – Amount of disbursement claim or running total amount for all other types of claims
- VAT - Appropriate applicable VAT
- Total – Amount of claim
- Notes – Any further information to clarify nature of payment and where a disbursement, why invoices are inappropriate.

Table 2 – Second Page

You will need to complete this table if you are claiming a payment on account of profit costs for work carried out at Level 3 of the Care Proceedings Graduated Fees Scheme.

Table 2 is also required for Advocacy costs in this type of case although it is excluded from the scheme and continues to be paid at hourly rates. Advocacy includes travel and waiting time but not preparation, which is covered by the standard fee.

You will be required to complete all the fields in this table.

Further Information

Profit Costs – See Clause 17.6 Unified Civil Contract Standard Terms

All profit cost/advocacy totals must be a “running total” we will calculate the appropriate payment as follows:

- Code A – total claimed less any previous amounts paid * 75%
- Code C, excluding advocacy:
 - Total claimed is greater than the Exceptional Case threshold (2* the appropriate Standard Fee) – total claimed less any previous amounts paid * 75%
 - Total claimed is less than the Exceptional Case threshold – total claimed less any previous amounts paid * 75% to a maximum of 75% of the Standard Fee
- Code D – total claimed less any previous amounts paid * 75%

Payment of Profit Costs are subject to the provision for only two payments in a twelve month period, and no payment can be sought earlier than three months after the issue of funding.

Existing Cost Limitations must be considered, claims in excess of the Cost Limit will not be processed.

Disbursements – Clause 17.5 Unified Civil Contract Standard Terms

Where payment of a number of Disbursements under the same certificate is sought, these should be claimed as separate entries, one per line of the form. For any Disbursement in excess of £20 where an invoice would have been received, the invoice should accompany the form. Where quotes, for Disbursement to be incurred, have been obtained these should be submitted in lieu of invoices. The notes column of the form should be utilised fully to clarify the nature of disbursements to avoid potential queries, for example mileage, or Court Fee where an invoice would be absent.

Disbursements claimed must have been incurred already or will be incurred within one month of the claim and must not have been included within a previous submission.

If claims are made for joint instruction in a public law Children Act case, which is subject to the judicial case management protocol you must have authority to claim on behalf of the solicitors instructed by the funded clients listed on the claim form. As above these claims must not have been included within a previous submission.

Counsel Costs - See Paragraph 7.43 Unified Civil Contract Specification

All claims must be a “running total” we will calculate the appropriate payment as follows – total claim less any amounts already paid *75%.

To claim under code F (no final payment received) six months must have passed since the proceedings were concluded or the solicitor was otherwise entitled to have their costs assessed by the court and no payment has been received.

Rejects/Queries

If claims are rejected you will receive an email identifying the individual item by the date of submission and the line number and giving the reason for rejection. If the reason is correctable e.g. untraceable LSC reference, please resubmit the item on your next claim.