



Legal Aid
Agency

Help us say yes webinar: LAA contract manager visits for providers holding a 2022 standard crime contract

Presenters: Elaine Annable, Joanna Howell and Stephen Hawke
Legal Aid Agency Contract Management & Assurance (CMA)

06 October 2022

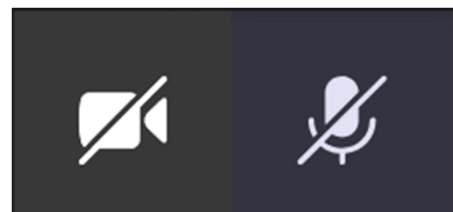
Working with others to achieve excellence in the delivery of legal aid

Technical tips for this webinar

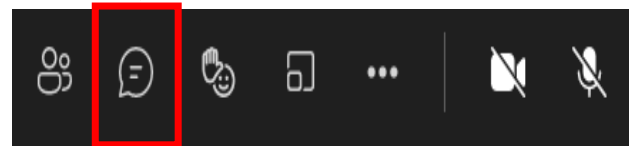
1. Please put yourself on mute during the webinar
2. You can ask us questions at the end of each session through the 'meeting chat'
3. Click on the 'meeting chat' to ask a question
4. You can keep the meeting chat open throughout to view other people's questions
5. Email us if you experience technical issues during the webinar:

communicationsdepartment@justice.gov.uk

Camera and audio off when icons appear like this:



Click here to view the meeting chat



Content

Guiding principles

Managing contracts

Additional reviews

Additional training and guidance available

LAA contract manager visits for providers holding a 2022 standard crime contract

Purpose of the webinar:

- The purpose of this webinar is to explain the way the LAA work with providers holding the legal aid 2022 standard crime contract.



By the end of the webinar, you will have an understanding of:

- What we do in contract management and assurance (CMA)
- What you can expect from your contract manager
- Additional reviews that may be completed
- Where you can access additional support and training

Our guiding principles

Elaine Annable



Our vision and guiding principles



To support **swift access to justice...**

through **working with others...**

to **achieve excellence** in the delivery of legal aid.

We have set our ambition and approach to delivery with four guiding principles in mind.

We want to be:

- User centred
- Right first time
- Open and transparent; and
- A responsive, diverse, learning organisation

Managing contracts

Joanna Howell & Stephen Hawke



Role of contract managers:

- Contract managers normally engage with your LAA contract liaison manager
- They ensure that each firm or organisation with a LAA contract complies with the terms of that contract
- Contract managers intervene early if there are any issues and work with the provider, as they will have formed a constructive working relationship with your organisation

Contract managers are the main point of contact for your firm's / organisation's contract liaison manager on legal aid contract matters. They:

- Check compliance against case files
- Monitor performance against key performance indicators (KPIs)
- Provide updates on contractual changes
- Should be approached on changes to your business practices, including: changes to key personnel such as supervisors, business structure, and office location.



What you can expect:

Contact from your contract manager can take place in different ways.

This will include:

- Telephone calls
- MS Teams meetings
- E-mail
- Face to face meetings
- Secure file exchange (SFE)

- Contract managers aim to work with providers to ensure compliance with the contract
- Contract managers will be professional and polite
- Correspondence will be answered in a timely manner
- As a provider, we would expect the same standards from you and your staff.



Contract management review checks:

Staff Compliance

Practising certificates

Criminal litigation
accreditation scheme

Supervisor declaration
forms

Business Compliance

Office manual including
organogram

SQM / Lexcel
Accreditation

Indemnity insurance

Other Compliance

Duty solicitor
engagement. Use of
agents / accredited reps

Provider activity report
(quarterly)

Key performance
indicators

File reviews:

Your contract manager will review a sample of crime lower work files reported within the last 12 months. This review normally takes place annually.

The sample will incorporate the different forms of service provided under the contract, for example, police station cases, court duty work, magistrates court claims.

For multi-office firms, files will be selected from all offices.

A small sample of open files may also be chosen for review on the day.

File review outcomes:

Ideally providers should review files prior to the visit so that they are aware of any issues.

A contract notice may be issued if there is a claiming error and costs recouped where appropriate.

A firm may be asked to self-review files to ensure that there are no other errors.

The contract manager will complete any contract notice verification activity within 4-6 months of the issue of the contract notice.

Compliance against key performance indicators (KPIs):

The following are the crime KPI's that contract managers will monitor throughout the lifetime of the contract (please refer to your contract for full details: S2.59 of the Specification):



Performance indicator	KPI Level
Reductions on assessed claims (Escape fees or non-standard fees)	<15% reduction
Defence solicitor call centre (DSCC) acceptance rate	90%
Virtual court acceptance (where applicable)	90%
Provider transfers prior to case conclusion	95%

Provider activity report (PAR):

PAR contains a range of provider-specific data that captures all aspects of the work being delivered under the legal aid contract. It is refreshed and distributed quarterly and contains the following information:

- Fund take data so providers can see how much they have claimed from the legal aid fund during a specific period.
- Monthly payment reconciliation position.
- KPI performance data in all areas of civil and crime.
- Crime reports will include a breakdown of magistrate court standard fee types.
- E-Forms rejection rate.
- Most recent peer review scores.

Common errors on file reviews:

- Travel & disbursement claiming
 - Court duty claiming
 - Magistrates court: Standard fee category / cracked trials
 - Magistrates court: Series of offences
 - Magistrates court: Designated or undesignated courts
 - The less commonly used claim types: Pre-order cover (PROP code), early cover (PROT)
 - Financial eligibility: Advice & assistance and prison law
-
- Guidance materials (see slide 25)
 - LAA training website - [Ministry of Justice](#)

Duty solicitor compliance:

For duty solicitors to remain eligible and compliant they must satisfy the requirements of Section 6 of the contract specification.

The key areas include:

- **S. 6.22 to 24:** Number of cases and hours to be completed.
- **S. 6.27:** Records of duty solicitor compliance must be maintained. *These will be checked by contract managers during visits.*
- **S. 6.21:** Duty solicitors must be 'engaged' by your firm.
- **S. 6.29:** Duty to report 'changes in circumstances' for duty solicitors.

Further information:

- [Duty Solicitor Guidance 2018](#)

Other reviews

Joanna Howell



Types of review:

Peer review

Core testing

**Targeted file
review**

Peer review:

Peer review is the assessment by a panel of independent experienced legal practitioners of the standard of work performed by legal aid providers. New providers are likely to be subject to a peer review within the first 12 months of the contract start, and existing providers will have a peer review every 3 to 5 years. Further information can be found at [Peer Review Process Document](#)

Priorities for peer review:

- Contract manager referrals when there are concerns about the quality of a provider's work, a peer review may be used to identify whether the provider is meeting the standard required by the contract standard terms.
- Where a provider has previously been in receipt of a confirmed 'below competence' (4) rating or 'failure in performance' (5) rating and subsequently this has later been followed by a second peer review as a competence threshold rating (3) or higher (1 or 2), the LAA may peer review the provider again in 12 months (or earlier as considered appropriate) to ensure that a competence threshold (3) rating is maintained.
- Providers who do not currently have a recent peer review rating where there are no known quality concerns.

Core testing:

What is core testing?

- An assessment of the amount of error in payments and applications for legal aid
- A monthly sample of claims and applications across all types and categories of work (including civil certificated and crime higher work)
- Where a file is requested by LAA, firms should check the accuracy of the claim before sending in.

Why does the LAA conduct these audits?

- The duty to demonstrate accurate spending of public funds
- Independently verified by the national audit office, and laid before Parliament
- Results published as part of annual report and accounts
- Results inform improvements to LAA processes or identify if further assurance is required

How does it differ from contract management activity?

- Conducted independently of the contract manager by the core assurance and risk management team
- A random sample, not linked to any risk or indicators
- The audit identifies errors made by LAA staff and processes, in addition to those made by providers or clients



Targeted file review:

- Occurs where data suggests there is an issue that should be explored further: for example, duplicate claims, use of codes.
- Commissioned by the contract manager, but often conducted by assurance analysts.
- File selection is not random. It is targeted to explore the potential issue, with the number of files depending on the circumstances.
- Providers are asked to send files to the LAA for review. You can send paper files or by secure file exchange (SFE).

Further Information:

- <https://www.gov.uk/guidance/legal-aid-agency-audits>



**Additional guidance and training materials /
contact us**

Legal aid agency training website:



Home Civil Crime Online Support Trainer led online modules

Welcome to the Legal Aid Agency's training and support website.

We are continuing to develop features and content based on user research.

New features

Live chat is now available 9:00am to 5:00pm Monday to Friday. The live chat function builds on the success of the Online Support chat that was available on the old CCMS training website and will be available for all queries and not just Online Support queries.

[Start chat](#)

Coming soon

We are looking to develop functionality that will improve user experience such as:

- an improved layout for quick guides
- quick guides to support crime legal aid providers
- a discussion forum for all legal aid providers

If you are unable to find what you are looking for, please click the link below to provide further details and a member of our team will get back to you to as soon as possible:

[Website Navigation Assistance](#)



Civil



Online Support



Crime

Our training website



CCMS: Legal aid certificates

- Accessed via LAA portal to apply for a certificate
- LAA training website (previous slide) contains lots of guidance and user guides
- Used for associated civil and judicial review (JR) cases

Online support webchat

- Use webchat for help with IT system issues

Webinar recordings

- Our 'Help Us Say Yes' webinars focus on areas where there have been high enquiry levels, issues raised and helping providers in 'getting it right first time'
- Popular sessions are posted on the LAA training website: [Ministry of Justice](#)

Our regulatory framework and guidance:

Crime Standard Contract 2022:

<https://www.gov.uk/government/publications/standard-crime-contract-2022>

Criminal Legal Aid Remuneration Regulations:

<http://www.legislation.gov.uk/all?title=criminal%20legal%20aid%20%28remuneration>

Criminal Bills Assessment Manual:

<https://www.gov.uk/guidance/funding-and-costs-assessment-for-civil-and-crime-matters#crime>

Criminal Legal Aid Manual:

<https://www.gov.uk/government/publications/criminal-legal-aid-manual>

Duty Solicitor Guidance:

Awaiting new guidance: The link will be distributed when guidance is confirmed

Codes / Billing Guidance:

<https://www.gov.uk/government/publications/cwa-codes-guidance>

Crown court work



Crown court means testing

- Criminal legal aid manual (CLAM) contain guidance: <https://www.gov.uk/government/publications/criminal-legal-aid-manual>
- Online eligibility calculator: <https://www.gov.uk/guidance/criminal-legal-aid-means-testing>

Crown court billing

- Litigator fees claimable: Guidance & fee calculator available online: <https://www.gov.uk/guidance/claim-for-criminal-legal-work-under-graduated-fee-schemes>

Contact us:



Urgent issue?
Customer Services
0300 200 2020



Technical issue?
Online-Support@justice.gov.uk



LAA website and email addresses:
<https://www.gov.uk/government/organisations/legal-aid-agency>



Defence solicitor call centre (DSCC)?
0345 543 8910 or enquiries@dutysolicitors.org



Communication channels:

Legal Aid Bulletin

- Our fortnightly e-alert covers legal aid news and links to relevant GOV.UK pages
- Sign up: [LAA bulletin sign up](#)



Social Media

- Follow us on Twitter: [@LegalAidAgency](#) and [@LAAHelpTeam](#)



LAA Portal

- We post information on the status of our online systems on the portal's landing page



Emailing you

- On occasion, we email your organisation's contract liaison manager (your nominated contact) with important information
- They are responsible for cascading LAA information to relevant employees
- If your contract liaison manager, or your nominated contact address changes, notify your LAA contract manager



Legal Aid
Agency

Working with others to achieve excellence in the delivery of legal aid