

## **Appendix 1:**

### **Summary of Comments Received and Officer Response**

#### **1. Introduction**

- 1.1 This paper provides a summary of the responses received to the consultation on the 'Proposals for Advice Services Provision 2004 – 2007' paper issued in February 2004, together with an officer response to the points raised.
- 1.2 A total of 17 responses were received. A list of respondents is provided on the final page of this report. It should be noted that a number of responses were received from network bodies (the Leicester Advice Compact, the Leicester Association of Welfare Rights Advisers) as well as from some of the constituent organisations of those networks.
- 1.3 A copy of all received responses has been placed in the Members area.

#### **2. The Consultation Process**

- 2.1 In the February document, we set out the process followed by the review since May 2003, and the opportunities provided to stakeholders to inform the proposals of the Council. These included a survey of stakeholders in June 2003, and the publication of a discussion document, "Improving Advice Services", in October. A summary of the responses to the October document was published, together with an officer response, as an appendix to the "Proposals for Advice Services Provision 2004 to 2007", published in February 2004 on which consultation was also undertaken.
- 2.2 The consultation period on the proposals document ran to 10<sup>th</sup> May 2004.
- 2.3 Despite these attempts to ensure that agencies have been able to feed views into the review, two agencies were critical of the consultation process.
- 2.4 Leicester Law Centre alleged that there had been a failure of the authority to consult within the Community Legal Service Partnership (CLSP) for Leicester:

*"the proposals have been presented autonomously by the City Council without prior discussion within the very body which was charged with the oversight and co-ordination of advice service provision within the city."*

2.5 The Bangladeshi Youth & Cultural Shomiti raise concerns that the Council had failed to adequately consult with 'communities'.

2.6 In respect of consultation with the CLSP, the Head of Advice Services provided a presentation on the "Improving Advice Services" discussion document to the CLSP Providers Group on 27<sup>th</sup> November 2003. Feedback from that meeting was provided to the CLSP Steering Group the following day. The Steering Group meeting was also informed of the Council's budgetary position and the likely need that savings would be required from advice services. The Steering Group noted that:

*"If the cuts are significant, it made little sense to try to apportion cuts on a pro-rata basis. That the partnership had an important role to try to influence the resultant budget to ensure that as far as possible the needs of Leicester's residents were met and that any matched funding, such as Legal Services Commission funding be recycled in Leicester wherever possible<sup>1</sup>."*

2.7 It was agreed that the draft proposals would be shared with the CLSP Steering Group for comment at a proposed meeting in January 2004, to be convened by the Head of Advice Services in his capacity as Chair of the CLSP. A meeting was duly convened on 22<sup>nd</sup> January 2004 and this was provided with a draft response to the points raised in the consultation process on the discussion document. The meeting was asked for comments on these and offered an opportunity to comment on the draft proposals of the Council prior to their publication.

2.8 However, voluntary Sector agencies on the steering group, who have a representative role for not for profit advice providers within the Community Legal Services Partnership, declined the opportunity to discuss the draft proposals of the Council. The Minutes of the meeting state:

*"Members of the Steering Group felt unable to comment on specific service cuts and it was therefore agreed not to consider the draft proposals affecting particular services, but instead to concentrate on the results to the earlier consultation on advice services proposals, use of performance data, and results of a mystery shopping exercise which will inform the new proposals."*

*Some members of the Steering Group also expressed their disappointment at the level of the budget cuts that were being proposed and felt that this called into question the work of the CLSP."*

2.9 Nevertheless the Council did share with the meeting its intention to cease support for specialist housing and immigration services; re-focus available resources on general help services; reduce the number of

---

<sup>1</sup> Minutes of Meeting 28<sup>th</sup> November 2003

services providing advice, and create a telephone entry point for the reconfigured services.

- 2.10 Some general comments were received which relayed concerns about the proposed shift from specialist to generalist services, and the lack of priority given to housing and immigration advice. The need to consider the impact of the proposals on BME communities was also raised, and this issue has been drawn out of the wider consultation also.
- 2.11 A meeting of the CLSP Steering Group also took place on 29<sup>th</sup> March 2004, when the proposals were in the public domain. Steering Group members were asked to comment on the proposals and asked for their views as to how the Legal Services Commission should respond.
- 2.12 Once again, the Steering Group declined to make any specific recommendations due to conflicts of interest relating to their own service funding. Some concerns were expressed regarding the proposed telephone entry point and the use of performance management information. These are reported in section 5 of this report.
- 2.13 With reference to the consultation with 'communities', the Council considers that it has made reasonable efforts to raise awareness of the proposals and their potential impacts on communities of interest and geography. We have provided a transparent process for views to be fed into the review. In particular, the proposals and details of the consultation period were press released and carried in the Leicester Mercury and on BBC Radio Leicester. The latter broadcast details of the review proposals on their "Into Africa" show, which is focused on the city's Somali community. Presentations were also given, on request, to the Council's Older Persons' Forum and the Highfields Area Forum.
- 2.14 Details of the review were also included in the Leicester Link, delivered by the City Council to all residents.
- 2.15 Finally, the proposals were sent out directly to all funded advice services, and all of those agencies that had responded to the October discussion document. Copies of the proposals and all supporting papers were placed on the Council's website.

### **3. Funding for Advice Services**

- 3.1 Three respondents were critical of the way that the proposals document presented information concerning funding levels for advice services in Nottingham, Derby and Leicester.
- 3.2 The respondents all expressed concern that the proposals document did not include information concerning the relative levels of advice need in the three cities, and that it failed to include information concerning the variances in economic activity.

- 3.3 However, the information provided by these agencies did not make a conclusive case that the need for advice was significantly higher in Leicester than in Nottingham or Derby, and that Council funding should therefore be relatively higher in Leicester as a result.
- 3.4 For example, the Leicester Advice Compact and Hitslink both provided a table showing information concerning the variations in employment rates across the three cities. This is reproduced below:

Area	Population	Econ. inactive	Unemployed	Looking after family.
Leicester	279,921	4.7%	4.9%	7.5%
Derby	221,708	3.3%	4.0%	6.6%
Nottingham	266,988	4.3%	5.2%	6.7%

- 3.5 The information provided indicates that Leicester differs marginally in terms of economic activity (+0.4%) and unemployment (-0.3%) from Nottingham, and has the highest % rate of people across the 3 cities who have caring responsibilities. However the degree of variation here, (0.8%) does not appear to be significant.
- 3.6 Assessing advice need is also more complex than the respondents suggest. In 2001 the Legal Services Commission undertook mapping exercises using small area statistical information to assess need. The exercise used data from the 1996 English House Condition Survey, data from the 1991 Census, information relating to homelessness obtained from the Department of Transport, Environment and the Regions, the 1998 Workplace Employee Relations Survey and the 1997 Annual Employment Survey, the numbers of unemployed benefit claimants, numbers of pensioners claiming Income Support and number of county court judgments. The assessment found that all three East Midlands cities had a high need for advice in all categories of social welfare law with the exception of Consumer.
- 3.7 Whilst there has been no update of the mapping exercise by the Legal Services Commission since 2001, information relating to the relative position of the East Midlands local authorities is available in the form of the Index of Multiple Deprivation 2004. This ranks Nottingham as the 11<sup>th</sup> most income deprived local authority area in England and Wales, with Leicester ranked 13<sup>th</sup> and Derby 45<sup>th</sup>. In terms of Employment rankings, Nottingham is 13<sup>th</sup>, Leicester 23<sup>rd</sup>, and Derby 52<sup>nd</sup>. We consider that this provides a rough guide, therefore, to the likely levels of advice need in those cities, in the absence of more recent findings from the Legal Services Commission itself, and does not suggest that advice need would be significantly higher than that experienced by Nottingham.

3.8 Consultation with colleagues in Nottingham and Derby City Councils confirms the following levels of spend on advice services in 2003/04<sup>2</sup>.

Authority	£ on directly delivered advice	£ on voluntary sector advice	Total £
Nottingham	685,125	453,895	1,139,020
Derby	788,429	390,500	1,178,929

3.9 Our final set of officer proposals provide for a total spend on advice services in Leicester of £1,211,900 in 2004/05, of which £546,600 (45%<sup>3</sup>) will be spent on voluntary sector advice services. The per capita spend for Leicester will be £4.32, compared with £4.38 for Nottingham and £5.12 for Derby.

3.10 However, respondents also felt that such per capita comparisons failed to take account of the overall levels of advice provision in Nottingham and Derby, as advice services in those cities were also supported by external funding sources:

*“According to the NACAB website, Derby is ranked 29<sup>th</sup> highest paid centre out of a total 424 bureaux, there are also grants given by the Coalfield Regeneration Trust where both Nottingham and Derby would benefit.”*

3.11 Whilst we accept that the figures presented in the proposals paper did not reflect the varying degrees to which advice services in the East Midlands were able to draw down additional funding from other sources, it would be misleading to assume that this automatically leaves advice providers in Leicester in a worse position than those in Nottingham or Derby. Recent years have seen significant regeneration funding of advice provision in Leicester, including a £236,000 investment in advice provision in Leicester NorthWest from the SRB5 programme, and the provision of a dedicated disability rights worker in Saffron, also from SRB5. Prior to this, SRB2 supported the provision of a dedicated advice worker in the St. Matthews area, and pump primed the Refugee and Asylum Seekers Advice Project.

3.12 The degree to which Leicester’s advice services have accessed regeneration funding as compared to services in other local authority areas is difficult to ascertain. There is currently no benchmarking taking place between the 3 city authorities on this matter. A group has recently been established to co-ordinate local authority approaches to performance monitoring of advice services and we will seek to broaden its remit to consider how much external funding is available in the authority areas in the future. However, this information is not available at this time to inform the current review.

<sup>2</sup> Note: These figures differ from those in the original proposals document due to the presentation of revised figures from Derby City Council during the consultation period.

<sup>3</sup> The proportion of spend on voluntary sector services for Nottingham and Derby are 38% and 33% respectively.

- 3.13 Finally, the Law Centre expressed concerns that the proposals were not clear as to how the proposed services would make the savings required, and stated that much of the proposed income for advice services was notional, as it was based on bids that had been submitted for external funding but where decisions had not yet been received.
- 3.14 This criticism is partially accurate. The proposals that were issued for consultation did make clear how the £460,000 savings were to be achieved, and in fact made provision for savings in excess of this amount in order to provide some resources for reinvestment in a changed configuration of services. The savings were listed on page 11 of the proposals document.
- 3.15 However, a number of proposals for reconfiguration of services were dependent on accessing external funding. These included, for example, the proposal to create an employment unit using Neighbourhood Renewal Funding. We have therefore taken account of any decisions on bids submitted to date in our final proposals, and we have taken steps to ensure that the final proposals highlight those areas where there remains any risk that external funding may not be forthcoming. This information has been summarised in the risk assessment section of the final report.

#### ***The Relationship between Funding and the Need for Advice***

- 3.16 In commenting on the level of the budget reductions affecting advice services, a number of respondents made reference to the disparity between the high levels of advice need in the city and the apparently low levels of supply.
- 3.17 For example, Leicester Law Centre argued that the Council, as a member of the CLSP, has a "duty to ensure that the Legal Services Commission is able to meet this deficit in public funding" in the event that the Council cuts its provision.
- 3.18 However, there is no such legal duty placed on the authority in this respect. Although, at the time that the Community Legal Service Partnership was established, the Council signed a protocol committing it to working with partners to try to meet the advice needs of the city's residents, the Council has to also consider how best to allocate its resources in order to meet its statutory duties and to achieve its stated aims.
- 3.19 The decision to make savings from the advice services budget therefore has to be considered as part of a wider budget strategy for the Council that delivers on its statutory obligations and reflects local political priorities.
- 3.20 The Law Centre further argued that the decision to make savings from the Advice Services Budget would affect the ability of the Community Legal Service to ensure a 'seamless' service – i.e. one that provides advice to residents regardless of eligibility for legal aid. This is accurate in the sense that access to specialist advice services will become more difficult as a result of the current proposals for those residents that fail to meet the eligibility criteria for legal aid.

3.21 However, a decision by the Council to fund specialist services for non eligible clients would in effect amount to prioritising those people whose income is above the legal aid limits set by Government at the expense of providing general help services to people on lower incomes, and would be perverse given the Council's stated priorities of seeking to regenerate the city and focus resources on tackling social exclusion.

#### 4. **Priorities**

4.1 Throughout the review process, the Council has attempted to provide clear links between its proposals and the corporate priorities of the authority. Given the reduced budget for advice services, this prioritisation process has been critical in informing the proposals for future service delivery.

4.2 Our initial thoughts on the priorities were published in the "Improving Advice Services" discussion paper in October 2003. These had been drawn up following a survey of stakeholders conducted in June 2003. However, it is apparent that concerns remain in respect of a number of the priorities that have been identified.

4.3 A general point appears to be made that it is difficult to see how the Council is to deliver on the stated priorities whilst cutting the funding available for advice services.

4.4 Whilst the Council's budget decisions clearly have an impact on the ability to deliver on the priorities, the remit of the review was to consider how best to meet the priorities of the Council with the resources available to it following the decision of the Council to reduce spending in this service area. Therefore, the task of the review was to assess which of the Council's priorities advice services could contribute the most to, and how, and to allocate resources accordingly.

#### ***The Elderly and People with Disabilities***

*"Help people with disabilities and the growing number of older people to experience more independence"*

4.5 The Council's Benefits Support Team and Age Concern made reference to the links between the Council's statutory responsibilities and the corporate aims. Age Concern argued that they had been funded by the Council as a result of duties arising under the National Assistance Act. The Benefits Support Team, argued that even where there was no direct statutory duty to provide an advice service, the service may assist in the discharging of statutory functions.

4.6 This is clearly the case, for example, in respect of the raising of home care charges for the authority by promoting benefits take-up, and is a good example as to why the Council would want to deliver welfare benefits services directly, particularly in view of the need to facilitate referrals from other Council services, such as social work teams.

- 4.7 The argument was taken further by Hitslink, which considered that because all advice services provided assistance to people with disabilities, they could all be included as contributing to the statutory duties of the authority, and by inference should not be considered for budget reductions.
- 4.8 However, there is a distinction to be made between the provision of holistic services to disabled people and their carers, of which benefits advice is one aspect; and advice services that specialise in a restricted number of matters but are often, although not exclusively, used by people with disabilities.
- 4.9 Mosaic assists the authority in discharging its statutory functions by providing information and advice on a range of disability matters, including the provision of advice on how to access social services. It has secured a quality mark at general help with casework level on all disability issues and this includes a requirement to provide advice on benefits. This places it in a unique position to be able to act as a one stop shop for disabled people and their carers. When assessing the priorities for commissioning advice services this is clearly of value. The service also operates on a city-wide basis.
- 4.10 Hitslink, however, provides advice in a restricted number of areas of law to one or more client groups, although it is true that these services are often accessed by people with disabilities<sup>4</sup>. Whilst the advice provided by Hitslink, and other specialist advice providers, may therefore contribute to the overall aim of supporting people with disabilities, it is not considered to be the preferred route for providing advice to that client group and in terms of making decisions relating to the funding of services we have prioritised that provided by Mosaic above the funding of specialist advice services.
- 4.11 Hitslink also argued that the withdrawal of support for specialist advice services would
- “... be denying the right of people to challenge decisions by reducing specialist advice in the form of tribunals and appeals.”*
- 4.12 The right of a person to progress with a case to appeal, and the availability of legal aid to support this, is not the direct responsibility of the Council. Decisions relating to those matters lie with the Department of Constitutional Affairs and the Legal Services Commission. Although, as the Benefits Support Team indicate, there can be advantages to the Council in funding such services, a balance has to be struck between the funding of specialist welfare benefits services, and funding for services at General Help, or General Help with casework levels, or for other subject areas, which may also

---

<sup>4</sup> In their response Hitslink stated that this was in 35% of instances.



contribute to the Council's overall aims. The proposals do maintain in-house welfare rights specialists to take on appeals work arising from work with the most vulnerable client groups in social services, and to take on appeals work arising from Council delivered tenancy support services as well as from the proposed general help services.

- 4.13 Practical concerns were also raised with regard to the capacity of the remaining specialist welfare benefits to deal with demand, and Hitslink commented that Mosaic were already struggling to meet demand, and that waiting times for appointment were standing at between 8 to 10 weeks. This situation appears to have arisen as a result of the immediate surge in demand for services caused by Hitslink's decision to close its doors to new clients on 1<sup>st</sup> April 2004. By the end of May 2004, the position had improved significantly and Mosaic reported that waiting times had reduced to between 4 to 5 weeks<sup>5</sup>.

### **Age Concern**

- 4.14 Specific criticism was made by agencies of the proposal to withdraw financial support for Age Concern. Age Concern themselves commented:

*"The proposal seeks to focus welfare benefits provision on disabled and elderly people. Age Concern already assists older people and their carers to claim an additional £540,000 benefits income per year. We recognise that maximising income is a fundamental area of advice for older people, however it is essential to provide advice and information on all issues to older people including housing, residential care, social services and health care, legal matters and consumer problems... Age Concern Leicester is the only quality marked information and advice service in the category "General Help and Casework for Older People" in the city and covers all these areas.*

- 4.15 This provided strong grounds for treating Age Concern's service in the same manner as that provided by Mosaic in respect of people with disabilities. In the proposals document, we had anticipated being able to deal with the welfare benefits enquiries arising from a closure of Age Concern's advice service by providing access to advice via GP's surgeries. However, following the consultation process we are not convinced that this would provide an effective replacement for Age Concern's services, primarily because of the holistic information and advice service that they provide.
- 4.16 In addition, Age Concern has recently secured funding from the Community Fund to provide advice to elderly members of the city's black and minority ethnic communities. That funding is contingent on the Council maintaining its support for the current service and would

---

<sup>5</sup> Details of the waiting times for advice services are provided in Appendix 2.

bring in an additional £120,000 over the next three years to support this work.

### ***The Link to Health Services***

4.17 The intention to link advice provision to primary care services is specifically referred to in the Council's Corporate Plan for 2003 to 2006. This states that "*Welfare benefits advice to the users of primary care services, particularly the elderly*<sup>6</sup>" are a means of making effective use of additional resources in the city.

4.18 Leicester City West PCT responded in support of the prioritisation of services for disabled and elderly residents:

*Increased welfare provision for these groups has the prospect of improving independence and quality of life and therefore individuals' health. Prioritising will assist the PCT in the implementation of National Service Frameworks and Valuing People: A New Strategy for Learning Disability for the 21st century*

4.19 The PCT also confirmed its continuing support for the Healthy Income Project and, importantly, raised the prospect of potential expansion in this area depending on the full evaluation of the project's impact on health outcomes in the future<sup>7</sup>

*The links between poverty and ill health are well documented, and the PCT has demonstrated its ongoing commitment to the Healthy Income Project through provision of funding for 2004-05 to continue the project. The outputs demonstrated by the project, in terms of additional benefits claimed for the people of Beaumont Leys and New Parks, appear particularly impressive. Evaluation of this project will be important, and will help in guiding the PCT on future funding.*

### ***Specialist Welfare Benefits Services***

4.20 However, the Leicester Association of Welfare Rights Advisers (LAWRA) expressed the view that it was unclear how the priority to raise benefit incomes for disabled and elderly residents would be achieved given the proposed reduction in specialist welfare benefits services. This was a similar point to that highlighted in para 4.3, above.

---

<sup>6</sup> Page 15, "Together We Can Make It Happen, Leicester City Council's Corporate Plan 2003 – 2006"

<sup>7</sup> Note: Hitslink objected to the proposal to continue to fund the Healthy Income Project as this had not yet been evaluated. However, the evaluation refers to the impact that raising benefit incomes has on the health outcomes for users, not on the amount of benefit raised by the project, which is already known.

- 4.21 The relative performance of general help and specialist services is important here, and further details of this are provided in section 5 relating to the use of performance management information. In essence, however, the evidence appears to indicate that general help and general help with casework services can achieve greater outputs for the city – in terms of numbers of people assisted with claims for benefit, and total take-up of benefit - than can specialist services. Whilst there will always be a need for some specialist services to take on appeals work that arises from take-up initiatives, this can be met from a reduced number of caseworkers than is currently supported, provided that we make effective use of their time and also refer people to alternative sources of assistance such as specialist solicitors and regional services<sup>8</sup>.
- 4.22 Further consideration of these issues is provided in section 5 concerning the proposal to create a telephone entry point. We consider that the effect of the budget reductions and withdrawal of support to specialist welfare rights services can therefore be offset by the decision to deliver services to increase benefit take-up at General Help and General Help with Casework levels and to make a more effective use of the remaining specialist resource.

### ***Diversity***

*“Build on Leicester’s History of Including People From All Backgrounds In A Cohesive Community Free to Pursue Peace and Prosperity”*

- 4.23 The Council’s Corporate Plan includes reference to the provision of advice services under this key priority and specifically in relation to the objective to “Improve and Promote Community Cohesion in Leicester”.
- 4.24 The Plan refers to the need to focus advice services on specific projects with specific groups and ensure that all citizens are able to access information and advice services on their rights, entitlements and responsibilities.<sup>9</sup>
- 4.25 Five respondents referred in detail to the Council’s corporate objectives to celebrate the diversity of the city and to promote good race relations.

### ***Face to Face Advice Provision***

- 4.26 The Leicester Advice Compact felt that the proposal to reduce face to face advice provision in local communities, and to proceed with a telephone based entry point for advice services ran contrary to the diversity agenda. LAWRA also felt that it was contradictory to close

---

<sup>8</sup> The Legal Services Commission have recently expanded provision to support regional specialist telephone advice on welfare benefits and debt matters.

<sup>9</sup> Page 11, Corporate Plan 2003 to 2006

down Hitslink, which had built up good links with the African and Caribbean communities in the city.

- 4.27 However, it is not at all apparent from the monitoring figures that black and minority ethnic communities have a general problem in accessing telephone based services. Monitoring figures for both Mosaic and WERAS (see main report para 1.68, Supporting Information) indicate that phone services are accessible in general terms to all ethnic groups in the city.
- 4.28 Further to this, agencies in the Highfields area do not currently provide significant hours of drop in advice sessions. During 2003/04, Hitslink reduced its hours of face to face drop in to 6 per week, and increased the use of the telephone to provide advice services, as did Leicester Law Centre, which currently provides only one drop-in advice session per week.
- 4.29 Hitslink's decision to increase the use of phone advice was discussed at a team meeting of the service on 6<sup>th</sup> August 2003, and the issue of access to telephone advice services by the Somali community considered. The approach taken by Hitslink was to seek to make a Somali interpreter available at the times of phone sessions, but it was also noted that if this was not possible then they would refer people to other Somali speaking advice services in the city. There is no reason why this approach could not be adopted by a city-wide telephone entry point, and use made of language line facilities or in-house interpreters<sup>10</sup>.
- 4.30 The nature of face to face advice provision in the Highfields area also needs to be considered.
- 4.31 At the Bangladeshi Youth & Cultural Shomiti, people dropping in for advice are more likely to be given appointments for a future date than access to advice immediately, as is the case at Hitslink and Leicester Law Centre. This type of arrangement will be continued in respect of access to the Healthy Income Project and community based workers under the final proposals.
- 4.32 The current provision at Hitslink provides for only two drop in sessions per week, with the remaining face to face provision being arranged by appointments. The new configuration of services will provide 3 drop in sessions per week at community venues and provide access to welfare benefits and employment advice services by appointment through the Healthy Income Project<sup>11</sup> and the proposed Employment Unit<sup>12</sup>.

---

<sup>10</sup> The Council's Economic Development Unit have submitted a bid for European Social Funding to recruit and train interpreters from new arrival communities and, if successful, would be seeking to provide work placements for these in advice services in the city.

<sup>11</sup> The Healthy Income Project accepts self referrals as well as referrals from GP surgeries and health professionals.

<sup>12</sup> See para 4.45, below.

- 4.33 The city-wide specialist benefits services based in the Council will also continue to offer face to face appointments as required, and provision of the General Help service at Leicester Law Centre will be unaffected until April 2005.

### ***Community Cohesion***

- 4.34 The inclusion of advice services as part of the community cohesion agenda has had implications for the proposals of the authority during this review. Specifically, an assessment has been undertaken of the communities currently accessing advice services and this has been compared with information available to the authority concerning the levels of deprivation across the city. A map showing the results of this exercise is available in the main report on page 17.
- 4.35 The results indicate that there is a significant disparity between the areas experiencing high levels of deprivation and the provision of advice services with the exception of Spinney Hills and Stoneygate. This occurs as a result of the use of fixed point delivery for advice services in the Highfields area of the city (at Hitslink and at the Bangladeshi Youth & Cultural Shomiti). Whilst that area of the city has a high need for advice services, there are significant gaps in advice service provision in Braunstone, Beaumont Leys, and New Parks.
- 4.36 Providing services that can address these high priority areas therefore requires us either to replicate services such as Hitslink in other areas of the city – which is beyond the resources available to us – or to provide services via centralised teams that operate from a variety of different community based venues. These may include the STAR offices, GP surgeries, Council customer service centres, community associations, and in the future the proposed healthy living centres. Providing advice over the telephone also ensures city-wide coverage.
- 4.37 This does not mean, however, that services cannot be focused on specific communities. For example, we intend to offer 9 hours per week of drop in advice at community based venues in the Highfields and St. Matthews area, and to provide some sessions that are focused on the Bangladeshi and Somali communities by pre-booking Somali and Bangladeshi<sup>13</sup> interpreters and advertising when these sessions will take place in community venues.
- 4.38 Nevertheless, by centralising the delivery of this service we will also be able to provide sessions at New Parks Customer Service Centre, and to take referrals from health agencies in Leicester North West. There is the potential to add to the team to provide an additional worker for

---

<sup>13</sup> Additional languages may be added as needs are identified (e.g. a fortnightly Kurdish language session).

the Braunstone area and discussions with Braunstone Community Association have been initiated in this respect.

- 4.39 We consider that this will assist in the delivery of the community cohesion agenda because all deprived areas of the city will be served, rather than continuing with the concentration of supply on the Highfields area alone.

### ***Immigration Advice***

- 4.40 Further concerns relating to diversity were expressed in respect of the proposal to withdraw support for the provision of Immigration advice services. Leicester Law Centre and the Asylum Seeker and Voluntary Sector Refugee Forum were specific in their concerns, raising issues such as the withdrawal of solicitors from this area of law and the excess of current demand and supply (the Law Centre stated that this was in a ratio of 3:1 based on their figures for 2003/04).

- 4.41 The Asylum Seeker and Refugee Forum referred to the Legal Services Commission restrictions on solicitors giving advice in asylum cases:

*“...because solicitors are now only allowed to spend five hours on each case, more and more firms are withdrawing from this area of work, and volunteers are unable to find a solicitor to take on new cases. We feel it is the duty of the Cit Council to help people who are fleeing from persecution and torture to access our legal system as they claim asylum. Cutting one of the last hopes of justice for these vulnerable people would be a disgrace to our city.”*

- 4.42 However, the position with regard to the funding of immigration advice does not appear to be as clear as the Forum indicated in their submission. According to the Legal Services Commission, solicitors are able to spend more than 5 hours to interview a person and complete an asylum application provided that they seek prior authority from the Commission for this extension and the case is a reasonable one where further work is necessary.

- 4.43 Funding for all asylum appeals work is additional to this, although the Legal Services Commission must be asked for prior authorisation. They state<sup>14</sup> that they will grant legal aid to people whose appeal has a reasonable chance of success.

- 4.44 The issue for the Council, therefore, is whether or not providing support for immigration and asylum casework is a priority given the level of resources available to support this work from the Legal Services Commission and the need for the authority to provide resources for other types of advice services which would clearly link to the corporate

---

<sup>14</sup> Legal Services Commission website, June 2004

priorities around support for the elderly and people with disabilities, and the employment and housing agendas.

- 4.45 The Law Centre also made the general point that immigration services are important to the Council's Diversity goals because immigration advice promoted family reunion and social cohesion. However, the extent to which the Council's current funding of immigration advice contributes to that agenda is limited in comparison with other initiatives of the authority such as the launch of the £700k Community Cohesion Fund.
- 4.46 The main report (paras 1.32, 1.37 and 1.38, Supporting Information) sets out the level of funding for Immigration work from the Legal Services Commission and reports on the Regional Legal Services Commission assessment of the demand for, and supply of, immigration advice in the city. This indicates that there is currently an over-supply of immigration casework services in the city, and that funding for immigration casework in 03/04 amounted to £1.8 million.
- 4.47 It is not therefore proposed to prioritise the funding of immigration advice services in the proposals for Council advice services funding for 2004 to 2007.

### ***Employment***

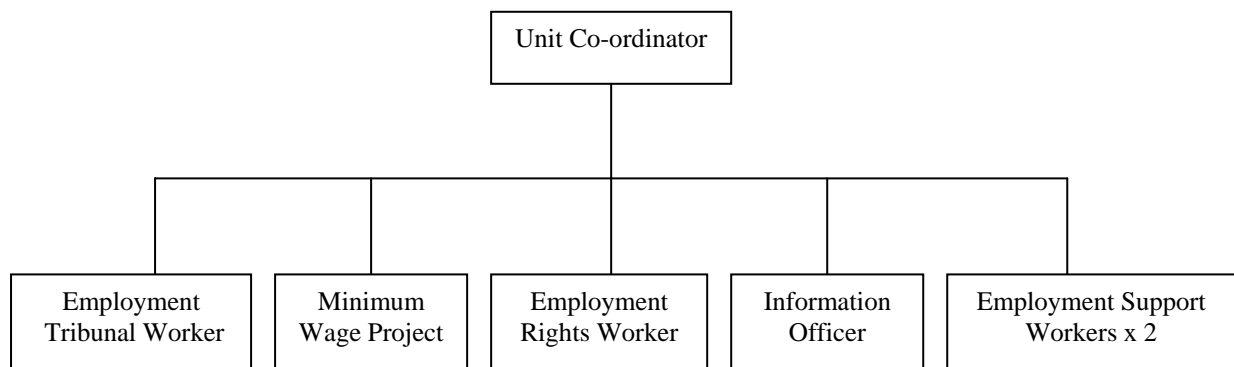
*"Promote Prosperity and New Jobs, While Safeguarding People's Health and Development Interests"*

- 4.48 The prioritisation of employment rights advice was not commented on by most respondents, although the Regional Legal Services Commission recognised that this was a local a priority as identified by the Community Legal Service Partnership for Leicester.
- 4.49 However, some concern was expressed from the Council's Advice Services Development Officer that the current and proposed configuration of advice services was imbalanced, with the weight of resources (in excess of 50%) focused on the provision of welfare benefits services, and employment under-funded in respect of the Council's main programme.
- 4.50 A case was made for the creation through the use of main programme funds of an employment advice unit. This would link to an NRF funded employment project designed to improve the employment rates of disadvantaged groups in the city.
- 4.51 The proposals for an employment unit funded entirely from the Neighbourhood Renewal Fund were also questioned by Leicester Law Centre, which believed that the bid had been unsuccessful<sup>15</sup>.

---

<sup>15</sup> Comment received at Strategic Planning and Regeneration Scrutiny Committee, May 2004

- 4.52 Some clarification of the position with the Neighbourhood Renewal Fund bid is therefore required.
- 4.53 The Leicester Partnership has approved a project worth £600k to run to the end of March 2006. This will be delivered by the Council's Advice Services Group and aims to improve the employment rates of disadvantaged groups by providing advice and guidance services, personal adviser support, and access to training services. The project will also seek to establish a job interview guarantee scheme with major employers who can access the register of job ready individuals who have completed their training programmes.
- 4.54 The project will also provide information and advice, and support, on employment rights issues, benefit entitlements, and other support services to people re-entering the labour market and for the first 13 weeks of employment. This aspect of the service will include two employment support workers, an information officer and administrative staff.
- 4.55 It is the Council's intention therefore, to link the provision of employment rights advice to that aspect of the NRF project that is centred on the provision of employment support services. We intend to do this by creating the following employment unit:



- 4.56 The Co-ordinator, Tribunal Worker and Employment Rights Worker will be funded from the main programme, with the Information Officer and Support Worker posts funded from the NRF. Administration staff for the unit will be jointly funded by NRF, Minimum Wage Project, and main programme.
- 4.57 The unit also has the potential to expand as a result of further external funding applications, utilising the provision of main programme funding and NRF as sources of match to other public funds. Bids submitted to date include ESF applications for research into the labour market experiences of women from the Bangladeshi, Pakistani and Somali communities, and for a tribunal caseworker to deal with discrimination



issues. These bids are being supported by the Equal Opportunities Commission.

- 4.58 A further bid has also been made as part of the Minimum Wage project to the Inland Revenue for an additional tribunal worker and a bid has been made to the European Refugee Fund to continue aspects of the New Arrivals Project<sup>16</sup>, to provide an employment focus to their work with new arrival communities.
- 4.59 Given the realisation of significant funding from the NRF and the opportunities for external funding for the expansion of the unit, we consider that the main programme support for the core team of the Co-ordinator, Tribunal worker, and Employment Rights worker is adequate to meet the stated priorities of the Corporate Plan.
- 4.60 The Plan contains a specific objective to “*Help disadvantaged people into sustainable employment*” and links the provision of active labour market policies with “*advice and assistance to claim in-work benefits and knowledge of rights at work*”. Our proposal therefore makes real these linkages in the management and delivery arrangements for the service.
- 4.61 Concerns have been raised during the course of the consultation about the intention to concentrate employment rights advice provision in-house, however. For example, Hitslink commented:

*The proposal to bring the employment unit in-house again raises questions about conflict of interest. What if a Leicester City Council worker had problems with his/her employer, could they feel that their case was being handled fairly?*

- 4.62 In-house provision of employment rights advice exists at the present time, but is limited to one employment rights caseworker, although the Council also currently delivers the Highfields Minimum Wage Project, which is externally funded by the Inland Revenue. The in-house services are not available to employees of the City Council as these all have access to advice from trades unions who are provided with facility time by the Council. Some time ago, the Council’s in-house employment advice services restricted access to the service to employees in the city who did not have access to trades unions in their workplace in order to concentrate the resource on workers who were unable to access advice provision through that route. This also ensured that Council advice services were not used to undermine the efforts of local trades unions to organise in Leicester’s labour market.

---

<sup>16</sup> The New Arrivals Project is externally funded by European Regional Development Funding to provide information packs on employment and benefits matters to new arrival communities. The packs have been translated into Somali, Arabic, Farsi and Dari and these are used to run group sessions with new arrivals. The project is currently funded to end of September 2004.

- 4.63 We therefore propose that the employment unit will adopt this same policy, and target groups of workers who are not given an opportunity to join a trades union in their workplace. This ensures that the focus is on those employees who are in most need to employment protection, and these have particularly been women and minority ethnic residents<sup>17</sup>.
- 4.64 The provision of the service through an employment unit of the type proposed will replace the current disparate provision of services (3 fte's in 3 separate agencies) and allow for a city-wide service to be provided with 7 full time equivalent officers.
- 4.65 Finally, it is envisaged that national rules, coming into effect in October 2004, concerning the need for employers to adopt internal dispute resolution policies will have some impact on the numbers of people seeking redress through Tribunal applications – indeed this is a stated intention of Government policy in this area. The Council has already secured some additional funding (£4,000) from the Department of Trade & Industry to provide and disseminate information on these changes to employers and community groups and will be utilising the information officer and employment support workers posts to encourage employers in the city to adopt procedures that meet the requirements of the new legislation.

## **Housing**

### *“Regenerate the City’s Housing, Open Spaces, Public Transport and Access to Work and Services”*

- 4.66 The Council’s Corporate Plan does not outline a suggested role for advice services in respect of the objective to regenerate the City’s Housing. However, the key priority of “Investing in Continuous Improvement in a Well Managed Organisation” may also be relevant here, particularly in respect of the desire to make the most effective and efficient use of the Council’s resources<sup>18</sup>. In our initial proposals, we therefore referred to the need to maximise rent receipts, and minimise the pressure on the Council’s housing stock, as potential roles for advice services.
- 4.67 Respondents, however, indicated concerns over the proposal to withdraw support for specialist housing advice, both at Leicester Law Centre and at SHARP. Similar arguments were raised on this issue as were presented in respect of immigration advice – notably that the number of solicitors providing advice in this area of law was reducing.
- 4.68 The East Midlands Regional Legal Services Commission confirmed that the number of new matter starts in housing had reduced, primarily

---

<sup>17</sup> Women account for 58% of the users of the directly delivered employment rights advice service. Minority ethnic users account for 43%.

<sup>18</sup> Page 26, Council’s Corporate Plan 2003 – 2006.

as a result of solicitors withdrawing from this area of law, although at a regional level the Commission itself was not proposing to address this with increased funding for not for profit advice agencies operating in this field. Instead the Commission has taken the view<sup>19</sup> that the priority for funding should be in housing related debt advice services – which provide advice for people facing repossession as a result of rent or mortgage arrears, and on related benefit matters (for example, housing benefits).

- 4.69 We have followed this recommendation of the Regional Legal Services Commission and have ensured that the proposals expand on the provision of advice services to people in housing related debt. The proposals therefore provide for two additional posts to take referrals from neighbourhood housing officers and the STAR service in the Saffron and Humberstone areas of the city, and provide advice on income maximisation to Council tenants who are falling into rent arrears.
- 4.70 A third post will be provided at Leicester Money Advice Ltd, which will provide assistance to Council tenants who have multiple debts and need to have support in renegotiating commitments to third party creditors, or who need representation in court proceedings. However, this post will be supported from existing resources at Leicester Money Advice Ltd by negotiating a new contract with them. The contract with Leicester Money Advice Ltd will retain their existing county court duty scheme. This has been successful in preventing possession proceedings and evictions in the past year, and the proposed contract will not restrict access to that service to tenants of the Council alone<sup>20</sup>.
- 4.71 Independent advice on other housing matters – including access to Council housing, and homelessness applications, will be supported for refugees at the point at which they lose support from the National Asylum Support Service (NASS). It is proposed that the Council will provide main programme funding to the Leicester Racial Equality Council to continue to provide the Refugee & Asylum Seekers Advice Project in this respect. Previous support for this project has only been possible as a result of vacancies within the Council's directly delivered advice services, and it is proposed that support be placed on a more secure footing for 2004/05, by creating a specific budget line for this purpose.
- 4.72 Work is also progressing at RASAP to create a rent deposit guarantee scheme for single refugees so that they can access private accommodation in the city, and with ASRA Housing Association to provide emergency accommodation, although both of these developments are at an early stage.

---

<sup>19</sup> See para 1.35, Supporting Information, Main Report

<sup>20</sup> Leicester Money Advice's response highlighted a concern that the services they provided would be reconfigured to exclude access for anyone other than Council tenants, but this is not the intention of the authority.

- 4.73 SHARP provided a detailed response that made a case for the provision of independent specialist housing advice services. This referred to a perceived lack of understanding of the role of independent housing advice by the City Council, and included the following points:
- That removing existing funding from SHARP could threaten legal services commission funding by virtue of the “additionality” principles that underpin this;
  - That reliance on in-house service provision may result in advice being confined to narrow answers and limitations on the types of subjects covered;
  - That conflicts of interest would be ignored, or referred out, and Council interests would be prioritised
- 4.74 However, the provision of funding for independent, specialist advice services – in housing as in other areas – is the responsibility of the Legal Services Commission, and not the Council. Whilst there are some benefits to the authority of having independent services to which it can refer users who are unhappy with Council decisions, it is not a *requirement* that the Council fund those services itself. Given this, consideration must be given to the relative priority of funding such services when faced with significant budget pressures, and with other types of advice provision demonstrating clearer added value to the Council.
- 4.75 For example, in respect of welfare benefits advice services there are clear financial gains for the authority to be considered – notably the impact of benefit take-up for disability living allowance and attendance allowance on the personal social services element of the Formula Spending Share. There are also clear requirements laid out by the Benefit Fraud Inspectorate for the authority to support the take-up of housing and council tax benefits amongst vulnerable groups.
- 4.76 In employment, the Council has also set itself a clear objective, and it takes on a lead role in addressing the disparities in employment rates that exist in the city – including the adoption of a Public Service Agreement target in respect of the employment rates of refugees. The objective to provide services that increase access to the labour market is balanced by a clear statement regarding the protection of peoples’ health and development opportunities, a role that employment rights advice can help to fulfil and which is explicitly referenced in the Council’s Corporate Plan.
- 4.77 In respect of Housing there is no clear role identified for advice services within the corporate plan, beyond that of providing information and advice on the Council’s allocation policies and duties under homelessness legislation. There is a specific duty, arising from the

Housing Act 1996 to provide information services in these respects, but not to fund independent casework services.

- 4.78 SHARP's submission relating to the position of the Legal Services Commission appears to be only partially accurate. When the Commission first entered into contracts with not for profit agencies (2000/01), it placed a clause in those contracts that referred to the contract being conditional on the basis that it would provide an additional level of service to that which may have previously been funded by the local authority. This has become known as the "additionality" clause. In effect, this was designed to prevent local authorities from withdrawing funding from services simply because they had secured funding from the Commission.
- 4.79 However, our proposals do not seek to withdraw funding from not for profit agencies simply because they have contracts with the Legal Services Commission. We are proposing some reductions in funding because (a) there is a need for the Council to reduce its spending in this area, and (b) we consider that resources need to be better targeted on the priorities of the Council and that more effective use of our resources can be obtained by focusing them at the General Help and General Help with Casework levels of advice provision.
- 4.80 The length of time that has passed between not for profit agencies obtaining contracts from the Commission, and the Council issuing proposals to make reductions in the level of funding, also indicate that this is not an instance where we have sought to use Commission funding to act as a substitute for our own.
- 4.81 In any event, the Legal Services Commission has not threatened to invoke the additionality clauses. Instead they have referred to the possible reallocation of contracts according to regional priorities, in the event that the proposals of the Council cause any of their contract holders to become unviable as organisations and unable to deliver under the terms of the Commission contract.
- 4.82 Following discussions with SHARP during the consultation period, it is apparent that the proposal to withdraw £49,000 of funding would not cause the organisation to become unviable, and would not threaten its ability to deliver the Commission contract. The remarks in the report submitted by SHARP, but drafted on their behalf by the Advice Development Project, therefore appear to be inaccurate based on our discussions with SHARP's Manager and Committee Chairman.
- 4.83 There would, however, be an impact on SHARP's service delivery as the current grant provides support for workers to operate a triage system – dealing with initial enquiries and freeing up time for the commission funded worker to deal with specialist casework matters. To a large degree this model is in line with the model proposed for all

advice services in the city, and fits with the intention to support general help services.

- 4.84 However, the question arises as to whether there is a necessity to fund a specific general help service in housing advice at SHARP, whilst this is both provided to a degree by the Council's own in-house Housing Options Service, and is also covered by the provision of a general help service at Leicester Law Centre for 2004/05 and proposed to be covered by a telephone entry point from 2005/06 onwards.
- 4.85 It should be noted that the issues of concern surrounding conflict of interest and narrowness of issues to be dealt with by in-house services do not apply to the current provision of general help services at the Law Centre and would become of importance only in the event that the proposed phone entry point for advice services was delivered by the Council itself. The retention of specialist casework services, funded by the Commission, at SHARP would continue to provide an independent source of advice to which referrals could be made from the General Help service as is currently the case.
- 4.86 The question as to whether or not to continue to fund a separate general help service at SHARP itself can only be resolved by referring to the relative priority of housing advice services when set against the other potential roles of advice services in the context of the budget available.
- 4.87 To this end, SHARP's response fails to make a significant case. In Section 1.4 is stated that:

*"The environmental analysis outlined in section 2 of this report supports the view that advice services have a role to play in contributing to regeneration and social inclusion."*

However, section 2 of the report does not provide any information concerning how housing advice services, and particularly independent housing advice services might contribute to that agenda, concentrating as it does on other matters such as the Council's possible over reliance on information rather than advice, failure to consider the limits of authority provided services, and developments within the Community Legal Service.

- 4.88 The only explicit reference to the contribution of independent housing advice to the regeneration and inclusion agendas is found in section 1.4.2 of the SHARP response. This refers to the apparent "Typecasting of delivery agencies" and cites National Shelter's view that:

*"specialist housing advice...is crucial in the battle against homelessness and is a cornerstone in the prevention of homelessness. It is widely accepted that the provision of independent housing advice*

*is highly cost effective. It can avert the costs associated with homelessness – providing temporary accommodation and services – and reduce substantially the costs in housing management, health care, education and social services which are incurred as a result of homelessness and bad housing.”*

4.89 However, this view fails to distinguish between those aspects of housing advice which can be provided by other advice providers – specifically money advice agencies – and the degree to which the positive outcomes indicated could only be obtained by delivering services through a specialist independent housing advice agency.

4.90 Following the priorities of the Council – specifically to improve rent and Council tax receipts and to reduce the incidence of homelessness – and following reference to the Regional Report of the East Midlands Regional Legal Services Commission, which states that debt advice services should be prioritised above housing advice, our final proposals are not to support funding of independent housing advice, with the exception of a service for refugees as a result of the specific circumstances in which they find themselves once NASS support is terminated.

## **5. The Proposals**

### **5.1 Creation of a telephone entry point for advice services**

5.2 A number of respondents indicated that they did not think that the telephone was the preferred medium for the delivery of services. For example the Leicester Advice Compact<sup>21</sup> commented that:

*It appears that all advice is shifting towards telephone access. However it is by no means evident that this is the preferred medium for those residents that are able to access such a service.*

5.3 However, the increased use of telephone advice services does appear to have general support as expressed through the MORI survey of legal advice services conducted in 2001. This found that nearly a third of respondents expressed a desire for greater availability of information and advice over the telephone. Whilst, as Leicester Money Advice Ltd point out this leaves two thirds who did not express this view, it comes within a context where there is already significant use of telephone advice services and indicates that there is the potential for greater use of this method of delivery in order to free up resources to provide face to face advice for those residents who would have difficulty accessing services over the phone, and with which to target services to vulnerable groups via referral from other agencies that come into

---

<sup>21</sup> Similar points were made in the responses of Leicester Money Advice Ltd and the Bangladeshi Youth & Cultural Shomiti.

regular contact with them (e.g. social workers, tenancy support services etc.)

- 5.4 Concerns were also expressed by respondents of the potential impact of the proposed move to a telephone based entry point on the delivery of services to 'hard to reach' groups, notably the elderly and Black and Minority Ethnic Communities.
- 5.5 With reference to the elderly, we have taken account of the concerns raised by Age Concern, and the Forum for Older People in particular, and revisions have been made to the proposals to provide for continued support of face to face advice provision at Age Concern.
- 5.6 That proposal will also impact on the concerns relating to BME communities, as Age Concern have been successful in obtaining a grant from the Community Fund to provide outreach services to BME elderly people. £120,000 of Community Fund spending is to be drawn down over the next three years for this purpose.
- 5.7 Other agencies, such as Hitslink and Leicester Law Centre raised the difficulties that a variety of groups may have in accessing telephone advice:

*This proposal is a form of discrimination to people who do not have English as their first language, people with a speech impediment, people with hearing difficulties and learning difficulties. The proposals fail to specify what alternative arrangements can be made for hard to reach groups<sup>22</sup>.*

*Call centre won't help people who do not speak English, are inarticulate, do not have access to a telephone etc<sup>23</sup>*

- 5.8 However, as indicated previously in this report the majority of initial contact for advice services is already made by telephone with the exception of the service at Age Concern, which will not now be affected under the revised proposals. Leicester Law Centre's drop in session on Monday Mornings will remain in place until April 2005, when it is proposed to make much better use of libraries and community centres to disseminate information on rights and entitlements.
- 5.9 Drop in will also be available for 9 hours per week in the Highfields area of the city, and for 3 hours per week in New Parks, and other face to face advice provision will be available from the Healthy Income and Rent Arrears Reduction projects.

---

<sup>22</sup> Hitslink Management Co-operative

<sup>23</sup> Leicester Law Centre



- 5.10 The Benefits Support Team, which takes referrals from social workers, will offer home visits to the most vulnerable clients, as will Mosaic, Age Concern and the Healthy Income Project.
- 5.11 Specialist caseworkers in employment, welfare benefits and money advice, will continue to offer face to face appointments and the money advice duty service at Leicester County Court will also remain in place.
- 5.12 The proposal to create a telephone based entry point therefore needs to be viewed in context as part of the whole proposals which would also support significant levels of face to face advice, although the majority of this – for example, the Benefits Support Team, Rent arrears reduction, and Healthy Income project, would be accessible on referral from professionals dealing with the most vulnerable groups of residents.
- 5.13 The Regional Legal Services Commission expressed support in principle for the proposal to create a phone based entry point but highlighted that this may have a knock-on effect on the demand for specialist services:

*In principle this proposal is supported by the EMRLSC. Indeed it mirrors developments that are currently happening in other services, for example the Department of Work and Pensions, and the Commissions CLS Direct. However, if this increases the numbers of people able to access basic information about their entitlements and early advice then there is a likelihood that this will increase the need for referral to more specialist services. To what extent is this likely increase in demand factored into the Councils estimates of capacity and provision of both general and specialist services?*

- 5.14 This point was also made by Leicester Law Centre, and more generally in respect of the proposal to focus on general help services as opposed to specialist services, by Hitslink and Leicester Money Advice Ltd.
- 5.15 However, respondents to the consultation appeared to assume that all specialist services to meet the need arising from the entry point would need to be provided at a local level. This ignores the significant developments taking place with the creation of national money advice phone services and CLS Direct<sup>24</sup> – which has recently started to offer specialist welfare benefits and debt advice over the telephone for people who are entitled to legal aid.
- 5.16 The role of the local entry point, therefore, is to act as a filter for referral to local face to face specialist services – referring out to national or

---

<sup>24</sup> The Legal Services Commission piloted the telephone provision of specialist legal services in 2003 and have now contracted with French & Co., a firm of solicitors in Nottingham to provide specialist welfare benefits services on a regional basis. The evaluation of the pilots is available from the Legal Services Commission website and was positive in demonstrating that they were accessed by all ethnic groups and provided a valuable service to users at reduced cost to the Commission.

regional phone based services those who would find telephone advice services appropriate.

- 5.17 Hitslink felt that the provision of a local call centre providing this type of service would duplicate existing telephone advice provision, however.

*The proposals are also effectively duplicating existing and forthcoming telephone advice services. For example, the Legal Services Commission will soon launch a national telephone advice service; JobCentre Plus will soon have the provision to call customers back to complete application forms over the telephone; the Disability Benefits Centre already operate a form filling service via telephone. Those people in a position to access telephone advice services already have services available to them. The proposal has identified the National Consumer Helpline to justify the decision to withdraw funding from the Consumer Advice Centre but has failed to mention other initiatives, which replicate those services it intends to deliver through a call centre.*

- 5.18 However, this ignores the findings of the MORI survey of legal advice services conducted in Leicester in 2001. That survey reported that residents had significant problems in identifying access routes to advice services. A local call centre, well advertised across the city, would take on the role of initial contact point, able to refer onto the services that Hitslink identify, or back to local specialist or general help services if the caller falls into a priority category if face to face advice is required.

- 5.19 The nature of the service to be provided by the Call Centre was also questioned by a number of respondents:

*Phone advice is a complex skill to master and the provision of advice depends on the technical ability of the person answering the call. An experienced specialist welfare rights adviser will often be able to answer more calls and provide quick and accurate advice in an easy to understand manner. [It is] imperative that skilled personnel are available to diagnose and follow up the problem<sup>25</sup>.*

*A call centre would require a large number of staff to be run successfully, and quality of advice would be crucial. No point in increasing the quantity of advice if this is not effective, so a specialist needs to be available at all times to give assistance with the diagnostic process and to ensure quality of advice<sup>26</sup>.*

- 5.20 Leicester Money Advice Ltd, proposed that a potential alternative therefore lay in the improved co-ordination of existing specialist advice lines.

---

<sup>25</sup> Benefits Support Team. The response from the Benefits Support Team did, however, accept that having a central phone number to call was potentially a good idea.

<sup>26</sup> LAWRA

- 5.21 The nature of the proposed service, however, is not to attempt to provide the detailed advice envisaged by these respondents. Rather, the call centre will take basic details and diagnose whether or not specialist advice is required. Where this is the case then a further decision will be taken as to whether this needs to be provided at a local level or whether regional or national services would be appropriate.
- 5.22 Where specialist advice is required and the caller falls into a category which is a priority – e.g. is in rent arrears, or is seeking to claim disability benefits – then this will either be provided by arranging for a specialist service provided by the Council to call back at a convenient time, or by arranging an appointment for face to face advice.
- 5.23 The advantage of this type of service lies in its ability to replace the existing specialist phone lines with a single point of initial contact, capable of assessing the clients needs and referring onto the most appropriate service. Where calls require only the provision of information materials, then the entry point will be able to mail these out to users itself. This will ensure that specialist workers deal only with specialist matters rather than staff phone lines which in many cases take calls that could be dealt with by the provision of information materials alone as is currently the case.
- 5.24 The Law Centre and Citizens Advice pointed out the importance of having a network of providers to which the entry point could refer in order for this system to work effectively. If this was absent then it risked providing only a partial answer to the user's problem, and would result in them returning to the service time and again in search of a solution:

*The lack of a strong and diverse advice sector in the city will be a major barrier to the success of the proposed phone advice service. To succeed, such a service must be able to provide onward routes for clients for whom the first call can only suffice as a diagnosis of their needs. Ideally, such a service would be supported by a team able to offer face to face advice or detailed telephone advice, perhaps via a call back system. Alternatively such a system could operate as an entry point for a number of advice providers but this presupposes that such a range of advice providers is in existence and accessible. Citizens Advice doubts that Leicester City will have such a range of advice providers. The result will be that a significant number of clients, while able to access the basic telephone advice service, do not have their needs met by it, nor are they effectively referred on to any agency that can meet their needs. This has been aptly referred to as the "ever revolving door" syndrome.<sup>27</sup>*

- 5.25 Again, however, the response presupposes that the only onward routes for advice are those available within the city itself, and account needs

---

<sup>27</sup> Citizens Advice, Midlands Region

to be taken of the availability of the national and regional services that have recently been developed.

5.26 To an extent, it will not be possible to assess the degree to which the proposed configuration of services is able to meet the needs of callers to the entry point until this service is operational. However, indications at the present time do not support the contention that the “onward routes” available will be inadequate. There are two factors that are important here. The first is the degree to which capacity at the specialist level already exists and will be expanded. Waiting times for specialist services do not indicate that there is currently a major lack of capacity. For example, the Council’s welfare and employment rights advice service is able to offer appointments with specialist caseworkers within one week of contact. Secondly, as caseworkers are released from dealing with telephone queries on non specialist matters, then they should have an increased amount of time available for casework and appointments. Taken together with increased use of regional and national specialist advice lines, we consider that the specialist resource should be able to cope with the likely demand arising from the entry point. If this does not prove to be the case, however, then it may be necessary to re-adjust the balance of resourcing at a later date.

5.27 The Leicester Advice Compact, however, rejected in principle this model of advice provision:

*Generalist telephone advisers, who will only respond to the one problem presented, will not carry out the diagnostic approach of the face to face interview. The review talks about the referral system to private solicitors or to national helplines. People want immediate answers and not to be pushed to other agencies which might not be able to help or which may not provide the level of service required.*

5.28 We do not accept that people are only satisfied if they obtain a full and immediate answer to the whole of their problem. Very few services are provided in this way and the current service configuration for advice does not provide this – with separate agencies providing different specialisms - and nor does it provide an instant face to face service. As detailed in , more often than not an initial call will result in an appointment being booked with a specialist adviser where this is appropriate. This model will remain in place, with the exception of directing all initial phone contact through a single entry point, in order to enable ease of advertising and awareness of how to contact advice services in the city.

5.29 LAWRA anticipated that the provision of a phone based entry point would simply overlay another level of bureaucracy to advice services:

*If the call centre is mainly a signposting organisation this means that people will be passed through two tiers of advice simply to have a form filled in and potentially another tier if the claim is refused.*

- 5.30 However, this misunderstands the nature of the service to be provided. Residents will still be able to access face to face advice services directly if they fall into the priority groups – e.g. are referred by Neighbourhood Housing Officers, Social workers, and G.P's, or are Refugees. They will also be able to use the services provided by Age Concern, SSAFA or Mosaic through direct access, or can self refer to the Healthy Income Project.
- 5.31 If they are unaware of those services, or do not meet the criteria then they will be able to contact the entry point which will assess the nature of their problem and refer to either phone based or local specialist services.
- 5.32 Leicester Law Centre and Citizens Advice also raised concerns regarding the likely costs of the service. Leicester Law Centre felt that the service could not be provided for £200,000 that had been proposed. In particular, it was felt that the set up costs could be significant and that these had not been considered.
- 5.33 Citizens Advice, however, felt that a service could be provided for £200,000 but that this would have limitations:

*The proposal draws on the information provided to the Council from Citizens Advice as to the anticipated costs of the service. The figures provided by Citizens Advice indicated a higher costs than the £200k allowed for by the proposal, but they accept that the service as described can be provided out the funds which will be made available. However there are limitations to the service. The costings were based on the assumption that 2 phone lines will be available for 7 hours per day, five days of the week, and 48 weeks per year. Assumptions included call time of 6 minutes and 4 minutes of writing up time. This would enable over 20,000 calls per year to be dealt with. Limitations on what can be achieved will arise as a result of both the time constraints and the nature of the contact and include - call time of 6 minutes will only be adequate when the enquiry can be dealt with either by providing information or signposting onto another agency. It is unlikely to be adequate if any other advice or assistance is needed. There are a number of general help requests that cannot adequately be dealt with on the phone, for example assistance with form filling and situations where the adviser needs to see documents; Some clients prefer not to use the phone - language barriers - it could be argued that the people in most need of advice are most likely to be faced with these obstacles. The complexity of operating modern, high technology phone lines can be a barrier, for example to the hard of hearing and the elderly.*

- 5.34 We have taken these limitations into account in the proposed model of the entry point and in the proposals to support face to face advice provision (for example, in relation to continuing support for Age Concern and Mosaic). However, there is a need to bring forward a

detailed paper setting out the proposal for Members and to engage with the Regional Legal Services Commission, and we propose to do so in September 2004.

### 5.35 **Debt Advice Services**

5.36 Leicester Money Advice Ltd, the Leicester Advice Compact and the Regional Legal Services Commission commented on the specific proposals relating to debt advice services. The Regional Legal Services Commission agreed that debt advice services should be viewed as a priority but questioned whether or not the proposal to remove the existing money advice helpline would result in Leicester Money Advice referring callers to the proposed phone entry point or to national services with the risk that clients would not get to the right point for advice.

5.37 As outlined above, this is not the intention of the phone entry point. Access to Leicester Money Advice Ltd will be available either by referral from other agencies according to the Community Legal Service referral protocols, or from services with whom Leicester Money Advice have close working relationships. Alternatively access can be obtained for clients with hearings in the local County Court via the duty scheme. The only other point of access will be via the entry point, which will initially make an assessment as to whether the local specialist service is needed or whether national or regional services would be appropriate. This includes for example, Consumer Credit Counselling Services which are particularly appropriate for clients who have some disposable income and have credit commitments as opposed to priority debts of mortgage or rent, utilities and Council tax. Where the local service is appropriate, then arrangements will be made for Leicester Money Advice to phone back or for an appointment to be made. We consider that this will ensure that time at Leicester Money Advice will be used more effectively as very basic enquiries, or callers who could use other services would be filtered out at an early stage.

5.38 The Leicester Advice Compact and Leicester Money Advice raised a specific concern that the system would allow the Council to filter out everyone but Council tenants:

*The reduction in funding to Leicester Money Advice and the proposed refocusing of their work to provide advice to Council tenants in order to increase rent revenue is tantamount to the Leicester City Council having its own debt department for rent arrears. Debt is a national problem in all areas; clients rarely present a single debt and generally need assistance in dealing with several different creditors. Under the proposals people with debt issues other than rent arrears and repossessions will be denied access to a local debt counsellor.*

5.39 However, this is not the intention behind the proposals, and no decision has been made as to who will provide the initial entry point. The

proposals indicate a withdrawal of funding amounting to £35,600 from Leicester Money Advice Ltd, this being the cost of a single full time equivalent and a reduction in funding following the end of salary protection for a council officer transferred to LMA Ltd when the Council outsourced its own Money Advice Services in 2002. However, the single full time equivalent post will be replaced by providing funding from the Housing Revenue Account. HRA funds can only be used to meet the needs of Council tenants and therefore a single full time post at Leicester Money Advice will be ring fenced to work with Council tenants referred to the service by Neighbourhood Housing Officers who have identified them as struggling to meet their rent payments due to other financial problems.

- 5.40 Finally in respect of debt advice services, the Regional Legal Services Commission asked for information relating to the levels of debt caused by delays in the processing of housing benefit payments by the Council itself. We do not currently have information relating to this, although the proposal to establish a rent arrears reduction project will provide further information on the role of Housing Benefit in this respect over the course of the year.

5.41 ***Directly Delivered Welfare Benefits Services***

- 5.42 In the February document, we stated that the proposal to centralise the majority of specialist welfare benefits advice provision in the Council had been informed following consideration of a number of factors. These included the performance information available to the Council at the time, and:

*... the need for the service to undertake work with the users of the Council's home care services, in order to raise income through charges; the demand internally for training on welfare benefits issues – particularly in the Social Care & Health and the Housing Departments; the prospect for informing take up campaigns through the use of Housing Benefit data; and the need for the service to provide written information for use in Council run libraries and other community venues.<sup>28</sup>*

The need for the Council to make these links had been identified in the internal responses to the stakeholder survey conducted in July 2003, and to the “Improving Advice Services” discussion document published in October 2003.

- 5.43 No respondents to the consultation commented on these factors, or challenged the view that these supported the proposal to centralise welfare benefits services within the Council.

---

<sup>28</sup> Para 2.66, Supporting Information – Advice Services Priorities and Proposals.

5.44 Comments were restricted in the main to the proposal to shift resources away from specialist services and into general help and general help with casework, and with reference to the performance information published by the Council.

5.45 The Law Centre submitted that because it had challenged the performance information in the report, that this constituted a sufficient reason for the proposal to concentrate specialist welfare benefits services in the Council to be ruled as unreasonable:

*... in order to counter the claim that our work achieves less (in quantifiable terms) for our clients than does the work of WERAS staff, we have calculated gains, whether actual or potential, from all our casework and initial advice and this data is presented at appendix 1. We believe that these figures constitute a challenge to the reasonableness of the proposal to transfer funding for these categories of work to in-house services.*

5.46 However, this ignores the other factors listed in para 5.42 above, on which no representations were received. Equally, LAWRA's response that "*many of the decisions appear to have been made simply on the basis of the amount of money raised*" is an inaccurate assessment of the factors taken into account by the Council in issuing its proposals in this respect. During the review process we have been looking to establish whether or not there was a performance case for outsourcing advice services. Although at the time of the publication of the initial proposals in February 2004, the performance information indicated that Council services were outperforming those in the voluntary sector, the proposals document was clear that this was only one of a range of factors and was not the *determinative* factor.

#### 5.47 **General Help and Specialist Services**

5.48 The Benefits Support Team, Leicester Advice Compact and LAWRA all referred to the value of specialist advice services making reference to the poor quality of decision making by the DWP as creating a demand for services that could not be addressed by General Help services:

*National Audit office found that 38% of decisions made on IS claims were incorrect and 45% on DLA/AA. However well claims are completed by first tier workers if the DWP can't assess them properly then more people will not receive their correct entitlement<sup>29</sup>.*

5.49 LAWRA went onto remark that any growth in provision at the General Help level would inevitably increase the numbers of claims and therefore have a commensurate increase in the numbers of refusals creating additional demand for specialist services. Cuts in provision at the specialist level would mean that people refused benefit would have

---

<sup>29</sup> LAWRA



nowhere to go to access representation and casework services in this scenario.

*More general help services targeted at hard to reach groups is certainly a good idea. However, increasing general help services to simply form fill in community centres or GP practices at the cost of reducing specialist services is unacceptable. There is no explanation in the report of what will happen to people who have claims refused or receive incorrect awards. Increasing form-filling services will inevitably increase the demand for specialist services yet the report is silent on how future services will address this.*

5.50 However, this again assumes that the only casework services available are at the local level, and ignores the potential impact of the entry point in freeing up specialist caseworkers from having to deal with information requests and basic enquiries.

5.51 The proposals document was also clear that the performance of agencies operating at the General Help/ General Help with Casework levels was significantly greater than that delivered by specialist advice agencies and the final year's figures indicate that in excess of £2 million has been raised by General Help services as compared to just over £1 million through specialist advice provision.

5.52 A number of advice services made a case that specialist agencies, do however, also provide services at the General Help levels and that if this work had been taken into account the relative performance figures would have revealed different results:

*A large proportion of work undertaken by Hitslink is level one advice , enquiries, and claim based work. We asked the Council whether or not we should record outputs for this type of work and were told that it was not necessary but may prove useful. Given the sheer volume of work we were unable to undertake any additional monitoring work where there was no contractual obligation to do so. However outputs for claim based services were included in the report, and our work in this area has been ignored, implying that our service is less cost effective than other services. We are confident that if we had recorded outputs for claim based services and enquiries, our performance would compare very favourably to in-house services.*

5.53 This illustrates the problem of funding specialist services without having adequate provision of General Help services in place, however, as it results in specialist resources dealing with enquiries that could be dealt with by General Help services operating under supervision of specialists. The Legal Services Commission's Regional Report for 2003 specifically refers to this as an inefficient use of the specialist resource (see main report, para 1.21, Supporting information)

5.54 With reference to the performance information that was contained for specialist advice services in the original proposals document, a number of agencies referred to the failure to compare like with like<sup>30</sup> and with problems of accounting for outcomes from casework that had been funded in part by the Council and in part by the Legal Services Commission.

*The work carried out by the Law Centre for eligible clients is not included in the statistical data presented within the report... the work done relies upon the receipt of core funding and the outcomes achieved through this work benefit the city no less than work carried out under the terms of the contract with Leicester City Council. Thus, the exclusion of these cases and the outcomes achieved through them from the data leads to unjust and inequitable comparisons of performance. For example, we note that the calculations of closed cases and income raised per f.t.e. caseworker for welfare benefits work is based upon only the work for ineligible clients carried out by staff within voluntary sector agencies whereas all work is included in the calculations for WERAS caseworkers.<sup>31</sup>*

5.55 The Law Centre provided additional information with respect to the outcomes from commission funded casework and concluded that performance was better than that for the directly delivered welfare benefits services. The details of the Law Centre's comparison are available in the main report at paras 1.81 to 1.83, Supporting Information.

5.56 We are also now in a position to consider the outcomes for specialist services for the full financial year for 2003/04 as opposed to just the first three quarters of the year which was available to the Council at the time of publishing its proposals in February 2004. The data reveals that there has been increased performance in the final quarter amongst voluntary sector agencies and is provided in the table below:

Agency	Closed cases	Per fte	£ raised	£ raised per fte	Average £ per case
Hitslink	84	42	247,645	123,822	2,948.15
WERAS	151	43	370,678	105,908	2,454.82
Saffron <sup>32</sup>	54	67.5 <sup>33</sup>	82,744	103,430	1,532.29
Law Centre*	135	43	216550	113,377	1,604.07
Age Concern	61	61	65,682	65,682	1,076.75

<sup>30</sup> References were made to different relative stresses placed by organisations on services other than casework including training and policy work. This is undoubtedly true and difficult to assess at this time. Hitslink also made inaccurate comments concerning the nature of the service provided by the Council's in-house team stating that the majority of its casework came from referrals from other organisations that had already conducted most of the work up to the point of Tribunal representation. In fact this happens in only a limited number of cases – most work being picked up from the advice line and by self referral by clients who have just been refused benefits.

<sup>31</sup> Leicester Law Centre

<sup>32</sup> The initial consultation document incorrectly identified Saffron as having a full time advice worker.

<sup>33</sup> Provision at Saffron is 0.8 of a full time post.

*The Law Centre's figures include 53 cases which were funded by the Legal Services Commission but which required representation at Tribunal, which current commission funding rules do not pay for. This skews the results, as in effect these 53 cases have been conducted by the whole of the 3.5 fte benefits team at the Law Centre and not the 1.91 fte's funded by the Council. In order to allow for this effect and to draw an effective comparison of performance per fte, the outcomes of these cases would need to be divided by 3.5 and added to those of the cases conducted under the Council contract. We have undertaken this assessment as follows:*

*Law Centre gains reported in total = £216,550, of which £124,500 gained for non eligible (Council contract) clients and £92,050 gained for eligible (LSC contract) clients but needing representation at Tribunal.*

*£124,500/ 1.91 = £65,183 per fte*

*£92,050/ 3.5 = £26,300 per fte*

*Total per fte = £91,483*

*Such an exercise would therefore indicate that the performance of the Law Centre would be below that of the in-house service on a per fte basis.*

- 5.57 The above exercise reveals some of the complexities involved in assessing the performance of advice agencies in this area, and we accept that the performance information cannot be relied upon as the only criteria on which to make funding decisions.
- 5.58 However, the general impression obtained from the performance information suggests that a reasonable benchmark per specialist fte would be £100,000 per year and that performance above or below this level is not determined by whether or not the service is provided directly or in the voluntary sector. As a result, there appears to be no performance basis on which to either outsource services or deliver in-house.
- 5.59 In these circumstances other strategic considerations become more important. In particular, the factors listed in para 5.42, above. To be weighed against these, however, is the importance to be attached to providing independent advice services.

## **6 Independence**

- 6.1 The importance of the principle of independent advice to voluntary sector agencies cannot be overestimated. Citizens Advice's comments were typical of those received from most voluntary sector respondents:

*One of the underlying themes of the proposals is that a number of activities currently carried out by community and voluntary organisations could be better carried out in house by the City Council. This applies, for example, to welfare benefits advice and employment advice. The paper leaves open the question of whether or not the proposed telephone advice service should be run in house or put out to tender. Citizens Advice accepts that there could be benefits to clients in the direct provision of certain advice services by the City Council. But clients should have alternative sources of advice open to them. The Council will not be an acceptable adviser for all clients. An obvious example is where the client has a problem with a service provided by the City Council. Further, in-house provision, for example the provision of welfare benefits advice to those using social services, may well be constrained by the need to meet targets which are not entirely focused on the needs of the individual. An example of this would be a target for increasing payments made by clients for the social services that they receive.*

- 6.2 The need for alternative, independent, sources of advice provision is accepted by the Council. As the comments in the legal implications of the main report make clear, those services provided directly by the Council can never be truly independent. However, acceptance of this does not make it a priority for Council funding, particularly in the light of the Legal Services Commission role in funding specialist services that are truly independent of the Council.
- 6.3 Nevertheless, we should also be clear that the services provided by the Council do meet the specialist quality mark requirements of the Legal Services Commission and that potential conflicts of interest arising between Council provided advice services, and for example the Council's as an administrator of Housing Benefits, are capable of being managed. In house services in both Social Care & Health and Regeneration & Culture Departments regularly challenge housing benefit decisions and provide representation to Tribunal level on these matters.
- 6.4 Taking into account the role of the Commission in funding independent advice services, the lack of a specific statutory obligation for the Council in this respect, and the need to focus resources on services that can best meet the Council's corporate priorities as laid out in the Corporate Plan, we do not consider that the funding of truly independent advice services should be a priority for the Council at this time.

## **7. *Impact Assessment***

- 7.1 Responses to the consultation indicated that the impact assessment was inadequately detailed and that further information regarding how possible detriments to BME and elderly communities would be offset was required.

- 7.2 An equalities impact assessment has now been conducted and is provided as a separate appendix to this report.
- 7.3 ***Mystery Shopping Report & Customer Satisfaction***
- 7.4 Respondents expressed some concern regarding the use of the mystery shopping results to inform the proposals. In particular, reference was made to the fact that some of the proposals did not appear to be consistent with the findings of the consultants. For example, reference was made by Age Concern to the high value placed by mystery shoppers on the services provided by them and felt that this ran contrary to the proposal to withdraw funding. Leicester Law Centre felt that the exercise had not been conducted objectively as it specifically tested whether or not agencies were referring cases to the Highfields Minimum Wage Project (delivered by the Council).
- 7.5 A separate report detailing the process taken in the commissioning of the Mystery Shopping exercise has been drawn up and this has been made available to a previous Strategic Planning & Regeneration Scrutiny Committee. In that report we make it clear that the intention of the exercise is not to inform decisions concerning individual agencies but instead to look at how services operate together, and specifically to examine whether improvements can be made to ensure that people know where to go for advice, and receive a consistent quality of service across a range of agencies. The process resulted in a number of recommendations being made from the consultants and these were agreed between the City Council and the advice agencies subject to this review.
- 7.6 Leicester Money Advice Limited commented that there was an absence of information concerning satisfaction levels of users, and that this was “conspicuous by its absence.” However, the absence of the information was due to the fact that voluntary sector agencies were required under contract to report on an annual basis, and as at the time of issuing proposals in February, this information was not available to the Council except for in respect of Leicester Law Centre and the Council’s own services.
- 7.7 We have now been able to assess the data relating to the customer satisfaction of services but this, without exception, reveals high satisfaction rates (95% plus) for all advice services. It does not provide evidence either for or against the allocation of resources to any one service, or type of service.

Damon Gibbons  
Head of Advice Services  
25<sup>th</sup> June 2004

### ***List of Respondents***

Forum for Older People  
Bangladesh Youth & Cultural Shomiti  
Benefits Support Team, Social Care & Health Department  
Leicester Advice Compact (comprising Law Centre, Money Advice Ltd, Hitslink, Bangladesh Youth & Cultural Shomiti, Leicester Lesbian Gay and Bisexual Centre, Highfields Youth and Community Centre, Age Concern, Saffron Resource Centre)  
Advice Services Development Officer, Regeneration & Culture Department  
Hitslink Management Co-operative  
Shelter Housing Aid and Research Project (SHARP)  
Citizens Advice, Midlands Region  
Age Concern Leicester  
East Midlands Regional Legal Services Commission  
Leicester City West NHS Primary Care Trust  
Leicester Money Advice Ltd  
Freer Bouskell Solicitors  
Leicester Asylum Seeker and Refugee Voluntary Sector Forum  
Leicester Law Centre  
Saffron Resource Centre  
Leicester Association of Welfare Rights Advisers (LAWRA)