



DERBY CITY COUNCIL

COUNCIL CABINET
16 March 2010

Report of the Director of Corporate and Adult
Services

ITEM 11

Derby Community Legal Advice Centre Review and Funding 2010/11

SUMMARY

- 1.1 This report gives an update on the current demand and pressures being experienced by the Derby Community Legal Advice Centre CLAC who provide generalist and specialist community legal advice services within the city. It also sets out an evidenced case from the Derby CLAC with a view to Cabinet considering an increase in our Community Grants Budget investment into the Derby CLAC during 2010/11.

RECOMMENDATION

- 2.1 To note the actual and projected increase in demand for advice services in Derby and particularly the impact on the Derby CLAC.
- 2.2 To increase by £25,000 the grant to Derby CLAC in 2010/11 only for the provision of additional advice capacity through the appointments of an additional part-time Triage worker and a part-time Advice Session Supervisor.
- 2.3 To recommended that the additional new staff employed by Derby CLAC in 2010/11 are placed on a fixed term contract of one year.
- 2.4 To authorise officers to amend the existing contract targets and outcomes for 2010/11 as appropriate, to reflect the increased investment into the Derby CLAC during 2010/11.

REASON FOR RECOMMENDATIONS

- 3.1 On the 15 December 2009 Council Cabinet considered a report on the Demand for Community Legal Advice Services in the City. Council Cabinet requested that the situation at the CLAC be closely monitored and kept under review by officers, with a view to a further report being considered when appropriate. Derby CLAC have now provided officers with evidence of continued demands and pressures on the service. This report allows for decisions to be made to address this situation in a timely manner as recommended by Council Cabinet. A decision to further invest into the Derby CLAC will also alleviate any adverse effects on people seeking advice in 2010/11.

- 3.2 If agreed the appointment of two additional part-time staff will enable Derby CLAC to manage the forecast high demand into 2010/11. The current economic downturn has resulted in a greater demand for the service in most categories of legal advice at specialist level, and has seen a large unprecedented increase in demand at the generalist level. The Council is the sole funder of the generalist service but we also contribute to funding in three specialist categories of law, namely Employment, Debt and Housing, all of which are demonstrating increases in demand in 2009/10 and forecasting further increases in demand in 2010/11.
- 3.3 The CLAC have a contract target of securing appointments for clients within 10 working days, which in all categories of law they have and continue to achieve. However, in recent weeks waiting times in a number of categories are now on the 10 day maximum limit. Derby CLAC continues to provide appointments on the same day for emergency cases.
- 3.4 The Derby CLAC has a number of management measures in place to deal with peaks and troughs in demand, main peaks in demand being usually in July, October and March. However with this unprecedented and continued rise in demand for advice services year on year, these are all but exhausted. The predicted increase in demand for generalist services over the contract target for 2009/10 is almost 30%. The organisation is stating that it cannot be expected to continue operating at this level of demand without an increase in resource.

SUPPORTING INFORMATION

- 4.1 The Derby CLAC serves all areas of the city but the following seven wards are considered as priority: Arboretum, Normanton, Derwent, Chaddesden, Alvaston, Sinfen and Mackworth. The Derby CLAC has a contract target of 50% of clients who must be from a priority ward for both specialist and generalist advice. For the first 22 months of the contract the Derby CLAC have reported that 61.6% of their clients receiving a specialist service are from a priority ward and for the generalist service 54.5% are from a priority ward.
- 4.2 The services offered by the Derby CLAC are used by some of the city's most disadvantaged communities, including people who are unemployed, have a long-term illness or disability, young, old, asylum seekers and refugees, black and minority ethnic and victims of violence. The Derby CLAC has a contract target of 50% of clients must be from a priority group listed above, for both specialist and generalist advice. For the first 22 months of the contract the Derby CLAC have reported that 89.8% of their clients receiving a specialist service are from a priority group and for the generalist service 80.2% are from a priority group.
- 4.3 The Derby CLAC began providing advice services to local people on 1 April 2008. They are monitored monthly on targets and outcomes jointly, by the Council and the Legal Services Commission. The contract target for the generalist service in each year between 2008 and 2011 is 7,000 clients per year, the actual amount of clients seen by the CLAC in 2008/09 was 7,612. The number of clients seen pre-CLAC in 2007/08 was 3,836 – this being the number of clients recorded as receiving a generalist service from the then Citizens Advice Bureau.

Based on actual figures for the first 10 months of the generalist service in year two 2009/10, the CLAC confidently and robustly predict the number of clients seen by

the year end will be 9,040 clients. This is against a contract target figure for the year of 7,000 and which constitutes an increase in clients of almost 19% from 2008/09 to 2009/10 and 29.1% higher than contract target.

Generalist Advice Statistics

Measure/ Year	2008/9	2009/10	2010/11
Actual Advice Cases Annual	7612	9040*	9100*
Average Monthly Cases (Target)	634 (583)	753* (583)	758* (583)
Contract Target Annual	7000	7000	7000
Variation from Target Cases (%)	612 (8.7%)	2040 (29.1%)	2100 (30%)

* Forecast based upon 10 month of actual data in 2009/10.

The current level of demand is predicted to be sustained throughout 2010/11. The target for the contract was set in 2006/7 in the run up to the tender award based upon statistics from the previous providers of advice services. However, the economic downturn has had a significant impact on the level of activity being experienced in the advice system.

- 4.4 The increase in demand for general advice services from the Derby CLAC is also mirrored in the predictions for its specialist services. Using the actual figures for the first 10 months of the service, increases in demand are again robustly predicted for the categories of law listed below. Debt and welfare benefits areas of law are predicting a huge increase in demand between 2008/09 to 2009/10. Based on the actual figures achieved in 2008/09 the following shows the predicted percentage increase in demand for the service in 2009/10:

- Debt 52%
- Welfare benefits 37%
- Family 28%
- Housing 16%
- Employment 5%

Using the factual data gathered since the launch of the Derby CLAC and factoring in the current and predicted future economic climate, we predict a minimum of sustained demand at current levels during 2010/11.

- 4.5 Clients using the Derby CLAC now have an average of 2 ½ issues each requiring advice, this being an increase on the situation only two years ago. This increase in the number of issues each individual presents themselves with has obviously attributed to increased pressure on Derby CLAC's staff and volunteers.
- 4.6 Derby Advice, our in-house advice service, continues to see large increases in the numbers of welfare benefits and debt enquiries with no indication that this demand will decrease in the near future. Derby Advice in recent months, due to saturation point in demand, has had to rely on the Derby CLAC taking a number of their debt clients. The help given by Derby CLAC has been invaluable and was approved by the CLAC Liaison Board who recognised the additional pressure put on the Derby CLAC as a consequence.

OTHER OPTIONS CONSIDERED

5. If Derbyshire Access2Law's Board decided Derby CLAC should only work to the targets set out in the contract, we would effectively see a large number of people seeking generalist advice and in some cases specialist advice, whose needs would not be met.

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Background papers: CLAC monthly monitoring statistics.

List of appendices: Appendix 1 - Implications

IMPLICATIONS

Financial

- 1.1 The advice services provided by Derbyshire Access2Law through the Derby CLAC are part funded from the Community Grants Budget, by £317,750 exclusive of VAT, in 2009/10. An increase in the contract funding of £25,000 in 2010/11 can be met within the grant funding budgets for Corporate and Adult Services.
- 1.2 Payment of any approved contract funding will be subject to compliance with the existing and appropriately amended Community Legal Advice Centre contract.

Legal

- 2.1 Powers to provide existing and any newly approved funding are granted under Section 2 of the Local Government Act 2000. This gives the Council a general power to promote the social, economic and environmental well-being of it's area.
- 2.2 The organisation is already fully signed up to the CLAC contract 2008 -2011, but will be further required to sign up to any amendments to the contract arising from any increase in investment into the organisation's services in 2010/11.

Personnel

3. There are no personnel implications for the Council. However, Derbyshire Access2Law will be required to employ the two new part-time staff on a 12 month fixed term contract. There may be some personnel issues for the Derby CLAC as the employment of an additional Triage worker and an Advice Session Supervisor is expected to sustain the number of clients seen by the advice service.

Equalities impact

4. The advice services offered by the Derby CLAC support all communities, in particular people from minority ethnic communities, unemployed people, older people, younger people, asylum seekers, people with long term illness or disability and people living in priority areas.

Corporate objectives and priorities for change

5. The actions of this report accord with the Council's objectives of promoting strong and positive communities and protecting and supporting people. It also links to the priority of giving you excellent services and value for money.