



Adam Griffith, policy officer at the Advice Services Alliance (ASA), considers the specifications published for Community Legal Advice Networks (CLANs).

Community Legal Advice Networks: can they work?

Introduction

First proposed in the Legal Services Commission's (LSC's) draft strategy for the Community Legal Service in July 2005, CLANs have been slow to get off the drawing board.¹ However, things may be about to change.

The story so far

The first proposed CLAN, in Cornwall, had a very public launch at the Eden Project in March 2007. A draft specification, published in January 2008, lacked some key information, such as the proposed spend by the local authority. In April 2008, Cornwall County Council announced that it was withdrawing from the venture, highlighting 'the threat service providers felt they would be under should they be exposed to an open tender process at this time' and the 'potential jeopardy' to 'the sustainability of many vital advice services in Cornwall'.² (See also May 2008 *Legal Action* 4.)

The second CLAN to be proposed was in Cardiff, Vale of Glamorgan and Bridgend ('Cardiff'). A draft specification was published in August 2008, followed by a revised specification in November 2008.³ In March 2009, however, the Welsh Assembly Government, citing increasing concerns about the threat to third sector organisations, announced a feasibility study to establish if there could be an alternative model, thus ruling out any joint commissioning of CLANs in Wales in April 2010.⁴

Three further CLAN proposals were put forward in late 2008, with draft specifications being issued in Gloucestershire (September), East Riding (November) and West Sussex

(December).⁵ The councils concerned have been considering the responses received, and there are indications that tender documents will be issued in one or more of these areas in the near future. So, what is being proposed?

The specifications

The specifications vary considerably (see box) in terms of:

- the amounts being provided by the local authorities and the LSC;
- the total funding per head of population;
- the services required;
- the service delivery mechanisms required; and
- the targets proposed.

Funding

The proposed LSC funding is arguably the least contentious part of the proposals. By comparison to the LSC's spending on social welfare law in 2006–07, the LSC proposed spend is similar in Cardiff, approximately 30 per cent more in Gloucestershire, almost double in West Sussex and nearly ten times more in East Riding.⁶

The proposed local authority funding varies considerably between the areas concerned, representing £1.91 per head of population per year in Gloucestershire, £1.26 in West Sussex, £1.20 in Cardiff, and £0.50 in East Riding. Since the local authorities fund all the work in the CLANs except for specialist work for eligible clients funded by the LSC, it is their funding and the services that they require that are crucial to the CLANs' prospects of success.

Services required

Each specification sets out the 'services to be delivered', the number rising from eight or nine in the first two draft specifications to 14 or 15 in the later ones. The specifications require a mixture of triage services, general advice, specialist advice, duty possession schemes, social policy work and other services. The key factors are the service delivery mechanisms proposed, the targets set and the other services required.

Service delivery

All the specifications require services to be available at a number of permanent locations during normal office hours, five days a week, plus one evening and/or Saturday morning. Three permanent locations are required in Cardiff and East Riding, six in Gloucestershire and seven in West Sussex. The services to be provided at these locations are described as 'diagnostic/triage advice' in Gloucestershire, 'triage, generalist and specialist help' in East Riding, 'all of the types of advice in all of the categories provided' in Cardiff, and 'integrated general help and specialist advice' in West Sussex.

All the specifications require outreach services to be provided elsewhere, with varying degrees of specificity. Cardiff also requires 'subsidiary outlets' in three local authority areas, open at least three hours a day from Monday to Friday.

The draft specifications in Gloucestershire, East Riding and West Sussex also require the CLAN to provide a telephone advice service that is available to the public for between 42.5 and 45.5 hours a week.

The Cardiff and Gloucestershire CLANs

are required to run county court possession schemes at two courts, on three separate days. The West Sussex CLAN is required to run such schemes at five county courts (one of which is funded by the LSC).

The targets

The targets for LSC-funded casework appear to be based on the national fixed fees, with adjustments in respect of exceptional cases (which are not claimed separately) and disbursements. The exception is Cardiff, where the revised specification raises the number of cases required for the same funding, reducing the fee per case by 16 per cent on average, and in some cases to below the national fixed fee.

The targets for general advice are generally set by working backwards from an assumed average cost, of £35 in Gloucestershire, £30 in East Riding and £19 in Cardiff. Figures of £30–35 are similar to those used in some of the Community Legal Advice Centres (CLACs).⁷ No explanation is given for the £19 figure in Cardiff. In West Sussex, the CLAN is expected to provide triage and general legal advice to 80,000 clients in the first year, 115,000 in the second year and 150,000 in the third year. This works out at approximately £7 per case, given the funding available.

Other services required

In Cardiff, Gloucestershire and West Sussex, the CLAN is required to maximise income for clients (by take-up campaigns and other means) and to play an active role in local strategic forums. All the CLANs are required to provide internal and/or external training. In Gloucestershire this includes a requirement to provide an external expert advisory and training service, with specified targets for external training and second-tier support.

All the CLANs are required to respond to local emergencies or newly emerging areas of need. In East Riding and West Sussex this is extended to include a requirement to provide a responsive service and feedback in local emergency situations such as flooding.

All the CLANs are required to train and use volunteers. In Cardiff, Gloucestershire and West Sussex the network is required to be a 'centre of excellence', and recruit volunteers from all sections of the community, with targets set for the number of new volunteers to be recruited and trained in year one (50 in Cardiff and 100 in the other two networks), and a

CLAN proposals at a glance

Cardiff, Vale of Glamorgan and Bridgend

- Proposed spend: £1,833,323 pa
- LA and WAG 38%; LSC 62%
- Spend per head of population: £3.20 pa
- 3 permanent locations
- 3 subsidiary outlets open daily
- General advice costed at £19 each

Gloucestershire

- Proposed spend: £1,617,322 pa*
- LA 54%; LSC 46%
- Spend per head of population: £3.56 pa
- 6 permanent locations
- Telephone advice 45.5 hours per week
- General advice costed at £35 each

East Riding

- Proposed spend: £576,863 pa
- LA 29%; LSC 71%
- Spend per head of population: £1.74 pa
- 3 permanent locations
- Access points in 4/5 areas
- Telephone advice c45 hours per week
- General advice costed at £30 each

West Sussex

- Proposed spend: £1,849,118 pa
- LA 52%; LSC 48%
- Spend per head of population: £2.39 pa
- 7 permanent locations
- Telephone advice 42.5 hours per week
- General advice costed at c£7 each

Note: LA = local authority; and
WAG = Welsh Assembly Government

* The local authority figures in Gloucestershire are described as 'indicative' and are widely expected to be reduced if the proposals proceed to tender.

requirement that ten per cent of the new volunteers should be speakers of other community languages.

Matching the funding to the services required

It is hard to see how the funding relates to the services required in many respects. Even if you ignore the requirements for outreach, the amount of funding for general advice works out at about £49,000 a year for each permanent outlet in East Riding, £108,000 a year in Gloucestershire and £117,000 a year in West Sussex. The equivalent figure is higher in Cardiff at £193,000 a year, but Cardiff is also required to have at least three subsidiary outlets that are open every day.

We do not know if general advice can be provided to a reasonable standard at a cost of £30–35 each. The Legal Services Research Centre research into CLACs may provide some useful evidence on this, although the cost in one central location may not be comparable with the cost at several different locations. Whether good general advice can be provided at a cost of £19 each is doubtful. The idea that it can

be provided at a cost of £7 each is incomprehensible.

Requiring the CLANs to provide specialist services at all their permanent locations all of the time, as seems to be required in some of the specifications, is quite impracticable. The funding available, which is almost entirely from the LSC, is just not sufficient for this. Only in Cardiff could the LSC funding, on the writer's calculations (assuming £60,000 per worker, including administrative support), support one or more full-time workers per permanent location in any category of law, and then only in benefits, debt and housing. In employment and community care the CLANs will be lucky if they can employ one worker to cover the whole network.

Conclusion

In the writer's opinion, the CLAN specifications are asking for too much, given the funding available. Considering the basic overheads of running a permanent location, with even a minimum of paid workers to manage and supervise volunteers, it is hard to see how anyone could deliver to the specifications as currently drafted. The idea of a network of complementary services seems to have been largely replaced by the idea of a collection of mini CLACs to satisfy the requirements of each local authority concerned.

- 1 *Making legal rights a reality*, LSC, July 2005.
- 2 Cornwall County Council, *Statement on the Community Legal Advice Network*, available at: <http://old.cornwall.gov.uk/media.cfm?mediaid=39445>.
- 3 Available at: www.legalservices.gov.uk/aboutus/our_regional_network/wales.asp#Cardiff_Vale_of_Glamorgan_and_Bridgend_Community_Legal_Advice_Network.
- 4 Statement by Welsh Assembly Government, 9 March 2009. See also: [www.legalservices.gov.uk/UpdateLettreFeasibilityStudyAdviceServicesMarch2009BILIN.\(1\).pdf](http://www.legalservices.gov.uk/UpdateLettreFeasibilityStudyAdviceServicesMarch2009BILIN.(1).pdf).
- 5 Available at: www.stroud.gov.uk/info/Gloucestershire_CLAN_draft_service.pdf, <http://easysite.eastriding.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=43247> and www.westsussex.gov.uk/ccm/cms-service/stream/asset/?asset_id=3330756 respectively.
- 6 The last year for which comparable figures are currently available – figures provided by the LSC to ASA.
- 7 See Adam Griffith, *CLACs – are they worth it?*, May 2008, pp22–23, available at: www.asauk.org.uk/fileLibrary/pdf/CLACs_are_they_worth_it.pdf.