

Case Lengths Under NfP Contracts

1 Introduction

- 1.1 This report provides essential information for managers, supervisors and caseworkers in LSC-contracted NfP (Not-for-Profit) agencies.
- 1.2 It analyses information about 117,424 LSC contract cases closed by NfP agencies during 2004-5. In particular, it provides important information about average case lengths, and the factors that are linked to variations in case lengths.
- 1.3 We attach as annexes to this paper individual reports setting out findings in relation to the separate categories of welfare benefits, debt, housing and employment. A fifth annexe compares some of the findings across the four categories.

2 Why case lengths are important

- 2.1 It is clear that agencies now need to pay attention to the number of cases they start and complete under their contracts. This involves looking at their average case times.
- 2.2 The LSC has recently suggested that NfP agencies should start 220-275 cases per year for each 1100 hours covered by their contract. This suggests that agencies should have average case lengths of 4 to 5 hours. Agencies that have contracted to do additional work under the LSC's PSA6 delivery package have already been set targets for the numbers of clients to be helped.
- 2.3 ASA has already expressed concerns about the LSC's proposals to emphasise case numbers. They take no account of the differences in average case times between the different categories of law, or differences linked to other factors, such as the type of case, the type of client, the extent of work carried out, the outcomes achieved for clients, or regional variations.
- 2.4 Nevertheless, it is vital that agencies look at their average case times and
 - How their average case times compare with the averages in their region
 - The types of cases they are doing
 - The types of clients they are helping
 - How much they are doing for clients
 - The results they are achieving
- 2.5 We hope that the analysis set out below, and in the annexes to this report, will assist agencies in this task.

3 Information on NfP case lengths

- 3.1 In late 2005, the LSC provided ASA with anonymised details of all the cases completed under NfP contracts in 2004-05 in the categories of welfare benefits (46,692 cases), debt (39,374 cases), housing (27,066 cases) and employment (4,292 cases).

- 3.2 The details provided are those recorded by agencies when reporting cases as closed on the CMRF form, using the SPAN coding framework.¹ The information and analysis which follows is therefore entirely dependent on the details provided on those forms.
- 3.3 The national averages are as follows:
- Benefits: 278 minutes [4 hours and 38 minutes]
 - Debt: 312 minutes [5 hours, 12 minutes]
 - Housing: 232 minutes [3 hours, 52 minutes]
 - Employment: 446 minutes [7 hours, 26 minutes]
- 3.4 We are extremely grateful to Peter Watson of Citizens Advice for much of the analysis on which this report is based. This has enabled us to relate the average length of cases in each category to:
- The LSC region in which the case was carried out
 - The type of case as recorded in the SPAN system as ‘Matter Type Part 1’, and ‘Matter Type Part 2’²
 - The client’s gender, ethnicity and disability status
 - The end point codes recorded.³
- 3.5 The relationships revealed by our analysis are only suggestive however. We cannot prove that cases of a particular type take longer than average because they are cases of that particular type, although this seems logical in many instances. Each individual case has a number of characteristics, which may be related to the length of the case. We cannot disentangle the influence of these different characteristics. This would require detailed statistical analysis, which we have not carried out.

4 Other factors: the "other side"

- 4.1 It is important to remember that there may also be factors not covered within the SPAN recording system that impact on case lengths.
- 4.2 One big unknown factor is the identity and behaviour of the ‘other side’ involved in a case, and the effect that this has on case lengths.
- 4.3 Within the housing category, for example, there are considerable regional variations in the average times of housing benefit cases. This may well reflect differences in the performance of the local authorities administering housing benefit in each region. Regions with above average case times for housing benefit also tend to have above average case times for housing arrears cases and vice versa. It may be that these variations are also linked to variations in the administration of housing benefit in the regions, but we have no way of establishing this.

¹ See the ‘Guidance for reporting work under general civil contracts: Controlled work – the SPAN system’ published by the LSC, available at:
http://www.legalservices.gov.uk/docs/forms/span_guidance_0406.pdf

² The Matter Type Part I is usually a general description of the type of case. The Matter Type Part II records further information such as the nature of the advice given (benefits), the client’s needs (debt) or the client’s circumstances (housing and employment).

³ The first endpoint indicates the result of the case. The second endpoint indicates whether the case involved wider public benefits. The third endpoint indicates the stage at which the case concluded.

- 4.4 There is clearly a great deal more work that needs to be done if we are to properly understand many of the variations revealed by our analysis.

5 The key findings

- 5.1 Our key findings are set out below, where we identify a number of respects in which there are noticeable differences between average case times in each of the four categories of law. Many of these are expressed in terms of the amount by which cases with particular characteristics vary on average from the overall average case times within individual categories of law.

Regional variations

- 5.2 There are clear variations in average times between the regions in each category of law. For example, London has above average case times in all four categories, and has the highest average case times in all categories except debt. Brighton has above average case times in all four categories, although only marginally so in employment. Bristol has below average case times in all four categories. Other regions have a mix of below and above average times across the four categories of law.

Types of cases

- 5.3 There are some substantial differences in average case lengths depending on the type of case within each category of law.

In welfare benefits

- Cases take on average 74 minutes longer than the overall average if they involve a benefit challenge, 91 minutes less if they concern advice on entitlement and 72 minutes less if they are classed as 'other'
- Cases take on average 127 minutes longer if they involve an appeal, and 216 minutes longer if they involve an appeal to the Social Security Commissioners

In debt

- Cases take on average 34 minutes longer if they are concerned with multiple debts (as most of them do), and substantially less time than average if they involve single debts (ranging from 26 minutes less if they concern bank loans to 131 minutes less if they concern council tax)
- Cases take on average 63 minutes longer where the client needs to challenge as well as reschedule debts, and 63 minutes less than average if they only involve challenging debts

In housing

- Average case times vary less than they do in the other categories
- Cases take on average 30 minutes longer if they concern possession/arrears and 40 minutes longer if they concern disrepair

In employment

- Cases take on average 72 minutes longer if they concern unfair dismissal
- Cases take on average 309 minutes longer if they concern discrimination

- The other types of cases have average case times that are much shorter than the overall average (ranging from 48 minutes less in redundancy cases to 176 minutes less if they concern terms and conditions or are classed as 'other')

Types of clients

- 5.4 There are differences in average case times linked to the client's recorded ethnicity. The relationship between ethnicity and average case times varies between the different categories of law.
- 5.5 In general, cases for White British clients take slightly less time across all four categories. Above average case times are consistently shown for clients whose ethnic origin is shown as Other, White Irish, Black or Black British Caribbean, Mixed Other and White Other, although the number of cases is low in some categories.
- 5.6 Linked to these findings is a remarkable difference between London and all other regions in the ethnic profile of the clients of NfP agencies. This can be summarised as follows:

	London	London	London	London
	Housing	Employment	Debt	Benefits
White British	27.16%	24.88%	35.69%	25.57%
	Out of London	Out of London	Out of London	Out of London
	Housing	Employment	Debt	Benefits
White British	82.67%	81.89%	90.28%	79.72%

- 5.7 There is some relationship between disability and average case times in debt and housing and a strong relationship in employment cases.

Work done for clients

- 5.8 The relationship between average case times and the third end point code is as follows:

Code	Description	Benefits	Debt	Housing	Employment
A	First meeting	-185	-192	-152	-357
B	Further work	-77	-47	-71	-190
C	Putting case for client	+56	+36	+68	+80
D	Representation at court / tribunal	+260	+136	+99	+618

5.9 It is hardly surprising that cases take longer the more work is involved. These variations are important however, given the proportions of cases that are classed as ending at the different end points. Agencies which report higher than average proportions of cases ending at points C and D will have higher than average case times. The proportions of all cases in each category according to their third end point are set out in the table below.

Code	Description	Benefits	Debt	Housing	Employment
A	First meeting	15%	8%	14%	13%
B	Further work	34%	26%	30%	30%
C	Putting case for client	38%	60%	40%	46%
D	Representation at court / tribunal	13%	5%	15%	11%

Results achieved for clients

5.10 It is not surprising that it takes longer to achieve positive results for clients, but many of the relationships are noticeable.

5.11 In each of the four categories, cases that are recorded as achieving significant wider public benefits take much longer than the average. This varies between 90 minutes more than the average in benefits to 156 minutes more than the average in housing.

5.12 As far as the individual categories are concerned:

In welfare benefits

5.13 Cases take substantially longer than average if they are recorded as

- Resulting in a reduction of the sum owed to a third party (+145 minutes on average)
- Resulting in the client receiving a lump sum or property (+108 minutes on average)
- Resulting in third party action being prevented (+85 minutes on average)
- Resulting in the client receiving a new or increased regular payment (+62 minutes on average)
- Proceeding under other CLS funding (+52 minutes on average)

In debt

5.14 Cases take substantially longer than average if they are recorded as

- Resulting in the client receiving a new or increased regular payment (+121 minutes on average)
- Resulting in a reduction of the sum owed to a third party (+92 minutes on average)
- Resulting in an improvement to the client's credit references (+75 minutes on average)
- Resulting in a reduction of the client's liability to make regular payments (+62 minutes on average)
- Resulting in third party action being delayed (+56 minutes on average)
- Resulting in third party action being prevented (+50 minutes on average)

In housing

- 5.15 Cases take substantially longer than average if they are recorded as
- Resulting in the client receiving a lump sum or property (+147 minutes on average)
 - Resulting in a reduction of the sum owed to a third party (+139 minutes on average)
 - Proceeding under other CLS funding (+136 minutes on average)
 - Resulting in the client being housed, re-housed or retaining their home (+60 minutes on average)

In employment

- 5.16 Cases take substantially longer than average where they are recorded as
- Resulting in the client being referred (+237 minutes on average)
 - Resulting in the client receiving a lump sum or property (+233 minutes on average)