



Scottish National Standards for Information and Advice Providers - Summary Audit Report

Dundee North Law Centre

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1 INTRODUCTION AND AUDIT OUTCOME

The Dundee North Law Centre is a publicly-funded community-based law centre operating in Dundee. It is a company limited by guarantee and is a registered Scottish charity.

The remit of the service is:

- to provide free legal advice, assistance and representation to clients in targeted areas of deprivation in Dundee. As at the date of the audit ten such areas of Dundee were identified.
- the agency identifies the core of its work as concerning the prevention of eviction, including court representation in rent arrears cases. From this core, a number of allied issues are covered in the agency remit. These include: housing and council tax benefit claims, reviews and appeals; access to social rented housing, including vetting, waiting list and homeless applications; advice on housing rights generally; representation at all types of social security appeals; advice on income maximisation; Social Fund reviews and Tax Credit applications. Whilst quite clear that it is not a money advice agency, the agency does provide some advice on debt problems, though only where these meet its core remit of preventing eviction. The remit therefore covers court representation in eviction cases, advice on bankruptcy, consumer contracts and bank charges; advice on mortgage repossession, including representation in court to defend mortgage repossession claims.

1.1 AUDIT OUTCOME

The audit visit took place during 23 and 24 July 2009.

Following the audit visit, it was concluded that the advice service provided by the Dundee North Law Centre meets the requirements of the Scottish National Standards for Information and Advice Providers (the Standards).

Dundee North Law Centre is accredited to the Scottish National Standards for Information and Advice Providers until August 2013 in the topics and for the types of service shown below.

Areas of Housing Law accredited

AREA OF LAW/RANGE OF TYPES	Applied for	Accredited to
2.1 Rent Arrears	III	III
2.2 Mortgages/Secured Loans	III	III
2.3 Housing Benefit/Council Tax Benefit	III	III
2.4 Disrepair in Rented Housing	III	III
2.5 Housing Options		
2.6 Discrimination in Housing		
2.7 Eviction	III	III
2.8 Anti Social Behaviour		
2.9 Harassment and Illegal Eviction (includes race discrimination)	III	III
2.10 Homelessness		
2.11 Relationship Breakdown		
2.12 Rent: Private Sector	III	III
2.13 Security of Tenure	III	III
2.14 Statutory Tenancy rights	III	III
2.15 Repair and Improvement Grants		

Areas of Money and Welfare Benefits Law accredited

AREA OF LAW/RANGE OF TYPES	Applied for	Accredited to
4.1 Means-Tested Benefits	III	III
4.2 Housing Benefit and Council Tax Benefit	III	III
4.3 Tax Credits	III	III
4.4 The Social Fund	III	III
4.5 The Impact of Work on Benefits	III	III
4.6 Child Benefit and Guardian's Allowance	III	III
4.7 State Retirement Pension	III	III
4.8 Disability Living Allowance and Attendance Allowance	III	III

4.9 Benefits for People who are Incapable of Work	III	III
4.10 Benefits for Work-Related Illnesses and Disabilities	III	III
4.11 Benefits for Veterans	III	III
4.12 Carer's Allowance	III	III
4.13 Jobseeker's Allowance	III	III
4.14 Benefits for Maternity, Paternity and Adoption	III	III
4.15 Bereavements Benefit	III	III
4.16 Benefits for People in Public Care		
4.17 Benefits for Students	III	III
4.18 Benefits for People from Abroad and/or who are Subject to Immigration Control	III	III
4.19 Ancillary Benefits	III	III
4.20 Financial Statements		
4.21 Liability for Debts, Extortionate Credit, Unfair Contract Terms, Unenforceable Debts, Creditor Malpractice, Codes of Practice, etc	III	III
4.22 Identifying and Agreeing Options in Debt Cases		
4.23 Negotiating and Making Offers to Creditors		
4.24 Diligence, Diligence Stoppers and Court Proceedings	III	III
4.25 Bankruptcy and Sequestration, Voluntary Trust Deeds		
4.26 Recalls and Appeals against Court Decrees and Orders	III	III
4.27 Utility Debts		
4.28 Local and National Tax Debts		
4.29 Rent Arrears		
4.30 Mortgages and Secured Loans		
4.31 Civil and Criminal fines and other Financial Penalties		

4.32 Business Debts		
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2 AUDIT FINDINGS

2.1 STRENGTHS

The auditors were impressed with the enthusiasm and commitment on the part of all of the staff in the agency and the responsiveness of the agency to the needs of the community that it serves. The agency is situated in the heart of that community and is highly accessible to its customers. The agency manages a high caseload with positive outcomes.

Some of these strengths however have had a knock-on effect in creating particular sustainability issues for the agency. These are the subject of recommendations (below).

The agency is has excellent information resources to support it advice giving and meets the generic competences well. Overall its advice infrastructure is generally good.

2.2 AREAS FOR DEVELOPMENT AND RECOMMENDATIONS - Quality of Advice

a) Case recording and associated matters

Recommendation: The case recording system should be enhanced so as to enable the recording of:

- a narrative of all of the key actions in a case, including discussions with clients.
- evidence that any options presented to the client are contextualised to the client's particular circumstances and
- the choices made by the client. Recording should also demonstrate that these choices are fully-informed and that the clients are fully aware of the pros and cons and any elements of risk attaching thereunto.
- the case numbering system should be reviewed to as to enable the agency to both identify cases concerning particular areas of law and to give clients a unique reference.
- Other relevant recommendations in respect of case files are made in the following paragraph. (Standards: 4.4 - 4.6 inclusive)

b) Case checking and associated matters

Recommendation: The agency should review its policies on staff meetings, staff supervision and appraisals. A uniform robust paper trail (or electronic equivalent) system should be developed to evidence that cases are being checked regularly - both self-checking and peer/line manager reviews. (Standards: 5.2 - 5.4 inclusive)

c) Money advice

Recommendation: Where bankruptcy is explored with a client as a means of preventing eviction, a clear record of the discussion of the wider consequences should be included in the case record.

(Standards 4.3 & 5.7)

2.3 AREAS FOR DEVELOPMENT AND RECOMMENDATIONS - Processes

The process auditor endorses the list of areas for development and recommendations made by the quality of advice auditors (see above) and raises one further area for development.

3 POINTS FOR FUTURE AUDIT

The recommendations above cover all the areas a future audit should look at but the auditors would recommend particular attention be given to:

- Completeness of case records and recording of discussion of options with clients
- Improvements in the documentation of procedures.