

MANCHESTER
COMMUNITY LEGAL ADVICE SERVICES

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE LEGAL SERVICES COMMISSION

AND

MANCHESTER CITY COUNCIL

This memorandum of understanding is made between the Legal Services Commission ("the LSC") and Manchester City Council ("the Council") jointly referred to in this document as "the Funders".

The Legal Services Commission

The Legal Services Commission is responsible for legal aid in England and Wales. We work in partnership with solicitors, not-for-profit organisations and commercial providers to help people in need get the information, advice and legal help they need to deal with a wide range of legal problems. Our work is fundamental to social and legal justice. Our clients are often vulnerable and socially excluded people. Through the provision of information, advice and legal representation, we help around two million people each year get access to justice.

The Community Legal Service ("CLS") is our scheme for providing help on civil (i.e. non criminal) problems. It consists of a network of legal and advice funders and providers across government and the private and voluntary sectors. Through the CLS, people can access relevant, high quality information, advice and assistance to help with a wide range of civil matters including debt, tax credits and welfare benefits, housing, employment, community care and family law.

The LSC has published its strategy for the Community Legal Service setting out the way that it will procure services over the coming years, details can be found at:

http://www.legalservices.gov.uk/civil/innovations/strategy_for_cls.asp.

A key component of this strategy is setting up Community Legal Advice Services (i.e. Centres/Networks) jointly with local authorities to provide a holistic service to meet legal advice needs from diagnosis and information through to advice and assistance to legal representation in complex court proceedings.

A national body, the Legal Services Commission is represented at regional level with an office base and staff in Manchester.

The Council

The city of Manchester has made many advances over the last decade. Areas of the City which have suffered from acute economic and social deprivation have been transformed over this period whilst other areas have substantially improved future prospects. The city centre has been radically improved, and the range of attractions and facilities it offers to residents and visitors has been strengthened and expanded. Increasingly, people want to live in the

City, not simply work in or visit it. Manchester Airport, our Universities and our other major economic and cultural assets continue to develop. The Commonwealth Games has given a further stimulus to investment, development and to the prominence that Manchester enjoys as the regional capital of the North West.

But much remains to be done. Alongside our successes there are neighbourhoods which have acute levels of poverty and deprivation, low skills, poor educational attainment, high levels of ill-health and crime, and a poor physical environment. The challenge for Manchester, for the next decade and beyond, is to improve the quality of life of all Manchester residents, increase their social and economic prospects for the future, and enable them to participate fully in the life of the City. Manchester City Council is one of the largest funders of advice services in the country, and we recognise the key role that advice services can play in improving the lives of our residents.

Introduction to our Agreement

The LSC and the Council have agreed to collaborate on the provision of Community Legal Advice Services in Manchester through external providers. The services will provide accessible integrated services for the provision of general and specialist legal advice and legal representation. *These services will be marketed to serve the population of Manchester, exclusively.* The services will be publicly funded jointly by the funders but the advice provided by the services will be independent of funders and government.

Our Joint Aims

The Funders have joint aims to establish services which:

- Enable individuals to protect their fundamental rights and resolve legal disputes;
- Tackle disadvantage and promote social and financial inclusion;
- Deliver legal advice services to local communities in Manchester according to a clear understanding of local needs and ensuring that services continue to meet any identified needs and priorities;
- Provide quality assured integrated legal advice services ranging from basic information to representation in court, which offer value for money and are supported by co-ordinated funding;
- Provide advice which is independent of funders and government; and
- Provide seamless services which are focussed on local need to tackle complex, multiple problems at an early stage to avoid escalation.

We will work cooperatively in mutual trust and confidence to achieve these aims and to:

- achieve the best possible value for money; and
- ensure effective reviews of the services by working with each other and the Legal Services Research Centre (or other relevant organisation(s) working on their behalf).

The Project

In Manchester the Councils Executive Committee, on behalf of Manchester City Council and Hugh Barrett, Executive Director of Commissioning on behalf of the Legal Services Commission have all agreed in principle to taking forward a project to procure the services through Community Legal Advice Services.

The Model

There will be three contracts for services in Manchester. Each contract will cover two of the six districts of Manchester. Services will be delivered in each of Manchester's six districts. These are:

- 1. North East District and North West District** (covering the wards of Ancoats and Clayton, Bradford, City Centre, Miles Platting and Newton Heath, Charlestown, Cheetham, Crumpsall, Harpurhey, Higher Blackley, Moston)
- 2. Central West District and Central East District** (covering the wards of Chorlton, Fallowfield, Hulme, Moss Side, Rusholme, Whalley Range, Ardwick, Gorton South, Gorton North, Levenshulme, Longsight)
- 3. South District and Wythenshawe District** (covering the wards of Burnage, Chorlton Park, Didsbury East, Didsbury West, Old Moat, Withington, Baguley, Brooklands, Northenden, Sharston, Woodhouse Park).

Outreach services will be delivered, to be determined by local need.

Project Resource

It is proposed that the budget for this project be drawn from the LSC's Community Legal Service Fund and Manchester City Council's Council's Adult Social Care Budget.

The proposed fund available is:

- From the LSC¹: £1,500,000 for advice each year for an initial period of three years, together with public funding certificates where appropriate
- From the Council: £1,500,000 for advice each year for an initial period of three years

¹ Based upon indicative LSC funding for Manchester.

These figures include an allowance for family law but additional monies will be available for family work, to be contracted separately.

There will also be LSC funding available for the following

- 3 Solicitor Training Contracts, one for each of the three district contracts
- Housing Possession Court Duty Scheme (for the contract covering North East and North West Districts only)

We may change these figures from time to time but not to the detriment of the development of the services (i.e. make them untenable to deliver).

The total annual price for each of the three contracts will be at least £3 million over an initial period of three years. The exact value of each contract will be reflective of local need and agreed following completion of the local needs analysis.

Working Group

In addition to the above resource the LSC and Manchester City Council will also contribute resources to take forward the work up to the point of signing of the contract for the new services.

The funders have appointed the following individuals (this list may be subject to change) to a working group tasked with taking forward the project:

- *Fionnuala Stringer, Assistant Director, Strategy and Commissioning, Department of Adult Social Care*
- *Hazel Summers, Head of Commissioning, Department of Adult Social Care*
- *Mike Gorman, Lead Commissioner, Advice, Early Intervention and Prevention Services, Department of Adult Social Care*
- *Liz Treacy, Head of Legal Services, City Solicitors Department*
- *Ian Brown, Head of Corporate Procurement*
- *Keith Davies, Head of Homelessness, Department of Adult Social Care*
- *Neela Mody, Strategic Financial Inclusion Champion, Chief Executives Department*
- *Carolyn Schofield, Legal Services Commission Area Relationship Manager (North West)*
- *Paul Newall, Legal Services Commission, Head of Civil Policy*

The LSC and Manchester City Council will ensure that those involved in this project are given sufficient time to facilitate the working group delivering the required activities, as listed below, through to the point of the contracts for the new services being signed.

The Working Group will work in a co-operative manner, will be open and honest, sharing all information considered relevant to the development of the services. Members of the working group will share issues at the earliest opportunity and will respond in a timely manner.

The Working Group will operate to the following terms of reference:

The working group will meet on a monthly basis or more frequently as required and will be responsible for developing and implementing Community Legal Advice Services in Manchester. In particular it will:

- a. Establish plans and timeframes for implementing services and document these plans in service implementation plans;
- b. Monitor progress against plans and update the service implementation plans on a regular basis;
- c. Agree the services to be delivered, this will include:
- d. An analysis of need and supply for the areas to determine local priorities and access targets;
 - i. An analysis of existing spend and an identification of funding contributions from all funders;
 - ii. Production of a funding model outlining what the individual funding contributions (from each funder) will be used for;
 - iii. Production of performance targets and service requirements based on i – iii above (i.e. service specifications);
 - iv. Engage with stakeholders to inform priorities and targets.
- e. Establish arrangements for and undertake a joint commissioning exercise through an open tender, produce necessary tender documentation (see overleaf), identify tender evaluation panel and award and finalise contracts.
- f. Agree and sign a Memo of Understanding (i.e. agreement between funders on working together to establish services and an Interface Agreement (i.e. agreement between Funders at the point of awarding contracts and funding);
- g. Establish and agree contract management arrangements.
- h. Manage all communications activities relating to the development and establishment of the services, involving relevant communication individuals as necessary (e.g. LSC Regional Communication Managers).

(Note: Once the services have been implemented and established the working group will cease to exist in its current form. A replacement 'Funding Board' will be established as part of the contract management arrangements for the service. The Funders will be represented on the Funding Board and will be responsible for monitoring the service and its progress against agreed targets. The Board will also be responsible for managing all related Communications activities.

Sign Off Process

The approval and sign off process for each key stage of the project is:

- For the Council: Jan Didrichsen, Interim Director, Adult Social Care
- For LSC: Civil Policy Team, Manchester Regional Office and Corporate Legal Team

Signed by:

On behalf of the Legal Services Commission:

Name & Post: Carolyn Schofield, Area Relationship Manager

Signature:.....*e.j. Schofield*.....

Date:.....*9.10.09*.....

On behalf of Manchester City Council:

Name & Post: Jan Didrichsen, Interim Director, Adult Social Care

Signature:.....*Jan Didrichsen*.....

Date:.....*12/10/09*.....