

The Future Advice Programme

Access to justice is an essential part of a free and fair society. This means that citizens, above all those facing disadvantage and discrimination, should be able to assert their rights and to hold others to account. Not-for-profit legal advice services, established on the principle that access to justice should not hinge on one's financial resources, therefore play an indispensable role at the critical juncture between individuals and the public and private bodies with which they interact. Yet these services are under increasing pressure, pummelled by rising demand, far-reaching cuts in public funding, the impacts of welfare reform, and increased competition for resources. The resulting situation has been characterised by some as a "perfect storm".

The Future Advice programme was established by the Baring Foundation in 2012 to help the legal advice sector negotiate this increasingly difficult environment and to place it on more sustainable footings. The programme is split into three strands: the Providers Fund, in collaboration with Comic Relief and The Diana, Princess of Wales Memorial Fund, to support innovative organisations testing promising new ideas, the Strategic Fund to help create a more supportive policy and funding landscape for advice, and the Learning Programme, in collaboration with Unbound Philanthropy, to help capture and spread the lessons widely.

This bulletin forms part of a series intended to serve as action papers for the Future Advice programme. Each bulletin offers an outline of the major themes and innovations that are currently being explored by grantees in the Providers Fund. We hope that they will offer other practitioners a starting point for new projects, guidance on how they might replicate or adapt existing models to fit their own organisation, and highlight potential pitfalls and challenges that will need to be taken into consideration.

Collaboration with non-legal advice agencies - what's the idea?

The focus of this bulletin is the theme of advice agencies working to develop collaborative relationships with support agencies not otherwise involved in the provision of specialist legal advice. This rests on a core assumption: that vulnerable individuals do not suffer problems in isolation, and their legal concerns are often just one component in a broader gamut of complex issues. A problem of one sort can exacerbate and magnify another, creating severe and multiple disadvantage that spirals out of control and becomes increasingly stressful and costly to resolve. For example, a vulnerable individual facing a stressful debt situation might experience a subsequent deterioration in their mental health, which in itself can aggravate the initial indebtedness. This spiral is best addressed if support organisations can work together to address an individual's problems as a whole, and intervene with a comprehensive package of support before a situation escalates. Legal advice should be considered a core component of this package.

Therefore, many of our Future Advice grantees are linking up with non-advice partners to deliver legal support in new ways. They are trying to demonstrate that joining up services, and collaborating to develop a holistically minded and interconnected network, is a more effective way of assisting vulnerable people with the full range of support they need. The new doorways that are created also offer opportunities to intervene before a situation becomes serious, or even prevent it from arising in the first place.

All this feeds into a critical discussion on long-term sustainability. A large chunk of legal aid is gone and there is little prospect of it coming back. The advice sector simply needs to find new ways to operate. Partnering with non-advice organisations is not only a way to pool resources, but also offers an opportunity to show the deeper role and value of legal advice, build an

evidence base that demonstrates its core positive impacts, and help us rebut a common critique: that advice services address presenting symptoms but do little to tackle underlying causes. Finally, it could help the sector plug in to broader funding opportunities, and reduce reliance on the narrow and shrinking channels that have traditionally underwritten advice.

What are the projects?

Community Links

Based in the London borough of Newham, Community Links is a large multi purpose organisation providing services to local children and adults. It had a substantial in-house advice service dealing with welfare benefits, debt, and housing but, following major funding cuts including the loss of all its local authority funding for advice, it has had to rethink its models for advice provision.

Part of the response is to move generalist advice away from the Community Links headquarters in Canning Town, and instead offer outreach sessions in community centres in other parts the borough. Community Links now offers weekly generalist advice sessions in five of its own partner hubs. These are primarily targeted at existing hub service users, such as parents who bring their children to a playgroup in the same building. An emphasis is placed on maintaining a friendly and relaxed atmosphere, where people can chat over any concerns in an environment where they feel comfortable. This creates opportunities for early action, prevents acute need from arising and places the work in a wider holistic service for vulnerable people. The impact of the pilot is being tracked so as to share lessons locally and nationally.

Community Links is also a partner in Law for Life's project (see below), and is helping many clients access Public Legal Education courses and develop their own core legal capabilities. The project also trains non-advice staff and individual residents to spot advice issues early.

Coventry Law Centre

The Coventry Law Centre project has integrated a specialist advice worker within the Children and Families First team, which is leading Coventry City Council's response to the government's Troubled Families initiative. This gives the Law Centre a new channel for undertaking outreach work, and facilitates much earlier interventions and ongoing contact with vulnerable families, especially during pivotal events such as a family member losing employment or entering hospital. Unlike in the Law Centre itself, the Troubled Families adviser never closes a case. They believe that this sustained contact and proactive support will help tackle legal problems as they start to arise.

Crucially, the specialist advice worker is also a visible and approachable figure for other members of staff in the council's Children and Families First team. A shared Google calendar allows any member of the team to reserve time with the

adviser, either to discuss a client's case, or have some support on a home visit. Over the course of the programme (2012-15), the Law Centre will have some input in each of the 900 families included on the Council's list.

Another key part of the project is in helping improve the legal understanding and capabilities of non-advice colleagues, training them to spot a client's legal issues, and make swift and appropriate onward referrals to more specialist support. The Law Centre hopes these skills will be carried back into other departments when the Troubled Families programme comes to an end.

The Providers Fund grant covers the cost of this placement for one full year. After this, the city council have agreed to continue funding the post if they are convinced of the value it provides to their Troubled Families programme. To aid in this, the Law Centre is working with the an academic partner, the Centre for Human Rights in Practice at the Warwick School of Law.

Riverside Advice

Riverside Advice is based in Cardiff. This project is using the Vanguard Method of systems thinking pioneered by Advice UK in Nottingham and Portsmouth and aims to redesign the structure of advice provision in Cardiff so that it meets the fundamental needs of clients. It is being carried out in collaboration with Speakeasy Advice Centre and Cardiff City Council.

The idea is to map client journeys to advice from start to finish, and gradually build a picture of the causes of critical demand, how clients traverse through the system, and pick out the missed intervention points that might have enabled an earlier resolution. By understanding the network of interlinked processes and contact points that impact on an individual case, systems thinking collates the evidence base for a more efficient and client-centred model from the ground up. The intended outcome is a supportive landscape that allows clients to extract what they need from the system, rather than having to negotiate an inefficient path through a structure which is unnecessarily time-consuming or inappropriate to their needs.

Southwark Law Centre

Southwark Law Centre in London provides independent advice, representation, and training in several categories of law. It is highly regarded for the quality of its specialist immigration advice, and has previously held major contracts with the LSC and several London borough councils. However, in recent years Southwark Law Centre has experienced significant cuts in funding, coinciding with massively rising demand for immigration and asylum advice as other local advice providers have closed down. In 2012 it was inundated with clients and had to turn away dozens of referrals.

In response, Southwark Law Centre is developing its linkages with other refugee and asylum support agencies in the areas of Southwark and Lewisham. These include two local Citizens Advice Bureaux, Southwark Day Centre for Asylum Seekers, and Lewisham Refugee and Migrant Network. It is hoped that by working in partnership with these organisations, Southwark Law Centre will be able to develop the core legal capabilities of other staff and volunteers who come into regular contact with asylum seekers. They believe this will result in more frequent and earlier interventions, more efficient gathering of documents and casework material, and more appropriate referrals back to the Law Centre. Developing this highly effective triage system will be a major piece in the puzzle to sustain immigration advice provision in south London.

Most immediately, staff and volunteers in partner agencies are being trained in immigration law to identify asylum claims. This allows them to assess clients for basic legal issues and deal with certain *pro forma* segments of immigration casework. It also instils the skills to spot cases that need more specialist help. It will therefore create a core legal capability across the asylum and immigration support network of these boroughs, and join up a range of important services for vulnerable people.

Wythenshawe Advice Centre

Wythenshawe is a residential district in Manchester, and the site of one of the largest housing estates in Europe. It is an area of relative deprivation, with high unemployment and few economic opportunities outside low-waged jobs at the local hospital, airport and service industries of southern Manchester. There are two major housing trusts in Wythenshawe, which between them own 14,000 rental properties.

Wythenshawe Advice Centre has developed and delivered financial management workshops for prospective tenants of the local housing trusts. The workshops educate tenants about financial planning, the real cost of door to door lending/selling, pawn brokers, and so on. Workshops are provided as soon as prospective tenants sign onto the waiting list. Currently, finances are only discussed (and then with housing trust representatives) in the weeks before clients get the keys, which is at the end of a long wait for a vacant property, currently seven years. By this time, people are reluctant to admit to any outstanding catalogue or payday lender debts in case it delays their moving-in date even further. However, new tenants often struggle to keep up with rental payments as their financial situation deteriorates.

Wythenshawe Advice Centre believes that early action is crucial to break the cycle of debt and reduce the number of clients who only present for help once they are facing eviction. In particular, it aims to denormalise borrowing from high-interest lenders, and establish itself in the community consciousness as a trusted organisation which is fully independent from the housing trust, and therefore able to offer honest and impartial support. The aim is for the housing trust to commit to fund this work in the long-term, given its interest in having tenants who can pay their rent and sustain a tenancy. Having this initial route in also allows the Advice Centre to scope other issues their clients may be facing.

Other examples

In researching this bulletin, we have also found several voluntary organisations are approaching grantees and seeking to develop new links of their own volition. Whilst not part of the Future Advice programme, this dovetails neatly with the collaboration theme and draws attention to the fact that building collaborative relationships with non-advice agencies is not necessarily a one-way process. Advice agencies do not always need to make the running; in fact, it is just as important to be accessible and receptive to being approached.

In recent months the Royal British Legion has tendered new regional and national contracts to help veterans obtain benefits and money advice. The Wellspring Centre in Bristol is training its nursing staff to spot legal issues, which it is paying Avon and Bristol Law Centre to deliver. The Multiple Sclerosis Society in Cardiff has purchased a similar training package from the Riverside Advice Centre and at a national level has a contract with the Disability Law Service to provide advice to its clients. There are various other examples, suggesting that being set up to attract remuneration from other charities and statutory bodies is a promising option for a advice organisations in the future.

These projects reflect three different approaches to collaboration:

i) Delivering advice on behalf of partners

When a non-advice agency identifies an unaddressed need for legal support, it may tender out a contract to a specialist legal advice provider. This is especially true in areas of law from which legal aid has been withdrawn, where a client base is slipping through gaps that were previously covered.

ii) Training up non-advice staff

Seeking to address an insufficient legal capability for non-advice professionals and volunteers who are frequently encountering vulnerable people with legal issues. Training staff such as nurses and social workers to spot when a client might have a legal problem, alongside the ability to signpost clients on to appropriate specialist support, embeds a more proactive mechanism for getting legal support to the people who need it quicker and earlier.

iii) Piggybacking to reach a client base

This is perhaps the most common approach that we are funding. Based on the assumption that many people with the early stages of a legal problem may be interacting with other voluntary sector or statutory care bodies, this approach uses existing networks and contacts to reach out to them and find latent problems earlier.

What are we learning?

The timing is right - non-advice agencies are looking for help right now

Current economic circumstances pose a huge challenge to the health of the voluntary sector, yet this environment simultaneously provides genuine opportunities for trialling new and innovative pathways for the provision of legal advice.

Vulnerable people are starting to struggle with issues that now fall outside the scope of publicly-funded legal aid, and in turn they are placing a heavier demand on other statutory

bodies, interest groups, and voluntary agencies. As these organisations take the strain they are feeling the knock-on costs of unaddressed legal issues. Consequently, a number of voluntary organisations are starting to appreciate the genuine wider value and effectiveness that legal support creates for their core work, and some are actively seeking to pay for specialist legal advice to help address issues commonly encountered by their client base.

So, as established pillars of support start falling away, it seems non-advice organisations are becoming both more aware that their client base is struggling to access legal advice, and more receptive to proposals which package up legal services and thereby help to alleviate their costs. Ideas for partnership which address these concerns could be extremely fruitful. The timing is right for collaboration outside traditional advice sector relationships.

These relationships provide an opportunity to act earlier and prevent problems escalating

As is explored in bulletin no.1, collaborating with non-advice partners can be an excellent way to achieve earlier interventions, prevent problems escalating to a critical level, and therefore provide more effective help for everyone. This is based on the idea that even in the emergent phase of a legal problem, an individual is likely to be interacting with other state or civil society services outside the traditional network of the advice sector. This could be a community group, a GP, or even a food bank. It is a missed opportunity if they bounce off this point of contact without triggering the attention of the legal advice sector. Finding new links with non-legal advice agencies can therefore offer an extremely valuable doorway to clients who are not at the level of acute need, but may just be starting to struggle with a legal problem.

If emergent problems can be caught early and signposted for specialist support, the sector can save itself significant sums of money in the long-term. It can also demonstrate that legal advice is

an important preventative service that triggers real savings for partners and is therefore worthy of future funding.

There is a genuine need for advice in public care pathways

Public sector care work has been a long-time beneficiary of not-for-profit legal advice services. A significant proportion of the legal issues experienced by vulnerable people are created by failures elsewhere in the statutory sector, and the voluntary sector has played a major role in mopping up this failure demand and ensuring that people can access their entitlements. As a result, it has always been an ally to professionals in social work and healthcare, helping to facilitate slightly better situations for vulnerable people, even if these links often went unnoticed. Once again, as funding for legal advice has contracted and support has withdrawn, they are starting to recognise what has been lost, and their own relative lack of expertise in matters such as welfare benefits, debt, and housing law. Public sector care pathways have therefore proven to be a really excellent arena for establishing new partnerships.

Early evidence from the Future Advice programme is already compelling. For example, the Coventry Troubled Families advice worker was recently asked to visit a housebound single father who was struggling to access the necessary range of support for his situation. In the initial meeting, the adviser found seven separate justiciable issues which previous outreach work had failed to spot. These covered a range of housing, debt, welfare benefits and community care issues. Tackling these is an urgent priority if the team is to support a genuine improvement in the situation.

This shows a fundamental need for some legal capability in the Families First team, and skilling up non advice workers to spot these issues sooner has been prioritised as an integral part of the Coventry Law Centre project. If independent legal advice can really show its value to the statutory care sector, and help clients access the full range of support they are entitled to, this

could open major new potential revenue streams, and help restore public funds for legal advice.

Even if not a perfect fit, it is a way to keep expertise in the sector

One aspect of cuts to legal aid is the loss of expertise and experience from the not-for-profit sector. Cutting the number of paid staff is often a regrettable necessity for organisations desperate to bring expenditure in line with squeezed budgets. This impacts on immediate capacity, but it also creates a long-term 'brain drain', as professionals are forced to move outside the not-for-profit sector to make their living. Volunteer-based models might be able to pick up some of this slack, but they cannot be considered as a full substitute for highly-trained professional legal advisers.

Therefore, looking for new collaborative relationships to fund advice is not necessarily about finding a perfect fit that allows an agency to continue its current programmes without any changes or compromises. These are often necessary to secure the financial support of an outside partner. Other voluntary organisations will have their own priorities, and it may be that advisers shape the service they offer to reflect these. Can this be rationalised if it means we can keep expert advisers bound up with free legal advice, and allows the sector to tide its professional capacity through the dark years ahead? There is a definite argument in favour of being pragmatic in the short-term, if this allows us to bounce back quicker in the long-term.

What are the challenges?

Building trust and ensuring partner staff understand the role of advice

Perhaps the most common challenge identified by our grantees is the difficulty of building an effective and trusting relationship with other staff who may not instinctively appreciate the role of legal advice for their clients. Their concern is that previous funding stipulations channelled the sector into a silo, and

has not significantly impacted on the consciousness of other professionals who actually work with the same clients. Even if they start to notice clients are presenting with burgeoning legal issues, non-advice staff do not always know how and when to make appropriate referrals to an advice agency. This highlights the critical importance of early communication and training.

In the initial stages of a working relationship, it can be difficult to negotiate miscommunication and inappropriate referrals. These can take a frustratingly long time to deal with. For example, one grantee took a referral from a partner organisation in which they helped a client assert his rights in a housing matter. Part of this involved getting a broken washing machine replaced. This sparked a flood of enquiries from other members of the partner group asking how they could also obtain a washing machine. Some people were turning up at the Advice Centre because they thought appliances were stored on site. It took time to field these unnecessary interactions, and communicate back to the partner organisation exactly what constituted an appropriate referral. This is an example of the teething problems that can plague a new collaboration – not a major issue, but one that can quickly become frustrating and start to sour an otherwise productive working relationship. Another grantee mentioned that the tiny details, such as establishing which partner pays for refreshments at an outreach session, are best ironed out in advance.

Making everyone appreciate the mutually-beneficial partnerships that can be built is not necessarily automatic. Occasionally, partner staff have expressed concern that the advice agency is muscling in on their patch, and so collaborative projects really need to be designed and pitched as complementary activities that will enhance outcomes for every stakeholder.

Making sure relationships are sustainable

Several grantees have noted that this is an extremely difficult time for developing new working relationships. The bleak economic

climate means that most organisations are under-resourced and over-stretched, making new partnerships totally reliant on the energy and commitment of a few key people. If individuals are the only things holding a project together, there is an inescapable risk that it collapses when they move jobs or are no longer able to sustain the effort. Therefore, if we are aiming to establish truly effective long-term collaborative relationships, a critical mass of stakeholders have to be convinced by the value it provides to their work – they need to step in and shoulder the burden if required.

Maintaining independence

Financial support from better-resourced partners is likely to come with conditions, some of which may be rationalised and accepted, but others may put pressure on core principles of not-for-profit legal advice. When a financial relationship has been established, there's a real test for advice agencies to continue acting in the best interests of their clients even when it runs the risk of upsetting a funding partner. Association cannot come at the expense of independence, and the cherished ability to offer totally impartial advice to the client.

For example, Wythenshawe Advice Centre, which is securing funding from two local housing trusts to deliver debt and welfare benefits support to residents, is concerned not to be seen as a representative of the housing trusts. It worries that any ambiguity about independence will compromise its reputation as a trustworthy source of legal advice, and discourage clients from being open and honest about problems. A similar observation was reported by Coventry Law Centre, who noted that social workers can be seen as 'agents' of the state who arrive in an enforcement role – advice staff need to differentiate themselves from this, and so are quick to explain their independence and strike a different tone. They report clients are extremely responsive to the more informal channels of communication such as texting.

Carving out a clearly defined niche has to be a priority for advice agencies entering

collaborative relationships which involve some financial return. They need to be clear with the non-legal advice partner about their role, and clearly assert their independence in all promotional literature. Wythenshawe Advice Centre has insisted on delivering advice sessions away from the housing trust offices, even though this incurs an additional cost.

Communicating different constraints and guidelines

One immediate challenge to effective and trusting collaboration has been the confusion about the varying constraints and boundaries that different partners have to operate within. Coventry Law Centre quickly realised its duty of confidentiality to clients did not necessarily fit with a more stringent safeguarding threshold for staff members in the Troubled Families team. The hypothetical example was of a pair of men's shoes being spotted in the home of a single mother. This would be of interest to a social worker operating under Child Assessment Framework (CAF) guidelines, and they would be expected to make further inquiries. By contrast, the legal adviser would be unable to disclose such an observation to CAF colleagues unless they judged there to be serious and ongoing risk of harm.

So staff roles in collaborative relationships can be quite different, and necessarily so: the legal adviser needs to remain utterly trustworthy, independent, and confidential in order to deliver the best possible impartial advice. The onus is on them to build cooperative rather than interrogative relationship with clients. However, this may create tensions between partners, and generate a feeling that the legal adviser is not 'one of the team', and that they deliberately withhold important information from colleagues.

Advice workers working in an environment with

non-advice partners need to clearly delineate the scope of their activities from the outset. All partners need to explain and understand the borders which their role requires them to operate within.

Liam Orton, The Baring Foundation

Further Reading

Charity Commission (2009), Charities and Public Service Delivery: CC 37
<https://apps.charitycommission.gov.uk/publications/cc37.aspx>

Charity Commission (2009), Collaborative Working and Mergers: CC 34
<http://www.charitycommission.gov.uk/publications/cc34.aspx>

Curtis, I. (2011), *Collaborate to Compete: developing consortia to deliver contracts*.
http://www.ncvo-vol.org.uk/sites/default/files/Collaboration_Ian_Curtis_Sept_2011_pdf_0.pdf

Guardian Q&A (16 August 2012), Forming a charity consortium
<http://www.guardian.co.uk/voluntary-sector-network/2012/aug/16/best-bits-forming-charity-consortium>

Institute for Voluntary Action Research (2011), *Thinking about... collaboration*
http://www.ivar.org.uk/sites/default/files/images/IVAR_Thinking_about_collaboration.pdf

Ireland, K. (2009), *Collaborating to Advise: STVS working paper no.8*, London: The Baring Foundation
<http://bit.ly/jLP0Fr>

NCVO Collaborative Working
<http://www.ncvo-vol.org.uk/advice-support/collaborative-working>

KnowHow Non-Profit – Ways of Working Collaboratively Wiki
<http://knowhownonprofit.org/organisation/collaboration>

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