



Advice NI response to Guidance on the Provision of Local Generalist Voluntary Advice

Introduction

Advice NI welcomes the opportunity to respond to the guidance provided by the DSD to support Councils in the resourcing of local voluntary advice. We also welcome the efforts by the Department to keep the Opening Doors Strategy alive and in recognising the existing quality standards within the voluntary advice sector as evidenced in Appendix B of the consultation document. We value the work of the 'Working Together' project and at the same time realise this was a project that was developed over a period of time with significant funds from the Lottery. It is therefore unrealistic to expect similar developments or implantation of guidance without the appropriate resources.

Background

Advice NI is a membership organisation that exists to provide leadership, representation and support for independent advice organisations to facilitate the delivery of high quality, sustainable advice services. Advice NI exists to provide its members with the capacity and tools to ensure effective advice services delivery. This includes: advice and information management systems, funding and planning, quality assurance support, NVQs in advice and guidance, social policy co-ordination and ICT development. Membership of Advice NI is normally for organisations that provide significant advice and information services to the public.

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operating throughout Northern Ireland and providing information and advocacy services to over 117,000 people each year dealing with over 247,000 enquiries on an extensive range of matters including: social security, housing, debt, consumer and employment issues. For further information, please visit www.adviceni.net.

The debt workload has climbed to 1,642 clients presenting with 5,092 debts amounting to £28.7million. The tribunal representation workload of members has also increased dramatically by 43% to 2,261 as more people, some of whom have been confronted with the social security system for the first time, have struggled to access their proper benefit entitlement.

Delivery of these services is via multiple channels including face to face (in agency, outreach, home visit), telephony and online. Level of service varies from information & advice to representation at tribunal level and beyond.

The Work of the Independent Advice Sector

Advice services provide information, advice, support and representation to people concerning their rights and responsibilities. This includes advising people who are in debt, representing those who have suffered discrimination and defending those threatened with homelessness. Advice services make a vital contribution to tackling problems that affect people's day to day lives across Northern Ireland. In particular advice services target deprivation and need as it exists within local geographic areas and within particular social groups – ensuring that the most vulnerable people have access to advice services on issues affecting them.

Some interesting facts taken from the Advice NI Membership Profile Report (2010):

- 65 advice members providing information, advice and representation services;
- 55% of enquiries were social security benefit related;
- An assessment of the 'Method of Initial Enquiry' highlighted that 53% of enquiries were face to face; 35% by telephone; 2% by letter; 10% by some other means including email;
- Staffing: 233 paid staff and 43 volunteers;

- Representation provided at 1,329 benefit hearings, with a success rate of 38%. Information provided by The Appeals Service highlighted that in terms of all cases where an appellant had a representative the success rate was 34%. The success rate for appellants at unrepresented hearings fell to 18% ¹;

Whilst there is largely a consensus on what is meant by ‘generalist’ advice, Advice NI has conducted some research aimed at providing further clarity on the term ‘specialist’. This research concluded that the term can be more accurately described as follows:

“Based on analysis of overall feedback it would appear that the adjective ‘specialist’ is best suited to describing the subject or field on which advice is provided - in much the same way as it is used in private practice e.g. specialist matrimonial advice, specialist financial and taxation advice etc, or to use the medical analogy where a GP in the community refers a patient to a consultant specialising solely in a given field or area of medicine.

Conversely the term ‘targeted’ advice was viewed as having less to do with subjects or fields but rather implied provision dedicated to the interests, needs and demands of a specific definable ‘target group’ - analogous in some ways to the concept of target audience or market segment in business. Rather like the latter because the group share common characteristics and circumstances, have distinct needs/demands, and experience similar barriers etc the service delivery response necessitates expert understanding and matching of these factors with the range of support provided.”

Tribunal Representation

Advice NI believes that representation plays a key role not only in terms of generating positive outcomes for appellants but also for the effective functioning of the tribunal system. Specifically in relation to social security appeal tribunals, these cases generally impact on benefit entitlement for low income households and as such can have very significant impacts. For example a typical case may involve entitlement to Disability Living Allowance; a successful hearing may not only involve

¹ Figures supplied and verified by The Appeals Service

award of that particular benefit but can trigger the award of additional premiums on other means tested benefits with the result that income can be boosted by over 100%. It is therefore difficult to over-state the importance of these hearings.

The information provided by The Appeals Service highlights the impact that representation has on outcomes – Advice NI representation generates a 38% success rate as opposed to an unrepresented success rate of 18%.

Advice NI members also provide support and representation at a range of other tribunals including Commissioner's Hearings, Mental Health Review Tribunals, Special Educational Needs and Disability Tribunals and Industrial Tribunals.

There is a real issue of unmet need in terms of people who are unrepresented and additionally there are a significant number of cases where advisers are not able to represent the appellant but work with them in terms of preparation and draft written submissions. Advisers also report seeing changes in the nature of hearings, particularly re Industrial Tribunals, where the employer increasingly instructs high-powered legal teams to dispute cases which disadvantages the appellant, particularly where they do not have representation.

General Comments on Quality

In terms of quality Advice NI believes that the focus should be on establishing what quality standards are required; how these standards could be monitored and building on the best practise which already exists within the voluntary advice sector. Advice NI believes that standards should focus on quality of advice provision; competence of staff and client outcomes rather than bureaucratic proxy measures such as the existence of rafts of policies and procedures.

At this stage Advice NI would draw attention to the following issues within the context of quality advice provision:

- Quality costs – in terms of financial resources, staff time and physical resources; in terms of implementing quality standards and monitoring quality standards;
- Traditionally there have been few resources made available specifically to address quality standards issues;
- If the guidance advocates that all providers adhere to the same set of quality standards the costs will tend to be the same for all organisations. Therefore smaller

organisations, which are also likely to be those catering for socially excluded groups, may well be disproportionately affected;

- Essential information, advice and representation services must not be alienated or marginalised by prohibitive standards. Quality standards should not reflect bureaucratic need; but rather reflect the needs of service users and contribute to improved quality advice provision;
- Build on best practise currently being implemented within the sector;
- Advice providers will need support to implement quality standards and membership organisations such as Advice NI would require additional resources to provide this support;
- It must be borne in mind that quality standards once implemented must be maintained, therefore there will be ongoing 'support and supervision' requirements.

Advice NI would highlight that there is a need for commonality but also flexibility. For example some well resourced centres operate to a very high level; smaller grass roots organisations operate with less resources providing a service targeted towards specific areas of need – it is essential that these services are not choked by bureaucracy.

Advice NI advocate a tailored approach to quality standards with a set of agreed core minimum standards and additional proportionate standards based on the type of organisation and the level of service offered.

Response to Specific Consultation Questions

(Question 1 & 2 relate to contact details which are included at the end of the document)

Q.3 How useful is this draft guidance for supporting discussions between local councils and local advice providers about the quality of advice services?

We consider that the draft guidance has the potential to support discussions between local councils and local advice providers about the quality of advice provision. Although, there is a very strong relationship between some advice providers and Council in some areas there appears to be a general lack of awareness across Councils as to the range of advice providers and the services they provide. The draft guidance opens the door for Councils to review how and who they allocate funding to – making the process more transparent. Also, it offers Councils a

framework to evaluate service provision and assess/benchmark the quality and standard of advice provision. The guidance should improve relationships between councils and local advice providers as well as between local advice providers themselves as was the case in Belfast when Belfast City Council initiated a consortium approach to the allocation of funding to be agreed by local advice providers in each of the geographical areas of Belfast. It also provides the opportunity for local advice services to move up the agenda of local Councils as they become more aware of the need, demand for and value of such services.

It would be useful to build some requirements into the guidance document for Councils to engage with the advice network agencies such as Advice NI and all local advice providers as well as those they traditionally fund when undertaking the process of allocating funding. This would result in a much fairer approach.

It is important for further discussions between Councils and advice providers to understand the demands, need, capacity, diversity and relationship of advice providers as well as the additional resources that may be required to implement the guidance in any specific area.

Advice NI would welcome further regional based participatory discussions with Council such as that which was facilitated by the DSD in relation to this consultation. Perhaps the ASA could play a role in assisting with organising and setting the agenda for at least one of these events per year. This could add to the success of the implementation of the guidance document.

Q.4 Would you use this draft guidance?

Yes, we could use the draft guidance to support our members liaising with Councils.

Q.5 Would the implementation of any of this draft guidance result in new costs being incurred?

Yes there would clearly be additional costs. Quality costs and with regards to the draft guidance there are clear additional costs associated with:

- 1) The use of technology to support access
- 2) Peer review to audit the quality of advice
- 3) Achieving an external quality mark
- 4) The use of IT based case-recording systems
- 5) Achieving industry codes such as BS7799/ISO27001

- 6) Involving volunteers
- 7) Training costs
- 8) The effective marketing of services

Whilst a number of quality schemes and measures currently exist (as identified in the appendix of the document e.g. Advice NI membership, liP) these are not consistent across the sector. However, they are compatible with some of the requirements and therefore the passporting of organisations that already meet some of these should be considered or at least be recognised as a measure of quality at some level. Auditing of advice and achieving external quality marks and codes is an ongoing cost to an organisation and proposals to include these in guidance should take this into account. Whilst the ASA Quality Report supported these, it clearly stated that 'further development of quality measures including the quality of advice being given, will have financial and other resources implications for local advice agencies and their support organisations.' It also included indicative quality costings.

The cost of technology to support access and for case recording cannot be underestimated and it could potentially be considered a waste of public resources if Councils were to fund individual centres to use technology to support access. Network organisations promote and support access through their websites www.adviceni.net; www.debtaction-ni.net Perhaps Councils could also promote and support access to local advice provision through their own sites and within their technology departments budget. This would also add to the effective marketing of services.

Secure IT based case-recording systems as Advice Pro, which is used by some Advice NI members requires an annual fee per number of licenses. Councils should build costs into their budget for this to ensure they receive co-ordinated, timely and more accurate statistics and are able to more effectively monitor and review the value of the service.

Perhaps there is an opportunity for the DSD to work with the advice sector and Councils to develop a funding model for the advice sector that amongst other things identifies potential funders and a strategy for leveraging additional funds.

The guidance should consider the disproportional costs that will arise for smaller agencies and recognise the need to support and build the capacity of these organisations to assist them to respond to local community need.

Q.6 Is there anything that should be added to this draft guidance?

There is a lack of context to the draft guidance over and above the Opening Doors Strategy, the ASA reports on quality, training and IT and the Working Together Project. The value and need for advice services could have been emphasised along

with a social context linked to for example deprivation levels in NI, unemployment, welfare reform, and debt levels.

There are areas within the draft guidance that would benefit from further clarification. For example an indication of additional costs, an explanation of audit requirements, minimum reporting requirements, the role of the private sector in service delivery, procurement guidance and review procedures.

It might be useful at further discussions for Councils to have demonstrations of what already exists in relation to the advice sector to hear in presentation format from a local advice centre what the impact the implementation of such guidance might have on them. Also, Councils might benefit from a tour of advice centres to actually see how they operate. Perhaps an annual visit or shadowing session (if deemed appropriate could be built into the guidance as part of quality checking)

In addition it would be beneficial if the guidance was maybe to break down the role and responsibility of Council as a funder to the local advice providers over and above the allocation of funds There could have been a strong link made between Councils, local advice provider and Community Planning in relation to service provision, funding and the development and support required for new services to meet needs and demands. Also, the guidance could go further and support the allocation of funding on a 3 year basis to support planning and development.

It might useful to establish a Working group with Councils and the ASA to establish explore standard methods of measuring qualitative outcomes and statistics.

Also, a review period should be built in for any guidance or standards agreed.

Q.7 Is there anything that should be removed from this draft guidance?

No, although there is a need for flexibility to be built into the 'tool kit'.

There is little reference to methods of delivery and the different quality assurance issues related to each of this, for example face to face advice, e-mail and telephone advice.

Q.8 Do you think the implementation of this guidance will be beneficial? – if yes, what benefits do you envisage from the implementation of this guidance?

The implementation of the guidance has the potential to be beneficial if it is adequately resourced, monitored and reviewed.

Some of the potential benefits include:

- increased co-operation between local advice providers and between Council and local advice providers
- improved accessibility for the many people who rely on these services across Northern Ireland
- The development and delivery of better planned, sustainable local advice services
- Value for money
- Increased quality advice provision
- A partnership approach to local advice provision between Councils and local advice providers which adds value in terms of branding, marketing and promotion not just of local advice services location but of the benefits of the service, the outcomes and the client experience
- A greater understanding and awareness of the work and issues affecting local advice services and their clients

Also, with further clarity in some of the areas mentioned in question 5 Councils will have a framework within which to monitor and highlight the work of advice providers. Another benefit could be more transparency and consistency in the process and allocation of funding.

Q.9 Do you have any concerns about the implementation of this guidance? – if yes, please specify.

Advice NI has a number of concerns relating to the guidance in particular the need for additional resources to meet the costs of delivering an increased quality service.

Also, there is a danger that implementation of the guidance could result in a reduction in clients choice as to where to access advice and by which method. There is a risk that those who traditionally receive the 'lions share' of funding continue to do so and that there will be an inequity in funding across the advice sector. Also, that new smaller and developing advice services are overlooked. Perhaps there may be merit in looking at a scaling of standards from minimum to maximum to ensure the capacity of the advice sector continues to grow and is able to respond to demand.

We also have concerns regarding the issues that require further clarification as outlined in Q.6.

Additional Information

Efficient and cost effective systems

Advice NI firmly believes that there is an as yet untapped opportunity to reduce bureaucracy, improve staff morale and improve efficiency in all areas associated with access to justice using the Systems Thinking methodology. Advice NI's work in this area to date builds on Systems Thinking work in GB and demonstrates the immense contribution advice services can make to improving public service delivery and minimising waste and how gaining absolute knowledge of systems is the key to unlocking cost and waste. A systems thinking methodology focuses on customer demand; service purpose is clearly understood and work-flow is analysed with front-line staff taking the lead is essential for service improvement. It provides the key to the absolute knowledge that is needed to reduce cost and waste and deliver what customers really want. We would commend this approach to the Review Team.

The following quotation from Professor John Seddon reflects the Systems Thinking ideology:

“At the highest level there are two types of customer demand: ‘value’ and ‘failure’ demand. Value demands are those you want customers to place on the system; they are the reason you are in business. Failure demands are those you don’t want: demands caused by a failure to do something or do something right for the customer. It follows that failure demand, being created by the organisation, is entirely under the organisation’s control. Turning off the causes of failure demand is one of the most powerful economic levers available to managers; it has an immediate impact on capacity.”

Advice NI would be opposed to the introduction of any savings measures which negatively impact upon access to justice, particularly in respect of the vulnerable within our society.

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