

Law Centre (NI) Business Plan



DEL dispute resolution consultation workshop in the Law Centre training room. Photo: John Rush

2010
2011



about us

The Law Centre's purpose is to promote social justice and provide specialist legal support to advice giving organisations and disadvantaged individuals.

We provide specialist legal services to members in community care, employment, immigration, mental health and social security law. We support the work of advice agencies through advice, casework, training, information, publications and policy work.

- quarterly practitioner fora in community care, immigration, social security and mental health and a forum on employment issues, where advisers discuss legal issues and practitioner developments;
- informed policy comment on changes to public policy and legislation;
- seminars and other events which promote the advancement of legal and policy issues.

Main activities

- an advice line open to members Monday to Friday from 9.30am to 1.00pm in Belfast and Derry;
- a casework and representation service, including strategic court work, provided on referral from members;
- accredited and other training courses aimed at both experienced and new advisers;
- the publication of Frontline magazine four times a year, an annual encyclopaedia of social welfare law, regular bulletins on changes to law and policy and a casework bulletin detailing progress with Law Centre cases;

achievements in 2009-2010

- Initiating an application with the European Court of Human Rights challenging the requirement for immigrants to pay a fee for permission to marry. The government abolished the fee and made provision for refunds.
- Settling a case of unlawful mental health detention for £10,000.
- Establishing through the Social Security Commissioner that a delay in reporting entitlement to Disability Living Allowance (care component) did not prejudice backdating of entitlement to a severe disability premium in Income Support.
- Confirming at a settled judicial review that the onus of proof before a Mental Health Review Tribunal to detain a person lies with the detaining authority.
- Succeeding in obtaining refugee status and other rights to remain or family reunion for nationals from Algeria, Bangladesh, Chile, China, Colombia, Democratic Republic of Congo, Eritrea, Hungary, Iran, Kazakhstan, Morocco, Nigeria, Pakistan, Romania, South Africa, Turkey, Ukraine and Zimbabwe.
- Winning tribunals and settling employment cases covering discrimination concerning migrant workers, homophobic bullying and maternity rights, unfair dismissal, constructive discrimination, working time regulations, insolvency, redundancy, breach of contract and unlawful deduction from wages.
- Persuading DHSSPS to introduce a single Mental Health and Capacity Bill rather than separate legislation (work done with the Mental Health and Learning Disability Alliance).
- Getting the government to drop legislative provision to strengthen the Common Travel Area in the Borders, Citizenship and Immigration Act.
- Persuading DSD not to introduce a cap on Housing Benefit for homes with more than five bedrooms
- Succeeding with getting more favourable administrative arrangements introduced for lone parents when required to actively seek work.
- Persuading DHSSPS to initiate more frequent referrals of long stay patients to Mental Health Review Tribunals.
- Achieving a change in standard letters to claimants from the Appeals Service to make clearer the further rights of appeal in specific circumstances.

achievements in 2009-2010 (continued)

- Lobbying UKBA successfully to not apply a Home Office ministerial statement in Northern Ireland which would have required certain immigration applications to be made in person in Croydon.
- Getting over 1,865,000 hits on the Law Centre's website.
- Building a new website with an e-learning facility for the Welfare Rights Adviser Programme.
- Publishing new guides on the rights of students, self employed people and migrant workers from Romania and Bulgaria.
- Achieving Investors in People bronze award and Lexcel re-accreditation.
- Delivering an accredited training course at NVQ Level 4 on Tribunal Representation and new training courses on:
 - Benefits Before and After Pregnancy;
 - Employment and Support Allowance One Year On; and
 - Redundancy, Lay Off and Insolvency.
- Running seminars on:
 - child care provision;
 - learning lessons from Scotland on immigration policy (with OFMDFM);
 - resolving workplace disputes;
 - the legal capacity test;
 - community treatment orders;
 - nominated persons and after-care models of advocacy and legal safeguards in new mental health legislation.
- and a North/South forum on human rights and immigration (co-hosted with FLAC).

introduction

This is the Law Centre's Business Plan for 2010/2011. The Business Plan outlined the Law Centre's strategic objectives for this year alongside service delivery targets for casework training, publications and policy development work.

These are challenging times for advice organisations. A more straitened financial climate has coincided with greater demands for services as a result of the economic downturn. Services have also been stretched by changes to government policies such as the introduction of Employment and Support Allowance and the introduction of a much tougher medical test assessing capability of work.

The Department for Social Development commissioned an evaluation last year by the Delivery Innovation Division of the Department of Finance and Personnel. The outcome was positive. In particular, the feedback from external organisations was very strong. The Assembly's Social Development Committee commented that:

'the Law Centre has provided the committee with written and oral briefings on a range of policy issues including Welfare Reform, and revised Housing Benefit measures such as Local Housing Allowance. The Committee has found the Law Centre's contributions to

be well thought out, authoritative and very useful in the Committee's consideration of complex legal and policy matters. The Committee has found the Law Centre's output to be a very high quality and of particular value when considering policy decisions and the consideration of legislation'.

Ensuring the experience gained from delivery services feeds into policy work remains a core part of the Law Centre's strategy. A number of achievements highlighted in this Business Plan reflect this approach.

A strong legal advice sector as a whole is also essential to allow us to effectively complement the work of frontline services. The targets for delivering services this year reflect this aim.

key strategic objectives

The main strategic objectives for 2010/2011 include to have:

- achieved at least ten changes in law, policy and practice as a result of our work;
- entered into at least ten initiatives in partnership with other agencies to enhance the rights of and improve services to disadvantaged people;
- secured continued core funding and funding for mental health and policy work;
- reviewed the Law Centre's Articles and Memorandum of Association;
- introduced a management competency framework;
- produced a fundraising strategy;
- conducted a membership satisfaction survey across all areas of work;
- commenced a salary review of the organisation;
- reviewed the Law Centre's human resources strategy;
- implemented a plan to become a more environmentally friendly organisation.

Service delivery targets are set for successful outcomes at all forms of tribunals and courts in which the Law Centre provides representation. Training objectives are set and published in a training programme sent to members. Qualitative targets are set and measured by satisfaction rates obtained through written evaluations completed by participants. A framework to measure outcomes from training on a structured basis has been introduced to measure the impact of training.

A programme of publications and policy work is also set out for the year.

Progress in meeting organisational and other objectives is monitored through a half yearly report provided to the Management Committee which reflects on how the previous year's targets were met alongside progress with this year's organisational objectives.

service delivery

casework

The Law Centre will achieve Lexcel reaccreditation for its casework services to provide an external benchmark of the quality of casework systems and services. In addition, by 31 March 2011 we will have:

- undertaken at least 6,000 pieces of advice;
- opened 360 new cases;
- taken at least 25 strategic cases (ie cases involving court action or representation which deal with a legal precedent or cover a point of public interest or importance);
- provided representation on at least 305 occasions;
- achieved a success rate as follows:
 - social security commissioners 55%
 - social security appeal tribunals 60%
 - industrial tribunals 70%
 - immigration appeals 60%
 - mental health review tribunals 50%
 - court hearings 50%;
- organised at least eighteen subject based practitioner fora bringing advisers together to discuss key policy and legislative developments;

- maintained at least three hospital based legal services for mental health users.

The casework team will also be involved in delivering training, producing casework briefings and other publications, as well as material for the website and to support policy work. This is reflected in objectives contained elsewhere in the business plan.

training

By 31 March 2011 the Law Centre will deliver at least 65 training days from our two offices. Our aim is to achieve at least a 90 per cent outcome satisfaction in evaluation of overall satisfaction and 90 per cent satisfaction that course objectives are met. We will also conduct an outcomes tracking exercise for the Welfare Rights Adviser Programme. Our courses are linked to the National Occupational Standards for Legal Advice. The training will include:

- three eight day Welfare Rights Adviser Programme courses – accredited at NVQ Level 3;
- two Pregnancy and Benefits courses;
- two courses on Benefits for Carers;
- two courses on Completing Disability Forms - best practice, Disability Living Allowance and Employment and Support Allowance;
- one course on Employment and Support Allowance – case law and practice developments;
- one course on Challenging Social Security Overpayment Decisions;
- one course on Industrial Injuries;
- one course on Tax Credits Overpayments;
- one course on Identifying Errors of Law – Social Security Appeals;
- two courses on an Overview of Employment Law;
- one course on the Citizens Directive 2004/38 and Immigration (EEA) Regulations 2006 – an analysis of UK and ECJ case law;
- two courses on Redundancy, Lay-off and Employer Insolvency;
- two courses on an Overview of Mental Health Law;
- one course on Mental Health and Criminal Justice;
- one course on Mental Capacity and Decision Making;
- two courses on an Overview of Community Care Law;
- one half day course on Children and Young People in the Immigration System;
- one course on an Introduction to Immigration Law and practice;
- two half day courses on Legal Research Skills for Advisers;
- two two day courses on Advocacy skills;

In addition, the Law Centre will meet its agreed commitment to provide two days training to each of the five Health and Social Care Trusts in Northern Ireland and to deliver the community care module as part of a partnership arrangement with Advice (NI) and the age sector.

policy

By 31 March 2011 the Law Centre will have delivered:

- a North/South immigration forum;
- a seminar on refugee law;
- a conference on tribunal reform with the University of Ulster (School of Law);
- a conference on the new Capacity and Mental Health Bill;
- a seminar on funding long term care;
- at least twelve policy submissions;
- at least four briefings for the Assembly political parties and members;
- three thematic policy fora;
- four policy bulletins;
- a policy intern scheme;
- an opinion paper on mutually recognized visas;
- four meetings of the Mental Health & Learning Disability Alliance;

We will have lobbied for:

- an Assembly motion opposing immigration detention for children;
- an end to delayed discharge in learning disability hospitals;
- free English as a Second Language provision for asylum seekers;

We will also contribute tangibly to:

- the contents of the new Mental Capacity Bill; and
- reform of the tribunal system.

publications

By 31 March 2011, the Law Centre will publish:

- a book on employment rights (through SLS Legal Publications NI);
- the fourth edition of Rights in Progress;
- a research report on Tribunal Reform;
- the Encyclopedia of Rights (twenty chapters including information on social security, tax credits, community care, employment rights and immigration and marriage) in CD ROM format. The material will also be regularly updated on the Law Centre's website;
- a redundancy tool kit;
- Students and Benefits, a rights guide for students and their advisers;
- four editions of Frontline and a redesign of the magazine;
- a translated online migrant worker guide for Romanian and Bulgarian nationals;
- three community care information briefings;
- an annual report;
- four policy bulletins for members;
- three casework bulletins for member agencies;
- three policy briefings for members;
- four immigration briefings;
- a business plan for 2010/2011;
- a training programme;
- an updated strategic casework referral policy;
- a contribution to each edition of the Writ for 2010/2011;
- regular updates of material on the Law Centre's website, the development of an e-newsletter and continued development of the intranet.

In addition, the Law Centre will publicise its work, organise public events including launches, an AGM and other appropriate initiatives, issue press releases and liaise with the media as appropriate.

further information

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