



## LAPG Update 11 of 2020

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### 1. LAPG requests urgent financial relief for providers from the LAA

Hello all,

We are still eagerly awaiting an announcement from the LAA on further financial assistance for providers. Thus far, they have produced guidance on [‘financial relief for providers’](#), but this does nothing more than explain payments on account and hardship payment arrangements which are within the existing regulatory regime. This, together with the [financial measures announced by the Government for businesses](#) have left many providers scratching their heads and wondering how they will survive this crisis.

We are continuing to push the Legal Aid Agency to provide a much more comprehensive package of financial measures to support providers through this crisis and ensure that sustainability of the provider base. We all know that demand for advice is not abating and will increase significantly when current restrictions are lifted and the courts resume operating.

We are keen to hear from members about how they are getting on, what measures they have put in place to carry on assisting clients, and any business planning measures they are taking to stay afloat.

During recent conversations the LAA asked us to explain why the measures announced above for businesses are not necessarily applicable to or useful for legal aid providers. We have produced a paper explaining why it will be difficult, impractical and potentially impossible for providers to furlough some staff and utilise financing options. This is in part based on feedback from member firms who have explained that they are still dealing with existing cases, taking on some new cases

and dealing with billing so furloughing some staff is not sensible at this stage. Most are unable to take on loans without any guarantee that they will be able to repay them when the crisis abates because legal aid fees are so low that they barely, or in some cases don't, cover costs.



Cabinet Office

## Procurement Policy Note - Supplier relief due to COVID-19

Action Note PPN 02/20

March 2020

### Issue

1. This Procurement Policy Note (PPN) sets out information and guidance for public bodies on payment of their suppliers to ensure service continuity during and after the current coronavirus, COVID-19, outbreak. Contracting authorities must act now to ensure suppliers at risk are in a position to resume normal contract delivery once the outbreak is over.

### Action

2. All contracting authorities should:

- Urgently review their contract portfolio and inform suppliers who they believe are at risk that they will continue to be paid as normal (even if service delivery is disrupted or temporarily suspended) until at least the end of June.
- Put in place the most appropriate payment measures to support supplier cash flow; this might include a range of approaches such as forward ordering, payment in advance/pre-payment, interim payments and payment on order (not receipt).
- If the contract involves payment by results then payment should be on the basis of previous invoices, for example the average monthly payment over the previous three months.
- To qualify, suppliers should agree to act on an open book basis and make cost data available to the contracting authority during this period. They should continue to pay employees and flow down funding to their subcontractors.
- Ensure invoices submitted by suppliers are paid immediately on receipt (reconciliation can take place in slower time) in order to maintain cash flow in the supply chain and protect jobs.

Members have made various suggestions to ease the cash flow burden that we have passed on to the LAA, such as reinstating standard monthly payments based on previous billing figures, allowing firms to claim 100% of POAs on existing cases, speeding up Escape Fee processing times, and other sensible suggestions such as grants to cover core operating costs and staff salaries.

We have also asked the LAA to explain why they are not following the Cabinet Office's [Procurement Policy Note \(PPN\) 02/20](#), which sets out guidance for public bodies on payment of their suppliers to ensure service continuity during and after the current COVID-19

outbreak. It states that contracting authorities must act now to ensure suppliers at risk are in a position to resume normal contract delivery once the crisis is over.

## 2. New LAPG Covid-19 support service for legal aid providers to start imminently

The Legal Education Foundation has generously provided LAPG with financial support to create a dedicated email support service for legal aid providers struggling because of the current crisis. The service will provide one-off advice via email on LAA contract compliance and business continuity issues arising from the COVID-19 situation. The service should be up and running in a day or two and will be freely available to any organisation with a civil or criminal legal aid contract. Email responses will be provided by the LAPG team, with expert input from sector consultants such as Vicky Ling and Matthew Howgate.

We will provide further information about the service as soon as possible.

## 3. DG Legal FAQs on Covid-19 and Business Continuity

DG Legal has published a really helpful [Covid-19 FAQ page](#) on their website based on queries from legal aid providers.

Huge thanks to DG Legal for sharing this very useful resource. The FAQs will be updated regularly.

## 4. DG Legal free webinar tomorrow at 16.00 – Surviving the Coronavirus Downturn

DG Legal is running their free business continuity webinar again tomorrow (1 April 2020). The webinar provides an overview of the new government guidance & how it affects law firms and things to consider relating to:



- Whether to close the office
- Home working
- Supporting existing clients
- Staff Furloughs
- Suggested FREE software
- Financial support
- Business Continuity Plans

This course is aimed at all law firms and those working with them. The content of the course is relevant to all managers, principals and lawyers wishing to minimise the harm caused by the virus and consequent lockdown.

#### Joining Details

If you have not already done so, to register in advance for the webinar, please either click on the following link to confirm you would like to view the webinar:

[https://zoom.us/webinar/register/WN\\_AwGUv6XVSOyjs\\_38uJxSbw](https://zoom.us/webinar/register/WN_AwGUv6XVSOyjs_38uJxSbw)

After registering, you will receive a confirmation email containing information about joining the meeting.

#### **5. LALY nomination deadline put back to 17 April**

A brief reminder that the LALY nomination deadline has been pushed back to 17 April 2020. We appreciate that legal aid providers will be focusing on adapting to the ever-changing environment and may need more time to prepare nominations.

[You can find our press release with further information about nominations on our website here.](#)

#### **6. Volunteer to mentor aspiring legal aid lawyers**



**YOUNG  
LEGAL  
AID  
LAWYERS**

Young Legal Aid Lawyers (YLAL) is recruiting mentors to provide guidance to the next generation of legal aid lawyers.

They have had a **lot** of interest in their mentoring

scheme and need new mentors to help meet demand.

The scheme is very flexible. YLAL mentoring has always been socially distant, generally taking place over email or telephone (and maybe now Zoom!). By signing up you are registering your interest so that they can notify you of new opportunities to mentor as they come up.

How much time does it take? It depends. Your mentee may be looking for a one-off piece of advice or might value your guidance over a longer period - whatever both sides are comfortable with.

You do not need to have qualified as a solicitor/barrister or CILEx to be a mentor. Anyone who has some experience of working in legal aid, including paralegals, trainees and pupils, can mentor someone at an earlier stage in their career. Please don't be put off if you don't feel that senior yet. Equally, you don't need to be a junior legal aid lawyer or YLAL member to be a mentor- senior legal aid lawyers are very welcome too!

Any questions? Please check out their [FAQ](#) on how the scheme works.

To join YLAL's mentoring mailing list, please sign up [here](#).

## **7. LAPG Supervision Course – 15 May 2020**

Our next supervision course, which was scheduled as a full day face-to-face course in London, will now be delivered online. [Please do continue to sign up here](#) if you want to attend and we will come back to delegates with further instructions on accessing the training online.

Please do get in touch to share your thoughts and experiences of managing through this crisis. Everything we learn from members helps us to tailor the support we can provide and shapes our work influencing government.

### **31 March 2020**

Chris Minnoch, CEO

Kate Pasfield, Director of Strategy

Rohini Teather, Head of Parliamentary Affairs

Would you like to contribute to our Member Updates and share news and information with other members? If so just email us and we can discuss how you can best contribute.



**LEGAL AID  
LAWYER**  
OF THE YEAR AWARDS