



Legal Aid
Agency

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Your Questions Help Us Say Yes Webinar: Contract Management and Assurance

Civil Provider Contract Overview

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Managing contracts

Q: I would like an opportunity to liaise with the LAA about Expert Invoices and Photocopying Experts and Travelling Disbursement - these are often very grey areas - why you can claim 10 ppc up to a certain number and this reduces as the copying total increases?

A: Photocopying is only allowed in exceptional circumstances ([Cost Assessment Guidance](#) 2.2 and 3.38). There are no codified rates for instances where copying is allowed. Guidance is outlined in the [Electronic Handbook](#) (10.21). The scale decreases as the volume of copies increase to reflect commercial rates for photocopying.

Q: With travel expenses you will refund £10 parking at a car park in London (that is less than 10 miles from the office) but you won't refund a £4.60 travel card / return (half the price to the LAA) to cover the journey?

A: Detailed guidance on travel rules with an explanation of LAA's stance is available in the [Electronic Handbook](#), 10.33. Our stance is based on the court's own procedural rules, which determine what is 'local travel' for the purposes of attending court. Parking is allowed, even if mileage is not, because car parking is a cost incurred irrespective of the distance of the journey to the relevant court.

Q: What happened though to the 'soft reject' policy? In the old days, a case worker would have the time and scope to just email a provider and say before rejecting, I just need X and then we would send that and then the bill would be paid. It seems to me that if workers are given a time limit within which to consider bills (20 mins), when you are dealing with significant bills and many lines of activity and disbursement vouchers, that given that pressure of time, they just now reject and then move on to the next case. In relation to certificated claims, and final bills, do the LAA not operate a 'soft' reject policy? I remember years ago a LSC seminar (as the LAA was then) whereby we were told that case workers would email and ask for missing items without just rejecting claims out of hand? I get cases whereby the LAA reject for one reason, deal with the issue raised, and the case is rejected again for an entirely different reason not mentioned the first time around.

A: There is currently no soft reject policy for civil bills. LAA have taken this stance since April 2021 and always aim to pay a claim first time. The process in CCMS is much easier to pay a claim than it is to reject a claim. This has allowed LAA to reduce the percentage of claims returned from 44% of all submissions to 13% of all submissions recorded in November 2022.

The LAA process claims in a two-stage approach:

- Stage one is to check the most common issues with a claim, if an error is found, the claim is then rejected with no further checks. If no errors are found, the claim moves to stage two
- Stage two is to check the remainder of the claim. Again, if an error is found, the claim is then rejected. If no errors are found, the claim is assessed and paid.

Our decision-making process is laid out in chapter 16.2 of the Electronic Handbook. Details of what checks fall within stage one and stage two are available in the Claim Checklists, including the CCMS-specific one, which can be accessed here: [CIV CLAIM1: civil claim form \(not fixed fee\) - GOV.UK \(www.gov.uk\)](#) (scroll down to CCMS Checklist document, it is in Microsoft Word format).

Where providers believe the LAA's decision on a civil bill reject is incorrect, they can refer it to LAACivilClaimFix@justice.gov.uk who will review the reject and respond within 24 hours with advice for the provider on why our decision was correct; or with corrective steps where we have made an error.

Q: How can we clear old CCMS cases that have been revoked / nullified please?

A: A revoked certificate should still be billed as normal. If you have elected not to claim due to the revocation, you will still need to submit an Outcome and nil bill. This will enable us to action it and close the case down. We can close nullifications with a nil invoice.

Q: Where a file has been rejected and provider has been asked to complete the Amendment spreadsheet, it seems that there is no scope to indicate that the LAA has made a decision in error. It only allows the provider to state that it was provider error. Can you kindly advise?

A: The claim amendment spreadsheet, relating to controlled work claims, can be discussed with your Contract Manager.

Reviews

Q: I feel that there are sometimes "hot topics" that the LAA particularly reviews. I appreciate that providers are responsible for being aware of all terms of the contract, but I gently suggest that it may be helpful to flag issues like this to all providers before or outside of the review process...

A: Contract Managers do try to cover the LAA priorities at the start of the annual review. Often, reviews tend to identify trends in errors. We do try to address these through common error documents and sessions for providers.



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