



Legal Aid  
Agency

# Immigration and Asylum Webinar: Delivery of Detained Duty Advice Scheme (DDAS) Surgeries

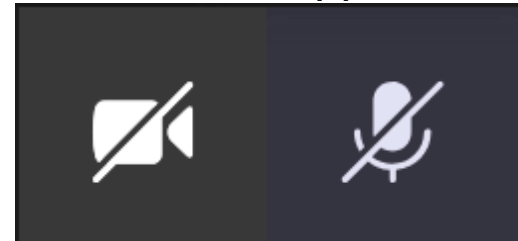
## Service Development

September 2023

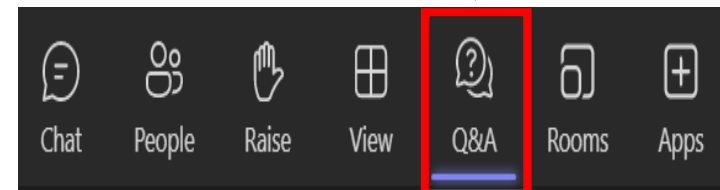
## Technical tips for this webinar:

1. Please put yourself on mute during the webinar
2. You can ask us questions at the end of each session through the 'meeting chat'
3. Click on the 'Q&A' icon to ask a question
4. You can keep the meeting chat open throughout to view other people's questions
5. Email us if you experience technical issues during the webinar: [LAAGHelpUsSayYes@justice.gov.uk](mailto:LAAGHelpUsSayYes@justice.gov.uk)

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## Content:

**Before you attend your DDAS surgery**

**During the DDAS surgery**

**Claiming for DDAS surgeries**

**Useful contacts and links**

# Delivery of Detained Duty Advice Scheme (DDAS) surgeries:

## Purpose of the webinar:

- **To understand how to successfully deliver a DDAS surgery**

By the end of the webinar you will have an understanding of:

- What communications to expect before your surgeries
- What you must do *before* attending a surgery
- What you must do *when* attending a surgery
- What to do if you cannot attend a surgery
- How and when to claim for surgeries you have completed



# Things to remember about a DDAS surgery



# Things to remember about a DDAS surgery:

## Overview of surgeries:

- Each surgery has a maximum of 10 appointments
  - Each appointment is 30 minutes
- They are in person face-to-face, at the immigration removal centre (IRC)
- A caseworker must be available for the entirety of each surgery at the IRC
  - Must complete all appointments listed
- Conducted within business hours:
  - Exact timings vary across the IRC estate
- IRC staff make appointments and hold the list of clients for a surgery day
- There are no legal aid agency (LAA) staff based in IRCs

**Before you attend your DDAS surgery**



## Communications you will receive:

### **At the start of the rota period:**

- Your updated schedule (existing schedule holders only)
- Your contract to sign (new schedule holders only)
- A letter (by email) setting out all of your rota surgeries for that rota period
- A copy of the IRC practical guide

### **The week before your surgery:**

- An email reminder from the LAA that you are on the rota for one or more surgeries in the following week

### **No later than 12 midday, the day before your surgery:**

- An email from the IRC that lists the clients who have made a DDAS surgery appointment



## Start of the rota period

### At the start of the rota period:

- Sign your contract (if applicable)
- Check your schedule has the correct IRCs listed
- Reply to your rota letter to confirm receipt, update the contact details held by IRC queries team have
- Ensure people at your firm involved in delivering DDAS are familiar with the relevant sections of the IRC practical guide
- Take any action needed to ensure the rota days allocated have an assigned caseworker
- If you are aware you are unable to attend some DDAS surgeries, in the first instance you must try to make alternative arrangements with a different caseworker
- Where the above is not possible, contact the IRC queries team immediately so the surgery can be reallocated

## Prior to the surgery:

### The week before your surgery:

- Assess your capacity. If you are unable to take any cases on during your surgery for capacity reasons, inform the IRC queries team to discuss the options
- Make sure your caseworker is clear on the IRC they need to attend, the timings of appointments and when to arrive
- The attending caseworker may need to make arrangements with the IRC with regards parking permits or send ID or forms prior to arrival. ***Each IRC is different, ensure you contact them to find out what you need to do***
- If your caseworker is no longer able to attend the DDAS surgery you must try to make alternative arrangements to ensure the surgery is attended
- Where the above is not possible, contact the IRC queries team immediately so the surgery can be reallocated

## Final checks:

### **No later than 12 midday, the day before your surgery:**

- Check the list and note the appointment start time:
  - You should aim to arrive at the IRC around 30 minutes before this time in order to pass through security and get to the room where the surgery will be held
- Arrange for interpreters to be available at the allocated times:
  - If an interpreter is unavailable, inform the IRC staff. stating the client will need an alternative time or during the next scheduled surgery
- Ensure all forms requiring a signature are printed prior to attending the IRC
- If you do not receive a list from your scheduled IRC by this time, contact them directly. Ask them to confirm in writing if there are no clients
- Contact the LAA IRC queries team if you have any issues or problems as soon as possible

**During the DDAS surgery**



## What to expect:

- It may take up to 30 minutes to gain entry and through security at the IRC. Ensure you are aware of the facility rules and have complied with any requirements in advance where applicable
- You should be shown straight to the room where you will conduct the surgery face to face with the clients
- Clients will be brought to you in the order they were listed, with all their relevant documents
- If a client is no longer available, wants an appointment, or has been released, you should be informed prior to the surgery
- You should see no more than 10 clients in one surgery day. Each appointment should be no more than 30 minutes
- You should assess the clients eligibility for legal aid and you must give advice with regards to bail. You should take on any client assessed who meets the criteria for legal aid
- At the end of the appointment you must give the client a copy of the appointment summary. For ease, a proforma has been created and is available as part of the IRC practical guide

## Summary of DDAS appointment:

### The summary you give the client must:

- Be in a written format
- Give details of the outcome of the appointment, including what advice was given regarding bail
- Include the name of the caseworker who has advised the client
- Include details of how the client can make a complaint

### You should aim to:

- Include clear details of the next steps the client needs to take
- Provide contact details where you have taken on the case, or have asked for further documents in order to make a determination
  - For ease a proforma has been created and is available as part of the IRC practical guide
- Give the client an electric or paper copy of the summary at the end of the DDAS surgery
  - The client must receive this on the day of the surgery so they can access further alternative advice, or action the next steps set out, as soon as possible

# Claiming for DDAS Surgeries



## What you can claim:

The fee paid for attending a DDAS Surgery will depend on the number of clients you see:

**Table 4(d): Immigration Removal Centres Standard Fees (for Exclusive Schedule Holders only)**

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On Site Surgery – advising 5 or more clients	£360
On Site Surgery – advising 4 clients or less	£180

- If you attend the IRC, and they have not advised in writing beforehand there are no client appointments, you may make a claim of £180.

You may claim the following as disbursements (in line with the Immigration and Asylum Specification):

- The cost of travel to and from the IRC
- Interpreter costs
- You can claim any substantive matter opened as a result of an initial DDAS surgery appointment with you (follow on work) separately, at the hourly rates set out in the Regulations.



## How to claim:

The fee for attending a DDAS surgery is claimed through the controlled work and administration (CWA) online system:

CWA Outcome Fields	Detention Duty Advice Surgeries
<b>Case Start Date</b>	Here the date on which the surgery was undertaken should be entered.
<b>MT1</b>	IAXL
<b>MT2</b>	IDAS
<b>Advice Time</b>	Total advice time for claim period – for all clients.
<b>Net profit Costs excl VAT</b>	Depending on the number of clients seen, the relevant fee should be claimed here: 1-4 clients: £180 5 or more client: £360
<b>IRC Surgery</b>	Yes
<b>Surgery Date</b>	The date the surgery took place (DD/MM/YYYY)
<b>Number of clients seen at the Surgery</b>	The number of client seen at the surgery (0-10)
<b>Number of Surgery clients resulting in a legal help matter opened</b>	The number of clients seen at the surgery for whom you subsequently opened a legal help matter (0-10)

Full details of how to complete each CWA field for a DDAS surgery claim can be found in the guidance for reporting controlled work published on Gov.uk

# Useful contacts and links



## Useful contacts and links:

- Current contract documents: [Standard civil contract 2018 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/682227/Standard_civil_contract_2018.pdf)
- Full details of LASPO and Remuneration Regulations: [Civil legal aid: civil regulations, civil contracts, and guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/682227/Civil_legal_aid_civil_regulations_civil_contracts_and_guidance.pdf)
- Controlled work claims guidance: [CWA codes guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/682227/CWA_codes_guidance.pdf)
- If you do not have a copy of your rota letter or the IRC practical guide (2023):  
[IRCqueries@justice.gov.uk](mailto:IRCqueries@justice.gov.uk)
- For queries relating to DDAS rotas, changes to your capacity and / or ability to conduct DDAS surgeries contact us: [IRCqueries@justice.gov.uk](mailto:IRCqueries@justice.gov.uk)
- IRC contact details can be found on your reminder emails sent from: [IRCqueries@justice.gov.uk](mailto:IRCqueries@justice.gov.uk)

## Our training website



### Online Support Webchat

- Use Webchat for help with IT system issues

### Webinar Recordings

- Our 'Help us say yes' webinars focus on areas where there have been issues or high enquiry levels
- Popular sessions are posted on the training website: [Ministry of Justice](#)

# Our communications channels

## Legal Aid Bulletin

- A fortnightly e-alert with links to relevant pages
- Join our thousands of subscribers



## Social Media

- Follow us on Twitter
- Get help from our customer service twitter account
- Read our blog



## LAA Portal

- We post the status of our online systems on the portal's home page





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