



Delivering Advice, Information and
Legal Representation Services

London Councils
59 ½ Southwark Street
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28th January 2010

Re: BAN response – London Councils commissioning priorities 2011-2015

The BAMER Advice Network (BAN) welcomes the opportunity to feed into the London Councils consultation on their commissioning priorities for Londoners for 2011-2015.

As London Councils is one of the largest funders of the voluntary and community sector in London, any changes to the priorities is of key interest to the individual agencies and related partners in the Black, Minority, Ethnic and Refugee Advice Network BAN.

BAN (BAMER Advice Network) is an integrated network of quality assured advice services delivered by and for people from London's BAMER migrant and refugee communities. All BAN member services hold at least the minimum accreditation, of General Help (Community Legal Services) Kite mark and/or are registered with the Office of the Immigration Services Commissioner. BAN currently has 43 members, 19 of which comprise of a sub-group delivering the London Councils funded Advice Integration Project and some of the BAN members from the wider group are also funded by LC under different projects. BAN delivers free and confidential advice services across London in the following areas of law: Asylum, Immigration, Housing, Homelessness, Debt/money, Welfare benefits, Education Employment, Health, Racial discrimination, Domestic Violence, Community Care and education.

In addition, BAN members provide legal representation services in: Asylum, Asylum Support, Immigration and Welfare Benefits

Services are accessible through drop-ins, appointments, telephone and home visits arranged through the partner agencies. BAN members have multilingual staff and access to interpreters and translators to provide services in 35 community languages.

BAMER advice providers are faced with an increasingly competitive environment in which their ability to deliver quality and value for money in their services is being challenged from many sides. This is occurring despite the continuing need for language and culturally appropriate advice provision, especially in areas of London that have under-developed services and where demand for advice currently outstrips supply.

Advice services play a vital role in resolving problems and preventing situations from deteriorating. A joint Department of Constitutional Affairs/Law Centres Federation (LCF) report, A Pathway to Regeneration, found that advice services can "build confidence,

empower, promote independence and employability and help create and support cohesive, vibrant and inclusive communities."

Current funding largely directed at CABx, Law Centres and mainstream advice agencies has not succeeded in improving access to advice for BAMER individuals and communities. The Legal Services Research Centre research has demonstrated that 46% of people within two miles away from a CAB were unaware of its existence, for Law Centres the figures was even higher at 82%. Word of mouth and advertising aimed at BAMER service users covering advice, social policy and leisure services helps improve awareness of advice services targeted at refugee and migrant communities.

BAN partners feel that the latest trend towards larger centres will not solve mainstream agencies problem with BAMER service user awareness, as socially excluded people will continue to seek help from local advice providers and agencies that also address other, holistic needs, such as leisure, language education, skills development and social interaction. Inclusive communities cannot be developed when policy makers and funders choose to ignore the rights of communities to seek help that is linguistically and culturally welcoming.

In addition, previous AdviceUK consultation with its BAMER members has shown that:

- The inter-related advice needs of their clients and the holistic nature of their services do not fit well with the more compartmentalised systems being proposed for large advice centres.
- Race discrimination is often a part of other main areas of advice -- such as employment. BAMER groups are more likely to seek advice on discrimination cases from people from their own community rather than from white British advisers
- BAMER service users may face particular difficulties in responding to the written procedures required, due to inexperience of such documented systems, language barriers and lack of confidence.
- BAMER agencies form long-term relationships with their service users. As a result of language support needs and/or mutual understanding, service users frequently use a centre as their first port of call with any query or problem. Trust is built up, particularly in cases where, for example, an asylum seeker is traumatised by her experiences. In such cases, the presumption of the Community Legal Service (CLS), that referring service users on, is in the service users best interest is debatable. Service users judge the quality of advice on a range of criteria, in addition to technical expertise. Even where service users accept a referral to another agency, they may return for interpretation and explanation of that agency's advice and actions. Complementary services such as these are not recognised within the CLS, but are key to an effective integrated legal advice system.

A more focused consultation event facilitated by AdviceUK, LCF and LASA on 12th January 2010, discussed the advice sectors perspective on London Councils commissioning programme 2011-2015 in relation to advice and considered 4 questions.

- What challenges are there to advice sector funding? What do advice organisations want London councils to fund?
- How should the current advice sector funding environment influence London Councils' decisions when setting future commissioning priorities?

- The difference our funding makes to local people, the voluntary sector and other organisations working to support Londoners like the Health Service and Police?
- How our funding can help local people and organisations get through the recession?

Below are the collective responses under each question.

What challenges are there to advice sector funding? What do advice organisations want London councils to fund?

- Attendees felt that LC should improve access to advice for BAMER communities in the fields welfare benefits, housing, immigration & asylum, health, education and employment and continue to support specialist advice projects targeting London's BAMER communities.
- Attendees felt that there was a shortfall in LSC funding and that it was important for London Councils to identify the gaps and address the unmet needs.
- Attendees felt that the provision of Advice was seen as a threat by some Councils— attendees felt strongly that London Councils do not hold this perception and that London Councils should influence change in the perception of these boroughs.
- Advice is demand led – borough driven outputs are difficult for advice centres as it's not possible to choose who walks through the door.
- London Councils should fund low level debt/early intervention especially for vulnerable groups e.g. people with mental health issues.
- Changes in (national) policy in community care have to be fed down to advice agencies – this applies to all changes in national policy.
- London Councils should fund policy work related to the above.
- London Councils must continue to fund areas that boroughs are unwilling to fund or find unattractive to fund. There is a strong danger that this aspect of London Councils funding could be lost.
- Rationalisation or reduction in the number of funding streams could mean small organisations providing specialist services are cut out.
- There is a smaller pot i.e. less money available
- Increase in reporting requirements and bureaucracy are resulting in increasing demands on time and resources (without an increase in funding to match this)
- Full cost recovery including regulatory auditing costs should be funded by LC
- The general move toward partnership working calls for more support from funders and 2nd tiers around developing and managing these partnerships this should be recognized by LC.
- LC should fund services to asylum seekers (Home Office don't fund this)
- LC funding is very important for niche organisations especially as LSC does not support this. LC should fill vacuum. e.g. ASAP, DLS + Inquest Charitable Trust etc
- Public legal education should be funded so people can make use of law, e.g. equalities duties/legislation
- Drugs and alcohol advice specially for young people during a recession

- Equality and access – should be a key theme which runs through funding streams e.g. young people, people with disabilities, BAMER communities should be themes to run through all funding streams.
- The advice sector provides a holistic service which covers issues such as informing clients about sustainable options and schemes, agencies should be funded to provide a full service (as mentioned above) which is better for the service user and the funder

How should the current advice sector funding environment influence London Councils' decisions when setting future commissioning priorities?

- Changes in LSC funding that lead to a reduction in income for funded groups
- Marginalised groups/communities/people suffer disproportionately in this environment and so London Councils must ensure that they are protected, not forgotten or reduced in priority
- Any changes to priorities should be done in consultation with the advice sector
- London Councils should learn from currently funded projects and all the information that they submit in the form of monitoring and case studies etc.
- The added value of the advice sector should be highlighted.

The differences our funding makes to local people, the voluntary sector and other organisations working to support Londoners like the Health Service and Police

- Only London Councils funds work to help community mental health people, hospital visits to the same. This creates links between the NHS and the communities and must not be lost
- Immigration advisers regularly pick up clients with medical/mental health issues and refer to various health agencies. London Councils must ensure this link between health & advice is not lost
- London Councils should fund specialist organisations to cascade knowledge/information on changes in policy e.g. community care to other organisations along with information on the roles that they can play
- London Councils is the only funder of holistic advice provision such as provided by specialist organisations this must be maintained.
- Independent advice – This should remain a priority, there is a danger that independence will be lost if partnerships or joined up working with statutory agencies is maintained. London Councils must fund independent and individual/BAMER/ single groups/
- Niche/specialist areas of advice must be funded e.g. advice/representation on inquests
- Inquests impact on mental health and (illegible), custody especially affects marginalised people. No representation available for families.
- DDA/Police/Immigration – possibly not funded currently?
- Can LC input into safe neighbourhoods across boroughs and share good practice?
- Frontline advice agencies save a lot of money to statutory bodies like the NHS and the police through their interventions.
- The advice sector informs and feeds back social policy research with evidence based and up to date information.

- The advice sector reaches out to different equalities groups supporting disadvantaged, isolated and vulnerable communities.
- Advice agencies tackle social exclusion and promote integration.
- Advice agencies working with BAMER communities have the knowledge, experience, awareness and expertise to better engage and address the needs of the communities they serve
- The advice sector fits into many local and national priorities.
- London Councils advice sector funded group are always willing to go beyond what is required to support and advice their clients irrespective of service users and clients eligibility.

How our funding can help local people and organisations get through the recession?

- By providing information and advice on debt advice/bankruptcy, managing money.
- Marginalised groups are disproportionately affected so there is a need advice to challenge decisions
- 2nd tier advice to help marginalised groups through recession
- Redundancy – is it economic or discrimination - gives employers chance to discriminate e.g. get rid of disabled people or women
- Advice sector provides valuable advice to statutory agencies, e.g. social services. Police and health services.
- Advice on redundancy/employment rights will increase during economic downturn.
- Recession: people who do not usually access advices services now finding themselves in need advice.
- Independent advice organisations reach out to people who don't have the means to access advice due to financial constraints. (e.g. outreach services, befriending services, telephone support etc.)
- Second tiers support is central for frontline agencies in terms of development and representation.
- Full cost recovery for organisations is not working at present and this needs to be acknowledged

Whether the Services London Councils at the moment are the rights ones and, if not, how should they be updated

We urge London Councils (LCs) to, at minimum, preserve the current budget for BAMER advice services and to ring fence this funding for London's Advice Sector. It is essential that when funding organisations, core costs are always met, especially in the case of smaller, more specialist organisations.

General concerns expressed by members:

- There is a strong possibility that BAMER issues or specialist provision will slip down agenda during consultation as other (less important) interests may have a louder voice
- There is no specific mention of BAMER communities in the consultation which means that this can slip down in priority

- Borough restrictions on advice, especially specialist services – can mean turning away people not in the agreed boroughs who cannot find the right advice in their own borough
- Gap between advice needs and how that affects policy change
- 2nd tier key role in co-ordinating evidence and policy – need resource specific person.
- Funded groups will provide disability discrimination advice
- The advice sector can provide expertise already built up.

In conclusion all members felt that the provision of advice and information services should remain a priority and cuts across all six challenges identified by London Councils.

We look forward to the outcome of this consultation process and further dialogue with London Councils on this important issue.

Kind regards

Sarbjit Ganger
Chair of BAN