

## Unit Title

**LA13 Act on behalf of clients in informal proceedings**

## Summary

This Unit is for you if you are responsible for making representations or acting on behalf of clients. This will involve you in representing clients' interests in situations other than formal proceedings where the clients are either unable to represent themselves or where the most successful outcome will be achieved by this course of action.

The Unit requires you to:

- Explore and analyse the nature of the client's needs
- Research information relevant to the client's situation
- Prepare to act on behalf of clients
- Make representations on behalf of clients
- Review cases in informal proceedings

There are 5 elements:

No	Title
LA13.1	Explore and analyse the nature of the client's needs
LA13.2	Research information relevant to the client's situation
LA13.3	Prepare to act on behalf of clients
LA13.4	Make representations on behalf of clients
LA13.5	Review cases in informal proceedings

This is a new Unit that has been developed for the Independent Legal Advice Sector. It has been developed in the format agreed for the NOS for Legal Advice.



**Element****LA13.1 Explore and analyse the client's needs****Performance Criteria**

To meet the standard, you must be able to:

- 1 Explain clearly the nature and extent of the service you can offer the client
- 2 Explore and agree with the client the nature of their advice needs and expectations
- 3 Review and analyse available relevant client information
- 4 Agree with the client where a situation requires immediate action and take steps to implement this
- 5 Agree next steps with client
- 6 Explain the organisation's systems and procedures for working with the client and check their understanding
- 7 Agree with the client the procedures and timescales for closing the case
- 8 Comply with the relevant legislation, codes of practice, guidelines and ethical requirements
- 9 Record client details and agreed actions using organisational procedures for recording and storing client details

**The skills you will need to enable you to deliver the service effectively are**

- questioning
- active listening
- negotiating skills
- decision making
- problem solving
- presenting information orally and in written form
- recording and storing information

## Knowledge and Understanding

To meet the standard, you must know:

- a) The reasons why it is important to discuss service provision with the client, including any limitations of the service
- b) The kind of client information that may be available about the case and why it is important to review this
- c) The kind of situation that may require immediate action and organisational procedures for doing so
- d) The kind of actions that might be required from you and/or the client and why these are important
- e) Organisational systems and procedures for working with clients, why it is important to follow these and why it is important to check the client's understanding
- f) Why it is important to agree with the client the timescales and procedures for closing the case
- g) Relevant national, local, professional and organisational requirements relating to equal opportunities, discrimination, health and safety, security, confidentiality, data protection and conflicts of interest
- h) Why it is important to comply with different requirements and the consequences of non-compliance
- i) Organisational procedures for the recording and storing of client details

**Element****LA13.2                    Research information relevant to the client's situation****Performance Criteria**

To meet the standard, you must be able to:

- 1            Identify and access sources of information relevant to the client's situation
- 2            Review information sources and extract relevant data
- 3            Ensure the information obtained is accurate and up to date
- 4            Ensure that the information obtained is sufficient to enable you to advise the client
- 5            Analyse the information received from the client and the research process to formulate options that could meet client needs

**The skills you will need to enable you to deliver the service effectively are**

- questioning
- active listening
- research
- decision making
- analytical
- prioritising
- time management
- presenting information

## Knowledge and Understanding

To meet the standard, you must know:

- a) The range of information sources, including case notes, relevant legislation, case law, national and local policies and practice and internal and external colleagues
- b) Why it is important to check that the information is accurate and up to date and how to do this
- c) Why it is important to check that you have obtained appropriate information and ways of doing this
- d) How to analyse information to identify options
- e) The options that may be available to the client

**Element****LA13.3 Prepare to act on behalf of clients****Performance Criteria**

To meet the standard, you must be able to:

- 1 Review all relevant information on the needs of the clients
- 2 Agree with clients their desired outcomes
- 3 Advise clients as to any additional information that might be required
- 4 Obtain authority to act on behalf of clients
- 5 Agree with clients who should be contacted to pursue their interests
- 6 Identify with clients the points to be addressed in the representation
- 7 Identify relevant time limits and the action to take when they have been exceeded
- 8 Record details of the representations in the appropriate systems
- 9 Comply with all relevant legislation, codes of practice, guidelines and ethical requirements

**The skills you will need to enable you to deliver the service effectively are**

- recording and storing information
- presenting information
- active listening
- questioning
- summarising
- decision making
- oral and written presentation
- negotiating skills
- problem solving
- time management

## Knowledge and Understanding

To meet the standard, you must know:

- a) How to obtain accurate information on the needs of clients
- b) How to check the relevance of the information
- c) The type of additional information that might be necessary and why this is important
- d) How to obtain authority to act for clients
- e) Time limits relating to the case, why these are important and permitted action when they have been exceeded
- f) Which services or organisations are usually contacted in a given situation and who their appropriate representative is
- g) The possible results of the representation and why it is important to discuss these with the client
- h) The systems and procedures for recording representation and why it is important to use them
- i) The relevant national, local, professional and organisational requirements relating to equal opportunities, discrimination, health and safety, security, confidentiality, data protection and conflicts of interest
- j) Why it is important to comply with different requirements and the consequences of non-compliance

**Element****LA13.4                    Make representations of behalf of clients****Performance Criteria**

To meet the standard, you must be able to:

- 1        Ensure all relevant people, documentation, and associated materials are available for representation
- 2        Provide the correct information to all relevant people according to the agreed timescales
- 3        Ensure oral and written representations are clear and effective
- 4        Comply with all relevant protocols relating to representing clients in particular settings
- 5        Represent clients' interests in a way that emphasises the key points and how they affect clients
- 6        Identify the issues represented by others and offer constructive suggestions for their resolution
- 7        Identify any problems with the representation and take appropriate action to address them
- 8        Review the results of representation with clients and agree relevant next steps
- 9        Comply with all relevant legislation, codes of practice, guidelines and ethical requirements

**The skills you will need to enable you to deliver the service effectively are**

- recording and storing information
- presenting information
- active listening
- questioning
- summarising
- oral and written presentation
- negotiating
- problem solving

## Knowledge and Understanding

To meet the standard, you must know:

- a) What and who should be available at different stages of representation
- b) What type of information is required and who requires it
- c) Relevant protocols relating to representation in particular settings
- d) The information that should be included in the representation and how to present it
- e) The types of issues or problems that could emerge and how they have been resolved previously
- f) Why it is important to identify and address problems and the implications of failing to do this
- g) What further actions are available to clients
- h) The relevant national, local, professional and organisational requirements relating to equal opportunities, discrimination, health and safety, security, confidentiality, data protection and conflicts of interest
- i) Why it is important to comply with different requirements and the consequences of non-compliance

**Element****LA13.5                    Review cases in informal proceedings****Performance Criteria**

To meet the standard, you must be able to:

- 1        Review the outcome of cases with clients and ensure their understanding
- 2        Confirm with other parties their agreement to the outcomes of cases
- 3        Review the possible consequences of the outcomes with client
- 4        Consider with client whether the process of representation should be continued
- 5        Agree any further actions with clients
- 6        Record details of cases using the appropriate systems

**The skills you will need to enable you to deliver the service effectively are**

- questioning
- active listening
- analysing
- prioritising
- reflecting
- decision making
- presenting information, oral and written

## Knowledge and Understanding

To meet the standard, you must know:

- a) The kinds of outcomes that might require explanation to clients and why this is important
- b) The types of agreement that should be obtained from other parties
- c) The kinds of consequences that are likely to result from different outcomes
- d) The range of options available that would allow the process of representation to continue
- e) The types of further action available in different proceedings
- f) Organisational systems and procedures for recording details of informal proceedings and the importance of following them