

An Integrated Training Strategy for the Legal Advice Sector in Northern Ireland

Final Project Report

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Executive Summary

Introduction

This project has been commissioned by Skills for Justice Northern Ireland supported by key legal advice giving agencies in the voluntary and community sector, and the private and public sectors.

The project objectives are to:

- Identify a strategic approach for the use of the NOS for legal advice in Northern Ireland
- Recommend how the NOS can be used across the legal advice sector to promote and raise the skills levels of advisers and improve the quality of service provision to members of the public.

The methodology consisted of a number of complementary activities:

- Desk research to consider research and development in the area of legal advice in Northern Ireland which could inform the current project
- A consultation workshop with members of the legal advice sector in Northern Ireland to consider what should be explored through a broader consultation with the sector
- An on-line questionnaire to explore perceived development needs across the sector and how National Occupational Standards could be used to meet those needs
- Follow-up telephone interviews.

The research findings were analysed and detailed conclusions and recommendations are contained in Section 6 of the Report. The key recommendations from Section 6 are detailed below.

Although the project was designed to be sector wide, i.e. to include representatives from the private and public sectors as well as the voluntary and community sector, responses to the consultation activity have been largely from the voluntary and community sector. This means that the results and conclusions have a bias towards the needs of individuals and organisations based in the voluntary and community sector.

Key Recommendations

1. Organisations providing legal advice to the general public need to consider the development needs of their managers and provide appropriate training and support. This will have a consequential effect of improving the overall quality of service provision.
2. There is a development need for specific 'skill' areas across the sector. These include case management, referral, and representation. Training and/or qualifications based on the relevant National Occupational Standards (NOS) should be developed to support the development needs of individual advisers.

3. When considering the structure of qualifications for the Legal Advice sector, Skills for Justice and the awarding bodies should consider the needs of the sector and of individuals working in the sector. The framework should be as flexible as possible and should contain a number of small, focused awards (1-12 credits) which can meet the needs and expectations of practitioners in the sector. These could be knowledge focused and based on the relevant knowledge units from the suite of NOS for legal advice, skills based or an appropriate combination of skills and knowledge. There may also be a need to develop a full occupational competence qualification to meet the development needs of new advisers.
4. There is a need to ensure that advisers are kept up to date on changes to legislation. This could be met by the production and dissemination of regular update briefings in areas such as money advice and welfare benefits. These could be produced at Government Department level in a similar way to the current quarterly updates produced by HM Revenue and Customs about VAT. This could then be disseminated through umbrella organisations or electronically, to individual advisers. Alternatively, they could be produced and disseminated directly by umbrella organisations.
5. The acquisition of formally recognised qualifications based on the NOS for Legal Advice should be a requirement of commissioning and funding legal advice services in the voluntary and community sector in Northern Ireland. Appropriate resources would need to be provided to enable this recommendation to progress.
6. There is a need for better communication and co-operation between the private, public and voluntary/community legal advice sectors to enhance the efficiency and quality of service provision to the general public. Communication and information sharing protocols need to be reviewed and revised.

1. Introduction

- 1.1. This project has been commissioned by Skills for Justice Northern Ireland supported by key legal advice giving agencies in the voluntary and community sector, and the private and public sectors. It is designed to build on earlier work in this area including:
 - Success Through Skills: The Skills Strategy for Northern Ireland
 - Opening Doors: The strategy for the delivery of voluntary advice services to the community in Northern Ireland
 - The mapping of advice, information and legal services in Northern Ireland
 - Future Proofing the Skills Base of the NI Advice Sector: Report of the ASA Training Working Group
 - Report of the Quality Working Group
 - The consultation on the number and location of Area Advice Centres
 - The recently revised National Occupational Standards (NOS) for Legal Advice.
- 1.2. The project objectives are to:
 - Identify a strategic approach for the use of the NOS for legal advice in Northern Ireland
 - Recommend how the NOS can be used across the legal advice sector to promote and raise the skills levels of advisers and improve the quality of service provision to members of the public.
- 1.3. It is important to define what is meant by ‘the legal advice sector’ in the context of this project. The Legal Advice Sector consists of a diverse workforce working in the public, private and voluntary/community sectors. All provide legal advice to members of the general public. Private sector advisers work in private law firms and a key aspect of their work is court and tribunal work and criminal law. Public sector workers are usually employed in areas such as welfare rights, housing and trading standards. Most advisers in the public and private sectors are paid employees or fee earning e.g. private sector lawyers. Private sector law firms may also provide ‘pro bono’ work for voluntary and public sector advice agencies.
- 1.4. Advisers working in the voluntary and community sector work in agencies that are members of Advice NI, Citizens Advice NI and/or Law Centre NI
- 1.5. Advice NI was formed in 1995 with the aim of providing leadership, support and representation to the independent advice sector. Advice NI is a charitable company limited by guarantee and is an umbrella membership body for 70 independent advice bodies across NI. All members must adhere to Advice NI’s membership criteria.
- 1.6. Within each Advice NI centre there are generalist advisers trained to provide advice on a wide range of issues including:
 - Debt
 - Benefits
 - Housing
 - Tax

- Employment
 - Consumer.
- 1.7. There are also advisers who are more experienced in dealing with the specific needs of particular client groups. For example, Age Concern NI/Help the Aged provides targeted services for older people and Disability Action, Rethink, Steer Mental Health and Mencap provide services for people with mental health problems or disabilities. Housing Rights Service are the housing advice experts in Northern Ireland.
- 1.8. Citizens Advice NI helps people to resolve legal problems in areas such as:
- Debt
 - Benefits
 - Housing
 - Discrimination
 - Employment
 - Immigration
 - Consumer etc.
- 1.9. Citizens Advice also provide a range of services including:
- Policy, including lobbying and campaigning for reform
 - Training
 - Publications
 - Advocacy
- 1.10. Citizens Advice NI is linked to Citizens Advice England and Wales and Citizens Advice Scotland, making it the largest advice giving network in the UK. In Northern Ireland, advice is provided from 30 main offices and from over 120 other outlets across Northern Ireland. The advice is:
- Free
 - Impartial
 - Confidential
 - Independent.
- 1.11. The Law Centre (NI) is a not for profit agency working to promote social justice through legal advice. It provides a telephone advice service which is aimed at supporting advisers from other agencies. Its casework advice is delivered to individuals who have been referred by other advisers. It works with member organisations (open to independent voluntary organisations) and associate members (open to individuals and groups), providing a range of support services including:
- Casework: advice and representation from referral organisations
 - Policy including lobbying and campaigning for legal reform
 - Training
 - Publications
- 1.12. Their case work areas are:

- Social Security
- Community Care
- Employment
- Immigration and asylum
- Mental health

- 1.13. A detailed breakdown of the profile of voluntary and community sector advice services in Northern Ireland can be found in *Opening Doors: The Strategy for the Delivery of Voluntary Advice Services to the Community*. A summary of that report is found in Section 3 of this report.
- 1.14. The areas of legal advice encompassed by this project are those which are eligible for public funding from a range of sources.
- 1.15. The Northern Ireland Legal Services Commission Northern Ireland (NILSC).¹ NILSC has been responsible for the provision of publicly funded legal advice services in Northern Ireland since 2003 and covers advice, assistance and representation in both civil and criminal law.
- 1.16. A major provider of legal advice services funding is the Department for Social Development. The Department provides funding for the provision of general advice through the Community Support Programme (CSP) to District Councils. In 2009/10, the CSP provided £5.1 million of funding support to local councils of which £1.9 million was specifically for providing front line advice services. In addition, councils have allocated a further £1.9 million from rateable income, making the total available for front line advice provision, £3.8 million. The Department has provided £1.6 million for 2009/10 to directly core fund the regional voluntary advice services through the Community Support Programme. For the year 2009/10, Citizens Advice Bureau Northern Ireland will be able to claim up to £665,000, Advice NI £246,000 and the Law Centre, £680,000.
- 1.17. Private law firms are responsible for much of the representation work at courts and tribunals but this is also be carried out by voluntary and community service providers including the Children's Law Centre which carries out a great deal of work at special educational needs tribunals and the Housing Rights Service which specialises in housing advice.
- 1.18. Legal advice in areas that are not eligible for public funding, such as conveyancing and probate, are not included in the scope of this project.
- 1.19. The findings and recommendations from this report will be used to inform an Action Plan for the use of National Occupational Standards to support training and development across the legal advice sector in Northern Ireland.

¹ See Annex 1 for a full list of advice areas.

2. Summary Methodology

2.1. Introduction

2.1.1. The approach to this project consisted of a series of distinct but complementary activities. These were:

- Desk research
- Practitioner consultation workshop
- Sector wide consultation questionnaire
- 1:1 telephone interviews
- Data analysis, results, conclusions and recommendations.

2.2. Desk Research

2.2.1. The focus of the desk research was to review the reports from previous research in the area of legal advice in Northern Ireland to consider how the outcomes of that research could inform the current project. A summary of the key findings from these earlier research reports is contained in Section 3 of this report.

2.3. Consultation Workshop

2.3.1. The use of consultation workshops serves three key functions in any research project:

- Promoting the project to the sector, encouraging their continued involvement
- Giving 'ownership' of the process and products of the project to the sector
- Providing the project consultant with additional information on existing training and development processes in the legal advice sector in Northern Ireland.

2.3.1. The preliminary workshop was attended by representatives from a range of different advice agencies in Northern Ireland.² Comments and feedback from this consultation workshop were used to inform the structure of the sector wide questionnaire.

2.4. Sector Wide Questionnaire

2.4.1. The sector wide 'on-line' questionnaire was made available on the Skills for Justice website for six weeks. It was promoted through the Skills for Justice e-newsletter and also through the various members of the Northern Ireland legal advice networks. The key areas covered in the questionnaire were:

- Current highest qualification levels of respondents
- Existing training provision
- Perceived development needs
- How the NOS can be used to support development and enhance the quality of service provision
- Potential take up of qualifications based on the NOS for legal advice
- Real or perceived barriers to take up

² See Annex 5

- Preferred method of training

2.4.2. The results were collated and analysed and are presented in Section 4 of this report.

2.5. 1:1 Interviews

2.5.1. Follow up telephone interviews, based on a structured interview schedule, were held with a range of front line advisers and managers from across the sector.

3. Background to the Project

3.1. Introduction

3.1.1. This section summarises the key initiatives and strategies across Northern Ireland that have influenced the current project.

3.2. Success Through Skills: The Skills Strategy for Northern Ireland

3.2.1. This Document was published in February 2006 by the Department for Employment and Learning. Its overall purpose was to raise the skills and competence level of the workforce in all occupational sectors in Northern Ireland. Its vision includes the current and future skills needs of the workforce over a 10 year period, aimed at raising Northern Ireland's productivity and competitiveness in a global economy.

3.2.2. The Strategy identified three types of skills:

- The essential skills of literacy, numeracy and ICT
- Employability skills including team-working, problem solving and flexibility
- Work based skills, specific to an occupational sector

3.2.3. The Strategy highlighted the need to:

- Raise the skills of the current workforce
- Enhance the knowledge base of those entering the workforce
- Address the employability skills of those entering the workforce

3.2.4. The Strategy acknowledged the importance of the voluntary and community sectors, both in terms of recognising the development needs of people working in the sector – both paid and volunteer workers – and in terms of the support they provide to others.

3.2.5. This overarching Strategy, Success through Skills, continues to inform and shape the structure of workforce strategies for individual occupational sectors, including the Legal Advice sector. The Strategy identified a target to put in place a Sector Skills Agreement for all workers and proposed that this should be carried forward through the 25 Sector Skills Councils.

3.2.6. One major issue up to now has been that the legal advice sector does not officially form part of an existing Sector Skills Council footprint. This means that any publicly funded work relating to skills development in the sector, such as the development, review and ongoing maintenance of National Occupational Standards for legal advice will not be eligible for public funding.

3.2.7. The legal advice sector is however now working with Skills for Justice, the Sector Skills Council for the Justice Sector, to take forward a workforce development strategy for the Legal Advice workforce UK wide. This current project will inform an Action Plan for the Northern Ireland Legal Advice workforce. It will also inform an overall UK Sector Qualifications Strategy for Legal Advice.

3.3. Opening Doors: The strategy for the delivery of voluntary advice services to the community in Northern Ireland

3.3.1. This Report was commissioned by the Department for Social Development (DSD) and published in September 2007. Its focus was to analyse the geographical spread of advice services and how they are funded across the voluntary and community sector. It also provided a breakdown of the type of enquiry received, with 54% of enquiries relating to benefits.

3.3.2. The report identified that the range of advice that members of the public require includes³:

- Access to information: basic provision of information, including information from many public bodies as part of their service delivery obligations
- Interpretation of information: helping people to understand the information provided and how it relates to their own circumstances
- Assistance to act on the information: practical assistance when circumstances are unusual and/or stop people from being able to help themselves
- Advocacy/representation: supporting people to challenge decisions/actions. This includes both in the courts and at appeals/tribunals
- Informing public policy or practice

3.3.3. The findings and recommendations in the Opening Doors Strategy have been reviewed and amended and DSD is currently consulting on a modified model for delivery. Further details on the proposed model are contained in Section 3.7.

3.3.4. In addition to a proposed model of delivery, the Opening Doors Strategy also recommended that a set of quality standards would be developed by the end of March 2008. This work is currently not running to schedule. It was proposed that the standards would cover:

- Training
- IT
- Reporting systems
- Premises
- Adherence to the core values of advice work

3.3.5. The proposal was that these quality standards would be applied across the advice sector and would inform future funding decisions. If implemented, this recommendation would reinforce the findings of this current project (see Section 6.6)

3.4. The mapping of advice, information and legal services in Northern Ireland

3.4.1. This research was jointly commissioned by DSD and the NI Legal Services Commission (NILSC) and published in August 2008.

3.4.2. The project mapped publicly funded legal advice provision delivered by the public, voluntary and private sectors across Northern Ireland.

³ Opening Doors: The Strategy for the Delivery of Voluntary Advice Services to the Community

3.4.3. The research highlighted some issues and recommended that the NILSC should give further consideration to them. The issues highlighted were that:⁴

- Only a small proportion of firms among the large number of publicly funded legal services providers have accredited quality standards. This raises the issue as to how the Commission can be assured of the consistency in quality of service provided across the large number of suppliers. Variations in quality will have several impacts including the assistance to the applicants themselves in helping them to resolve the issue and value for money for the Commission
- When more specialist help is required, what suppliers are best placed to provide such help? What criteria (E.g. experience, qualifications) do they meet which demonstrate specialism or expertise? Does this rely on referral from those who know or could a more transparent process be applied?
- To what extent does applicant choice play a role in accessing legal services?
- As a proportion of overall casework undertaken by firms, are certain firms specialising in or relying on publicly funded casework?

3.5. Future Proofing the Skills Base of the NI Advice Sector: Report of the Advice Services Alliance (ASA) Training Working Group

3.5.1. This group was established to take forward the recommendations of the Opening Doors strategy with regard to training and development for the voluntary sector legal advice services in Northern Ireland.

3.5.2. The terms of reference for the Group were to:

- Consider how to co-operate effectively and ensure best use of all training provided by ASA members including improved levels of co-operation, minimising duplication and rationalisation where appropriate
- Agree training that should be made available to advice providers
- Produce an integrated training strategy to provide effective co-operation and best use of all training provided by ASA members.

3.5.3. The recommendations of the report were :

- To ensure the development of an integrated training strategy for the advice sector founded on need. Independent research should be commissioned through the relevant sector skills agency. This should include the mapping of provision (from generalist and specialist providers) against identified needs to highlight gaps that should subsequently be addressed
- Training provisions offered should be accredited and where possible linked to vocational and occupational standards. Progression routes should be devised to provide a structured development pathway for paid staff and volunteers and accredited prior learning used to recognise previous achievements
- Minimum vocational standards linked to roles within the sector should be agreed and adopted by all generalist advice providers
- To co-ordinate future developments within the sector, ensuring needs are addressed effectively and that best use is made of expertise within the sector,

⁴ NILSC mapping of Advice, Information and Legal Services in NI: Report

continuation of the working group is recommended. This group would act as a point of liaison with the relevant Sector Skills Council

- A web-based directory highlighting all provisions relevant to the advice sector should be collated and publicised annually
- Training provisions should cater for capacity building for all roles and levels within the advice sector including governance and management skills in addition to technical knowledge and expertise
- A range of training delivery approaches should be offered as trainees will have different learning styles and personal factors which influence their decisions to participation and preferred training methods e.g. vocational qualifications, NVQs, e learning, blended learning approaches etc
- Opportunities to positively contribute to the Government priority of tackling employability issues should be encompassed in the training strategy developed for the sector
- An access and inclusion strategy should be developed by all training providers within the sector to maximise accessibility, encourage participation, overcome barriers to learning and increase volunteer development opportunities e.g. people with learning difficulties, visual or hearing impairments. Associated cost implications should be recognised by funders and reimbursed on a full-cost recovery basis.

3.5.4. The Report of the Training Working Group has been issued to key stakeholders across the legal advice sector in Northern Ireland for consultation. The ASA Training Working Group is currently summarising the responses, and will report back to DSD with its findings.

3.5.5. One recommendation from the Training Working Group Report - the recommendation that training provision should be accredited and where possible linked to vocational and occupational standards - informed the research carried out for this project, which was designed to explore this recommendation in more depth.

3.6. Report of the Quality Working Group

3.6.1. The Terms of Reference for the Quality Working Group were to:

- Produce a standard set of quality measures for area hubs, satellite provision and outreach⁵ to cover training, IT, reporting systems, premises and core values of advice work
- Ensure consistent quality standards are established and maintained within membership organisations.

3.6.2. The report of the Quality Working Group focused on the recommendation in the Opening Doors Strategy, to establish consistent quality standards for providers of legal advice and that funding would depend on the implementation and maintenance of such standards.

3.6.3. Quality Standards focus on the quality of the delivery service i.e. they are organisational standards. Most Quality Standards, including those proposed by the Quality Working Group, acknowledge the importance of having trained and

⁵ the structure proposed in the Opening Doors Strategy

competent staff. Quality Standards are therefore complementary to occupational standards which are designed to raise the competence of individual advice workers through training which is benchmarked to National Occupational Standards.

3.6.4. The report provided a set of Draft Quality Standards including:

- The general principles underpinning all advice work
 - independence
 - impartiality
 - accessibility
 - confidentiality
 - effectiveness
 - accountability
- Staffing and Services – including training and development
- Accessibility of services, covering both premises and location
- management and accountability
- Provision of Information and Policy work
- Equipment
- Funding

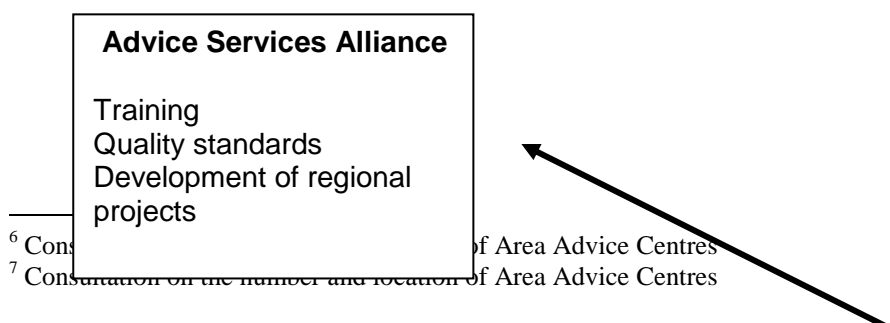
3.7. Consultation on the number and location of Area Advice Centres

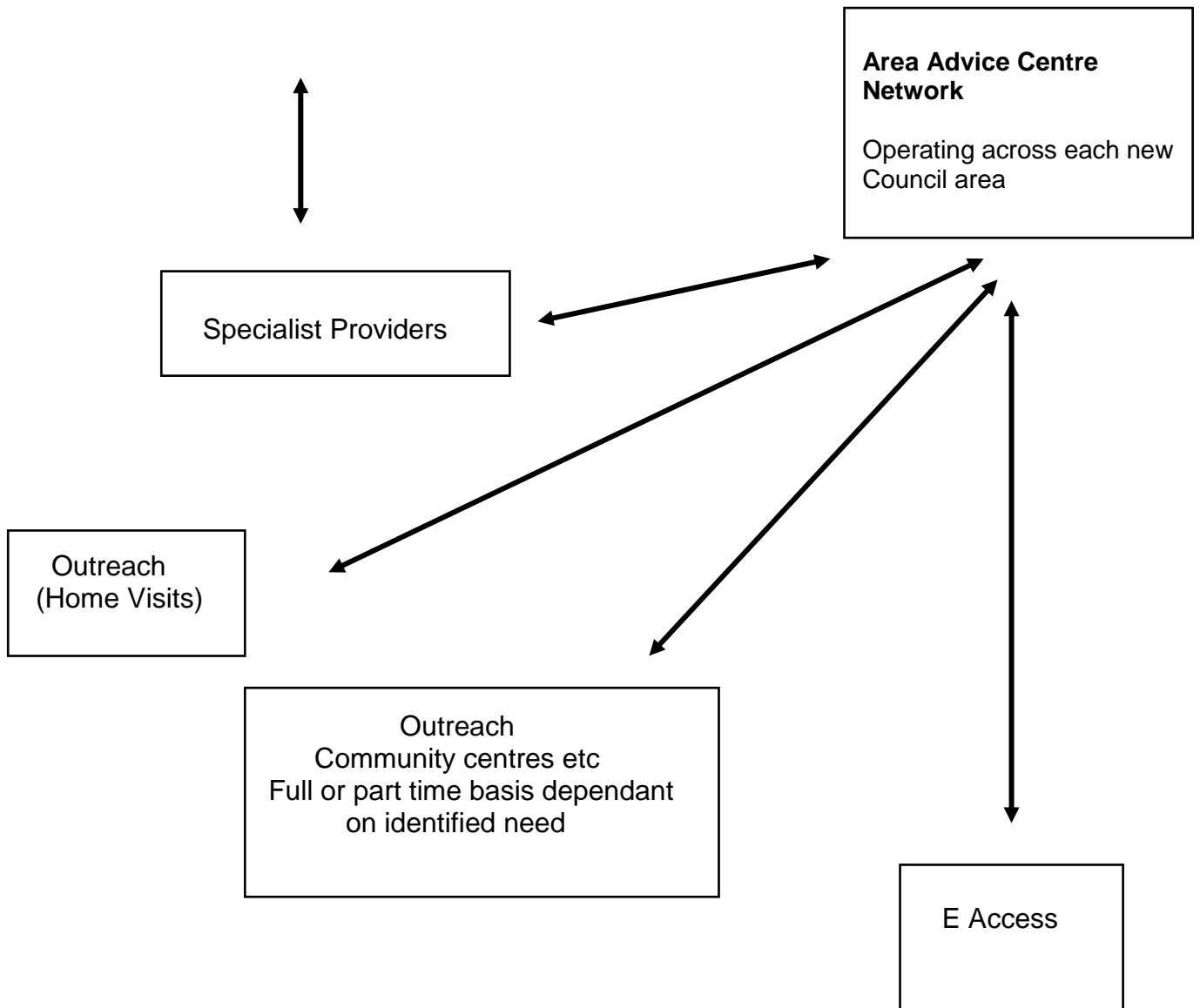
3.7.1. The Department for Social Development is currently consulting on proposals for the number and location of advice centres in Northern Ireland. The proposals build on the proposals of the Opening Doors Strategy, the key principles of which are to ensure that there is an integrated network of advice centres throughout Northern Ireland. The proposed model is described in the diagram in Section 3.7.4.

3.7.2. The proposals currently being consulted on take account of the new council structure presently being introduced. It is assumed that the new councils 'will be best placed to determine the precise levels of service required at each location.'⁶

3.7.3. The new proposals are based on a network of generalist advice centres at each new council level. This will 'provide councils with the opportunity to commission services in the most responsive and locally appropriate way.'⁷

3.7.4. The Model for the Delivery of Voluntary Advice Services to the Community





3.7.5. Two Northern Ireland Statistics and Research Agency (NISRA) classifications have been used to identify possible Area Advice Centres:

- Classification of settlements based on populations
- Settlement Services Classification – this is based on services within a settlement such as shops, health services and education services.

3.7.6. The ‘population’ based settlements are:

- Band A: Belfast Metropolitan Urban Area
- Band B: Derry Urban Area
- Band C: large town (8 identified)
- Band D: medium town (8 identified)
- Band E: small town (15 identified)
- Band F: intermediate settlement
- Band G: large village
- Band H: Small village, hamlet and open country

3.7.7. Two further tests have been applied to all the identified locations:

- Population: what % of the population lives within 5 miles of an area advice centre
- Deprivation: what proportion of the top 10% and top 20% of deprived census output areas are within 5 miles of the proposed Area Advice Centres and can a Neighbourhood Renewal Area be readily linked to an Area Advice Centre?

3.7.8. It is proposed that all outreach provision will be determined at local level as part of the new commissioning arrangements for voluntary advice services. Similar proposals apply to telephone and technological forms of advice giving.

3.7.9. In Belfast, it is proposed that the Area Advice Centres should be networked on a North, South, East and West basis.

3.7.10. It is expected that advice services will be commissioned using a procurement process, open to competition and leading to contractual arrangements.

3.7.11. These proposals will enhance the access to advice services to all members of the public. The ways in which the quality of service provision can be enhanced through the use of national Occupational Standards is the primary focus of the current project.

3.8. The Recently Revised National Occupational Standards (NOS) for Legal Advice.

3.8.5. The original suite of NOS for Legal Advice was approved in 2006. The standards were, at that time, approved for use in England and Wales only. Scotland and Northern Ireland decided for a variety of reasons to take a watching brief. Subsequently, the legal advice sectors in both Northern Ireland and Scotland decided that they wished to have a suite of National Occupational Standards that were fit for purpose in their countries.

3.8.6. In response to this, a review of the NOS for legal advice was initiated to:

- Identify any gaps in provision
- Ensure that the revised NOS met the requirements of the different legislative systems across the UK

3.8.7. A UK wide consultation process was undertaken and the revised suite of NOS for Legal Advice was approved in July 2009. The catalogue of units is attached as Annex 1.

3.8.8. National Occupational Standards can be used in a variety of ways to improve the knowledge and skills of individual members of staff and to enhance the quality of service provision. This includes:

- use in funding applications to demonstrate staff competence and improved quality of service delivery
- developing qualifications tailored to the needs of the Northern Ireland legal advice sector
- use by organisations to design 'in house' training programmes for their staff
- use by organisations to commission training from outside organisations
- use by organisations to identify skills/knowledge gaps of staff and inform training needs
- use by organisations to identify skills/knowledge gaps across their organisation which can then be used to inform recruitment practice
- informing the content of continuing professional development (CPD) training.

3.8.9. Ways in which the NOS for Legal Advice could be used to improve the quality of advice services delivery in Northern Ireland are considered in Section 6 of this report.

4. Results

4.1. Introduction

4.1.1. This section provides details of the project research findings. Conclusions and recommendations drawn from the findings are contained in Section 6.

4.2. Sector Questionnaire

4.2.1. Introduction

The sector questionnaire results have been compiled from the responses to the on line questionnaire which ran from 1st August 2009 – 11th September 2009. This section provided a summary of the key results. It should be noted that in some tables, the number of responses listed is lower than the total number of responses. This is because there were nil returns to some of the questions. Where % results are shown, these are based on the total number of responses (68).

4.2.2. Summary Results Tables

i. Total number of returns: 68

ii. Organisations Responding

Sector	Numbers of responses	%
Voluntary/Third Sector	67	98.5%
Public sector	1	1.5%
Private sector	0	0

iii. Job role⁸

Job Role	Number	%
Generalist Adviser	27	39.7%
Specialist Adviser	25	36.8%

iv. Levels of qualifications held

Qualification Level	Number	%
GCSE	2	2.9%
A Level	5	7.3%
OND/ONC	2	2.9%
HND/HNC	1	1.5%
NVQ	9	13.2%
Degree	38	55.9%
Post graduate	6	8.8%

⁸ generalist: providing initial advice in a range of legal advice areas and referring on for more specialist advice
specialist: specialising in particular areas of legal advice e.g. money/debt advice, immigration, employment etc.

Other	14	20.6%
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Other qualifications cited included:

- Post graduate Diploma in Nutrition
- Post graduate Diploma in Counselling
- Diploma in Women's Studies
- Certificate in Social Welfare
- MCI Level 4
- Assessor and Internal Verifier Awards

v. % of respondents with qualifications directly related to work in legal advice: 61.5%

vi. Number of respondents who have received training to support their work effectiveness:

Type of training	Number of respondents	% Respondents
Induction training	35	51.5%
NVQ in advice and guidance	21	30.9%
'In House' training courses	40	58.8%
Training delivered by an outside provider	48	70.6%
Formal accredited qualifications	17	25%
Other relevant training ⁹	8	11.7%

vii. Identified professional development need

Yes/No	Number	% respondents
Yes	53	77.9%
No	9	13.2%

viii. Identified needs

Training Need	Numbers	%
Understanding of own organisation	8	11.76%
Understanding of the overall legal advice sector in NI and how agencies work together	33	48.5%
Communication skills	13	19.1%
Governance	0	0
Sector related skills (e.g. referral)	9	13.2%
Legal advice areas	27	39.7%
Other	9	13.2%

⁹ See Annex 7

- ix. Sector related skills (e.g. referral) cited:
- completing funding applications
 - motivating and supporting the work of others
 - preparing and presenting cases at industrial and employment tribunals
- x. Legal advice areas cited
- money/debt
 - benefits
 - employment
 - housing/mortgages
 - consumer
 - family including data protection and freedom of information in relation to adoption
- xi. Other training needs cited:
- generic management
 - staff management
 - time management
 - financial management
 - strategic planning
 - IT skills
 - good governance
- xii. How can NOS be used to support professional development?

Use	Number	%
Used by organisations to design training programmes for their staff	45	66.2%
Used by organisations to commission training from outside training providers	26	38.3%
Training needs analysis for staff	48	70.6%
Organisational skills needs analysis	30	44.1%
Informing the content of CPD ¹⁰	43	63.2%
Used in funding applications to demonstrate staff competence	35	51.5%
Developing qualifications tailored to the needs of the NI legal advice sector	45	66.2%

xiii. Potential demand for formal qualifications

Response	Number	%
Yes	58	85.3%
No	3	2.04%

¹⁰ CPD: Continuing Professional Development

xiv. Preferred type of qualification

Qualification Type	Number in favour	Number against	% in favour
Work base competence	52	4	76.5%
Client based	1		1.5%
Knowledge based	51	0	75%
Knowledge and skills	53	1	77.9%

xv. Would a small (4-5 Unit) qualification be useful?

- Yes: 43 (63.2%)
- No: 7 (10.3%)

xvi. How should a smaller qualification be focused:

- Skills based (e.g. communication skills) 31 (45.6%)
- Client based (e.g. students, older people): 39 (57.4%)

xvii. Perceived barriers

Barrier to take up	Numbers	%
Lack of funding support	51	75%
Lack of funding for cover	44	64.7%
Concern over the requirement for formal assessment	14	20.6%
Time	10	6.8%
Already professionally qualified	29	42.6%
Difficulty in accessing courses	23	15.6%
Other (see below)	10	6.8%

Other barriers:

- caring duties
- shortage of staff
- accessing courses in local area/courses centred in Belfast or Derry
- courses run on same dates – needs a more structured, planned approach

xviii. Preferred mode of delivery

Delivery Mode	Numbers	%
Face to face in a group with others	37	54.4%
1:1 tutorials	3	4.4%
Working alongside experienced staff	10	6.8%
Distance (e) learning in own time	9	13.2%
Other (see below)	2	2.9%

xix. Other

- group participation with experienced staff
- mix of approaches including working with experienced staff

xx. Other comments suggestions about training and qualifications for the legal advice sector in Northern Ireland¹¹:

- Courses should be held in the Northwest i.e. Derry as well as Belfast
- We need a training day on changes to benefits
- Courses seem to be designed to earn income for provider rather than improve the quality of service for end user
- It would be useful to pilot a QCF model applying the NOS for legal advice to qualify foundation training and build in skills/specialist levels like building blocks. NVQs have not worked here – they are expensive and time consuming
- Advisers should have achieved at least an NVQ in Advice and Guidance level 3. They should also be given the opportunity to attend relevant training identifies by their organisation or themselves which will give them the necessary skills and knowledge to carry out their duties as an advisor.

4.2. Telephone Follow up Interviews

4.2.1. A small number of follow up interviews were held with members of the legal advice services in Northern Ireland to explore some of the key responses from the on-line questionnaire. Most interviews were with people who had completed the questionnaire. Responses confirmed and reinforced the questionnaire findings and did not reveal any new areas for discussion.

4.2.2. One interview was with a representative from a large legal advice provider and training organisation in Northern Ireland who had not completed the questionnaire. A summary of responses from this interview is contained in the following table.

Question	Summary of Response
Would the introduction of national standards for legal advice be welcome?	Yes – there is a need for the quality of advice to be improved across the legal advice sector generally. In particular, training in the relevant aspects of the law is crucial. At the moment, this is the main area of demand for training. With budget constraints, there is less demand for training in the 'soft skills' such as interviewing skills.
Should the NOS be developed into a qualification?	Yes, this would be a constructive step towards improving the quality of service delivery.

¹¹ NB: these are quotes from individual questionnaire returns and do not necessarily represent sector wide attitudes

<p>What format should the qualification take?</p>	<p>Any qualification must be made accessible to potential candidates. This includes how it is structured and also how it is delivered. The format should be modular to enable candidates to build their qualification over time. Delivery should be flexible and could include some e learning as well as some direct training delivered at a time and location suitable to candidates.</p>
<p>What are the main barriers to take up for a qualification?</p>	<ul style="list-style-type: none"> • time out of the workplace to attend training courses • cost of training
<p>Would the requirement of a formal assessment process be a disincentive for some potential candidates?</p>	<p>Any qualification must have credibility and that means a formal assessment. It should not be viewed as a barrier but as a benchmark of quality.</p>

5. Possible Qualification Structures

5.1. Introduction

- 5.1.1. Until this year (2009) the development of National Occupational Standards usually resulted in the development of National/Scottish Vocational Qualifications (N/SVQs). The NVQs in Legal Advice were approved in the Spring of 2009, based on the 2006 version of the NOS. The awarding body is Open University. Because the 2006 NOS were based on the legislation and legal advice structures in England and Wales, the NVQs are not approved for use in Northern Ireland.
- 5.1.2. Until 2008, all accredited qualifications eligible for public funding were positioned on the National Qualifications Framework (NQF). This included NVQs which are competence, work based qualifications and vocationally related qualifications (VRQs) which are knowledge based but still occupationally related and complementary to the NVQs.
- 5.1.3. Over the last two years, changes to the structure and format of qualifications in England, Wales and Northern Ireland have been introduced and the NQF is gradually being replaced by the Qualifications and Credit Framework (QCF). From this year, it is proposed that all newly developed publicly funded qualifications in Northern Ireland must sit on the QCF.
- 5.1.4. Although Scotland and Northern Ireland may still wish to develop National/Scottish Vocational Qualifications, because a large proportion of potential candidates for qualifications are based in England, awarding bodies may have difficulty building a business case to develop qualifications which will not be funded in England. SSCs are now working in partnership with awarding bodies to convert the NOS into the QCF format. Qualifications will then be developed from these QCF units. NOS remain the benchmark of best practice across the UK.

5.2. The Qualifications and Credit Framework

- 5.2.1. The new QCF units are based on 'Units of Assessment' – an example is shown in Annex 6. Each Unit is assigned to a level on the Framework and also given a credit value. Qualifications will be based on a combination of Units, combined according to Rules of Combination (ROC).
- 5.2.2. The QCF has 9 levels, from Entry level – Level 8. The level descriptors are contained in Annex 7. Level 5 is broadly equivalent to first year degree level and level 8 to post graduate level.
- 5.2.3. The new QCF qualifications are structured according to the number of Credits assigned to the Units. 1 Credit is equivalent to 10 notional learning hours. An example is a qualification with 3 Units, each assigned 3 Credits. That would be a 9 credit qualification taking 90 notional learning hours to complete. 'Notional learning hours' includes self study time as well as face to face teaching time (guided learning hours)
- 5.2.4. Qualifications will be categorised according to their size:

- Award: 1-12 credits
- Certificate: 13-36 credits
- Diploma: 37 credits and above

5.3. The Accreditation/recognition of Prior Learning and Achievement

- 5.3.1. The new Qualification and Credit Framework required awarding body to have formal systems and processes in place to recognise the learning and achievement of experienced learners,

5.4. What happens to NVQs?

- 5.4.1. It is as yet unclear whether there will still be qualifications 'badged' as NVQs. It is however important to retain the occupational competence provided by NVQs. This is possible through the QCF structure by ensuring, through the ROC, that there is an appropriate mix of skills and knowledge within the qualifications. It is also possible to build into the relevant Units a requirement that assessment must take place in the work place which would support the development of work based competence.

5.5. Implications for Legal Advice

- 5.5.1. To some extent, the new structure of qualifications builds in more flexibility than was possible under the NQF. The sector, working in collaboration with the relevant Sector Skills Council (Skills for Justice) can design a suite of qualifications that meets their individual needs. It should be noted however, that the QCF is not a 'mix and match' option. There must be carefully defined Rules of Combination which the qualifications conform to. It would however be perfectly possible to develop small Continuing Professional Development (CPD) Awards which could be used to raise skills levels or enhance knowledge e.g. if a legal adviser is moving into a new area of advice, the relevant knowledge Units could be used to 'top up' their knowledge base.

6. Conclusions and Recommendations

6.1. Introduction

6.1.1. The conclusions and recommendations contained in this Section are based on the research findings detailed in Section 4 of this report.

6.1.2. It is also important to note that 98% of the responses to the sector questionnaire came from organisations in the voluntary and community sector. This probably reflects the focus of the research reports summarised in Section 3. It does however mean that the results do have a bias towards the workforce in the voluntary and community sector. It also suggests that the sector as a whole in Northern Ireland may need to consider ways of working more holistically to provide a coherent universal legal advice service for the general public. This is considered in more detail in Section 6.8.

6.2. Professional Development Needs

6.2.1. The range of professional development needs can be divided into four main areas:

- Generic management
- Generic skills/knowledge
- Sector specific skills
- Sector specific knowledge.

6.2.2. Generic Management

The need for training in generic management skills was most clearly expressed by managers in organisations. Key areas cited were:

- Staff management and motivation
- Time management
- Financial management
- Strategic planning.

Although it is out of the scope of this project, it is important to note these requirements as poor management can have an impact on the efficiency and effectiveness of service provision.

Recommendation 1: Advice organisations should consider the development need of managers in their centres, particularly those who are geographically remote from their head office and provide appropriate training and support.

6.2.3. Generic Skills/Knowledge

The most commonly expressed need for generic skills training was communication skills. The need for generic knowledge included:

- The structure of the legal advice sector in Northern Ireland and how agencies and organisations inter-relate. This is dealt with in more detail, with recommendations in Section 6.8.

- Generic IT skills
- Good governance

Recommendation 2: training programmes should be devised based on the NOS: IA5: Research legal information and advice using electronic sources

Recommendation 3: there is a suite of NOS specifically designed for those involved in governance i.e. senior managers, funders, board members, councillors, trustees etc. Organisations should be encouraged to consider these to inform the professional development of people involved in governance functions.

6.2.4. Sector Specific Skills

The two most commonly expressed sector related skills needs were:

- case management
- referral procedures

Others included family related law and the preparation and presentation of cases at tribunals and appeals.

Recommendation 4: there are NOS relating to these areas in the suite of NOS for Legal Advice. These are:

- HA5: Manage personal case load
- GA5: Provide and receive referrals on behalf of clients
- GA4: Enable advice and guidance clients to access referral opportunities
- DA7: Prepare cases for representation in formal proceedings
- DA3: Act on behalf of clients in informal proceedings
- DA4: Represent clients in formal proceedings
- IB34: Family law advice and case work

These should be used to inform the content of training programmes in these areas.

6.2.5. Sector Specific Knowledge

Clearly the range of specified needs relating to sector specific knowledge is wide ranging and depends on the job role and responsibilities of individual advisers. However, key areas arising from the questionnaire results are:

- Money/debt advice, including bankruptcy. This area includes specific training in these topics as well as a widely expressed need for regular updating as a result of changes to policy and legislation
- Welfare benefits, again including a need for need for regular updating as a result of changes to policy and legislation
- Housing advice including eviction
- Employment advice
- Consumer advice

It is perhaps not surprising that these areas have been highlighted given the current economic climate and it is probably a reflection of the economic hardship being experienced by many individuals in the community.

Recommendation 5: consideration should be given to the production of regular update briefings in areas such as money advice and welfare benefits. These could be produced at Government Department level in a similar way to the current quarterly updates produced by HM Revenue and Customs about VAT. This could then be disseminated through umbrella organisations or electronically, to individual advisers. Alternatively, they could be produced and disseminated directly by umbrella organisations.

Recommendation 6: training and/or qualifications should be developed in the required legal advice areas, based on the relevant knowledge units from the suite of NOS for legal advice.

6.3. Possible use of NOS to Support Professional Development

The feedback from the sector questionnaire about the potential uses of NOS is summarised in the following table.

Use	Number
Used by organisations to design training programmes for their staff	44
Used by organisations to commission training from outside training providers	25
Training needs analysis for staff	47
Organisational skills needs analysis	29
Informing the content of CPD ¹²	42
Used in funding applications to demonstrate staff competence	34
Developing qualifications tailored to the needs of the NI legal advice sector	44

It is clear that the sector sees the NOS as a benchmark of best practice which should be used to raise the quality and transparency of training programmes and also to identify the training needs of advisers.

Recommendation 7: The NOS for Legal Advice should be used by advice organisations and training providers to benchmark and inform both training needs analysis for individual staff and the content of training programmes for the sector.

6.4. Potential Demand for Qualifications

It is encouraging that the research indicates a high level of interest in the development of qualifications for Legal Advice workers with over 85% of respondents suggesting that there would be a demand for such qualifications.

¹² CPD: Continuing Professional Development

However, in parallel with this response is the need to consider the most attractive qualifications' structure to encourage take up and to also consider potential barriers to take up and how they can be minimised. These are considered in Sections 6.5 and 6.6 respectively.

6.5. Preferred Structure of New Qualifications

Responses to the questionnaire indicated that 76.5% of those responding felt that qualifications should support work based competence. 63.2% of respondents also indicated that smaller qualifications based on groupings of 3-4 Units would be useful for the sector.

Comments from the questionnaire suggest that responses to NVQs varies, with some feeling that a Level 3 NVQ should be a minimum requirement for advisers and others suggesting that they have found NVQs quite bureaucratic to implement.

The needs of individual respondents varied according to their job role and responsibility, some suggesting a skills based qualification, some a knowledge based qualification and most suggesting a mix of the two.

The new Qualification and Credit Framework (QCF) (Section 5) allows for a degree of flexibility in the structure of qualifications within the constraints of Rules of Combination. It is possible to develop approved qualifications based on a small number of Units which have been assigned a credit value and a level on the QCF.

Recommendation 8: When considering the structure of qualifications for the Legal Advice sector, Skills for Justice and the awarding bodies should consider the needs of the sector and of learners within the sector. The framework should be as flexible as possible and should contain a number of small, focused awards (1-12 credits) which can meet the needs and expectations of practitioners in the sector. It may be desirable to develop a full occupational competence qualification designed to meet the development needs of new advisers.

6.6. Barriers to take up of New Qualifications

A number of potential barriers to take up of qualifications have been identified. These include:

- lack of funding to cover costs including:
 - the actual cost of finding and paying an approved training provider
 - the cost of registration and certification
 - the cost (and difficulty) of finding cover
- accessibility of training. This includes geographical accessibility with courses mainly focused on centres of large population, and the timing of the courses themselves
- other commitments of potential candidates e.g. care responsibilities
- the fact that in the voluntary/community sector, many advisers are volunteers who do not feel able to give any more time to the job role and do not see the work as a potential career route.

These are very real barriers which need to be addressed carefully in order to prevent a situation where volunteers in particular are deterred from participating in and contributing to the essential work of the sector. There are two possible approaches, a 'carrot' and a 'stick'. It is likely that an appropriate combination of the two will be the most effective way forward.

Recommendation 9: consideration should be given to the official funding by Government Departments of training leading to formally recognised qualifications based on the NOS for Legal Advice. This would help to increase take up but its primary effect would be to enhance the quality of front line legal advice to members of the community. (Carrot approach)

Recommendation 10: consideration should be given to making the acquisition of formally recognised qualifications based on the NOS for Legal Advice a requirement of commissioning and funding services (stick approach).

6.7. Preferred Delivery Mode

The questionnaire indicates that the preferred delivery mode for training is a combination of face to face delivery in groups, along with working with experienced practitioners. This has implications for cost and the quality of delivery:

- the demand to deliver training in rural areas to small groups of practitioners, may be expensive and may need to be subsidised nationally
- allowing practitioners to attend training during their working day has cost implications for cover and/or continuous provision of a quality service
- developing quality e learning materials is initially costly but in the long term is cost effective. E learning however should not be used without appropriate learner support through telephone tutor support, learner community chat rooms, and the occasional group session to share problems and identify solutions. This may increase costs but also improves effectiveness
- using a delivery mode which does not meet the learning styles of practitioners will result in high drop out rates which is also expensive.

Recommendation 11: training providers need to consider the costs and accessibility of learning opportunities to promote and encourage take up by as wide a range of individuals as possible.

6.8. Structure of the Legal Advice Sector in Northern Ireland

This research project involved representatives from the voluntary/community, public and private legal sectors. The responses received to this questionnaire would suggest that respondents did not perceive themselves as belonging to one, cohesive sector. This research would suggest that further work is required to increase knowledge of other parts of the Legal Advice sector and promote greater cross-sectoral partnership. This premise is supported by:

- The number of questionnaire responses which indicated that they have a development need in the area of understanding the advice sector as a whole. This has important implications for the effectiveness of advice, particularly in

terms of ensuring that referral processes are carried out correctly and clients are referred to the agency/organisation most suited to their needs

- The overwhelming majority of respondents to the sector questionnaire were from the voluntary/community sector although the project was promoted across all areas of Legal Advice employment. This suggests that private law firms and people working within the public sector do not align themselves with the voluntary/community sector advice agencies.
- The DSD report, the Opening Doors Strategy and the current consultation on the number and location of Area Advice Centres focus on the voluntary/community sector advice services.

The question then arises as to whether this perception provides the most effective and efficient service to clients or whether an improved system of interagency communication, including communication and information exchange by the private, public and voluntary/community sector would improve the delivery of a high quality, accessible and universal Legal Advice Service to members of the public.

Recommendation 12: consideration should be given by national organisations and agencies as to how communication and co-operation between the private, public and voluntary/community sectors can be improved to enhance the efficiency and quality of service provision to the general public. Organisations include DSD, Law Society, NI Council representatives, NILSC, key voluntary/community sector agencies/organisations and other Government Departments.

6.9. Continuing the Relationship between the Legal Advice Sector and Skills for Justice NI

Skills for Justice and the legal advice sector across the UK are working together to identify and develop a programme of work that will be taken forward over the next year.

6.10. Summary of Recommendations, Referenced to Report Sections

6.2.2. Recommendation 1: Advice organisations should consider the development need of managers in their centres, particularly those who are geographically remote from their head office and provide appropriate training and support.

6.2.3. Recommendation 2: Training programmes should be devised based on the NOS: IA5: Research legal information and advice using electronic sources

6.2.3. Recommendation 3: There is a suite of NOS specifically designed for those involved in governance i.e. senior managers, funders, board members, councillors, trustees etc. Organisations should be encouraged to consider these to inform the professional development of people involved in governance function.

6.2.4. Recommendation 4: There are NOS relating to case management, referral, family law and representing clients in the suite of NOS for legal Advice. These are:

- HA5: Manage personal case load
- GA5: Provide and receive referrals on behalf of clients
- GA4: Enable advice and guidance clients to access referral opportunities

- DA7: Prepare cases for representation in formal proceedings
- DA3: Act on behalf of clients in informal proceedings
- DA4: Represent clients in formal proceedings
- IB34: Family law advice and case work

These should be used to inform the content of training programmes in these areas.

6.2.5. Recommendation 5: Consideration should be given a co-ordinated approach to the production of regular update briefings in areas such as money advice and welfare benefits. These could be produced at Government Department level in a similar way to the current quarterly updates produced by HM Revenue and Customs about VAT. This could then be disseminated through umbrella organisations or electronically, to individual advisers. Alternatively, they could be produced and disseminated directly by umbrella organisations. Readers are referred to <http://www.nidirect.gov.uk/> and www.nics.gov.uk as well as other online resources for the latest government information updates.

6.2.5. Recommendation 6: Training and/or qualifications should be developed in the required legal advice areas, based on the relevant knowledge units from the suite of NOS for legal advice.

6.3. Recommendation 7: The NOS for Legal Advice should be used by advice organisations and training providers to benchmark and inform both training needs analysis for individual staff and the content of training programmes for the sector.

6.5. Recommendation 8: When considering the structure of qualifications for the Legal Advice sector, Skills for Justice and the awarding bodies should consider the needs of the sector. The framework should be as flexible as possible and should contain a number of small, focused awards (1-12 credits) which can meet the needs and expectations of practitioners in the sector. It may be desirable to develop a full occupational competence qualification to meet the development needs of new advisers.

6.5. Recommendation 9: Consideration should be given to the official funding by Government Departments of training leading to formally recognised qualifications based on the NOS for Legal Advice. This would help to increase take up but its primary effect would be to enhance the quality of front line legal advice to members of the community. (Carrot approach)

6.6. Recommendation 10: Consideration should be given to making the acquisition of formally recognised qualifications based on the NOS for Legal Advice a requirement of commissioning and funding services. (stick approach). This could be built into the Quality Standards proposed by the ASA Quality Working Group (Section 3.6. of this report).

6.7. Recommendation 11: Training providers need to consider the costs and accessibility of learning opportunities to promote and encourage take up by as wide a range of individuals as possible.

6.8. Recommendation 12: Consideration should be given by national organisations and agencies as to how communication and co-operation between the voluntary/community advice sectors can be improved to enhance the efficiency and quality of service provision to the general public. Organisations include DSD, DETI, Law Society, NI Council representatives, NILSC, key voluntary/community sector agencies/organisations and other Government Departments.

7. Acknowledgements

- 7.1. The consultant would like to thank members of the project Steering Group for their continuing advice and support during this project.
- 7.2. Thanks must also go to the Skills for Justice Project Manager for her constructive help and advice during the project. Thanks are also due to Skills for Justice for their assistance in setting up and managing the on-line questionnaire, an integral part of the project methodology.
- 7.3. In particular, thanks must go to all members of the legal advice sector in Northern Ireland who took the time to complete the sector questionnaire, participate in a 1:1 telephone interview and/or attend a consultation workshop. Without this support, the project outcomes could not have been achieved.

8. Annex 1: National Occupational Standards for Legal Advice: Catalogue of Units

These National Occupational Standards were approved for use across the UK in July 2009.

Unit Title
AB3: Facilitate communication using an interpreter
AB4: Establish communication with clients
AD4: Liaise with other services
AE2: Evaluate and develop own practice
BF1: Support clients to plan, implement and review action
BF2: Provide continuing support to clients
BF3: Enable clients to act on their own behalf
DA3: Act on behalf of client in informal proceedings
DA4: Represent clients in formal proceedings
DA7: Prepare cases for representation in formal proceedings
GA2: Support clients to make use of the advice and guidance service
GA4: Enable advice and guidance clients to access referral opportunities
GA5: Provide and receive referrals on behalf of clients
GA6: Develop and manage interviews with clients
GB9: Negotiate on behalf of clients
GC9 (CC019): Contribute to the prevention and management of inappropriate behaviour
HA4: Operate within networks
HA5: Manage personal case load
HD10: Provide support for other practitioners

HF17: Set up and maintain client-referral systems
HF28: Develop the capacity of the organisation to meet the needs of clients
HI6: Influence changes to legislation, policy or practice
IA1: Provide legal advice to clients
IA2: Manage legal advice cases
IA3: Provide second tier support to others
IA4: Provide legal advice using electronic media
IA5: Research legal information and advice using electronic sources
IA6: Engage with young people requiring legal advice
IB1: Criminal Law Advice and Casework
IB9: First Line Housing Legal Advice
IB10: Housing Legal Advice and Casework
IB12: First Line Money and Debt Legal Advice
IB13: Money and Debt Legal Advice and Casework
IB13: Clinical Negligence Legal Advice and Casework
IB14: Personal Injury Legal Advice and Casework
IB15: First Line Employment Legal Advice
IB16: Employment Legal Advice and Casework
IB17: First Line Consumer Legal Advice
IB18: Consumer Legal Advice and Casework
IB19: First Line Welfare Rights Legal Advice
IB20: Welfare Rights Legal Advice and Casework
IB2: First Line Disability Legal Advice
IB3: Disability Legal Advice and Casework

IB21: First Line Health and Community Care Legal Advice
IB22: Health and Community Care Legal Advice and Casework
IB23: First Line Legal Advice for Students
IB24: Legal Advice and Casework for Students
IB25: First Line Education Legal Advice
IB26: Education Legal Advice and Casework
IB27: First Line Immigration Legal Advice
IB28: Immigration Legal Advice and Casework
IB29: Specialised Legal Immigration Advice and Casework
IB30: First Line Asylum Legal Advice
IB31: Asylum Legal Advice and Casework
IB32: Specialised Asylum Legal Advice and Casework
IB33: First Line Family Law Advice
IB34: Family Law Advice and Casework
IB6: the Provision of First Line Advice to Young People on their Rights Under the Law
IB35: The Provision of Specialist Advice to Young People on Their Rights Under the Law
IB36: The Provision of Specialist Advice to Older People on their Rights under the Law
IB4: First Line Discrimination Legal Advice
IB5: Discrimination Legal Advice and Casework
IB7: First Line Mental Health Legal Advice
IB8: Mental Health Legal Advice and Casework
ZA4: Design information materials for use in the service
ZA5: Obtain and provide legal information materials

ZB4: Evaluate the quality of customer service

ZC5: Provide information and advice using the telephone

9. Annex 2: Bibliography

1. Success Through Skills: The Skills Strategy for Northern Ireland
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4. Report of the ASA Quality Working Group: March 2008
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Deloitte MCS Ltd on behalf of the Northern Ireland Legal Services Commission/DSD: August 2008
6. Consultation on the number and location of Area Advice Centres
Department for Social Development: September 2009

10. Annex 3: Map of Job Descriptions Against NOS

Introduction

This Annex shows how the NOS for Legal Advice could be ‘mapped’ to job roles. This could then be used to identify development needs for the advisers. A sample of advice roles has been used to exemplify the process.

Job Title	Key Responsibilities	NOS Mapping
Advice worker	<ul style="list-style-type: none"> • assist in legal advice and tribunal representation services, including preparation for reviews and tribunals • provide direct advice-giving sessions (as directed) • carry out all follow-up work and administration • maintain client case records • supervise other staff and volunteers • support the work of the centre manager to: <ul style="list-style-type: none"> - extend the service to poorly served communities - collect and collate statistics on service provision - support the development of reports for funding organisations - maintain up to date information materials • identify and take actions to meet in personal development needs • represent the agency at outside meetings 	<ul style="list-style-type: none"> • AB4: Establish communication with clients • GA6: Develop and manage interviews with clients • BF1: Support clients to plan, implement and review action • DA3: Act on behalf of clients in informal proceedings • DA7: Prepare cases for representation in formal proceedings • HA4: Operate within networks • HD10: Provide support for other practitioners • HA5: Manage personal case load • AE2: Evaluate and develop own practice • HF28: Develop the capacity of the organisation to meet the needs of clients • IA1: Provide legal advice to clients • IA2: Manage legal advice cases • ZA5: Maintain and provide legal information materials • Relevant legal advice knowledge units depending on area of work

<p>Outreach officer</p>	<ul style="list-style-type: none"> • research and develop the outreach service • provide direct advice-giving sessions (as directed) • carry out all follow-up work and administration • maintain client case records • extend the service to poorly served communities • collect and collate statistics on service provision • support the development of reports for funding organisations • maintain up to date information materials • identify and take actions to meet in personal development needs • represent the agency at outside meetings 	<ul style="list-style-type: none"> • AB4: Establish communication with clients • GA6: Develop and manage interviews with clients • BF1: Support clients to plan, implement and review action • DA3: Act on behalf of clients in informal proceedings • DA7: Prepare cases for representation in formal proceedings • HA4: Operate within networks • HA5: Manage personal case load • AE2: Evaluate and develop own practice • HF28: Develop the capacity of the organisation to meet the needs of clients • IA1: Provide legal advice to clients • IA2: Manage legal advice cases • ZA5: Maintain and provide legal information materials • Relevant legal advice knowledge units depending on area of work
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<p>Advice centre manager</p>	<p>Carry out a range of management duties – not included here.</p> <ul style="list-style-type: none"> • carry a personal and on-going case load including reviews and tribunals • maintain client case records • monitor and collate statistics on service provision • establish and maintain relationships with outside organisations including relevant umbrella organisation • ensure the maintenance of up to date information materials • contribute to social policy debates 	<ul style="list-style-type: none"> • AB4: Establish communication with clients • GA6: Develop and manage interviews with clients • BF1: Support clients to plan, implement and review action • DA3: Act on behalf of clients in informal proceedings • DA7: Prepare cases for representation in formal proceedings • DA4: Represent clients in formal proceedings • HA4: Operate within networks • HA5: Manage personal case load • AE2: Evaluate and develop own practice • HF28: Develop the capacity of the organisation to meet the needs of clients • IA1: Provide legal advice to clients • IA2: Manage legal advice cases • ZA5: Maintain and provide legal information materials • HI6: Influence changes to legislation, policy or practice
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<p>Money and debt advice worker</p>	<ul style="list-style-type: none"> • organise and provide a comprehensive casework service for clients relating to money and debt advice: <ul style="list-style-type: none"> - referral - drop in - appointment - home visit • negotiate with creditors • provide representation at court or tribunals • participate in policy work relating to money/debt advice • establish and maintain relationships with outside agencies e.g. banks, building societies, DSS etc 	<ul style="list-style-type: none"> • AB4: Establish communication with clients • GA6: Develop and manage interviews with clients • BF1: Support clients to plan, implement and review action • DA3: Act on behalf of clients in informal proceedings • DA7: Prepare cases for representation in formal proceedings • DA4: Represent clients in formal proceedings • HA4: Operate within networks • HA5: Manage personal case load • AE2: Evaluate and develop own practice • HF28: Develop the capacity of the organisation to meet the needs of clients • IA1: Provide legal advice to clients • IA2: Manage legal advice cases • ZC5: Provide information and advice using the telephone • HI6: Influence changes to legislation, policy or practice <p>Knowledge Units</p> <ul style="list-style-type: none"> • IB12 First line money and debt legal advice • IB13: Money and debt legal advice and case work • IB19: First line welfare rights legal advice • IB20: Welfare rights legal advice and case work
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<p>Legal adviser (immigration)</p> <p><i>NB: Advisers in this area of law must be assessed and licensed by OISC. The NOS will provide the relevant knowledge and understanding but the formal assessment process by OISC is still a requirement</i></p>	<ul style="list-style-type: none"> • give advice to callers to the Law Centre advice line and clients in the area of immigration law • plan and organise work to meet agreed objectives • research relevant law, conduct appropriate cases • analyse detailed legal and factual issues and decide whether to take on cases • represent clients in tribunals and courts, including instructing counsel in cases in the higher courts • draft appropriate legal documentation • maintain appropriate records • represent the Law Centre in other arenas including media interviews 	<ul style="list-style-type: none"> • AB4: Establish communication with clients • GA6: Develop and manage interviews with clients • BF1: Support clients to plan, implement and review action • DA3: Act on behalf of clients in informal proceedings • DA7: Prepare cases for representation in formal proceedings • DA4: Represent clients in formal proceedings • HA4: Operate within networks • HA5: Manage personal case load • AE2: Evaluate and develop own practice • HF28: Develop the capacity of the organisation to meet the needs of clients • IA1: Provide legal advice to clients • IA2: Manage legal advice cases • ZC5: Provide information and advice using the telephone <p>Knowledge Units</p> <ul style="list-style-type: none"> • IB27: First line immigration legal advice • IB28: Immigration legal advice and case work • IB29: Specialised immigration legal advice and case work • IB30: First line asylum legal advice • IB31: Asylum legal advice and case work • IB32: Specialised asylum legal advice and case work
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11. Annex 4: Project Steering Group

Name	Organisation
Nicola Kerr	Skills for Justice NI Project Manager
Fiona McGee	Advice NI
Janine Fullerton	Department for Social Development
Peter O'Brian	Law Society
Kevin Higgins	Advice NI (to April 2009)

12. Annex 5: Consultation Workshop Attendees

Name	Organisation
Fiona McGee	Advice NI
Jennifer Fulton	Citizens Advice
Maura McCallion	Law Centre
Maeve Keenan	Law Centre
Breda Connolly	Mencap
Sinead Campbell	Age Concern NI/Help the Aged
Ann Scott	Trading Standards
Patricia Doonan	Belfast City Council Consumer Advice Shop
Abed Natur	Law and Migrant Rights Centre, STEP
In Attendance	
Judith Thompson	Skills for Justice NI
Nicola Kerr	Skills for Justice NI
Leanne Reilly	Skills for Justice NI
Elaine Sauvé	Project Consultant

13. Annex 6: An Example of a QCF Unit of Assessment

Introduction

This Unit has been derived from HF17: Set up and maintain client-referral systems. It should be noted that this is **an exemplar** only and has no formal standing. The structure and content of this exemplar will have to be redeveloped when the Legal Advice NOS are developed as QCF Units in line with Skills for Justice policy.

Title	Establishing and maintaining referral systems for legal advice clients	
Level	5	
Credit value	6 Credits	
Learning outcomes	Assessment criteria	
The learner will:	The learner can:	
1. Understand and develop referral and information exchange principles and procedures to meet client needs	1.1. Explain the legal and ethical framework that informs and underpins systems and procedures for client referral 1.2. Evaluate the importance of consulting with colleagues in own and other organisations when developing referral and information exchange principles and procedures 1.3. Assess the key criteria that need to be considered when developing referral and information exchange principles and procedures 1.4. Develop a set of referral and information exchange principles and procedures based on best practice and relevant legal and ethical considerations	
2. Be able to establish and implement referral and information exchange principles and procedures to meet client needs	2.1. Evaluate the importance of working with colleagues in own and other organisations to establish and implement referral and information exchange principles and procedures 2.2. Assess and explain the key protocols and steps to take in implementing referral and information exchange principles and procedures 2.3. Establish referral and information exchange principles and procedures in accordance with agreed protocols and steps	

<p>3. Be able to develop and implement protocols and procedures to monitor the effectiveness of client referrals</p>	<p>3.1. Evaluate the importance of working with colleagues in own and other organisations to develop and agree protocols and procedures to monitor the effectiveness of client referrals</p> <p>3.2. Assess and explain the legal and ethical framework which impact on data collection and protocols for monitoring monitor the effectiveness of client referrals</p> <p>3.3. Follow agreed protocols for monitoring the effectiveness of client referrals</p> <p>3.4. Use the monitoring information to revise and improve referral processes and procedures</p>
<p>Additional information about the unit</p>	
<p>Unit purpose and aims</p>	<p>The aim of this unit is to:</p> <ul style="list-style-type: none"> • enable learners to understand the legal and ethical principles which inform client referral procedures • work with colleagues to develop and implement client referral protocols and procedures • Work with colleagues to monitor, review and improve client referral protocols and procedures
<p>Unit expiry date</p>	
<p>Details of the relationship between the unit and relevant national occupational standards</p>	<p>This unit has been derived from the NOS for Legal Advice: HF17: Set up and maintain client-referral systems</p>
<p>Assessment requirements or guidance specified by a sector or regulatory body (if appropriate)</p>	<p>This unit must be assessed in the real work environment. Simulation will not be acceptable.</p>
<p>Support for the unit from a sector skills council or other appropriate body.</p>	<p>This unit is supported by Skills for Justice and the Legal Advice Standards Steering Group</p>
<p>Location of the unit within the subject/sector classification system</p>	
<p>Name of the organisation submitting the unit</p>	
<p>Availability for use</p>	

Unit available from	
Unit Guided learning hours	

14. Annex 7: QCF Level Descriptors¹³

Entry level

Entry 1 recognises progress along a continuum that ranges from the most elementary of achievements to beginning to make use of skills, knowledge or understanding that relate to the immediate environment.

Entry 2 reflects the ability to make use of skills and knowledge and understanding to carry out simple, familiar tasks and activities with guidance.

Entry 3 reflects the ability to make use of skills, knowledge and understanding to carry out structured tasks and activities in familiar contexts with appropriate guidance where needed.

Level 1

The ability to use relevant knowledge, skills and procedures to complete routine tasks. It includes responsibility for completing tasks and procedures subject to direction or guidance.

Level 2

The ability to select and use relevant knowledge, ideas, skills and procedures to complete well-defined tasks and address straightforward problems. It includes taking responsibility for completing tasks and procedures and exercising autonomy and judgement subject to overall direction or guidance.

Level 3

The ability to identify and use relevant understanding, methods and skills to complete tasks and address problems that while well defined, have a measure of complexity. It includes taking responsibility for initiating and completing tasks and procedures as well as exercising autonomy and judgement within limited parameters. It also reflects awareness of different perspectives or approaches within an area of study or work.

Level 4

The ability to identify and use relevant understanding, methods and skills to address problems that are well defined but complex and non-routine. It includes taking responsibility for overall courses of action as well as exercising autonomy and judgement within fairly broad parameters. It also reflects understanding of different perspectives or approaches within an area of study or work.

¹³ From the Regulatory Arrangements for the Qualifications and Credit Framework (QCA August 2008)

Level 5

The ability to identify and use relevant understanding, methods and skills to address broadly defined complex problems. It includes taking responsibility for planning and developing courses of action as well as exercising autonomy and judgement within broad parameters. It also reflects understanding of different perspectives, approaches or schools of thought and the reasoning behind them.

Level 6

The ability to refine and use relevant understanding, methods and skills to address complex problems that have a limited definition. It includes taking responsibility for planning and developing courses of action that are able to underpin substantial change or development as well as exercising broad autonomy and judgement. It also reflects an understanding of different perspectives, approaches or schools of thought and the theories that underpin them.

Level 7

The ability to reformulate and use relevant understanding, methodologies and approaches to address problematic situations that involve many interacting factors. It includes taking responsibility for planning and developing courses of action that initiate or underpin substantial change or development as well as exercising broad autonomy and judgement. It also reflects an understanding of relevant theoretical and methodological perspectives and how they affect their area of study or work.

Level 8

The ability to develop original understanding and extend an area of knowledge or professional practice. It reflects the ability to address problematic situations that may involve complex, interacting factors through initiating, designing and undertaking research, development or strategic activities. It involves the exercise of broad autonomy, judgement and leadership in sharing responsibility for the development of a field of work or knowledge or for creating substantial professional or organisational change. It also reflects a critical understanding of relevant theoretical and methodological perspectives and how they affect the field of knowledge or work.

15. Annex 8: In House Training Courses

15.1. This list has been derived from the responses to the sector questionnaire and demonstrates the breadth of training being delivered across the sector.

- Data protection
- Disability awareness
- Various IT courses
- Emergency planning
- Small claims court
- Health and safety and first aid
- Elder abuse awareness
- OPAC through Advice NI POVA training
- Wiser Adviser (Money Advice)
- Customer support
- OCN NI adviser training programme
- Elder abuse awareness
- Basic welfare rights
- Debt training
- Training through NIACRO relating to criminal justice
- Children's law
- Trauma and addiction course (OCN accredited)
- Housing rights
- Mental health
- Employment law
- Business administration
- Assessor training
- Human Resources
- Social security advocacy training
- Presentation skills

16. Annex 9: Externally Commissioned Training Courses

16.1. This list has been derived from the responses to the sector questionnaire and demonstrates the breadth of training being commissioned across the sector.

- CAB adviser training and advocacy
- Housing rights
- Discrimination
- Wiser adviser
- Immigration
- Debt/mortgage arrears
- Welfare rights
- Basic consumer advice
- Consumer credit
- Consumer protection
- Equality training
- Money advice
- Labour relations/employment law
- Tax Credits
- NVQ in advice
- NVQ in management
- Tribunal representation
- Safeguarding people
- Disability
- Mediation
- Presentation skills
- Children in NI
- Work and families
- Prince 2
- Counselling SPSS Software
- OISC training (immigration and asylum)
- CIPD certificate in Training Practice
- E-moderating Online Course
- Moodle Online Learning Training
- Adobe Photoshop Level 1
- Authorware 7 Web Design
- ENTO CPD and Reflective Practice
- ENTO Quality, Efficient delivery of the Assessor and Verifier Awards