





# Introduction

## Purpose of the toolkit

This toolkit has been designed to help district judges, magistrates, members of Her Majesty's Court Service (HMCTS) and other practitioners to design and deliver advice and support services in magistrates' courts. It is based on practice developed through services delivered in Plymouth, Bodmin, Truro and Highbury Corner. The toolkit contains step-by-step guidance on how to set up, deliver and evaluate the impact of an advice and support service in your area. It also includes practical resources that can be used as templates by practitioners designing and delivering similar services.

## What is an advice and support service?

Advice and support services are one of a number of models of problem-solving practice in magistrates' courts. Problem solving aims to ensure that the justice system addresses the problems of those who come into contact with it, rather than simply process their cases. Advice and support services offer a wide range of services for their clients: practical support with issues such as fines or benefits, information on the working of the criminal justice system or help to access support services that can address the issues that bring people to court. They work with the courts, police and probation services to ensure that court orders are obeyed in order to reduce reoffending and create long-term savings for the justice system.

## Why develop an advice and support service?

Many of the people who come through our magistrates' courts commit low-level offences such as drunk and disorderly conduct – and go on to commit them again and again. The offences themselves may seem minor but they end up absorbing a good deal of the criminal justice system's resources. Typically, the seriousness of the offences means they receive fines or conditional discharges. But very often the people who receive these sentences end up returning to court – latest figures show that over 40% of fines imposed are outstanding 18 months<sup>1</sup> after they are made and 33.5% of those receiving a conditional discharge reoffend within a year<sup>2</sup>.

Advice and support services are usually open to all but predominantly target those offenders who have underlying problems but whose offences mean they do not meet the community order threshold. They work with them to identify and tackle their problems in order to reduce the likelihood of their returning to court and to enable them to live more fulfilling lives.

The service design is in part based on the previous successful problem-solving pilots carried out by HMCTS in 2008-9. HMCTS's *Post Implementation Review* (March 2011) of the pilots recommended the approach and summarised their benefits as:

- Long-term reduction in low-level reoffending;
- Higher court user satisfaction;
- Closer partnership with other organisations;
- More effective judicial engagement with people attending court.

The model described in this toolkit also replicates, in most part, existing advice and support services available in magistrates' courts, where stakeholders suggest the benefits include:

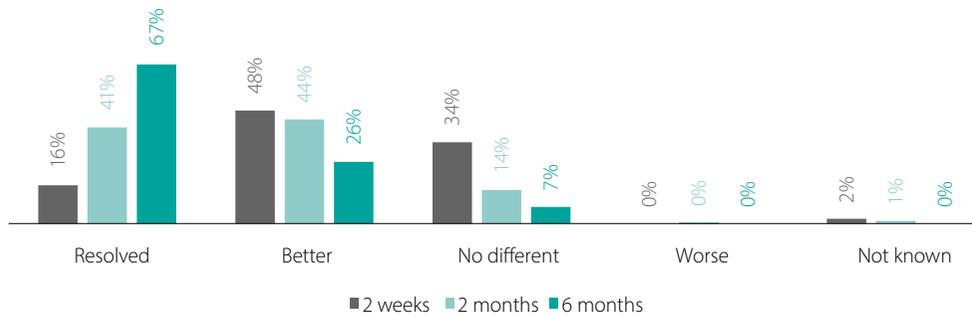
- Improved capacity for the courts to respond to the underserved group of low-level offenders with chronic criminogenic needs;
- Improved compliance with fines and orders;
- Reduced reoffending due to reductions of a range of offenders' criminogenic needs;
- A greater understanding of, and trust in, the criminal justice system among offenders and other court users.

As an indication of what can be achieved, in its first year of operation the advice and support service running from Highbury Corner Magistrates' Court helped with immediate practical assistance on more than 1000 occasions, and made more than 800 referrals into wider community services. It was also able to review progress and offer additional support to 50% of clients six months after using its services. Clients had attended three quarters of referrals made, with two thirds of those reporting that, six months on, their issues had been resolved.

<sup>1</sup> HMCTS management information: Financial impositions and amounts paid by imposition type, England and Wales, annually 2011 - 2014, quarterly Q2 2011 - Q3 2015

<sup>2</sup> Proven re-offending tables tab c1a <https://www.gov.uk/government/statistics/proven-reoffending-statistics-january-2013-to-december-2013>

**Figure 1. Progress against needs**



## What will you need?

Setting up an advice and support service in a magistrates' court will require some dedicated resources. It does not have to be expensive, but there are a number of factors that it is essential to have in place to enable such a service to be possible and effective.

- **Willing court practitioners**

It is vital that key court practitioners recognise the value of an advice and support service and support its development and delivery. The judiciary, magistracy and court service will all need to be involved in establishing how the service will work alongside the judicial process and other professionals and services in the courthouse. Later in this toolkit we will cover who needs to be involved and the best means to do this.

- **Facilities in the courthouse**

Whatever model you choose for your service, it will require some facilities within the courthouse. As a minimum this means a phone, a place to discuss issues confidentially, and information on services available locally. Ideally, the service is best delivered from its own room that is prominent and accessible from the court rooms.

- **Funding**

As advice and support services tend to be volunteer-led, they do not need to cost a lot. However, it will be necessary to have some paid capacity – how much will depend on the demand. Advice on estimating your likely demand is at page 5. You will also need to fund basic facilities such as phones and printed materials. A sample costed service is described below at page 10.

- **A service provider**

Advice and support services are independent from the court and usually delivered by a voluntary sector provider. This independence not only helps with building relationships with offenders, but also allows for the recruitment of a provider that can use its knowledge and contacts to secure access into longer-term services in the community. At page 10 we outline what to look for when choosing a service provider.

- **Appropriate local services**

The nature of advice and support services in court means that their contact with an offender may be brief, but some people will need longer-term support in response to their needs. The most common needs among clients are around housing, benefits, debt and mental health. For a service to be effective in helping people to tackle their underlying problems, services will need to be available in the community that can provide this longer-term support. The advice and support service's role will then be to enable access to these services. For detail on local services it will be necessary to build relationships with, see page 8.

# How to set up an advice and support service

Here we outline the eight steps required to set up an advice and support service. They are designed to take you through the whole process from the initial idea to evaluating the impact the service is having. Template documents are provided that you may use and adapt as appropriate.

- 1 Get support  
▼
- 2 Define who the service will work with  
▼
- 3 Design the service  
▼
- 4 Secure funding  
▼
- 5 Find a delivery partner  
▼
- 6 Set up and deliver  
▼
- 7 Monitor and adapt  
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- 8 Evaluate

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## 1 Get support

For a service to be possible, support will be required from the judiciary, especially lay magistrates, and HMCTS as a minimum. This support will be needed in three key areas:

- **Permissions:** to give authorisation for the service to be based in and operate from the court
- **Governance:** to develop the role of the service and act as an overseer of its delivery
- **Operational:** to ensure the service can be delivered effectively alongside the court processes.

The first step will be to secure permission for the service or at least for the idea of developing one. This will mean discussing the idea with your local Justices' Clerk or Deputy Justices' Clerk, chair of your magistrates' bench and a senior judge. It may be possible to approach all these people through your local Judicial Leadership Group, Probation Liaison Committee or equivalent.

From here, you should decide who will take responsibility for overseeing the development of the service. This might fit within existing structures in the court such as the Judicial Leadership Group, or a dedicated working party can be formed that then reports back. A working party may include the same people who have given permissions, but is more likely to be delegated. The working party will continue to need representatives from HMCTS and the judiciary or magistracy. Its role is to do the following:

- Provide oversight of the design and delivery of the service
- Monitor progress
- Identify and take action to prevent and tackle upcoming problems
- Enable key partners to share learning
- Support development of the service as appropriate
- Identify strategic opportunities for embedding the service
- Review the management of the working protocol between the court service and the provider (once relevant – see page 9.)

A working party will need to agree who its members are, their roles, how meetings will work (e.g. how often and the format) and other relevant practical considerations. A template terms of reference is available at Appendix 1.

In addition to the above, it can also be very beneficial to involve other court professionals at various stages of the development process. This includes list callers, solicitors, probation and other services operating from the court such as liaison and diversion. It is also advantageous to speak to current court users. The advantages of involving the various people and the appropriate timing is described below.

## 2 Define who the service will work with

Advice and support services add to the range of means through which the justice system can address the problems of those who come into contact with it. As one of a number of problem-solving models that can and do operate in court, it is therefore vital to be clear what gap such a service is aiming to fill. In particular, this is about identifying who could benefit from additional advice and support. It will be important to allow all relevant stakeholders to have their say on this and to work with them to come to a clear agreement from which you can go on to design the service.

While advice and support services are usually open to all, they focus predominantly on people whose sentences mean they do not receive additional input from probation, such as fines and discharges. Within this group, those people who are repeat offenders – and who may therefore benefit from extra support to identify and tackle the underlying problems leading or contributing to their offending – are targeted. In addition to this, the working party may wish to consider whether there are other eligibility criteria: what ages will the service work with? Will it be for offenders only or could it also be offered to family members or witnesses? Will the service only be available after conviction (i.e. to offenders rather than all defendants)? An example criteria can be found within the template working protocol at Appendix 7. This can be used as a helpful starting point for discussions with your partners.

Once the eligibility criteria are clear, it will be useful to understand more about the specified client group so that the service can be designed accordingly. Specifically, you need to have a rough idea of:

- i. How many people you might expect to use the service;
- ii. The characteristics (age, gender etc.) of these people;
- iii. What kind of needs they are likely to present with.

The first two of these can be estimated through looking at data on who has attended court over the last year. The service will be voluntary and many offenders will not require it or may choose not to access it, so start with a low estimate for take up from offenders using the court, especially in the first year of operations. The third data set is less readily available other than for those offenders who have undergone a probation assessment. You may be able to find some relevant local data through sources such as your area's Joint Strategic Needs Assessment. However, we know from existing advice and support services that the needs with which people most commonly present at those services are housing, benefits, debt and mental health. This is a sensible basis on which to proceed where you are unable to identify more specific local information.

## 3 Design the service

### Who to involve

The working party should first of all consider who else may be able to offer insight into how the service could be delivered. This includes list callers, solicitors, probation and other services operating in the court such as liaison and diversion. This is not just about raising awareness with them; they may also have thoughts and suggestions on how the service could operate, how it might benefit them, and how it fits with their roles. It would be very useful to include these ideas in the service design. Similarly, where possible it is advantageous to speak to current court users to understand what they feel would help them, any barriers they might have in accessing such a service and how these might be overcome. The more involvement that can be secured at the outset, the more chance you have of designing a service that will meet the need it is trying to meet.

### Agreeing your aims

As described above, the aim of advice and support services is to help address the problems of those who come into contact with the justice system. A good service will have an evaluation framework in place to determine what might indicate whether it is making progress towards this goal, and how this will be demonstrated. You should consider working towards outcomes such as the following:

- Improvement in underlying needs of those using the service;
- Increased compliance with court orders;
- Reduced reoffending;
- Increased understanding of and trust in the justice system.

Having evaluation in mind from the beginning of the service design process is highly recommended. If possible, at this stage the working party should develop and agree to a plan that is both feasible and likely to yield useful information. Developing an evaluation plan early can help to clarify the service's objectives, and to promote shared understanding of these goals. Evaluations can describe how a service is operating, whether it is working as planned, determine if it is achieving its objectives, and identify areas for improvement. Funders will understandably expect to see evidence justifying their investment (beyond anecdotes about individuals the service has benefited.)

Further advice on evaluating the service is available in Section 8.

### Clarifying what the service will look like

Members of the working party should work with their wider partners to answer the following three questions:

- i. How will the service be structured?
- ii. What will the service actually do?
- iii. In what ways will the service interact with the judicial process?

Each of these questions is discussed in detail below. As part of this discussion, we describe much of what happens in existing advice and support services as a guide. If you prefer to tweak the model or implement differences that you feel will work more effectively in your area it will be important to measure impact as you go to identify whether the service is delivering and achieving what you intend it to.

#### i. How will the service be structured?

Advice and support services are usually staffed by one fully-trained, paid coordinator, supported by a team of volunteers. Taking into account time to assess people's needs, carry out actions, monitor progress and administer the service, one full time staff member and two volunteers per day can usually manage around 15 cases per week. This figure may be a little lower in the first few months as the service becomes established.

Recruiting and retaining high quality staff and volunteers will be key to delivering a good service. A sample person specification and role description for both roles is available at Appendix 2. All staff and volunteers should be DBS checked to ensure their suitability for working with vulnerable adults. The number of volunteers you will need will depend on your likely demand as well as the space you have available in the courthouse. Volunteers will require good induction, training and ongoing support from the coordinator to enable them to find satisfaction in the work and fulfil their roles effectively. Induction should cover the following:

- The role and function of the service
- An explanation of the criminal justice system
- An introduction to magistrates' courts
- Training in skills needed to work effectively with offenders, victims and families of court users
- Guidance on safe working
- Policies and procedures of the service.

It is recommended that as part of induction, volunteers are allowed to spend some time observing court proceedings and familiarising themselves with the court services before they begin working directly with individuals.

## ii. What will the service actually do?

The activities of advice and support services fall into three main areas as described below.

### a. Work with clients

**Engaging:** advice and support services are voluntary and independent from the judicial process. Staff and volunteers will therefore need to be proactive in engaging people both themselves and through encouraging referrals from judges, magistrates, lawyers, probation and others. The majority of referrals at existing advice and support services come via “self-referral”, which often means they have been approached by staff from the service who have explained what they do and begun to build a relationship with them. At initial contact, people can often be reluctant to engage or too concerned about their impending hearing, but very often this contact establishes the relationship and people approach the service a little later. Although not strictly part of its remit, advising people who are in waiting areas on where they need to go or how to find certain facilities or information can also be useful in beginning to build trust with potential clients. A key barrier to engaging that has been identified by existing services is when staff are mistaken for representatives of the court. Wearing badges clearly marked “volunteer” and displaying prominent independent logos for the service have been found to go some way towards removing this barrier.

**Assessing:** workers will talk to the person and in doing so will undertake an assessment of his or her circumstances and needs. This should cover basic details of the person as well as information on where they feel they need or want support. An example assessment form is available at Appendix 3. As part of the assessment, every person should have it explained what information is being recorded and may be shared, and give consent to this. Sample frequently asked questions about consent and personal information sharing is available at Appendix 4.

**Responding:** depending on the circumstances of each individual, responses tend to be a combination of advice, practical help with issues such as benefit claims, and referrals into longer-term and more specialised community services. As mentioned above, workers often also do some work to help people understand the court process – though this should not lead to interference with it (as we will discuss below.) Responses should be recorded; an example action form is available at Appendix 5.

**Monitoring:** after help has been given or referrals made and the person leaves the court, workers need to ensure that, where permission is given, they follow up with individuals. This is partly to assess the impact of the interventions but also to encourage people to attend referrals if they have not already done so and to identify any more support that might be necessary. It is good practice to do follow ups after 2 weeks, 2 months and 6 months. An example follow up form is available at Appendix 6. For ease of reporting, you will also need to develop some means of collating the information the service is collating. A basic excel database corresponding to the example forms provided in this toolkit is available at [bit.ly/advice-toolkit](http://bit.ly/advice-toolkit)

To give an idea of how this will work in practice, identify a handful of people who you feel may be suitable for the service and consider what it might do for them. A case study from an existing advice and support service is here to get you started.

### Paul: responding to multiple needs

35 year old Paul was homeless when he attended court for drug offences. He had a large number of previous convictions, and was suffering severe financial hardship: he was receiving no income and was indebted to several people on top of the court fines he had just received. He was also suffering from drug and alcohol dependence that was affecting his mental health and his relationship had deteriorated. In addition, he had lost his birth certificate and wanted help to apply for a CSCS card.

#### Action taken

The service discussed the options available and empowered Paul to make his own decisions about what to do next. Staff helped him apply for jobseekers allowance, and referred him to a number of services for his mental health, drug and alcohol use and homelessness. He was also guided on applying for his CSCS card and birth certificate as well as helped to access support for his debts.

#### Outcome

After two months, the service followed up with Paul and he was very happy to hear from them. He informed the staff member that he was getting help towards his drug and alcohol issues and this was improving his wellbeing. He was in receipt of jobseeker’s allowance and managing to pay his priority debt (his court fines) as well as sorting out his other debts. He had also received his CSCS card and his birth certificate and was looking for work in construction. He was also receiving counselling for his mental health and working on improving his relationship with his girlfriend.

### b. Work with staff in court

A key task for staff and volunteers will be to build relationships and raise awareness about the service with people working in the courthouse. They will need to explain the role of the service, its interaction with the judicial process (see section 3. below), the kinds of people the service can help, and how to make referrals. Below, we outline who you should approach and the possible methods by which you might engage them.

**Table 1. Engagement methods**

Who to approach	Methods
Judiciary and magistracy	<ul style="list-style-type: none"> <li>• Bench newsletters</li> <li>• Breakfast and lunch meetings</li> <li>• Via the Judicial Leadership Group</li> </ul>
Lawyers	<ul style="list-style-type: none"> <li>• Visiting the advocates' office regularly</li> <li>• Speaking to lawyers in waiting areas</li> </ul>
Legal advisors and list callers	<ul style="list-style-type: none"> <li>• Through HMCTS communication channels</li> <li>• Team meetings</li> </ul>
Probation, liaison and diversion, and other services	<ul style="list-style-type: none"> <li>• Through team managers</li> <li>• Team meetings</li> <li>• Conversations with individuals</li> <li>• Via the Probation Liaison Group</li> </ul>
Security and facilities staff	<ul style="list-style-type: none"> <li>• Conversations with individuals</li> </ul>

The service will quickly identify those staff who are most frequently in court. There can however regularly be new people attending, so it will be necessary to make efforts to engage continually with those who may be unaware of or less familiar with the work.

### c. Work with external services

Given that much of the work of advice and support services involves making referrals to longer-term support in the community, it will be necessary to have a good working knowledge of and relationship with those services that can provide this. This external support will need to respond to the needs of people using the advice and support service,

so staff and volunteers should begin by identifying what is available for the needs identified at stage two above. At existing advice and support services, the top needs are:

- Housing
- Benefits
- Debt
- Mental health
- Criminal justice
- Education, training and employment
- Drug use
- Alcohol use
- Physical health
- Domestic abuse.

Where available, smaller local services are often able to be more flexible and responsive, as well as easier to build a relationship with, but national organisations and helplines can also be useful where there are gaps in local provision. While basic internet searches are useful as a starting point, personal relationships with services will result in more effective referrals, so staff should devote time to building a good relationship through means such as going to visit services or inviting them in to the court to discuss how the two can work together. This isn't just about collecting information on what services do, it's also about knowing the best way to contact them, the times they are available, the referral process, and any relevant eligibility criteria. Having named contacts and a deeper understanding of those services can reduce people's fears or doubts about using them and increase the chances of their taking up the referrals. Being able to provide leaflets also helps so that people can read more about the services in their own time once they are away from the court. If staff are able to develop dedicated access routes or service level agreements to facilitate referrals this is hugely advantageous.

As much work should be done on this as possible prior to the advice and support service opening but it will, of course, require continuous attention and should not be neglected in favour of other priorities. Of equal importance will be for workers to identify which services are proving most useful. Where staff are unable to use quality assurance criteria for the services to which they are referring, the follow-up process with individuals who have used the advice and support services will be an important mechanism for doing this.

### iii. How will the service interact with the judicial process?

The extent of interaction with the judicial process will need to be determined locally, but advice and support services are designed to be independent and it is important to be clear about this. There are several points at which the service could interact with the judicial process and you should consider the approach you will take to each:

- **Legal advice:** in general, advice and support services do not give legal advice. Where people ask for this, staff and volunteers should refer them to their legal representatives or the duty solicitor.
- **Mitigation and advocacy in court:** this is not the role of an advice and support service. Lawyers and the probation service may choose to use information provided by the service, but the staff and volunteers should only ever give factual information on support that may be available for people, and even then only if requested to do so by the court.
- **Working with defendants:** it may be preferable to restrict advice and support to people once they have been convicted to avoid any potential conflict with the judicial process. However, you should think carefully about this option: the time while defendants are waiting for their hearing is a key opportunity to engage them and many will want to leave immediately afterwards.
- **Referrals from the bench:** although advice and support services are voluntary, it can be beneficial for judges and magistrates to mention the service at or after sentencing so that those who might benefit but are not aware of the service have an opportunity to engage with it.
- **Referrals from cells:** where people are in custody, you will need to decide how referrals to the service can be made. You may wish to do this only upon release, or to allow a worker to visit people in cells following a risk assessment by security staff.

Once you have agreed answers to all three questions, you should ensure that you confirm the details in a protocol that is signed by the key partners, including the service provider once you have one in place. This protocol should include information on the process to follow if any party feels the protocol is not being followed or has concerns.

A template protocol is provided at Appendix 7.

## 4 Secure funding

The existing model of advice and support services as described in this toolkit is relatively inexpensive. However it does necessitate some paid capacity in the form of a service coordinator. The coordinator can be full or part time, dependent on demand. This means that some financial resource is required to deliver an effective service.

### Who to approach

As the service does not have to cost a lot, as will be shown below, you may wish to apply to one funder or to split the cost over several. Having one funder can reduce your workload in terms of applications and reporting, but having several can be a useful way of bringing ownership and involvement more widely as well as being a less risky financial model. When you first set up the service it may be easiest to approach a charitable trust or foundation to establish a pilot. Other options include the Police and Crime Commissioner, Community Safety Partnerships and local authority advice commissioners.

### How much it costs

It is difficult to give a precise cost for a service as this will vary depending on the model agreed locally. Instead, the example model on page 10 provides some key costs you will need to consider and a worked example of a particular model.

### What to include in a proposal to funders

Different funders will have different requirements for proposals, but all will require you to have some basic information. You should develop this around key areas that can then be adapted for individual funders. All the information listed here should have been developed during the stages of this toolkit you have covered so far. This includes:

- The overall aim of the service
- The outcomes you will be working towards
- How you intend to measure your impact
- Who your service will work with and anticipated demand
- The activities the service will deliver
- Your governance arrangements
- How much it will cost.

**Table 2. Example model: 1 full time paid worker with 2 volunteers a day, 5 days a week.**

	6 months start up	12 months delivery
<b>Staffing costs</b>		
Coordinator costs (salary, NI pension)	£20,000	£40,000.00
Volunteer expenses	£1,000	£3,000.00
Training	£1,000	£1,000.00
<b>Total staffing costs</b>	<b>£22,000</b>	<b>£44,000.00</b>
<b>Overhead costs</b>		
Equipment	£1,000	
Office costs e.g. stationery, postage	£1,000	£4,000.00
Management costs	£1,000	£4,000.00
<b>Total overhead costs</b>	<b>£3,000</b>	<b>£8,000.00</b>
	<b>£25,000</b>	<b>£52,000</b>
<b>Project total for 18 months</b>		<b>£77,000.00</b>

- Experience of giving advice and guidance to those in need and with specific vulnerabilities within a criminal justice setting;
- Knowledge of existing services and agencies to whom the service can make referrals for clients coming through the court and the ability to make connections and establish such routes when they are not currently in place;
- Ability to establish and maintain relationships with statutory partners and an awareness of the special nature of the relationship between the service and the judiciary;
- The organisation has in place all appropriate policies concerning safeguarding, data protection, equal opportunities, workplace safety, human resources and other areas, all of which are current and up to date;
- The ability to think beyond the initial funding period in order to make the service sustainable and during the initial operating period to position it attract future funding streams.

You should also consider whether you want a provider with a recognised quality mark.

Prepare a short invitation for proposals that describes the service, the amount of money you have, and what you are looking for from potential providers. Shortlist providers with the involvement of two or more partners and invite these to an interview. A basic shortlisting grid and some suggested interview questions are available at Appendix 8. Interviews should be carried out by the partners who shortlisted, and assessed against the criteria you have identified for your provider. Once identified, agree a grant agreement with the provider. Templates for grant agreements are easily available online. Key sections to include in an agreement include:

- The purpose of the project;
- The amount of grant money and time period it covers;
- How and when the grant will be paid, including any conditions such as following receipt of satisfactory reports;
- Financial records that will need to be kept by the provider;
- Financial reporting requirements;
- Programme reporting requirements;
- An outline of the agreed activities and budget;
- The process in the event of any changes to the activities or budget;
- The process for disputes or breaches of the grant conditions;
- Information on how either party may terminate the agreement.

## 5 Find a delivery partner

Once you have a clear service model and some funding you can move on to the exciting part: recruiting a provider to run the service. It is advisable to seek grant proposals from a number of providers to ensure you have the greatest chance of appointing the best. Consider what skills, experience and knowledge you are looking for. This might cover things such as:

- Prior experience in the management of volunteers as well as evidence of the use of robust practices and procedures to ensure their effective management to a required standard;
- The ability to keep track of the operational aspects of a project including key deliverables and financial management;
- The ability to and experience in collecting data about the users of the services as well as their outcomes in order to be able to demonstrate impact;

## 6 Set up and deliver

At this point, the bulk of the work will pass to your service provider. However, you should ensure that you work with them to check their progress and see that where needed the working party members support the provider.

Before the service starts delivering, the provider will need to:

- Appoint a coordinator;
- Recruit and train volunteers;
- Engage stakeholders in the court;
- Build relationships with external services;
- Prepare promotional materials;
- Agree data collection content;
- Prepare all operational paperwork including an assessment form, follow-up form and information sharing documents;
- Establish monitoring and evaluation processes;
- Set up the office.

## 7 Monitor and adapt

As part of your agreement with the service provider, you should outline what as a working party you would like to see in terms of reporting, how often and in what format. This should include:

- A summary of progress since the last report;
- Any learning from the period: what has gone well and what has not;
- Any development plans based on the learning;
- Performance data including:
  - Client numbers and referral routes
  - Client demographic profiles
  - Client need profiles
  - Numbers and types of actions taken
  - The outcomes of referrals made;
- One or two case studies of people using the service: their needs, action taken and the results.

Your working party will continue to fulfil its role of overseeing progress, but it should also serve as a means to identify any potential problems early and take action to mitigate against these. It should also be discussing what the service is learning through its delivery and considering how it could be developed or whether there are opportunities to use the learning with other services.

## 8 Evaluate

Having a plan for evaluation is important, and having this plan in place from the beginning of the service is ideal. The plan should describe the service itself, how it will be evaluated, and how evaluation results will feed into service improvements and inform decision making. It can be updated as circumstances warrant, but should be written as early as possible, and include consideration of the following:

- The target group the service is working with, and the needs it is addressing (section 2);
- The service's theory of change/logic model - a visual representation of how the service is expected to bring about change;
- The key research questions the evaluation will answer;
- The types of data evaluation will require;
- Indicators and potential data sources;
- Timescales, budgets, and potential evaluation partners.

There are several types of evaluation, serving different purposes at different stages of a service's development. A few common types are outlined in table 3.<sup>3</sup>

Even with careful planning prior to implementation you are unlikely to anticipate every aspect of the service's operation in practice. Some data may prove difficult or impossible to collect, and some outcomes may turn out to be unrealistic. An evaluation plan should be flexible in response to learning and change.

However, our experience with existing advice and support services operating in magistrates' courts suggests that there are likely to be a number of outcomes of interest in common between these services. Members of the working party should discuss and develop their own outcomes and indicators, but an example is provided in table 4. to help start this conversation.

<sup>3</sup> Adapted from Martin, Alison Brooks, "Plan for Program Evaluation From the Start," NIJ Journal 275 (2015): 24-28, available at <http://www.nij.gov/journals/275/pages/plan-for-program-evaluation.aspx>

**Table 3. Types of evaluation**

Evaluation type	What it shows	When to use	Purpose
<b>Formative</b>	Is the service well developed?	During planning stages or at the beginning of implementation	To allow for early modification of the service plan
<b>Process</b>	How is the service operating? Has it been implemented as planned?	In the early stages of implementation	To ensure that service plans and activities are working
<b>Impact / outcome</b>	Does the service achieve its outcomes? What impact has it had on service users? What change can be attributed to the service?	When the service is fully developed, stable, and unlikely to fundamentally change	To determine whether the service is effectively meeting its objectives
<b>Economic (Cost-benefit / value for money etc.)</b>	What resources are being used (and their costs), compared to outcomes generated through the service	During service operation	To provide stakeholders and funders with a method to assess cost relative to effects

**Table 4. Possible outcomes and indicators**

Outcome	Indicators	Data source
Improvement of underlying needs of those using the service	<ul style="list-style-type: none"> <li>Take up of external services</li> <li>Usefulness of referrals and actions</li> <li>Progress on issues</li> </ul>	Advice and support service data
Increased compliance with court orders	<ul style="list-style-type: none"> <li>Fine repayment</li> <li>Reduced return to court</li> </ul>	Court compliance team information
Reduced reoffending	<ul style="list-style-type: none"> <li>Frequency of reoffending</li> <li>Severity of reoffending</li> </ul>	Justice Data Lab
Increased understanding of and trust in the justice system	<ul style="list-style-type: none"> <li>Perceptions of legitimacy and fairness</li> <li>Understanding of the process</li> </ul>	Questionnaires with people using the service

The information above is purely introductory - these concepts, and many more not mentioned, are described by a voluminous research literature. Evaluation is not always easy. The working party might explore the possibility of partnering with an experienced research organisation or university to help develop and carry out an evaluation plan.

## Conclusion

Providing advice and support to those attending magistrates' courts can add to the range of problem-solving approaches that aim to tackle the underlying problems that lead people to commit crime. Setting up services to deliver this support requires some thought and work, but we hope that by giving advice on the steps to be taken, sharing examples of what existing schemes do, and providing template tools that can be used where appropriate locally, this toolkit can make this process simpler.

If you are interested in establishing such a service or would like any more advice or support please contact us at [jthomas@justiceinnovation.org](mailto:jthomas@justiceinnovation.org).

For more information on existing advice and support services, see the webpage on Highbury Corner here: [bit.ly/highbury-advice](https://bit.ly/highbury-advice) and a case study on the service operating in Plymouth here: [bit.ly/plymouth-advice](https://bit.ly/plymouth-advice)

# Tool templates

All tools provided here are intended as templates only. Those establishing an advice and support service may choose not to use them or are free to adapt them to their local circumstances

For ease of printing, all tools are also available as Word documents at: [bit.ly/advice-toolkit](https://bit.ly/advice-toolkit)

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### 1. Description of service

The service is a court-based advice and support scheme that will operate from [NAME OF AREA] Courthouse from [DATE]. The service, which will be run by [SERVICE PROVIDER], will work with offenders and their families in order to:

- [OBJECTIVE 1]
- [OBJECTIVE 2]
- ...

The service aims to ensure effectiveness of sentencing and to reduce reoffending, but is independent of the judicial process. It is anticipated that the caseload will be in the region of between [DEMAND] court users per year, once the service is fully operational, or around [EXPECTED NUMBER] per week.

### 2. Overall role of the working party

The working party has been formed in order to do the following:

- Provide oversight of the service
- Monitor progress
- Identify and take action to prevent and tackle upcoming problems
- Enable key partners to share learning
- Support development of the service as appropriate
- Identify strategic opportunities for embedding the service locally
- Review the management of the working protocol between the court service and the provider.

The time commitment from the partners will not be chargeable to the project. It is expected that the cost of this will be met by each of the organisations.

The duty of care for clients and individual decisions about these clients remains the responsibility of the service provider.

### 3. Responsibilities of the working party and its members

Working party members collectively agree:

- Meetings: to meet regularly to discuss the progress of the service
- Removing barriers: to identify and support the service to overcome any barriers to its provision
- Wider stakeholders: to act as an intermediary between the service and wider stakeholders, facilitating communication and promoting the service
- Vision: to promote a shared vision and objectives to all stakeholders
- Data and reporting: to review the evaluation data provided by the service and identify good practice and areas for development
- Strategic links: to identify opportunities for strategic engagement and support strategic activities, as appropriate

### 4. Information sharing

No personal or sensitive information of clients using the service will be shared at the working party. Case studies provided by the provider will be anonymised or supplied with appropriate client consent.

### 5. Membership

The following are named members of the working party. This working party is intended to last for the [PERIOD] for which funding is currently available. Supporting people who may attend if these individuals are unavailable are named in brackets.

- [NAME 1]
- [NAME 2]
- ...

Named individuals may transfer membership to another person in their organisation where that person is able to commit to the responsibilities outlined above. Members may withdraw from the working party. Should a member withdraw then the working party will seek to replace that member in order to continue to meet the outcomes of the service.

In the event that the strategic priorities of any of the members undergo significant and relevant change the other members will be informed and the significance will be discussed at a meeting of all parties.

Additional members may join the working party if agreed by the majority of members. Other agencies may also attend by invitation.

## 6. Chair

The working party will be chaired by [NAME CHAIR].

## 7. Meetings

The working party will meet at least once every quarter. Meetings will take place within two weeks of quarterly reports being submitted by the service provider, wherever possible. This is in order to enable the working party to have oversight of progress, share learning and take action to remove barriers as quickly as possible.

Before each meeting the Chair will agree and circulate the agenda. All members may contribute to the agenda planning by contacting the Chair.

The following items will be tabled at each meeting:

- Monitoring overview: data on clients being referred and worked with, actions taken and outcomes achieved will be discussed. This will also include information on volunteer recruitment.
- Success stories: the service provider will outline key successes from the previous quarter, to include individual case studies but also areas of good practice identified.
- Barriers: identified barriers or new risks that have not been overcome in the day-to-day running of the service will be discussed and actions agreed to tackle these.

Strategic action: there may be discussion and agreement of any further actions to be taken by the working party to ensure longer-term support for the service

The working party will be serviced by staff from [ORGANISATION]. A central record of minutes will be kept.

## 8. Decision making

The Chair will seek agreement to individual actions from members present at the meetings. Consensus or majority agreement will be sought where needed.

## COORDINATOR JOB DESCRIPTION

Job Title: Advice and support service Coordinator

Responsible to: [NAME]

Hours: [NUMBER] hours per week

Duration: Permanent

Salary: [SALARY] per annum

---

### Job purpose

- Responsible for the delivery of the advice and support service at [COURT NAME], ensuring appropriate volunteer resources and quality assurance of service delivery.
- To work closely with partners and stakeholders to ensure effective service delivery
- To work with the working party to develop the service.

### Duties and responsibilities

#### Project management

- Deliver for the project plan for the service
- Establish referral arrangement with identified agencies to ensure provision
- Engage with partners and promote the service
- Coordinate activities, procedures and systems so as to promote common policies and practices
- Provide statistical and monitoring information on the number of clients and nature of cases and produce regular reports to management
- Monitor service provision to help ensure that it reaches the target client group

- Assist with social policy work by gathering information about clients' circumstances through the appropriate channel
- Maintain and monitor effective and efficient administrative systems
- Monitor health and safety policy with regard to staff, equipment and premises within statutory requirements.

### Recruitment and staff development

- Participate in initiatives to recruit appropriate volunteers
- Provide induction, support and training for volunteers.

### Service delivery

- Manage practicalities of the service
- Supervise the work of designated volunteers to ensure that standards meet requirements
- Ensure delivery of agreed level of service and adequate staff cover
- Monitor the quality of information advice given to clients
- Monitor quality of work from case records
- Develop and maintain standards of service delivery
- Ensure that appropriate systems are developed and maintained for case recording, statistics and follow up work
- Ensure quality standards are maintained to a high level
- Undertake advice work as and when required
- Ensure all relevant policies and procedures are followed during the sessions
- Ensure the development of social policy and instigate systems and procedures.

### Staff supervision

- Attend regular meetings of paid and unpaid staff
- Encourage good teamwork and lines of communication between all members of staff and volunteers.

### Professional development

- Keep up to date with legislation and undertake appropriate training, through self-study and research
- Identify and implement own training and development needs
- Identify the training needs of staff through support and supervision and contribute towards training and development plans
- Attend relevant internal and external meetings as agreed with your manager
- Organise training activities as appropriate.

### Other duties and responsibilities

- Carry out any other tasks which may be within the scope of the post to ensure the effective delivery and development of the service
- Demonstrate commitment to the aims and policies of the service.
- Abide by health and safety guidelines and share responsibility for own safety and that of colleagues.

### COORDINATOR PERSON SPECIFICATION

- Recent and ongoing experience of information and advice provision and casework
- Ability to engage with range of stakeholders
- Knowledge and awareness of mental health and support services working within criminal justice system
- Experience of managing volunteers
- Demonstrable ability in maintaining and updating knowledge and experience
- Understanding of the importance of support and development
- Ability to motivate and empathise with volunteers
- Effective oral and written communication skills
- Understanding of the issues involved in project management
- Ability to prioritise own work and the work of others, work to competing deadlines and manage workload in a pressured environment
- Ability to use IT in the provision of advice and the preparation of reports and submissions
- Ability to give and receive feedback objectively and sensitively and a willingness to challenge constructively
- Ability and willingness to work as part of a team
- Ability to monitor and maintain recording systems and procedures
- Understanding of the issues affecting society and their implications for clients and service provision
- Understanding of and commitment to the aims and principles of the service and its equal opportunities policies.

## VOLUNTEER ROLE DESCRIPTION

### Role purpose

- Volunteers provide free, impartial and confidential referrals or signposting to court users on a wide range of issues, such as housing, family, alcohol/drugs, health/mental health, employment, education & training, benefits and debts. The advice and support service covers all offender pathways and is about active engagement with court users, offering support & referrals or sign-posting and advice on all relevant issues in the range of social welfare law. We do not advise in legal matters or completion of statement of means forms, or finding legal representatives - instead court users will be referred to Duty Solicitors or list callers who assist.

### Duties and responsibilities

The work of all the team is varied, but typically falls into these categories:

- Active engagement with clients
- Advice/support
- Referral
- Administration/follow up

### Volunteers will operate under the guidance and supervision of a Coordinator. The role will entail:

- Interviewing clients, both face-to-face and on the telephone, using a range of skills, to gain a full understanding of their situation and key issues in order to help set priorities & problem solve.
- Ensuring impartiality when dealing with clients.
- Providing information to clients, and other agencies in person, on the phone and by email.
- With the assistance of the Coordinator or volunteer colleagues, agreeing action plans and/or follows up of any actions.
- Referring court users to sources of help such as solicitors, social workers or other internal/external departments.

- Acting, where necessary, on behalf of the clients, to make telephone calls, negotiating with third parties, drafting or writing support letters or making appropriate referrals to other organisations.
- Maintaining case records and administrative systems.
- Treating all clients' information in line with the service's confidentiality policy.
- Participating in training and development activities as necessary to ensure up to date knowledge and skills.
- Working as part of a team and attending team meetings.

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## VOLUNTEER PERSON SPECIFICATION

### Volunteers must be able to show the following skills and abilities:

- Reliability and punctuality
- Being open and approachable
- Respect for views, values and cultures that are different to their own
- Ability to understand and empathise with the needs of clients
- Excellent communication skills
- A positive attitude to self-development including willingness to undertake training
- Able to treat all information relating to the clients in line with the service's confidentiality policy
- Ability to use IT in the provision of advice and the preparation of paperwork.
- Ability to give and receive feedback sensitively and a willingness to challenge constructively.
- Understanding of and commitment to the service's aims, principles and policies
- Awareness of community resources.

**BASIC DETAILS**

<b>Name</b>		<b>ID number</b>
<b>Date</b>		<b>D.O.B.</b>
<b>Address</b>		<b>NI no.</b>
<b>Postcode</b>		<b>LA area</b>
<b>Phone number(s)</b>		<b>Email</b>
<b>How did you find out about the service?</b>		<b>First time at service</b> (✓/✗)
Self-referral	Magistrate/ judge	<b>Reason at court today</b>
Probation	List caller	
	Solicitor	
	Other	

**SUMMARY OF SUPPORT NEEDS AND ACTIONS** (for reporting – complete at end)

Support area	Need (✓/✗)	Actions		
		Referral (number made)	Advice (✓/✗)	Immediate practical help (✓/✗)
Alcohol use				
Benefits				
Criminal justice				
Debt				
Domestic abuse				
Drug use				
Employment, training, education				
Housing				
Mental health				
Physical health				
Other (specify)				

**CASE MANAGEMENT**

<b>Date due</b>	1st follow up (2 wks)	2nd follow up (2 mths)	3rd follow up (6 mths)
<b>Date completed</b>			

## ABOUT THE PERSON

<b>Gender</b>	
<b>Ethnicity</b>	
<b>White</b>	<b>Mixed/ multiple</b>
British	White & black Caribbean
Irish	White & black African
Gypsy/ Irish Traveller	White & Asian
Other white	Other mixed
<b>Asian/ Asian</b>	<b>Black/ Black</b>
<b>British</b>	<b>British</b>
Indian	African
Pakistani	Caribbean
Bangladeshi	Other
Chinese	Other
<b>Nationality</b>	
<b>Year first arrived in UK</b>	
<b>Accommodation</b>	
Own home	Sheltered housing
Private rent	B&B
Social rent	With family e.g. parents
Tied housing	Mobile home
Supported housing/hostel	Home Office Asylum Support
Refuge	Homeless
<b>Employment</b>	
Full time work (>24 hrs/wk)	Not seeking work
Part time work (<24 hrs/wk)	Full time student
Gov't training/work prog	Unable to work (long term sickness or disability)
Job seeker	Other
Retired	
<b>Offences charged with today</b>	
Violence against the person	Possession of weapons
Sexual offences	Public order offences
Robbery	Misc. crimes against society
Theft offences	Fraud offences
Criminal damage & arson	Motoring offences
Drug offences	Antisocial behaviour
	Other
<b>Sentence</b>	
	Discharge
	Fine
	Suspended sentence
	Community sentence
	Other
<b>Zero hours? (✓/x)</b>	
<b>Caring responsibilities (✓/x)</b>	
<b>Member of armed forces (✓/x)</b>	
<b>Previous convictions</b>	
None	Two-Five
One	Six-Ten
	11 or more
	Unknown
<b>First time defendant (✓/x)</b>	
<b>Name of probation officer</b>	
<b>Currently on order or licence (✓/x)</b>	

**DETAIL OF NEEDS**

Alcohol use
Benefits
Criminal justice
Debt
Domestic abuse
Drug use
Employment, training, education
Housing
Mental health
Physical health
Other

**DECLARATION**

I confirm that a member of staff at [SERVICE NAME] has explained to me my rights regarding the collection and use of my personal information by this organisation.

I have received the leaflet '*FAQs - Consent and Personal Information*'.

I agree to [SERVICE NAME] collecting, recording and processing information about me and sharing it with third parties in the ways described to me by staff and as described in '*FAQs - Consent and Personal Information*'.

I understand the implications of giving consent and do so at a time when I am comfortable in making a decision.

<b>Client name</b>	
<b>Client signature</b>	
<b>Date</b>	
<b>Worker name</b>	
<b>Worker signature</b>	
<b>Date</b>	

### **The aim of this guide is to provide you with enough information to understand confidentiality issues and what we do with your personal information.**

From here on 'you' and 'your' refers to the person accessing the service and 'we' and 'our' refers to the service provider.

The information we collect about you belongs to you. This means you have rights about what is done with your information. We have a legal responsibility to ensure your rights are upheld under the Data Protection Act 1998. This document explains what your rights are and what our role is in managing your personal information.

If you have any questions please speak to a member of staff.

#### **1. Why do we ask for your consent?**

We want you to be able to make a decision on whether to share your information with us based upon understanding what happens to this information and who can see it. You should only decide to give consent at a time when you are comfortable about making a decision. You should not feel pressured into it.

#### **2. What information do we record about you?**

The personal information we record about you may include details of your personal circumstances and needs. It may include details about your support needs for housing, physical or mental health, drugs and alcohol, involvement with criminal justice services, and welfare benefits. There may also be other very sensitive details recorded about you in order to provide you with a good service.

We have an obligation to only collect information that is relevant to the support we provide to you.

We must also ensure that any details are kept up to date.

#### **3. What is your information used for?**

The main reason we collect information about you is to help support you around any of your needs.

It is used to provide immediate assistance and to identify the need for and make referrals to external services you need.

Your information may also be used to help monitor the quality of the services we provide and to develop reports that can be used within the organisation. This will help us to better understand people's needs and assist us to improve and develop the service we provide. Your personal information may also be used to create statistics for use outside of the organisation. This may include uses for research, reports and information for funding bodies. We will take all reasonable steps to make sure you cannot be identified when data is used in this way.

#### **4. What information will we remove when your data is used outside the organisation?**

We will remove your name, full date of birth (but may use month and year, or just year), full postcode details (but may include first section of postcode), telephone number, national insurance number and any exceptional details which may identify you. We will make every effort to make this information anonymous.

#### **5. Can you see what we have on file about you?**

If you would like to view your personal information then please ask and we will show it to you. Your request needs to be in writing; we can help you with that if needed. We have to respond to your request within a maximum of 20 days and provide you a copy of the information we have on file. We cannot show you any information, such as letters, that have been given to us from other people or organisations unless we have their permission, although you are entitled to request it directly from them. There may be other sensitive information that we need to withhold. If you feel any information we have on your file is wrong then we will correct it or put a note in your file stating your concern(s).

#### **6. Who can see your personal information within the organisation?**

The information that we collect about you can be viewed by staff working within this organisation.

Although this will mainly be those directly involved in supporting you, other members of staff may also access your information for work related purposes. This is to ensure all members of staff involved with you are able to support you, even if your main contact is not there.

#### **7. Do we share your information with other organisations or people?**

We need to share certain information with other services in order to make referrals to them. We may also ask for information about the support you have received or are currently receiving. We do this so that we can best coordinate your support and make sure you

get the most out of the service we provide. We will only contact or release information to other organisations with your permission and will consult you before doing so, except in exceptional circumstances, as discussed later.

The sharing of your personal information is strictly controlled by law. Anyone who receives information from us has a legal duty to keep it strictly confidential. They will only use the information for the purposes you have agreed to. We have the same responsibility about any information we receive about you.

### **8. Where is your information kept?**

We are responsible for safely storing your information. We will store all paperwork in a securely locked place and any information stored on computer can only be accessed with a password. All staff are trained in keeping your information secure.

### **9. How long do we keep your information for?**

We will keep the information we have about you for no longer than is necessary to fulfil our responsibilities to you. We may also keep information to fulfil the responsibility we have to the organisations that fund us. This may be for a period of up to seven years after you have stopped using this service. Even after you have stopped using the service we have a legal responsibility to make sure your information is kept secure and confidential.

### **10. What do we do with your information when it's not needed anymore?**

When your information is no longer needed it will be destroyed. For example, if it is out of date, no longer relevant or you have not been using the service for a specified period we will securely delete or update your information to show this.

### **11. What happens if you don't give consent?**

If you refuse to give consent to us collecting your personal information it will limit our ability to support you. However, it does not mean that you will necessarily be refused access to the service. We do require basic personal information about you so that you can use this service. The law allows us to collect and record that without your consent.

### **12. What happens if you change your mind about giving consent?**

You may withdraw your consent at any time and we will attempt to remove some of the information we have about you. However, we will not be able to remove all information about you as we need to know who is accessing the service. This will also limit our ability as a service to support you. Any information about you that has already had the identifying information removed cannot be deleted.

### **13. When is it legal to breach confidentiality?**

In some exceptional circumstances we can legally break confidentiality or are obliged to do so. The most obvious example of this would be when you or someone else would be at risk of harm if we did not do so. Examples may include responding to police enquiries about serious crimes or enquiries about a person who is mentally ill, physically/mentally disabled or very vulnerable. If it is decided to pass on your information for any of these reasons then where possible we will inform you of the decision and the reasons why. Where possible we will ask for your permission to do so. There are some laws where we would have to notify the authorities, such as any concerns we have about harm to children, illegal drug activities or terrorism.

### **14. How do you make a complaint about the way we have handled your information?**

In the first instance discuss the matter with staff – there may be a good reason or explanation. This may resolve the issue. If this does not resolve the issue use our usual complaints procedure. You can ask staff for help to do this. If the complaint cannot be resolved within the service then the Information Commissioners' Office may be able to assist you ([www.ico.gov.uk](http://www.ico.gov.uk) or Helpline 0303 123 1113). The Information Commissioner manages the Data Protection Act.



Client ID:		Name:		Date:	
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Which follow up is this?

1st (2 wks)     2nd (2 mths)     3rd (6 mths)\*     \*if six months, see additional questions on reverse

Support area

Is issue now:      Worse      No different      Better      Resolved

Review of referrals (if any made)

To	Visited (✓/*)	If not, why not?	Are you finding the service helpful?			Will you continue to use the service?			Notes
			Yes	No	Unsure	Yes	No (not helpful)	No (issue resolved)	

Do you want more support from us?      Yes (go to action form)      No      Unsure

Do you feel our service helped?      Yes      No      Unsure

Are you happy to be contacted again?      Yes      No

Any other feedback for us

Additional six month follow up questions

Are you on track with / making your court payments?      Yes      No      Not applicable

Have you finished paying your court charges?      Yes      No      Not applicable

Have you been back to court in the last six months?      Yes\*      No

*If yes, why was this?	Hearing for a new offence	To use this service
	Not paying a court charge or fine	With a friend or family member
	Non-compliance with an order	Other (please specify)

## 1. The purpose

1.1. [NAME OF COURT / LOCAL JUSTICE AREA] recognises the benefits of supporting the provision of high quality advice and support for those attending court, especially where the level of offending is low, meaning that community orders are not available. Community support includes referring offenders for advice in relation to such issues as may be faced e.g. housing, employment, education, substance misuse, health and other social issues.

## 2. The service

2.1. [SERVICE PROVIDER] will provide a service of advice and assistance within [COURT NAME] to offenders who have been identified as in need of community support by referrals from the court or other agencies – e.g. defence lawyers, HMCTS staff, Probation, Police. Subject to the definitions below, the service will also be provided to those who self-refer.

2.2. The advice provided should be aimed at ensuring the offender is made aware of the types of community support available relevant to issues they face and how such other agencies may be able to offer support to the person. The assistance provided should be aimed at facilitating the referral of the offender to any relevant services.

## 3. Service users

3.1 While the service is aimed predominantly at offenders, it may, from time to time, also involve liaison with their families and others attending court.

3.2 Service users are limited to those appearing as adults – i.e. those aged 18 or above. Any child or young person referred to the service should be re-referred to the relevant Youth Offending Service worker at court on the day.

3.3 Any unrepresented defendant referred to the service should be re-referred to the Duty Solicitor or Court Staff or Court on the day – who can then advise where appropriate about the entitlement to be represented under a Legal Aid order.

3.4 Offenders appearing in custody who are to be released on the day from the cells may be referred to the service on the basis that the offender speaks to the service provider following release.

3.5 Referrals to offenders remaining in custody cannot be made without the prior agreement and of cell based staff and, following any agreement, only on such occasions, with individual authorisation being given by cell based staff, having carried out an appropriate risk assessment.

## 4. Information for the Court

4.1. The service provider is responsible for providing a package of training and ongoing management for all staff and volunteers which is to include details of the roles of each party to proceedings before the court and other agencies already operating at [COURT NAME] who provide services to defendants, offenders, witnesses, complainants etc.

4.2. Noting that the service provider's staff or volunteers do not have rights of audience, even if requested to do so, representation or advocacy must not be undertaken in court on behalf of the referred client.

4.3. If requested to do so by the Court, the service provider's staff or volunteers may provide factual information to the court about the suitability of particular community support services for the offender.

4.4. The coordinator will act professionally and appropriately at all times and will not advise anyone referred to the service on any legal, procedural or other matters relevant to the conduct of the case before the court. Any such requests for advice and assistance must be referred to court staff in the first instance and, if considered appropriate, to the Duty Solicitor or other relevant agency based at [COURT NAME] (e.g., DIP Team, Probation, Mental Health Diversion Scheme.)

## 5. Management

5.1. Arrangements for funding of the service are the responsibility of the service provider in consultation with the working party. The working party must be consulted on any bids for funding which may impact on this agreement.

5.2. A detailed Job Description and Person Specification will be drafted by the service provider for final agreement by the working party. The service provider is responsible for the recruitment and personnel management of its staff and any volunteers to be engaged on terms contained in the agreed Job Description and Person Specification.

5.3. The service provider will assume responsibility for operational management and day to day operational activities of the service, including the supervision of staff and volunteers.

5.4. The service provider shall ensure that all workers / volunteers are familiar with the contents of this working protocol.

5.5. The service provision will comply with HMCTS equality and diversity policies. The service provider shall be committed to ensuring fairness and equality of opportunity for all potential

and current employees (including volunteers) of the project. The service provision will treat all people equally irrespective of race, ethnic origin, sex, marital or parental status, sexual orientation, creed, disability, offending history, age or political belief.

5.6. The service provider and all volunteers working for the project, will be required to undertake regular security vetting and criminal records checks to at least the level of enhanced DBS check.

5.7. The service provider will make available to the working party details of the support available including direct contact phone numbers for local managers and/or area co-ordinators and will be updated when amendments are made.

5.8. All IT equipment required for the service is to be provided by the service provider.

5.9. Accommodation space for service provider staff / volunteers may be provided subject to agreement of the Ministry of Justice (HMCTS and/or probation locally).

5.10. The service provider, [LOCAL JUSTICE AREA] and other interested parties as agreed by the signatories to this agreement, will form a focussed working party to meet at intervals agreed to review the management of this agreement.

5.11. In addition to case details relating to individuals using the service, clear management information is to be recorded. This information will demonstrate numbers of individuals accessing the service, from where they are referred and numbers of resolutions. The service provider will collate appropriate information, with a view to being able to measure outcomes and support funding bids.

5.12. All data collected by the service will be jointly owned by the service provider and those funding it and [LOCAL JUSTICE AREA].

5.13. Evaluations of the service and plans for development work should not be commissioned or undertaken by the service provider or other agencies without prior consultation with the working party.

## 6. Data protection and confidentiality

6.1. The service will be provided in compliance with the Data Protection Act 1998.

6.2. All personal, sensitive data is subject to the provisions of the Data Protection Act 1998 and acting knowingly or recklessly in relation to this data may incur criminal and/or civil liabilities.

## 7. Agreement duration and termination

7.1. This Agreement shall be made for a period of [PERIOD] commencing on [DATE]. The agreement can be terminated with one month's written notice from either party.

### For and on behalf of Her Majesty's Courts and Tribunals Service

**Signature:** ..... **Signature:** .....

**Name:** ..... **Name:** .....

**Position:** Deputy Justices' Clerk **Position:** Operations Manager

**Date:** ..... **Date:** .....

### For and on behalf of service provider

**Signature:** ..... **Signature:** .....

**Name:** ..... **Name:** .....

**Position:** ..... **Position:** .....

**Date:** ..... **Date:** .....

**Shortlisting grid**

	<b>Score (1-3)</b>	<b>Importance</b>	<b>Can we mitigate?</b>
Ability to mobilise quickly			
Ability to recruit volunteers			
Volunteer management			
Support for co-ordinator			
Ability to connect with list callers			
Ability to make allies with court leadership / probation etc			
Data collection process			
Financial management			
Financial sustainability beyond initial period			
Understanding of client group			
Strength of intervention			
Replicability			
<b>Total</b>			

**Sample interview questions**

1. Please tell us about your plans for the service and why you bid for it
2. Please tell us about how you plan to set it up (volunteer recruitment + management, referral pathways, accessing service users, embedding at the court)
3. Please talk us through the budget
4. What challenges do you foresee and how will you manage them?
5. Do you have any questions for us?



