



# Advising Londoners

**An evaluation of the provision of social  
welfare advice across London**

**July 2020**

**advice services alliance**

**The umbrella body for independent advice services in the UK**

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## Executive summary

This report was commissioned by the Greater London Authority (GLA) to provide a better understanding of the social welfare advice sector in London and recommend actions to improve strategic coordination and impact, fill gaps in provision and support collaboration. The GLA specified that the primary focus should be on advice relating to welfare benefits, debt, immigration and employment, with housing advice also referenced.

### The need and demand for advice in London

Advice needs are often unmet, which makes them difficult to assess. Demand can be measured through the experience of advice services, but this is often limited by pre-existing resources. Using indicators of advice need from publicly available social and economic data, we can estimate where advice is most likely to be required in London.

Population patterns suggest that the need for advice services is likely to have increased during the past decade. Incomes have not risen greatly and the proportion of Londoners earning less than the London Living Wage has increased. Consequently, the proportion of Londoners claiming benefits has risen. Migration rates increased during the decade, though there has been a reduction in recent years. The analysis overall has highlighted that boroughs such as Brent, Enfield (especially the eastern part), Haringey, Newham and Barking are likely to have the highest need for advice services.

Evidence gathered showed that, across the board, advice services are oversubscribed. When new advice services are introduced they are invariably in high demand, suggesting that presenting demand for welfare advice is only part of the picture. Advice providers have seen large increases in demand as a result of factors such as changes to disability benefits, the roll-out of Universal Credit (UC), the no recourse to public funds (NRPF) policy, and Brexit and its impact on European Union (EU) nationals and migrants. Restrictions on Housing Benefit payments, as well as rising housing costs, have driven demand for welfare advice and seen increasing numbers of homeless households moved from inner London boroughs to outer London, with a consequent impact on advice services.

The shift to online processes for claiming benefits and services has increased the demand for advice. As well as changes, preventable failures in social welfare systems also lead to a high demand for welfare advice. Advice agencies report big increases in enquiries about:

- Universal Credit
- challenging benefit decisions, assessments and sanctions (for sickness and disability benefits)
- general changes to welfare benefits, pensions, and the health and social care system, including digitisation
- indebtedness, particularly priority debts,<sup>1</sup> and
- housing affordability, security of tenure and homelessness.

Advice agencies are seeing more people turning to them who are destitute, in severe hardship, in work but on low incomes, and with mental health issues. They are finding it harder to help people because of cutbacks in advice and other support services, and at the same time, welfare support is

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<sup>1</sup> Priority debts are those with the most serious consequences if they are not paid – for example, rent arrears can lead to landlord court action to repossess a client's home.

now far less generous. The hostile environment, particularly for migrants, also makes good outcomes for clients increasingly difficult to achieve.

Agencies report that the complexity of the problems being presented and the lack of options for resolution have had an impact on advice staff. Providers report higher levels of stress among staff, increased sick leave and difficulty in holding on to experienced advisers.

## Provision

Most social welfare advice in London, certainly in terms of client volumes, is provided by not-for-profit or voluntary sector agencies. This is organised and funded at an individual borough level, with local councils being the primary funders. However, there are some pan-London services (albeit delivered locally in each borough by independent providers), such as Debt Free London (funded by the Money and Pensions Service), and there are telephone advice services that cover all boroughs.

From data provided by third parties, the research team calculated that 494 separate services in London provide social welfare advice as a main or sole activity. But the team estimates that between 724 and 1,011 charities are in some way involved in social welfare advice provision: the majority being small or micro-organisations, probably with low legal expertise and working with niche communities.

Providers are most heavily present in the central London boroughs, with offices more commonly in the west and central southern boroughs than in the east. Tower Hamlets had the most identified services (33), followed by Islington (32) and Camden and Brent (both 26). Fewer services were identified in Waltham Forest (2), Havering (3), Bexley (4), Bromley (4) and Redbridge (5). Local provision also appeared to be lacking in Enfield (7) and Barking (6), where need is likely to be high.

Private solicitors provide advice on matters of social welfare law. The Law Society lists 104 private law firms that it says can both provide advice on social welfare law and do legal aid, but it is not clear whether this is civil or criminal legal aid. Pro bono legal advice and representation has expanded enormously over the past 10 years, but access to these services is not yet systematic – some advice services successfully draw on pro bono legal expertise while others make little use of it, particularly those operating in the outer London boroughs.

London's 73 MPs' offices see constituents with social welfare advice needs. The role of MPs is often overlooked in the advice sector, but some employ caseworkers to assist with welfare rights and other issues.

The growth of digitisation and access to the internet has created opportunities to rethink the provision of advice services and to provide access to good quality self-help information. For example, the Advicenow website received 209,000 visits by Londoners in 2018/19.

The GLA has led several social welfare advice initiatives, including: commissioning Child Poverty Action Group (CPAG) to embed income maximisation advisers in primary schools, commissioning the Warmer Homes Advice Service to provide fuel debt and energy advice, and building and piloting an immigration advice triage and referral system.

## Gaps and shortages

In a survey of advice providers and stakeholders carried out as part of this research, 75% of the 84 respondents felt that gaps or shortages in social welfare advice existed in their area. 64% of all respondents said advice was lacking in specific areas of law, 44% said there was a general lack of access to advice, and 40% said there were gaps for particular groups in the community. Shortages were felt to be most acute where professional legal advice and representation was required, and respondents said the areas most affected were advice on immigration law, welfare benefits and housing.

Young Londoners (aged 16-25) are poorly served, with only a handful of social welfare advice services operating solely for their benefit. Anecdotal evidence from stakeholders is that the number of advice agencies dedicated to meeting the needs of black, Asian and minority ethnic (BAME) communities has reduced drastically.

## Changing capacity and delivery methods

Of those who responded to the survey, 59% said their service had changed delivery model in the last three years, and 43% were planning changes. Nearly half of respondents are now offering more advice by telephone and online, and email and remote services are certainly growing. Many agencies are now delivering advice from locations away from their main premises too. Respondent agencies were also expecting to make more use of pro bono services.

There is a growing interest in how technology can help to deliver advice, but acknowledgement that many social welfare advice service clients are digitally excluded. The increasing digitisation of welfare systems has also required changes: many agencies are now having to spend longer with clients to support them with online systems. Their staff and volunteers also need new skills and knowledge, and new equipment.

The provision of social welfare advice in health settings has been an area of growth for many providers in London recently, closely linked to 'social prescribing'. The GLA commissioned a report on social welfare advice and health settings, written by the Bromley by Bow Centre (BBBC) and jointly funded with The Legal Education Foundation. It is due to be published in summer 2020 and early drafts identified social welfare advice as a key social prescription.

The social welfare advice agencies the research team heard from said they are tending to take their service to the community much more, driven by a desire to improve reach and support people who may not otherwise access social welfare advice. The value of supporting and training 'intermediaries' – the professionals and community-based individuals who regularly encounter people with social welfare issues – is widely recognised.

The changes that London's advice services are going through are driven primarily by cuts in funding levels, and the need to meet increased demand and improve the reach of the service. But only 30% of agencies think the changes they are making will reduce costs.

## Strategic challenges and opportunities

### Funding

Financial sustainability remains the fundamental challenge for London's social welfare advice services. Against a rising tide of need, demand, policy change and digitisation of services and

processes, advice agencies have been squeezed by public expenditure cuts affecting local authority funding – and, of course, large cuts in legal aid scope and funding that were implemented in 2013.

In a specific survey about funding sent to advice providers, over half of respondents said funding had decreased during the past three years, and the same percentage expected it to fall during the coming three years. Based on estimates for the UK by the Low Commission, the funding gap in London could be at least £13 million.

Many advice organisations have been able to absorb the funding cuts to date, but many anticipate that bigger cuts are on the way. Some advice agencies are very fragile and will find further cuts challenging. Advice providers in outer London boroughs may well be fairing worst.

Filling the gaping hole in advice funding in London is a massive challenge. London Funders launched a big initiative in 2019 to address advice funding, convening a network of advice funders, to be chaired by London Legal Support Trust. The first meeting was held in October 2019.

It is also wise for funders, networks and providers to look at other sources of finance for advice services, including corporate and individual donations, fees for some services, insurance and social finance.

## **Workforce**

Advice providers and stakeholders consistently told the research team about the difficulties they face with recruiting and retaining staff, volunteers, leaders and trustees with sufficient skills and experience. There is a shortage of new social welfare advisers and lawyers coming through, and a skills deficit at management and governance level. This is partly an issue about the wages, salaries and job security that London's advice agencies can offer, set against the high cost of living in London. It is also about the pressures that come from the high demand, complex cases, vulnerable clients and dwindling solutions faced by London's social welfare advisers.

Focused and coordinated investment in the supply of personnel is needed, and there are schemes and initiatives that could be coordinated across London and built on. The research team heard many calls from stakeholders for efforts to streamline and coordinate routes into social welfare advice, training provision and qualifications as a means of attracting 'new blood' into the sector. The GLA's Adult Education Budget, and Adult and Community Learning work, which supports social integration in London's most disadvantaged communities, could be used to support advice sector workforce development in the city.

## **Infrastructure**

Infrastructure support for voluntary advice services in London has been hit hard over the past few years. The major advice service networks are able to provide infrastructure support to varying degrees according to their own size and funding opportunities. Only Age UK and Shelter have a London regional structure. For practitioners and advisers directly, peer-to-peer support systems and structures are available, but only one is London-specific.

## **Filling the gaps and shortages**

Those who took part in a focus group hosted by the research team felt that a number of initiatives should be taken. These included: consultation with and involvement of young people to co-produce

solutions, London-wide coordination and hubs, the use of technology, and the use of funding streams to support new provision.

Action is also needed to address gaps in provision for and by black, Asian and minority ethnic (BAME) communities, as well as shortages of specialist advice and representation, the insufficient supply of advice in outer London boroughs and the digital skills deficit, which has not been explored in any detail as part of this research.

The research team noted the efforts that the GLA has made, alongside London Councils, to address immigration advice issues. The GLA has also focused on employment advice and information, and made some funding available for fuel debt advice, welfare rights advice in schools and homelessness advice. It would be good to see these efforts pulled together and coordinated as part of a wider strategy.

### **Tackling the systemic failure that drives demand**

The demand for advice driven by preventable failures in social welfare systems is unquantified, but widely estimated to be large, and must be addressed. It is simply not feasible to sustain advice services that are propping up broken social security systems. The GLA has no direct powers to change many of the systems that are failing, and neither do many of its partners. However, the GLA has influence and could raise these matters with the Government.

## **Recommendations for action by the GLA and partners**

The GLA and its partners should work together to identify **a shared vision for social welfare advice in London** to galvanise boroughs and funders around the importance of adequately funded and resourced social welfare advice. Stakeholders include small community-based organisations, the strategic network bodies and health practitioners.

A new **social welfare advice hub or unit** should be established to coordinate strategic action and provision across policy areas (health, environment, poverty, equality, employment, and so on). The hub should encompass voluntary sector, public and pro bono provision, acting as an honest broker for social welfare advice. The London Advice Funders group should explore the options for resourcing such a hub.

It is important that the views of Londoners, and their journeys through the advice system, are gathered via **a study of a representative sample of Londoners about social welfare advice needs and experience**.

**Action is also needed to close the funding gap.** The London Advice Funders Network provides a potential vehicle for addressing this issue, with attention needing to be given to the gaps and shortages identified in this report.

The possibility of **London-wide recruitment and training of volunteers, trustees, staff and social welfare advice leaders** should be explored. Training could also be extended to non-advisers (anchor institutions, social hubs, and so on) to build community capacity and resilience across London.

The GLA should also **ask the Government** to:

- implement the Low Commission recommendation for a National Advice and Legal Support Fund, with £13 million per year to bridge the deficit in London;



- name social welfare advice as a key provision of social prescribing;
- test the provision of a holistic legal support hub in London as part of the Ministry of Justice's legal support action plan; and
- take action to reduce the demand for advice that stems from preventable failure.

# 1. Introduction

- 1.1 Social welfare advice has a vital role to play in economic and social fairness in London. It assists Londoners to deal with everyday welfare problems around benefit entitlement, employment, debt, housing and immigration that can affect any of us, but which often have the greatest impact on low-income and vulnerable Londoners. It makes a proven contribution to tackling health inequalities and poverty, maximising the income of Londoners and reducing their indebtedness, preventing homelessness and improving housing situations. Social welfare advice interventions can also lead to improved social cohesion and address some of the underlying causes of crime, including violent crime, although this is difficult to evidence. Therefore, enabling Londoners to access the right advice in a timely and appropriate fashion impacts on the wellbeing of London as a whole.
- 1.2 In early 2019, the Greater London Authority (GLA) commissioned the Advice Services Alliance (ASA) to conduct a strategic evaluation of social welfare advice provision in London. The aim of the research project was to identify where the provision of advice is having, or could be having, the greatest impact; and identify strategic actions that organisations could take to increase the reach and impact of social welfare advice in London.
- 1.3 It was expected that the research would work to:
- better understand the state of the social welfare advice sector in London
  - strategically evaluate a range of GLA activities relevant to the provision of social welfare advice, and
  - investigate opportunities to help Londoners to access the advice and support they need.

Arising from this analysis, the project would result in a range of recommendations for actions that the GLA and other relevant parties (for example, funders, local authorities and providers) could take in order to bring strategic coordination to the provision of advice and legal support, or fill gaps in provision.

## The context for this study

- 1.4 Several policy and funding decisions since 2010 have both increased the demand for information, advice and support on issues relating to social welfare law, and at the same time reduced the capacity of the advice sector to deliver advice. Extensive reform of the welfare benefits system has been introduced at the same time as extensive public spending cuts and reductions in legal aid, which was previously a major source of funding for the advice sector.
- 1.5 The cuts have taken a considerable toll on the advice sector. The Law Centres Network lost a third of its membership due to closures over a two-year period, and during the course of this study, two major advice providers in South London closed. There is concern that with further strains on public sector finances, this situation could become more acute.
- 1.6 The Low Commission<sup>2</sup> was set up in 2012 to consider the impact of these cuts on the advice sector and to make proposals for alternative mechanisms to deliver advice services. It made several recommendations, including that:

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<sup>2</sup> The Low Commission (2014). *Tackling the advice deficit: A strategy for access to advice and legal support on social welfare law in England and Wales*. [Online]. LAG Education and Service Trust Ltd. Available at: <https://www.lag.org.uk/about-us/policy/the-low-commission-200551>

- local authorities should work together with local not-for-profit and commercial agencies to co-produce or commission local advice and legal support plans, and
  - the Government should establish a National Advice and Legal Support Fund as a contribution to meeting an estimated funding gap for the sector in the UK of some £100 million.
- 1.7 While neither proposal has been adopted, the Ministry of Justice recently reported on a review of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 with an action plan for ‘early legal support’,<sup>3</sup> which includes an evaluation of the extension of legal aid to some aspects of housing advice. In an acknowledgement of the strategic role of the advice sector, their advisory group for the action plan includes representatives of advice services.
- 1.8 Advice services in London receive funding from trusts and foundations as well as statutory services, and independent funders have responded to the situation by introducing new advice-focused funding programmes. For example, City Bridge Trust’s ‘Advice and support’ priority under its Bridging Divides funding programme, the Strengthening Voices, Realising Rights disability initiative funded by Trust for London and City Bridge Trust, and the Law, Technology and Access to Justice initiative funded by The Legal Education Foundation. However, it is acknowledged that the gap in funding cannot be realistically or sustainably filled by independent funders alone. A more strategic response is required if the London public are to continue to have access to social welfare advice.

## Research objectives

- 1.9 The objectives set for this research are as follows.
- To better understand the role and impact of the social welfare advice sector in London, including borough, civil society and other public provision.
  - To contribute to ongoing policy work relating to the effects that Brexit could have on low-income Londoners, and any resulting fall in living standards or reshaping of London’s economy.
  - To provide recommendations for actions that the GLA and partners – including London boroughs, civil society partners and private firms – can take to bring strategic coordination to the provision of advice and legal support and increase its impact, or fill gaps in provision and support collaboration in the sector.
  - To evaluate the range of GLA activities and strategies, in order to better understand how the GLA’s involvement in the social welfare advice sector can be as strategic as possible.
  - To inform any policy or funding ‘asks’ of government that the Mayor and the GLA could make around social welfare advice provision in London.
- 1.10 Specific questions this report seeks to address are:
- What are the emerging trends in new and smart ways to increase access to advice that could increase reach and/or lower cost?

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<sup>3</sup> Ministry of Justice (2019). *Legal Support: The Way Ahead: An action plan to deliver better support to people experiencing legal problems*. [Online]. London: Her Majesty’s Stationery Office. Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/777036/legal-support-the-way-ahead.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/777036/legal-support-the-way-ahead.pdf)

- How is the provision of advice being affected by both the shift to online processes for accessing benefits and its impact on those who need additional/face-to-face support (including the specific impact of the roll-out of Universal Credit)?
- What are some potential approaches to addressing the existence of ‘advice deserts’ and extending provision into those areas?
- What is the potential to design a common framework for referrals into social welfare advice, including what role anchor institutions (such as schools and GP surgeries), individuals (such as MPs, councillors, police, social workers or charity staff) or informal social hubs (such as hair shops, barbers and the school gates) could play as referral routes into sources of advice?

1.11 A full description of the methods used by the ASA research team in compiling the data for this report can be found in Appendix 1.

## Defining social welfare advice

1.12 The research brief acknowledged that the term ‘social welfare advice’ encompasses advice on the following topics.

- **Welfare benefits:** eligibility and access to welfare benefits, income maximisation (which focuses on promoting the uptake of welfare benefits).
- **Debt:** advice and guidance on how to avoid debt and how to deal with it when it becomes a problem.
- **Immigration:** the provision of advice on immigration issues, which is subject to its own regulatory framework.
- **Employment:** rights at work, for example, around unfair dismissal, unfair treatment, withheld pay.
- **Housing:** access to social housing, advice on housing rights and eviction (including around the management and condition of accommodation), access to assistance when facing or experiencing homelessness.
- **Education:** parents with grievances against local authorities or school governing bodies, issues relating to accessing support for special educational needs, support to study, free school meals and so on.
- **Community care:** social care, community support and services.

1.13 **For the purposes of this research, the GLA specified that the primary focus would be on welfare benefits, debt, immigration and employment advice. Housing and homelessness will also be referenced due to their close connection with welfare benefits and debt.**

## The meaning of the term ‘advice’

1.14 In this report we use the term ‘advice’ to refer to legal advice given in the areas of law sometimes referred to as ‘social welfare law’. This includes the law in relation to housing, welfare benefits, employment, debt, family law and immigration. Most advice service users (‘clients’) would not necessarily identify their issue as having a legal component, and most people approach advice services with a particular problem which often may cover several areas of social welfare law (for example, a debt problem can also lead to rent arrears). Even

though this is, strictly speaking, legal advice, most advice services are delivered by lay people, although some – such as law centres – do employ lawyers.

- 1.15 Most advice agencies will therefore fall outside of regulation. The exceptions are:
- those employing lawyers working in a legal capacity
  - those giving advice on immigration and asylum, which must be registered with the Office of the Immigration Services Commissioner (OISC),<sup>4</sup> and
  - those giving money advice or financial advice in relation to managing debts, which must be registered with the Financial Conduct Authority (FCA), unless exempt from authorisation.
- 1.16 There is no statutory basis for the provision of local advice centres. There are, however, two areas of law where local authorities are required to provide access to advice for their local populations:
- The Care Act 2014, and
  - The Homelessness Reduction Act 2017.
- 1.17 Local authorities discharge this duty in different ways, although most London boroughs choose to fund local advice providers, which helps to meet these requirements. Local authority funding still provides the backbone of support for advice services, with other funding sought from central government, trusts and foundations, The National Lottery Community Fund and the Legal Aid Agency.

## This research and its scope

- 1.18 The scope of this research is broad. Even with the narrowed down focus on social welfare topics referred to at 1.12, carrying out a thorough analysis of all the issues relating to advice provision in London is a huge undertaking. Social welfare advice deals with a wide and cross-cutting range of agendas, policy issues and strategies.
- 1.19 This research has only been able to touch on some of the key issues and gather together what evidence is available. It is likely that some issues have been missed. The research team therefore sees this research and report as the basis of a new conversation about an initiative regarding social welfare advice in London, which takes forward and explores in more depth the issues raised. As part of this, it is critical to hear the voices of Londoners who need access to advice.

## Acknowledgements

- 1.20 The research team at Advice Services Alliance would like to thank the following people and organisations for contributing their time, expertise and knowledge for this report.
- Greater London Authority staff – in particular Daniel Drillsma-Milgrom, Hannah Boylan, Nick MacAndrews and Siobhán McKenna.
  - The Research Advisory Group – see Appendix 1.
  - Interviewees and survey respondents – the names of organisations consulted as part of this research appear at Appendix 6.
  - Anna Emerson, who provided copyediting services, guidance and assistance.

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<sup>4</sup> It is a criminal offence for a person to provide immigration advice or services in the UK unless their organisation is regulated by the Office of the Immigration Services Commissioner (OISC).

## The research team

1.21 The team that undertook this research and completed this report were:

- Jack Cattell, Director, Get The Data
- Jay Hughes, Analyst, Get The Data
- Phil Jew, Consultant to Advice Services Alliance
- Lindsey Poole, Director, Advice Services Alliance
- Rachel Russell, Business Support Officer, Advice Services Alliance

1.22. The report is published by the Advice Services Alliance and responsibility for any errors or omissions is ours alone.

## 2. The need for social welfare advice in London

*“Many advice teams are facing 'burn out' trying to manage demand. Whilst we do not see ourselves as an emergency service, the clients often treat the service as such. There is an increasing realization that people are living in ever-increasing desperate situations. We find often that people are not seeking advice at the right point, whilst advice services try to deliver prevention talks, much of their time is spent dealing with people who are desperate for advice or sometimes it's just reassurance. So, unless there is more funding to deliver prevention advice – this cycle will continue.” Survey respondent*

### Need versus demand

- 2.1 This section of the report reviews the need and demand for social welfare advice presented by communities living in London. It is important to understand that a clear distinction is drawn in the report between the terms ‘advice need’ and ‘advice demand’. The first describes problems communities experience that have a social welfare component about which legal or rights advice may be needed, while the second counts people who both experience such problems **and** have tried to access advice provision.
- 2.2 Demand for advice services is often used as a measurable proxy for need, but caution is required: the availability of a service and the extent to which it is advertised and understood by potential users may drive demand. What is available and offered will depend on funding and resources. At the same time, people may know that advice centres can provide help with debt problems, for example, but they may not think of turning to them for help with other issues, such as their child’s special educational needs.
- 2.3 Advice needs are, by nature, difficult to assess. Many people will not recognise a legal problem and may or may not be able to then resolve it. The most recent published research was the *Online survey of individuals’ handling of legal issues in England and Wales 2015*.<sup>5</sup> This report estimated that just over half (54%) of adults screened online experienced one of 29 legal issues in the three-year period before completing the survey. Although the sample was not representative of the population of England and Wales as a whole, and the research was not exclusively looking at social welfare law, it does nevertheless give some indication of the incidence and prevalence of legal advice needs, whether or not help was sought.
- 2.4 Demand for advice should be comparatively straightforward to quantify using data collected by advice service providers, particularly with advanced telephony counting unanswered calls, and so on. However, measuring demand is confounded by the fact that it will always be limited by the capacity of a service. Many people seeking help may either make multiple attempts to access services (and so give a false impression of high demand) or give up early on (and so give a false impression of low demand).
- 2.5 Another approach to understanding the extent of social welfare legal advice needs is by examining the drivers of advice demand, and assessing the impact of economic, social and policy changes on the target population groups. Such modelling builds on the accumulated knowledge and experience of advice practitioners about how changes influence demand. So,

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<sup>5</sup> Ipsos MORI (2016). *Online survey of individuals’ handling of legal issues in England and Wales 2015*. [Online]. Ipsos MORI, sponsored by the Law Society and the Legal Services Board. Available at: <https://www.ipsos.com/sites/default/files/publication/1970-01/sri-handling-of-legal-issues-2016.pdf>

for example, practitioners report a strong association between any changes to welfare benefits and an increase in clients seeking advice.

- 2.6 The research team used evidence from specifically designed surveys and interviews with consultees to assess the scale of demand and the changes advice services have experienced over the past few years. Across the board, advice services report they are over-subscribed, and when new advice services are introduced, they are invariably in high demand. This suggests that presenting demand for welfare advice is only part of the overall picture of need.
- 2.7 Working out how to effectively and strategically manage demand outstripping supply requires an understanding of many factors: advice need indicators, presenting demand, the capability of Londoners to deal with social welfare matters, and how Londoners prefer to access advice. It is also essential to understand the root causes, or drivers, of need and demand, including policy change and (preventable) systemic failure. This chapter discusses the interplay of these issues.
- 2.8 It is important to note that this research has not involved asking Londoners directly how they prefer to access advice, how they currently experience advice services, or what they want in the future. The research team is aware that a review of advice provision conducted by Social Finance in Tower Hamlets did obtain the views of around 200 local people, including information about their respective journeys through local advice services. This research could be a useful companion piece to this report when it is published.

## Legal capability and access to advice

*“Poverty levels are a good indicator of the need for social welfare advice, but many of those who face social welfare problems don’t recognise their difficulties as a ‘legal problem’ and even if they did, most would not know that there was advice provision to help them to resolve these legal problems.”* Written evidence from an advice provider

- 2.9 Understanding the need for social welfare advice and information requires an understanding of legal capability, from a service user or beneficiary perspective. Social welfare advice and information services exist to help Londoners find solutions to problems around benefits, debt, employment, housing, immigration and other social welfare matters. Ideally, they should also prevent problems arising, and equip or empower people to deal with or avoid problems if they arise again. Social welfare advice providers help people with the knowledge and resources they need to self-navigate social welfare law and systems that are often complex; they also advocate for and represent people when required.
- 2.10 The working definition of ‘legal capability’ used in this report is based on work undertaken by Martin Jones at Plenet (2010).<sup>6</sup> This definition highlights three key factors which characterise how able an individual will be to understand and effectively manage a legal problem:
  - whether they have the ability to **recognise** the role of law in everyday situations
  - **their knowledge** of how and where to find out more and get help, and
  - whether they have the **confidence** and communication skills to effectively take action.

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<sup>6</sup> Jones, M (2010). Legal Capability. [Online]. Plenet. Available at: <https://lawforlife.org.uk/wp-content/uploads/2013/05/legal-capability-planet-2009-147-1-147.pdf>



We would argue that it is in relation to the last of these three components that social welfare advice services provide the most value for clients.

- 2.11 This definition usefully shows how people with low self-confidence, limited trust in authority, mental wellbeing issues or limited language skills will find resolving their problems more challenging than others. These people often find that locality-based, face-to-face advice provision delivers better support in resolving their problems than other media (such as telephone services or webchats). On the other hand, many people will be perfectly able and willing to resolve their problems using information from any of the increasing number of excellent websites, or via other web- or telephone-based resources.
- 2.12 Access to social justice is a key component of a fair and equal society, and a true test of this principle is whether the most vulnerable people can equally engage in exercising their rights to resolve their problems. One point of access to information and advice is highly unlikely to be accessible all people, or able to respond to different needs and abilities within a diverse population.
- 2.13 Social welfare advice providers need to understand the legal capability of their clients in order to design and deliver the most effective services to meet the most acute needs. The widely accepted assumption among London's advice providers is that prevention is better than cure, and that intervention should ideally happen early, rather than during a crisis. Despite there being many services and initiatives in London that target prevention and early intervention, the vast majority of social welfare advice interventions happen in urgent, crisis situations – for example, where a client is denied a service or benefit, is destitute, or is facing eviction or unemployment.
- 2.14 We suggest that the theory – prevalent among some providers, funders, commissioners and policymakers – that many Londoners can be assisted to resolve social welfare problems with 'low level' interventions (such as provision of information via a leaflet or website link, or one-off advice), is not supported by behaviour. The reality is that large numbers of Londoners will not present until the problem has become overwhelming, at which point the client may well need intensive support and casework to resolve their issue.
- 2.15 Furthermore, high demand may mask systematic exclusion of particular groups. Organisations representing disabled people have pointed out that advice services are rarely designed to meet the range of needs that disabled people may have, and that 'accessibility' assessments may be limited to whether or not wheelchair users can physically enter a premises. Inclusion London argues that advice services should consider a range of accessibility issues (such as the availability of British Sign Language, assistance for blind claimants with online services, and services sensitive to mental health conditions) to be assured that all Londoners' needs are met.
- 2.16 Similarly, the provision of advice through a medium that is accessible to the whole population may create its own demand from people who already have high levels of legal capability. New and additional channels for advice, for example on the internet, will quickly fill up with new clients, while the underlying high unmet need for people with less legal capability simply continues.
- 2.17 We suggest there needs to be a much clearer understanding of which client groups particular services are seeking to serve. At the same time, the way in which their service is designed to meet the legal capability of such clients needs to be far more explicit. This kind of understanding can also inform funding decisions, both at a local level and at a pan-London level, and can be used to ensure that Londoners with the most needs continue to receive support in the manner best suited to them. This analysis would avoid 'one size fits all'

assumptions and could provide funders and service providers alike with a differentiation between service models.

## Indicators of advice need in London

2.18 In the absence of definitive information on the actual advice needs of Londoners, proxy indicators have been used in this report to identify the likely levels of advice need. These indicators include the following:

- **Immigration:** migrants are likely to require ongoing access to immigration advice in large numbers due to complex personal and family situations, as well as the interplay between immigration status and welfare rights.
- **Employment:** in areas with low employment rates, the employment that is available will also be less secure or more unregulated, which in turn leads to disputes with employers and a revolving door between work and benefits for more residents.
- **Income and debt:** in areas where income is low or insecure, the levels of indebtedness are high for priority debts (for example, housing costs, Council Tax arrears), for fuel costs and for high interest loans (credit cards, pay day loans and so on). This in turn leads to higher demand for advice services, particularly when an unexpected bill comes in, or when efforts to juggle repayments come unstuck.
- **Benefits and welfare:** those on benefits may require more advice to claim in a timely or accurate way and are more likely to also carry debt. Likewise, any change to the benefit system and/or to how benefits are claimed is highly predictive of more people seeking advice. Recent changes to the benefit system and to the administration have hit some groups particularly hard – for example, people claiming disability benefits.

Other factors that may contribute to the demand for advice include contextual factors such as population density, crime rates, housing provision or client experience – such as disability, mental health needs and homelessness or rough sleeping.

These factors are discussed below, while the mapping of this data is found in Appendix 7.

## Population patterns across London

2.19 The population of London was estimated to be 8.9 million in mid-2018,<sup>7</sup> up from 8.2 million in 2011.<sup>8</sup> Despite government policies that plan to limit immigration and to develop other parts of the country, the population of London is expected to grow further over the next 10 years as high wages and local resources attract people to the capital.

2.20 The population of London is somewhat younger than the rest of the country. 12% of the Inner London population is aged 25 to 29 and a further 12% is in the 30 to 35-year-old age group. Almost 8% of the population is under the age of four. By contrast, older people make up a smaller proportion of the population than in other parts of the country.<sup>9</sup> This pattern is more pronounced in inner than outer London, but even here it is in stark contrast to other parts of the country, which means that access to advice for younger people is an important consideration.

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<sup>7</sup> Office for National Statistics (2019). *Population Estimates for the UK, England and Wales, Scotland and Northern Ireland: mid-2018*. [Online].

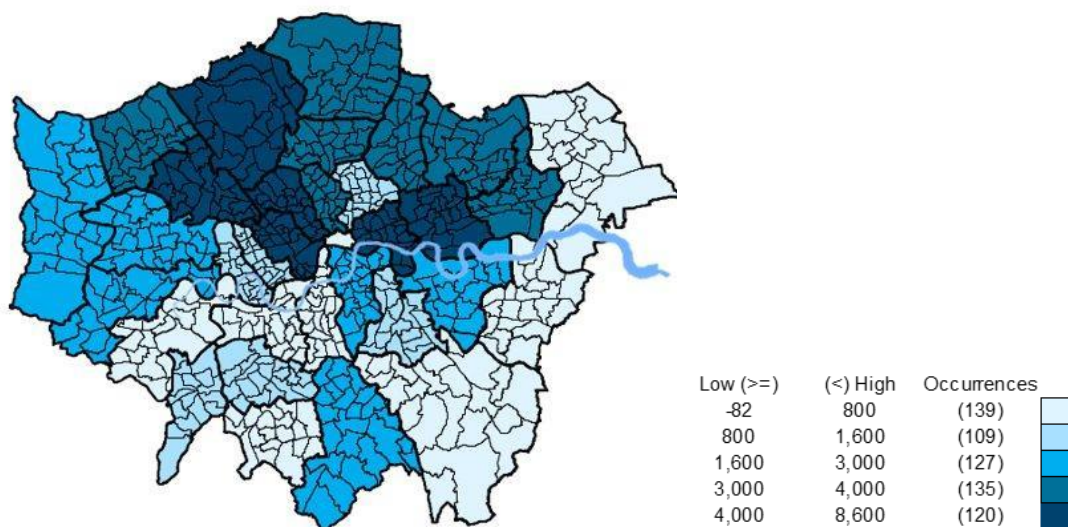
<sup>8</sup> Ibid.

<sup>9</sup> Trust for London (2016). *London's population by age*. [Online]. Available at: <https://www.trustforlondon.org.uk/data/londons-population-age/>

## Immigration

- 2.21 London has a long history as the primary landing settlement for people moving to the UK.<sup>10</sup> As a result, it is the most ethnically and culturally diverse city in the country. People newly arrived in this country are likely to experience problems negotiating the different culture and administrative systems, particularly where English is not their first language.
- 2.22 The complexity of the immigration system can cause a high demand for legal advice, and the wrong advice can have major consequences for a person's status in this country. Over the last six years, non-EU migration to the UK has increased,<sup>11</sup> and between 2011 and 2016, net EU migration was increasing as well.<sup>12</sup> Net annual migration to London increased between 2011/12 and 2014/15 from 69,000 to 126,000, but was 83,000 in 2016/17.<sup>13</sup>
- 2.23 London boroughs account for over half of the local authorities with the highest levels of international inflow migration in the UK.<sup>14</sup> The boroughs of Barnet, Brent and Camden in the north, and Newham and Tower Hamlets in the east had particularly high net migration rates in 2016/17.<sup>15</sup> Migrant worker registrations were highest in central London in 2012, with some pockets of high rates in the northern, eastern and western areas of inner London.<sup>16</sup> The figure below shows these patterns of migration.

**Figure 1: Flow of long-term international (EU and non-EU) migrants to London boroughs, 2016/17**



Source: Office for National Statistics (2018). *Long-term international migration, UK and London*. (Online publication.)

<sup>10</sup> See, for example: <https://dataguide.migrationobservatory.ox.ac.uk/population-trends/how-many-migrants-are-living-in-each-uk-local-authority>

<sup>11</sup> Office for National Statistics (2018). *Migrants to the United Kingdom by decade of arrival, borough*. [Online].

<sup>12</sup> Office for National Statistics (2019). *Migration statistics quarterly report: May 2019*. [Online].

<sup>13</sup> Ibid.

<sup>14</sup> The Migration Observatory (2019). *Population Trends*. [Online]. Available at:

<https://dataguide.migrationobservatory.ox.ac.uk/population-trends/migrants-moving-to-uk-local-authority/>

<sup>15</sup> Office for National Statistics (2018). *Long Term international migration, UK and London*. [Online].

<sup>16</sup> Greater London Authority (2015). *Ward Profiles and Atlas*. [Online]. Available at:

<https://data.london.gov.uk/dataset/ward-profiles-and-atlas>

## Employment and income

- 2.24 People on low incomes are more likely to need advice. This is because they are more likely to require benefits to top up their pay, and more likely to be in poorly regulated employment with bad employment practices. The unemployment rate and the economically inactive rate have both been falling in London in recent years. In the quarter April to June 2019, London's unemployment rate was 4.5%, slightly higher than the UK rate (3.9%).<sup>17</sup> Four years earlier (April to June 2015), the unemployment rate stood at 6.5%. There are wards in most London boroughs that have a low employment rate. There are concentrations in North London (Haringey and east Enfield) and in East London (Newham and Barking).<sup>18</sup>
- 2.25 The rate of employment masks the problems of insecure and unstable work conditions such as zero-hour contracts and minimum wage culture. The pockets of low income described above coincide with high numbers of children being in out-of-work households in 2015.<sup>19</sup>
- 2.26 Since 2010, average income has risen slowly in London.<sup>20</sup> In 2016, the median income was £27,200, a £3,700 increase since 2010.<sup>21</sup> The London boroughs in west inner London and southwest London had the highest median income in 2016. The boroughs with the lowest median incomes were in the west of London (Ealing and Brent) and the east (Waltham Forest, Newham and Barking).<sup>22</sup>
- 2.27 Though incomes have risen, the proportion of employed Londoners earning less than the London Living Wage has increased substantially. In 2009, 13% of employed Londoners earned less than the living wage and by 2018, this figure was 20.4%.<sup>23</sup> The proportions are highest in North London – for example, 48.7% of employed residents in Redbridge earned less than the median wage in 2018 (see Figure 2 below).

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<sup>17</sup> Office for National Statistics (2018). *Regional labour market statistics in the UK*. [Online].

<sup>18</sup> Office for National Statistics (2019). *Economic activity rate, employment rate and unemployment rate by ethnic group and nationality, borough*. [Online].

<sup>19</sup> Department for Work and Pensions (2017). *Children in out-of-work benefit households, ward and borough*. [Online]. Available at: <https://data.london.gov.uk/dataset/children-out-work-benefit-households-borough>

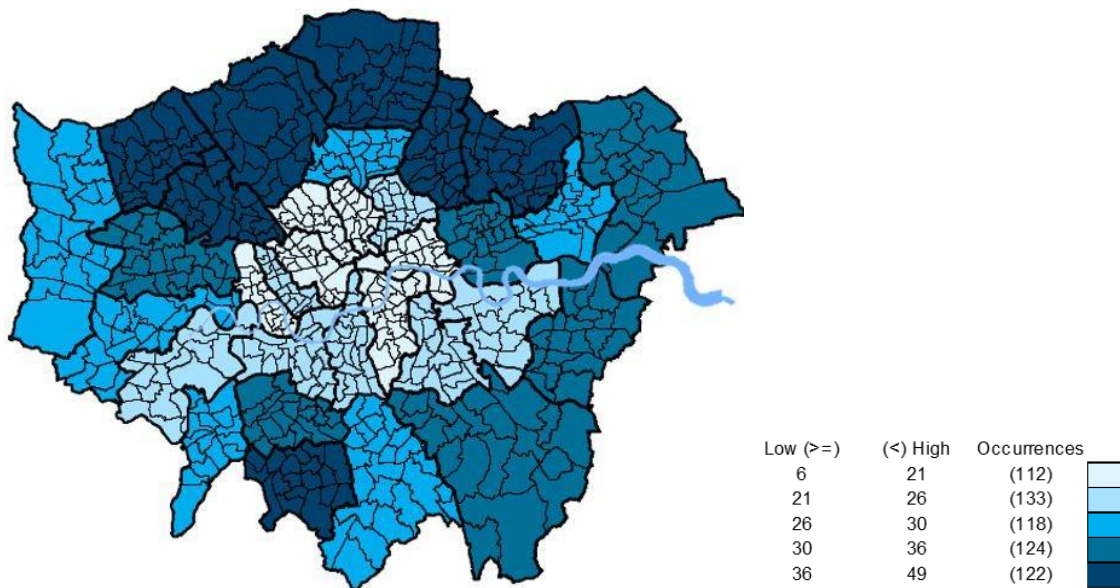
<sup>20</sup> Office for National Statistics (2019). *Earnings by place of residence, borough*. [Online].

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Office for National Statistics (2018). *Employees earning below the London Living Wage*. [Online].

**Figure 2: Proportion of employed residents earning less than the London Living Wage, 2018**



Source: Office for National Statistics (2018). *Employees earning below the London Living Wage*. (Online publication).

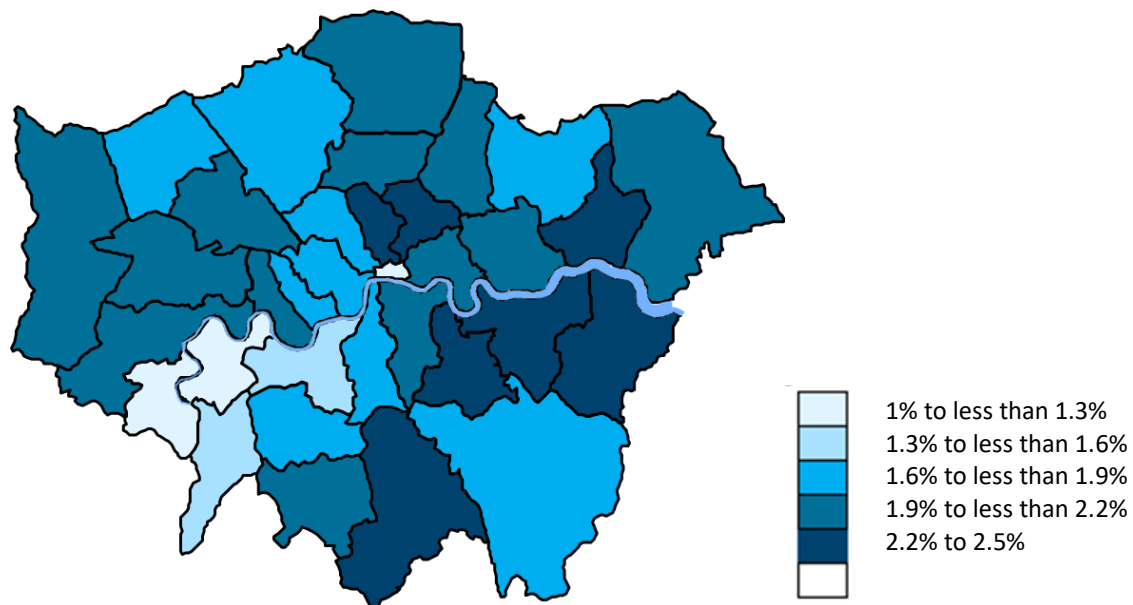
### Benefits and welfare

2.28 People claiming benefits is a key indicator of poverty. Given that many advice queries are about benefits, this will also drive demand – for example, on advice to claim in a timely or accurate way. As the population grows, so it seems the number of people claiming benefits also grows. In November 2012, 7% of Londoners claimed benefits, and four years later this figure had risen to 10%.<sup>24</sup> In 2016, the largest concentrations of benefits claimants were found in the boroughs of Haringey, Brent and Newham, and in the areas of east Enfield, and Barking.<sup>25</sup>

<sup>24</sup> Department for Work and Pensions (2017). *DWP working age client group by ward*. [Online].

<sup>25</sup> Ibid.

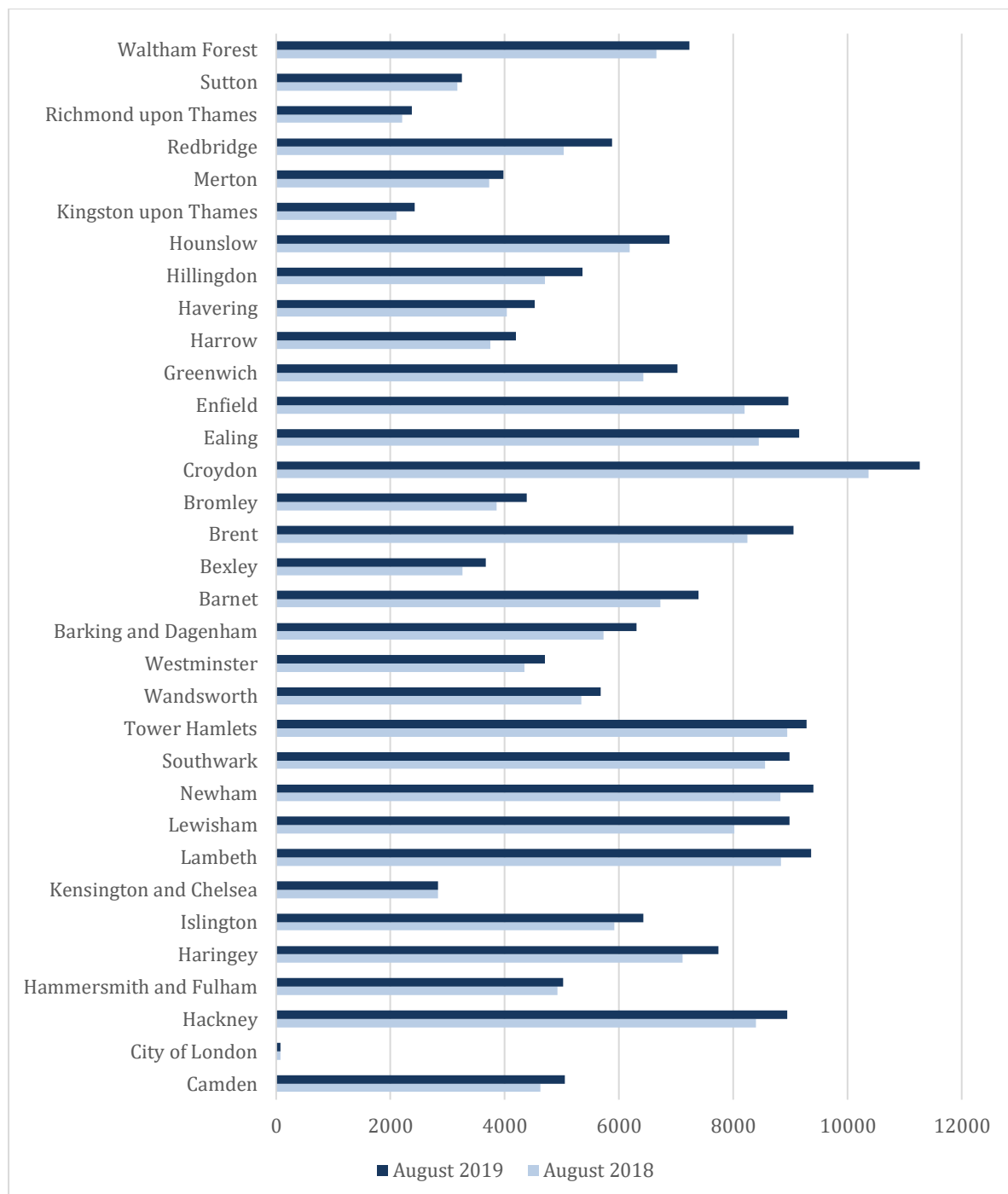
**Figure 3: Proportion of London borough population receiving disability living allowance, cases with entitlement, August 2019**



2.29 A City Intelligence report on the GLA Londoners survey from June 2019 showed that 27% of Adult Londoners and 17% children experience food insecurity.<sup>26</sup> This represents some 1.5 million adults and around 400,000 children. The groups most likely to experience food insecurity are single parents, people who are unemployed or on low incomes, black Londoners and disabled people. The area of London where food insecurity is greatest is in the London Assembly constituency of City and East, at 31% of the population.

<sup>26</sup> City Intelligence (2019). *Survey of Londoners Headline findings*. (Online.) Greater London Authority. Available at: <https://data.london.gov.uk/dataset/survey-of-londoners-headline-findings>

**Figure 4: Number of claimants per borough, August 2018 and August 2019**



Source: Department for Work and Pensions (2019). *Alternative Claimant Count*. Stat-Xplore. (Online publication.)

## Demand for social welfare advice in London and its drivers

2.30 The indicators and maps of need for social welfare advice in London translate into everyday demands that Londoners make for social welfare advice and interventions. All evidence from the research survey and the interviews with advice providers and stakeholders across London revealed that demand for social welfare advice is very high. Agencies are seeing increasingly

complex problems, and more people in crisis situations with high levels of distress and mental ill health.

*“The cases we are dealing with are more complex and the clients we assist have more complex needs. We therefore see that there is a slight reduction in the numbers of clients, but we are spending far more time on cases for individuals who often have multiple legal problems. For example, a case may involve a benefits tribunal, an immigration issue and a housing matter.” Survey respondent*

- 2.31 Practitioners report that the ‘base-level’ drivers of demand (such as levels of deprivation, poverty, low incomes, debt and the lack of secure, affordable housing) expose clients to the full impact of changes in government policy and administration. Living close to poverty leaves clients in a volatile position in which they are sensitive to any changes, and when change happens, there follows an increase in demand for advice. Recent examples of these demand spikes include benefit changes (particularly alterations to disability benefits and the introduction of Universal Credit), increasingly complex digitised administration, the ‘no recourse to public funds’ (NRPF) policy,<sup>27</sup> Brexit and its impact on EU nationals and migrants, and failings in welfare and administrative justice systems.
- 2.32 Advice providers also reported that restrictions on Housing Benefit payments and rising housing costs have driven demand for welfare advice as Londoners struggle to meet housing expenses. There is evidence that lower income households are willing to move further outside of London to secure affordable housing, and many inner London boroughs have utilised temporary housing beyond the M25 (for example, Harlow in Essex).<sup>28</sup> As well as the impact on families and communities of such local migration patterns, these practices have brought new advice and other welfare demands to parts of London which previously had experienced lower levels of demand.

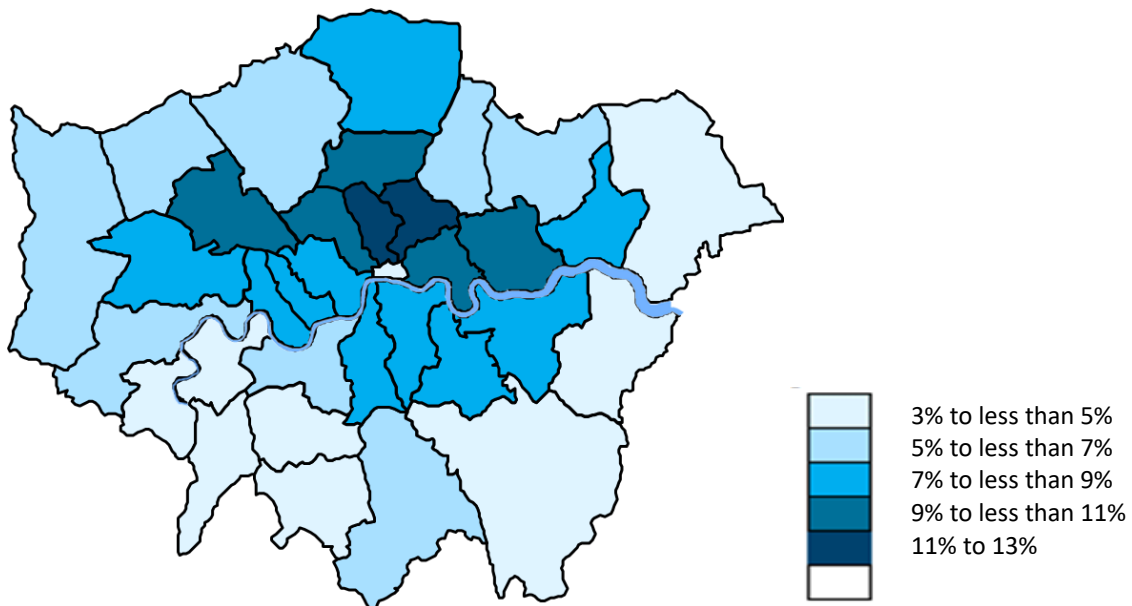
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<sup>27</sup> NRPF Network (2017). *Who has ‘no recourse to public funds’ (NRPF)?* [Online]. Available at: <http://www.nrpfnetwork.org.uk/information/Pages/who-has-NRPF.aspx>

<sup>28</sup> Heath, L (2019). ‘London council halts ‘out of borough’ homeless placements.’ *Inside Housing*. [Online]. 7 October 2019. Available at: <https://www.insidehousing.co.uk/news/news/london-council-halts-out-of-borough-homeless-placements-63566>



**Figure 5: Proportion of the population in London receiving housing benefit, November 2019**

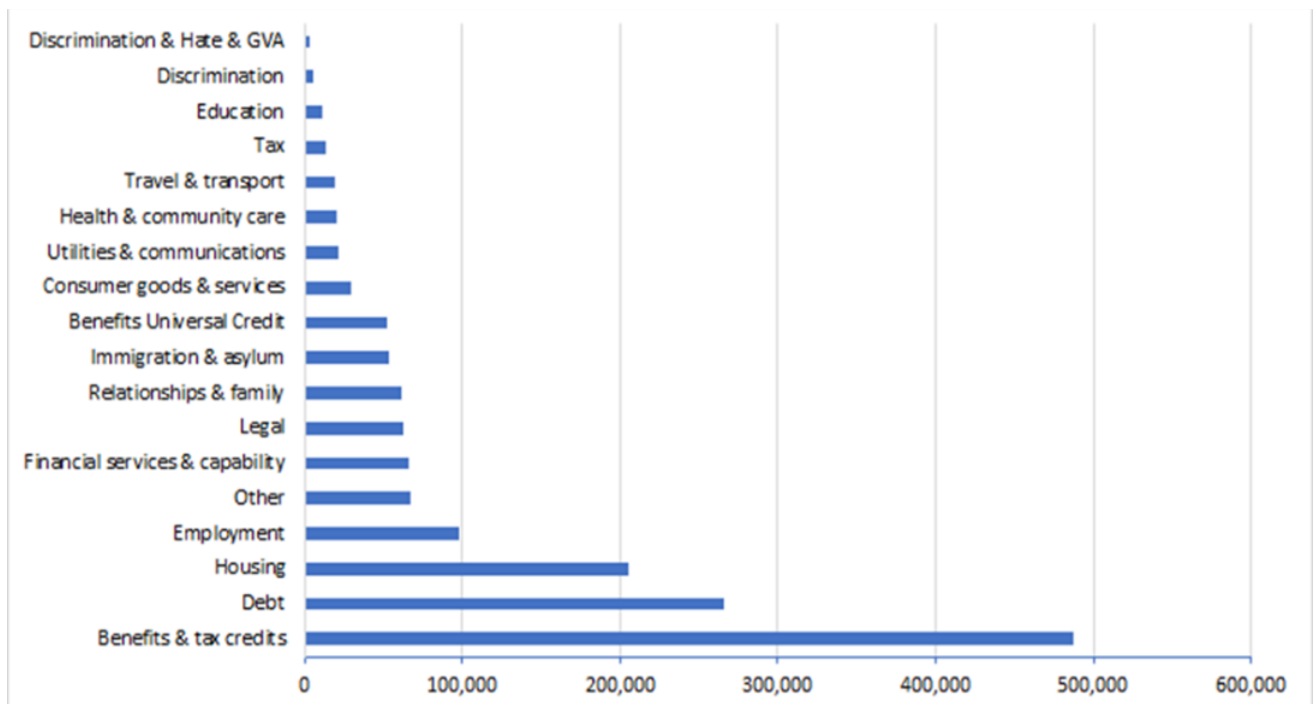


2.33 Respondents to the research survey listed the three main changes over the last three years in terms of the types of issues people sought advice for. Unsurprisingly, advice agencies reported big increases in enquiries about:

- Universal Credit
- challenging benefit decisions, assessments and sanctions (particularly for sickness and disability benefits)
- general welfare benefits, pensions, and health and social care system changes, including digitisation
- priority indebtedness, and
- housing affordability, security of tenure and homelessness.

2.34 The most readily accessible, comprehensive and comparable data on demand for social welfare advice in London is that collected by the 28 local Citizens Advice services in London, and the national Citizens Advice body. Citizens Advice told us that welfare benefits, debt and housing were consistently the top three enquiry areas, closely followed by employment. Figure 6 shows enquiries by issue type over a three-year period.

**Figure 6: Number of enquiries to Citizens Advice in London by issue type, April 2016 to March 2019**



Source: Citizens Advice.

- 2.35 According to publicly available figures,<sup>29</sup> over 46% (66,049) of the 142,564 enquiries received by Citizens Advice from Londoners related to benefits in the year November 2018 to October 2019. There was a 16% increase in demand for advice about benefits and tax credits, including Universal Credit (UC), compared to the previous year. The increase was mainly accounted for by the rise in UC enquiries, which grew by 243%. Citizens Advice data also shows a 13% increase in enquiries regarding immigration and asylum in the same period, while housing, debt and employment enquiries fell by 6%, 3% and 13% respectively.
- 2.36 The trends indicated by these figures correlate to policy changes: the huge alterations to the benefits system with the introduction of Universal Credit, plus Brexit and its impact on non-UK nationals.
- 2.37 The demand for social welfare advice also presents at MPs' surgeries, GPs and the health service, and to community, social and faith agencies. A study in 2016<sup>30</sup> found that 89% of constituents attending MPs' surgeries raised issues of legal concern. The most common areas of concern were:
- housing (37%)
  - immigration (23%), and
  - welfare benefits (13%).

<sup>29</sup> Citizens Advice (2019). *Advice Trends October 2019*. [Online.] Available at:

<https://public.tableau.com/profile/citizensadvice#!/vizhome/AdviceTrendsOctober2019/Cover>

<sup>30</sup> Hogan Lovells and The All Party Parliamentary Group on Pro Bono (2016). *Mind the Gap: an assessment of unmet legal need in London – a Survey of MPs' Surgeries Oct-Nov 2016*. [Online]. Available at: <https://asauk.org.uk/wp-content/uploads/2018/02/Mind-the-gap-an-assessment-of-unmet-legal-need-in-London.pdf>

Of the legal problems recorded, 22% related to a disability, while 25% of housing issues involved disability.

2.38 The report went on to say:

- *“We were told by a number of MPs that housing has become the biggest problem at their surgeries in recent years and a dramatic increase in the number of housing issues was reported to us. One MP estimated that housing now accounts for around 80% of cases they specifically handle. Another MP suggested that immigration used to be the most common issue to arise but that this has been overtaken by housing in recent years. This report has found that housing issues accounted for 37% of the legal issues presenting at MPs’ surgeries.”*

2.39 Law firm Hogan Lovells carried out a more detailed study<sup>31</sup> of legal advice need in Lewisham, in partnership with the Southwark Law Centre, again looking at need hitting MPs’ surgeries. The report concluded that:

- *“The results of these surgery visits indicate that a high proportion of issues (62% of those observed) raised by Lewisham constituents at MPs’ surgeries are legal problems. Asylum, immigration and housing related queries accounted for more than half of the legal issues raised, indicating particularly high demand for advice in these areas. These findings were supported by direct feedback from MPs’ caseworkers, who also reported experiencing significant unmet need.”*

## Indebtedness

2.40 In the year to June 2019, nearly 65,000 Londoners asked Citizens Advice for help with debt matters. Their main issue was Council Tax arrears, followed by credit card debts and rent arrears. In 2017, 13,120 Londoners phoned Stepchange<sup>32</sup> for debt advice; their average unsecured debt was £11,616, with 65% of clients reporting a credit card debt.

2.41 Debt Free London<sup>33</sup> is a partnership of 26 advice providers, including local Citizens Advice, led by Toynbee Hall and funded by the Money and Pensions Service. It worked directly with over 25,000 Londoners in 2018/19, and estimates that there are 1.6 million people in London who are indebted and in need of social welfare advice.<sup>34</sup> Both Debt Free London and Stepchange reported increasing demand for advice from people in London with ‘priority debts’ – these are debts that will have the most severe consequences if left unpaid (for example, loss of housing) and so should be dealt with first.

## Brexit

2.42 The outcome of the 2016 European Union (EU) referendum, subsequent announcements and uncertainties about the rights of EU citizens living in the UK, and hostility directed by some sections of society towards migrants all undoubtedly led to an increase in demand for advice. The issues people have sought support with as a result include immigration status, employment rights, hate crime, discrimination and recourse to public funds.

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<sup>31</sup> Hogan Lovells & Southwark Law Centre (2018). *Unmet Legal Need in Lewisham: An analysis of residents’ access to timely and affordable legal advice*. [Online]. Available at: <https://www.hoganlovells.com/~media/hogan-lovells/pdf/news/2018/the-unmet-legal-need-in-lewisham.pdf?la=en>

<sup>32</sup> See: <https://www.stepchange.org>

<sup>33</sup> See: <https://www.debtfree.london>

<sup>34</sup> Debt Free London (2019). *Working for a Debt Free London*. [Online]. Available at: <https://www.toynbeehall.org.uk/wp-content/uploads/2019/07/Debt-Free-London-Impact-Report-July-2019.pdf>

- 2.43 At the time of the data collection for this report there was uncertainty regarding the timing and nature of Brexit. The leave date of 31 January 2020 allows for a transition period of a year. Negotiations are ongoing, and the predictions seem to indicate a 'hard' Brexit rather than a 'no-deal' Brexit. Whilst the exact impact of Brexit on social welfare advice may be difficult to predict, we can anticipate that advice agencies are likely to experience a surge in enquiries from EU nationals about the EU Settlement Scheme. Operation Yellowhammer (the Government's assessment of the impacts of a no-deal Brexit) predicts there could be rises in food prices "which could impact vulnerable groups", as well as an impact on employment. Although this is a 'worst case scenario' many thousands of Londoners already struggling on low incomes and benefits are likely have increased need for social welfare advice.
- 2.44 Although there are few advice organisations working specifically with migrants from the EU on the issue of Brexit (a notable exception being the AIRE Centre in Holborn), many advice organisations will be contacted by members of migrant communities. No pan-London work has been undertaken to equip London's social welfare advice providers to deal with the impact of Brexit on people from EU countries, beyond the limited funding for 'Assisted Digital' services to support people applying for settled status, which is targeted at the most vulnerable EU citizens. Given the recent experience of longstanding migrants from the West Indies, it is anticipated that the advice needs among EU residents and their children or families are likely to continue, possibly for decades into the future.

### **Welfare benefits policy, including Universal Credit**

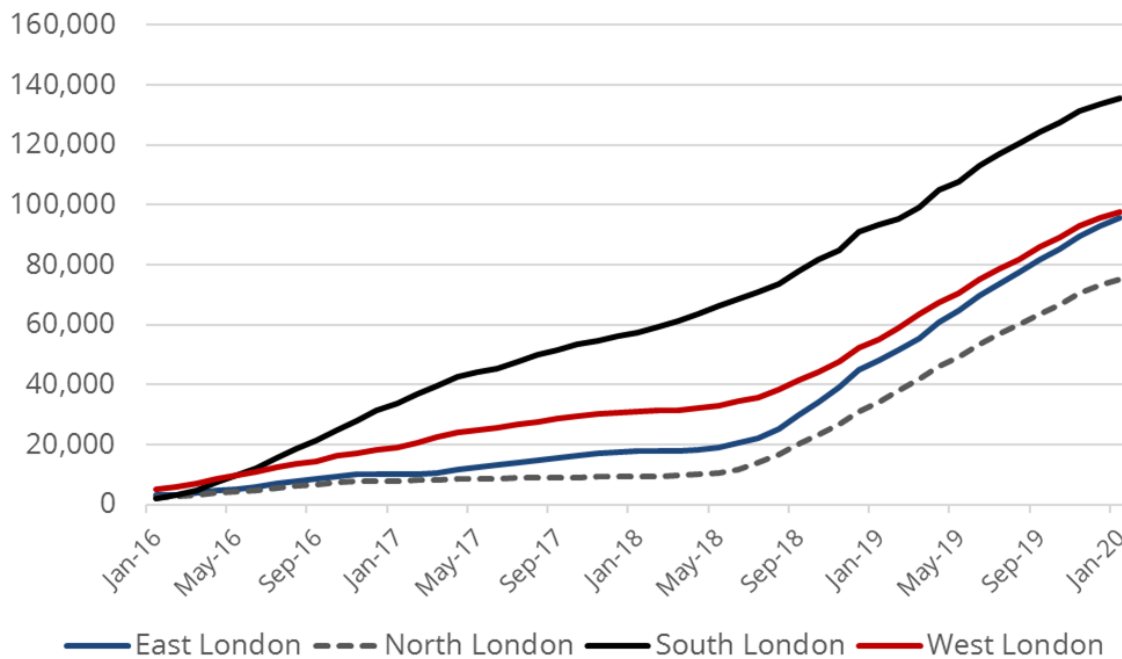
- 2.45 The Government's flagship new benefit, Universal Credit (UC), replaces six means-tested benefits for working age claimants. It is currently being rolled out across the London boroughs and already affects over a quarter of a million Londoners. UC is primarily applied for and managed online, requiring claimants to have digital access and skills. It also requires significant behavioural change, with claimants now responsible for managing a budget over a month and paying their own rent (the default position is that housing costs allowances are paid to the claimant, not the landlord).
- 2.46 As of November 2019, 387,553 individuals in London were on Universal Credit.<sup>35</sup> The highest number are in the south of London (by Jobcentre Plus region). In May 2019, the boroughs with most residents claiming UC were Enfield, Hounslow, Tower Hamlets, Southwark and Croydon.<sup>36</sup> Although this broadly reflects the patterns of poverty in London, it is mainly due to patterns of roll-out as claimants migrate to the new benefit.
- 2.47 The number of Londoners claiming Universal Credit has grown steadily over the past four years, in line with the roll-out. Figure 7 describes the number of UC claimants in London between January 2016 and January 2020.

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<sup>35</sup> Department for Work and Pensions. *Universal Credit claimants by JobCentre Plus Region*. [Online]. Stat-Xplore. [Accessed 17 January 2020]

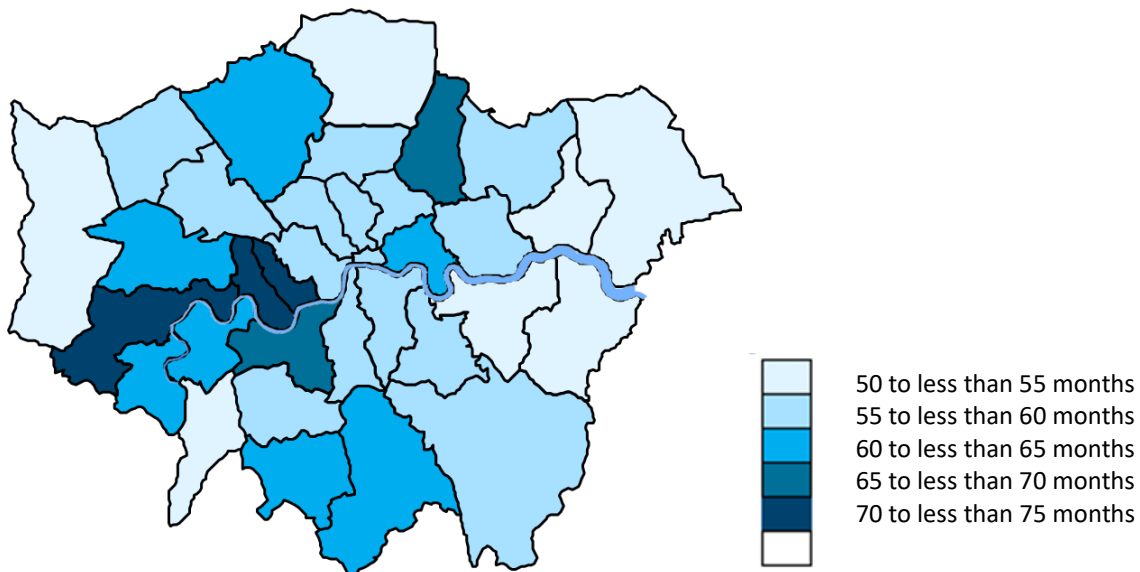
<sup>36</sup> Ibid.

**Figure 7: Number of Universal Credit claimants in London, January 2016 to January 2020**



Source: Department for Work and Pensions (2020). Universal Credit: 29 April 2013 to 4 February 2020 (Online publication.)

**Figure 8: Roll-out of Universal Credit in London, February 2020**



2.48 Major problems have dogged the new Universal Credit system, and welfare advice providers report that the introduction of the new benefit is a major driver of demand. The new system introduced a five-week waiting period at the beginning of a claim and first payment, which has caused many claimants to fall into debt and rent arrears, and is directly contributing to increased food bank usage. Data from the Trussell Trust show that the number of emergency food parcels given to Londoners has increased year on year – from 111,101 in 2016-17 to 166,512 in 2018-19. The top three reasons for referral to a food bank in the Trussell Trust network in 2018-19 were ‘income not covering essential costs’, ‘benefit delays’ and ‘benefit

changes'. The Trust pinpointed UC and the waiting period as a key driver behind increased food bank use.<sup>37</sup>

- 2.49 In Southwark, one of the pilot areas for Universal Credit, the council has monitored the impact of UC closely and found serious problems of rent arrears for UC claimants. Research funded by United St Saviour's Charity and the Walcott Foundation in Southwark and Lambeth also found the impact on local community and advice agencies to be significant, with few having the resources to cope with the need for advice that UC has generated.<sup>38</sup>

*"...we are certainly seeing an uplift in demand for social welfare advice in relation to issues around Universal Credit and reassessments for disability benefits. Often clients have multiple interconnected issues – for example their benefits have stopped and this has led to them falling into arrears with various household bills. As a result, clients often need support across a range of issues. With welfare reform there has been constant changes and areas where there is a lack of clarity and this has caused increasing issues for our clients, as well as our advisors who need to be able to keep abreast of key changes. There have also been changes in Tower Hamlets in relation to the emergency support available from the local authority which has created challenges in terms of accessing short term help for those in hardship – I believe this is being mirrored across London. All of the above are leading to an increase in demand amongst our clients and higher levels of complexity for advisors to deal with."*  
Stakeholder comments

- 2.50 As with most general social welfare advice agencies, Citizens Advice gets its largest number of enquiries about benefits advice. As illustrated in Figure 6, between April 2016 and March 2019 there were 487,160 benefits issues dealt with by Local Citizens Advice offices in London, for 138,748 unique clients. The largest benefits issue addressed was Personal Independence Payments (made to people with disabilities), followed by Employment Support Allowance and Housing Benefit. These three issues were responsible for a substantially larger number of queries than any other problems raised.

*"...it is even harder for the Deaf/Deafblind Community to engage: calls to the DWP are taking such a long time. This week and last week I have spent over 4 hours trying to get through.... The calls are free but you cannot sit with a client for that amount of time. Universal Credit is discriminating against those who struggle with written English: one client requested a BSL Interpreter 3 weeks in advance but when she went to her interview no Interpreter had been booked... she was then given an appointment for 2 months later and only then did they help her claim UC. I am helping her request a backdated claim."* Stakeholder comment

## Multiple hardships and complexity

- 2.51 A key theme throughout the survey was that advice agencies are seeing more people facing absolute destitution and hardship than they have in the past. Clients' problems are often many and complex to unravel, and have a multiplier effect on each other. So, for example, a debt problem and a benefit problem are frequently interlinked. Problems of budget deficit don't only affect people who are out of the workforce, but also those who are in work but on low

<sup>37</sup> The Trussell Trust (2019). *End of year stats 2018-19*. [Online]. Available at: <https://www.trusselltrust.org/news-and-blog/latest-stats/end-year-stats/#fy-2018-2019>

<sup>38</sup> Jew, P. and Western, N. (2019). *All Change – The Impact of Universal Credit in Southwark and in Lambeth*. [Online]. Advising Communities. Available at: [http://www.walcotfoundation.org.uk/uploads/1/7/2/2/17226772/all\\_change\\_impact\\_of\\_uc\\_full\\_report.pdf](http://www.walcotfoundation.org.uk/uploads/1/7/2/2/17226772/all_change_impact_of_uc_full_report.pdf)

and insecure incomes. Whilst the relationship between these problems and mental health is complex, there is increasing evidence that poverty and the problems it causes have a negative impact on people's feelings of wellbeing, on the ability to make decisions and on children's educational attainment.

- 2.52 As a result, advice services report that finding solutions is now more difficult and requires more advice worker time than in the past. They are finding it harder to help people at the same time as advice service resources are becoming stretched. Those parts of the system that could help provide solutions for clients have become seen as increasingly unsympathetic to client needs, giving rise to the term 'the hostile environment'. Whilst it is particularly highlighted as a problem for migrants, this culture has permeated throughout the system, making good outcomes for all clients increasingly difficult to achieve.

*"...people are often left without any money for food or to pay their rent. This is due to harsher sanctions, failing the work capability assessment or harsher residence conditions. We regularly see people with terminal illness left without any money and people seriously ill found fit for work. The problem is exacerbated by the lack of quality advice locally. Most agencies have moved to signposting only or charging clients. One agency requires people to become a member to get advice, membership costing £120 a year." Survey respondent*

*"...we are now inundated with cases of families who are homeless being placed outside of borough, usually hundreds of miles away. They are usually given little time to consider and if they say no the council will discharge their duty towards the family. As a result it is not unusual to find families street homeless or sleeping in cars... We have one of the least generous council tax support schemes of any borough and the council are very quick to resort to bailiffs. So vulnerable people are intimidated and will pay a council tax bill often tripled by the use of bailiffs instead of paying rent or buying food." Survey respondent*

*"The hostile environment has been around for decades but growing steadily worse. We are seeing a lot of EU nationals who previously satisfied the right to reside test for benefits such as employment support allowance find that they are told they are not entitled to universal credit because they fail the right to reside test." Survey respondent*

- 2.53 Reductions in health and mental health services, changes in employment patterns (for example, the growth of zero-hours contracts and general rises in the cost of living) all tend to result in greater demand for social welfare advice.

### **Digital by default**

*"Digital exclusion: increasingly every advice appointment begins with trying to figure out email addresses [and] passwords which [a] client may not have or may have lost, in order to access online digital services, e.g. Universal Credit" Survey respondent*

- 2.54 Recent governments have embraced the digital revolution as a means to make the provision of government services both efficient and cost effective. The 'digital by default' approach can be seen running across many areas of public policy. In the area of social welfare advice, it is characterised by the court reform programme and the introduction of online claims and management for Universal Credit.

- 2.55 Through government consultations, the risks of such an approach for people who may have limited digital skills or difficulty in accessing the internet, and those who may not communicate well in written English, have been made clear at all points of the development of online resources and services. The high ownership and use of smart phones has been suggested as a route to increasing digital skills, and the government has made the assumption that the natural attrition of older people will close the skill gap over time.
- 2.56 However, the survey results confirm that advice providers working today have experienced increases in demand associated with the shift to online processes for claiming benefits and services (including the roll-out of Universal Credit). 85% of survey respondents stated they had experienced increases in demand driven by digitisation.
- 2.57 The Department for Work and Pensions (DWP) has acknowledged that the move to digital is likely to be a huge change for many people by funding the Help to Claim project.<sup>39</sup> Launched in April 2019 and run by Citizens Advice, the service is designed to support claimants with the early stages of a Universal Credit claim, from the application through to the first payment. However, this support does not extend to ‘advice’ (such as what a particular question on the form might mean) but is limited to digital assistance (how to set up an account, how to save the form for later, and so on).
- 2.58 The problem with this approach is that it treats the technical process of claiming as a separate issue to that of ensuring the correct information is entered on the claim form. In reality, most claimants can see no distinction between the process and the information requirements, and their efforts to master the use of the IT can lead to mistakes and misunderstandings. Furthermore, the claimant is expected to monitor their claim online on an ongoing basis and respond to queries within designated timescales. For claimants who are used to the prompts of letters through the post, this is a huge shift in thinking.
- 2.59 The dual impact of a digital by default approach being introduced at the same time as new schemes are launched has been documented by others as a multi-factorial exclusion mechanism.<sup>40</sup> This is borne out by the survey results: 87% of respondents reported they were dealing with clients with increasingly complex needs as a result of the digital shift (6% said the level of complexity had stayed the same, and 7% were unsure).

### Preventable systemic failure

*“There needs to be funding available specifically for challenges to DWP benefits. The assessment system is broken and most appeal cases we handle are overturned in court, but there is no funding for this. Most of our funding is from the Local Authority, but DWP related inquiries make up ~60% of our enquiries despite DWP not funding any elements of the service. Increased capacity to handle DWP enquiries would enable the service to focus on areas where there are gaps, including social care issues and digital applications.”* Survey respondent

- 2.60 Many advice providers reported how preventable failures in social welfare administrative systems lead to high demand for welfare advice. Agencies providing benefits advice, for instance, report high levels of need for assistance with claims for Employment Support Allowance and Personal Independence Payments, and well-documented problems with DWP

<sup>39</sup> See: <https://www.citizensadvice.org.uk/about-us/contact-us/contact-us/help-to-claim>

<sup>40</sup> See, for example, Philip Alston and Christaan Van Veen: <https://www.theguardian.com/commentisfree/2019/jun/27/britain-welfare-state-shadowy-tech-consultants-universal-credit>



decisions following health and work capability tests. The failure of these systems alone is causing huge demand for London's advice services, as several reports have noted. Research by Citizens Advice published in 2017 noted:

- *“Over the past 5 years, the most prevalent benefits issue for Citizens Advice face-to-face clients have been Employment and Support Allowance (ESA) and PIP, and the need for advice has been exacerbated by persistent and wide-scale problems with assessments for both these benefits.”<sup>41</sup>*

- 2.61 Agencies report a ‘revolving door’ of demand as people’s benefit claims come up for review and renewal, or they go through changes of circumstances, and they find themselves facing the same issues again and again. Agencies feel the problems they report that affect many clients are caused by inflexible systemic factors that cannot be changed. Advice providers express frustration that there is no feedback mechanism to ensure that preventable emerging problems or issues can be adapted out of a scheme. Agencies then pick up the pieces from what are essentially systemic and preventable failures of administration.
- 2.62 The combined impact of frustration at preventable problems, the disproportionate effect of austerity on advice clients, and cuts to advice services funding has led to reports of increased stress on staff and volunteers. Whilst advice services are experienced in helping people with multiple issues, staff have reported an increased sense of helplessness in their ability to resolve all, or indeed any, of the problems presented to them.

## Section conclusion

- 2.63 Taking into account the population patterns for London and the dynamic factors that drive people to seek advice, there is a strong likelihood that demand for advice services will continue to rise during the next decade.
- 2.64 Poorer Londoners have not experienced large increases in income, whilst the proportion of Londoners earning less than the living wage has increased. The proportion of Londoners claiming benefits has increased, whilst the introduction of Universal Credit is driving many Londoners to use food banks. London’s youthful population means it may escape the worst of the social care crisis, but many children in the capital are living in poverty. Migration rates increased during the most recent decade, though there has been a reduction in recent years, and Brexit leaves a question mark regarding the advice needs of EU citizens.
- 2.65 Areas that have traditionally been characterised by low income households living in social rented property (hence with a higher likelihood of need for advice services), are now undergoing considerable inner-city development. Traditionally poor areas are becoming desirable places to live, attracting people on higher incomes, as well as potential investment opportunities for the very wealthy. As a result, the cost of housing is rising in inner London, and areas that were previously considered traditionally working class are slowly changing. In search of more affordable housing, the less well-off population is shifting to outer London boroughs with less expensive housing.
- 2.66 Taking these factors together, a general ‘L-shaped’ geographical pattern is emerging of high need for advice services in London – starting in the north with boroughs such as Brent, Enfield and Haringey, then moving east through Tower Hamlets to Newham and Barking. Whilst this

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<sup>41</sup> Citizens Advice (2017). *Halving the disability employment gap*. [Online]. Available at: <https://www.citizensadvice.org.uk/Global/CitizensAdvice/Families%20Publications/Halvingthedisabilityemploymentgap.pdf>

general pattern holds, there are some other ‘hotspots’ where people with advice needs are more likely to be found. These include some outer London boroughs, such as Croydon, which has seen an increase in the number of people on benefits and/or low incomes living in the area. Other outer London boroughs, starting from a low base rate of advice needs, have started to notice a change in demand, for example Sutton.

- 2.67 Understanding the ‘legal capability’ of different groups of Londoners can be a useful device for both service providers and funders to establish whether advice provision is meeting the needs of people with particular problems. Ensuring that, across London, the public has a range of choices regarding their engagement with voluntary social welfare advice services is an important role for pan-London organisations to play.
- 2.68 Population changes are associated with an increase in demand for advice services. The fact that the overall population of London is growing is likely to increase demand, anyway. But changes in central and local government policy and provision, as well as economic, social and technological changes, also have direct impacts on the need and demand for social welfare advice.
- 2.69 The backdrop of rising and changing need is part of a ‘perfect storm’ scenario for many of London’s social welfare advice providers. As they deal with the brunt of the impact on Londoners of national and local policy changes and austerity measures, they find themselves often with fewer resources, options and solutions to offer, and fewer other services to refer to.
- 2.70 Policy changes are rarely ‘advice-proofed’. The impact of policy, provision and societal change on the need for social welfare advice is usually only considered, if at all, after a policy has begun to impact on Londoners and caused them to seek independent advice. Advice providers are often some of the first agencies to spot the impact of changes on Londoners.
- 2.71 Bodies such as the Greater London Authority and London Councils should ensure that any discussions with central government on policy changes also include support for the advice sector. Whilst we have examples of some central government help offered to the advice sector, it is nowhere near enough nor available to all advice providers. Consideration of how advice sector information can assist with such discussions should be made as one stage in a policy or campaign development strategy.
- 2.72 In the next chapter, we will examine whether current advice provision matches the demand created by population changes and dynamic drivers of advice need.

### 3. Provision of social welfare advice in London

3.1 Social welfare advice has a vital role to play in economic and social fairness in London. Therefore, people being able to access the right advice in a timely and appropriate fashion impacts on the wellbeing of London as a whole. This section examines who provides social welfare advice in London and where it is located.

#### Who provides social welfare advice in London?

3.2 Social welfare advice in London is provided by a range of agencies and people, informally and formally, at lay, generalist and specialist levels. It is provided by not-for-profit and charitable agencies, public sector bodies (local authorities, housing associations, and so on), MPs' offices, and private law firms (on both a fee charging and free – or pro bono – basis). Whilst this research has an interest in all providers and all levels, we will focus on the voluntary sector organisations that self-define as providing advice services. In doing so, we will refer to other providers including the pro bono sector, the legal aid law providers and the statutory sector advice providers (for example, in-house local authority welfare rights teams). This landscape of complementary sectors can be characterised as shown below.

**Figure 9: The landscape of social welfare advice providers**

Advice provider	Level of social welfare legal expertise
Law centres and legal aid law firms	HIGH
Pro bono sector	HIGH
Specialist (area of law) advice centres	HIGH
General advice centres (client group specific and general public)	MEDIUM/HIGH
MPs' surgeries	MEDIUM/LOW
Student legal clinics	MEDIUM/LOW
Other not-for-profit organisations	LOW
Friends, relations and trusted helpers	LOW

Source: Advice Services Alliance.

3.3 Most social welfare advice in London, certainly in terms of client volumes, is provided by not-for-profit or voluntary sector agencies, which form the core of the services, expertise and legal knowledge available. It is noticeable how the other parts of the sector are inter-related with, and structurally reliant on, this core advice sector for the flow of clients and the exchange of knowledge and expertise.

## Not-for-profit, voluntary sector advice services

- 3.4 If the definition of social welfare advice provided in the introduction to this report seems fairly clear, pinning down the exact numbers of organisations providing such services in London has become something of a ‘golden chalice’: while highly desirable to know, the quest to find it has proven to be long and hard. We suggest that there are a number of reasons for this:
- The definition of ‘advice’ is not necessarily shared by organisations – some may be giving advice without necessarily identifying it as such, whereas others who say they give advice may not fall into our definition (for example, planning advice for homeowners).
  - Social welfare advice mainly falls outside of regulated activity, so is not recorded by others.
  - Advice services maybe ‘nested’ within a raft of other services, so not readily apparent.
  - A combination of client need and funding drivers suggest that there is a churn of organisations giving advice.
  - The various media available for delivering advice services means that focusing on organisations may not capture all of the advice being provided.
  - Not all datasets from different umbrella groups are readily available (some have commercial value or confidentiality issues).
  - Datasets are not easily comparable due to different data definitions.
- 3.5 The organisations that provide advice as their main activity are reasonably easily identified. However, there is a large hinterland of organisations that may provide advice to complement their core business, or simply because their clients or members of their communities are presenting with these problems and the organisation wants to help.
- 3.6 The Advice Services Alliance (ASA) believes that merging databases is technically not as difficult as it has been previously and so could be overcome with some resource. However, the willingness to share the data between networks is still difficult due to the business sensitivity of the information, and this part of the problem needs addressing first.
- 3.7 In the absence of either a definitive study of the size and capacity of social welfare advice provision in London, or access to every network database, the research team sought to use the next best available data and evidence to estimate the approximate size and shape of the London advice sector. We deployed a triangulated method to achieve this.
- 3.8 The first triangulation point was an examination of Charity Commission returns. The Charity Commission website holds information on all registered charities in the UK, by self-defined categories. A sub-group of registered charities was drawn up for organisations that: a) are registered in London, and b) self-identify as providing ‘advice, law or advocacy’. A total of 5,598 separate charities were identified in this way.
- 3.9 For a sense check, we referred to research conducted by Ipsos MORI in 2015 for the Ministry of Justice. This estimated that 1,462 not-for-profit social welfare advice providers could be identified across the whole of England and Wales,<sup>42</sup> which strongly suggested that the figure of

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<sup>42</sup> Ames, A., Dawes, W. and Hitchcock, J. (2015). *Survey of Not for Profit Legal Advice Providers*. [Online]. London: Ministry of Justice and Her Majesty’s Stationery Office. Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/485636/not-for-profit-la-providers-survey.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/485636/not-for-profit-la-providers-survey.pdf)

5,598 was too high. A visual scan of the Charity Commission list confirmed that this sub-group included many organisations providing advice outside of the areas of social welfare law.

3.10 In order to get an approximate idea of the true size of social welfare advice provision, we drew a random sample of 200 organisations from the Charity Commission list. We then checked this sample to see if each organisation:

- a) was a known member of an advice network
- b) stated in its articles that it gave social welfare advice, and
- c) stated on its website that it gave social welfare advice.

Where organisations did not meet these criteria, or where it was not clear whether they met these criteria, they were considered not to offer social welfare advice.

3.11 Using this method, we established that the sample contained 31 (15.5%) social welfare advice organisations. Applying this to the full Charity Commission list gives an estimate of 868 advice organisations, with a 95% confidence interval that the true number lies between 724 and 1,011.<sup>43</sup> Using the lower figure, we can say that there are over 700 separate charities in London proving social welfare advice to client groups.

3.12 This number is considerably higher than that shown by data provided by membership organisations that agreed to take part in the research. Using data provided by third parties, through the survey and the list of organisations in London holding or applying for the Advice Quality Standard (AQS), the research team identified 489 unique welfare advice services in London.

3.13 Within this total, the following membership data was provided:

- 27 Age UK members
- 36 local Citizens Advice offices
- 19 members of Disability Rights UK
- 21 London law centres
- 21 members of Youth Access

The additional organisations were from:

- 96 legal clinics associated with Law Works
- 65 organisations funded by Trust for London
- 163 other AQS awardees or applicants
- 42 organisations that answered our survey and were not listed in third party data.

Figure 11 (in paragraph 3.61 below) shows the location of the administrative offices for these organisations to give some indication of the distribution of services across London.

3.14 About half of these organisations hold, or are looking to hold, a recognised advice quality standard, including the Advice Quality Standard, Lexcel, the Specialist Quality Mark and Matrix. Since obtaining a quality standard is a rigorous and resource intensive process, it is reasonable

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<sup>43</sup>A known population adjusted standard error was calculated to estimate the confidence interval.

to assume that organisations that hold a standard consider advice to be a main part of their service.<sup>44</sup>

- 3.15 Even taking the lower end of the estimate of 700 advice providers in London, this still leaves a considerable number that fall outside of the current networks or umbrella groups. A visual scan through these charities suggests that they are generally community-based, small or micro-organisations, including faith-based groups, local community organisations, clubs and facilities for specific client groups or localities. Given the size of these organisations, we can assume that they have less advice expertise than some of the mainstream advice providers (although this is an assumption that could be challenged). What they lack in size or legal knowledge they make up for in terms of accessibility and reach for many of London's marginalised communities. Inclusion London, for example, supports over 70 deaf and disabled people's organisations (DDPOs) across London, all of which are likely to be offering some level of advice, although the majority do not hold a quality standard. These organisations should be considered as part of the solution for reaching all Londoners.

### **Private solicitors**

- 3.16 Private solicitors also provide advice, of course, on social welfare law matters. The Law Society lists 104 private law firms that it says can both provide advice on social welfare law and do legal aid, but it is not clear whether this is civil or criminal legal aid. Given that the contracts for social welfare law are few and are poorly paid, high street solicitors have become a more marginal part of the advice provision mix in London.

### **Pro bono providers**

- 3.17 Pro bono legal advice and representation has expanded enormously over the past 10 years, and has developed to become an important part of London's social welfare landscape. Broadly speaking, there are three types of pro bono help available:
- voluntary sector-facilitated pro bono support,
  - student clinics run by universities and colleges, and
  - corporate social responsibility pro bono offers from high street and large legal firms.
- 3.18 Voluntary sector-facilitated pro bono support is embodied by the National Pro Bono Centre on Chancery Lane, which houses some of the most well-known pro bono charities, including LawWorks and Advocate.<sup>45</sup> These are voluntary organisations in their own right, and their role is to match the pro bono offer from barristers and solicitors to people with limited means. In 2017, 238 clients referred from frontline organisations across the country were matched with legal help through the LawWorks matching service, whilst Advocate reports that over 4,000 barristers are registered as being available to take cases for up to three days for both advice and representation. In addition, the Free Representation Unit offers students to work with clients referred by advice centres within the M25 bounded area for representation at employment and social security tribunals.

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<sup>44</sup> The database listed 180 independent advice services holding or applying for the Advice Quality Standard, plus law centres and others who undertake legal work and therefore hold legal quality marks (Lexcel, the Specialist Quality Mark or Matrix).

<sup>45</sup> LawWorks is a charity working in England and Wales to connect volunteer lawyers with people in need of legal advice who are not eligible for legal aid and cannot afford to pay, and with the not-for-profit organisations that support them. Advocate is the Bar's national charity that matches members of the public who need help with barristers who are willing to donate their time and expertise in deserving cases for those who are unable to obtain legal aid and cannot afford to pay.

- 3.19 A report by LawWorks in 2018 stated that there were 96 pro bono legal advice clinics offering social welfare advice in London. These clinics take many different forms, including standalone open access clinics and surgeries hosted by other organisations. In London, there are some 53 voluntary, public or academic organisations hosting clinics; 29 of these clinics are run by 11 separate universities. LawWorks reports that, together, the legal clinics had just over 75,000 enquiries in 2018, of which 40% (30,000) were in London alone. Importantly, over 60% of all the enquiries came from legal clinics based in advice organisations or other not-for-profit organisations.
- 3.20 Whilst there are some pro bono services that provide direct access for clients, most provide clients with access to the pro bono offer through pre-existing local advice services, i.e. secondary referrals. For many pro bono services, this referral provides an important filtering of suitable cases, which is crucial to the pro bono offer operating efficiently and effectively. The two parts of the provision, referral agency and pro bono support, are therefore mutually dependent and loss of referral agencies can also remove valuable pro bono activity.
- 3.21 Where this works well, it is extremely beneficial to both client and advice service, and a good outcome creates a positive feedback loop and acts as a gateway to more pro bono help. The involvement of students in social welfare law shows them the value of legal processes in the lives of ordinary people, and hopefully awakens would-be lawyers to the advice sector as a possible career.
- 3.22 As welcomed and valuable as it may be, the pro bono offer can also create practical issues for frontline advice services. Firstly, if advice services need to sift and prepare suitable cases (which is time-consuming in itself), many feel they may just as well give advice themselves rather than passing the client on to someone else. Secondly, some pro bono services can add costs to the advice organisation that are not accounted for, for example: supervision of students, providing premises for clinics and paying staff for evening clinics to ensure no 'lone person' working.
- 3.23 Lastly and perhaps most importantly, accessing the pro bono offer can sometimes be very difficult. Whilst the offer is large (over 5,000 barristers volunteer on the Advocate website, for example), finding a lawyer with the right skills who is available at the right time and free to undertake non-fee earning cases can be practically problematic. If a match is not found, advice agencies report clients feeling demoralised and more 'on their own' than if they had not applied for help. Advice agencies cite this as a deterrent to reapplying on behalf of other clients.
- 3.24 The concentration of large law firms in London gives the capital a distinct advantage in terms of pro bono social welfare legal advice; and the willingness of the legal professions to offer help to people who cannot otherwise access legal advice is inspiring. Many local advice services have individual arrangements with local lawyers, so the pro bono help offered by the legal profession is likely to be much greater than at first it seems. Additional offers include training for staff, access to meeting rooms and facilitation. Many large law firms also provide sponsorship or support in kind for voluntary sector organisations under their corporate social responsibility arrangements.
- 3.25 It is often said that pro bono is not a substitute for a properly funded legal aid system, and the difficulties of drawing down the legal expertise that is on offer demonstrate a very practical reason why this will always be the case. Access to pro bono services is therefore not yet systemic, with some advice services successfully drawing on legal expertise whilst others make

little use of it. This is particularly the case for services operating in the outer London boroughs, according to conversations the research team had with advice providers.

- 3.26 A better understanding is developing between the advice sector and pro bono providers, and this may help to partially address the problem. However, the ultimately ad hoc nature of the legal offer and the requirement of lawyers to prioritise fee-earning work will always be problematic. It is suggested that, through activities such as Team London, the Mayor of London could be well placed to support London's pro bono legal offer and, in doing so, recognise the mutually dependent nature of the relationship. Recognition of the unseen costs that some pro bono activity can place on frontline advice sector organisations must be central to developing these relationships.

### **University and student provision**

- 3.27 Whilst students have been a fundamental part of the advice offer for over 40 years (the Free Representation Unit was set up and run by law students in the late 1970s, for example), there has recently been a large increase in the number of organised legal clinics led by law schools in London. There are several models deployed to access this resource, including running legal clinics with direct referrals to law schools (for example, the BPP in central London) or setting up student placements with local advice centres (such as those run by AdviceUK and Pro Bono Community). Some law schools are looking to expand their offer through the use of Skype or online advice. Two-fifths of pro bono legal clinics are operated with university law schools.<sup>46</sup>
- 3.28 Most social welfare advice legal clinics offer advice on several types of legal matter, although a handful concentrate on employment (5), housing (3) and family (2). Just under one third of the clinics offer initial advice only, whilst 16 offer casework. Nine of these casework services also offer to represent a client. The main services offered are: initial advice, written advice and form filling assistance.<sup>47</sup>
- 3.29 Again, whilst the student offer is very welcomed, it is largely educational, is often limited to term time only, and is more closely supervised than cases dealt with by advice agencies. The number of cases that can be handled is therefore less than an average advice service.

### **Members of Parliaments' surgeries and local offices**

- 3.30 There are 73 MPs' offices in London and a recent survey by LawWorks<sup>48</sup> found that most will see constituents with social welfare advice needs. The role of MPs is often overlooked in the advice sector: some services must be accessed through MPs, for example referrals to the Health and Parliamentary Ombudsman, whilst others have established referral routes, such as Advocate. What MPs want to offer their constituents differs from one constituency to another, so that some employ full-time caseworkers who assist with welfare rights and other issues, whilst others simply write referral letters.

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<sup>46</sup> LawWorks (2018). *LawWorks Clinics Network Report April 2017 – March 2018*. [Online]. Available at: <https://www.lawworks.org.uk/sites/default/files/files/LW-Clinics-Report-2017-18-web.pdf>

<sup>47</sup> LawWorks (2019). *LawWorks clinics network report January 2018 – December 2018*. [Online]. Available at: <https://www.lawworks.org.uk/sites/default/files/files/LW-Clinic-Report-2018.pdf>

<sup>48</sup> Hogan Lovells and The All Party Parliamentary Group on Pro Bono (2016). *Mind the Gap: an assessment of unmet legal need in London – a Survey of MPs' Surgeries Oct-Nov 2016*. [Online]. Available at: <https://asauk.org.uk/wp-content/uploads/2018/02/Mind-the-gap-an-assessment-of-unmet-legal-need-in-London.pdf>



## Emerging forms of social welfare advice provision

### Web-based self-help information

3.31 The traditional method for providing advice is through face-to-face interviews, telephone advice lines or a combination of the two. However, recently the growth of digitisation and access to the internet, particularly through mobile devices, has provided a wealth of opportunities to rethink the provision of advice services and to provide universal access to good quality self-help information regarding problem resolution. A further discussion on web-based advice and the challenges it presents is to be found in chapter five.

### Digital and telephone channels

- 3.32 Digitisation has also presented opportunities for advice organisations to rethink their offer to Londoners and a number of different technology projects have been launched which seek to address connectivity, efficiency and effectiveness, and in doing so offer more advice services for limited funding.
- 3.33 Likewise, many advice organisations offer their service through helplines or telephone advice sessions. Better telephony allows clients to be transferred between services, as well as enabling providers to estimate demand for services through missed calls and other administrative data. As with digital services, it is often impossible to know where a client is phoning from, or the personal characteristics of the callers. Many telephone and digital advice services may be based in London but offer a nationwide service.
- 3.34 For clients who are characterised as less legally capable, the principal option for accessing advice is still through in-person services. Research in 2015 showed that face-to-face advice worked best for vulnerable clients, and those whose cases are either urgent and/or complex.<sup>49</sup> The key factors that made this kind of advice more effective were the level of emotional engagement, the opportunity to more fully exchange information and the benefit of local knowledge. Arguably, in times of limited resources for advice services, face-to-face services should be focused on those people with the fewest options for resolving their issues.
- 3.35 Whilst acknowledging the increasingly important role of online, digital and telephone advice, the main emphasis of this report is on those services that continue to offer a face-to-face advice service.

## Areas of social welfare law advice available

- 3.36 In practice, social welfare problems rarely occur as single issues. As research has shown, it is likely that someone with a benefit issue may also have debt or housing issues; someone with an immigration status issue will also need advice and assistance with benefit entitlement, and so on. Social welfare matters are interrelated and require joined-up solutions.<sup>50</sup>
- 3.37 It is often a mistake of funders, commissioners and designers of advice and information services to think that standalone subject provision will meet people's needs.
- 3.38 Most social welfare advice providers offer advice on multiple social welfare topics. They may, however, offer only low or medium level 'generalist' advice in some areas, and high or

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<sup>49</sup> Burton, M (2015). *Calling for Justice: comparing face-to-face and telephone advice in social welfare legal aid*. PhD thesis, London School of Economics.

<sup>50</sup> Pleasence, P., Balmer, N., Buck, A., O'Grady, A. Genn, H. (2004). *Multiple Justiciable Problems: Common Clusters and Their Social and Demographic Indicators*. Legal Services Research Centre.

'specialist' level advice in others. This may be the result of funding availability for specific topics, the provider's chosen focus, or because the provider is only authorised to provide advice at certain levels or in certain subjects. As explained in the introduction, debt and immigration advice services are regulated areas.

### **Welfare benefits advice**

- 3.39 The vast majority of advice organisations or organisations that provide an advice service say they give advice on welfare benefits, which are by far the most common area of advice required by Londoners. For generalist advice services, all welfare benefits are the most commonly sought areas of advice. Provision of specialist and casework services for welfare benefits advice, however, is less common.
- 3.40 The new Universal Credit (UC) benefit system and the move to a digital application process have proved very challenging for many claimants. As mentioned previously, Citizens Advice has launched a new service to help people to claim UC, funded by the Department for Work and Pensions (DWP). Help to Claim is delivered face-to-face (mainly in job centres), as well as via a free telephone service and webchat. The funding allows for every claimant to have one appointment to help them complete the claim form. Advice on which benefit to claim or how to answer the questions on the form is dealt with separately as part of the mainstream advice services. Help to Claim is a welcome service for Londoners, but it is limited and will not assist with ongoing claims management, which many claimants are predicted to need help with.
- 3.41 The Greater London Authority (GLA) has commissioned Child Poverty Action Group (CPAG) to pilot work with clusters of primary schools as part of their child poverty work. The pilots will involve the embedding of income maximisation advisers in schools, and the service is being co-designed with schools.

### **Debt advice**

- 3.42 The government-sponsored Money and Pensions Service (MPS) commissions and provides debt advice services for Londoners. This includes the directly provided Money Advice Service and the aforementioned Debt Free London partnership, which is funded by MPS. National debt advice services such as StepChange and National Debtline are also available for Londoners.
- 3.43 The GLA commissions the Warmer Homes Advice Service:<sup>51</sup> the second round of this fuel poverty-focused programme is about to commence at the time of writing. It makes £450,000 available over just under two years for fuel debt and energy advice for Londoners.

### **Immigration advice**

- 3.44 Immigration advice provision for Londoners is an area of growing concern for the GLA and London Councils. The hostile environment towards migrants, refugees and asylum seekers that has pervaded political and media debate in recent years has heightened the need for independent advice for non-UK nationals.
- 3.45 The no recourse to public funds (NRPF) condition can prevent people accessing state help regardless of their circumstances and is a huge issue in London. However, this condition does not extend to the voluntary sector and many people facing immigration problems could get help but are fearful of accessing it. London Councils believes there is a lack of low level, initial immigration advice, which results in many Londoners not getting immigration help until they

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<sup>51</sup> See: <https://www.london.gov.uk/what-we-do/environment/energy/warmer-homes-advice-service>

are in crisis. It is looking at what can be done to improve the overall provision of immigration advice in the capital.

- 3.46 The Home Office has made available £9 million to fund immigration advice as part of resettlement schemes, but this is for one year only (2019-20). A number of advice agencies throughout London have received funding from this source and from councils, trusts and foundations to provide advice for EU nationals regarding their immigration status and social welfare following Brexit.
- 3.47 The Mayor of London has also made available the Windrush Justice Fund.<sup>52</sup> This provides £20,000 in order to, among other things, add capacity for civil society to deliver advice and make connections between community groups and pro bono legal advice. The GLA also launched the EU Londoners Hub<sup>53</sup> in March 2019, which provides information for EU nationals in London, including a directory of advice providers.

*“We see many people particularly EU nationals and other migrants left without any money at all due to harsh residence conditions. Often the only way to get their support is through social services or children’s services. However, many local authorities including Harrow now employ home office officials in their social services department to stop migrants being able to access children act support.” Survey respondent*

## Employment advice

- 3.48 There are important developments in the employment advice landscape for Londoners. Firstly, Trust for London has commissioned research with the following aims:
- To explore and support ways to increase access to employment rights advice through improved coordination of current funded provision, alongside digital improvements.
  - To liaise with current funded not-for-profit employment advice agencies (funded by the Trust and others) to identify and gather evidence of emerging issues, and to coordinate a more strategic response to them. This could include increasing income, advising the GLA’s plans, and/or undertaking campaigning work on improving enforcement.
- 3.49 Secondly, the GLA has developed a digital rights hub that will sit on its website and consists of the following aspects:
- High-level plain English content about employment rights and links to trusted third party websites with more detailed information.
  - A set of content pages designed to guide users with a problem at work to information about the rights that may be relevant to their situation.
  - A list of outlets in London that provide face-to-face advice about employment rights (by borough).
  - A map of the outlets contained in the borough list.
- 3.50 At the time of writing, the GLA is in the final stages of finalising the minimum viable product for the employment rights hub, and is commissioning an interactive map that will combine the list of outlets with a map view. It will contain rights information and a directory of employment

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<sup>52</sup> See: <https://www.london.gov.uk/what-we-do/communities/migrants-and-refugees/windrush-justice-fund>

<sup>53</sup> See: <https://www.london.gov.uk/what-we-do/eu-londoners-hub>

advice providers – around 120 are currently listed. Turn2Us has been commissioned to keep the directory up to date.

### **Housing and homelessness advice**

- 3.51 Though not included in our research brief’s definition of social welfare advice, housing and homelessness advice represents a major social welfare need, demand and area of provision. Alongside welfare benefits and debt, it is consistently in the top three enquiry areas for London’s advice providers and was mentioned by many stakeholders during the research. Housing is inextricably bound up with benefits, debt, immigration and employment matters. The GLA is undertaking a considerable amount of other research and work on housing for Londoners, and agreed that the research team should include a reference to housing advice provision in this report.
- 3.52 The research team heard from many agencies that provide housing and homelessness advice as part of this research. Shelter is a major provider across London, leading the STAR Partnership (Supporting Tenancies, Accommodation and Reconnections) with Thames Reach, Stonewall Housing and St Mungo’s. This service provides specialist support for adults at risk of or experiencing homelessness, while improving the ability of all Londoners to keep safe and secure homes. Shelter also has a dedicated telephone advice line for London.
- 3.53 For housing and homelessness advice providers, the no recourse to public funds (NRPF) policy is a major issue, alongside issues of affordability and supply of decent housing for Londoners.
- 3.54 The GLA has undertaken work around private rented sector rent levels, conditions and security of tenure, and published *Reforming private renting: the Mayor of London’s Blueprint*<sup>54</sup> in July 2019. In 2018, 26% of Londoners rented privately, compared to only 11% in 1990. The average private rent for a one-bedroom home in London is now more than the average for a three-bedroom home anywhere else in England. The blueprint acknowledges problems for tenants in enforcing their housing rights:
- *“Tenants are hampered from taking action against rogue landlords by limited access to free legal advice and representation through Legal Aid, by distant and inaccessible court buildings, and by the intimidating complexity of the system.”*
- 3.55 However, the blueprint does not address issues of housing advice supply for London’s 2.4 million private renters. In April 2019, the Government outlined plans to consult on new legislation to abolish Section 21 evictions – so-called ‘no-fault’ evictions. This will bring an end to private landlords uprooting tenants from their homes with as little as eight weeks’ notice after their fixed-term contract has come to an end.
- 3.56 If the plans are implemented, landlords will have to use other grounds for eviction, and this may involve a court hearing which the tenant will have the right to defend. Less scrupulous landlords may resort to harassment or illegal eviction. It is therefore by no means certain that such changes will reduce the need for advice, even though the policy will have other positive benefits.
- 3.57 It is essential that London’s private renters have access to good quality housing advice if and when this proposed major change to private tenancies is introduced. Londoners who rent

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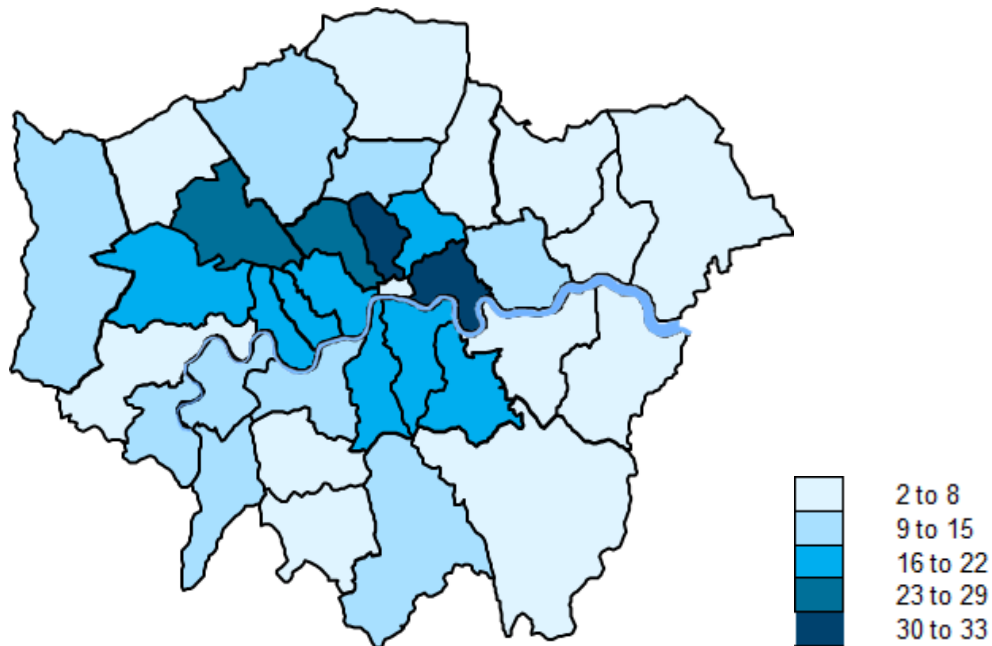
<sup>54</sup> Mayor of London (2019). *Reforming private renting: the Mayor of London’s Blueprint*. [Online]. London: Greater London Authority. Available at: [https://www.london.gov.uk/sites/default/files/reforming\\_private\\_renting\\_-\\_the\\_mayor\\_of\\_londons\\_blueprint.pdf](https://www.london.gov.uk/sites/default/files/reforming_private_renting_-_the_mayor_of_londons_blueprint.pdf)

privately and their landlords will need public information about the change and how it affects them, backed by accessible housing advice and details of how to get it.

## Where are London's advice services located?

3.58 The database of advice services in London that was pulled together in this research has been mapped to the borough where they are located. Figure 10 shows the density of advice services located in each borough.

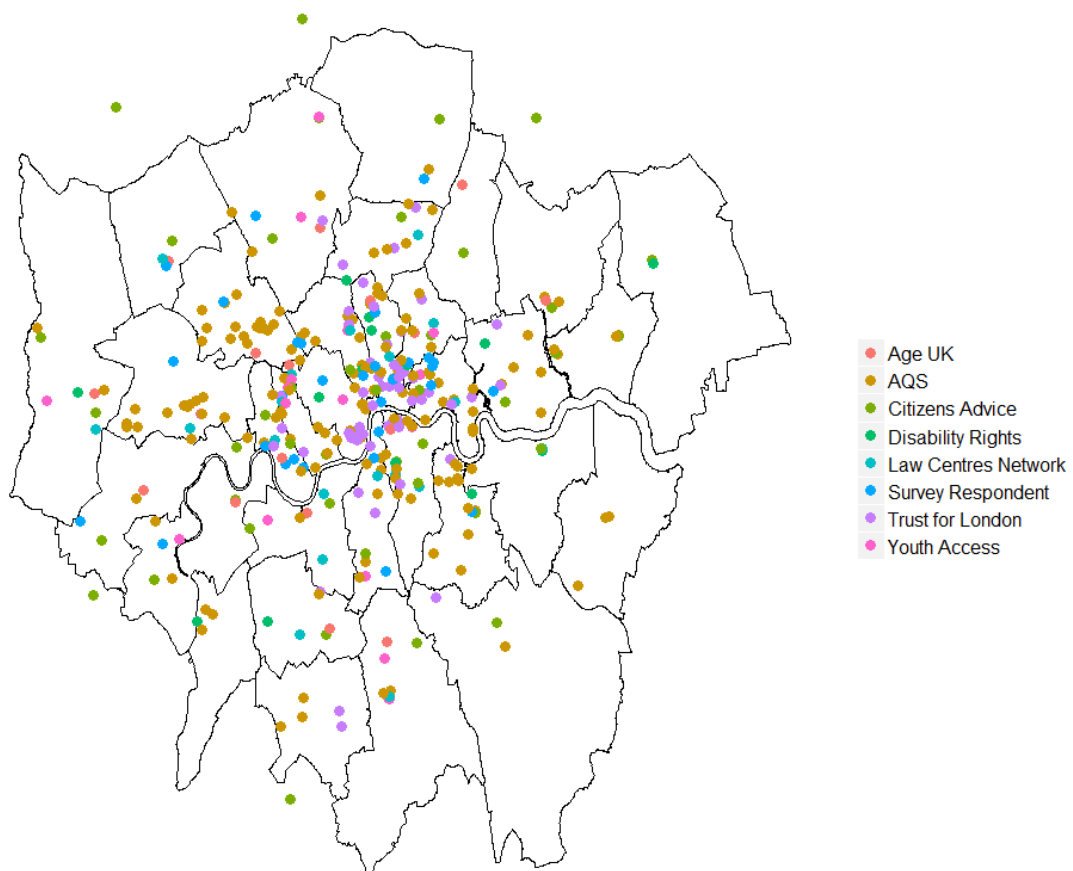
**Figure 10: Density of advice services identified in each London borough, 2019**



*Source: Membership lists from each network/funder and survey responses, base 399.*

- 3.59 As one might expect, providers are most heavily present in the central London boroughs, with offices in the west and central southern boroughs more common than in the east. Tower Hamlets had the most identified services (33), followed by Islington (32), and Camden and Brent (both 26). Of course, being located in a borough does not mean a service only supports that borough's residents, or even that that service meets a need in that borough. However, the absence of any services would mean local need is not being met, and few services were identified in Waltham Forest (2), Havering (3), Bexley (4), Bromley (4) or Redbridge (5).
- 3.60 The need and demand section of this report highlighted that, although population patterns that would create a demand for advice were present throughout London, the populations of Brent, Enfield (especially the eastern part), Haringey, Newham and Barking were likely to have a high demand for advice. The availability of local services was relatively high in Newham (14) and Brent (26), whereas local provision appeared to be lacking in Enfield (7) and Barking (6).
- 3.61 The specific locations of advice providers in London by registered office are presented in Figure 11, by source.

**Figure 11: Specific locations of advice providers in London, by registered office**



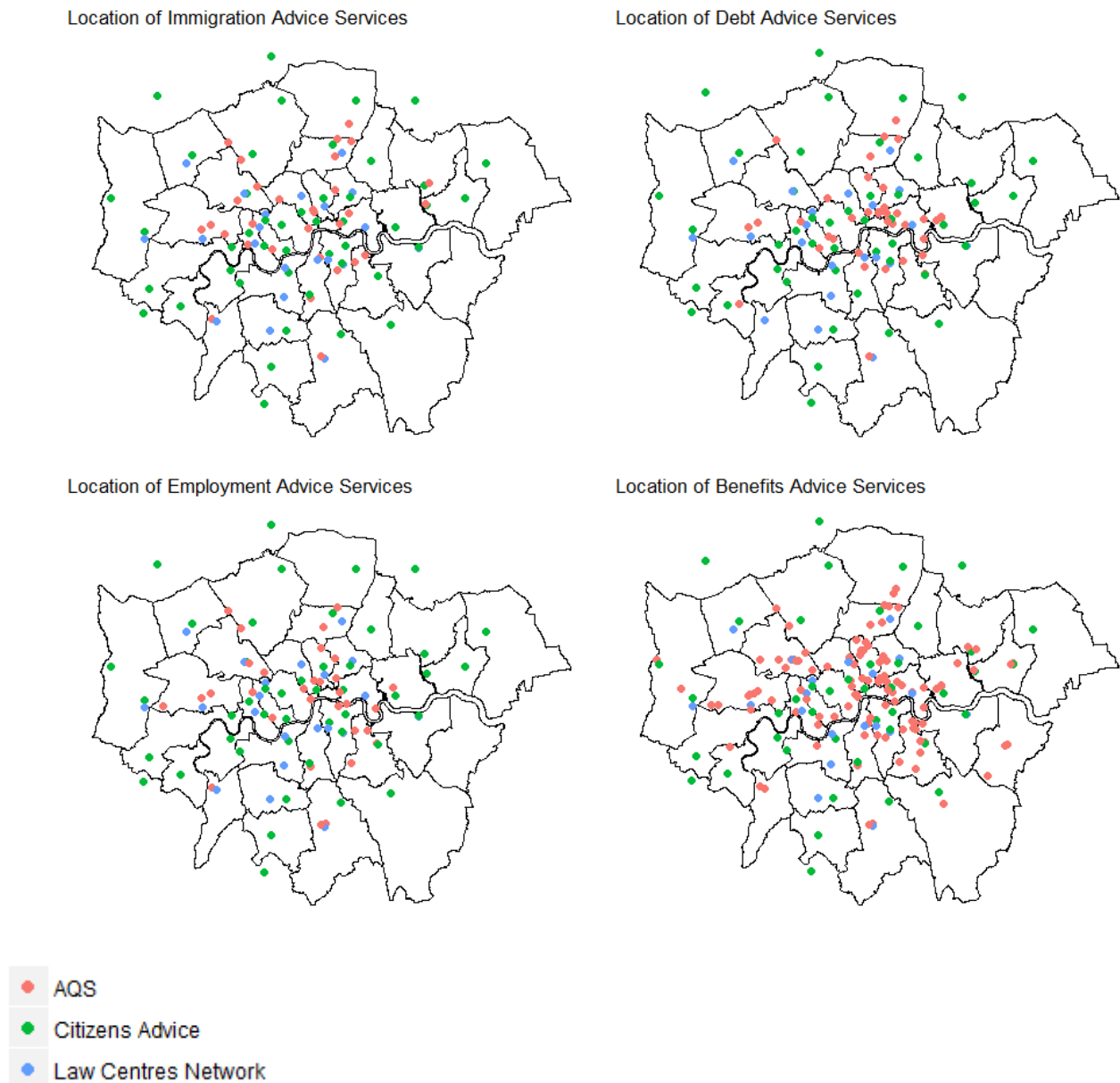
*Source: Membership lists from each network/funder and survey responses, base 399.*

- 3.62 The location map again shows that inner, west and south London have a greater number of advice services, which suggests better accessibility than the outer boroughs, particularly those in the east. Some boroughs have less services than others: Enfield, Waltham Forest, Ilford, Barking and Havering all have fewer local services than other boroughs. The concern is that, with population shifts towards outer London boroughs, people with needs will find it more difficult to identify local services to help them.
- 3.63 The borough level analysis disguises local discrepancies that can only be understood through local knowledge. For example, in Enfield the eastern side of the borough has a population profile that indicates a greater demand for services compared to the western side. Through interviews with organisations in the area, it became clear that a main arterial road divides the two sides of the borough. Whilst there is greater provision of services in the east where the need is, access to services for people in the west is more challenging.
- 3.64 This analysis is only for organisations for which location data was provided, and it includes pan-London services that happen to be located in a particular borough. Assuming, however, that people would find access to a local service easier, there are boroughs in London where options are limited. And the greater concern is where this coincides with population changes that would increase demand on advice services.
- 3.65 Whilst funding arrangements fit within local authority boundaries, people seeking advice may not recognise these. Advice services need to be aware of the demand that may be arising outside their area in order to identify where need is not being met. The example of the

proposed Lewisham Law Centre demonstrates how such information can be effectively used to grow advice provision (see points 4.20-21 below).

3.66 Figure 12 describes the locations of high quality immigration, debt, employment and benefits advice services. High quality was defined as meaning services that are known to have met an appropriate quality standard – that is, services provided by Citizens Advice and Law Centres Network, and those that have achieved the Advice Quality Standard (AQS).

**Figure 12: Location of high quality immigration, debt, employment and benefits advice services**



Sources: AQS holder database, Citizens Advice website, Law Centres Network.

3.67 The single area of law with the largest number of services offering advice is welfare benefits, which broadly reflects the need and demand described above. Every borough has at least one service offering welfare benefits advice, but the highest concentration of these services is in

central London boroughs. There are few immigration, debt and benefits services located in Barking and Enfield where, as shown in above, the demand for such services is likely to be higher due to the demographic.

- 3.68 A 'data expedition' held on 28 June 2019 by the GLA and ASA brought together a multi-skilled group of people, including those from advice services, wider civil society, funders and data analysts, to see what they could find out about London's advice sector through a variety of open datasets available for all to use. Key findings are below.
- The size and breadth of types of advice providers diminishes as you move into outer London boroughs, despite levels of specific need varying across the capital.
  - The funding picture for advice provision across different London boroughs varies dramatically.
  - West London boroughs with high levels of international migration were shown to have a dearth of immigration advice provision.

## Section conclusion

- 3.69 The providers of advice in London come from a range of complementary and interlocking sectors. These include the voluntary social welfare legal advice sector, other voluntary organisations, pro bono and legal clinics, legal aid provision, MPs' surgeries, some statutory bodies (such as local authorities and registered social landlords) and other paid-for legal services. The total number of providers in London is difficult to estimate exactly, although over 700 separate voluntary sector organisations self-identify as advice services.
- 3.70 The shape of the sector is changing, with a shift to more general advice services and to one-off interventions, with less specialist advice and less casework services. However, as services have reported, clients' advice needs are becoming more complex so general one-off advice is less likely to meet complex needs. Likewise, as the population with high needs migrates to outer London boroughs, consideration should be given to how locality-based advice services can meet this need in different, more flexible ways.
- 3.71 Given the pressure on all advice services, the sector needs to consider whether more investment in the sharing and use of data to measure the size and capacity of advice providers in London will be beneficial. The sector should consider whether the use of large-scale datasets is a skills shortage and may wish to develop training courses to assist organisations in the use of data.
- 3.72 The difficulty of sharing raw datasets across the advice sector is well rehearsed (due to data protection issues, as well as data definitions being incompatible) and the sector should examine the potential of other AI data collection tools to help overcome this, for example through sharing of amalgamated data. This should be explored further and discussions should also include data experts, community and voluntary sector umbrella groups, funders of research activity and the academic sector.
- 3.73 The traditional model of providing advice face-to-face is breaking down, with some shift to telephone services and a strong increase in digital and online capacity, with accessibility cited as the principal reason for shifts. Whilst other models of advice-giving present opportunities to reach a larger client group, face-to-face advice services are the unique offer from the advice sector. As all services to the public shift to a digital environment, the value of the face-to-face work is likely to become more significant both for clients and for key stakeholders.



- 3.74 In times of limited resources for advice services, tough decisions are presented to services regarding the best use of their money. If face-to-face services are the most resource intensive service, these must be focused on those people with the least 'legal capability' and the fewest options for resolving their issues.
- 3.75 Client behaviour suggests that many prefer face-to-face advice over other means and as formal advice organisations close, small local community organisations have moved towards filling this gap. The sector should seek to engage with small community organisations both at the strategic level (that is, network and umbrella group level) and at the local or borough level. Skill sharing, quality assurance and referral mechanisms are likely to be important opening discussion points.

### **Case study: Social welfare advice in Enfield**

In order to illustrate the complexities, developments and challenges being faced and dealt with by London's social welfare advice sector, the research team looked at three London boroughs with different and contrasting issues and responses. Enfield is discussed here, while Brent and Hammersmith and Fulham are discussed in chapters four and five. We selected these examples following submissions of evidence by local organisations, and the team being made aware of interesting developments.

The North London borough of Enfield epitomises the problems facing outer London boroughs due to a combination of intra-London migration and cuts to public funding. Migration patterns within London have led Enfield to be described as 'the new inner city'. The borough has recently established a Poverty and Inequality Commission to examine the drivers of poverty in Enfield and identify the action (and resources) needed to tackle it. The borough had a population of 312,466 at the 2011 census. 39% of its residents were from black, Asian and minority ethnic backgrounds and most lived to the east of the main arterial road, the A10.

*"The challenges our community faces have significantly worsened in recent years. Enfield has the highest number of threatened evictions each year in England and the second highest number of families in temporary accommodation. The child poverty rate is 39.6% and we have the second highest number of children living in poverty in London. Over 32% of local jobs are low paid, meaning that work is no route out of poverty for many families. Increasing numbers of inner-city homeless families are being moved out to Enfield, increasing pressure on local services."* **Jill Harrison, CEO at Citizens Advice Enfield**

Social welfare advice is seen as a vital part of the local response to poverty and homelessness, and Enfield Borough Council funds advice provision from several pots, including the Health and Social Care Department and a small suite of corporate grants. Despite this strong commitment openly acknowledged by the voluntary sector, the core grant to Citizens Advice Enfield (CAE) has reduced by nearly 23% since 2010, to a present level of £340,000. The Council has maintained grant levels but with no cost of living increase, despite its commitment to preserve this 'vital service'.

Some local charities, such as HomeStart and Community Transport have closed altogether, and others have closed many frontline services. Enfield Disability Action, the only other Advice Quality Standard (AQS) advice provider in the borough, was on the brink of closure when it was saved by a successful joint Lottery bid with Citizens Advice Enfield. There has been no law centre in the borough for over a decade.

Enfield is struggling to cope with a 60% reduction in its own funding since 2009. All council services now must be accessed online or by telephone, a significant challenge for a borough with such a diverse population, in which around 14% of households have no adult who speaks good English. This has increased demand on the voluntary sector.

Citizens Advice Enfield reported that: *“There is a particular dearth of debt advice services in the borough. Money Advice Service estimates that unmet demand as a percentage of supply in Enfield is 73%, rising to 145% for face to face advice. We are the only FCA regulated not for profit money advice provider based in the borough and we currently have 1.3 FTE money advisers for a population of over 332,000 people. Trust funding for even this limited service is only secure until February 2020. London-wide services such as the Capitalise debt project tend to concentrate on inner London – with Enfield getting just one day a week money advice here in Enfield from this ‘pan-London’ project.”*

Enfield Voluntary Action (EVA) reported that many smaller community agencies (for the Turkish community, for example), have lost funding for advice services. EVA thinks community groups are still providing social welfare advice but without funding, which raises concerns regarding quality of advice.

Enfield Disability Action (EDA) is a user-led deaf and disabled people’s organisation (DDPO) and used to receive Health and Social Care funding to provide information and advice, but lost the contract in 2018. The loss of council funding nearly saw the complete collapse of EDA’s advice service, but support from the National Lottery Community Fund and Trust for London saved it. However, EDA’s service has reduced and it can now only deal with 3,500 enquiries a year, compared to 5,000 previously. As a trusted local DDPO, EDA provides a dedicated, understanding and accessible service that many other local services are not equipped to provide.

EDA’s advice service deals mainly with welfare benefits and housing issues. The migration for disabled people from Disability Living Allowance (DLA) to Personal Independence Payments (PIP), the roll-out of Universal Credit and the shift of most services and applications to online format is currently causing lots of difficulties, not only for service users but also for advice providers. Trust for London funding has enabled EDA to provide representation at appeal hearings, which is a real lifeline as there’s a shortage of advice provision at that level. EDA has built links with two firms of solicitors that are willing to give pro bono advice too. However, sustaining an essential advice service for disabled people in Enfield is a huge challenge. Policy changes mean new training needs for staff and volunteers and there’s little by way of infrastructure support for DDPOs.

Enfield Connections (EC) won a contract with the council from April 2018 to provide a single point of contact for people in the borough needing information about health and social care. The service is part of Enfield Council’s transformation agenda, which aims to deliver preventative services. Tola Kolawole, Head of Wellbeing at EC, told us that the agency provides a telephone information service which signposts and refers callers to other local organisations and services. It does not provide social welfare advice itself.

To meet the advice needs of callers, EC has commissioned Age UK Enfield, CAE and the local Homeless Resource Centre (HRC). People may self-refer for welfare advice directly to Age UK and a weekly drop-in session run by HRC, or they may be signposted by EC. Age UK is commissioned to provide end of life advice only, with capacity for one-to-one work with just 11 people per year. EC is also able to book appointments directly for people to see an adviser for help with benefits, having access the CAE’s appointments calendar.

Gary Jones, Interim CEO at Age UK Enfield, told researchers that its advice service is under-resourced following funding cuts: it too lost funding when Enfield Connections won the Health and Social Care contract. It now has just a 0.6 full-time equivalent adviser and six volunteers, and operates from rooms at the back of a library. Age UK is subsidising the service to keep it going. It has put restrictions on the service opening hours and what work it can do. As a result, Gary is concerned that frail or disabled older people's advice needs are not being met well. Age UK can't do home visits with existing resources to assist people with, for example, disability and sickness benefit claims.

Age UK Enfield's strengths lie in its holistic view of older people: it can link benefits advice with social care, health and housing issues, but it can't cope with demand. Information and Advice Manager Denise Perkins told the research team that despite funding for advice falling from £60,000 per year to just £10,000, demand is still there. Age UK deals with mainly benefit and housing enquiries. It has to refer clients to CAE for the many mandatory reconsiderations and appeals that are needed and for debt advice, and CAE has provided Age UK with access to its appointments calendar. Denise is concerned that many older people are digitally excluded: Age UK clients often don't have a computer, IT skills or an email address with which to make applications.

The local Citizens Advice service deals with around 6,000 clients each year, via drop-in, appointments, outreach, telephone and email. The service has:

- an HIV/AIDS and TB outreach project at North Middlesex Hospital
- an emergency service twice a week at the foodbank
- an over-50s drop-in
- an EU advice service at a local library, and
- outreach to children's centres.

In the last year, 62% of enquiries were about welfare benefits, Universal Credit and debt, and a further 13% related to poor housing or homelessness. Despite the challenging situation, the results secured by the services that are provided demonstrate their worth as the service helped local people to access £930,000 in previously unclaimed benefits and manage about £3 million of debt.

But the aforementioned council funding cuts have forced CAE to reduce its drop-in advice sessions from four to three days per week, cease Saturday services and reduce telephone advice from five to two days. The end of funded projects has also seen the closure of both a longstanding money advice service on a local estate and a drop-in service for the Roma community.

At the same time, other local services have reduced and moved online. The welfare system has become harsher and more difficult to navigate, the housing crisis is trapping local people in poverty, the demand for welfare advice is increasing and clients are becoming angrier and more frustrated. As Citizens Advice Enfield's CEO, Jill Harrison, told the research team:

*"Every day our supervisors have to send away 10 or 20 families as we are full to bursting point and most days, they are surrounded by a hostile mob on the doorstep shouting at them and demanding help that we can't offer. I am really worried for the welfare of our supervisors and wonder how long they can go on working under such pressure. In the last month we have had to call the police three times to our premises to remove clients who were threatening our staff because we simply couldn't get them re-housed, or they had to wait outside in the cold or rain for*

*hours because we only have 15 seats in our waiting room. The wait to see an adviser is currently about 2-3 hours and much of that will be spent standing outside, even if you are elderly or sick or pregnant. This is simply not acceptable in a supposedly rich city.”*

CAE is finding it more difficult now to recruit and train new volunteers as it loses experienced, paid staff and the volunteer role becomes more daunting. Age UK Enfield also noted the stress that staff and volunteers are now under having to provide advice with fewer resources and having fewer, if any, options to offer people who turn to them for help.

### **What would help social welfare advice in Enfield?**

As ever, funding is the major issue. But without a reworking of the funding formula for local authorities – and a formula that takes account of homelessness and the relocation of Londoners in outer London boroughs – and without a duty on local councils to fund social welfare advice, local agencies and the borough itself fear that the funding situation will only get worse. CAE is also dubious about pan-London advice services, which they believe often fail to serve outer London boroughs sufficiently.

Enfield Voluntary Action believes that action to enable advice providers to access free or low-cost premises could help. But community groups still need to be funded to provide the advice needed by local people, and equipped with adequate resources to provide accredited training for staff and volunteers. CAE has set up charity shops to help raise unrestricted income to sustain social welfare advice. They are successful, but still only provide a fraction of what is needed.

Enfield Disability Action would like to see better infrastructure and networking support for DDPOs at a London and national level, including second-tier specialist advice support.

The council is clear that critical conversations are needed with the GLA, London Councils and the Government regarding funding formulas and distributions to outer London boroughs. It is also vital that the GLA takes a lead on showing how advice fits into wider agendas, including policing London and how it could be more preventative.

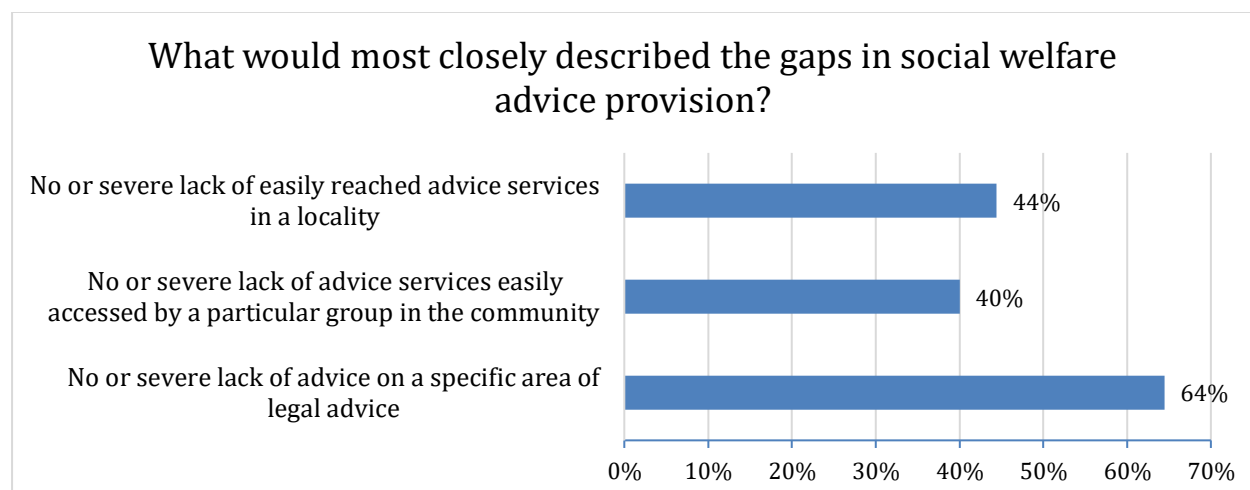
Aside from action to ensure the financial viability of advice services for outer London, the other big ask from Enfield is that the welfare system is made more generous and its repeated failings are addressed.

## 4. Where are the gaps in provision?

*“In general, there is a shortage of services which address the root causes of advice issues as well as the consequences e.g. lack of financial capability, emotional challenges linked to finances (particularly in the case of debt) and so we believe it would be beneficial to have more services along the lines of Getting on with Money which have more time to spend with clients, enabling them to get to know their advisor and come up with a plan to ensure their finances are in control in the longer term. This could be combined with group financial capability training sessions to cover more knowledge and skills-based areas with the one-to-one element complementing this.” Stakeholder comment*

- 4.1 The cuts in legal aid, the lack of services in some localities and the loss of expertise in particular areas of law have all contributed to the narrative on ‘gaps’ in the provision of advice services. In the survey of advice providers and stakeholders for this report, 75% of 84 respondents felt that gaps or shortages in social welfare advice existed in their local authority area, whilst only 15% felt there were no shortages and 10% did not know.

**Figure 13: Gaps in provision identified in the survey of advice providers and stakeholders**



Source: Advice Services Alliance (2019). Online survey of advice providers.

- 4.2 Analysis of the responses from the 10% who reported ‘other’ gaps or shortages showed these referred to difficulties in accessing advice offered, shortages for particular communities or client groups, or lack of specialist services – housing advice in particular.

### Areas of law and specialist legal expertise

*“All these issues are impacting residents in the boroughs we work in, particularly in Newham where there is no local authority funding for legal advice for residents. The biggest gaps we see are 1) specialist welfare benefits advice and casework to help people with welfare benefit appeals 2) good quality and regulated immigration advice is not easily accessible 3) employment advice 4) education advice (especially on exclusions).” Survey respondent*

- 4.3 Respondents reported that the shortages were most acute where professional legal advice and representation was required, and that the areas most affected were advice in immigration law, welfare benefits and housing. This finding was supported by interviews with stakeholders.

- 4.4 Legal aid for some housing matters (such as eviction) is still within scope, but this is limited to the very poorest. However, the distribution of contracts for legal aid in this area has been patchy. The Law Society’s work to examine shortages of legal aid advice for housing revealed shortages in supply in some outer London boroughs.<sup>55</sup> The shortage of housing legal aid has most frequently been associated with the ‘advice deserts’ scenario.

*“Because of the lack of legal aid, it is getting increasingly difficult to get specialist help our clients need, especially for housing cases, both disrepair and pending eviction”. Survey respondent*

- 4.5 Closures of agencies providing specialist legal advice have not helped. Six law centres have closed since 2010 in Bromley, Thamesmead, Greenwich, Barnet, Central London and (in July 2019) Lambeth – and just one has opened, in Ealing. Southwark Law Centre has secured funding to extend its services (immigration advice) into Lewisham, where no law centre currently exists. Generalist advice agencies can often help with initial advice but may need to refer clients to other agencies when more complex advice is needed, up to and including representation at court or a tribunal.

### **Geographical areas**

- 4.6 As mentioned in the previous chapter, there are gaps in provision for particular localities, with outer London boroughs most likely to have poor levels of access to advice, as the mapping above (figures 10, 11 and 12) illustrates. Geography plays an important part in understanding how people access advice centres, as services that are visible and easy to visit will naturally attract clients who may feel more comfortable with a service in an area they know. This extends to telephone services as well as face-to-face appointments.
- 4.7 Outer London boroughs are generally geographically larger, with widely distributed services and less transport connectivity compared to central London. Advice centres therefore may be less visible, more difficult to visit or simply unknown to people in other parts of the borough. Some centres provide outreach services that can help with targeting people who live in areas that are ‘remote’ from public transport links.
- 4.8 The Enfield case study shows both the issues for an outer London borough and the impact of local geographical features. Enfield is divided by a major arterial road going north to south, with a stark difference between the west of the borough (leafy, more prosperous) and the east of the borough (less wealthy and more deprived). Whilst most advice services are located where the need is highest, local people report the road acting as physical and psychological barrier to seeking advice.

### **Gaps that are specific to client groups**

- 4.9 The research noted that some services aimed at particular client groups, often working across parts of London, have been hit particularly hard by the cuts. This includes services aimed at young people, black, Asian and minority ethnic (BAME) communities and disabled Londoners. The reason given by stakeholders identifying this problem was that, as budgets become tight, local authorities are moving to funding more generic services and hence cutting the provision of advice services that cater specifically for the needs of particular groups. Since such organisations are likely to be less well funded anyway, a small cut can radically reduce services.

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<sup>55</sup> The Law Society (2020). *End legal aid deserts*. [Online]. Available at: <https://www.lawsociety.org.uk/policy-campaigns/campaigns/access-to-justice/end-legal-aid-deserts>

## Young Londoners

- 4.10 Young Londoners (aged 16-25) are poorly served by social welfare advice services, with only a handful operating solely for their benefit. They have also been hit by cuts to youth services, which previously provided points of access to advice. As a result, young Londoners can find it very hard to access local advice services that specifically cater for their needs.
- 4.11 There are several national helplines and websites for young people that can assist with social welfare matters, such as The Mix,<sup>56</sup> but their services tend to provide information and signposting rather than in-depth advice and casework. Just for Kids Law<sup>57</sup> will assist with immigration matters in Redbridge, Barking and Dagenham, Waltham Forest and Newham, and take referrals from other boroughs. Youth Legal<sup>58</sup> will assist with housing and homelessness matters. However, dedicated social welfare advice agencies for young people are few and far between and the evidence is that young people often lack legal capability and do not access advice when they need it.
- 4.12 Youth Access,<sup>59</sup> is a UK body that champions young people's right to access local, high quality, evidence-informed advice, counselling and support services. In 2018, it conducted research into young people's access to legal advice, using data on 18 to 24-year-olds from the England and Wales Legal Problem Resolution Survey (LPRS).<sup>60</sup> This found that:
- Young people aged 18 to 24 in England and Wales experience five million legal problems each year. Half of these problems are experienced by young people who are eligible for legal aid on financial grounds.
  - 84% of young people eligible for legal aid are left to resolve their problems without any help from a professional adviser or lawyer. Only one young person aged between 18 and 24 in the whole LPRS survey sample of 1,073 was found to have obtained advice funded by legal aid.
  - Young people account for a disproportionate amount of all the legal problems that have fallen out of scope of legal aid. Only 16% of young people's legal problems remained in scope after changes were introduced following the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO).
  - The impact of the civil legal aid cuts is greatest on vulnerable groups of young people. Nearly half (48%) of young people's problems that fell from scope were reported by those with mental health problems who were eligible for legal aid on financial grounds.
  - Young people who are eligible for legal aid generally have exceptionally low levels of legal capability and rarely obtain professional advice. Fewer than 3% found their way to a lawyer. Whilst about 20% used formal advice services, 42% either self-helped or obtained no support whatsoever. The remainder used informal networks of friends and relations.
- 4.13 Harrow Law Centre told the research team that in recognition of this particular problem, they secured funding for a young person's lawyer and are actively working with local schools to raise awareness of their services among young people, teachers, parents and carers. John Lyon's Charity initially funded a full-time service for under 25s, but that funding has expired.

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<sup>56</sup> See: <https://www.themix.org.uk>

<sup>57</sup> See: <http://justforkidslaw.org>

<sup>58</sup> See: <https://youthlegal.org.uk>

<sup>59</sup> See: <http://www.youthaccess.org.uk>

<sup>60</sup> Youth Access (2018). *A travesty of justice? Young people's access to legal aid*. [Online]. Available at: <https://www.youthaccess.org.uk/downloads/a-travesty-of-justice-yp-access-to-legal-aid.pdf>

The current adviser, funded by Children in Need, is available three days a week for under-18s only. The adviser deals mainly with benefits and housing matters.

- 4.14 As part of this research, we held a focus group on the social welfare advice needs of young Londoners and how to build their capability and resilience for the future. Given the demographics in London, young people are so strategically important yet there is a shortage of dedicated provision. Youth Access, an umbrella group for youth information and advice services, has proposed developing a ‘Youth Hub’ in each borough to create an attractive advice offer for young people. This is a clear demonstration of services being designed to meet the legal capacity needs of Londoners, with services that are responsive to client groups’ behaviour.

### **Black, Asian and minority ethnic communities**

- 4.15 Anecdotal evidence from stakeholders is that the number of advice agencies dedicated to meeting the needs of black, Asian and minority ethnic (BAME) communities has reduced drastically. The trend in recent years has been for general community advice services to be funded, while community-specific agencies to lose out. As a result, it can be hard for London’s BAME communities to find advice services that meet their specific language and cultural needs.

*“We are the only advice provision for the 20,000 London Armenians who have arrived in the UK over the past 30/40 years. We help them from arrival to settlement, improving prospects of social mobility. We are trusted, led by them as a membership organisation, reacting to their changing needs/circumstances more flexibly than others. We are however not appreciated or recognised by the statutory funders who prefer to fund more generic services.”*  
Survey respondent

- 4.16 The Black and Minority Ethnic Advice Network (BAN),<sup>61</sup> facilitated by AdviceUK, was funded by London Councils from 2008 to 2013, when funding was cut. Of the 40 agencies involved in the network, just ten are still active advice providers. An independent West London-based BAN was set up in 2013, but has not managed to continue meeting on a regular basis due to a lack of funding. The lead contact for the West London BAN, at the Centre for Armenian Information and Advice in Ealing, shared a report published in October 2014 on the experience of Afghan, Algerian, Burmese, Sri Lankan, Romanian and Bulgarian communities. It highlighted particular gaps in housing and employment advice provision and concluded:

- *“All six communities use the Citizens Advice Bureau (CAB) as a key point of contact for advice but feel it is oversubscribed and difficult to access. There is no substantial longer-term one-to-one support for these communities and advice is often sought once they reach crisis point. Advice organisations in Hounslow and West London feel that the CAB has a monopoly on advice commissioning but many are ill equipped and lack experience to handle the ‘complex’ tenders for advice commissions. Other voluntary and community organisations also feel that the Council funding processes are too difficult and have resulted in lost opportunities for funding and subsequent closure of organisations; this will potentially prevent new organisations from forming.”<sup>62</sup>*

<sup>61</sup> See: <https://www.bmeadvicenetwork.org.uk>

<sup>62</sup> Social Policy Research Centre (SPRC) at Middlesex University (2014). *Emerging Communities In Hounslow And West London: Mapping And Needs Assessment*. [Online]. Available at: <http://sprc.info/wp-content/uploads/2015/01/Hounslow-Emerging-Communities-final-report.pdf>



## Disabled Londoners

- 4.17 For people with disabilities in London, access to advice is complex. This reflects the range of health and wellbeing problems people experience, as well as the extent to which different types of services may enable or exclude people on the grounds of disability. For example, the provision for profoundly deaf people (where their first language is British Sign Language and written English presents comprehension problems) is very poor. Conversely, people with mobility problems who have previously found physical access to advice centres challenging have benefited from the move to telephone and online help. Disability Rights staff report that many people with disabilities use social media sites such as Facebook as a means of mutual self-support and advice.
- 4.18 Disability remains a key factor in the life experience of Londoners, and people with disabilities are more likely to rely on benefits or have a low income. The austerity-driven changes to the welfare benefits system have seen disabled people disproportionately impacted, as highlighted in the recent United Nations report on poverty in the UK.<sup>63</sup> The introduction of rigid health assessments for benefits such as Personal Independent Payments have resulted in disabled people having their benefits cut, especially those with variable but enduring conditions, and those with mental health problems.
- 4.19 A 2019 Greater London Authority (GLA) impact assessment shows how cuts as a result of austerity policies have affected people with disabilities in multiple ways. These include having fewer public services designed for their needs, less income through the benefit system and more challenging administration systems through which to access their rights.<sup>64</sup> The Equality and Human Rights Commission's 'cumulative assessment' report on the changes in policies between 2010 and 2018 concludes that the reforms have had a "disproportionately negative impact" on several protected groups, including disabled people.<sup>65</sup>
- 4.20 Given the accumulative impact on disabled people of the recent changes, it is imperative that Londoners with disabilities should access the right advice to ensure they receive all their entitlements. There are some important organisations working in this area, such as Disability Rights, Inclusion London and Mind, as well as core advice providers.

## Responding to gaps and shortages

- 4.21 To date, there has been little strategic thinking regarding the gaps and shortages in advice provision. As a result, responses – whilst greatly welcome – have been rather ad hoc, piecemeal and localised: based on the initiative of groups representing parts of London's community, agencies and funders. At the local level, agencies and community groups work hard to demonstrate shortages and gaps and make the case for filling them. Where organisations close, other services try to step in to pick up the existing clients and to look for funding to cover the gaps.
- 4.22 The network of London advice funders is aware of this issue and funders have themselves been working together to look at funding programmes that address the identified need, or

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<sup>63</sup> Alston, P. (2018). *Statement on Visit to the United Kingdom, by Professor Philip Alston, United Nations Special Rapporteur on extreme poverty and human rights*. [Online]. London: United Nations. Available at: [https://www.ohchr.org/documents/issues/poverty/eom\\_gb\\_16nov2018.pdf](https://www.ohchr.org/documents/issues/poverty/eom_gb_16nov2018.pdf)

<sup>64</sup> Greater London Authority (2019). *Cumulative Impact Assessment of Welfare Reform in London*. [Online]. Available at: <https://data.london.gov.uk/dataset/welfare-reform-2019>

<sup>65</sup> *Equality and Human Rights Commission (2018). The cumulative impact on living standards of public spending changes – Executive summary*. [Online]. Available at: <https://www.equalityhumanrights.com/sites/default/files/cumulative-impact-on-living-standards-of-public-spending-changes-summary.pdf>

create new programmes in response to need that agencies and groups have brought to their attention. However, during the course of this research two major advice services closed suddenly and unexpectedly in the South London area.

4.23 In 2018, law firm Hogan Lovells and Southwark Law Centre developed an interesting and successful approach to tackling gaps in provision, which highlights the importance of having good data to make a case.<sup>66</sup> This work aimed to address gaps identified by agencies and advice workers in Lewisham who felt that there was a lack of affordable legal advice for people in the borough. There is no law centre in Lewisham, so Southwark Law Centre was receiving referrals from the borough. A small team from Hogan Lovells, working on a pro bono basis, built on earlier work they had done with LawWorks to examine legal need hitting MPs' surgeries. Their analysis confirmed unmet needs:

- *“Our observations of MPs’ surgeries suggest there is a particular need in Lewisham for legal advice in the areas of asylum and immigration and housing, particularly rented accommodation. Our analysis of existing publicly available data supports these conclusions. A number of socioeconomic features of the Lewisham population indicate a high demand for access to legal advice within the borough. The factors that suggest this in particular are the high proportions of young people, of people from black or ethnic minority backgrounds, of single parent households and of people living in rented accommodation.”*

4.24 The evidence given in the research leveraged funding from Lewisham Council, Trust for London and London Legal Support Trust. An advisory group was established with other advice agencies in the borough, and Southwark Law Centre now offers housing and immigration advice services in Lewisham, based at the local Citizens Advice service. There is also a longer-term plan to establish a law centre for Lewisham.

*“We have been fortunate that Trust for London has designed a new funding programme for Deaf and Disabled People’s Organisations [DDPOs] and invested funding in advice, with a contribution from City Bridge Trust and support from Inclusion London. This recognises that advice is a core service for our types of organisations, that Disabled people generally prefer to receive their advice from DDPOs which can offer a more accessible, knowledgeable and holistic service alongside other services such as advocacy, independent living support and disability hate crime casework.”* Survey respondent

*“We have worked hard to secure additional funding to meet the gap but it is a full time job ensuring we have a rolling programme of grant applications to cover the work we want to do. We apply for funding for work we have identified as needed rather than tailoring our work according to available funds. We have for example secured funding for welfare benefits representation, for advising young people and assisting EU nationals with the implications of Brexit. We have most recently secured funding to employ a Victims of Crime worker. The need for this was identified by our clients’ experiences of hate crime, domestic violence and victims of trafficking.”* Survey respondent

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<sup>66</sup> Hogan Lovells and Southwark Law Centre (2018). *Unmet Legal Need in Lewisham: An analysis of residents’ access to timely and affordable legal advice*. [Online]. Available at: <https://www.hoganlovells.com/~media/hogan-lovells/pdf/news/2018/the-unmet-legal-need-in-lewisham.pdf?la=en>

## The changing face of social welfare advice provision in London

### Changing capacity

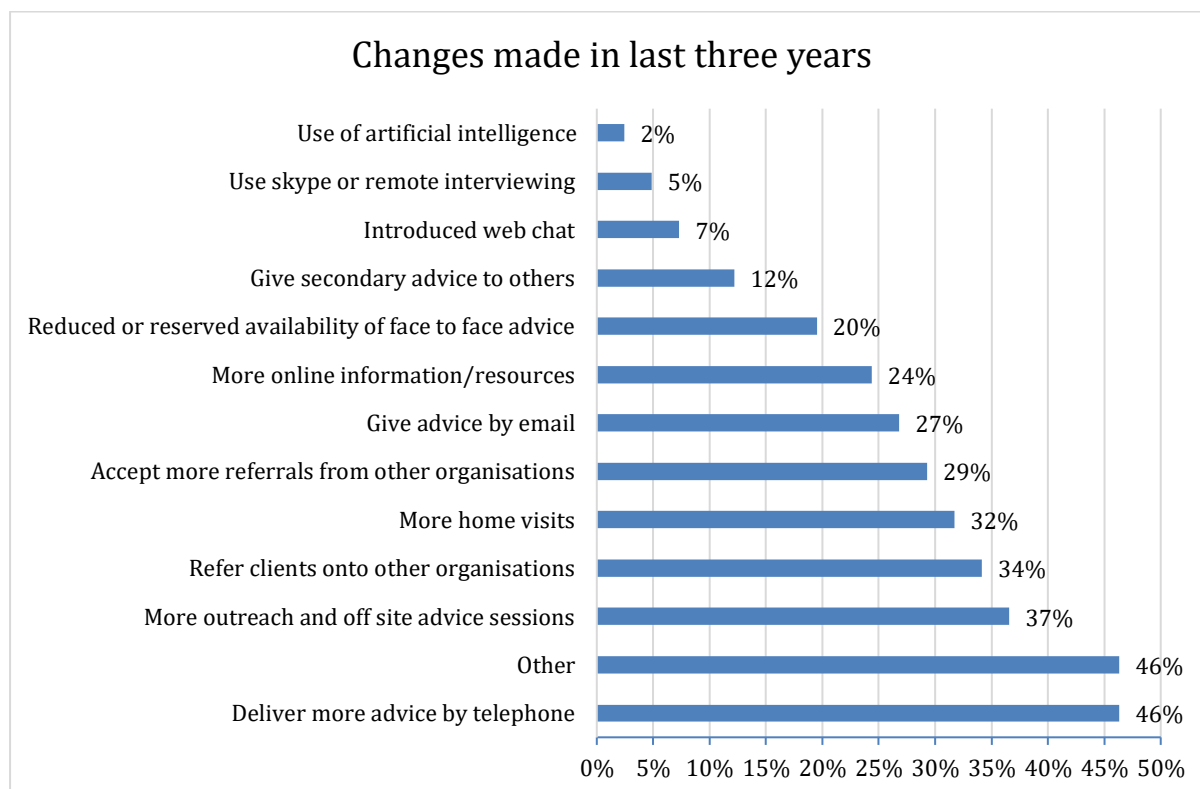
4.25 The pattern of provision and capacity of advice providers has changed significantly over the past six years, in particular as a result of a downturn in public funding for such agencies, such as the aforementioned legal aid cuts, implemented in 2013. The research team only has evidence of changing capacity from stakeholder interviews and the survey, as there is no comparative data on the number of advice providers and each provider's capacity. However, there is considerable anecdotal and hard evidence that advice services are feeling squeezed between increased and changing demand and, in many but not all cases, lower funding and hence reduced capacity.

### Changing delivery models and channels

4.26 While the importance of face-to-face advice is widely accepted by the advice sector, using telephone services as the first step in accessing advice is becoming more and more common. Webchat delivery is also growing, but the general view is that it reaches clients who may not be in the greatest need. Face-to-face advice tends to be reserved in many agencies for people who have difficulty with telephone and online access. Access issues caused by reducing drop-in advice availability are offset by outreach in other settings and co-location with other services.

4.27 59% of advice providers surveyed for this research said they had changed delivery model in the last three years. Figure 14 shows how things have changed. Nearly half of respondents are now doing more advice by telephone, and online, email and remote services are certainly growing.

**Figure 14: Changes in delivery models and channels as reported by advice providers**



Source: Advice Services Alliance (2019). Online survey of advice providers.

4.28 Other changes identified by respondents include:

- reduced services, with less telephone and face-to-face service capacity, moving to appointments and telephone booking
- the introduction of training for other services
- increased use of volunteers
- greater use of factsheets for self-help, and
- more fee-paying clients.

*“We’ve experimented with different systems through our face to face services to help more people, by moving more of our expert advisers upfront to first point of contact, rather than working through triage with trainee volunteers as this can slow things down.” Survey respondent*

4.29 43% of survey respondents were planning changes, one third were unsure and only 24% were not expecting changes.

*“We are constantly looking at ways to meet the demand for advice and welcome technology that helps meet demand. We do find that local residents with multiple and complex needs require and request ongoing face to face support to help deal with complex, multiple and often interrelated problems.” Survey respondent*

4.30 The changes being planned are consistent with trends over the last three years:

- a shift in channels from face-to-face drop-in to telephone and web-based services (including webchat and chat bots)
- greater use of volunteers to deliver services, and
- more outreach advice provision.

4.31 Respondent agencies were also expecting to make more use of pro bono services. There is a growing interest in how technology can help to deliver advice, but acknowledgement that many social welfare advice service clients are digitally excluded.

*“[Changing our service] requires additional resources as well as support for the digitally excluded people we seek to help, who also have language problems including lack of writing skills, confidence to deal directly with those in charge, poor life skills/choices, etc.” Survey respondent*

## Health partnerships

4.32 The provision of social welfare advice in health settings has been an area of growth for many providers in London recently. It is closely linked to ‘social prescribing’, backed by a growing collection of evidence of its effectiveness. Two key examples of such evidence are:

- *The Role of Advice Services in Health Outcomes* by Advice Services Alliance and The Low Commission, 2015.<sup>67</sup>

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<sup>67</sup> Advice Services Alliance and The Low Commission (2015). *The Role of Advice Services in Health Outcomes*. [Online]. Available at: <https://asauk.org.uk/wp-content/uploads/2018/02/Role-of-Advice-Services-in-Health-Outcomes.pdf>

- *The Health Justice Landscape in England & Wales* by UCL Centre for Access to Justice and The Legal Education Foundation, 2018.<sup>68</sup>

4.33 The latter states:

- *“There is a strong case for integrating and embedding social welfare legal services in the health sphere, providing these services where people most need them and at the earliest opportunity.”*

4.34 Social prescribing, which is a current growth area within the health service, allows health professionals to refer patients to support in the community, in order to improve their health and wellbeing. The GLA’s *Health Inequalities Strategy*<sup>69</sup> includes mainstreaming social prescribing across London, and the Healthy London Partnership’s draft vision for social prescribing<sup>70</sup> states:

- *“A high proportion of the health problems that GPs see are caused, or exacerbated, by unresolved social welfare issues. Socio-legal issues such as debt, housing, welfare, employment is strongly linked to health and wellbeing (especially mental health) particularly among people who are socially excluded or have a low income.*

*What we are doing:*

*Working with the Legal Education Foundation to increase access to legal support in London, drawing on models such as the Australian health justice partnerships and the US medical legal partnership, which provide access to free legal advice in health settings.”*

4.35 “Promoting social prescribing services in areas such as employment, housing and debt advice” is one of four key work areas identified in the draft vision to strengthen social prescribing in London. The UCL’s Centre for Access to Justice responded to the Healthy London Partnerships Social Prescribing Group’s consultation in 2018 with the following:

*“There is a diverse and innovative group of services across London that provide social welfare legal advice in healthcare settings, as highlighted in our recent report ‘The Health Justice Landscape in England and Wales’. A range of advice service providers offering assistance to patients are working together with a wide range of healthcare services, including GPs, hospitals, mental health services, hospices and drug treatment centres. These social welfare problems are of high priority in addressing the underlying causes of ill-health, yet only a small proportion of these advice services are currently part of local social prescribing schemes (15% of those surveyed nationally). Until now, the links between social welfare advice and healthcare services have remained largely informal and often transient, driven by local enthusiasm and an ambition to meet the needs of vulnerable patients. Incorporating this approach into an area-wide strategy will help to consolidate the provision of this kind of integrated service.”*

4.36 The GLA published *Next Steps for Social Prescribing in London* in late September 2019, identifying social welfare advice as a key ‘social prescription’. To inform a strategy for ensuring

<sup>68</sup> Beardon, S. and Genn, H. (2018). *The Health Justice Landscape in England & Wales*. UCL Centre for Access to Justice and The Legal Education Foundation. [Online]. Available at: [https://www.ucl.ac.uk/access-to-justice/sites/access-to-justice/files/lef030\\_mapping\\_report\\_web.pdf](https://www.ucl.ac.uk/access-to-justice/sites/access-to-justice/files/lef030_mapping_report_web.pdf)

<sup>69</sup> Mayor of London (2018). *The London Health Inequalities Strategy*. London: Greater London Authority. [Online]. Available at: [https://www.london.gov.uk/sites/default/files/health\\_strategy\\_2018\\_low\\_res\\_fa1.pdf](https://www.london.gov.uk/sites/default/files/health_strategy_2018_low_res_fa1.pdf)

<sup>70</sup> Healthy London Partnership and Mayor of London (2018). *Social prescribing: our vision for London 2018-2028, Improving lives, improving health*. [Online]. Available at: <https://www.healthylondon.org/wp-content/uploads/2018/12/2018-03-2018-Social-prescribing-Our-vision-for-London-2018-2028-v0.01.pdf>

that social welfare advice is truly available and integrated with social prescribing, the GLA has commissioned a further report on social welfare advice and health settings. The report is being written by the Bromley by Bow Centre (BBBC) and jointly funded with The Legal Education Foundation. The objectives for this piece of work are as follows:

- To support the increased availability of social welfare legal advice, particularly in healthcare settings, allied to social prescribing schemes and their expansion in London.
- To provide a practical roadmap for further development in this field to ensure that the Mayor's ambitions can be realised.
- To highlight best current identified practice, and recommend the practical steps that can be taken and the support mechanisms needed to bring this about.

- 4.37 The BBBC research will evaluate models for social welfare advice delivery and integration with health and clinical pathways, including technological solutions and locations. It will also review how social welfare advice relates to social prescribing. This piece of work is therefore vital for the future path of social welfare advice in health settings in London.
- 4.38 An important issue for advice services is how to engage with the different parts of the health service in order to ensure that the pathways to advice are straightforward for clients and supported for advice organisations. For example, the ASA research on the health outcomes of advice illustrated examples of where established advice services in GP practices had to move because either their accommodation was allocated to a health provider, or the NHS Property Services wanted a market rent for the workspace. The health service is a vast organisation and understanding which parts need to be engaged with in order to provide a stable and reliable service is difficult for outside organisations without an internal champion.
- 4.39 Consideration also needs to be given to how funding flows around social prescribing, as the scale and economies of small advice organisations will be insignificant in relation to other health providers, but without prompt payments services will be unsustainable. 'Spot purchasing' for services can be highly volatile in terms of funding and cannot replace the stability and confidence of core funding.
- 4.40 The nature of referrals to advice services also needs consideration, as well as the role the health practitioner may play in 'triaging' an advice client. There are many established examples from London and beyond that can help inform these considerations.

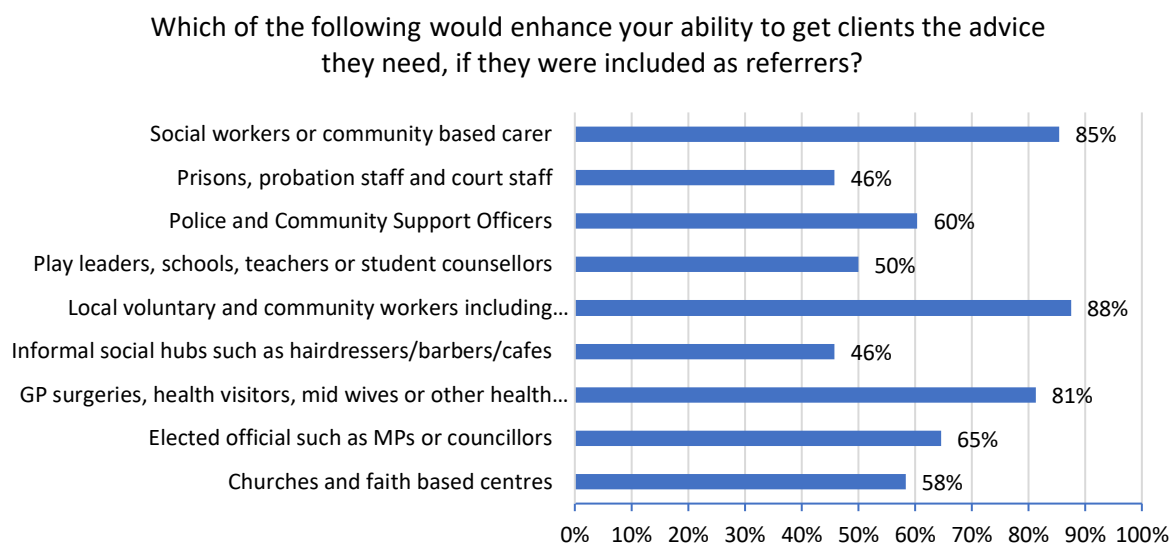
### **Work in and with communities, and with intermediaries**

*"As part of the Money Advice Service's What Works programme, we worked with Community Links to train frontline non-advice professionals to engage their clients around money. This was found to be a beneficial approach to build financial resilience and encourage clients to access advice where needed. We would like to see more of this kind of approach as often the first person someone discloses financial issues to can be key in ensuring the right messages get out about seeking advice early and addressing the situation." Stakeholder comment*

- 4.41 Social welfare advice agencies that the research team heard from are tending to take their service to the community much more. Local (borough-based) initiatives to co-locate advice services in libraries, health services, public services (such as Jobcentre Plus) and community, social and faith settings are common. This is driven by a desire to improve reach, and support people who may otherwise not access social welfare advice. It is also driven by the difficulty many social welfare advice providers now have sustaining advice centres with drop-in access.

- 4.42 There are some examples of advice providers recognising the role of small community and/or faith-based organisations in the delivery of services. For example, the Brent Community Advice Network is led by the advice sector but incorporates a range of organisations, including local churches and the local MP's caseworker. This has enabled the formal advice sector to work strategically and in partnership to maximise advice delivery and reach (for further details, see the case study).
- 4.43 Advice providers are also increasingly recognising the value of supporting and training 'intermediaries' – the professionals and community-based individuals who regularly encounter people with social welfare issues. There is a growing understanding that in order to maximise the reach, impact and sustainability of social welfare advice, knowledge of rights and sources of advice and support must be distributed widely across London's communities. Our survey of advice providers asked about the value of intermediaries as referrers (see Figure 15 below).

**Figure 15: Advice providers' views on the value of intermediaries as referrers**



Source: Advice Services Alliance (2019). Online survey of advice providers.

*“We run a number of outreach sessions each week including in GP surgeries, housing associations and local authority offices, as well as working closely with social prescribing teams to improve access for vulnerable clients. We are also working with Tower Hamlets Homes on the Financial Health Centre based in Stepney Green which aims to provide a ‘one stop shop’ for advice needs with multiple agencies offering a range of services co-located on one site. This helps to improve cross-referrals between services and offers a focal point for advice to promote to clients.” Stakeholder comment*

- 4.44 Survey respondents also suggested other important links, for example: *“Also, include social hubs which cater for specific groups, e.g. LGBT+ venues and community groups. The wider the network is advertised the more accessible advice services will be and catch people at the earliest opportunity.”*

### Referrals and signposting

- 4.45 A frequent complaint made by survey respondents and stakeholders was that too many agencies (including advice agencies) are now dealing with demand by sending people

elsewhere, without checking the capacity and capability of the agency to which the client is signposted, or being able to guarantee that the client will reach this service.

*“Many agencies locally have moved to sign posting, self-help guides, chat bots or charging clients. This has exacerbated not alleviated the problem.” Survey respondent*

- 4.46 Just over a quarter (27%) of organisations responding to the survey used referrals systems that were shared with other agencies. A further 63% did not use a technical system but made referrals by other means, while 10% said they did not make referrals. Several inter-agency technological referral systems, such as Refernet<sup>71</sup> and Elemental,<sup>72</sup> are on the market and in use by networks of local agencies. Stakeholders we spoke to told us that such systems provide easy routes for referrals, but they do not guarantee a better flow between agencies. Good referral arrangements depend on understanding of capacity and capability, and trust between agencies. However, Citizens Advice Wandsworth – which introduced, with local partners, the Refernet system in 2018 – told us that the system has been a catalyst for relationship building because user agencies get together and find out about each other’s services. Link workers from the local social prescribing service are now using the system for clients needing advice.
- 4.47 Other initiatives have also been taken to ease routes to advice services for people who need them. The Jeanie Project is currently piloting the use of an online platform called Jeanie KIM to link community agencies such as food banks, advice centres and MPs’ surgeries to free advice. The system facilitates the collection of information from clients with legal problems and signposts users to local advice provision or pro bono legal advisers. The Jeanie Project was due to conclude its pilot in summer 2019 and, at the time of writing, the final report is pending.

*“We operate shared referral systems with the local authority in Hackney for advice on Council Tax issues, housing associations to support tenants and leaseholders with rent arrears and other issues and we are developing shared referral systems across a new partnership in Tower Hamlets, but this is still early stages and awaiting decisions on funding. We're aware of a range of referral systems including, within our own case recording system... [and] Legal Advice Centre in Tower Hamlets has developed a bespoke referral system which they are sharing with other local advice organisations and we're looking at testing this for our Tower Hamlets Partnership of advice agencies. Elemental is a new software platform which enables referrals and tracking client pathways through advice organisations, other support organisations and also with GPs and hospital services. We're aware of Age UK East London testing this in City of London and watching with interest to see how this works.” Survey respondent*

- 4.48 52% of survey respondents felt that a common referral system for London-based advice services could be useful, but there was a good deal of scepticism about whether a workable and affordable system could be developed.
- 4.49 Referral arrangements depend on advice providers having the capacity and capability to accept referrals and, as this report has identified, many are underfunded and there are gaps and shortages in provision. Referral arrangements tend to work where there is sufficient funding available to equip both referring and referred-to agencies to play their part effectively. Better referral arrangements are, however, often mentioned as a way of getting the right advice to a client as quickly as possible, and the efficacy of this approach warrants further investigation.

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<sup>71</sup> See: <https://www.refernet.co.uk>

<sup>72</sup> See: <https://elementalsoftware.co>



## Drivers of changing delivery

*“We target the most disadvantaged often destitute homeless and need to work with partners such as hospital services to reach this group” Survey respondent*

- 4.50 The survey results indicate that the changes London’s advice services are going through are driven by a variety of factors. However, the three primary drivers are cuts in funding levels, the need to meet increased demand and the need to improve the reach of the service.
- 4.51 It is important to note that while 75% of respondents to the survey felt that the changes they had made or were making would mean better services for clients, only 30% thought they would reduce costs. 28% neither agreed nor disagreed that the changes would save money and 30% were of the view that the changes would not reduce costs.

*“Better use of online engagement may not be cheaper as we still need experienced staff to deliver the advice and we may even need to offer this out of office hours, hence requiring more staff and current staff to be more flexible.” Survey respondent*

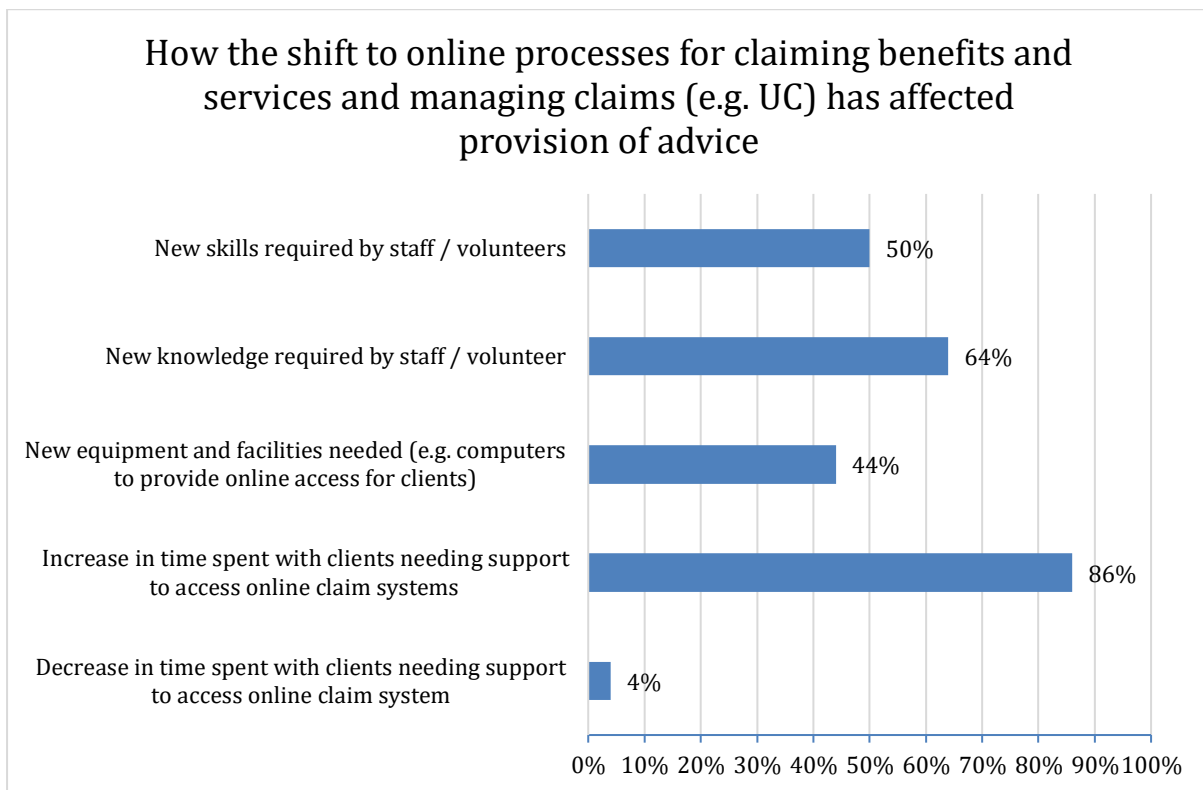
### Digital by default impacts

- 4.52 The increasing digitisation of welfare systems and application processes is requiring advice services to change how they work and deliver advice. The case study on Hammersmith and Fulham’s advice services illustrates how some agencies are responding.
- 4.53 85% of respondents to our survey told us that the shift to online processes for claiming benefits and services, including the roll-out of Universal Credit, has increased demand from clients for advice.

*“13% of our inquiries last year related to transport and travel concessions with a significant proportion relating to Blue Badge applications and renewals following the council's move to an online application platform. Approximately half of all our housing inquiries relate to the Locata online social housing register and bidding system. There are also a lot of inquiries relating to online applications for discretionary housing benefit and local housing allowance.” Survey respondent*

- 4.54 The shift has meant that many agencies are now having to spend longer with clients to support them with online systems. Their staff and volunteers also need new skills and knowledge, and new equipment (see Figure 16).

**Figure 16: Advice providers' views on how the shift to online processes for claiming benefits and services has affected the provision of advice**



Source: Advice Services Alliance (2019). Online survey of advice providers.

4.55 In order to better understand the current and potential capacity of frontline agencies and other advice services to provide online or digital assistance, the research team liaised with a colleague regarding research being carried out by the Pro Bono Panel of the Administrative Justice Council. The Court Modernisation Programme anticipates greater use of digital technology and it is important to understand the assistance available for the digitally excluded. The research is being carried out on behalf of the Administrative Justice Council and the findings from the survey will be shared with the Council and other sectors, and may be used to support policymakers in understanding the impact of digitisation for the most vulnerable in society. The results should be available in April 2020.

*“For many clients, the shift to online platforms has created a further obstacle to accessing benefits and services. There is a difficult balance in terms of what this means for advice – in an ideal world clients who are digitally excluded would access digital inclusion sessions and eventually be able to self-manage, however it is also important to act as an intermediary for those who are not yet able to access these platforms. As a result we find that many clients are reluctant to engage in digital inclusion support as they know that they will be able to get help to do things through advice agencies and others in the community as long as they are not able to do it for themselves. Many also have multiple barriers from engagement – for example low levels of English and so being able to self-manage a UC claim in English online is a jump on a number of levels and can feel hugely daunting.” Survey respondent*

*“In many cases it can be difficult to support clients with online systems – for example if they don’t know their password, while in other cases clients need a large amount of support to*

*complete initial applications, or make errors when they do so independently which take a large amount of work to rectify.” Stakeholder comment*

*“People with mental health problems need face to face practical support. Part of the reason they need our support is because they have not been able to engage with services via the platforms available, which is mostly on-line. People with moderate to severe mental health problems are not able to complete long complicated forms and we need to sit with them one to one and do it with them. There is a significant cohort of people who don’t engage in on-line platforms and do not even have smartphones. Attempts to ‘upskill’ this group of people has not proven successful and we need to acknowledge there are no quick wins for this group of people or avoiding the time and money it takes to offer a one to one, personalised service.”*  
Survey respondent

*“A high proportion of our clients who are required to claim UC (this also applies to local authority administered benefits - HB and CTS - defaulting to online, also Emergency Support Scheme) struggle to make applications and manage claims online – through lack of digital skills, no access to equipment, unsettled housing arrangements and lifestyles and reduction in roles such as housing support services which used to be more available to help with these types of money management/budgeting tasks as part of sustaining tenancies.”* Survey respondent

*“It's not only the shift to digital, it's also the fact that we have to often fight with the DWP these days to get a proper decision notice detailing exactly how a claimant's money is worked out for UC as well as having to remind them to even pay the claim on time. We are also experiencing a big increase in problems due to the change in rules regarding couples where one is a pensioner and the other of working age, carers' benefits, benefit tax and increasingly capricious decisions on PIP and ESA claims after assessment. Although we win most appeals (84%) we also notice more racial discrimination during both the assessment and appeal processes.”* Survey respondent

*“Council services now all via phone and all claims online to save money. Massive impact on us as we still offer open door service, so they come here instead of civic centre”.* Survey respondent

## Section conclusion

- 4.56 A key issue for those interested in access to advice is how services work together to ensure clients gain access to the best advice for their problem as helpfully as possible. Referral systems are often seen as a way to facilitate this, although there are several major structural issues that make this problematic, including inflexible funding requirements, the capacity of specialist provision, the effectiveness of referral systems and the preferences of clients.
- 4.57 The advice sector and other key stakeholders should give consideration to how best to link advice provision into horizontal (locality) networks and vertical (expertise) referral routes in order access ‘right in time’ advice for all clients. Such discussions have not always been easy when competitive tendering processes effectively set up different advice services as competitors and funding supportive of such initiatives could provide important leverage.

- 4.58 There are clearly gaps in advice services across London in terms of the provision of services, the accessibility of those services that do exist, and the expertise available in some areas of social welfare law. These gaps have widened with the multiple impact of austerity measures and changes in fundamental rights (such as access to legal aid and changes in benefit regimes). All such changes play out against the changing socio-demographic and economic development landscape in London. As a result, addressing these gaps needs to be considered across a number of intersecting and intercutting dimensions (locality, mode of delivery, level of advice, expertise, client profile, and so on). Given the scale and complexity of this work, it makes sense to undertake it on a pan-London basis, with a leadership role from the GLA. Examples of good practitioner intervention, such as identifying the need for a law centre in Lewisham, could be replicated by encouraging intelligent use of data.
- 4.59 Today's gaps in the advice safety net are those same small holes we failed to repair yesterday. The communities that are particularly impacted by the effects of austerity measures are those whose issues are frequently overlooked: people from BAME communities, deaf and disabled people and young Londoners. The areas of law where it is more difficult to access free legal advice today include those with a tradition of paid advice (for example, employment through trade unions and insurance) or regulated advice (for example, immigration). The apparent good coverage for welfare benefits advice disguises the fact that the majority is available at the general advice level, with far less at the casework or representation level.
- 4.60 The outer London Boroughs, which have historically funded fewer advice services than others, are now experiencing demand because lower housing costs in these areas are attracting people with lower incomes. To make better sense of the gaps, we suggest providers should consider the accessibility of advice (in all forms and by all providers) for their local population and plan to target those with the greatest need. Again, there are benefits for this work to be brought together on a pan-London basis, led by the GLA.
- 4.61 There are some important areas for potential development which should be explored in more detail. Social prescribing and the link with local authority public health services promises not only a route to clients with high needs, but also brings about benefits for health practitioners. Advice in health settings has a long history and there are some excellent examples of projects in London. Likewise, advice services linked to schools can target families with high levels of need. Funding mechanisms need to be established to ensure advice services have the resource for referrals from such routes. The GLA can play an important role in linking the advice sector with local NHS, mental health and public health providers across London, as well as sharing best practice on pan-London working, social prescribing and public health issues. The onus should be placed on health practitioners to explain why effective interventions to tackle poverty and poor housing are not routinely included in health planning.
- 4.62 The profile of people working in the advice sector suggests that a potential shortage of experienced and skilled advice workers is developing. The bulk of the most experienced staff are approaching retirement age and the reduction in the number of paid posts, particularly on the casework side, makes the sector less attractive to young people at the start of their careers. The cuts in legal aid have reduced the training opportunities for lawyers in areas of social welfare law, again leading to a shrinking pool of expertise. Looking at workforce issues for the advice service on a pan-London basis would enable consideration of all training and education opportunities, including apprenticeships and targeted legal education, building on small pilot projects.
- 4.63 Legal Expenses Insurance (LEI) is a potential route for future funding. This could be explored in more detail with the insurance industry, particularly those parts of the industry that provide

services for people on lower incomes. A lead from the GLA in exploring this route for funding would provide scale and significance to the proposal to engage the interest of the insurance industry. In developing proposals around LEI as a funding mechanism, consideration must be given to the lessons of ‘perverse incentives’ learned through the former Legal Services Commission’s funding of legal aid.

## Case study: Brent Community Advice Network

Brent Community Advice Network (BCAN)<sup>73</sup> is an initiative of the Brent Advice Partnership, which is led by Citizens Advice Brent (CAB) with Advice4Renters, Age UK Brent, Ashford Place, Brent Community Law Centre and CVS Brent. It has established the Brent Advice Matters (BAM) website<sup>74</sup> to provide information for local people on welfare benefits, employment, money, housing, health and immigration matters, and signpost people to advice providers.

The Partnership was developed with funding from the Advice Services Transition Fund<sup>75</sup> (from the National Lottery and the Cabinet Office). This programme provided funding totalling £65 million to 226 organisations in England and Wales from 2013, ending in 2017.

Central to the Partnership’s provision of generalist and specialist advice services is a commitment to work with statutory, voluntary and community agencies to increase access to digital information, advice and guidance (IAG) services. BCAN is an important part of this process.

BCAN aims to bring together all the known voluntary and community sector agencies that provide some element of IAG for Brent residents, including the smallest unfunded groups, well-established legal advice providers in the borough, and some sub-regional, regional and national agencies. It aims to share learning to increase capacity and competence, in order to provide good quality, streamlined ‘whole person’ and rounded services, based on continuous development and improvement of each member’s IAG services.

The Partnership told the research team that, from Brent Council’s perspective, it was intended to reduce the demand for advice and to avoid duplication, although advice providers felt that publicity for the service would increase demand, and there was very little duplication anyway. It was designed:

- 1) To promote self-help where possible (through the BAM website) so that tailored, face-to-face advice is limited to those whose problems can only be resolved in this way.
- 2) To coordinate advice provision and ensure that clients who need help are directed to the most appropriate agency in the shortest possible time.
- 3) To track the advice journey of each client through the use of the BAM Portal (for self-referral or inter-agency referral located on the website).

The research team heard that BCAN has identified a lot of small groups, many of which are unfunded. These groups provide an invaluable service for the most vulnerable and hard-to-reach residents, who are often those most in need of advice and support. Most of the groups come into existence as advice agencies (either as their main service or an add-on to their main activity), simply as a response to the huge demand within their own local communities.

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<sup>73</sup> See: <http://www.brentcan.org.uk>

<sup>74</sup> See: <https://www.bam.org.uk>

<sup>75</sup> See: <https://www.tncommunityfund.org.uk/funding/programmes/advice-services-transition-fund>

Typically, these small groups are either individuals or families who are well known within their own ethnic or cultural group. Members of that community start approaching them for advice, and they start to respond. Sometimes it is just a matter of reading letters received from statutory authorities and explaining them to those whose English cannot cope with bureaucratic language. This may be accompanied by 'common sense' advice, or help with form filling, which can be a challenge in paper form and even more daunting for many clients when the form is online.

When matters get a bit more complex, some BCAN members will find the answers clients need on the BAM website. They may go on to discover other websites like Turn2Us. Often, they accompany clients to the local council or the Department for Work and Pensions (DWP) to act as advocates and/or interpreters. Similar developments occur among organisations set up to provide a non-advice activity. The workers become trusted by their users, who then start asking for advice. The clients are frequently in a state of great stress, so inevitably the workers start giving advice.

When BCAN identifies such groups, it pays them a visit to find out how they operate, what services they provide and how they are delivered. Interviews can be lengthy due to constant calls from clients to their mobiles. Some don't have premises, so all contacts are initially by phone and if they need to meet a venue is agreed. Referrals to these small groups tend not to come via conventional referral routes, but may instead come through the local café or club.

Brent Advice Partnership also has a small grants fund to support community agencies to build their capacity overall as an organisation, as well as develop the quality of their IAG services.

The main evidence that the initiative is working is the number of agencies that have joined BCAN, which currently has over 60 members. There is a lot of enthusiasm for learning and networking: BCAN's quarterly conferences are well attended and very lively. The shared commitment to helping local people creates a strong bond and real affection among BCAN members – for a flavour see BCAN newsletters.<sup>76</sup>

Almost all of the smaller groups are keen to develop and are offered training to achieve Quality First accreditation; this requirement ensures that members have basic structures in place to be organised and accountable. The next phase of development is focusing on supporting appropriate members to gain National Vocational Qualification (NVQ) advice qualifications to improve their own on-the-ground advice to their communities, and to raise their awareness of each other's services to enable efficient triage and inter-agency referrals.

There have been challenges for the partnership and network. Key performance indicators (KPIs) agreed at the outset were subsequently felt to be not appropriate and do not even measure what Brent Council hopes the BAP contract will achieve. As BCAN developed, partners began to appreciate the challenge that exists for some of the small community groups that were not structured or as well-resourced as others. It was clear that for these organisations, achieving Advice Quality Standard (AQS) accreditation within a year would be extremely challenging. For some, the type of advocacy they practice can achieve very worthwhile results that do not require AQS standards in terms of detailed knowledge of social welfare law. As a result, a more appropriate quality standard from the care sector – Quality First – was identified. The majority of BCAN members are comfortable with this organisational standard, supplemented with an NVQ advice qualification for individuals.

The mismatch between the KPIs and initial plans and what is actually happening on the ground has generated some tensions within the Partnership. Also, the General Data Protection Regulation

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<sup>76</sup> See: <https://bcan.org/newsletters>

(GDPR) meant the vision of tracking a client's advice journey could not materialise. However, a review of the lessons and experiences gained from the first three years of the project has produced a realistic and responsive development plan for the coming year.

The Partnership thinks that, despite the challenges, its model is one that could be replicated and upscaled. Brent is the second most ethnically diverse borough in London, so there may be more small community groups offering culturally and linguistically appropriate help than in some other boroughs. But London is a very diverse city, and such groups will almost certainly exist across the capital. Some BCAN organisations already work across several boroughs and a few are London-wide, and they would appreciate a network that was not confined to one borough.

BCAN's ultimate goal is to raise the quality of advice-giving for Brent residents in order to improve health, wellbeing and resilience in local communities through holistic, person-centred services. The Partnership believes the GLA could play a key role in helping to achieve this: bringing together a taskforce of those with similar aims across the London boroughs, including the social prescribing initiatives that are being developed in many boroughs. The group could also look at Brent's Community Hubs model for advice and advice-related activities, as well as any similar initiatives that may be taking place in other boroughs.

This would create an opportunity to exchange ideas about what works, what might work even better, and how the best can be replicated or even expanded across sub-regions and London as a whole. Inevitably, there would need to be some funding to underpin pilot schemes, and new communication channels, such as a pan-London referral and peer support network.

## 5. Strategic challenges and opportunities

- 5.1 The previous sections of this report analysed need and demand for, and provision of, social welfare advice in London using the latest available evidence. This chapter will highlight some of the key practical and strategic challenges that distil from this analysis, and related or other issues brought to the attention of the research team by stakeholders. The research team has also sought to identify opportunities to address these challenges, where possible. However, it has not been possible as part of this research to provide all the answers – further work is needed on all issues if London’s social welfare advice provision is to flourish.

### Funding

*“Alongside the increase in demand, there has been no correlated increase in funding and in fact we are seeing increasing instability in our funding, with the local authority retendering for our core advice contract and national organisations tendering against smaller local organisations such as ourselves. This has been very challenging, and we continue to have to look for supplementary funding, though generally funders are reluctant to fund ‘traditional’ advice and expect there to be a significant amount of innovation in any bids.” Stakeholder comment*

- 5.2 Financial sustainability remains the fundamental challenge for London’s social welfare advice services. Against a rising tide of need, demand, policy change and digitisation of services and processes, advice agencies have been squeezed by public expenditure cuts affecting local authority funding – and of course large cuts in legal aid scope and funding implemented in 2013.
- 5.3 Most social welfare advice provision is organised and funded at an individual borough level, with local councils being the primary funders. However, there are some pan-London services, (albeit delivered locally in each borough by independent providers), such as Debt Free London (funded by the Money and Pensions Service) and there are telephone advice services that cover all boroughs.
- 5.4 The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) drastically cut the scope of legal aid in civil matters, including most aspects of family, housing and welfare benefits law. It removed the majority of welfare benefits, debt and housing issues from the scope of legal aid and tightened eligibility criteria, thus cutting both funding for those in need of legal advice on social welfare matters and the capacity of providers of such services. Pre-implementation estimates of the impact of LASPO were that *“Just under 77,000 Londoners will lose out on housing, employment, debt, welfare benefits and immigration advice.”*<sup>77</sup>
- 5.5 Whilst some matters remain in scope (for example, housing repossession or eviction cases), the overall spending on legal aid is less than the Government predicted, suggesting that take-up is poor and that many people who should be entitled to legal aid are simply not getting it. The Ministry of Justice’s review of LASPO, published in February 2019, reported that the changes had seen expenditure on legal aid fall from £2 billion in 2012/13 to £1.6 billion in 2017/18. They attributed this, at least in part, to a lack of awareness:

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<sup>77</sup>Bawdon, F., and Hynes, S. (2011). *Findings of a research project on provision of social welfare law advice in London*. London: Legal Action Group and Trust for London.



- *“In social welfare law matters, the volumes of legal aid have declined more than anticipated in the original [Impact Assessment], in all of the respective areas. Whilst this requires further and ongoing monitoring, this trend could be due to a lack of awareness of the availability of legal aid, the clustering of problems, or other external factors.”<sup>78</sup>*

- 5.6 An additional complication has been the lack of take-up of contracts for legal aid providers, particularly in areas of law such as housing. The contract conditions are not attractive to private legal firms; the value of a legal aid contract is low compared to the work involved; the contract conditions are restrictive; and the application for reimbursement is time-consuming. Not all voluntary advice organisations are in a position to apply for legal aid funding (for example, having access to a lawyer to run the contract or being familiar with the billing requirements). The net impact of these changes has been fewer legal aid providers working over larger geographical areas, creating gaps in provision and generating the term ‘advice deserts’. The term has been more broadly applied to access issues and this research has identified four dimensions to this shortage: gaps in area of law, shortage of legal expertise, geographical dispersion and client group.
- 5.7 The Low Commission on the future of advice and legal support estimated a £100 million funding gap for the UK advice sector in 2014. An estimate was not provided for London only, but based crudely on population the gap is at least £13 million (13%) and probably higher given the demographics of London and the five years of austerity that has passed. The Commission’s call for the Government to establish a National Advice and Legal Support Fund has not been acted on.
- 5.8 The main funders of core costs for advice services have traditionally been local authorities. Although there has been some shift away from local government funding in recent years, London boroughs continue to make a considerable contribution to social welfare advice funding. This is in part driven by their statutory duties (to provide advice for the prevention of homelessness and advice about social care entitlements), but moreover by recognition of the value that advice services add to local communities, to tackling poverty and disadvantage, and to helping local people to pay rent and Council Tax.
- 5.9 As funding cuts have hit local authorities the cost has been passed on to the advice sector, so the proportion of funding from statutory and other sources has shifted. But the pattern of how funding changes are impacting the sector is not clear cut or consistent, particularly as different local authorities take radically different approaches to funding voluntary organisations. Some local authorities have moved to competitive commissioning of advice services, while others have retained (or, in the case of Camden, for example) gone back to a grant aid approach – believing that this will provide better value and a less transactional relationship.
- 5.10 Advice services may be funded by different departments within an authority, due to the cross-cutting nature of the outcomes advice can achieve. Sometimes different council departments take different approaches to advice funding and commissioning. This survey response illustrates this well:

*“In [borough A], we have recently been awarded a grant for advice services that is 30% lower than in previous years. This is a two-year grant... In [borough B], we have recently been awarded a three-and-a-half-year grant for social welfare advice through their*

<sup>78</sup> Ministry of Justice (2019). *Post-Implementation Review of Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO)*. [Online]. London: Her Majesty’s Stationery Office. Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/777038/post-implementation-review-of-part-1-of-laspo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/777038/post-implementation-review-of-part-1-of-laspo.pdf)

*Local Community Fund... We also provide advice services in [borough C], but there is no local authority funding for independent social welfare advice in Newham.” Survey respondent*

- 5.11 Many advice organisations have been able to absorb some of the funding cuts to date, either through the use of reserves, reorganising services or finding short-term alternative solutions. Many anticipate that bigger cuts are on the way as local authorities are required to curb spending further. With so many successive cuts over consecutive years, some advice organisations are very fragile and will find further cuts extremely challenging.
- 5.12 Service providers told the research team how they are responding to the challenge by looking for new funding sources, changing their approach to advice or changing the type of advice they give (and sometimes all of these combined). Not all providers have been hit to the same degree, so organisations that run advice alongside other services are often able to continue their information and advice service. The research team anticipates that large advice centres or those in well-organised networks will continue to thrive. At the same time, micro advice centres at the very fringes of the sector have a long history of managing with virtually no resources and will therefore be able to continue much as before. The small- to medium-sized services are those most at risk as cuts in funding eat into the core advice offer, whilst their overheads are largely static and therefore difficult to flexibly reduce.

*“As an organisation we do aim to innovate and shift the way we work and have done a number of proactive advice projects focused around building community capacity and financial capability, however it is also vital to have funding for advisors to be able to sit down with clients and work through things and it is this that is proving most difficult to fundraise for. As funding becomes increasingly fragmented, with small pots of funding looking for providers to offer very specific kinds of advice, it becomes more and more difficult to offer a holistic service based on the needs of the client.” Survey respondent*

- 5.13 Advice providers in outer London boroughs may well be fairing worst. Work by London Funders (the membership network for London’s civil society funders and investors) to look at ‘Who’s funding what in London’, identified cold spots in outer London boroughs.<sup>79</sup> This mirrors the research team’s finding that shortages of advice services are most apparent in the outer ring of the capital. Examining changes in funding patterns could be a different angle on measuring advice provision, although capturing all funding options in one place is not easy; London Funders end with a plea for all funders to record their information on 360 Giving.
- 5.14 The survey of advice services highlighted the vulnerability that organisations feel regarding their core funding. Whilst one in seven said they had been told to expect future funding cuts from local authorities, nearly half said they did not know what the future held. Respondents also reported that they had sought funding from other sources, including legal aid, health services and client fees. This sample of London’s advice providers is small and so not representative, although it did cover a range of services, including local Citizens Advice, law centres and independent advice agencies. By far the most common source of alternative funding in the sample was trusts and foundations.

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<sup>79</sup> London Funders (2019). *What and where are the funding ‘cold spots’ in London?* [Online]. Available at: <https://londonfunders.org.uk/what-we-do/events-training/what-and-where-are-funding-%E2%80%98cold-spots%E2%80%99-london>

*“Finding core funding is our biggest challenge in the current funding climate. The 2013 LASPO cuts to legal aid for social welfare advice were devastating for our organisation, for the entire social welfare advice sector and in turn for all those needing help with social welfare issues... Our other main source of core funding for advice services is local authority grant funding, but we understand local authority budgets have been drastically reduced and this funding is not always available through the local authority.”* Survey respondent

5.15 The Law Centres Network has recorded the funding patterns for all law centres, including those in London, over a 10-year period and reports a 40% reduction in funding over this time. A decade ago the proportion of law centre funding was on average:

- 40% from legal aid
- 40% from the local council, and
- 20% from trusts and foundations.

The fall in income has resulted from a 70% reduction in legal aid income and a 30% reduction in local council income. Whilst some additional income now comes from trusts and foundations, this is generally short-term and can be project-based, and it does not make up for the loss of the core funding. Law centres report difficulties attracting new legally qualified advisers as they cannot offer the terms and conditions needed to keep the talent. Further information can be found on the London Funders website, which gives a valuable overview of the changes in funding to law centres over the past 15 years.<sup>80</sup> AdviceUK and Age UK also confirmed falling funding levels for their networks.

### **Addressing the funding challenge**

5.16 The research team hosted a focus group on advice funding in September 2019 to discuss the challenge posed by the shortfall in funding and changing funding patterns for London’s social welfare advice services (see Appendix 9). The team was encouraged to hear that London Funders has taken a big initiative in 2019 to address advice funding. The body is in the process of mapping advice funders (but not funding levels) and has convened a network of advice funders chaired by the London Legal Support Trust.

5.17 This new Advice Funders Network provides an opportunity to address the funding challenges outlined in this report and focus on addressing some of the shortfalls that are leading to gaps and shortages in social welfare advice provision. It could be a chance to streamline application and monitoring systems and provide longer-term security for social welfare advice services. The group needs to take a pan-London view of advice provision and look at the need and supply issues that this report has highlighted. It should also consider the opportunities for funding research activities, pilots and innovative practice versus the need to maintain a backbone of advice provision across the capital. A dialogue between funders and the sector in meeting these challenges would be greatly welcomed.

5.18 An early task for the Advice Funders Network may be to put together an emergency plan to deal with the impact of Brexit at the end of the transition period. A response to meeting the

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<sup>80</sup> London Funders (2019). *Advice Funders Network*. [Online]. Available at: <https://londonfunders.org.uk/what-we-do/events-training/advice-funders-network>

resulting spike in advice needs similar to that taken following the Grenfell tragedy may well be required.

### **Potential opportunities for alternative funding approaches**

- 5.19 Filling the gaping hole in advice funding in London, which could be £13 million and rising, is a massive challenge. It is wise for funders, networks and providers to look at other sources of finance for advice services, including corporate and individual donations, fees for some services, insurance and social finance. The Low Commission looked at these sources of funding in its 2014 report.<sup>81</sup> The Commission concluded that these alternative sources have limited scope for reducing the funding deficit.
- 5.20 The growing interest in health and advice partnerships and in the expansion of social prescribing also provides a big opportunity to ensure that advice services are funded. The GLA's work as part of the Healthy London Partnership has recognised the critical role that social welfare advice plays. Primary Care Networks should be encouraged to see social welfare advice as an integral part of the health and wellbeing landscape – and fund them accordingly.
- 5.21 There is also scope to increase advice and education partnerships where again the initial evidence of improved educational outcomes is positive. The GLA's pilot work with Child Poverty Action Group (CPAG) to embed welfare rights advice in schools could be built on. Lessons can be learned from working with the health sector in considering the most effective ways to embed advice services in schools.
- 5.22 Charging clients who can afford to pay for social welfare advice is possible, certainly for aspects of employment, immigration and debt advice. Public donations can also help, although the general perception is that advice lacks the emotional appeal of other charitable causes, such as children's welfare, disease, disability and animal protection. Charity shop income has been generated by Citizens Advice Enfield (as noted in the case study). Corporate donations, including pro bono services from law firms, have also helped several London advice providers.
- 5.23 There have been several attempts from across the country to use social finance funding models for the advice sector, such as Social Impact Bonds and Social Return on Investment models. Examples of this approach, offering a mix of free and paid for advice, include projects in Islington Law Centre and Buckingham Citizens Advice as part of Advice Services Transition initiatives, jointly funded by the National Lottery and the Cabinet Office. Neither project supported expansion of either model as the return was too small to fund the costs associated with a core advice service offer.
- 5.24 The model of legal expenses insurance (LEI), or 'micro-insurance' was discussed as a potential option at the funding focus group carried out as part of this research. Many Londoners will have LEI, often without realising it, under household and other insurance cover. It can be used to cover specialist legal advice provided by a solicitor – for instance, regarding employment, discrimination or housing matters. Some London advice providers, such as the Legal Advice Centre (University House)<sup>82</sup> are already making use of LEI, asking clients if they have such cover when taking on cases. The Equality Advisory and Support Service has also explored LEI to help clients obtain legal advice on discrimination matters.

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<sup>81</sup> The Low Commission (2014). *Tackling the Advice Deficit: A strategy for access to advice and legal support on social welfare law in England and Wales*. [Online]. LAG Education & Service Trust Ltd. Available at: <https://www.lag.org.uk/about-us/policy/the-low-commission-200551>

<sup>82</sup> See: <https://legaladvicecentre.london>

- 5.25 While micro-insurance is definitely worth considering as part of the funding mix, there are some concerns about relying on this as a source of core funding. Firstly, it will only deliver funding to agencies employing lawyers who are recognised by the insurance companies. Secondly, there is concern over whether the insurance will cover all areas of law and social welfare advice needs. Thirdly, there is some concern that relying on models in which only some areas of advice attract funding will simply skew services away from the genuine needs of Londoners towards income-generating work. Lastly, whether such insurance would ever provide coverage for the most vulnerable is doubtful. Even where insurance is provided by registered social landlords, it is optional and unlikely to be covered by housing benefit, making it unaffordable to the poorest.
- 5.26 Further economic evaluation of micro-insurance funding models is required in order to establish whether it would operate effectively to meet the needs of clients, insurance providers and the advice sector. Consideration will need to be given on how to access cost reimbursement on insurance policy claims in ways that are cost effective or cost neutral to the advice organisation. Any work should be conducted in conjunction with the insurance industry as it will need to recognise voluntary advice sector providers as legal advisers. Such exploratory evaluation work requires research funding and access to particular skillsets, and should be considered as part of the overall funding needs for the sector.

## Innovation and the future of advice

- 5.27 The history of social welfare advice suggests that, regardless of the challenges, Londoners will continue to provide information and advice services to their fellow citizens. Questions around how this advice is given, by whom, and in what settings represent the potential areas for development and innovation. Based on experience so far, the principal drivers of the provision of advice are changes that are external to the advice services themselves: changes in the nature of funding, Londoners' evolving advice needs and patterns of advice-seeking behaviour, and technological advances. The sustainability of the sector is largely down to the imagination of practitioners to find and respond to new opportunities.
- 5.28 In line with the expansion of the 'legal tech sector', many people are looking to the role of technology in delivering advice and information services in more effective and efficient ways. The use of technology falls into a number of categories: organisations' websites, linking and matching technology, file sharing and referral, issue-based apps and interactive applications.
- 5.29 Such applications currently in use or in development include:
- 'advicebots' and live chat help functions
  - secure file sharing
  - referral, triaging or allocations systems
  - remote supervision
  - remote advice giving
  - online peer review, and
  - practitioner chat rooms and forums.

### Websites

- 5.30 Early successful exploration of technology has been around the development of websites beyond the static 'everything-we-ever-knew-about-the-law' approach to more intuitive, client-

friendly and interactive sites. Sites such as Resolver<sup>83</sup> have developed to fill a gap by asking the simple question ‘How do I solve a problem about...’. The Citizens Advice website<sup>84</sup> has developed its navigation based on the search terms people use to find the site, and so it is now much easier for people to find the answer they need.

- 5.31 Websites like these and Turn2Us<sup>85</sup> offer good quality, up-to-date information, plus advice and tools to help people solve various problems and check entitlements – and their success is marked by the ever-increasing numbers of hits. As well as being able to use data about search terms and advice-seeking behaviours to improve services, websites like these can also provide intelligence to challenge Government and policymakers.
- 5.32 Law for Life runs the award-winning Advicenow<sup>86</sup> website, which provides a wide range of information and resources on social welfare matters. Advicenow received 209,000 visits by Londoners in 2018/19. Its private rented sector information was viewed 24,000 times by Londoners. It also offers helpful tools such as a Mandatory Reconsideration Request letter for use by Personal Independence Payment (PIP) claimants, which has been used 25,000 times this year. It has recently launched an ‘affordable advice’ site which matches family law clients with lawyers willing to provide one session of advice for a fixed, low price.
- 5.33 The potential of such resources to support people with disabilities is just being realised. For example, a recent development between the Royal National Institute for the Blind and Amazon is enabling Alexa (the voice-activated search engine) to answer questions in relation to benefits and rights for people with sight loss.<sup>87</sup>
- 5.34 Both the GLA’s EU Londoners Hub and an employment rights hub that is under development are part of this information infrastructure (see points 3.47, 3.49 and 3.50 for more information on these initiatives). Likewise, the Ministry of Justice is exploring the use of apps for resolving legal issues based on the GOV.UK website. For those meeting the definition of ‘legally capable’ offered in this report, the online offer has never been better, and all new websites report a year-on-year increase in traffic with only marginal impact on existing sites.<sup>88</sup>
- 5.35 The question of how people know about, then find and access these resources remains an important one, particularly given the differences in legal capability as described earlier. The confidence and trust people associate with different sources of internet-based help will be important in understanding how people who want such services find and use them.

### **Linking and matching technology**

- 5.36 Advice providers are frequently looking for technology to assist with matching clients to the best help possible, for example through interagency referral systems or through matching clients to the pro bono offer. There have been some local solutions developed on a partnership basis and some businesses offering packages (for example Refer.net). Where such technology works well, it is backed up by personal contact and high levels of trust between organisations.

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<sup>83</sup> See: <http://www.resolver.co.uk>

<sup>84</sup> See: <https://www.citizensadvice.org.uk>

<sup>85</sup> See: <https://www.turn2us.org.uk>

<sup>86</sup> See: <https://www.advicenow.org.uk>

<sup>87</sup> Kay, L (2020). ‘RNIB provides advice through Amazon Alexa’. *Third Sector*. 24 January 2020. [Online]. Available at: <https://www.thirdsector.co.uk/rnib-provides-advice-amazon-alexa/digital/article/1671911>

<sup>88</sup> Reported by James Walker, Founder of Resolver, at University of Oxford Centre for Socio-Legal Studies Roundtable 24 January 2020.

## Apps and interactive

- 5.37 Several large advice providers are looking into the use of interactive applications. AgeUK has been developing a ‘chatbot’ for older people, hosted on their website, whilst Citizens Advice has established a ‘Lab’ to develop and test new technology. The Ministry of Justice, under its Early Legal Support Plan, has developed an online tool to help private tenants deal with disrepair. At the same time, Etic Lab is leading research funded by Innovate UK entitled *Routes to Justice*,<sup>89</sup> exploring the scope for artificial intelligence (AI) and data technologies to provide and deliver advice and legal support. This latter project is due to report in March 2020, and the results should be watched carefully by the GLA, its partners and advice providers.
- 5.38 The interactive technology that offers the greatest promise for the future of advice is that demonstrated by the Finding Legal Options for Women (FLOWS) project. This is hosted at the Royal Courts of Justice Citizens Advice, in partnership with Rights of Women and funded by the Tampon Tax. The project aims to help women facing domestic abuse get legal support and advice through the development of an online tool. The tool provides guidance on the options women have to maintain their safety and assists with completing any court papers they may want to use. It has also been carefully designed with women’s safety in mind (for example, quick exit buttons). The most innovative aspect of this project is that the online tool is directly connected to a lawyer whose role is to monitor cases, check paperwork and provide information and support to women at key points in the process. This is an excellent example of where technology genuinely increases access to justice and creates a better advice solution for an ‘at risk’ client group.
- 5.39 The challenges around the use of technology in the provision of advice include the cost of developing and maintaining solutions, reticence at becoming an ‘early adopter’ and an adherence to working practices based on face-to-face advice. Technology developers for Etic Lab also report that the structure of the advice sector is ‘entropic’ which frustrates the cooperation needed to introduce changes at a significant scale.
- 5.40 One model which has been proposed, but not yet developed or tested, is based on the ‘Buurtzorg Model’<sup>90</sup> of health care delivery in the Netherlands. In this model, portable technology would allow advisers to deliver advice in many different settings and to different communities. Although at face value this looks like a classic ‘outreach model’, the difference is that the backroom or base function is minimal, and that practitioners choose where to target their services according to the evidenced need. This model allows a possible solution to the ‘premises versus people’ dilemma that often faces cash-strapped advice centres, and it’s an approach that warrants further exploration.

## Workforce

- 5.41 The second fundamental challenge for London’s advice providers, next to money, is people. Advice providers and stakeholders consistently told the research team about the difficulties they faced with recruiting and retaining staff, volunteers, leaders and trustees with sufficient skills and experience. There is a shortage of new social welfare advisers and lawyers coming through, and a skills deficit at management and governance level. There is also a common perception that the advice workforce is unrepresentative of the community in London.

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<sup>89</sup> Etic Lab and Innovate UK (2019). *Routes to Justice*. [Online]. Available at: <https://routestojustice.co.uk>

<sup>90</sup> Buurtzorg (2020). *The Buurtzorg Model*. [Online]. Available at: <https://www.buurtzorg.com/about-us/buurtzorgmodel>

- 5.42 This is partly an issue about the wages, salaries and job security that London’s advice agencies can offer, against the high cost of living in the capital. But it is also about the pressures of high demand, complexity, vulnerability and dwindling solutions faced by London’s social welfare advisers.
- 5.43 Advice agencies have reported that the combined impact of the complexity of the problems being presented and the lack of options for resolution have taken their toll on advice staff. Advice providers report increased levels of stress, increased levels of sick leave and difficulty in holding onto experienced advisers. The Help Through Crisis Programme, funded by the National Community Lottery Fund, has recently published a paper on looking after staff wellbeing for those working with people facing extreme hardship.<sup>91</sup>
- 5.44 London Funders recognised this problem and launched a discussion paper in April 2019 about the resilience of people in community-facing organisations.<sup>92</sup> The paper clearly stated the pressures on staff, volunteers and managers in agencies such as advice providers, and identified action that funders could take to improve resilience. This included supporting good mental health services in funded agencies, investing in initiatives like peer-to-peer support and funding agencies to campaign for policy change.
- 5.45 These initiatives would be welcomed by London’s advice sector, but further focused and coordinated investment is needed in the supply of personnel. There are schemes and initiatives that could be coordinated across London and built on, such as those below.
- The Legal Education Foundation has taken a lead in promoting and facilitating new entrants to the social welfare advice sector under its Justice First Fellowship programme.<sup>93</sup> Established in 2014, the scheme supports students committed to public interest and social justice issues who want to pursue a career in social welfare law. It is also supported by the Esmée Fairbairn Foundation, Unbound Philanthropy, City Bridge Trust and a number of law firms. However, worthy as the scheme is, it is not just London-focused and is limited in capacity in terms of both funding and possible placement opportunities: it has assisted 60 trainee Fellows and six pupillages in the first five years – with a further 18 trainee positions available in 2019. The scheme has good recognition and there may be possible scope for more London-based trainees with suitable funding and supervision support.
  - The research team heard from The Legal Advice Centre (University House) about plans for a ‘fellowship programme’. This will offer legal training to upskill existing staff from agencies across targeted areas of the advice sector and will assist candidates who may otherwise be unable to pursue careers as lawyers. The Centre believes this upskilling will help advice organisations to avoid making unnecessary referrals of vulnerable clients, as well as encouraging the development of new expertise in areas such as advocacy or financial services. Recent policy and rule changes by the Government and the Solicitors Regulation Authority (SRA) will provide the Centre with more flexibility in how it runs and, importantly, funds its training programmes. The new Solicitors Qualifying Exam (SQE) and the ability to

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<sup>91</sup> The National Lottery Community Fund (2019). *Promoting staff wellbeing to improve frontline crisis support*. [Online]. Available at: <https://www.tnlcommunityfund.org.uk/media/Help-through-Crisis-Promoting-staff-wellbeing-to-improve-frontline-crisis-support.pdf?mtime=20190524123803>

<sup>92</sup> London Funders (2019). *The resilience of people in community-facing organisations: what’s the role of funders?* [Online]. Available at: <https://londonfunders.org.uk/sites/default/files/images/Resilience - role of funders.pdf>

<sup>93</sup> The Legal Education Foundation (2020). *Justice First Fellowship*. [Online]. Available at: <https://jff.thelegaleducationfoundation.org>



sit it at the end of an apprenticeship are fundamental elements in the overhauled qualification route.

- AdviceUK has established partnerships with universities to select and train law students to carry out placements in advice agencies. AdviceUK liaises with the university, selects, recruits and trains the students, and oversees and evaluates the scheme. Over the past six years, the scheme has trained about 250 students drawn from three universities and placed them in variety of advice centres across London. AdviceUK also offers a wide range of advice sector skills and knowledge-based training and qualifications.
- The Advice Sector Leadership Development Programme (delivered by Cass Business School's Centre for Charity Effectiveness) – a free programme for the advice sector funded by The Baring Foundation and J Paul Getty Jr Charitable Trust – ran from 2016 and provided training for up to 60 advice sector leaders in two cohorts, some of whom were London-based. The feedback from those involved was overwhelmingly positive, and it provided development opportunities that would otherwise not have been available. The programme has now ended.

5.46 The research team heard many calls from stakeholders for efforts to streamline and coordinate routes into social welfare advice, training provision and qualifications across London as a means of attracting 'new blood' into the sector.

5.47 Providing more opportunities for Londoners (particularly from communities that are under-represented in the advice workforce) to gain social welfare advice knowledge and skills, and progress into volunteering and paid roles, would help advice providers to help more Londoners. It would also improve the embedding of social welfare rights awareness throughout London's population and could contribute to the Mayor's Skills for Londoners Strategy.

5.48 The GLA's Adult Education Budget, and Adult and Community Learning work, which supports social integration in London's most disadvantaged communities, could be used to support advice sector workforce development in the city.

## Infrastructure

5.49 Infrastructure support for voluntary advice services in London has been hit hard over the past few years. London Councils funded a 2015-2017 grants programme to provide effective infrastructure support and capacity-building for London's advice sector in all London boroughs through a programme entitled SOBeL (Stronger Organisations Benefiting Londoners). The ending of the programme led to the ending of structures such as the cross-sector London Advice Forum, which had been hosted by RightsNet (formerly known as Lasa), and provided infrastructure support to frontline agencies through AdviceUK.

5.50 The major advice service networks are able to provide infrastructure support to varying degrees according to their own size and funding opportunities. Only Age UK and Shelter have a London regional structure, while AdviceUK has no regional structure. Local Citizens Advice chief offices in London meet on a regular self-organised basis, but again, even within the best resourced advice network, there is no regional Citizens Advice office. Following the demise of the SOBeL funding, the last opportunity for London advice services to come together was in 2018, with the Advice Services Alliance London advice conference, funded by Trust for London.

5.51 There have been interventions to provide support for London-based advice services from some of the London funders. The London Legal Support Trust has developed a Centres of Excellence

Scheme which focuses consultancy services on advice services with particular needs, whilst Trust for London has actively supported funding of small community-based advice organisations that provide services to BAME clients. As noted above, the London Funders Forum has now brought together all funders of advice services to look at how support can be provided more strategically across the capital.

- 5.52 For practitioners and advisers directly, peer-to-peer support systems and structures are available mainly on a UK-wide basis, such as those below.
- RightsNet<sup>94</sup> – a national digital offer that enables advice workers to stay up to date with the latest social welfare law news and case law developments.
  - The National Association of Welfare Rights Advisers (NAWRA) – a membership-based organisation for social welfare advice providers across the UK.
  - Institute of Money Advisers – for individuals who give free support and advice regarding money issues.
  - The Employment Legal Advice Network (ELAN) – a network of employment rights advisors providing advice to low-income workers in London.
  - The Immigration Law Practitioners’ Association (ILPA) – a professional association for barristers, solicitors, advocates and OISC-regulated advisers.
  - Legal Aid Practitioners Group (LAPG) – a membership body representing legal aid practitioners in England and Wales.
  - Housing Law Practitioners Association (HLPAs) – a forum for practitioners working in the housing field to share knowledge and information.
- 5.53 The Litigants in Person Support Strategy, run by the Access to Justice Foundation and funded by the Ministry of Justice, provides support to people appearing in court without representation (who are known by the legal term of ‘litigants in person’). The direct support is in regard to the court processes, although many need advice as well. As a result, the virtual community of practice, the Litigants in Person Network, is popular with advice practitioners.
- 5.54 Some London-wide advice partnerships also exist, such as Debt Free London – a partnership of 26 debt advice agencies. Such structures enable agencies to pool and share knowledge and resources. This includes the pooling of data about issues that are affecting Londoners.
- 5.55 There is both a need and an opportunity here: London’s advice agencies can be more resilient and effective when working together and clients will have access to more advice resources if the organisations are connected. Such networks can contribute more effectively to the strategies of the GLA and its partners and provide a rich stream of evidence and data. A properly networked social welfare advice sector in London could also work together on strategic litigation – to identify and pursue legal cases as part of a strategy to bring about social change that could benefit Londoners widely.
- 5.56 A London advice infrastructure could also enable providers to address funding shortfalls by uniting London funders and commissioning behind a vision of good social welfare advice provision, and influencing or advising on funding streams and commissions. Collectively, advice services could tackle the workforce deficit, and make better use of new technology developments and new models of delivery.
- 5.57 Developing infrastructure and networks of advice organisations has been tried previously in London and it is currently being pursued in other parts of the UK (the Welsh Government model is particularly interesting, bringing together funding streams, developing local and

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<sup>94</sup> See: <https://www.rightsnet.org.uk>

national networks, and strengthening the quality assurance arrangements). Setting up and running networks requires resourcing in terms of administrative support, venues and events, and project funding, although they will ultimately only thrive if the members feel the direct benefit of the time given to meeting with other advice providers. The development of such infrastructure is therefore at its strongest where the beneficiary advice organisations are involved in the design and delivery of the work, and where the network has an opportunity to engage with or influence decision makers.

## Filling the gaps and shortages

5.58 This research has identified some significant gaps in social welfare advice provision for Londoners:

- Advice for young Londoners aged 16-25.
- Advice provision by and for black, Asian and minority ethnic (BAME) communities.
- Advice provision that is sensitive to or designed specifically for disabled Londoners.
- Availability of specialist level advice and representation for generalist advice agencies to refer on to. There is a particular shortage of specialist immigration advice and welfare benefits advice, and representation at court and tribunal.
- General shortages of advice in outer London boroughs.

It is also apparent from needs and provision analysis that there is a digital skills deficit among Londoners who need to access online social welfare systems and benefits.

5.59 For young Londoners, the focus group hosted by the research team felt that a number of initiatives should be taken, including:

- Strategic coordination of young people's advice across London.
- The establishment of young people's advice hubs across London with networked development workers, ideally in each borough.
- Exploration of technology, including referral systems for young people's advice services.
- The use of funding streams for advice for young Londoners, including the Tampon Tax Fund, NHS long-term plan funding for mental health work and the Young Londoners Fund.

5.60 There is a group of advice agencies – including independent agencies, law centres and local Citizens Advice – that have liaised and met regarding a (joint) initiative to develop advice services for young Londoners and seek funding to bring this to fruition. The group provides a potential springboard for a new youth advice provision in London.

5.61 The agencies that took part in the focus group on young people were keen that young Londoners are properly consulted and involved in any development. A co-produced advice service for all young Londoners is desired.

5.62 This research has not explored the following in any detail: action needed to address gaps in provision for BAME communities and for deaf and disabled people, shortages of specialist advice and representation, the insufficient supply of advice in outer London boroughs, and the digital skills deficit.

5.63 The research team noted the efforts that the GLA has made, alongside London Councils, to address immigration advice issues. The GLA has also focused on employment advice and information and made some funding available for fuel debt advice, welfare rights advice in

schools and homelessness advice. The GLA, funders and advice providers should come together to share learning and explore opportunities to work together to build on successes, as part of a wider strategy.

## Tackling the systemic failure that drives demand

- 5.64 It is estimated that a large part of the demand for advice is driven by preventable failure in social welfare systems that could be addressed by central government. It is simply not feasible to sustain advice services propping up broken or not-fit-for-purpose social welfare systems. Wider reform is needed. The assessment processes for disability entitlements are a good example of this.
- 5.65 The GLA has no direct powers to change many of the systems that are failing and neither do many of its partners. However, the GLA has influence: it could raise these matters with the Government and can encourage and support those who are actively campaigning for change.
- 5.66 To add weight to such campaigns, the GLA could look at making resources available to gather data and evidence from across London's social welfare advice sector. A London social welfare advice hub or unit would provide a potential vehicle for such data collection.

## Section conclusion

- 5.67 In conclusion, London's social welfare advice sector faces a range of challenges. The key ones can be summarised as:
- a lack of regional level infrastructure
  - significant funding gaps
  - the challenge of bringing innovative practices to scale, and
  - maintaining a sufficiently skilled workforce.
- 5.68 Infrastructure is often seen as an unnecessary layer of management that adds nothing to frontline delivery. In this report we have seen how the lack of infrastructure has impacted on both the scope and the focus of advice services. Whilst there are still many individual and isolated initiatives, some important networks have fallen away. We propose a pan-London hub for advice services to provide support and engagement with key London governmental bodies and funders. The GLA is well placed to take the leadership role in bringing together the advice sector and the main key stakeholders, and one possible mechanism for this would be the development of a 'Social Welfare Advice Hub for London'.
- 5.69 Experience suggests that this will require dedicated resource in terms of people and funding. However, with the right remit, it does not need to have a physical presence and could draw on the virtual and real networks of advice organisations and infrastructure bodies. There are examples that could be examined as a potential template – for example, the youth justice approach to borough youth advice resources, and the National Advice Network with regional advice provider networks that is currently being established in Wales. A hub should aim to complement and augment existing provision, and seek to access all organisations – from the very smallest community-based organisations that are de facto advice providers through to the largest advice networks.
- 5.70 The most pressing strategic challenge for advice services in London is funding. The pressures on local authority funding and the cuts in legal aid have taken their toll on provision and have

forced services to spend time and energy exploring alternative sources, particularly trusts and foundations. 'Crisis' is possibly too strong a term to describe the situation, but organisations that have been able to absorb the cuts through the use of reserves and/or alternative funding sources now report that they struggle to maintain services.

- 5.71 Discussions by the London Advice Funders Network about a more coordinated funding approach to address gaps and shortages are an interesting development, and this is welcomed. The London Advice Funders Network has already reached out to advice providers and other stakeholders so that the policy underpinning decisions is based on practice experience. Intelligent, informed discussions regarding the issues facing advice providers in reaching all Londoners as an integral part of the funding process are an excellent opportunity. The group recognises that trusts and foundations cannot absorb the cuts in other parts of the funding mix, not least because they do not have sufficient resource.
- 5.72 This network is well placed to examine where different funders can best bring their resources to the advice funding mix and to influence funding decisions on a pan-London basis. Recognising the limited statutory obligations to fund advice held by London boroughs, promoting and facilitating the role of advice in social prescribing and other health justice models, and identifying and promoting new areas of practice (such as education) are all areas where the network can add value.
- 5.73 Transparency in decision-making is paramount, particularly where funders may need to refocus their priorities and will help bust the myth that a few organisations are favoured over others. Engagement with the sector is therefore key.
- 5.74 Alternative sources of funding are being explored, for example through 'affordable advice' initiatives or through mechanisms such as Legal Expenses Insurance. However, these arrangements are not yet robust enough to become established sources of funding, and more work is needed to develop these mechanisms at the strategic level. Funding of pilots or exploratory work could be important to evidencing the potential of new funding mechanisms.
- 5.75 The sector itself continues to innovate and develop in order to be able to continue its service provision. Strategies it has employed have included shifts in how advice is delivered, referral systems, the use of technology and working more closely in partnership with other organisations. Alone, these strategies are unlikely to enable services to reach the Londoners who most need help. Within the context of shrinking resources they could potentially lead to more client churn, as people go from one organisation to another looking for help. A law centre recently reported that it only had the resources to take on about one in three cases referred to it. Innovation is sometimes interpreted as reinventing services to secure funding and the challenge for the advice sector is to both respond to the need to change as well as keeping clients' needs at the heart of the service.
- 5.76 Workforce issues are also a consideration for the sector. Key concerns include the recruitment of younger people into the sector and retention of these staff, as well as issues of diversity, particularly in the more senior management and strategic roles. No single advice centre can tackle this alone. Although the large networks have some capacity, a taskforce is needed to:
- draw on the experience of recent professional development programmes
  - look at the role of apprenticeships for the sector, and
  - consider the pending changes to the training of lawyers for any potential development of pan-London training for advisers.

Any leadership development courses should give full consideration to the particular skillsets that will be required for providing advice in the future, which may be different to previous managerial approaches (for example, analytical skills, community engagement skills and co-production skills).

- 5.77 We return to our proposal for a pan-London hub to bring together advice services and key stakeholders to agree plans and take actions on the key issues raised in this report. Such a hub needs a clear remit to address both the practical issues for the advice sector in delivering services, as well as the barriers Londoners face in seeking advice, particularly people from BAME communities, disabled Londoners and young people. A hub would also provide the opportunity for different stakeholders to come together to discuss issues in a more strategic fashion, for example for funders and the advice sector in London to consider ways of maximising pro bono provision.
- 5.78 The hub should also act as a data centre, to collate strategic-level management information from advice services, and to gather evidence on Londoners' advice needs and on the most effective means to deliver advice to marginalised communities. Most importantly, this data should be used to generate reports and to create evidence that can feed into the broader policy discussions on access to social justice. Using the power of crowds, the hub can draw priorities from the sector itself and form cross-sector 'task and finish' groups to pilot the 'proof of concept' projects. The hub would take a lead in ensuring coordination of work to plug the gaps and shortages that exist.

### **Case study: Hammersmith and Fulham**

In 2018, Hammersmith and Fulham Council (LBHF) agreed 10-year funding contracts for advice services with three agencies: the local Citizens Advice, Law Centre and Action on Disability. This long-term funding commitment recognises the importance of social welfare advice for local people. The agencies have to bear standstill funding sums for this period, however, which means a real-terms cut of circa 20% over the decade. But at least the agencies have the certainty of this funding and are not ensuring recommissioning exercises every few years.

The other important aspect of the funding for advice is that it encompasses digital literacy work. The background to this is that Citizens Advice Hammersmith and Fulham (CAHF) recognised several years ago that, in an increasingly digital age, many local people in need of social welfare support and services were being left behind. CEO Simi Ryatt believes firmly that advice agencies need to do things differently, and this involves diversifying services and building community digital and financial capability in addition to providing welfare advice. So when an opportunity came up for the service to locate itself in, and to run, a small local library that had been under threat of closure, CAHF seized the opportunity to register the location as a UK Online Centre.<sup>95</sup> It then started to offer digital literacy support ('Tech Talk'), linked to advice topics, including benefit applications and financial literacy.

Over the past two years, CAHF has extended this digital literacy work to local housing estates, with staff and volunteers using tablets out in the community. By the end of 2019/20, its 'Tech Mate' service will run from eight hubs in addition to its library centre. Tech Mate is separately funded by LBHF under Section 106 of the Town and Country Planning Act 1990 on an annual basis.

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<sup>95</sup> See: <https://www.onlinecentresnetwork.org>

When Universal Credit (UC) was piloted in Hammersmith and Fulham, CAHF was well placed to support claimants with online claims, taking referrals from local job centres. Referrals for UC claim support are now taken under the Help to Claim service, which started in April 2019.

CAHF's digital support has helped 889 local people over 4.5 years. In addition to Tech Talk and Tech Mate services, Council funding also supports a core community advice service ('Advice Plus'), advice in three local foodbanks and a homelessness prevention service ('ROOF').

The three agencies funded under the ten-year contract form a strategic advice partnership and have responsibility for developing the borough's advice strategy and supporting a training plan in partnership with the local authority. As part of this partnership, the local Law Centre also facilitates the Advice Forum for the borough.

Action on Disability (AoD), a user-led disabled people's organisation, provides specialist benefits advice for disabled people in the borough: both adults (18 and over) and parents and carers of disabled children. Two advisers are employed, supplemented by a team of 10 volunteers. The agency also provides employment help for 16 to 25-year olds, advocacy around adult social care issues and a youth service for 11 to 25-year-olds. AoD's benefits service is partly funded by the council but there's a £25,000 gap between this funding and what it truly costs to run. The agency is seeking trust funding to meet the shortfall, but is forced to use reserves to keep the essential service going.

AoD's advice service takes self-referrals from local people and referrals from local agencies, including the hospital mental health team and Law Centre. It aims to book an appointment within two weeks, but sometimes has to suspend its service when it is over-subscribed. It deals mainly with sickness and disability benefits and much of it involves help with form filling, requests for mandatory reconsiderations and appeals against DWP decisions. It has an almost 100% success rate at appeal and 50% at mandatory reconsideration stage.

AoD is also increasingly helping with Universal Credit claims. CAHF can help people at claim stage but AoD says many disabled people are finding online claim management difficult, with claims being closed when claimants fail to complete online journals. AoD is also encountering problems with disabled UC claimants in education being deemed ineligible, and people who are clearly not fit being required to look for work by job centre work coaches. It tries to work with the DWP to iron out some of these systemic problems, but frequent changes in Jobcentre staff and poor decision-making mean problems recur.

Benefits adviser Tom Kenny firmly believes that the hands-on casework service he provides is essential for often vulnerable local people who are faced with a complex and error-strewn benefits system. And he believes he is only dealing with the tip of an iceberg of need – pointing out that only 2% of claimants ask for decisions to be reconsidered, or appeal.

## 6. Conclusions and recommendations

### The role and impact of social welfare advice

- 6.1 Social welfare advice in London has cross-cutting impacts and outcomes. It helps the Greater London Authority (GLA) and its partners achieve desired outcomes on a range of programmes relating to poverty, income, indebtedness, employment, health and wellbeing, housing, community cohesion, equality and even crime reduction.
- 6.2 Organisations providing social welfare advice have been through, and continue to go through, some very challenging times; the loss of funding from the cuts to legal aid have taken a toll whilst local authority funding is also very restrictive. Despite the loss of some important local advice organisations, the sector has shown some resilience, and remains creative and innovative, with new centres being developed. There is some evidence that other voluntary sector organisations are moving into gaps in advice provision, but with a more restricted offer and less legal expertise.
- 6.3 The nature of social welfare advice in London is changing: advice channels have shifted gradually to telephone, with the slow emergence of webchat and increasing emphasis on online self-help information, with reductions in face-to-face services. There is work being undertaken to explore better use of technology, including artificial intelligence. Whilst the driver for such changes is mainly cuts in funding, few survey respondents thought that they would deliver cashable savings. Most (75%) felt that the main reason for making changes to advice channels is to increase client access to services.
- 6.4 Despite channel shift and increasing use of new technology, most consultees and respondents believed that the most vulnerable Londoners need holistic, face-to-face advice services. But in many agencies this kind of advice now tends to be reserved for people who have difficulty with telephone and online access.
- 6.5 In addition to technological developments, social welfare advice agencies are tending to take their services to the community much more. Local (borough-based) initiatives to co-locate advice services in libraries, health services, schools, public services, and community, social and faith settings are common. This is driven by a desire to improve reach and support people who may otherwise not access social welfare advice, but also by the difficulty many social welfare advice providers have now in sustaining advice centres with drop-in access. The example of the Brent Community Advice Network illustrates this trend well. Issues of access caused by reducing drop-in, face-to-face advice availability are offset by outreach in other settings and co-location with other services.
- 6.6 Digital support is increasing, but not widely offered. This report includes the example of Citizens Advice Hammersmith and Fulham, which has a well-developed digital support offer.

### Brexit

- 6.7 Brexit remains an uncertainty for all Londoners, but is particularly a concern for those from European Community member states. The recent experience of the Windrush generation has highlighted how repercussions can be felt for many years, even decades to come. There are some excellent examples of advice provision for people from European Union (EU) countries (for example the AIRE Centre). Depending on the eventual form Brexit takes, leaving the European Union is likely to have a disproportionate impact on low income households and could drive new needs for advice. A means of urgently funding and coordinating new advice



capacity to cope with the impacts of Brexit may be needed. The role of London funders in this area of work is crucial.

### **Strategic coordination**

- 6.8 There is a clear need for more strategic coordination of access to advice for Londoners on a pan-London basis. The sector has lost some key London-wide networks with the recent funding cuts and this has been to the detriment of sharing and spreading good practice, as well as tackling some of the challenges common across the sector. The development of a pan-London Advice Hub should aim to provide this coordination and strategic direction.
- 6.9 To better service the most disadvantaged or excluded Londoners, coordination of advice provision should shift away from an ‘organisations and services’-based approach towards an ‘accessibility for all’ approach. This should draw on the full range of advice opportunities available to Londoners, including technological and personal approaches. The impact of such coordination of the provision of advice and legal support should be measured in terms of how able it is to fill gaps in provision and support collaboration in the sector.

### **GLA activities and strategies**

- 6.10 The research has looked at the range of GLA activities and strategies related to social welfare advice. This report includes references to GLA’s policy and funding initiatives regarding immigration advice, employment advice, welfare rights advice in schools, homelessness advice and fuel debt advice. The main conclusion that can be drawn is that while these initiatives are welcome, they tend to work separately and are not part of a wider social welfare advice strategy. The result is that efforts tend to be fragmented and uncoordinated.
- 6.11 The establishment of a London Advice Hub, as described below, would give opportunities for providers and networks to come together and for communications to be established to ensure all are aware of the GLA and other activities that support Londoners.

### **Shift to online processes**

- 6.12 The GLA asked: “How is the shift to online processes for accessing benefits and the impact on those who need additional/face-to-face support (including the specific impact of the roll-out of Universal Credit) affecting the provision of advice?”
- 6.13 The change to online processes has been a major shift for advice agencies and clients. The move towards a ‘digital by default’ approach is found across all public services, including local authorities, courts and tribunals, and health services. The exclusion experienced by clients who have difficulties in accessing the technology is therefore compounded as more services shift access to digital portals. The principal characteristic of good online advice resources is that they supplement and augment frontline services, not replace them.
- 6.14 Advice services have all reported an increase in demand for both advice on entitlements as well as support with online claims following the introduction of Universal Credit across London. Services have struggled to meet this demand, even where additional resources have been made available.
- 6.15 Advice agencies are now having to spend longer with clients to support them with online systems. Their staff and volunteers need new skills and knowledge and new equipment. Clients need support with basic computer skills before social welfare advice can begin. While some have stayed ahead of the game and are well prepared to support clients with the increasingly digital welfare world (notably in Hammersmith and Fulham), many are struggling.

## **Advice shortages and gaps**

- 6.16 The provision of advice is generally thought about in terms of what is offered in a geographical location. Although every borough in London has some advice provision, the distribution is uneven, with some areas of London poorly served for advice organisations, whilst others have better provision. This is particularly true for the outer London boroughs, which have also seen a shift in population as less affluent Londoners move away from the centre of the city in search of affordable housing.
- 6.17 The research team interpreted the term ‘advice deserts’ to include not only place-based absences of advice, but also gaps and shortages for particular population groups and in particular types of social welfare advice.
- 6.18 This research identified shortages of advice for young Londoners aged 16-25, for black, Asian and minority ethnic (BAME) communities and for deaf and disabled Londoners. It also noted a shortage of availability of specialist level advice and representation, in particular specialist immigration and welfare benefits advice, and representation at court and tribunal.
- 6.19 The first step in addressing shortages and gaps is to identify and provide evidence of them. Targeted research can assist this – as exemplified by that undertaken in Lewisham by Southwark Law Centre and Hogan Lovells and referred to earlier in this report.
- 6.20 It is also important to understand the need from an advice service user perspective. Advice seekers are differentiated by their legal capability, and in-depth advice resources should be targeted at those with the least ability to resolve their problems themselves. Online self-help information, telephone support and webchat provision will be suitable for some, but will not meet the needs of Londoners who need more intensive, face-to-face support.
- 6.21 Funding and identifying new funding sources, particularly to cover core costs of advice services, is crucially important. A number of options have been proposed, including funding through health budgets (social prescribing, public health, mental health, and so on) and these may be explored further. Small experiments in the use of Legal Insurance Expenses to fund advice have been tried and could, with the appropriate protections in place, be explored further. The GLA is encouraged to look at models of funding from other areas, such as Wales, where the Welsh Government has pooled all central funding for advice services.
- 6.22 There is expertise within London’s social welfare advice sector that can and should be harnessed to advise on how gaps and shortages can be most effectively filled. The research team drew together agencies to discuss youth advice needs. The focus group produced ideas on how young Londoners could be better served.
- 6.23 The GLA has taken steps to address shortages in immigration advice and is working with advice practitioners and experts to improve employment advice resources.

## **A common framework for referrals**

- 6.24 The evidence on referral systems is thin and systems that are in place have been set up for different purposes. The research noted a general level of interest from respondents and stakeholders in a common referral framework, but a good deal of scepticism about whether such a system could be made to work. It was also not clear what the motivation for using referral systems may be (for example, for referral to more expertise, to manage demand, to receive more appropriate clients, and so on). Referral systems may be horizontal (between organisations with same level of expertise), vertical (towards legal expertise), or simply to support a virtual network in a holistic support system. Whilst the technology that is available

to aid referrals for social welfare advice has grown, referral systems work well where knowledge, trust and capacity exist. More work should be done on referral systems where a clear purpose and process for referrals has been defined and therefore can be evaluated.

- 6.25 It is clear that increasing numbers of advice agencies are working with anchor institutions and (maybe to a lesser extent) informal social hubs. They recognise the important role these settings play in spotting social welfare problems and ensuring people get the advice they need: acting as providers of ‘advice first aid’. The case study on the Brent Community Advice Network exemplifies this approach.
- 6.26 The research uncovered the need for improvements in access to pro bono advice, so that provision is increased and access for advice agencies across London is more equitable and transparent. Whether a common referral framework could assist with this should be explored.

## Recommendations for action by GLA and partners

- 6.27 The GLA asked: “What actions could the GLA and partners – including London boroughs, civil society partners or private firms – take to bring strategic coordination to and increase the impact from the provision of advice and legal support or fill gaps in provision and support collaboration in the sector?”
- 6.28 Key strategic challenges were identified in section five of this report, which also identified opportunities to address them. Other issues that require attention have also been raised throughout the report.

### Vision

- 6.29 It is also important that the GLA and its partners identify a shared social welfare advice vision for London. 36% of survey respondents called for such a vision, which could galvanise London boroughs and funders around the importance of adequately funded and resourced social welfare advice.

### A London social welfare advice hub

*“Support London-wide networks of advice providers with sub-groups for geographical areas and areas of law, support London boroughs to support borough-level coordination perhaps through funding structures”* Survey respondent

- 6.30 A new hub or unit should be established with the support of the GLA to coordinate strategic action and provision across policy areas (health, environment, poverty, equality, employment, and so on) to support the delivery of advice to Londoners. The hub should encompass voluntary sector, public and pro bono provision, and act as an honest broker for social welfare advice. Its agenda should include:
- Establishing a comprehensive database and network of advice providers in London as a vehicle for dissemination and collection of information. This information should include good practice and technological developments, funding opportunities and data regarding social welfare issues, including systemic problems.
  - Providing evidence to the advice sector on the profile of advice needs in London and the unmet need of people in particular locations or from particular groups. Attention on BAME, disabled and young Londoners would be particularly useful.

- Liaising with advice funders (and potential funders) to advise on strategy and make the case for social welfare advice funding, with attention to the gaps and shortages that have been identified.
- Taking action to address advice workforce issues, and developing a more coordinated training and recruitment offer for London’s advice sector.
- Paying specific attention to the gaps and shortages in social welfare advice identified by this research, and facilitating skill-sharing exchanges.
- Liaising with pro bono groups, LawWorks and Advocate to explore opportunities to expand provision in London and ease referral routes for advice agencies.
- Generally coordinating efforts and initiatives across the various areas of social welfare law being undertaken by the GLA, London Councils, funders, practitioners and their peer groups, providers and networks.
- Taking action to bring preventable systemic failure issues to the attention of government departments and other bodies, using data collected from London’s advice agencies.

*“Look at gathering, analysing and presenting data from across the sector to highlight trends and issues.”* Survey respondent

*“Sharing research and data better with advice sector umbrella bodies and charitable trusts with an interest in policy and voice. Develop a campaign about the value of advice.”* Survey respondent

*“Monitor the impact for all protected characteristics to ensure services are benefiting all Londoners.”* Survey respondent

6.31 The hub or unit could play a leading or coordinating role in relation to all recommendations, including those that follow.

### **User research**

6.32 The report noted in the section on need and demand that the views and journeys of Londoners through the advice system should be considered. A study of a representative sample of Londoners about social welfare advice need and experience would provide valuable evidence on which to base future development. The research team recommends that the GLA and its partners consider commissioning such research to aid strategic development of social welfare advice provision in London.

### **Funding**

6.33 Action is needed to close the funding gap. Based on Low Commission estimates, a gap of £13 million exists in London (based on population levels). The establishment of the new advice funders network, chaired by London Legal Support Trust, provides a potential vehicle for addressing this issue, with attention paid to the gaps and shortages the report has identified.

6.34 The GLA should continue to support and promote the evidence base for the role of advice services in the development of ‘social prescribing’ by frontline health provision and the role of health justice partnerships more broadly. This should include developing the model for the

funding of advice services through social prescribing to ensure that advice services have the capacity to see patients that are referred to them.

- 6.35 The GLA should support further evidencing of the role of advice services within educational settings, particularly primary schools. Funding from education budgets should be explored. The GLA should work with the Department of Education and the relevant local education bodies to progress this work.

## Workforce

- 6.36 The possibility of London-wide recruitment and training of volunteers, trustees, staff and social welfare advice leaders should be considered. The GLA should consider advice workforce development as part of wide-scale training initiatives such as apprenticeship schemes and the changes to the training of legal practitioners (for example, the Solicitors Qualification Exam).
- 6.37 Training could also be extended to non-advisers (anchor institutions, social hubs and so on) to build community capacity and resilience across London. As stated earlier in this report, such initiatives could fit with the GLA's adult and community learning work.

## GLA asks of government

- 6.38 The GLA asked: "What policy or funding 'asks' of government could the Mayor and the GLA make around social welfare advice provision in London?"
- 6.39 The Low Commission made several laudable recommendations for government which remain sensible, chime very well with the findings in this report and are worth the GLA reiterating to the Government, citing this report as a basis. In particular:
- A National Advice and Legal Support Fund of £50 million per year for ten years (£500 million in total) for England and Wales, financed by the Ministry of Justice, the Cabinet Office and the Department for Work and Pensions (*"as the government department that gives rise to most of the need for advice and legal support, both through the number of appeals against its decisions and through the welfare reform changes it is introducing."*<sup>96</sup>)
- 6.40 Funding for social welfare advice, and the availability of specialist legal advice under legal aid since the cuts in 2013, is the number one issue in London. Around £13 million per year from a National Advice and Legal Support Fund would be needed to bridge the deficit in London.
- 6.41 The GLA should press for inclusion of social welfare advice in the National Health Service strategy on social prescribing. The health benefits of advice must be included in any strategy and the Government must be provide funding to support full cost recovery of referrals to advice services.
- 6.42 The GLA should look at the projects related to the Ministry of Justice's (MoJ) legal support action plan.<sup>97</sup> The GLA should register particular interest in engaging with the MoJ's plan to *"work collaboratively with the sector to pilot, test and evaluate the provision of holistic legal*

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<sup>96</sup> The Low Commission (2014). *Tackling the Advice Deficit: A strategy for access to advice and legal support on social welfare law in England and Wales*. [Online]. LAG Education and Service Trust Ltd. Available at: <https://www.lag.org.uk/about-us/policy/the-low-commission-200551>

<sup>97</sup> Ministry of Justice (2019). *Legal Support: The Way Ahead: An action plan to deliver better support to people experiencing legal problems*. [Online]. London: Her Majesty's Stationery Office. Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/777036/legal-support-the-way-ahead.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/777036/legal-support-the-way-ahead.pdf)

*support hubs to more effectively support earlier resolution of a person's legal problems."* The piloting in London would be beneficial.

- 6.43 The GLA should also seek urgent government action to reduce demand caused by preventable failure. The legal support action plan commits the MoJ to working *"more closely across government, including through existing cross-government groups, and bringing together departments and support providers to focus on ways to reduce preventable demand."*
- 6.44 The MoJ's action plan also includes some minimal commitments to restore at least some aspects of legal aid provision that were taken away in 2013. The GLA should ask that these commitments, at least, are honoured.
- 6.45 Finally, welfare cuts and reforms have left Londoners with a social security system that is causing severe hardship. Action to make the welfare system more generous and accessible, and incorporate advice and support for claimants, is vital.

# Appendices

## Appendix 1: Methodology

In order to address the research objectives and questions posed by the GLA, researchers undertook the following activities between April and September 2019:

1. Set up and facilitated a research advisory group comprised of the following members:
  - Alison Lamb, Citizens Advice Islington and RCJ and London local Citizens Advice representative
  - Chilli Reid, AdviceUK
  - Daniel Drillsma-Milgrom, Greater London Authority: Sponsor
  - Hannah Boylan, Greater London Authority: Sponsor
  - James Kenrick, Youth Access
  - James Sandbach, LawWorks
  - Jay Hughes, Get the Data: Research Team
  - Lindsey Poole, Advice Services Alliance: Research Team
  - Matthew Maher, London boroughs of Wandsworth and Richmond
  - Michael Paul, Disability Rights UK
  - Nimrod Ben-Cnaan, Law Centres Network
  - Phil Jew, Consultant: Research Team
  - Rachel Russell, Advice Services Alliance: Research Team
  - Siobhán McKenna, Greater London Authority: Contract Manager
2. Undertook desk research on relevant literature and published evidence and data.
3. Attended meetings and conferences on social welfare advice issues:
  - Access to Justice Foundation Conference
  - Employment Lawyers Advice Network
  - London Child Poverty Alliance
  - London Funders Conference
  - London Citizens Advice CEOs' Forum
  - GLA Data Exploration Day
4. Issued a general call for evidence in May 2019: see Appendix 2.
5. Invited responses to an online survey in May 2019 and a supplementary survey about funding in August 2019, which are reproduced in appendices 3 and 4. The profile of survey responses appears at Appendix 5.
6. Held semi-structured conversations on research topics with a range of stakeholders.

7. Held two focus groups on topics and themes that arose during the research, in September 2019. The focus groups were on:
  - Funding social welfare advice for Londoners
  - Advice for young Londoners



## Appendix 2: Call for evidence

### Introduction:

The Advice Services Alliance has been commissioned by the Greater London Authority to conduct an evaluation of the provision of social welfare advice across London. This research aims to identify where the advice sector is having the greatest impact and identify strategic actions that can increase its reach and impact in order to influence decision makers. As part of this research we are calling for practical examples and ideas from the advice sector (including civil society, public, private, pro bono and academic agencies that give advice either as their main activity (for example Law Centres, Local Citizens Advice, AdviceUK independent advice centres) or as part of other services in London to inform our research. We want to know about practical examples of work you are doing or are involved in to deliver social welfare advice in smart ways, more effective or sustainable ways or ideas you have about how social welfare advice could be strengthened. Please use this simple survey to provide information, links to reports and web-pages or upload documents by Friday 21st of June.

This should take no longer than 5 minutes to complete.

To answer our questionnaire survey, to share your views and experiences of advice giving please click here for guidance, here is a list of some of the things we are interested in knowing about:

- Emerging trends and smart ways to increase access to advice.
- The impacts of the shift to online processes.
- Where there are gaps and shortages in social welfare advice and how we can address them. What opportunities there are to introduce referral frameworks to help people to get the advice they need. What advice provision there is to help vulnerable groups and minority communities.
- Any examples of good practice or any initiatives which stand out. If you would rather talk to us please call: 02080164123 and you can also submit evidence by emailing it to [info@asauk.org.uk](mailto:info@asauk.org.uk). We thank you for your support with this research.

1. Contact Information
2. Please submit any evidence by uploading files here (please email anything that can't be uploaded to [info@asauk.org.uk](mailto:info@asauk.org.uk))
3. Please paste any links or add any information or comments here.

## Appendix 3: Online survey

The following questionnaire was used for the online survey of advice providers. It was shared widely across advice networks, pro bono colleagues and practitioner websites. 84 responses were received.

### Introduction:

The Advice Services Alliance has been commissioned by the Greater London Authority to conduct an evaluation of the provision of social welfare advice across London. This research aims to identify how the advice sector is responding to the challenges of high demand, funding cuts and welfare reform and is changing to maximise its reach and impact. It will make recommendations to the GLA and other London bodies and funders about how social welfare advice for Londoners can be strengthened. It's therefore an important opportunity for advice providers (voluntary, private, public, pro bono and academic), networks and other stakeholders to influence the future of social welfare advice in the capital.

This survey defines an advice service as providing anything from basic, initial and general advice to specialist casework and representation in areas of social welfare law such as welfare benefits, debt, housing, employment, community care, consumer and education.

As part of our research we are conducting this survey to gather information about advice giving organisations in London and are asking for advice providers and stakeholders' views on new trends, ideas and experiences of giving advice in London.

It should take no longer than 25 minutes to complete. In order to submit your response you must click the 'done' button on the last page. The deadline for completion is Sunday the 23rd of June. Please note that the information you supply will be used by the Advice Services Alliance for the purposes of this research only. No personal information will be shared without your explicit consent. If you have any questions or queries please email [info@asauk.org.uk](mailto:info@asauk.org.uk) or call: 02080164123

#### 1. Your contact information

- Name
- Role in organisation
- Email Address

#### Section 2: General Information

#### 2. Organisation details

- Name of organisation
- Postcode of organisation
- Please specify your interest in social welfare advice here:

#### 3. How much activity does your organisation undertake to provide advice directly to members of the public in London?

- Advice is the principal service you offer (>70% of service)
- Advice is the secondary service you offer (40-69% of service)
- Advice is an occasional service offered (<40%)
- No advice offered directly but gateway to refer people on
- Don't know/ not sure

- My organisation is not an advice provider for the public in London (please specify your interest in social welfare advice in the comment box and skip to Q11)

### Section 3: About your advice service

4. Which London borough(s) does your advice service cover?

(ALL OF LONDON or each London Borough given as a separate checkbox choice)

5. Is your organisation a...

- charity registered with the Charity Commission
- community organisation (not registered charity)
- social enterprise/ community interest company
- local authority department/ service
- private company
- health service
- university department

6. In which areas of civil law does your organisation offer advice?

- ALL AREAS OF SOCIAL WELFARE LAW
- Community care
- Special educational needs (SEN)
- Education (not including SEN)
- Immigration and asylum
- Family
- Family mediation
- Housing
- Debt
- Welfare benefits
- Public law
- Mental Health
- Employment - not discrimination
- Discrimination
- Consumer
- Other (please specify)

7. Does your organisation primarily provide advice services to a specific client group? If so please specify (more than one choice permitted):

- None, give advice to the general public
- People with physical disabilities or impairments
- People with mental health or well-being issues
- People on low income
- Refugee communities or people seeking asylum
- EEA Migrants
- Non-EEA Migrants
- Women
- Young people (under 25)

- Care leavers
- Older people
- People from black and ethnic minority communities
- Carers
- Don't know/not sure
- Other (please specify)
- Does your organisation deliver services from one premises only?
- Yes
- Don't know/ not sure
- No. Please describe where else you deliver advice services.

8. Does your organisation deliver services from one premises only?

- Yes
- Don't know/ not sure
- No. Please describe where else you deliver advice services

9. What are the principal modes by which your service gives advice?

- Face to face interviews
- Telephone based advice
- Online advice including email, messaging systems
- Video advice via application such as skype or face time
- Through website (user search for pre written text)
- Through web based automated response ('advice bots')
- Web chat
- Other (please specify)

10. Is your organisation a member of an umbrella group or network? Please say which one/s:

- Advice UK
- AgeUK
- Citizens Advice
- Homeless Link
- Local Community and Voluntary Service
- Law Centres Network
- National Council for Voluntary Organisations
- Small Charities Coalition
- Youth Access
- Immigration Law Practitioners Association
- The Institute of Money Advisers
- Other (please specify)

**Section 4: What are the emerging trends in the way advice is delivered? Thinking back over the past three years (to 2016):**

11. What would you say are the three main changes in the type of problems clients bring to advice sessions?

12. What would you say are the three main challenges you have experienced in maintaining your advice service?

13. Have you changed the way you deliver advice over the past 3 years?

- Yes (Go to next question)
- No, we deliver advice in the same way as 3 years ago (skip to Q15)
- Don't know/ not sure (skip to Q15)

14. Which of these options would best describe the changes to your service?

- Deliver more advice by telephone
- Reduced or reserved availability of face to face advice
- More outreach and off site advice sessions
- More home visits
- More online information/resources
- Give advice by email
- Introduced web chat
- Use skype or remote interviewing
- Use of artificial intelligence
- Give secondary advice to others
- Refer clients onto other organisations
- Accept more referrals from other organisations
- Other (please specify)

15. Is your organisation considering or planning changes to the ways to deliver advice within the next 2 years, including 'smart' ways i.e. use of technology to increase access to advice?

- No
- Don't know/ not sure
- Yes. (Please tell us more about the changes you plan, including smart advice methods)

16. What were the drivers of the changes within the last 3 years/ are the drivers of the changes that have been considered or planned (up to 3)?

- Reduction in levels of funding
- Increases in levels of funding
- Changes in organisations strategy or services offered
- Requirement from funder/s
- Improve partnership working
- Increase accessibility for your client group (please say how)
- Create a more targeted service
- Enable your service to be sustainable
- Make your service reach more people
- Enable your service to deliver more advice for less money
- Aligning your service to topics where funding is available
- Meet increase in volume of demand
- Meet changes in demand for type of advice services

17. In your view will the changes you plan (including new, smart or innovative ways of delivering advice) benefit your organisation by...

(strongly agree, agree, neither, disagree, strongly disagree, not sure)

- increasing your ability to deliver more advice
- increasing your ability to deliver advice to more people
- better enabling you to reach out to your client group
- better enabling you to refer clients and hence enable them to get the advice they need
- lowering your costs of delivering advice
- providing a better service for clients

18. Do you know of other agencies who have taken or are considering new, smart or innovative ways of delivering advice? If so, please give us more information/links and contact details

**Section 5: Impact of 'digital by default' benefits and online services. The move to online and digital services has impacted on many aspects of public life: from getting basic information about public services, to contacting public bodies, making claims for entitlements and accessing the court system.**

19. Since the shift to online processes for claiming benefits and services (including the roll out of Universal Credit) has the demand from clients for advice ...

- decreased?
- stayed the same?
- increased?
- don't know/not sure

20. Since the shift to online processes for claiming benefits and services has the complexity of clients' problems...

- decreased?
- stayed the same?
- increased?
- Not sure/ don't know

Please add any further comments about how the shift to digital claims is affecting your advice service

21. How has the shift to online processes for claiming benefits and services and managing claims (e.g. UC) affected your provision of advice?

- New skills required by staff / volunteers
- New knowledge required by staff / volunteers
- New equipment and facilities needed (e.g. computers to provide online access for clients)
- Increase in time spent with clients needing support to access online claim systems
- Decrease in time spent with clients needing support to access online claim systems

22. What are your views on how this has affected your clients (particularly in relation to Universal Credit, challenging decisions and going to court or tribunal)?

**Section 6: Shortages and gaps in social welfare advice provision – or 'advice deserts' There has been concern regarding the lack of legal aid provision leading to 'advice deserts'. It has also been pointed out that some areas of London also lack general advice services.**

23. In your view, do advice gaps, shortages or 'advice deserts' exist in your local authority area?

- Yes
- No (skip to next page)
- Don't know/ not sure

24. What would most closely match the description of such gaps in provision?

- No or severe lack of easily reached advice services in a locality
- No or severe lack of advice on a specific area of legal advice
- No or severe lack of advice services easily accessed by a particular group in the community
- Other (please specify)

25. What do you think are the three principal reasons for this gap?

26. What, if anything is being done to address this gap?

27. Do you have any comments regarding how it could be effectively addressed?

**Section 7: Referral systems. Many advice services are using or developing referral systems to assist getting the client to the right advice as quickly as possible. Some of these systems are unique to an advice service whilst others are shared between advice partners. There has been some discussion of further developing shared referral systems more widely so that the range of partners could be expanded and could cover large areas (i.e. the whole of London).**

28. Does your advice service currently use a shared referral system?

- Yes
- No, but we do refer using another process
- No, we don't refer clients on

29. In your view, would a common referral system for London based advice services, which covers all areas of law and all London Boroughs, help get clients the advice they need?

30. Which of the following would enhance your ability to get clients the advice they need, if they were included as referrers?

- Play leaders, schools, teachers or student counsellors
- GP surgeries, health visitors, mid wives or other health professional
- Elected official such as MPs or councillors
- Police and Community Support Officers
- Prisons, probation staff and court staff
- Social workers or community based carers
- Local voluntary and community workers including food banks
- Informal social hubs such as hairdressers/barbers/cafes
- Churches and faith based centres

**Section 8: What the Greater London Authority can do for the advice sector**

31. Thinking of the challenges facing your advice service, which three areas should the GLA prioritise?

- strategic co-ordination of advice provision
- increase outputs of advice services
- address the geographical gaps in advice provision

- address the gap in services to particular client groups
- develop provision in particular areas of law
- support collaboration
- develop online referral systems
- don't know/ not sure
- I have another suggestion

32. What can the GLA and partners (including London boroughs, charitable funders, civil society partners or private firms) do to improve the following:

- the strategic co-ordination of social welfare advice
- the impact of advice services
- the gaps in advice provision
- supporting collaboration

33. What could the Mayor and the GLA request from government to improve London advice provision?

34. If there's anything else regarding advice in London that you would like to tell us, please use this space.

35. Are you happy for us to contact you in relation to the research?

- Yes
- No

END. Thank you for taking the time to complete this survey and inform our research, we will get back to you when we publish.



## Appendix 4: Advice sector funding survey

This survey was sent to all advice providers who had completed the original Advising Londoners research survey. They were given between the 22<sup>nd</sup> of August and the 9<sup>th</sup> of September 2019 to complete it. 17 responses were submitted overall.

### Introduction:

Thank you for taking the time to complete the survey for the Advising Londoners research project, your responses have been very insightful and have been used to inform our research report.

For the next stage of our research we are holding a focus group to discuss what practical actions the GLA and partners (e.g. London Funders) could take to tackle the social welfare advice funding gap in London and explore any viable alternative sources of support for social welfare advice. We would like to gather as much information as possible about how advice services in London are funded so that we can use this information to inform our focus group discussion.

Please could you provide information about how your advice service is funded in this very short survey by Monday the 9th of September. If you would prefer to email or call us, please contact: [info@asauk.org.uk](mailto:info@asauk.org.uk), 07494027275.

We thank you again for your participation in our research.

- 1) Over the past three years, has your funding/income for social welfare advice decreased, stayed the same or increased?
  - Please give more detail
- 2) Looking forward to the next three years, do you expect your social welfare advice funding/income to decrease, stay the same or increase?
  - Decrease
  - Stay the same
  - Increase
  - Not sure
- 3) If you are funded by a local authority, have you been told to expect cuts in funding during the next three years?
  - Yes
  - No
  - Not sure
- 4) What percentage of your social welfare advice funding/income (approximately) came from the following sources, this year?
  - % Council
  - % Health Commissioners
  - % Housing Associations
  - % Trusts/ Foundations
  - % Lottery
  - % Legal Aid

- % Fees from clients
- % Other (please specify)

5) Do you have any other comments about your funding/income for social welfare advice?

6) Contact information (optional)

- Name
- Organisation

Do you give us permission to discuss/ quote your answers (as anonymous survey respondent) in our report and focus groups?

## Appendix 5: Main survey responses and respondent profile

- The survey was sent out via social media, mailing lists and newsletters. We estimate that the request would have been received by at least 600 organisations.
- 77 responses were received, 66 of which were substantially completed. 11 returns were only partially completed – four of these were responses made by staff in London boroughs.
- 91% of respondents to question 3 identified their organisation as a provider of advice, including 67% where the main activity is advice.
- Responses were received from people working in every London borough, with the exception of the City of London and the London Borough of Waltham Forest.
- Just under a third (31%) of responses were from organisations which covered all of the London boroughs.
- 92% of respondents were charities: we also had responses from 1 local authority, 1 private company and a trade union.
- 23% of respondents provided advice in all social welfare law areas.
- 62% provided welfare benefits advice, 52% housing, 40% community care, 34 debt, 34% employment and 23% immigration and asylum.
- 38% of respondents gave advice to the general public. Others were focused on sections of the London population, including disabled people (26%), people with mental health issues (29%), older people (23%), BAME communities (23%).
- 94% gave face-to-face advice, 69% telephone, 58% online including email, 9% via video, 18% website information.
- Just one respondent organisation provided automated responses ('advice bots') and 3 provided web chat.
- The responses came from organisations across the range of advice networks: 24 were Advice UK members, 9 from Age UK, 10 from Citizens Advice, 7 from Law Centres Network and 2 from Youth Access.

## Appendix 6: Stakeholders consulted for this research

- Action on Disability
- Advice for Renters (Brent)
- AdviceUK
- Age UK
- Brent Community Law Centre
- Brent CVS
- Bromley By Bow Centre
- Centre for Armenian Information and Advice: Hayashen
- Citizens Advice Brent
- Citizens Advice Enfield
- Citizens Advice Hammersmith and Fulham
- Citizens Advice Islington/Royal Courts of Justice
- Citizens Advice national body
- Citizens Advice Wandsworth
- Disability Rights UK
- Enfield Connections
- Enfield Disability Action
- Enfield Voluntary Action
- Etic Lab
- Equality Advisory and Support Service
- Greater London Authority
- Harrow Law Centre
- Inclusion London
- Ipsos MORI (National Lottery Community Fund, Help Through Crisis learning, evaluation and support team)
- London Borough of Enfield
- LASA
- Law Centres Network
- Law for Life
- LawWorks
- Legal Advice Centre (University House)
- Legal Aid Practitioners Group
- London Funders
- London Legal Support Trust
- Nucleus
- Refugee Action
- Shelter London
- Simmons & Simmons
- Social Finance
- Southwark Law Centre
- StepChange
- The Legal Education Foundation
- Trust for London
- Toynbee Hall
- Trussell Trust
- UCL
- Your Employment Settlement Service (YESS Law)
- Youth Access
- Z2K

## Appendix 7: Indicators of advice needs

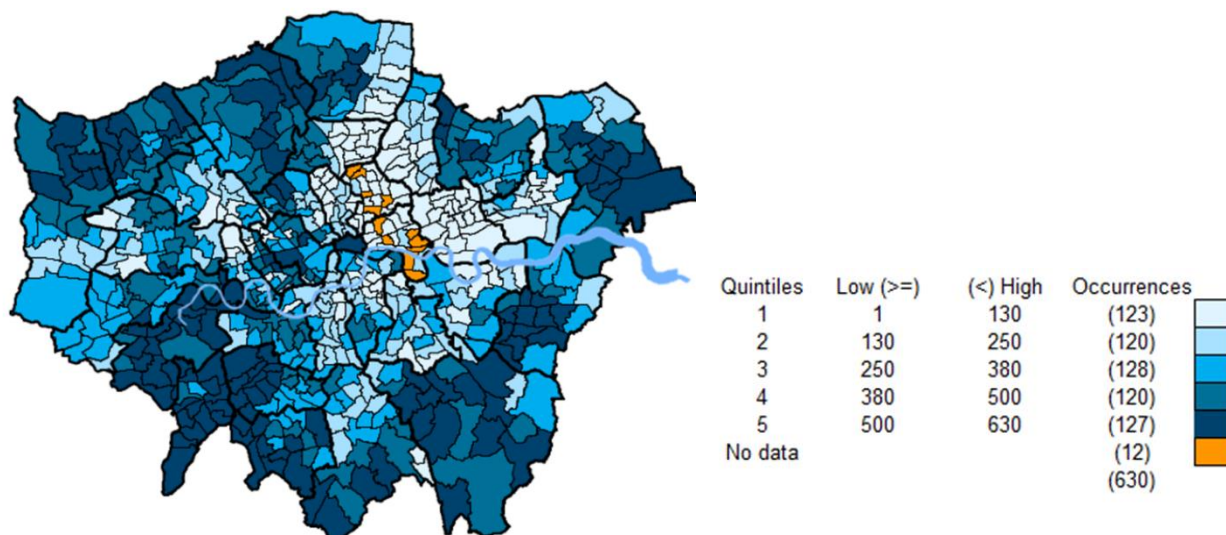
In the absence of information on actual advice-seeking behaviour, proxy indicators are required to assess likely advice need. Need indicators were collated and analysed at borough and ward level where available. Four key themes of need were identified:

- Immigration – migrants may require access to services at a higher number due to complex situations.
- Employment – areas with low employment rates may experience higher demand for services.
- Income and debt – areas where income is low or debt is high may experience higher demand for services.
- Benefits and welfare – those on benefits may require more advice to claim in a timely or accurate way.

Also considered in the analysis were contextual factors such as population density, crime rates, housing issues and homelessness/rough sleeping, and levels of disability.

### Indices of deprivation in London

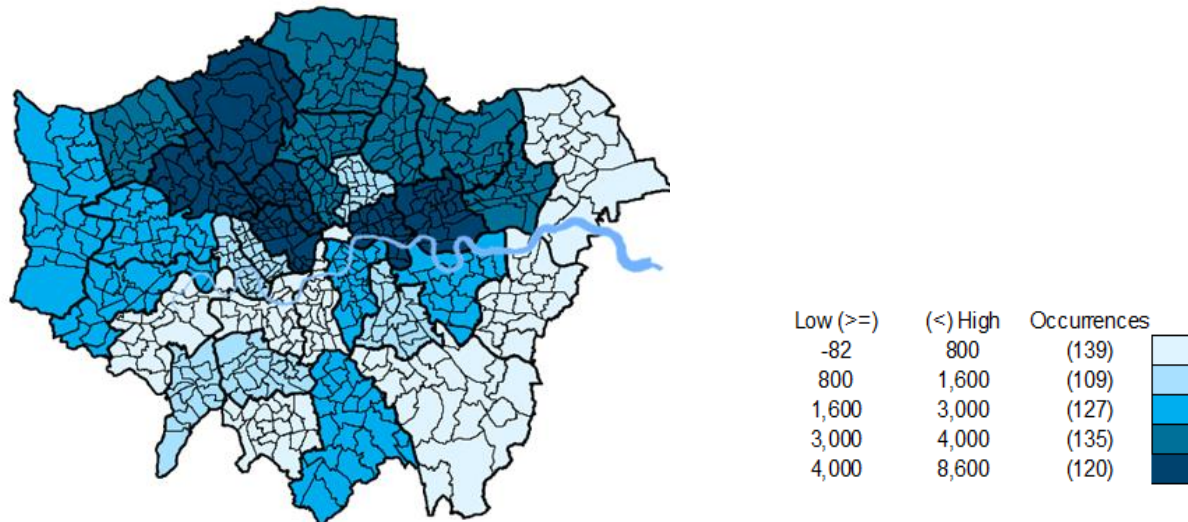
Index of deprivation for 2010 – rank of average score, where low numbers indicate higher deprivation. Notice that the majority of high deprivation wards are in a U-shaped band crossing North, Central and East London. There are also pockets of high deprivation in Ealing and Brent, and more broadly in Lambeth, Southwark, Lewisham and Lambeth.



Source: Ministry of Housing, Communities and Local Government (2010). *Indices of Deprivation 2010*. (Online).

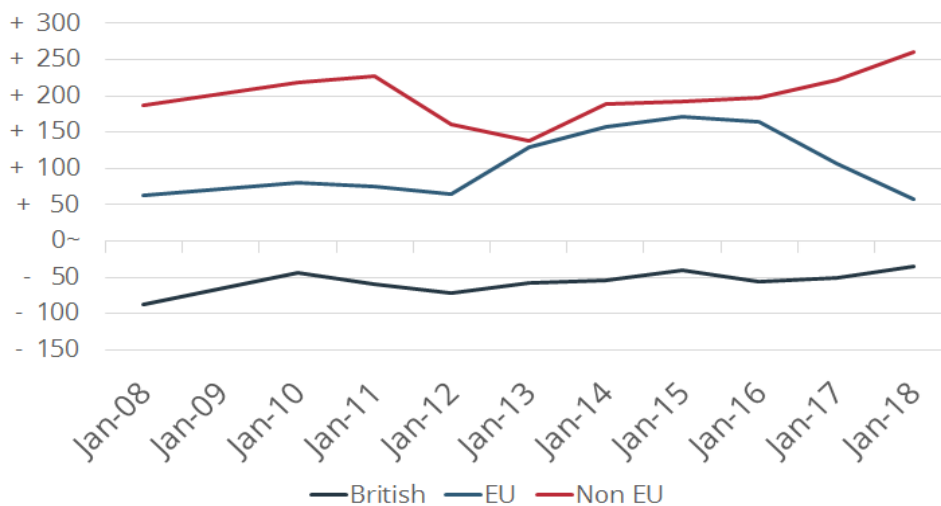
### Net migration in London by borough

Net migration to the UK from the EU has fallen since the referendum. This has been matched by a rise in non-EU migration. In 2016/17 the highest rates of migration were in the north and northeast of London.



Source: Office for National Statistics (2018). *Long Term international migration, UK and London*. (Online).

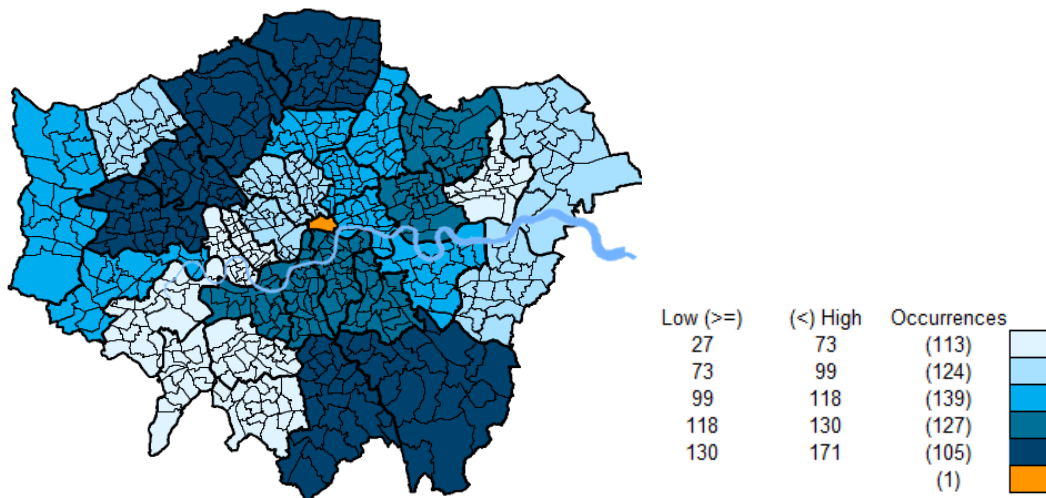
### Net migration – UK-wide trends



Source: ONS (2019) *Migration statistics quarterly report: Feb 2019* (ONS: Online publication)

### Immigrant population in London by borough (1,000s)

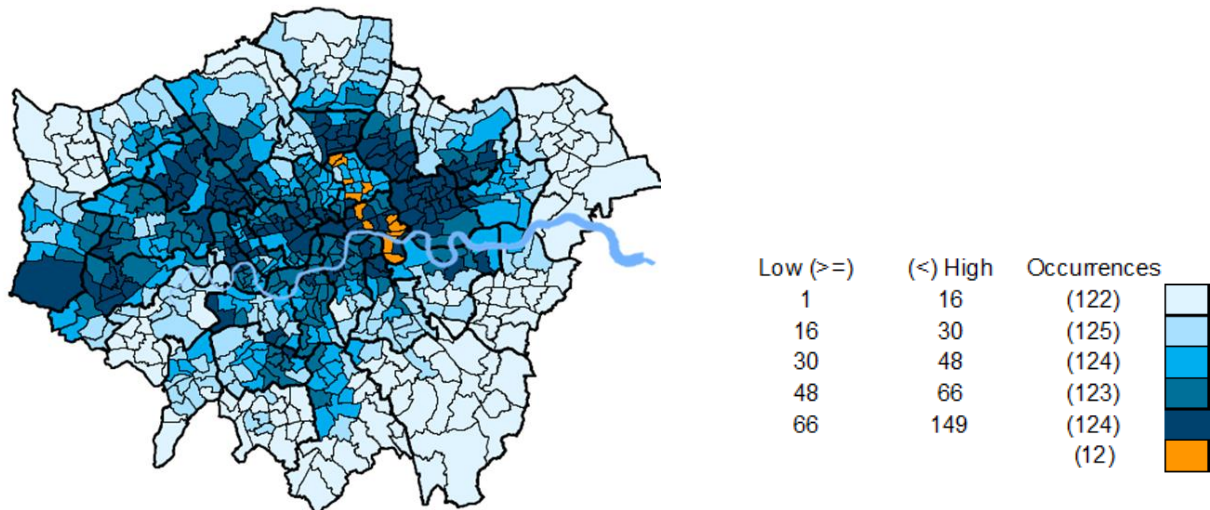
The boroughs with the highest immigrant populations, based on 2016 data, are Barnet, Croydon, Lambeth, Ealing and Enfield.



Source: Office for National Statistics (2019). *Population of the UK by country of birth and nationality*. (Online).

### Migrant worker registration by ward

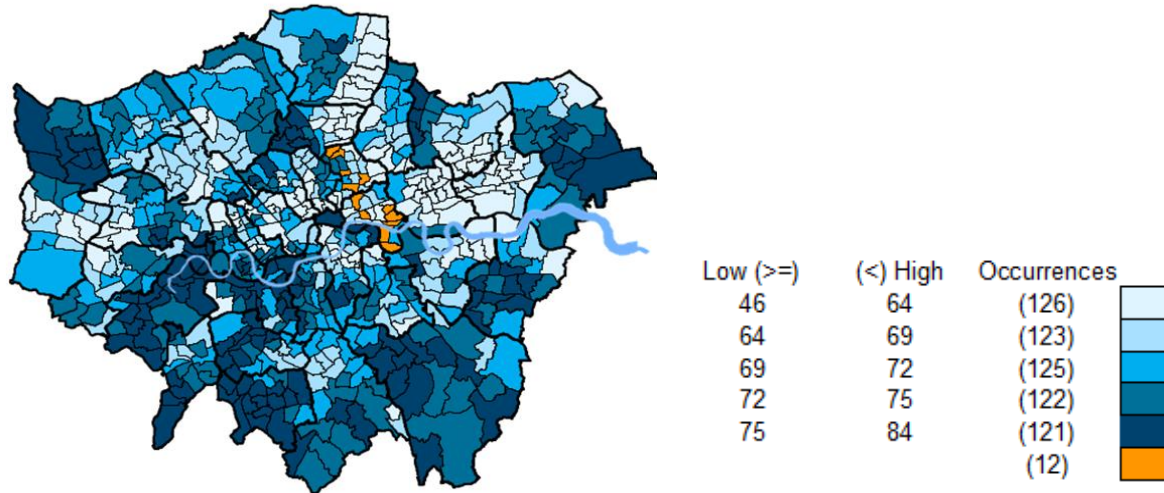
In 2012 the highest rates of migrant worker registration was central London, with pockets in the east and west.



Source: Greater London Authority (2015). *Ward Profiles and Atlas*. (Online).

### Employment rate by ward

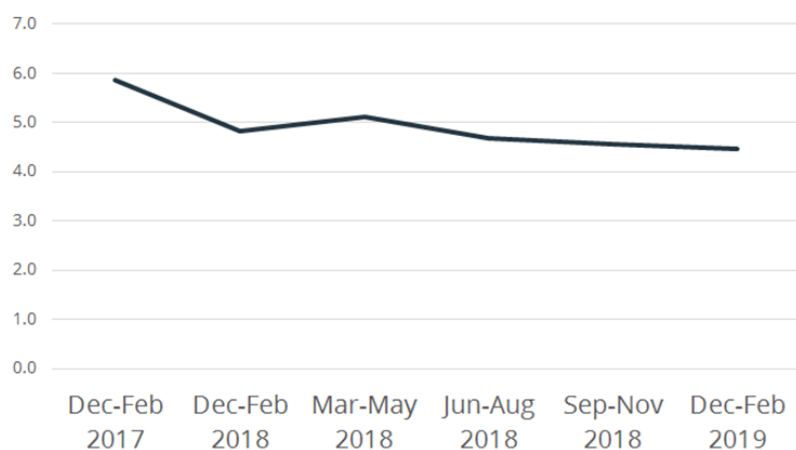
The unemployment rate is falling across London to historically low rates. The employment rate by ward map shows lower employment rates in areas of North and East London, with pockets in West London as well.



Source: Greater London Authority (2015). *Ward Profiles and Atlas*. (Online).

### Proportion of Londoners earning less than the Living Wage – trend

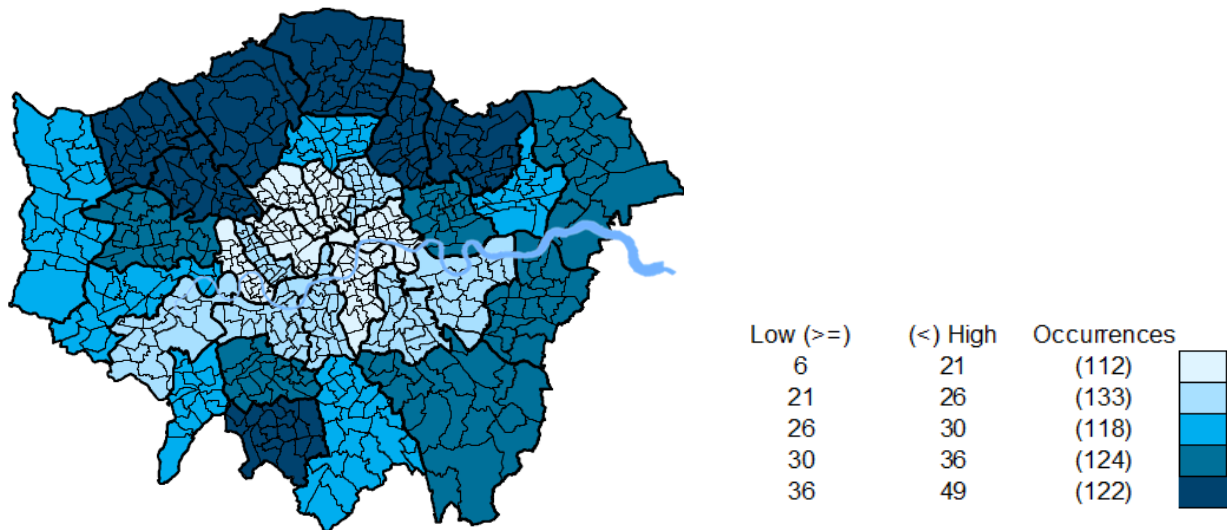
The proportion of Londoners earning less than the living wage has been rising since 2009 and is now over 20%, or one fifth, of working people. Northern boroughs have the highest proportion of people earning less than the living wage – as high as 49% in some areas: Harrow, Brent, Barnet, Enfield, Waltham Forest and Redbridge. The proportion is also high in Sutton in the south.



Source: Office for National Statistics (2018). *Employees earning below the London Living Wage (LLW)*. (Online).



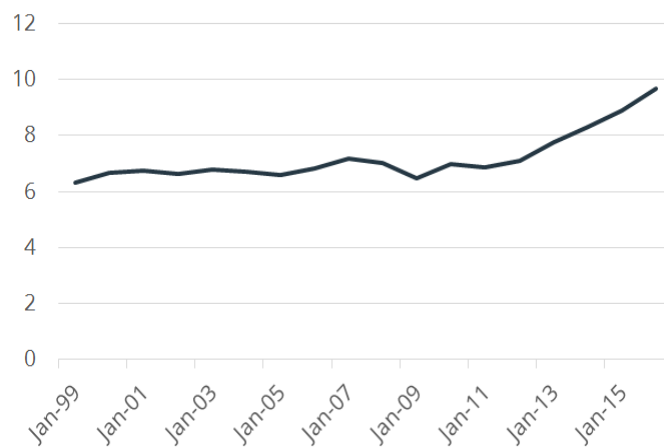
### Proportion of Londoners earning less than the Living Wage – by borough



Source: Office for National Statistics (2018). *Employees earning below the London Living Wage (LLW)*. (Online).

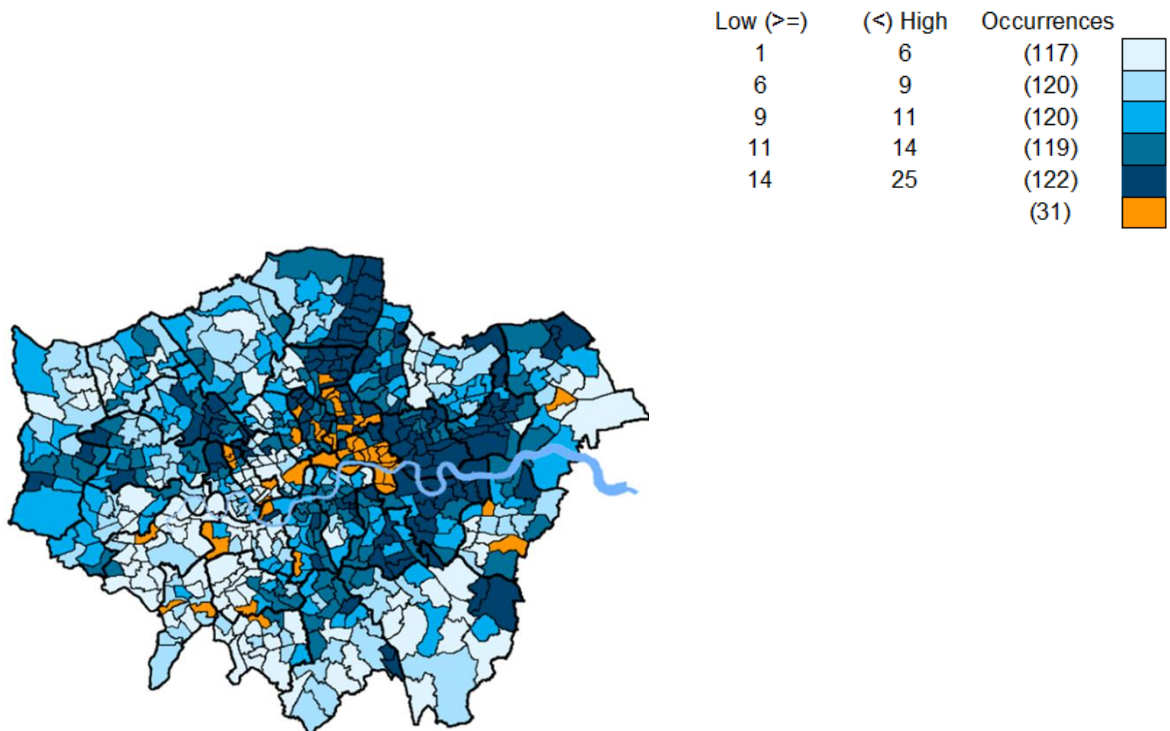
### Proportion of Londoners claiming benefits – trend

The proportion of Londoners claiming benefits has risen substantially over the past eight years to almost 10%. Wards in the north and east of the capital have the highest proportion of residents claiming benefits, as well as patches in Brent, Greenwich and Lewisham, where it can reach up to 25%.



Source: Department for Work and Pensions (2017). *Working age client group by ward*. (Online).

## The number of working age people claiming benefits



Source: Department for Work and Pensions (2017). *Working age client group by ward*. (Online).

## Appendix 8: Advice for young people focus group notes – 03/09/19

### Summary of main points from discussion

#### Attendees:

James Kenrick: Youth Access, Amy Wilkes: Shelter, Hannah Boylan: GLA, Laura Chilintan: LCN, Joel Carter: Just for Kids Law, Valarie Clark: Youth Legal, Helal Uddin Abbas: Trust for London, Lindsey Poole: ASA, Phil Jew: Consultant

#### 1. Who counts as a young person (YP)?

- 16-25, can make independent legal decisions from 16
- Questioned whether to reduce to 14 due to general advice needs of this age/increase to 30 as people this age still struggle to get on housing ladder?

#### 2. What are the advice needs of YP vs. other groups? How are these changing?

- Most prominently benefits, debt, housing, homelessness
- Also issues with disability, carers, care leavers, young parents, school exclusions and knife crime
- ¾ of YP accessing youth services meet the cut off point for mental illness

#### 3. How do we reach young people?

- Harder due to rise of hidden homelessness (YP sofa surfing, staying with friends)
- YP (particularly BAME) not seeking help as sense of powerlessness
- Youth phone services tend to be less popular
- YP cases taken on through referrals, whistleblowing social workers, through youth workers

#### 4. What does the current provision look like?

- Extra work is needed as YP less likely to show up. Need to holistically/emotionally support
- Work is 'firefighting' not learning and development
- More young people accessing advice online but don't have legal knowledge to navigate info
- Greater emphasis and funding for mental health/counselling services

#### 5. What current strategies and agendas are in place? How successful are these and how can the GLA support them further?

- GLA Young Londoners Forum: YP discuss experiences of immigration process, aim to increase political literacy and legal vocab in schools
- LCN go to schools and colleges, where can engage with YP and parents
- New Horizons work on upstream prevention

#### 6. What challenges do youth advice service providers face?

- Fighting for same funding - less collaboration
- Staffing and workforce issues, hard to attract next generation of advice providers

- Lack of communication, infrastructure and time

**7. What do we want to see in 5 years?**

- Strategic co-ordination, regional advice hubs, social action and rights based work
- Strategies to support talent in sector and prevent burnout
- YP development workers in each borough, network to holistically support them
- YP law category, funding not just for specific advice categories

**8. What opportunities are there?**

- Exploring technology, referral systems, UBER for advice, investment in tech
- Funding: Tampon Tax Fund, NHS want to fund mental health work, Young Londoners Fund
- National youth advice strategy

## Appendix 9: Funding the advice sector focus group minutes – 13/09/19

### Attendees

- Alan Jarvis AdviceUK
- Ben Tovey Shelter
- Chilli Reid AdviceUK
- Daniel Drillsma-Milgrom Greater London Authority
- Eddie Coppinger University House (Legal Advice Centre)
- Hannah Boylan Greater London Authority
- Harriet Steele Richmond and Wandsworth Council
- James Banks London Funders
- John Edwards Age UK
- Julie Bishop Law Centres Network
- Lindsey Poole Advice Services Alliance
- Nezahat Cihan London Legal Support Trust
- Phil Jew Consultant
- Shona Harris Sutton Council

### Abbreviations

LA = Local Authority, LEI = Legal Expenses Insurance

### Introduction

Key issues identified by the Advising Londoners project are:

- Funding as the perennial issue
- Workforce: ability to recruit and retain talent
- Shortage of infrastructure for London's social welfare advice sector
- Gaps and shortages in provision e.g. for young people and BAME groups

The GLA gave clarity on its interest in this project: They aim to look at policy and programmatic areas to review: the overlapping issues that are affected by and affect social welfare advice. To become more aware of the issues affecting Londoners – social welfare and social integration related. How can we inform the next mayoral term? Influence and take a different, more informed approach to funding to help people in crisis. GLA has made £20,000 funding available through the Access to Justice Fund for Windrush immigration advice, a further £310,000 for immigration advice, created the UE Londoners Hub, piloted welfare rights advice embedded in schools, is building an employment rights hub in liaison with the Employment Legal Advice Network (ELAN) and funds rough sleeping advice through the Street Legal project.

### Funding questions:

1. How can we better coordinate funding streams?

- Grenfell as a short-term example of funding co-ordination.
- Bring people together from a range of different funding backgrounds.
- London Funders is establishing an Advice Funders Network, bringing providers and funders together on advice sector issues, chaired by LLST. First meeting 1/10/19.
- LA's moved away from grant funding towards procurement and contracts, which means it's harder to fund smaller organisations. How can LA's play a role facilitating co-ordination between smaller organisations? Approach currently used - get Citizens Advice to take the lead role to set up coordination in boroughs. Different departments within LA's that interact with advice, fund differently, so makes co-ordination more challenging.
- Growth of health advice funding, but this is a challenging funding stream. Can't always easily prove health benefits of advice.
- Standardisation of funding process is difficult. Common application forms – but some communities won't benefit from too much shared information.

## 2. What's the current funding situation?

Advice network representatives said:

- Loss of funding from legal aid and LA has been staggering - lead to ongoing closures of advice organisations.
- LLST fund 'Centres of Excellence' 36 in London, funding is unrestricted.
- Increased funding from trusts and foundations, but year by year so harder to maintain staff, expertise and plan longer term projects. Hard to recruit next generation of talent. Lack of essential backbone, reliable funding for advice.
- Funding for BAME groups hit hard, AdviceUK's BAN network gone. Commissioning approach of LA's is one size fits all, smaller groups suffer.
- City Bridge Trust and Trust For London recognise need to work with smaller organisations.
- Organisations that get people to pay for advice, have high demand on their services, need to ask people themselves rather than assume we know what they need.
- Funders want to fund innovation projects rather than sustain existing models.
- Services turning away clients, working on trying to serve a small number of clients well rather than increase scale of work.
- Looking at allowing services to be more holistic to meet needs of desperate clients, e.g. Law Centres employing crisis workers to help with non-legal issues of clients. Finding the people who need help are in more desperate need than they used to be. Mental health of clients is a huge problem.

## 3. Scope for additional streams of funding?

London Legal Support Trust, getting funding for Law Centre in Surrey

Legal Expenses Insurance – LEI – Eddie Coppinger of the Legal Advice Centre, presented the case for making better use of LEI – or 'micro-insurance':

For some time now we have been active on work around micro-insurance, including affordable Legal Expenses Insurance (LEI). Through our interactions with key stakeholders, we are convinced how LEI can help with the access to justice agenda. According to a recent Ministry of Justice survey, 1 in 10

people now obtain legal assistance via Legal Aid, whilst 1 in 4 now receive it via insurance. The focus of our work is now on social landlords.

LEI is often sold as part of some other primary insurance or financial product. There are over 400 providers of home contents insurance in the UK, with over 25% of policies sold that include LEI as standard. The size of premium for such policies seems to have little relationship to any add-ons like LEI. For example, one of the cheapest home insurance products on the market, includes LEI as standard, whereas you can pay 3 or 4 times their premium for a home contents product that does not include LEI.

Presently, all tenants of social landlords are encouraged by them to purchase contents insurance from the National Housing Federation Insurance scheme. This scheme does not include LEI. We believe it should. We also believe there is a strong argument for including micro-insurance as part of a tenant's rent, whilst providing for an opt-out. Social landlords have a policy objective of wanting all their tenants to have home contents insurance but take up is very poor.

Nearly all social landlords include details of the National Housing Federation scheme at sign-up when a new tenant takes on one of their properties, and yet some social landlords report less than 4% of their tenants have joined the scheme. This approach is clearly not working. Social landlords really need to review their approach here. In reviewing what they are doing, there is also an opportunity to completely change the way key stakeholders engage with the insurance/finance industry on behalf of some of the most vulnerable in society.

We realise that times are tough and that given the choice people understandably would rather put food on the table than pay for insurance. However, what we are talking about here is a very small amount of money, which would get smaller given the economies of scale. The more people that are covered by the scheme would mean the greater the purchasing power of social landlords.

We are also not talking here about LEI as it is presently commercially available. Present day LEI provides those who are covered with a minimum of £50,000 of support with legal costs. What we are advocating is a stripped-down version of LEI which has a focus on social welfare law. The most common matter our sector deals with is disability benefit appeals to the First-tier Tribunal. Even if our clients had LEI we would struggle to spend more than a few thousand pounds on a disability benefit appeal.

There is a significant number of tenants in social housing who do not have any insurance. According to Fair Finance, 50% of households in the bottom half of the income scale do not have any insurance. We fundamentally believe the best way forward is for social landlords to use their purchasing power to obtain low cost insurance for all their tenants. This insurance should include LEI and other products such as basic funeral cover, in order, to help create community resilience.

Tragically, social tenants who neither have LEI or home contents insurance are often forced to purchase next to useless product insurance from sub-prime lenders. Hire purchase companies, for example, tend not to provide access to their overpriced HP goods unless the "customer" has home contents insurance, knowing full well that most of their targeted customers do not have such cover. They then sell them their own overpriced insurance.

The exploitation of the poor needs to end. Micro-insurance is a logical way forward which multiple stakeholders can engage with on behalf of their tenants, members or employees.

**Discussion points:**

Advice providing organisations could access LEI policies on behalf of vulnerable clients, can bill the insurance company at the end of cases for work done. Community lawyers can get paid at a rate which subsidises their other cases.

Legal Advice Centre, Tower Hamlets are currently trying to raise awareness of LEI and pitching to those who work in welfare law, benefits and tribunals.

Will also try to train law centres to carry out this type of casework and adapt triage templates to identify those who have this insurance straight away.

There is the issue that many organisations lack capacity and knowledge to make use of LEI. And most advice agencies do not employ lawyers.

#### **4. What can the GLA do to take forward these issues of the advice sector?**

Organisations and decision makers working in the interest of social welfare advice provision need to learn and understand the journeys and experiences of people seeking advice.

The GLA would like to receive information from organisations working with people on low-income on the impacts of no-deal Brexit.



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