Document - Innovate UK, Access to Support Bid: Overview

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Introduction

It is the experience of the partners in this project that the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO), Jackson reforms to fee and insurance arrangements introduced in April 2013 and the changes to court fees and family justice reforms introduced in April 2014 have dramatically impacted their work and the experiences of their clients.

As a group, our collaborators have come together to address the issues raised by these developments. Having already articulated a need for work to explore solutions to the problems they encounter in completing and coordinating their work in the face of these developments prior to the call for bids under the aegis of Innovate UK.

Recent research undertaken on behalf of the Ministry of Justice designed to provide data on the prevalence of legal problems and the strategies and services that people use to resolve their issues and outcomes (Franklyn et al., 2017) has confirmed the significance of the obstacles identified by the collaborating organisations. In fact, earlier qualitative research, also commissioned by the Ministry of Justice that had sought to map routes to problem resolution of users, and non-users of the civil, administrative and family justice systems pointed to the same issues (Pereira et al., 2015). Both presented substantial evidence that individual circumstances such as income levels, marital status, gender, race and education were highly predictive of difficulties in engaging with and gaining a resolution through the systems studied.

It is clear to all of the agencies included in this bid that a project to create a social, organisational and technical framework for managing and improving outcomes that reflect the complexity and diversity of this very prevalent set of social problems is a priority.

A notable barrier to innovation in the field of providing legal support services that are as efficient and effective as they should be is the difficulty of unlocking the knowledge and information held by all of the different agencies engaged in the ecosystem.

Essentially each agency can be using a different case management system (or, in some cases, systems) of some kind. These need not be compatible or sufficiently flexible to allow for data to be collected in common or shared once collected. This continues to be an insurmountable barrier, particularly for organisations who do not have the financial resources to address such strategic and expensive problems. For now, the data, information and knowledge already created and stored by individual agencies cannot be brought together for the purposes of analysis or even operational efficiency. Many agencies, commentators and indeed the members of this cooperative bid have pointed to the problems created and opportunities lost because of this state of affairs. The cost of this situation is not just borne by the individual client who has to repeatedly provide the same information to multiple agencies (although this does happen) but also the opportunities lost because different agencies are unaware of the existence, roles or competencies of other organisations providing services. We anticipate providing a system which would entirely prevent such occurrences.

In our work analysing the behaviour of heavily indebted clients, in a system by which they are subject to many algorithmic decisions, we noted the problems that can arise when individuals have largely digital interactions with multiple actors in an ecosystem. We saw that numerous actors processing clients data without being aware of one another's actions is a source of potential harm and in our experience, this harm cannot be mitigated by an individual agency (Hogan et al. 2018). In the case of providing access to support in the legal arena, actors do not have access to the knowledge of how people traversed the network of actors/agencies and perhaps most importantly, what the outcome of these multiple contacts are both for the client and the system itself. The data that can be derived from data pooling represents a major opportunity that cannot be realised until the task of creating a system to do so is tackled. It is this primary task that forms the first fundamental element of the bid.

A significant goal of this feasibility study then is to work with partners to develop and test the applicability of a means to provide a common data infrastructure and assets in the form of, tools for acquiring data, a data warehouse and the standardised schemas that can serve agents and officers working directly with clients. Having determined that this task is achievable, we would have laid the basis for a further project to build a system that can be rolled out across the entire legal services ecosystem enhancing the effectiveness of the sector as a whole. A successful roll-out would not only be for those who work for law centres/clinics, or advice agencies providing advice and sometimes representation. It would also include clearinghouses or support agencies like the BPBU, FRU or LawWorks. In addition, PSUs offer essential non-legal support at courts, and it would also be wise to include Law for Life and other Public Legal Education agencies.

Project Rationale

The community legal sector providing support for members of the public faced with a justice problem agree that clients would benefit from increased awareness of, and improved access to, relevant, transparent and timely information about the options available to them, both to resolve their problems and better manage their circumstances.

It is also understood that the network of providers in this area are impacted by the lack of access to a common data set, particularly with regard to knowledge of client outcomes and client journeys through the justice system, after they have left a particular provider. Resolutions are delayed as clients have to provide the same information on multiple occasions to different providers. These issues are then exacerbated further due to the lack of a standard set of terms to describe and manage client flows.

To summarise what is required is a common platform for acquiring, managing and most importantly acting upon the information provided by clients.

Partners in the project agree that the range of resolution & support strategies available and the channels and format of any information provided must take into account people's differing levels of capability and resource. Bringing this knowledge together and placing it in the hands of advisors throughout the support community is a crucial goal for the project.

Most importantly providers acting as part of the diverse community of third sector organisations particularly advocacy and representation services, require a capability that puts the full range of resources available within easy reach. Service providers need tools that provide awareness of and access to the complete range of support agencies, we envisage creating a user interface via a web-based system that puts the role, location and contact information of every agency within reach of the advisor - alongside pointers as to the role and likely value of the service in the context of the individual client.

It is critical, however, that this information is contextualised and that each different agency should have access to a tool that, given a picture of a client and their circumstances, can illustrate not just what resources are available where, but also which is the most likely route of access that promotes the best outcomes.

This undertaking will require a systematic overview of both the agencies, the means of accessing those agencies (for example, soon some will only be providing digital access) and also the various support materials such as templates, guides, online decision aids and video materials. A further requirement for the operation, development and evaluation of these services is for tools and data sets that can address the question of what works best, for whom and in what circumstances.

Our goal is to create an overview which would allow collaborators to identify both the success and the pinch points in the current arrangements. Essentially, we will require a review of whether the materials and support provided resulted in just outcomes for the clients served. This should give us a robust empirical basis for tasks such as benchmarking services and driving service development. Similarly, such evidence would be vital in driving a tool which can make sound recommendations as to the best course of action when an advisor in the system encounters the unique intersection of personal needs, abilities and resources of a particular client. Once again this points towards the need for an integrated data strategy to underpin improvements in the delivery of any future services.

This is a large and complex task which, given the range of organisations and services involved, can only be achieved by a mixture of organisational innovation and technical developments designed to support cooperative working. We must also acknowledge the different models, goals, philosophies and technology bases of the cooperating organisations.

Lastly, but by no means least, is the requirement to recruit clients to allow their data to be used and shared. Both to help themselves but also others, to create an open, transparent and ethical workflow which enables all parties to own and examine what information is held in their name and remove it if required.

To identify how best to meet the requirements set out here we propose a feasibility study which will follow Etic's design philosophy set out in the list below.

List of 'rules' to apply in designing a new system:

- **Provide the tools that staff and clients need to complete their task**
- **At a time, in a format and in the place that they need to be**
- **Support the task in hand and collect data from the execution of that task**
- **Ask users only for the input relevant to their part of the overall task**
- **Wherever possible use information collected elsewhere to support and minimise effort**
- **Never ask for data twice**
- **Create new data, knowledge and understanding by merging all the data from the execution of tasks and use this to provide a system for supporting data queries**

Project Entry Phase

We will workshop with the various constituencies: users (and non-users), advisors and managers using soft systems methodology to create an ideal conceptual model, the reality of which we will then explore. Next, we will create a map of the different user journeys embodied in the service delivery for the project partners and identify data elements, data sources and outcomes in the context of the present system(s). This will involve an examination of the IT systems and methods for measuring; enrolling, managing and discharging client contacts. It will also require exploration and discussion with front-line staff of the practices, resources and protocols that govern their behaviour, as well as gaining an understanding of their requirements for additional technology-based support. In short, we need to address both organisational culture and technical infrastructure issues at the outset.

Project Specification

Question:

Is it technically possible to specify and acquire data about client pathways and client outcomes to build a system that can support advisors in helping their clients decide what to do, who (or what) to approach for further help and when or in what order to take action(s)?

Elements of the proposed system:

Create the technical specification for a system that is capable of capturing existing client datasets that have been acquired using current methods/tools.

Create the technical specification for a system to acquire any data that is specified as required for all clients - whether available on a particular extant system or not.

Design a data warehouse to store all of the data concerning client details, case histories, agencies and resources employed and outcomes evidence where available.

Design and produce a database for acquiring information about assets in a variety of forms and media, classify and store them for retrieval by the advice support system.

Design a tool to mine all of the existing data sources.

Design and interface for acquiring answers to any newly defined common questions.

Incorporate both of these data into the project data warehouse.

Analyse the data and create model pathways.

Create a system to link unique client characteristics and requirements to pathways, agencies and other resources (asset database).

Create a tool and interface to:

Present client information and support materials for use by an advisor, e.g. actions, options, resource information, e.g. documents, videos, contact information and evidence as to the likely outcomes, e.g. costs, duration endpoints.

The first wave of work will allow for the design of a system that can when a sufficient volume of casework is acquired and labelled, be used to build a system that can do the following:

Match client circumstances to a model client pathway, a recommended set of resources and a model 'journey' that will help an advisor set out feasible options. Including a suitable portfolio of support in the form of organisations or other assets. Advice as to the best possible to route to follow and evidence as to the probability of success, alongside likely outcomes based on people with similar problems and individual circumstances.

The system will be designed not to make decisions about them but provide clients and support workers with support for the choices they make. Perhaps one of the significant benefits of the system will be the evidence as to what happens next, including delay, withdrawal, success, continuing problems and resolution. Because once a client has engaged with the system any subsequent interaction with partner agencies will add to the knowledge base and ultimately the efficacy of the system. A system that can learn from the diversity of pathways, clients and outcomes and not merely struggle to accommodate them.