

Merseyside Regional Office Mental Health News: August 2010

Welcome to the National Mental Health Unit's newsletter. The purpose of this newsletter is to update you regarding the current operational position with **Mental Health exceptional cases, Mental Health certificated work and Tailored Fixed Fee exceptional cases**. We would be very grateful if you would please circulate this leaflet around all of your legal aid fee-earners and billing department. We hope to provide this information regularly and would greatly appreciate any comments you have on its usefulness to you.

Contents

1. **Running record of costs**
2. **Level 1 rates**
3. **Application turnaround**
4. **Application for prior authorities.**

National Mental Health Unit
Merseyside Regional Office
Legal Services Commission
2nd Floor Cavern Court
8 Mathew Street
Liverpool
L2 6RE

DX 14208 LIVERPOOL 1

T: 0151 242 5350
F: 0151 242 5394

Email:
liverpool@legalservices.gsi.gov.uk
(Please clearly mark the subject
line Mental Health)

This newsletter is produced by the Merseyside Office of the Legal Services Commission. Although every effort is made to ensure the accuracy of the material contained in this publication, the Legal Services Commission does not accept liability to any party for any error, omission or misstatement in any of the material published herein. The views expressed in this publication may not be the views of the Legal Services Commission.

Updates and Information:

Running Record of Costs

In order for your claim to be processed please ensure that your running record of costs demonstrates the following:

- **what work was undertaken (attendance, preparation, etc)**
- **what date it was completed (this must match the date on your file note)**
- **how long the work took (e.g. travel 2 hours)**
- **what hourly rate has been used**

There must also be a running total of costs that demonstrate the cumulative costs of all work undertaken. If there are any items of work on your running record of costs that you are not claiming for, please ensure that these items are highlighted and deducted from the cumulative total, as this could account for a discrepancy and result in your bill be rejected.

For further guidance, please refer to Unified Contract page 88 Annex E, Unified Contract Standard Terms 7.10 and Unified Contract Standard Terms part 8.2

Please note that we will contact you if any further information is required to process your claim however if this information cannot be provided within 24 hours then your file will be rejected.

Level 1 rates

As per MH specification 12.35(a) level 1 work is defined as all work that takes place prior to the application to the MHRT being submitted. As such, all work undertaken up to and including the date the MHRT application is sent is deemed to be Level 1 and must be claimed at Legal Help rates.

If your client has applied to the Tribunal before your initial attendance, then all work undertaken on the date you first attend with the client is deemed to be level 1 and must be claimed at Legal Help rates (Mental Health specification 12.19)

**Merseyside Regional Office
Mental Health News: August 2010**

Certificated Work

Application Turnaround

We have a commitment to turn around all applications within 5 working days. As such if you have submitted an application it will not be necessary to confirm receipt unless the application is urgent or 5 working days have passed.

An application would be considered urgent if it requires determination within 48 hours, and it is not possible to use devolved powers. At present we are able to accept urgent applications for amendment by fax, however prior authority for such a submission should be sought from the team.

All other applications should be submitted to either the postal or DX address as usual.

Applications for prior authorities

- Applications should be submitted on form CLS App8, and page 9 should be fully completed.
- We will require the expert's details.
- We will also require a full case specific breakdown from the expert that should include hourly rates, number of hours incurred, mileage and VAT.
- Please provide copies of any court order that directs for the instruction of an expert.
- The hourly rate allowable for an experts travel is 2/3s the hourly rate for preparation. Please note that any travel rates that exceed this will be reduced.
- It is not possible to include mileage or VAT as part of a prior authority however the expert can claim this on assessment or taxation of the bill.