**PUBLIC LAW PROJECT EXCEPTIONAL FUNDING PROJECT: DISCLAIMER**

**The Public Law Project’s (PLP) exceptional funding project is designed to assist people in need of legal advice, assistance or representation with making exceptional funding applications and challenging refusals of funding where appropriate.**

**From 1 April 2013, many areas of law for which legal aid had been available will be out of the scope of legal aid. But some such cases may nonetheless be awarded legal aid, if it can be shown that the refusal of legal aid would breach the applicant’s rights under the European Convention on Human Rights, or the applicant’s rights under EU law. More information on who is eligible for exceptional funding is available** [**here**](http://www.publiclawproject.org.uk/exceptional_funding_project_page.html)**.**

**Solicitors can in principle assist you to make an application for exceptional funding. However, legal aid for making the application will only be available retrospectively if the application is subsequently granted. It is widely anticipated that such applications will only very rarely be granted, and as they are likely to be time-consuming for solicitors, PLP is concerned that many solicitors will refuse to make them.**

**For this reason, PLP has developed this Exceptional Funding Project to assist those that cannot get help from another source to make an application for exceptional funding. However, PLP is a small organisation with limited capacity. Whilst we will do our best to assist, we cannot guarantee that we will be able to help all applicants that refer their cases to us, and applicants are strongly advised to exhaust all other advice options before applying to PLP for assistance.**

**For the same reason, PLP cannot accept emergency cases as we do not have an out-of-hours service and we cannot guarantee that anyone will look at an applicant’s case within a specific period of time.**

**Applicants should be aware that PLP is only able to offer the limited service of assisting with the application for exceptional funding or challenging a refusal of exceptional funding where appropriate. PLP is not able to offer a casework or advisory service for the applicant’s underlying legal problem and nor is PLP necessarily able to take on cases that have received funding.**

**By referring your case to PLP, you understand and agree that:**

* **PLP may draft an application for exceptional funding for you, or else may (at our discretion) refer your case to our network of volunteer lawyers (who might be solicitors, barristers or law students working under a supervising solicitor) who will draft grounds for your application.**
* **PLP or any volunteer lawyer to whom we refer your case may seek to contact you through the contact information you put on the referral form, to take instructions or request further documents from you where further instructions and/or documents are considered necessary to assist with drafting your application for exceptional funding.**
* **All information provided will be kept strictly confidential by PLP save that information may be passed to our network of pro bono lawyers on equivalent terms of confidentiality.**
* **In the event that PLP or any volunteer lawyer to whom we refer your case considers that further instructions or documents are required to assist with drafting your application for exceptional funding, but are unable, after making reasonable efforts, to take instructions or obtain required documents from you, we may at our discretion refuse to assist you further with drafting your application, and return any documents you have sent us.**
* **The purpose of the referral form is to enable the Public Law Project to understand your legal problem and establish whether you might be eligible for legal aid, in the form of exceptional funding. PLP may not be able to respond to (and may have to disregard) incomplete referral forms.**
* **In the event that PLP or any volunteer lawyer to whom we refer your case considers that on the basis of the instructions and documents you have provided, an application for exceptional funding would be very likely to be rejected, we reserve the right to so notify you, to return your documents to you, and to refuse to assist you further.**
* **Neither PLP nor any volunteer lawyer to whom we refer your case will be acting for you as your solicitor.**
* **This service is being offered by PLP on a pro bono basis drawing heavily on the use of volunteer lawyers. While every effort is taken to ensure that the work that is produced for you will be of a high standard, PLP make no warranties and accepts no professional liability in relation to the correctness of any advice given or document drafted by any third party, whether or not you are made aware of the third party’s involvement in your case.**
* **So far as you are aware, you do not have any business, professional or other association with PLP or any client of PLP (if you consider that you might have some such association, please let us know).**
* **You agree to raise any complaint about the service we provide as a complaint in accordance with our complaints procedure: see Appendix 2.**

Please return this form, and all relevant documentation, to:

The Casework Team

The Public Law Project

150 Caledonian Road

London

N1 9RD

Or by fax to: 020 7837 7048

Or by email to: exceptionalfunding@publiclawproject.org.uk

**SECTION A: CONTACT DETAILS**

|  |
| --- |
| **APPLICANT’S CONTACT DETAILS** |
| Name: |
| Postal address: |
| Contact telephone number: |
| Email address: |
| **REFERRAL DETAILS** |
| Have you been referred to the Public Law Project by a solicitor or adviser?[ ] Yes[ ] NoIf yes, please provide their details. |
| Name: |
| Organisation/solicitors firm: |
| Contact telephone number: |

**SECTION B: YOUR LEGAL PROBLEM**

|  |
| --- |
| **WHAT TYPE OF LEGAL PROBLEM DO YOU HAVE?***Please tick the box that is best describes the nature of your legal problem. You may need to tick more than one box.* |
| [ ] Housing[ ] Debt[ ] Welfare Benefits[ ] Private family law[ ] Immigration[ ] Education[ ] Other (please state) |
| **PLEASE IDENTIFY THE KIND OF LEGAL SERVICE THAT YOU NEED FUNDING FOR***Please tick as many boxes as apply.*[ ]  Advice on the options open to you to resolve your legal problem[ ]  Help with writing a letter(s)[ ]  Help with making a complaint(s)[ ]  An expert report(s), for example, a medical report[ ]  Representation at a court or tribunal hearing[ ]  Other (please specify) |
| **PLEASE ATTACH COPIES OF KEY DOCUMENTS REGARDING YOUR CASE TO THE REFERRAL FORM***In all matters, please provide documents which you think are relevant, e.g. a decision which you seek to challenge and any medical reports that you have.**In an immigration matter this might include the following: status document, Home Office decision letters, Tribunal decisions, High Court Orders, asylum interview and medical reports.**In a family matter this might include the following: Court Orders, Child Protection Plan and medical reports.**If you do not have copies of relevant documents, please provide us with contact details of former or current representatives, so we can contact them to provide us with copies.**Please list what documents you are attaching:* |
| **PLEASE COMPLETE THE AUTHORITY FORM IN APPENDIX 1 AND ATTACH THIS TO THE REFERRAL FORM***This provides authority for the Public Law Project to assist with an application for exceptional funding, including obtaining relevant documents.* |
| **ARE YOU IN RECEIPT OF SUPPORT FROM ANY ORGANISATION OTHER THAN THAT MAKING THE REFERRAL (if any), e.g. GP, community mental health team, migrant support organisation, social worker?***If so, please provide us with their name and contact details.* |

**SECTION C: EQUALITY AND DIVERSITY MONITORING**

*As part of PLP’s Exceptional Funding Project, we would like to collect data on the characteristics of the people applying for exceptional funding. We hope that this information will assist us with arguing that more people should have access to exceptional funding in the future. You do not have to provide us with this information and it will play no part in our consideration of your eligibility for exceptional funding.*

|  |  |
| --- | --- |
| **Date of birth** (*dd/mm/yyyy)* |  |
|  |  | **Please tick** |
| **Marital status** | Single |[ ]
|  | Married |[ ]
|  | Divorced |[ ]
| **Gender** | Male |[ ]
|  | Female |[ ]
|  | Transgender |[ ]
|  | I do not wish to disclose my gender |[ ]
| **I would describe my ethnic origin as** | White – British |[ ]
|  | White – Irish  |[ ]
|  | White – any other white background |[ ]
|  | Black or black British - Caribbean |[ ]
|  | Black or black British - African |[ ]
|  | Black or black British – any other black background |[ ]
|  | Asian or Asian British - Indian |[ ]
|  | Asian or Asian British - Pakistani |[ ]
|  | Asian or Asian British – any other Asian background |[ ]
|  | Mixed – white and black Caribbean |[ ]
|  | Mixed – white and black African |[ ]
|  | Mixed – white and Asian |[ ]
|  | Mixed – any other mixed background |[ ]
|  | Other ethnic group – Chinese |[ ]
|  | Any other ethnic group |[ ]
|  | I do not wish to disclose my ethnic origin |[ ]
| **Please indicate which term would best describe your sexual orientation** | Lesbian |[ ]
|  | Gay |[ ]
|  | Heterosexual |[ ]
|  | I do not wish to disclose my sexuality |[ ]
| **Do you consider yourself to have a disability?** | Yes |[ ]
|  | No |[ ]
|  | I do not wish to disclose whether I have a disability |[ ]
| **If so, please state the type(s) of impairment that applies to you. You may indicate more than one category.** | Physical impairment |[ ]
|  | Sensory impairment |[ ]
|  | Mental health condition |[ ]
|  | Learning disability/difficulty |[ ]
|  | Long-term illness |[ ]
|  | Other |[ ]

**Please return this form, and all relevant documentation, to:**

**The Casework Team**

**The Public Law Project**

**150 Caledonian Road**

**London**

**N1 9RD**

**Or by fax to: 020 7837 7048**

**Or by email to:** **exceptionalfunding@publiclawproject.org.uk**

**Appendix 1**

**AUTHORISATION**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, hereby authorise the Public Law Project to assist me with an application for exceptional funding to the Legal Aid Agency. I also permit the Public Law Project to obtain any documentation and information relating to my case.

Signed …………………………………………………………………..

Dated ……………………………………………………………………

**Appendix 2**

We aim to deal with any complaints promptly, fairly, openly and effectively.

We define a complaint as any written or verbal expression of dissatisfaction made by a client, approved supplier or other third party to any person in our organisation.

A complaint may be identified in a letter, telephone call, e-mail, fax or in the course of a face to face conversation.

A complaint may involve:

• Dissatisfaction with the handling of a case;

• Disappointment with an alleged lack of communication;

• Frustration with an alleged lack of case progress;

• An allegation of discrimination

• Dissatisfaction with the outcome of the case.

However, issues of a very minor nature, for example, not returning a non-urgent telephone call until the following day are not recorded as a complaint.

We inform clients in writing at the outset of their matter of their right to complain and how complaints can be made.

We also inform clients in writing at the outset of their matter of their right to complain to the Legal Ombudsman, the time frame for doing so and details of how to contact the Legal Ombudsman.

When a client, approved supplier or other third party makes a complaint, we send them a leaflet which sets out PLP’s complaints handling procedure, outlining the relevant stages and timescales. A copy of this leaflet is attached at Appendix 2.

We report and record every complaint made centrally. All complaints are referred to PLP’s Complaints Officer (Ravi Low-Beer) in the first instance, who on receipt of a complaint:

• Reviews the matter with any staff involved;

• Identifies the cause of any problems of which the client, approved supplier or

 third party has complained;

• Determines what degree of validity the complaint has;

• Decides how the complaint should be resolved.

Where the Complaints Officer identifies a potential negligence claim or where a client, approved supplier or other third party claims financial loss, compensation or threatens legal action, the case must be referred immediately to Jo Hickman (and any other Principal Solicitor) and to the Chair of trustees or another trustee in his absence. The Principal Solicitors together with the trustees will decide, in conjunction with our insurers, whether PLP should continue with this complaints procedure or adopt some other course of action.

We inform clients if we discover any act or omission which could give rise to a claim by them against us but before doing so caseworkers must refer any such cases to their supervisor for advice. If the supervisor agrees that the circumstances of the case could give rise to a claim then the case must be referred immediately to Jo Hickman and any other Principal Solicitor who will decide, in conjunction with PLP’s trustees and our insurers if necessary, what information should be provided to the client.

The Complaints Officer will offer the client, approved supplier or other third party appropriate redress and recommend amendments to unsatisfactory procedures to the Principal Solicitor responsible for updating the Quality Manual (Jo Hickman) and the Operations Hollie Whyman where appropriate. They will ensure that any unsatisfactory procedures are corrected.

Any complaints made where Ravi Low-Beer had conduct of the matter are referred to Jo Hickman (as the other Principal Solicitor).

The Complaints Officer keeps details of all complaints received in a central record. Copies of any documents/correspondence showing how each complaint is resolved are also retained on the central record.

Ravi Low-Beer is Principal Solicitor with overall responsibility for handling complaints and carries out an analysis of the central record of complaints annually. Following this review he decides whether any action can be taken to improve PLP’s services. The results of the review (i.e. any trends identified and action proposed) are documented.

Hollie Whyman is responsible for the operation of this procedure. She will check the records annually to verify that it is in effective operation.