



## Part 14 – Claims

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# Claims – family/civil and criminal

## Invoice from provider

1. The Grants Officer will check that the invoice is completed correctly:
  - (a) on the prescribed form:
    - If a lead provider is claiming for appearances in relation to a guilty plea, Form 3 should be used.
    - All other criminal claims should be made on a Form 4, e.g. claims for appearances for bail in addition to the guideline guilty plea fee **must** be contained on one invoice in Form 4
    - Family claims should be made on form 10
    - Civil claims should be made on form 20 (available shortly).
  - (b) form is completed and certification is signed,
  - (c) a GST number has been provided – **Note:** see below for actions if GST number has not been provided
  - (d) invoice is from the lead provider assigned to the case,
  - (e) the rates claimed are applicable to lead providers level of experience and the forum/proceedings category,
  - (f) listed provider rates are applicable to listed provider level of experience and that the listed providers named have been “approved” for the file,
  - (g) receipts are attached where these are required to verify disbursements - in cases where receipts have been lost or are not practicable, amounts up to \$20 can be claimed without a receipt
  - (h) a copy of the ‘outcome’ document is enclosed with a final claim (eg: order, agreement, judgment)
  - (i) totals have been calculated correctly
2. If the interim report or invoice is incomplete, it will be returned to the lead provider with covering letter.



## Invoices with no GST number

1. It is important to ensure all invoices have GST number to ensure that the Agency complies with Goods and Service Act 1985.
2. To ensure that only invoices with GST numbers are paid:
  - Any invoice that does not have a GST number will not be paid.
  - Grants Officers may note the provider’s GST number on the invoice if this is known from a previous invoice.
  - Grants Officers may phone the provider and ask for their GST number.
  - If the provider is not registered for GST, the invoice must be for a GST exclusive amount. If the invoice is approved, it will be forwarded to Finance for payment.

## Assessing claims for disbursements

### General office disbursements

Step 1. The Grants Officer determines whether the general office disbursement claim is of a type approved by the Agency for payment.

If the office disbursement claim...	then...
<p>can be <i>directly</i> attributed to the conduct of a matter,</p> <p>is for:</p> <ul style="list-style-type: none"> <li>▪ cell phone/mobile calls</li> <li>▪ facsimiles</li> <li>▪ photocopying</li> <li>▪ postage, courier fees</li> <li>▪ toll calls (from land lines),</li> </ul>	<p>the Grants Officer may <b>approve</b> the claim for payment.</p> <p>Go to step 2, <i>The Grants Officer determines the appropriate basis for reimbursement.</i></p>
<p>is for an amount up to and including \$100,</p>	
<p>is for an amount in excess of \$100,</p>	<p>the Grants Officer will consider this as an application for an amendment.</p> <p> From this point until the provider submits an amendment with the guideline hours, the grant will be managed under the prior approval granting process.</p>
<p>has already been claimed as part of a fixed fee in the steps for a proceeding,</p> <p>is for a type of disbursement not paid by the Agency,</p> <p> This includes, but is not limited to office overhead expenses such as:</p> <ul style="list-style-type: none"> <li>▪ office running costs</li> <li>▪ secretarial costs</li> <li>▪ file administration</li> <li>▪ computer costs</li> <li>▪ phone rental, including local calls</li> <li>▪ cell phone /mobile plans and equipment rentals,</li> </ul>	<p>the Grants Officer will either:</p> <ul style="list-style-type: none"> <li>▪ defer payment of the disbursements and refer the claim for an examination</li> <li>▪ decline to pay the claim.</li> </ul> <p>Go to <b>Make a decision.</b></p>
<p><b>cannot</b> be <i>directly</i> attributed to the conduct of a matter,</p>	

Step 2. The Grants Officer determines the appropriate basis for reimbursement.

Type of disbursements	Basis of reimbursement
Cell phone/mobile calls	Cost per call
Facsimiles	Cost per facsimile
Photocopying	20 cents per page copied
Postage, courier fees	Cost per delivery
Toll calls (from land lines)	Cost per call
Go to <b>Make a decision</b> .	

## Special disbursements

Step 1. The Grants Officer determines whether the special disbursement claim is of a type approved by the Agency for payment.

If the special disbursement claim...	then...
<p>can be <i>directly</i> attributed to the conduct of a matter,</p> <p>is for:</p> <ul style="list-style-type: none"> <li>▪ Agents Fees</li> <li>▪ Court Filing Fees</li> <li>▪ Half cost of DNA and Blood Testing</li> <li>▪ Document/Process Servers</li> <li>▪ Specialist Report – Independent Psychiatric Report issued under the Mental Health (Compulsory Assessment and Treatment ) Act 1992</li> <li>▪ Specialist Reports – Valuations, Medical, Restorative Justice, Other</li> <li>▪ Witnesses and Interpreters</li> </ul>	<p>the Grants Officer may <b>approve</b> the claim for payment.</p> <p>Go to step 2, <i>The Grants Officer determines the appropriate basis for reimbursement.</i></p>
has already been claimed as part of a fixed fee in the steps for a proceeding,	<p>the Grants Officer will consider this as an application for an amendment.</p> <p>.</p>
<p>is for a type of disbursement not paid by the Agency,</p> <p><b>cannot</b> be <i>directly</i> attributed to the conduct of a matter</p>	<p>the Grants Officer will either:</p> <ul style="list-style-type: none"> <li>▪ defer payment of the disbursements and refer the claim for an examination</li> <li>▪ decline to pay the claim.</li> </ul> <p>Go to <b>Make a decision</b>.</p>

Step 2. The Grants Officer determines the appropriate basis for reimbursement.

Type disbursements	of	Basis of reimbursement	Documentary Evidence
Agents Fees		Fee @ Cost (as agreed by reference to Hourly Rates for providers)	Copy of invoice, receipt, statement or other document.
Court Filing Fees		Fees not covered by the fees waiver and refund regulations (Fees noted under the regulations may be waived/refunded upon application to the Registrar of the Court)	Copy of invoice, receipt, statement or other document.
DNA and Blood Testing		50% Cost of Test Cost of Birth Certificate –if relevant to matter	
Document/Process Servers		Cost (as invoiced by third party)	Copy of 3 <sup>rd</sup> party invoice
Specialist Report – Independent Psychiatric Report issued under the Mental Health (Compulsory Assessment and Treatment ) Act 1992		Cost (as invoiced by third party)	Copy of 3 <sup>rd</sup> party invoice
Specialist Reports – Valuations, Medical, Restorative Justice, Other		Cost (as invoiced by third party)	Copy of 3 <sup>rd</sup> party invoice
Witnesses and Interpreters		Fee @ Rates governed by the Witnesses and Interpreters Fees Regulations 1974, or Courts Schedules - and any subsequent updates	Copy of invoice, receipt, statement or other document.
Go to <b>Make a decision.</b>			

## Travel costs

Step 1. The Grants Officer determines whether the travel cost is of a type reimbursed by the Agency.



Travel costs include specific expenditure incurred by lawyers and other providers on travel arrangements which can be *directly* attributed to the conduct of a matter.

Type of fees/disbursements	Basis of Reimbursement	Documentary Evidence
Accommodation, meals, and incidentals	Cost (as invoiced by third party)	Copy of 3 <sup>rd</sup> party invoice
Travel – air, train, bus, taxi,	Cost (as invoiced by third party)	Copy of 3 <sup>rd</sup> party invoice

Type of fees/disbursements	Basis of Reimbursement	Documentary Evidence
car rental		
Travel time	Fee @ Fee Rates advised in the Fees, Rates and Steps Schedule for providers	Copy of invoice, receipt, statement or other document.
Use of provider's motor vehicle	Cost @ cents/kilometre rate advised in the Fees, Rates and Steps Schedule for providers	Copy of invoice, receipt, statement or other document.

Step 2. The Grants Officer determines whether the claim is reasonable.

Consider	Guidance
Whether the claim for travel time is for the time actually spent in travelling to the 'travel destination' where it was not possible to undertake other client chargeable activities.	Travel time does not include normal home-office travel in accordance with established business and tax practice.
Factors which necessitated the travel.	The Agency's Assignment Policy, which allows for preferred providers and by-rotation providers, and whether the matter should have been reassigned, or an agent appointed;
	The availability of providers in the 'local' centre with The appropriate listing categories and/or expertise in the matter;
	The existence of any conflicts of interest among counsel within a 'local' centre necessitating a reassignment to a lawyer/other provider located outside the centre;
	The 'other party' is located in another centre;
	The legally aided person and/or person significant to the matter, is physically unable to travel, e.g. temporary hospitalisation;
	The most cost effective travel option(s) have been applied – for example, these might include: <ul style="list-style-type: none"> <li>▪ Economy class air travel</li> <li>▪ Use of a rental car if private vehicle reimbursement exceeds the rental cost</li> <li>▪ Advance booking of air fares</li> <li>▪ Accommodation guidelines developed by the Agency – for its staff - covering room rates, and meal and incidental allowances.</li> </ul> <p>Go to Step 3, <i>The Grants Officer assesses the claim against guideline accommodation rates and meal</i></p>

Consider	Guidance
	<i>allowances.</i>

Step 3. The Grants Officer assesses the claim against guideline accommodation rates and meal allowances.

The following guideline rates and allowances may be used by lawyers and other providers in claims for reimbursement of travel costs if needed:

Accommodation rates*	\$/day (GST inclusive)	Documentary Evidence
Metropolitan city	\$140 to \$155	Copy of invoice, receipt, statements or other document.
Provincial city	\$125 to \$140	
Town	\$125 to \$140	

Meal allowances	\$/day (GST inclusive)	
Breakfast	up to \$15	Copy of invoice, receipt, statements or other document <b>only</b> if the cost is over \$50.
Lunch	up to \$10	
Dinner	up to \$30	

\* The range of accommodation rates are within acceptable thresholds for government funded organisations and contracted suppliers of services.

The rates and allowances are maintained by the Agency for domestic travel by staff. The rates are current as at 1 July 2008.

Go to Step 4, *The Grants Officer will make one (or a combination) of the following decisions.*

Step 4. The Grants Officer will make one (or a combination) of the following decisions:

- Approve payment of invoice in full – S75(1)(a).
- Approve part payment of invoice – S75(1)(a).
- Defer payment of all or part of the claim in order that the deferred part may be examined – S75(1)(b).
- Decline payment of claim – S75(1)(c)
- Decline part of claim – S75(1)(c)
- Request further information
- Refer to Specialist Adviser for recommendation.

# Claims from the Duty Solicitor Scheme

## Invoice from provider

The Grants Officer will check that the invoice has been completed correctly:

- correct form of invoice is submitted,
- provider is approved as a duty solicitor,
- invoice is completed and signed by the Duty Solicitor,
- invoice has been signed by the Court Registrar, or in Auckland, Grants Officer
- only one solicitor per invoice.

## Duty Solicitor Payment Rates

Activity	Coverage	Rates	Documentation
Attendance at Court	Weekday	\$99/hour	Completed Duty Lawyer/Solicitor attendance record, Payment Voucher or Tax Invoice.
Attendance at Court	Saturday, Sunday, Public Holiday	\$121/hour	

# Claims from Police Detention Legal Assistance Scheme

## PDLA payment rates

Activity	Coverage	Rates	Documentation
Telephone attendance	<b>Day or Night</b> (24/7)	\$39/call	Completed form 13
Attendance in person	<b>Day</b> – 0800 to 1900hrs, Monday to Thursday <b>Day</b> – 0800 to 1700hrs, Friday, Saturday, Sunday, Public Holidays	\$110/hour (\$55/half hour or part thereof)	Completed form 13
Attendance in person	<b>Night</b> – 1900 to 0800hrs, Monday to Thursday <b>Night</b> - 1700 to 0800hrs, Friday, Saturday, Sunday, Public Holidays	\$166/hour (\$83/half hour or part thereof)	Completed form 13

## Invoice from PDLA lawyer

Each PDLA lawyer will send directly to the appropriate LSA Office an invoice using the prescribed invoice (form 13).

The Grants Officer will check that the invoice has been completed correctly:

1. Correct tax invoice has been submitted
2. Provider is listed as approved to provide PDLA
3. Fees claimed are within the prescribed rates
4. Duration of personal attendance is correctly added
5. Any travel claimed is in accordance with PDLA guidelines
6. Tax invoice has been fully completed and certified by the PDLA Lawyer
7. Details have been supplied to support a telephone attendance and a personal attendance to the same person on the same occasion.
8. A written explanation has been provided if the PDLA lawyer is claiming for a personal attendance outside their area.

### Notes

1. Telephone attendances may be combined with a day OR night attendance.
2. One Invoice, one session

# Authorised Payments (top-ups)

## Introduction

These policy and procedures apply to situations when the Agency may consider a proposed payment to a listed provider in addition to a legal aid grant (i.e. a private “top-up”). The policy was approved by the LSA Board in October 2002.

## Legislation

Section 66 states that no listed provider “may take payments from or in respect of a person to whom services are provided under any scheme unless they are authorised” by the Agency.

## Policy

1. The Agency will only authorise additional payments under section 66 in exceptional circumstances. In assessing whether exceptional circumstances exist each case will be considered on its own special facts.
2. Exceptional circumstances are most likely to involve situations where a legally aided person will not receive adequate legal representation unless a top-up is authorised.
3. The Agency is unlikely to authorise a proposed additional private payment that is high in comparison with the Agency’s guideline hourly rate.
4. The Agency is unlikely to authorise a top-up where the source of the proposed payment is the aided person, their partner or arranged on a “contingency” basis (relying on a payment from the proceeds of proceedings).
5. The Agency is likely to authorise additional funding from other recognised sources in Waitangi Tribunal proceedings, provided the other funding is not for the same activity as that funded through a legal aid grant.

## Procedures

### Decision to authorise additional payments

To reach a decision, the Grants Officer needs to weigh up range of factors. This starts by first ensuring that full information is available on the following:

1. the adequacy of the current grant
2. the facts of any exceptional circumstances
3. the type of additional payment being requested
4. the source of additional payments.

## **Check the adequacy of the legal aid grant**

1. The assumption underpinning all legal aid grants is that the grant approved should be adequate for the work to be done. For this reason it is expected that top-up payments will not be authorised in many cases.
2. Before a decision is made to authorise a top-up, the Grants Officer must consider whether:
  - The legal aid already approved appears reasonable for the work completed or to be completed and covers all reasonable costs associated with the case
  - The provider has used standard processes for seeking more legal aid funding (e.g. explaining special circumstances for a grant outside the standard maximum rates, requesting an amendment to the grant).

## **Assess whether any exceptional circumstances exist**

1. In determining whether exceptional circumstances exist the Grants Officer must consider each case on its own merits and assess whether:
  - the case or the situation is unique or has similarities to other cases or situations
  - the particular situation of the case points to exceptional circumstances warranting authorisation of top-up payments.
2. Exceptional circumstances may exist when one or more of the following situations exist:
  - The specified lawyer has a unique set of skills or experience relevant to the particular case
  - Another lawyer could not reasonably be expected to provide representation due to the short time remaining before trial (but only if it can be shown that delays were outside any provider's control and/or the trial date won't be changed and/or the lawyer required needs to have a unique set of skills)
  - A refusal to authorise a top-up impacts on the client's right to legal representation under section 24(c) and (d) of the New Zealand Bill of Rights Act 1990 (where this is combined with one of the other circumstances in these guidelines)
  - The payment is fortuitous (e.g. from an unrelated third party who did fund raising for a social cause represented by the case)
  - There will be a lengthy trial which would unreasonably tie up the resources of the law firm of the listed provider (so they would be unable to take 'private clients' at the same time)
  - There are other relevant considerations given the particular circumstances
3. Exceptional circumstances will be deemed not to exist in any situation in which another lawyer of an appropriate level of seniority and experience (when compared with the seniority and composition of opposing lawyers and the nature of the case) is available to accept assignment without an additional payment.

## **Types of additional payment considered top-ups**

1. Listed providers could potentially seek authorisation for payments in order to:
  - Top-up their hourly fee or total remuneration over and above the total legal aid grant

- Top-up their disbursements (e.g. travel, accommodation) that are not provided for in the legal aid grant
  - Provide for additional legal work (either at legal aid guideline hourly rates or at private rates), not covered in the legal aid grant
  - Receive additional payment through so-called “contingency fees”. This involves arrangements whereby a practitioner’s services (paid at legal aid rates) are topped up from any proceeds of proceedings remaining after the Agency’s costs of services have been met.
2. No distinction is to be made between different types of additional payment (i.e. disbursements vs. hourly fees). Any form of proposed payment must be considered on its own particular facts.
  3. A payment could either be made:
    - directly to a provider, or
    - indirectly, e.g. a payment made to a hotel (rather than to the provider) in order to pay for a provider’s accommodation costs that were not covered by legal aid. The Agency considers such arrangements as constituting an additional payment to a provider that would require authorisation.

## Source of top-up payment

1. A proposal for top-up payments could come from:
  - the aided person
  - their partner
  - family member, or
  - other third party.
2. Note that the policy above states that it is unlikely that an additional payment would be authorised if it was offered by the aided person and/or his or her partner.
3. Any form of additional payment **must not** be the result of additional pressure being put on the client, their partner, family members or other third parties.
4. If a payment is proposed by the legally aided person and/or their partner, the grants officer may also need to assess the proposal with reference to:
  - The aided person’s continued financial eligibility to receive legal aid, and/or
  - The conditions imposed on their grant, both the contribution established (or to be established) and repayment from proceeds of proceedings.

## Investigation of unauthorised payments

1. The Grants Officer must follow-up any reliable information received, which indicates that an additional payment, in any form, has been offered and/or accepted by the provider, which has not been authorised by the Agency under s66.

2. If the information relates to an offer from the legal aid applicant, their partner or family, or third party with an interest in the proceedings, the grants officer should write to the applicant explaining s66 and Agency policy. The letter should be copied to the provider.
3. If the information relates to the acceptance of additional funding, the grants office should write to the provider explaining s66 and Agency policy, and request a response in regard to the information received or a request for an authorised payment. The letter should be copied to the legal aid applicant.
4. If unauthorised payments have been accepted and the Agency has made the decision that the payments will not be approved retrospectively, the provider should repay the top-up to whoever made it.

## **Non-compliance with Agency policy**

If the provider does not respond in compliance with Agency policy, the Grants Officer will follow the policy and procedures on 'Dealing with lawyers who don't follow agency policy and procedures'. Refer to the Service Contracts section of this manual.

## **Delegated authority to approve a top-up payment**

1. Any proposal to authorise a top-up payment must be discussed with the regional manager before it is approved.
2. The authority to approve a top-up under this policy is:
  - Grants Officer            payments less than \$500
  - Team Leaders            payments less than \$3,000
  - Regional Managers      payments \$3,000 or more

# Examinations under sections 38 and 75

## Introduction

The Act allows the Agency to investigate an invoice submitted by a lead provider to determine whether the claim is excessive or inaccurate.

Claims subject to an examination found to be excessive or inaccurate may be declined under section 75(3)(c). This section details the procedures for undertaking examinations under sections 38 and 75.

## Legislation

Section 38 of the Act allows legally aided persons to request that the Agency examine the cost of services under a grant of aid if they believe that the provider has claimed for more time than was actually spent or has claimed for disbursements that were not used.

Section 75 (1) (b) and (2)(a) of the Act enables the Agency to defer payment of all or part of a claim for payment received from a lead provider in order that the entire claim or the deferred part can be examined by an auditor.

## Policy

### Referral for examination

The Agency will defer payment of an invoice and refer all or part of a claim for examination if:

- all or any part of the claim is considered excessive in comparison with similar claims and with guideline rates **and** the claim is within the maximum grant
- the legally aided person requests under section 38 of the Act that the Agency examine the cost of services under a grant of legal aid.

Deferment is permitted only if there is an intention to examine the claim – see LARP 371/03.

The Agency must not withhold payment of part of a claim on the ground that another part of the claim has been deferred for examination. See section 76(2) of the Act.

It is also inappropriate to reduce invoices or decline claims on the basis that the hours or amounts claimed *appear* excessive. The claim must be referred for examination for this to be determined. See LARP 395/02.

### Examiners

Only persons employed or appointed by the Agency for the purpose of conducting examinations, or audits, or both can carry out examinations. Internal Specialist Advisers and External Specialist Advisers have been appointed as examiners by the Manager Grants.

To prevent actual or potential conflicts of interest arising, an examiner will not undertake an examination of all or part of a claim with which they have had any previous association. This association can be through either:

- their capacity as a specialist adviser with the Agency; or
- their personal, business or other close working relationship with any of the parties involved in the claim.

It is the responsibility of the examiner to obtain the provider's file and supporting time records relating to the claim under examination.

Examiners are required to maintain the confidentiality of any legally privileged information disclosed in the course of the examination. This requirement also applies to all Grants staff handling legally privileged information in connection with an examination.

## Definitions

Audit	means an enquiry by the Agency to assess the quality and value of the services supplied by a provider, or which may be paid for by the Agency. Audits are distinct from examinations, and are not covered in this section.
Auditor	means a person employed or appointed by the Agency for the purpose of conducting examinations, or audits, or both. For the purposes of this document, auditors will be referred to as 'examiners'.
Examination	means an investigation into an invoice submitted by a lead provider to determine whether the claim is excessive or inaccurate.
Excessive	in the context of an examination means a claim for payment that has been determined to be in excess of the standard rates of payment or the Agency's experience with comparable claims (see s75(2)).
Inaccurate	means a claim for payment based on an erroneous statement of facts, such as hours or travel time and cost.

## Procedure

Step 1. The Grants Officer determines whether an examination is required.

If...	then...
the Grants Officer receives a request for an examination under s38, and the claim has <b>not</b> been paid,	the Grants Officer will: <ul style="list-style-type: none"> <li>▪ defer payment of the part that appears excessive and pay the remaining part(s) of the invoice that do not appear excessive, <b>or</b></li> <li>▪ defer payment of the entire claim; <b>and</b></li> <li>▪ refer the claim, or the apparently excessive part, directly to the Manager Specialist Adviser for an examination.</li> </ul> Go to step 2, <i>Appointment of Specialist Adviser as</i>

If...	then...
	<i>examiner.</i>
the Grants Officer receives a request for an examination under s38, and the claim <b>has</b> already been paid,	the claim will be referred directly to the Manager Specialist Adviser for an examination.  <i>Go to step 2, Appointment of Specialist Adviser as examiner.</i>
<ul style="list-style-type: none"> <li>▪ all or any part of the claim is considered excessive in comparison with similar claims and with standard rates <b>and</b></li> <li>▪ the claim is within the maximum grant,</li> </ul>	<p>payment of the invoice will be deferred and all or part of the claim will be referred for an examination.</p> <p>A Grants Team Leader will consider whether the amount of the excessive claim justifies the expense of undertaking an investigation.</p> <p><i>Go to step 2, Appointment of Specialist Adviser as examiner.</i></p>

## Step 2. Appointment of Specialist Adviser as examiner.

Step	Action
The Manager Specialist Advisers will appoint a Specialist Adviser to undertake the examination.	<p>The Manager Specialist Advisers may discuss the examination with the Regional Manager.</p> <p>The Manager Grants gives Specialist Advisers a letter of authority, which they hold on file. If necessary (eg, at the request of the provider), this letter can be produced to meet the requirements of s79(2).</p>
The Specialist Adviser appointed as examiner will advise the provider in writing that their claim is to be examined.	<p>This letter may include:</p> <ul style="list-style-type: none"> <li>▪ the section of the Act under which the request was made</li> <li>▪ the name of the examiner</li> <li>▪ the nature of the issue to be examined</li> <li>▪ a copy of the letter from the aided person outlining their concerns (s38)</li> <li>▪ how the examiner will conduct the examination</li> <li>▪ specific details of the information required from the provider, eg, the provider's file and time records</li> <li>▪ a request for a formal response from the provider to the issues raised by the aided person</li> <li>▪ that a copy of the Authority to Examine is</li> </ul>

Step	Action
	<p>available on request.</p> <p>Go to step 3, <i>The examiner undertakes the examination.</i></p>

Step 3. The examiner undertakes the examination.

Step	Action
The examiner will determine if:	<ul style="list-style-type: none"> <li>▪ the provider(s) has/have spent the claimed hours providing the services specified by the grant</li> <li>▪ the disbursements claimed for were in fact used in providing those services</li> <li>▪ the claim or part of the claim is: <ul style="list-style-type: none"> <li>- excessive</li> <li>- inaccurate.</li> </ul> </li> </ul> <p>The examiner may ask the Grants Officer managing the file to contribute to the examination. For example, the Grants Officer may be asked to assess comparable claims.</p> <p>Go to Step 4 <i>The Grants Officer implements the examiner's report.</i></p>

Step 4. The Grants Officer implements the examiner's report.

Step	Action
<p>The examiner has concluded that:</p> <ul style="list-style-type: none"> <li>▪ the provider's claim is excessive and/or inaccurate, or</li> <li>▪ the provider did not use the disbursements and hours claimed in providing services under the grant, or</li> <li>▪ there are other issues justifying a reduction of the claim,</li> </ul>	<p>The Grants Officer will advise the provider and the legally aided person of the decision and the reasons for it in writing.</p> <p>End of process.</p>
<p>The examiner concludes that the claim was appropriate and there are no issues justifying a reduction of the claim.</p>	<p>The Grants Officer will:</p> <ul style="list-style-type: none"> <li>▪ advise the provider and the legally aided person in writing of the decision.</li> <li>▪ pay the claim or part of the claim</li> </ul> <p>End of process.</p>
<p>The examiner will advise Service Contracts and discuss the report with the Regional Manager if there is a provider problem.</p>	

## **Reconsideration and review of examination decisions**

Reconsiderations in the context of examinations:

- will take the form of an investigation to determine if the examination was undertaken according to the procedure outlined above
- will only be undertaken if the provider supplies new information
- will be undertaken by Specialist Advisers.

See Part 18 **Reconsiderations and reviews** in this manual for the LARP review procedure.