

# NACLC National Position Paper

## National Data and Research Strategy for Community Legal Centres



20181019

### Overview and Vision

Community legal centres (CLCs) are committed to evidence-based, data-informed planning, design and delivery of legal assistance services. This commitment is described as data-informed and evidence-based rather than data-driven, as there is no ‘magic formula’ to measure legal need, service provision and impact. Community legal centres recognise that qualitative information or evidence such as case studies and the experience of individuals within the system is a rich and informative source of data, that complements quantitative data such as service outputs and client demographics.

CLCs have a long history of calling for improved data and research about the legal assistance sector as well as the justice system generally. Numerous inquiries and reviews have highlighted the importance of high quality consistent data across the legal assistance sector: much of this is summarised in the 2014 [Productivity Commission Access to Justice Inquiry Report](#) – Vol 2, Chapter 25 .

Data and research needs to be collected to demonstrate the positive impact of community legal centres’ work for their clients and communities: to tell the story of our clients, and of our role in assisting them. This information can also be analysed to inform service reviews, evaluation and future planning.

For CLCs and their peak bodies, there is a critical need for access to data and evidence about:

- the services and activities CLCs provide, including client service provision (legal services as well as non-legal support), policy/law reform, test cases, and systemic advocacy
- the legal and non-legal needs of our clients and communities
- the outcomes of CLC services and activities
- the impact CLCs have on clients, communities, and the justice system.

There is also a need to collect and analyse data and research about the support needs of CLCs as organisations, including the requirements of boards, staff and volunteers.

CLCs and their peak bodies currently collect information and data about services, clients, and management from a range of sources. However, there are significant opportunities for improvement to data in relation to CLCs as well as across the justice system.

This National Position Paper was developed in consultation with community legal centres and the state and territory peak bodies in May-July 2018.

### National Data and Research Strategy

#### 1. Outcomes and impacts data and frameworks

- a. The data and information historically collected by CLCs have largely been driven by government accountability requirements, which until recently have focussed on:
  - CLC outputs against targets, that is, “administrative” data relating to what legal services were provided and to whom; and

- CLC “quality”, as measured by client satisfaction surveys; requirements for CLCs to be accredited; and CLC funding agreement compliance, as measured by the on-time submission of financial and narrative reports.
- b. While it is important to collect accurate information about services delivered, and to ensure that CLCs have quality control mechanisms in place, it is equally important to collect information and data that will help answer the key question: is anyone better off?
- c. There is a need to shift towards collecting and reporting on outcomes and impacts of CLCs: that is, identifying the ways that CLCs impact on the legal and non-legal outcomes of clients, the justice system, and the broader community. NACLC is now working in collaboration with the state CLC associations, and with governments, to support CLCs to move towards outcomes measurement and impact assessment.

## 2. National CLC Research Agenda

- d. NACLC is developing a National Research Agenda which will be consulted with the sector. This Research Agenda will identify the gaps in research and evidence about the needs of our client communities; the effectiveness of particular types of service models; and the value of community legal centres.
- e. NACLC is also encouraging greater research collaboration, including possible formal Research Partnerships, between peak bodies, CLCs, universities and individual academics.

## 3. National Data and Information Collection and Reporting Principles for the Community Legal Sector

- f. NACLC has developed the following set of principles to guide both CLCs and CLC peak bodies in collecting and providing data and information.

### Importance of collecting data and information

- i. It is critically important that CLCs collect comprehensive, consistent data and information that tells the story of our clients and communities, and the work of CLCs in achieving justice for them.

### National data standards

- ii. CLCs support a set of nationally consistent data definitions and counting rules for all organisations and agencies within the publicly-funded legal assistance sector. One example of this is the Commonwealth Legal Assistance Data Standards Manual.
- iii. The Commonwealth Government should provide leadership, guidance, support in relation to this consistency in relation to national standards *across the legal assistance sectors*, including:
  - Convening and resourcing sector engagement and collaboration in relation to reviewing and improving national data consistency, for example through the National Data Standards Working Group
  - Whole-of-government engagement to ensure consistent data definitions and service provision counting rules in relation to key areas such as family violence.
- iv. NACLC will provide national leadership, guidance, leadership and support to CLCs to understand the new data standards and to work towards national consistency across the CLC sector.

#### Protecting privacy and confidentiality of individuals

- v. CLCs will protect the privacy and confidentiality of information about individuals, and comply with Solicitors Conduct Rules, relevant Australian Privacy Principles, funding agreements, and other relevant laws and principles.
- vi. Where CLCs or their peak bodies publicly report or provide data to third parties about client service delivery, data will be de-identified and aggregated in such a way that it does not allow the identification of particular individuals
- vii. CLCs and their peaks will keep any data collected about individuals secure, and comply with relevant data breach and cyber-security laws.

#### Accuracy of data

- viii. CLCs and their peak bodies encourage and support (for example through training) the accurate collection of relevant data by CLCs, whether it be regarding legal service delivery, needs of communities, or operational management.

#### Investment in CLC data and information collection and analysis tools and systems

- ix. Governments need to resource CLCs and their peak bodies to ensure they have capacity to collect and analyse data and evaluations, in order to better use data and evidence to inform their own service design and planning, as well as their engagement in collaborative service planning.
- x. CLCs and their peaks will explore the development and use of new data tools and technologies or systems that allow us to capture necessary data in as streamlined a way as possible so as to improve efficiencies, reduce duplication and cut red tape (ie “collect once, use often”).

#### Accessibility of data and information

- xi. CLCs and their peaks will ensure that relevant data (with appropriate confidentiality/de-identification protections) is accessible across the organisation (to staff, Board, supporters) and to other organisations in order to increase the understanding of the CLC’s work and/or to plan future activities, including advocacy opportunities.
- xii. This requires an investment in building the capacity of staff to understand the importance of quality data, how to analyse data; and how to use their understanding of the data to inform future services.

#### 4. Centralised development of data and information services and systems

- g. NACLC is committed to developing new tools and systems that assist CLCs to do their work, and to collect relevant data and information.
- h. CLASS was developed by NACLC in 2015 as both a legal practice management tool and a reporting system, to replace the Australian Government operated CLSIS data reporting system
- i. NACLC is further developing CLASS to facilitate legal practice management and workflows, exploring future data analysis and outcomes capabilities of CLASS, and improving data collection and reporting systems. These developments to CLASS will allow centres to better meet the needs of their funders, but also so they can show the impact of their work to support them getting access to new sources of funding.

- j. NACLC and CLC peak bodies will provide centres with support so they can understand the data from CLASS and other systems, and use it to plan and design their own services.
- k. NACLC and CLC peak bodies are further considering the data and information management needs of the sector and exploring further opportunities to support and build the capacity of the sector.

## 5. National Civil Justice Clearinghouse and Evaluation / Research Agenda

- l. In principle, the sector supports the Productivity Commission’s call for the establishment of a national civil justice clearing house (Rec 25.3) and for a National Civil Justice Evaluation Committee or Research Agenda (Rec 25.4).
- m. There is a clear need to have a national body which pulls together and analyses the growing body of research, data and information about justice issues, particularly civil and family law issues. We need to better understand who is providing what services, and for whom; where the gaps are; what works; what doesn’t work; what the costs are in providing justice services but also in not providing legal services.

## 6. Mapping of sector data and evidence

- n. The CLCs already collect or have access to data and research about their own services, needs of their client groups, and their own organisation, which they can use to design better services and improve the quality of their own operations
- o. CLC peak bodies also can make use of this data, or generate new data through our work with our members, to take a birds-eye view of the CLC sector, which then inform our sector development, sustainability and advocacy activities
- p. Current data sources and evidence that can be used for effective planning and design of services, as well as for informing system-wide advocacy, are set out in the following table.

**Table: Initial map of data and evidence relevant to CLCs and the CLC peak bodies**

Domain	Purpose	Current sources of data and evidence, and/or tools used to collect this information
<b>Data and evidence about the delivery and planning of services</b>	<p><i>For CLCs:</i></p> <p>Identifying what the CLC is currently doing, including outputs, outcomes and impacts.</p> <p>Services include</p> <ul style="list-style-type: none"> <li>- client legal services</li> <li>- non-legal client services</li> <li>- policy and advocacy activity</li> <li>- community legal education.</li> </ul> <p><i>For CLC peaks:</i></p> <p>System-wide analysis and reports tells us what CLCs are doing, allows us to identify key trends or changes in service delivery over time, and</p>	<p>Client databases including CLASS</p> <p>CLEAR database (library of legal assistance CLE, law reform and other projects)</p> <p>Records of client outcomes – slowly coming</p> <p>Case studies and narratives from / for:</p> <ul style="list-style-type: none"> <li>- CLC newsletters / e-bulletins</li> <li>- Reports to funders</li> <li>- Impact Reports</li> <li>- Annual Reports.</li> </ul> <p>Client satisfaction surveys</p> <p>Other client feedback including complaints</p> <p>Stakeholder surveys and/or consultations with other service providers</p> <p>Analysis of the outcomes and impact of CLC work on</p>

	assists in informing systemic advocacy activities.	clients, communities, justice system - CLCQ Impact Toolkit, and Victorian Federation Outcomes Framework  Qualitative research about the effectiveness of particular models of service provision (either the CLCs' own or a similar model), which might also include systemic change needed to improve lives of particular communities
<b>Data and evidence about the needs of priority client groups and communities</b>	<p><i>For a CLC:</i> Examining the legal and non-legal needs of the client groups and communities to which the CLC targets its services.</p> <p><i>For CLC peaks:</i> Understanding key issues and trends for priority client groups, to inform our advocacy and system-wide design.</p>	<p>Service delivery data of other relevant legal service providers</p> <p>Legal needs survey data (eg LAW Survey)</p> <p>Key demographic data available from the ABS, NACLC's Legal Needs Assessment Toolkit, Law and Justice Foundation of NSW's <a href="#">Collaborative Planning Resource</a></p> <p>Government service data (eg courts, Centrelink) available on <a href="#">nationalmap.gov.au</a> or other sources</p> <p>Qualitative research about the needs of a particular target group</p>
<b>Data and evidence about organisational quality and support needs</b>	<p><i>For a CLC:</i> Understanding how it is financed (inputs), managed and resourced (staff, volunteers), and the quality of their management, so they can determine any changes.</p> <p><i>For CLC peaks:</i> Having a system-wide understanding of the general needs of CLCs – funding, human resources, quality – to inform our sector development and sustainability work, including development of new partnerships, funding streams, bulk-purchases arrangements, resources, tools.</p>	<p>National Accreditation Scheme or other quality assurance system</p> <p>Internal board and staff skills assessments</p> <p>NACLC Census – individual CLC results</p> <p>NACLC Census – state or national data and reports analysing sector</p> <p>National Accreditation Scheme – trends / de-identified information showing most common recommendations for improvements</p> <p>NACLC Insurance Schemes - trends / de-identified information from ALI</p> <p>Workforce / training needs surveys (eg by CLC peaks, Council of Social Service, other)</p>

## Actions and next steps

NACLC has commenced the development of a three-year CLC Data and Evidence Strategy Action Plan, guided by the principles in this Position paper, to be consulted with the sector and finalised by December 2018. The CLC Data and Evidence Action Plan 2018-2021 will include:

- Identification of missing data and information – what would be useful to have in order to effectively plan and provide CLC services into the future
- Plan to improve CLCs understanding of outcomes and impact assessment and reporting
- Scoping of improvements to CLASS
- Data Standards clarification and training
- Strategies to support CLCs to improve their understanding and use of existing data

- Identification, and timeframe for the development, of additional tools and resources for CLCs in areas such as Strategic Planning, Data Standards, Workforce Planning, and Outcomes Reporting

A National CLC Research Agenda, and the identification of potential partnerships with tertiary institutions, will also sit with this Action Plan.

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