

# EVALUATION OF WORKER ADVICE SERVICE

2018-2019



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## EXECUTIVE SUMMARY

### Background and purpose

The Worker Advice Service (“**WAS**” or “**the service**”) is a free telephone legal advice service run by Consumer Action Law Centre for caseworkers assisting clients with consumer, credit and debt problems.

Consumer Action Law Centre (“**Consumer Action**”) is an independent, not-for-profit consumer, credit and debt advocacy organisation in Melbourne. Our purpose is to make life easier for people experiencing vulnerability in Australia. We do this through financial counselling and legal services, community engagement and sector development activities, and research, campaigning and policy work aimed at making systems fairer.

The WAS plays a central role in Consumer Action’s theory of change. The service aims to provide practical advice to community caseworkers so that they in turn can provide effective assistance to current and future clients and share what they learn with sector colleagues. It also contributes to our systemic change work in a myriad of ways, including by informing our policy and campaigns agenda, and engaging caseworkers and clients in systemic advocacy.

If the service does its job well, workers will be better able to spot consumer, credit and debt issues, help clients resolve legal problems and appropriately refer clients experiencing vulnerable circumstances for more intensive legal assistance. They will also feel confident about contacting the service and know how to contribute to our campaigns. For their clients, this will lead to better legal outcomes, improved financial health and reduced stress and worry, and the opportunity to use their story to advocate for stronger legal protections and fairer business practices for consumers.

The Consumer Action lawyers who deliver the service know intuitively what it means to do their job well. This includes providing advice that is understandable and practical to caseworkers; showing caseworkers respect and understanding; showing caseworkers they care about their clients; identifying systemic issues; and encouraging caseworkers to contribute to our systemic change work.

The purpose of this evaluation was to assess whether the service is doing these things consistently and achieving its intended outcomes, and to make recommendations for service improvement. A secondary purpose was to receive feedback about the factsheets and other resources on our website, as well as our sector development activities, such as professional development and training for financial counsellors, and whether they help create demand for the service.

The evaluation focused on caseworkers who had contacted the service in the nine months to 31 March 2019. We considered that surveying the whole of this group would give us the clearest indication of service impact, because every interaction with the service – whether it results in the provision of simple advice, intensive assistance or only a referral – is an opportunity for our lawyers to build trust with and strengthen the sector. However, so that we could learn why some caseworkers haven’t been calling the service, we also surveyed financial counsellors who had not recently sought help.

This was a mixed-methods evaluation, involving two main methods of data collection: a short survey sent out by SMS to caseworkers in the week after they accessed the service (“**post-call survey**”); and a more in-depth, qualitative survey distributed to caseworkers who had used the service in the previous year and all Victorian financial counsellors (“**long-form survey**”).

We sought to make sense of the data in a collaborative way by facilitating workshops with the lawyers who deliver the service, as well as members of our Service Development and Partnerships Team. They considered the synthesised evaluation data and helped to contextualise and understand the picture it was painting. The workshop discussions significantly informed both the conclusions and recommendations of this report.

## Key findings and conclusions

- The service is being accessed by financial counsellors and community lawyers in both greater metropolitan Melbourne and the regions.
- Fewer caseworkers from other disciplines use the service. Further, not all locations are equal. Caseworkers from some metro and regional areas are underrepresented in our service statistics.
- Caseworkers may be more likely to contact the service after attending a sector engagement or training session run by our lawyers. More information is needed to understand how caseworkers interact with us over time.
- Caseworkers who have a positive experience with the service are likely to access it many times in a year and recommend it to their colleagues.
- Most caseworkers are very satisfied with the service when it plays its primary function: providing advice and assistance to caseworkers over the phone. They feel that our lawyers listen to them and provide understandable and practical advice that addresses their clients' legal problems and considers their non-legal needs.
- Most caseworkers trust our organisation. However, a minority feel that our lawyers don't understand them or the way they practice.
- Moreover, caseworkers believe they are more effective and achieve better outcomes for their clients because of the service. Women who are victim/ survivors of family violence are among the ultimate beneficiaries of the service.
- Most caseworkers report using what they learn from the service to assist more than one client and sharing what they learn with their colleagues.
- Caseworkers see the service as an essential resource.
- More information is needed to understand how – and how consistently – the service is achieving these outcomes for caseworkers and clients who identify as Aboriginal or Torres Strait Islander, and whether the service is experienced as culturally safe.
- Likewise, more information is needed to understand the experience of caseworkers who are not very satisfied with the service.
- The service's limited resources mean that some caseworkers can wait two business days to speak to a lawyer, or even longer if first contact attempts are unsuccessful. Sometimes 'phone tag' means that a caseworker never speaks to a lawyer. Disappointment about the lack of immediate access to a lawyer is the main source of dissatisfaction with the service.

- Caseworkers are sometimes disappointed by our decisions not to ‘take on’ one or more of their cases for representation.
- Caseworkers are also sometimes disappointed by our communication with them. For example, when the service can’t assist a caseworker, our lawyers may not always explain why and suggest other options or communicate clearly that none exist. Or when we ‘take on’ caseworker’s client for representation, our lawyers may not always provide updates to the caseworker or advise them of the case outcome, even when the client has given consent for them to do so.
- It can be difficult for lawyers – especially newer lawyers – to provide ‘bad news’ to caseworkers, including that a client’s case has low merit or that they are unlikely to get free legal assistance.
- Caseworkers are more likely to be dissatisfied with advice provided by a lawyer who is new to the organisation than a more experienced member of the team.
- Caseworkers who are not very satisfied with the service may not use it again and will not recommend it to their colleagues. Some caseworkers just forget about the service.
- Caseworkers may use the service more frequently if these issues are addressed.
- The written resources on our website also contribute to more effective casework. Caseworkers credit our resources with improving their confidence, the efficiency with which they work and helping them achieve good client outcomes. Greater accessibility – both in terms of their content and how caseworkers navigate to them – could make them even more helpful.
- We don’t know whether caseworkers who use the resources are more likely to use the service (or why). More information is needed to understand how caseworkers use the resources and interact with the organisation over time.
- Generally, lawyers discuss systemic issues with caseworkers who call the service for advice.
- However, most caseworkers don’t think to contact the service when they encounter a systemic issue and don’t know how to contribute to or feel involved in our policy work or campaigns.
- Caseworkers and lawyers alike have ideas about how to facilitate greater engagement by caseworkers in our policy work and campaigns.

## Recommendations

1. The organisation should explore using service and other data to identify which geographic regions and caseworker types are not using the service.
2. The organisation should develop strategies for promoting and explaining the service to underserved regions and priority caseworkers, including through traditional communication channels (such as sector newsletters) and sector engagement. Explaining the service must involve describing the range of assistance the service can provide – from discrete information and advice to more intensive, ongoing assistance – and the types of legal problems the service can and can’t help with.

3. The organisation should amend its case intake policy to require that we consider, when deciding whether or not to 'take on' a case referred by a caseworker for representation, the impact it is likely to have on our relationship with that caseworker or other key stakeholders.
4. The organisation should develop a communication strategy to help caseworkers better understand our case intake process, including the many factors – including whether a case will contribute to one of our campaigns or policy work – we take into account when determining whether we 'take on' a client for representation.
5. The organisation should explore and promote opportunities for lawyers to better understand how other caseworkers work. These might include exchanges, agency visits, shadowing and integrated practice, as well as attending conferences and regional network meetings.
6. The organisation should explore the feasibility of recording more information about repeat service users – for example, their length of service and specialisation – in Actionstep.
7. The organisation should explore strategies for reducing call wait times. These could include adding more lawyers to the service in the medium- to longer-term, particularly if demand for the service grows.
8. The service should explore strategies for reducing the time lawyers waste playing 'phone tag' with caseworkers.
9. The organisation should explore developing alternatives to telephone assistance, such as more comprehensive online resources, including a 'wiki'.
10. Lawyers should periodically listen to and reflect on a sample of recordings of their calls with caseworkers. New questions should be added to the reflection guide, including in relation to how the lawyer demonstrated respect for the caseworker and whether they discussed the systemic issues arising from their case.
11. Lawyers should also listen to and reflect on the recording of any call with a caseworker that results in critical feedback about the service.
12. The service should consider making 'difficult conversations' training available for lawyers. The purpose of the training would be to better enable lawyers to deliver 'bad news' to caseworkers and their clients in a way that is unambiguous, respectful and sensitive.
13. Changes should be made to the post-call survey to help the service better understand the experience of caseworkers who are not very satisfied with the service, provide timely follow-up and make service improvements.
14. Lawyers should continue to seek consent from clients at the time of opening representation files to update the referring caseworker informed about its progress.
15. To ensure lawyers update caseworkers regularly, the organisation should explore building prompts into Actionstep to coincide with milestone events, such as when proceedings are issued and the file is closed.
16. The service should consider strategies for achieving better integration with the policy and campaigns team. These might include greater participation by lawyers at policy and campaigns intake meetings and cross-team campaign steering groups.

17. The service should request more regular, specific communication from the policy and campaigns team about 'what they need', such as a weekly update describing the types of case studies they are seeking.
18. The service should explore strategies for providing information to caseworkers about policy and campaigns work that is most relevant to their practice.
19. To ensure the accessibility of our online resources, the website should be overhauled to make it more intuitive for busy caseworkers.
20. The service should work with operations and other staff to ensure that lawyers collect and accurately record caseworker information, including email addresses, in a consistent way.
21. The organisation should explore options for reducing the time involved in collecting, synthesising, analysing and reporting service, engagement and other monitoring and evaluation data, including from surveys.
22. The service should develop strategies for:
  - a. responding to caseworkers who in the context of monitoring and evaluation indicate they are satisfied with the service, are dissatisfied with the service or need further help;
  - b. sharing caseworker feedback with individual lawyers and providing additional training and support, as needed; and
  - c. communicating key insights from monitoring and evaluation of the service, as well steps taken to improve service quality, to caseworkers, other stakeholders and the sector.
23. The service should continue to send the SMS post-call survey (in its updated form) to all caseworkers who use the service.
24. The service should distribute the longer-form survey to all caseworkers who use the service between 1 July 2019 and 31 March 2020 in the first week of April 2020.
25. The evaluator should code the data using an approach that is consistent with the one used in this evaluation. This should enable us to compare findings and track progress.
26. A date should be set for the evaluation findings workshop in May 2020 *at least three months in advance*.

## **ABOUT THE WORKER ADVICE SERVICE**

### **Consumer Action Law Centre**

Consumer Action is an independent, not-for-profit organisation dedicated to making consumer markets fair and life easier for people experiencing vulnerability and disadvantage. Experts in consumer and consumer credit law and policy, we deliver financial counselling and specialist legal assistance to people living in Victoria, and advocate for strong and effective legal protections and industry practices that benefit all Australians. We also train and support our colleagues in the community sector to be effective caseworkers and advocates for systemic change.

Consumer Action creates impact by empowering individuals to resolve financial problems, pursue legal remedies and hold creditors and traders to account, making our sector more effective, and shaping a



fairer system. Our theory of change is captured in [our impact framework](#), which shows how our client-facing services, sector development work and campaigning intends to achieve these outcomes.

### What is the worker advice service?

The worker advice service ("**WAS**" or "**the service**") is a telephone advice line for community caseworkers. Its purpose is to provide the information, advice and resources caseworkers need to help clients resolve their legal problems. Caseworkers can call the service during business hours for an immediate response or email the service for a reply within two business days.

The service can assist caseworkers in relation to a wide range of consumer, credit and debt problems, including disputes about defective goods and services, banking, bankruptcy, consumer leases, credit, debt collection and debt assistance services, door-to-door sales, electricity, gas, water, telephone and internet bills, insurance, mortgages and unfair contract terms. Only caseworkers assisting clients in Victoria are eligible for assistance.

Most enquiries are made by financial counsellors (47%) and lawyers from other community legal services (27%) and Victoria Legal Aid (at least 7%). However, a broad range of community-based support workers and advocates, including social workers, housing workers and disability workers, also access the service.

In the 2018-19 reporting period, the service responded to 1497 enquiries from caseworkers with information, advice, referrals and other assistance by email and over the phone.

### Service impact

Our impact framework shows how the service intends to create change across all three impact domains – making our sector more effective, empowering consumers and improving system fairness.

The first of these domains – 'effective sector' – is the service's primary focus, and at the centre of this evaluation. Through the service, our lawyers provide caseworkers with information and advice about their clients' legal rights and options, as well as practical strategies for resolving disputes and navigating the legal system. They also provide caseworkers with written resources, such as factsheets and template letters, and can offer to draft legal documents and correspondence on their behalf. Lawyers aim to improve the ability and confidence of caseworkers to help clients resolve their legal problems. The impact of the service is multiplied when caseworkers use what they learn to help more than one client and share their knowledge with colleagues.

If the service does its job well, caseworkers will be more able to spot consumer, credit and debt issues, help clients resolve legal problems and appropriately refer clients experiencing vulnerable circumstances for more intensive legal assistance. They will also feel confident about contacting the service and know how to contribute to our policy work and campaigns.

Of course, the ultimate beneficiaries of the service are the caseworkers' clients, who because of circumstances that have brought them into contact with a caseworker are likely to be experiencing vulnerability. If the service does its job well – and the caseworkers do their jobs well – clients will enjoy better legal outcomes, improved financial health and reduced stress and worry, and the opportunity to use their story to advocate for better legal protections and fairer business practices for consumers. In these ways, the service seeks to create change in our second impact domain – 'empowered consumers'.

As well as helping individual clients, caseworkers offer us vital intelligence on unfair practices and inadequate protections that impact vulnerable Australians. By listening for and capturing that information, our lawyers build the evidence base that informs our policy and campaigns plan and we can use to advocate for reform. Because of their professional and lived experiences, caseworkers and their clients can also be highly effective advocates for change. Accordingly, our lawyers seek to involve them in our systemic change work, including by recording case studies and supporting them to tell their stories to decision-makers and media, and even to parliamentary inquiries and Royal Commissions. In these ways, the service seeks to create change in our third impact domain – ‘fairer system’.

### **How we deliver the service**

Caseworkers can call us between 10am and 1pm, and 2pm and 5pm, Monday to Friday, or send us emails through a webform on our website. Generally, two of the nine lawyers we employ are available to answer phone calls and emails from workers at any one time. (The lawyers also deliver a parallel direct-access telephone advice service for consumers.)

The service prioritises giving assistance to people in vulnerable circumstances. Factors that may be relevant to whether a client is prioritised include:

- age
- source and level of income
- disability or significant health issues, including mental illness
- relationship status and caring responsibilities
- whether the person is confident speaking, reading and writing in English
- whether the person is a recent migrant or refugee
- whether the person identifies as Aboriginal or a Torres Strait Islander
- homelessness or risk of homelessness
- whether the person is a victim/ survivor of family violence
- whether the person has experienced abuse or other trauma
- gender and sexual identity
- market and product characteristics

When a caseworker contacts the service, lawyers must establish whether their client lives in Victoria and whether their legal problem is one we can assist with. Where clients don't meet this threshold criteria, lawyers can provide information or a referral to another service, but not advice. Likewise, lawyers may provide only basic advice or a referral to caseworkers assisting clients who are not vulnerable or are better resourced.

For caseworkers who do qualify for advice, lawyers assess whether they can provide meaningful assistance over the phone in 15 minutes or less. If they can, the lawyer will provide advice to the caseworker immediately; if not, and the lawyer considers the client should be prioritised, the lawyer will arrange to call the caseworker back at an agreed time. During the 'call back' appointment, the lawyer will provide advice and sometimes other assistance, such as reviewing client documents, or drafting correspondence or a court document. If they assess that it will enable the caseworker to resolve the client's problem, the lawyer may offer to provide some 'ongoing assistance' in the form of follow-up information and advice as the client's matter progresses.

Sometimes, the lawyer will refer the caseworker's client to 'case intake', a weekly meeting of lawyers and other staff who together determine whether we 'take on' or represent a client. The considerations include whether the client is experiencing vulnerability or disadvantage; whether their case could contribute to our policy or campaigns work; the merits of the case; whether alternative free assistance is available to the client; and the impact that not being represented is likely to have on the client and our relationship with stakeholders, including the caseworker.

## ABOUT THIS EVALUATION

### Purpose

The impetus for this evaluation was a desire to understand how effective the service is and to make recommendations for service improvement.

Our theory of change, captured in this [impact framework](#), says that the service will enable caseworkers to help their clients resolve their legal problems, and ultimately better legal outcomes, and engage caseworkers and their clients in systemic advocacy.

The service also contributes to the impact of our casework service, and community and sector engagement activities. We took advantage of the opportunity presented by this evaluation to ask caseworkers about their experience with these aspects of our work.

Accordingly, the purpose of this evaluation was to:

1. learn about why caseworkers access the service, and why not;
2. learn about caseworkers' experience with and feelings about the service;
3. assess whether the service enables caseworkers to assist their clients;
4. assess whether our written resources enable caseworkers to assist their clients;
5. learn about what happens after caseworkers use the service, including whether:
  - a. clients' legal problems are resolved favourably;
  - b. caseworkers use what they learn to assist more than one client;
  - c. caseworkers share what they learn with colleagues;
6. assess whether caseworkers know how to contribute to our systemic change work;
7. explore whether our community engagement work drives demand for the service;
8. make recommendations to maintain and/ or improve the effectiveness of the service.

### Method

This was a mixed-methods evaluation, involving three main sources of data: service records, including caseworker information and service statistics; a short survey sent every week to caseworkers soon after they access the service ("**post-call survey**"); and a more in-depth, qualitative survey sent annually to caseworkers who had used the service in the previous year ("**longer-form survey**"). The long-form survey was also sent to all Victorian financial counsellors, regardless of whether they had contacted the service.

During the period covered by the evaluation, lawyers used CRM tool Filemaker Pro to create an electronic file for every unique enquiry to the service. They recorded certain information about the

caseworker, including their name, agency and location details, the name of the lawyer who assisted them, and details about any assistance provided.

### **Post-call survey**

The post-call survey was a very short online survey that we sent to all caseworkers who accessed the service. The survey platform we used was SurveyMonkey.

At first, we considered sending the post-call survey only to caseworkers to whom our lawyers provide legal advice (and not only information or a referral). However, after some consideration, we decided to send it to all caseworkers who use the service, irrespective of the level assistance they receive.

Ultimately, we came to the view that surveying all caseworkers would give us the clearest indication of service quality, because our lawyers can help build trust and strengthen the sector (or not) each and every time they provide assistance.

The post-call survey asked two 'Net Promoter Score' ("**NPS**") questions: *"On a scale of 0-10... how likely are you to recommend [the service] to a colleague?"* and *"On a scale of 0-10... how likely are you to recommend Consumer Action to a client?"*

The NPS is an index ranging from -100 to 100 that measures the willingness of respondents to recommend a product or service to others. The NPS is widely used as a proxy for gauging overall client satisfaction and trust, and it's enjoyed significant take up by purpose-driven organisations.

The score itself is calculated by subtracting the percentage of 'detractors' (respondents who give a score of 0-6) from the percentage of 'promoters' (respondents who give a score of 9-10). Typically, respondents are asked to explain the score they provide. We also did this, asking after each NPS question: *"Please explain why you've given this score"*. We also invited caseworkers to offer suggestions for improvements: *"...What changes would Consumer Action have to make for you to give it higher ratings?"*

Caseworkers could elect to remain anonymous or provide their name and contact number. We asked: *"We want to learn as much as we can from your feedback. If you feel comfortable doing so, please provide your contact details"*.

Between 1 April and 30 June 2019, we sent the survey to 232 caseworkers and received 37 responses, giving the post-call survey a response rate of about 16%.

### **Longer-form survey**

The longer-form survey was based on a similar survey tool seconded-consultant Dr Liz Curran from the Australian National University had developed for her evaluation of the service in 2016.

We sent the longer-form survey to all caseworkers who had contacted the service between 1 July 2018 and 30 March 2019. The Financial and Consumer Rights Council ("**FCRC**") also sent it to all Victorian financial counsellors. We cast the net wider for the longer-form survey because we wanted to learn, among other things, why some caseworkers don't contact the service regularly, or at all. We also wanted feedback about our written resources, which caseworkers can access online without contacting the service and to find out whether caseworkers use and share what they learn from the service months – or even years – down the track.

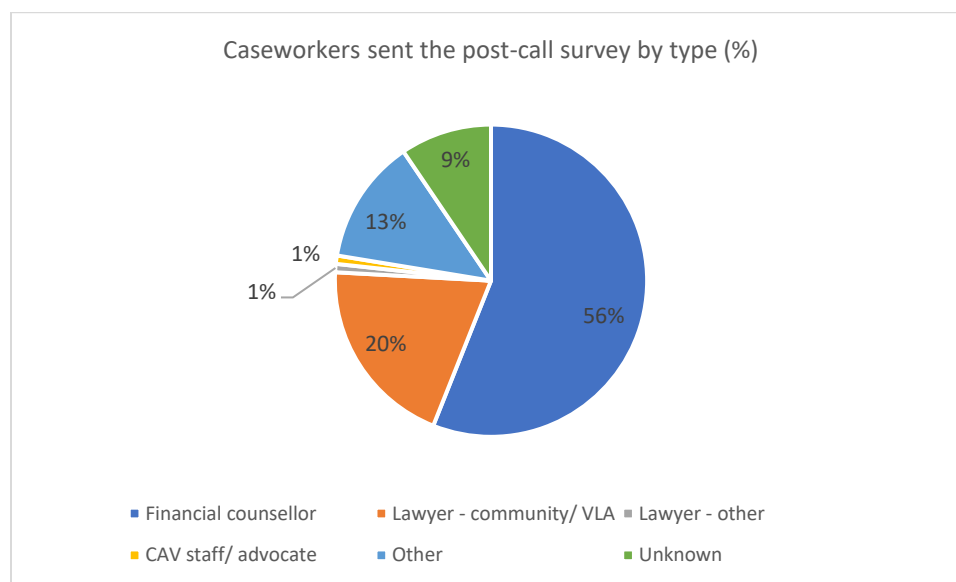
## RESULTS

### Post-call survey

We received 37 responses to the post-call survey. On average, the post-call survey took caseworkers three minutes to complete.

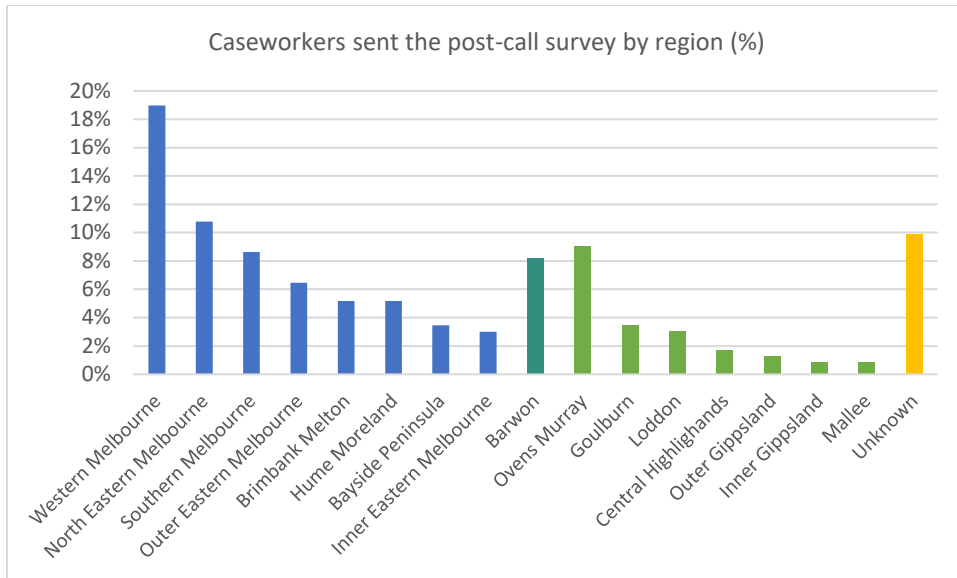
While we don't have precise information about the profile of respondents (because responses were often anonymous), we do know the profile of workers we invited to participate.

According to the service data, at least 56% of the 232 caseworkers we sent the post-call survey to were financial counsellors and at least 20% were lawyers from other community legal services and Victorian Legal Aid. Other invitees were CAV staff and funded advocates (1%), other types of lawyers (1%) and other types of caseworkers (13%). The type of caseworker for the remaining 9% is unknown.



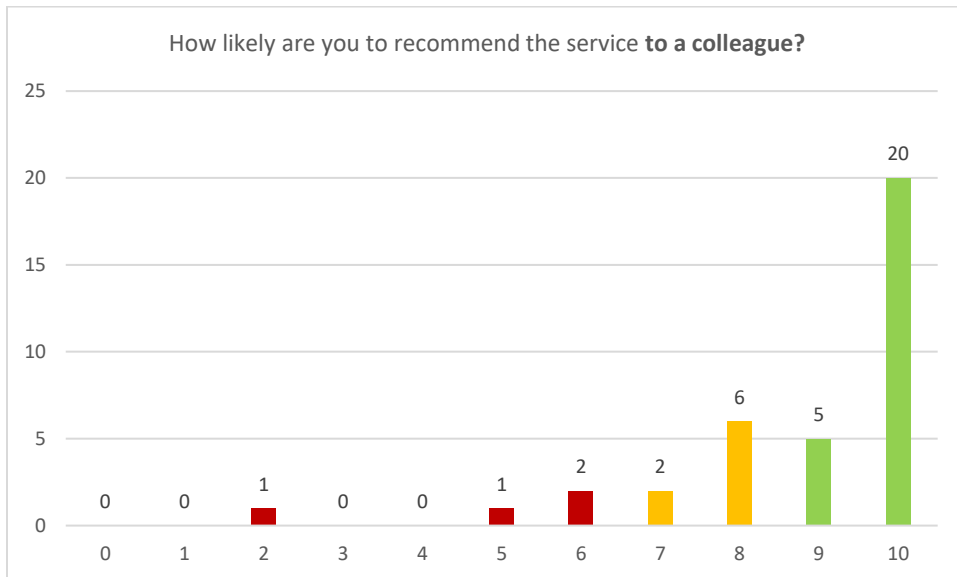
Most of the caseworkers invited to participate work in agencies located in Greater Melbourne (at least 62%). The rest were from Greater Geelong (at least 8%) and other regions (at least 20%) or their service area was unknown. As a reference point, as at June 2018, the ABS estimated that about 77% of Victorian residents lived in Greater Melbourne and about 23% in all other areas.<sup>1</sup>

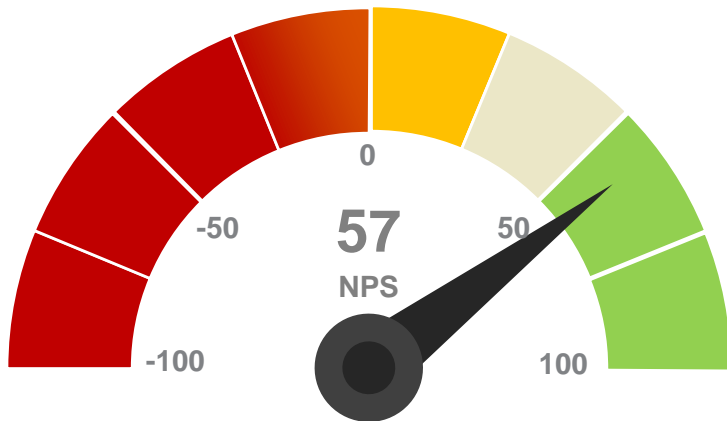
<sup>1</sup> Australian Bureau of Statistics (2019), 3218.0 - Regional Population Growth, Australia, 2017-18, <https://www.abs.gov.au/AUSSTATS/abs@.nsf/mf/3218.0>.



**Would caseworkers recommend the service *to a colleague*?**

To the question, how likely, on a scale of 0 to 10, are you to recommend the service *to a colleague*, a majority (68%) said nine or ten. These caseworkers are classified as 'promoters' under the Net Promoter Score system. The number of 'detractors' – caseworkers who gave ratings of between zero and six – was relatively small (11%). A moderate number (22%) of caseworkers were 'passives', giving a rating of seven or eight. These results combined to give the service a score of 57 (out of a possible range of -100 to 100).





### Why would they recommend the service to a colleague (or not)?

21 of the 37 caseworkers offered explanations for their score.

The most common reason 'detractors' gave related to accessing the service. For example:

*"It is hard to get through to the worker advice line. Most times I call I have to leave a message, I do not call during closed times."*

*"It really takes too long to get an answer. Getting a call back a week or 2 later is not convenient."*

Two 'detractors' said they had been disappointed by the service on at least one occasion. For example:

*"...[I] didn't really get anything more than what I already knew. Not like the service I am used to getting, possibly new staff need more oversight."*

None of the detractors provided their name, so we were unable to review the relevant service data and consider their comments in context.

Two of the 'passives' said that on at least one occasion the lawyer they spoke to seemed inexperienced or lacking confidence. One indicated that their experience might prevent them from calling again:

*"The majority of the time the advice is very good, sometimes I get a trainee then it's not that good."*

*"The lawyer wasn't very confident so next time I might ring another financial counsellor for advice."*

A review of relevant service data indicated that both caseworkers had recently spoken to lawyers who were relatively new to the organisation and our area of practice.

Another 'passive' reflected that calling the service had the effect of increasing, rather than reducing, their workload, and lamented that we didn't provide more assistance:

*"It can create so much extra work that you wonder if it is worth it. I would like to see CALC take on more cases or to provide a higher level of assistance."*

By way of explanation for their score, many of the 'promoters' described the quality of their interaction with the service and the assistance they receive in general terms. For example:

*"I have always found the team to be extremely knowledgeable and supportive .... I always know that when i call the Workers Advice Line that i will come away with the answers i need and an explanation as to why i can and cant do certain things - everything i could ask for in my role."*

*"The support provided is always professional, skilled and clear."*

*"Staff have a comprehensive knowledge of their field of Law. They give relevant and comprehensive information to address the questions asked... Knowing how busy they are, they always sound considered and welcoming."*

*"Wonderful service and expertise. Friendly and capable lawyers who explain complex law in an easy-to-understand and compassionate manner."*

Other 'promoters' emphasised the value of receiving practical advice, discussing options and devising strategy. For example:

*"Very succinct, practical advice and discussion of consequences of undertaking various options."*

*"[Lawyer] was knowledgeable and very helpful. She gave me direction as to the next steps for the client."*

*"[G]enerally accessible quickly, with practical advice and options."*

Other 'promoters' talked about the value of the service to their practice and the sector:

*"...the information provided really makes sense and will improve my practice for future clients achieving better client outcomes."*

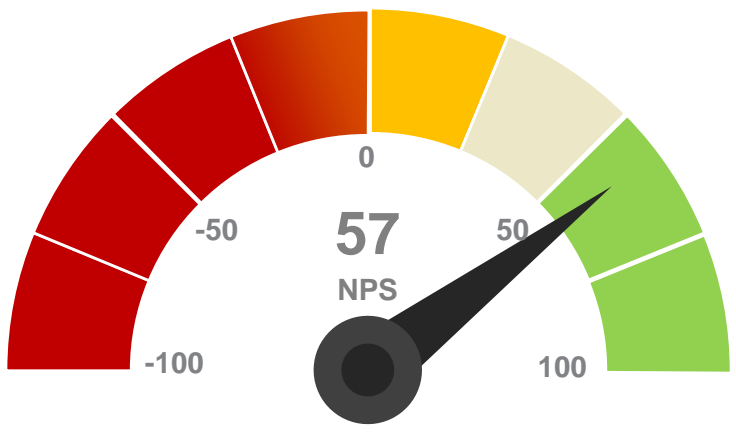
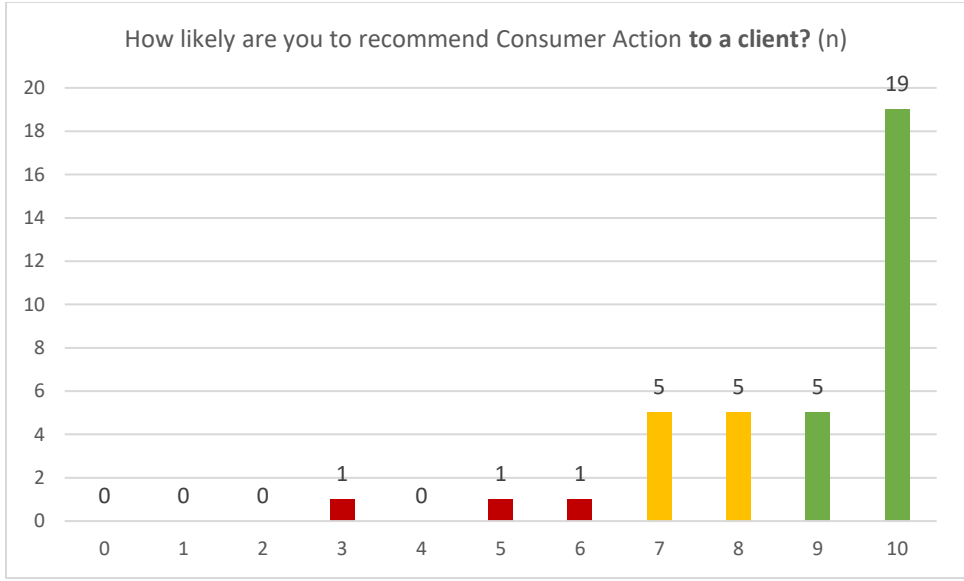
*"I think CALC worker advice line is an essential resource for all FCs."*

*"The Workers Advice line gives excellent expert advice which we cannot otherwise access."*

### **Would caseworkers recommend the Consumer Action to a client?**

To the question, how likely, on a scale of 0 to 10, are you to recommend Consumer Action to a client, a majority of caseworkers (65%) said nine or ten, making them 'promoters'. The number of caseworkers who gave ratings of between zero and six, or 'detractors', was small (8%). More than a quarter (27%) of caseworkers were 'passives', giving a rating of seven or eight. These results combined to give the service a score of 57 (out of a possible range of -100 to 100).





## Why would they recommend Consumer Action to a client (or not)?

19 of the 37 caseworkers, including two detractors, offered explanations for their score.

One detractor said their concern was not about the service, but rather how accessible it is:

*"I would recommend but if the client can not get through to someone like I can not then why would I recommend?"*

Two caseworkers – one detractor and one passive – indicated they would continue working with a client, rather than refer, to ensure continuity of service:

*"I am extremely likely to refer a client to CALC in circumstances where our service cannot assist but otherwise I would seek the advice from CALC and then pass it on to the client to avoid the client getting on the referral roundabout!"*

*"Although the service is excellent, in referring clients I know CALC cant always do casework... Instead we prefer to give advice here and use the workers advice line unless it is an issue we know CALC is taking on clients for."*

Most passives – those caseworkers moderately likely to recommend us to their client – explained that clients in vulnerable circumstances required casework support, rather than telephone advice:

*"Most of our clients are very vulnerable and not likely to ring and need face to face assistance."*

*"...capacity of the client to understand and act on advice."*

*"Most clients just don't have the skills to lay their case out over the phone, hence FC's tend to make the call."*

*"Not 100% sure what the priority areas for the centre are and whether direct casework will be done for a client."*

Many of the promoters – those caseworkers very likely to recommend us to a client – described the confidence they have in the organisation:

*"...[I] do it with the knowledge that the client will be treated with respect and understanding."*

*"There is a massive gap in the services available to regional people for legal support. This service assists in filling [that gap with] a legal service which is skill[ed], kind and genuine."*

*"I have confidence that CALC will provide the same professional advice as they do to FC's."*

*"I am really confident that the staff would be able to give clients information in a way that is tailored to each persons capacity and understanding."*

*"Because you're a free service, you provide an excellent service and it's a valuable, great resource. And workers are lovely and understanding."*

Others said they would recommend us to clients because of our interest and expertise in consumer law, credit and debt matters. For example:

*"As a Fin Counsellor i recommend clients become engaged with Consumer Action whenever there is an issue with a creditor..."*

*"[W]here ... the credit they have received seems unfair, predatory etc you would be the best option for advice."*

*"Specialist knowledge in car loans and other consumer law issues."*

*"CALC are the experts in their field."*

One caseworker referred to a client win:

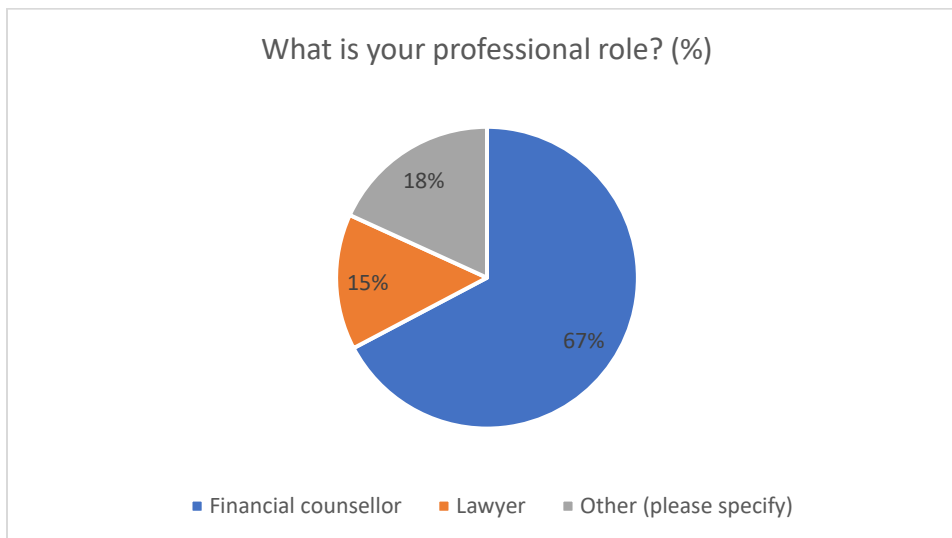
*"We often refer to CALC - and I know of at least one really good outcome!"*

## Longer-form survey

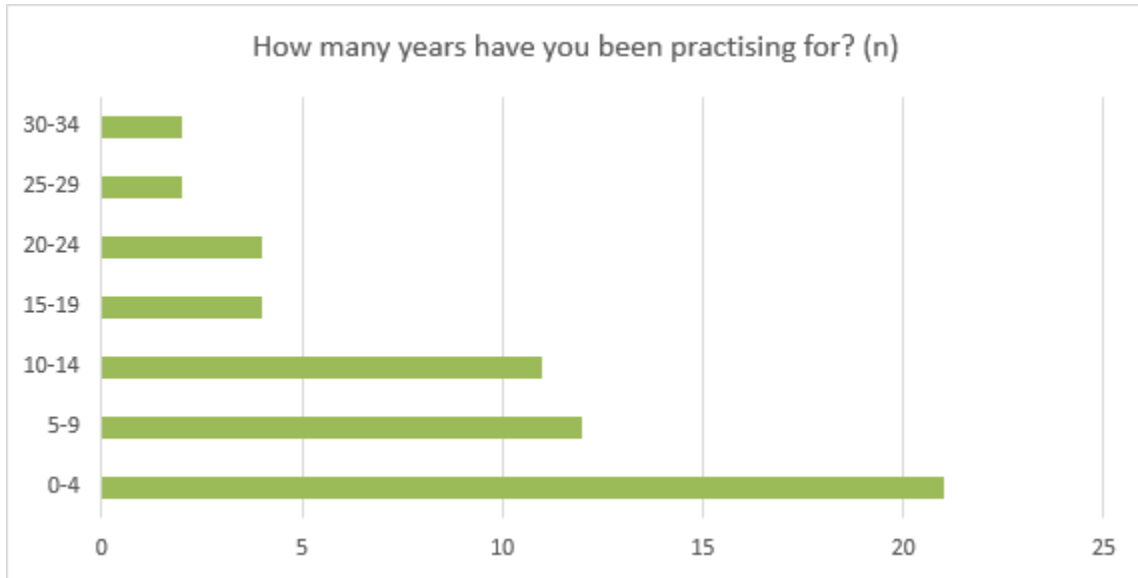
### Profile of respondents

We received 56 responses to the longer-form survey.

37 (67%) of those responses were from financial counsellors and 8 (15%) were from community/ VLA lawyers. 10 (18%) responses came from other types of caseworkers, including a community engagement worker, an intake worker, a social worker, a family violence worker and a retirement housing worker. One respondent provided no answer.



There was a very wide range of practice experience among respondents. One respondent was in their first year of professional practice; another had practiced for 32 years. The mean number of practice years was 9 years. The median was 7 years.



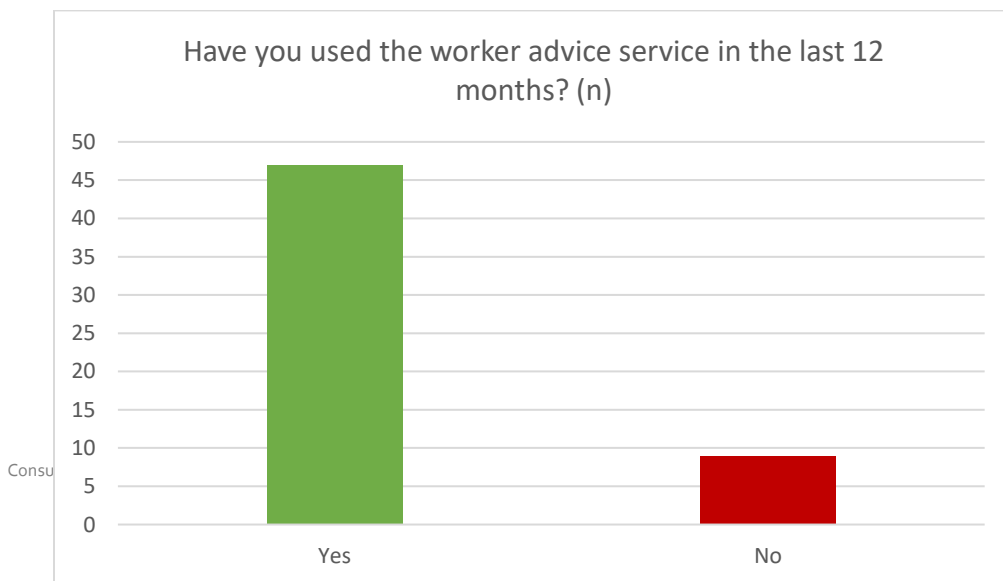
Because caseworkers completed the longer-form survey anonymously, it is not possible to compare the profile of respondents with the general population of caseworkers who access the service or comment on whether it is representative.

### Completion rate

Officially, 56 caseworkers completed the longer-form survey. However, many respondents skipped questions. Some of the qualitative questions were answered by as few as 16 respondents. However, most respondents answered most questions.

### Had they used the service in the last year?

All respondents answered this question and all but nine (84%) said they had used the service in the last year.



## What is one change?

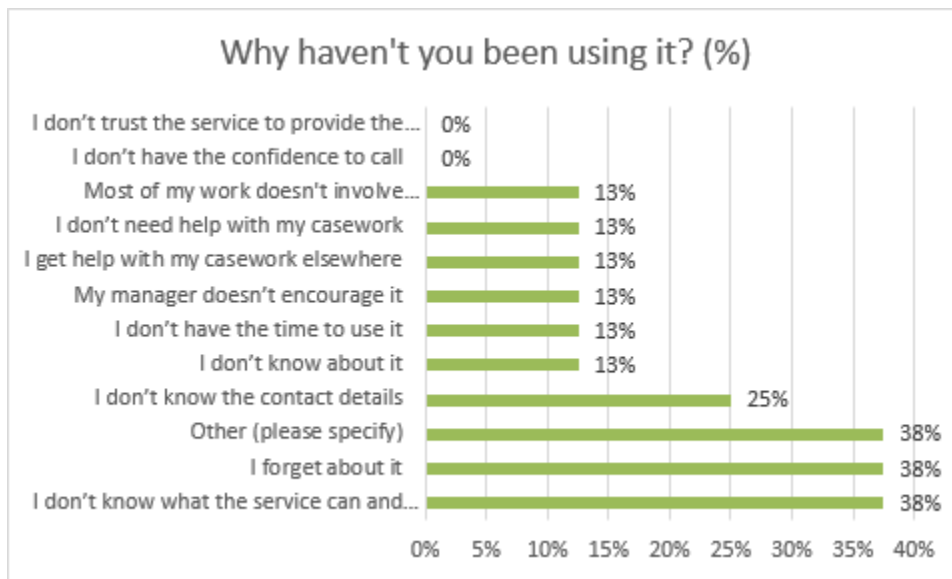
This question asked respondents who had not called the service in the last year to select from a list of responses all the reasons they had not called. All but one respondent answered.

The most common response was that they forget about the service (38%) and/ or don't know what it can help with (28%). One of the eight (13%) respondents said they didn't know about the service and two (25%) said they didn't know how to contact it. Others indicated that they don't need help with their casework (13%), they lack the time (13%) or support from their manager (13%) to use the service, or their work doesn't involve consumer, credit and debt issues (13%).

Importantly, no respondent said they had not called because they don't trust the service. However, two provided 'other' reasons that were critical of the service:

*"I have used it in the past and have found information provided poor"*

*"Part time and service not open when I need it"*



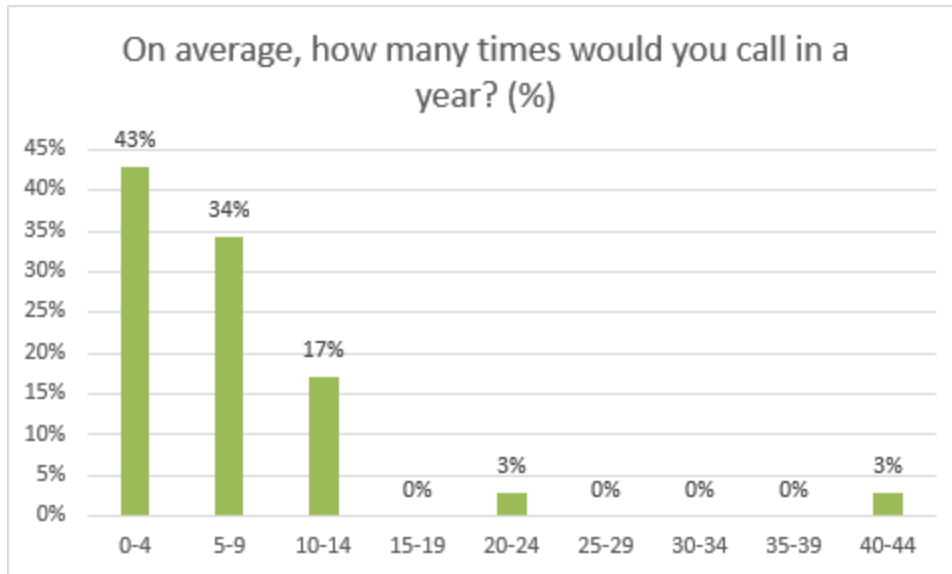
## Had they ever used the service?

Four respondents (7% of all respondents) said they had never used the service. These respondents were directed to complete only questions relating to our sector engagement and training work, and web resources, and were not asked to complete any further questions about the service.

## How often do they use the service?

35 of the 52 (67%) respondents asked this question answered it.

Most respondents estimated that they use the service 0-4 times in a year (43%) or 5-9 times in a year (34%). Some (17%) said that they used it 10-14 times in a year and one respondent (3%) said they used it 20-24 times a year. A further respondent reported using the service 40-44 times a year, however we have assumed that this answer was an error. The median number of times respondents contacted the service was 5 times annually.



### What would encourage them to use the service more often?

The survey asked respondents to suggest one change that would encourage them to call the service more frequently. This was an open-ended question, and 31 out of a possible 52 (60%) respondents answered it.

Five respondents (10%) said they would call more often if the service was more immediately accessible; they suggested we reduce call wait times, spend more time with caseworkers and respond to their enquiries faster:

*"[M]ore availability [and] time allocated to the issue... [S]ome lawyers seem to be under [a] tight time frame."*

*"Immediate availability of adviser. I've always had to leave a message but the call back has been very quick, within 1 business day."*

*"Shorter wait times."*

*"[If it was] easier to contact... [O]ften the phone line has a long waiting period."*

Three respondents (6%) said we should 'take on' or agree to represent their clients more often, and that we should offer alternatives when we are unable to:

*"Engage with client for legal services (case manage)."*

*"Advocate for clients more."*

*"Offer alternative interventions / services should CALC not be able to assist."*

Two respondents (4%) said they wanted lawyers to be more reliable, including by returning calls when they say they will:

*"Only once have you not got back to me when you said you would, otherwise I have always had very good responses to my queries."*

*"Staff to return calls."*

Another two (4%) said they wanted more accurate and practical advice from the service:

*"Provide information that is correct and that client can use..."*

*"Correct advice would be a good start."*

Other suggestions included that the service use lawyers with better interviewing skills (one respondent), focus less on collecting data (one respondent) and offer more practical advice (one respondent). One respondent suggested that we promote the service in FCRC's newsletter.

40% offered no answer at all, and 30% explicitly said they had no suggestions and/ or that their experience with the service had always been positive:

*"Can't think of any as currently I experience prompt service."*

*"I love the service - it's just my time constraints that prevent me from calling more!"*

*"Found the service excellent so can't offer any suggestions."*

*"I can't identify one, I think now that I've used the service I'm likely to use it more and refer other SW's... supporting their clients."*

## **Accessibility**

The survey asked respondents to indicate the extent to which they agreed or disagreed with six statements relating to service access.

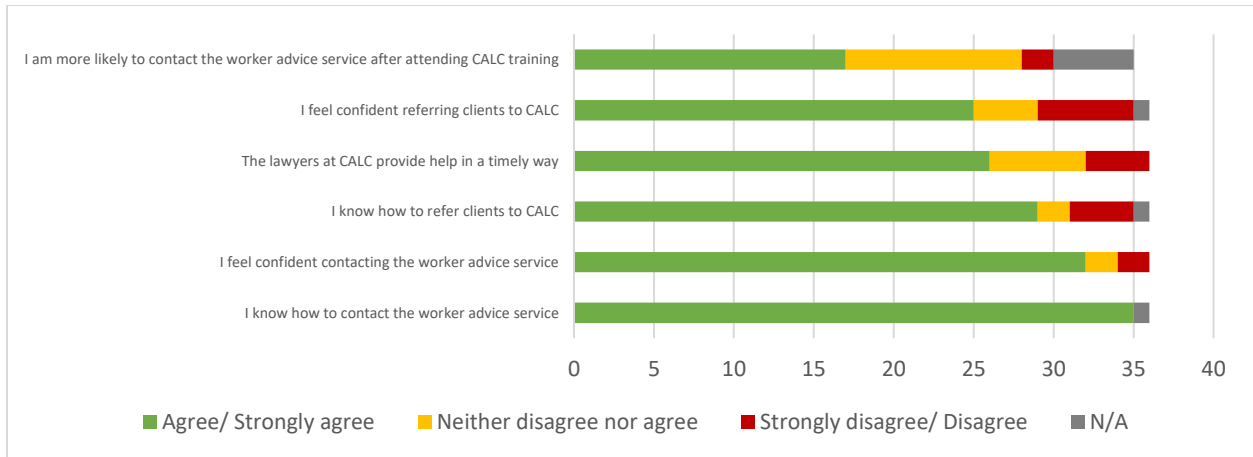
36 out of a possible 52 (67%) caseworkers responded to five of the statements and 35 (70%) caseworkers responded to the other one.

All but one (97%) agreed (and no respondents disagreed) that they knew how to contact the service and all but four (89%) agreed (and only 6% of respondents disagreed) that they felt confident doing so.

Most respondents (72%) agreed (and only 11% disagreed) that the service provides help in a timely way.

Most (80%) also agreed (and only 11% disagreed) that they know how to refer clients to Consumer Action, while a smaller majority (70%) agreed (and 17% disagreed) that they feel confident making those referrals.

Almost half (49%) agreed that they were more likely to contact the service after attending one of our sector engagement events, such as a professional development or training session. A large minority (31%) provided a neutral response or indicated the statement was not applicable to them (14%). Only 6% disagreed.



### Quality and effectiveness

The survey asked respondents to indicate the extent to which they agreed with a series of eight statements relating to service quality and effectiveness.

36 out of a possible 52 (67%) caseworkers responded to six of the statements and 34 (65%) caseworkers responded to the other two.

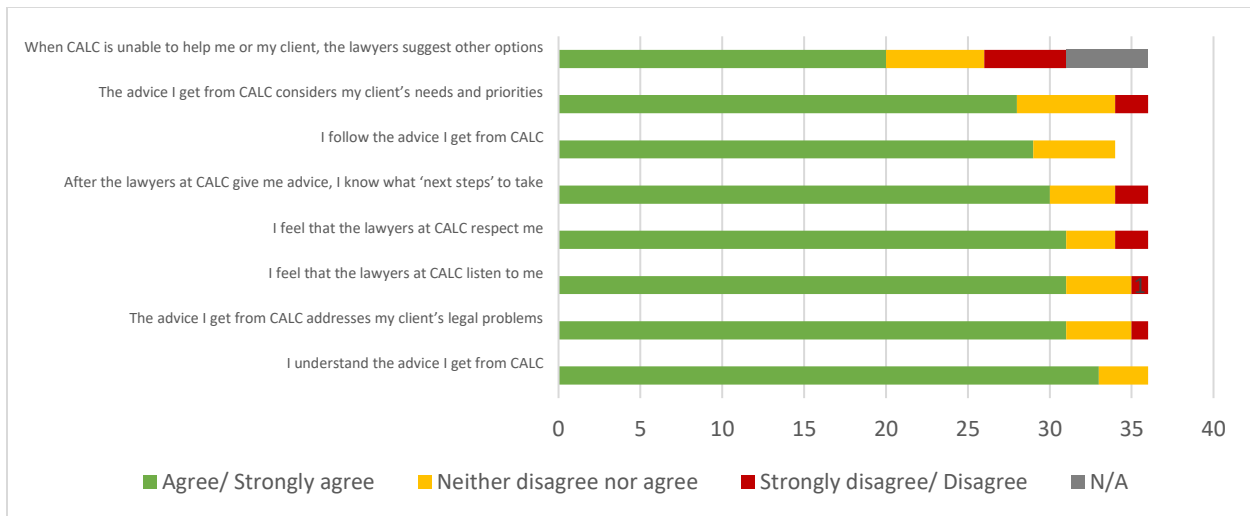
All but three (92%) agreed (and no respondents disagreed) that they understood the advice our lawyers provide.

All but five (86%) agreed (and only one respondent disagreed) that they feel our lawyers listen to them and provide advice that addresses their clients' legal problems. All but five (85%) also agreed (and two respondents disagreed) that our lawyers respect them.

Most respondents (83%) indicated that the advice they get from the service is practical; they agreed (and only two disagreed) that after contacting the service they know what 'next steps' to take. And most (85%) respondents agreed (and none disagreed) that they follow the advice they receive.

Most respondents (78%) agreed (and only two disagreed) that the advice they receive from the service considers their clients' non-legal needs and priorities. Fewer – just over half (56%) – agreed (and five disagreed) that when the service is unable to assist our lawyers suggest other options. The remainder (17%) provided neutral responses or indicated the statement was not applicable to them (14%).





### Communication, understanding and trust

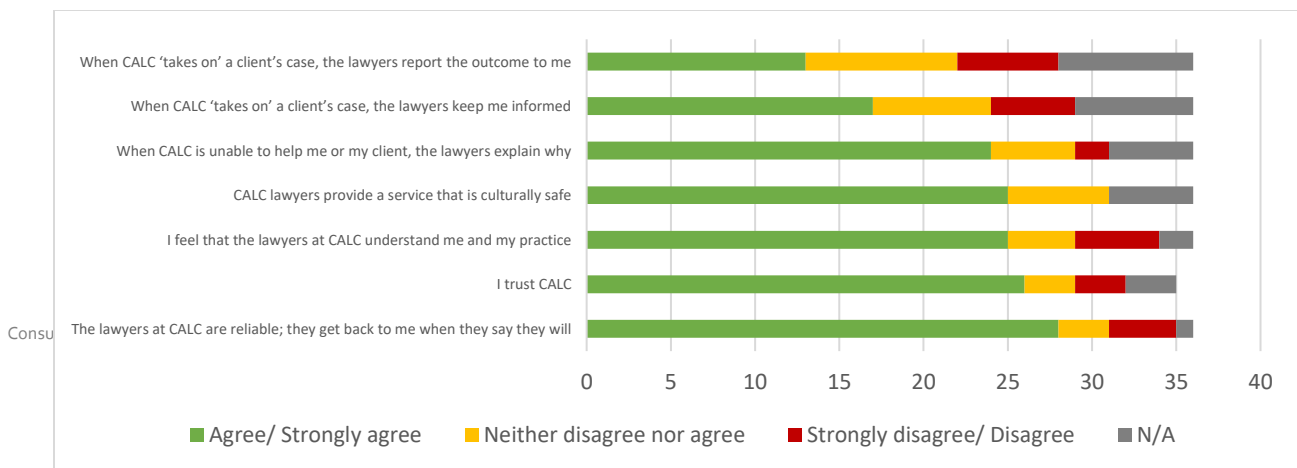
The survey asked respondents to indicate the extent to which they agreed with a series of seven statements relating to communication, understanding and trust.

36 out of a possible 52 (69%) caseworkers responded to six of the statements and 35 (67%) caseworkers responded to the other one.

Most respondents agreed with statements to the effect that lawyers respond to caseworkers when they say they will (78%) (four disagreed); that they trust CALC (74%) (three disagreed); and that our lawyers understand them and their practice (69%) (five disagreed).

No respondents disagreed with the statement that our lawyers provide a service that is culturally safe (69% agreed).

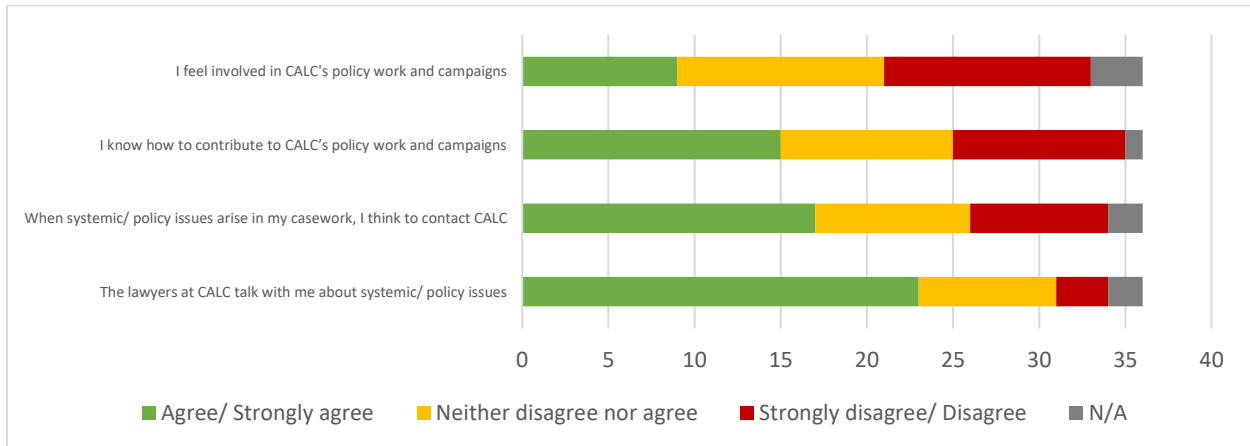
The most commonly disagreed-with statements related to how well lawyers communicate with caseworkers about clients we 'take on' or agree to represent. Five (14%) respondents disagreed that lawyers keep them informed about their clients' case and six (17%) disagreed that lawyers report the case outcome to them. Less than half agreed with these statements, and the remainder provided neutral responses or said the statements didn't apply to them.



## Systemic advocacy

The survey asked respondents to indicate the extent to which they agreed with four statements relating to the service engaging them in systemic advocacy.

Most (88%) respondents agreed that our lawyers talk to them about systemic issues (and only three disagreed). But fewer than half agreed that they think to contact us when systemic issues arise in their casework (47%); that they know how to contribute to (42%) and feel involved in (25%) our policy work and campaigns. And relatively large proportions (22%, 28% and 33%, respectively) of respondents disagreed with these statements.



Of the 18 suggestions offered by respondents for keeping them better informed about our campaigns, most related to traditional forms of communication, including:

*"Regular emails (in point form) quick and easy to read, one page."*

*"...updates in professional newsletters and conferences."*

*"A CALC newsletter would be helpful."*

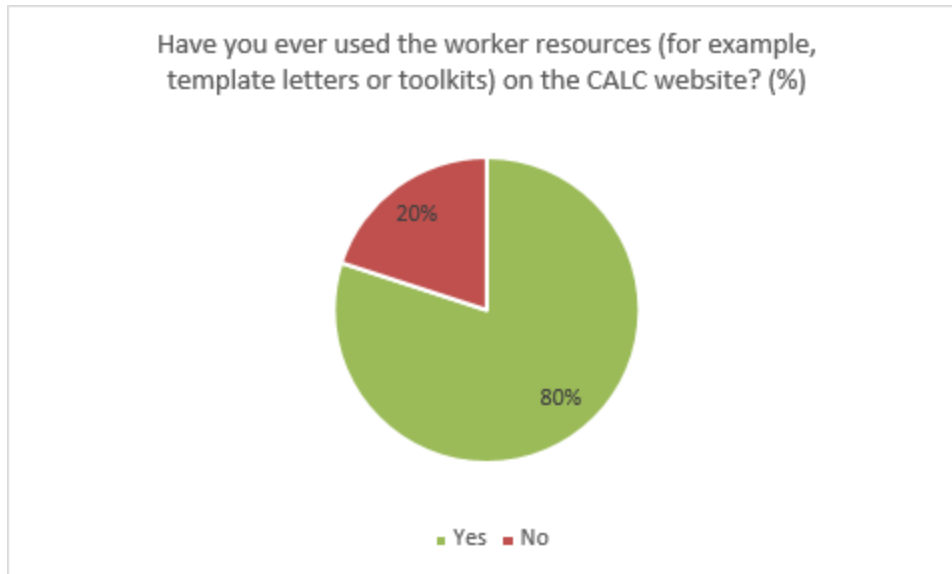
*"I'd be happy to receive a regular newsletter if you produce one."*

Later, in response to the question, 'Is there anything else you'd like to tell us?' one respondent raised concerns about privacy rights in the context of our policy and campaigns work:

*"It is my understanding that CALC can use data from phone calls in there [sic] submissions, etc. If this is the case then CALC should be obtaining permission from the FC/client before using any information."*

## Written resources

Consu The survey asked respondents whether they have ever used the worker resources (for example, template letters or toolkits) on our website. 40 out of a possible 56 respondents answered the question, and all but eight (80%) said they had.



In response to the question, what difference, if any, have those resources made for them and their practice, respondents reported that they had helped them write better letters, improved their confidence and saved them time. For example:

*"Assisted me to send a more professional sounding letter."*

*"I've been able to proceed more confidently with consumer matters."*

*"Can be a time saver when dealing with cases that you have no previous experience with."*

*"Easier to direct clients to useful and relevant information without having to create a resource from scratch for issues that are widespread."*

Several respondents said the resources helped them achieve positive outcomes for their clients:

*"[Your] Cigno letter has enabled me to get waivers for two Cigno loans."*

*"CALC wrote a ["without prejudice"] letter for me... this helped me and the client immensely."*

Others indicated that they go back to the resources again and again. For example:

*"[The resources have made a] world of difference, particularly with the basics, such as request for information including the hold action and the "judgment proof" letter."*

*"Being aware of the resources available has meant that I can use these for other clients."*

When asked to by the survey, only five respondents suggested changes to our resources that would make them more useful.

Consu Two argued for less legal language and keeping resources simple:

*"Maybe less legal language in the template letters. As a FC, I don't always want to quote legislation when contacting debtors."*

*"We are so busy and focused on processing major client psycho-social issues plus the legal compliance... anything hand fed in the simplest manner is much appreciated!"*

A further two said the accessibility and navigability of our website could be improved:

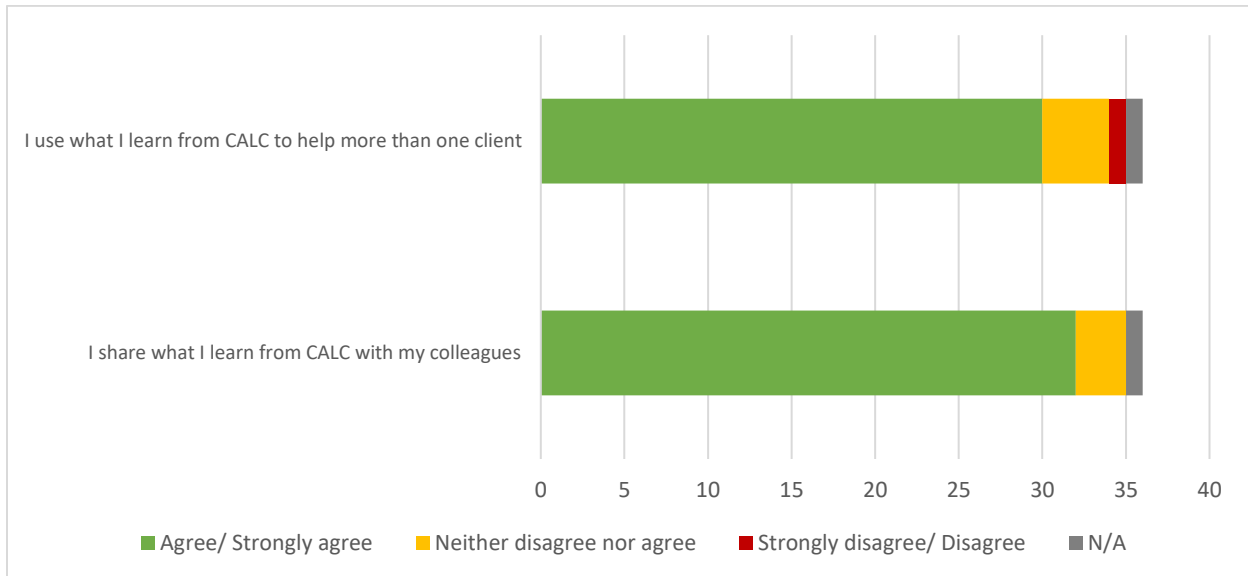
*"I liked the easy access to fact sheets you used to have. I always used your fact sheet on how to obtain a credit record as it is something clients ask for very often. I now use the Moneysmart one."*

*"Clearer website?? Sometimes it's a bit clunky or confusing to navigate - maybe more user friendly."*

## Reach and impact

The survey asked respondents to indicate the extent to which they agreed with two statements relating to service reach and impact.

All but three (89%) respondents agreed that they share what they learn from the service with their colleagues (and none disagreed). And all but five (83%) respondents agreed that they use what they learn to help more than one client (and only one disagreed).



The survey invited respondents to share what difference, if any, the service had made to their practice. This was an open-ended question, and 30 out of a possible 52 (58%) respondents answered it.

Some respondents simply described the type of assistance our lawyers provide, such as information, advice and resources, and how they use the service to access a 'second opinion' in some cases. For example:

*"Provided information and advice for my clients when I am stuck"*

Consumer Action Law *"Sometimes I run information past CALC to confirm the planned path, and usually CALC provides different angle, ideas. Working mainly as a sole financial counsellor a discussion re the case and the options is invaluable where there are legal issues..."*

*"...I particularly like the way I can be directed to a specialist in the field eg insurance and how CALC workers take the time to reply or email. I have had lawyers write specific advocacy letters relevant to my case, for which I am so appreciative."*

Others said the service has expanded their knowledge, improved their confidence and helped them to become better caseworkers, ultimately enabling them to achieve better results for their clients. Some suggested they share what they learn with colleagues in the sector to improve their capability, too. For example:

*"Advice I've had on several occasions has given me confidence and knowledge to use in other similar cases and pass on to colleagues."*

*"Has expanded my ability to run consumer law cases and get better results."*

*"Greatly improved my confidence in taking on a case as I know I have legal advice to guide me. I have taken on many cases that I would otherwise not have pursued so far - eg Radio Rentals refund."*

*"I still remember conversations I had on the line from years ago, which totally changed and drove the way I approach things like consumer leases, payday loans, insurance. Without this line, I would not be the type of financial counsellor I am today."*

Finally, the survey invited respondents to describe a time when they had achieved a positive outcome for a client after getting help from the service. 21 out of a possible 52 (40%) respondents answered the question and described helping clients achieve a range of positive resolutions, including debt waivers, refunds, insurance claim payouts and mortgages being set aside. For example:

*"... working on a case with Alpha Finance and the sharing of the strategies provided my client with a very good outcome. The second consult also provided me with insight and confidence I was on the right track with my advocacy and complaint."*

*"...Thorn refund would not have been achieved without many calls to the advice line. Simple thing such as [the lawyer] taking the time to walk me through how the ombudsman might approach the case - gave the gumption to take it on."*

*"...a Money 3 loan secured by her car. The loan was unhooked from the security and all interest and fees waived. She was then put on an affordable payment plan to pay the remainder of the principal. It was a sensational result for my client who had been subject to horrendous [family violence]."*

*"Client was rejected for insurance claim on basis of pre-existing condition. After support from CALC was able to get the decision reversed and client was paid their claim."*

## **MAKING SENSE OF THE DATA**

### **Our approach**

We took a collaborative approach to making sense of the long-form survey data. The lawyers who deliver the service and their managers were invited to a workshop where we presented the results of

the survey, coded and synthesised for easy consumption, as well as the direct quotes included in this report.

Five lawyers and one managing lawyer participated in the workshop. Our Director of Service Development & Partnerships and Learning & Sector Development Manager attended in the role of 'critical friends'.

We expected that the lawyers would help contextualise the feedback and draw conclusions about it, as well as generate ideas for improving the service. And we hoped the critical friends would help us apply a 'sector development' lens to our analysis.

To help focus their attention, we asked the participants, as we moved through the results, to consider:

- What is the **main message** I am hearing from these results? What is one thing these results have taught me, got me thinking about?
- What is **one change** I/ the legal practice/ Consumer Action could make to improve these results?

The lawyers and the critical friends ultimately contributed significantly to the conclusions and recommendations in this report. A summary of their discussion at the workshop is described below.

## Analysis and discussion

The lawyers were unsurprised that call wait times were a source of dissatisfaction for some caseworkers. They observed that the most obvious solution – adding more lawyers to the service – would have significant resource implications and so could be a medium- or longer-term goal for the organisation, especially if demand for the service continues to grow. In the meantime, they suggested that online resources, such as a wiki, could help meet the needs of some caseworkers and reduce pressure on the service. They considered that better self-help resources would also be valuable to night service lawyers who assist clients outside of service hours.

Looking at the results relating to *referring* clients here for assistance, lawyers said it was unclear whether the relevant question related to 'cold' or 'warm' referrals.

They suggested that if night service lawyers had completed the survey, they would have had in mind making 'cold' referrals, where they simply provide the consumer advice service number to their client. How confident those respondents felt about referring a client would likely depend on feedback they had heard about that service, including whether the clients could get through, or a perception about how well the client would fare using the service.

On the other hand, they thought that financial counsellors were more likely to have in mind 'warm referrals', where they contact the service with the view to handing that client over for casework assistance. How confident those respondents felt about referring a client would likely depend on whether and how often they'd succeeded in getting us to 'take on' a case, or a perception about how likely they would be to succeed.

They considered whether there might be a perception among caseworkers that we don't take on cases (or only rarely do) due to a lack of resources. They commented that, in their experience, caseworkers don't often call with the purpose of referring a client for representation; rather, they tend to call for

advice about a client, then learn from the lawyer that the client might be eligible for casework assistance. They speculated that caseworkers who feel unable to assist a client themselves might not contact the service, believing that no amount of advice will help and that there is no chance of us representing the client.

The lawyers suggested that we develop a communication strategy to help caseworkers better understand our case intake process, including the many factors – including whether a case will contribute to one of our campaigns or policy work – we take into account when determining whether we ‘take on’ a client. They also suggested we need to better communicate the range of assistance the service can provide – from discrete information and advice, to more intensive, ongoing assistance – and the types of legal problems we can and can’t help with.

The lawyers were pleased to learn that most caseworkers understand and follow their advice and say that it addresses their clients’ legal problems. However, they were concerned that two caseworkers – both financial counsellors, with one and ten years of practice experience, respectively – said they don’t feel respected by our lawyers. They said they would have liked to learn more about those caseworkers’ experiences.

They considered the lower rate of agreement (and higher rate of disagreement) in relation to our lawyers suggesting other avenues for legal help to caseworkers when they can’t assist. They agreed that sometimes they don’t offer alternatives to caseworkers but say this is usually because none exist; either there is no (free) legal service that can assist with their client’s problem or the client has limited or no legal rights or options to pursue. They said they may also not suggest alternatives if they believe it would be impractical for the client to enforce their rights, or that legal assistance would not produce a good financial or wellbeing outcome for the client. They agreed with the comment of one respondent: that sometimes non-legal options, including “*old fashioned financial counselling practice*” and negotiation or engaging in systemic advocacy, may help achieve better client outcomes.

The lawyers reflected that they may not always provide clear, direct advice to caseworkers in these situations, and so caseworkers might not appreciate that there are no options for them to provide.

Accordingly, the lawyers suggested that they could learn to communicate more directly and clearly with caseworkers when:

- there is no (free) legal help available to the caseworker or client, including because their legal problem is one that no legal assistance service can help with, such as a dispute about a novated lease or complex business purpose loan;
- the client has limited or no legal rights or options, such as in relation to council rates or pawnbroking contracts, or any options that do exist are impractical in the circumstances;
- the client is likely to achieve a better financial and/ or wellbeing outcome through non-legal avenues, such as by having a financial counsellor negotiate with creditors, or telling their story to the media, or their local MP.

The lawyers also considered the lower rate of agreement (and higher rate of disagreement) in relation to whether lawyers keep caseworkers informed about the cases they refer to us and we run. They were

curious about whether these responses were motivated by more recent or historic experiences with the service.

The lawyers recalled that since around September 2017, lawyers have routinely sought consent from clients at the time of opening representation files to keep the referring caseworker informed about its progress. But they acknowledged that they don't always update caseworkers regularly, despite having the client's consent to do so. They suggested building prompts into ActionStep to coincide with certain events; for example, at the time of issuing proceedings or complaining to an EDR scheme. They agreed that this wouldn't be too onerous on lawyers.

They agreed that they don't know all that much about how other caseworkers – including financial counsellors – practice. And they acknowledged that, at times, they may advise that a case is hopeless without considering that a non-legal approach might help the client achieve a good financial or wellbeing outcome. They suggested that more interaction with caseworkers could help build understanding. This could be achieved through exchanges, shadowing and integrated practice; informal chat before and after sector training and events; and attending conferences and regional network meetings. They also suggested they could learn more simply by asking on the phone: *How would you approach this?* And by having more information about repeat service users – for example, their length of service and specialisation – recorded in Actionstep.

They were concerned that three workers disagreed with the proposition, 'I trust CALC'. They speculated that a small number of longer-serving financial counsellors with negative, 'fixed' views about the organisation were behind these responses. And they suggested that the RMIT financial counselling course offered a valuable opportunity to shape a new generation of financial counsellors. (In fact, further analysis of the data revealed that all three respondents were financial counsellors. However, they were not all very experienced, having practiced for one, seven and 10 years, respectively.)

The lawyers interpreted the strong results in relation to caseworkers sharing what they learn from the service with colleagues and to help more than one client as evidence of impact and vindication of the service model.

They were disappointed with (but not surprised by) the results relating to systemic advocacy, which they suggested were due to the fact they spend limited time with caseworkers on the phone and that many caseworker enquiries don't raise systemic issues, or at least not the ones we prioritise. They reflected that they are more likely to discuss systemic issues with caseworkers when they clearly arise in the case they're seeking assistance with.

The lawyers made several suggestions for informing caseworkers about our policy work and campaigns activities and encouraging them to engage. Some related to achieving better integration between the legal practice and policy and campaigns team. These included: more lawyers attending the fortnightly policy and campaigns intake meeting; cross-team campaign steering groups; and more targeted, regular communication from the policy and campaigns team about 'what they need' (for example, a weekly update on the types of case studies they most want to see).

Other suggestions related to more relevant, timely communication with caseworkers about our policy and campaigns work. These included: first, identifying the systemic issues caseworkers are most likely



to see (because not all the issues we campaign on will arise in the context of a financial counselling session, for example); adding information about our policy and campaigns activities to the recorded message at the beginning or end of each call to the service; design 'pop-ups' for our website on 'this month's trending issues' or 'case study call out'; developing an 'elevator' pitch for lawyers to use at sector training and engagement events; lawyers offering caseworkers a practical tool, such as a template letter, at the same time as alerting them to systemic issues that may be impacting on their clients. However, the acknowledged that all these strategies rely upon caseworkers interacting with the organisation and observed that there seemed to be popular support among respondents for a regular pithy e-newsletter.

The lawyers agreed with criticisms levelled at our website, that it is hard to navigate and a barrier to caseworkers accessing our online resources. In fact, some lawyers said they never direct caseworkers to our website to find resources on their own for that reason, preferring to send direct links via email. They suggested an overhaul to the structure of the website to make it more intuitive for busy caseworkers.

The lawyers were pleased to have confirmed that the service is helping achieve immediate, medium-term and longer-term outcomes for clients, caseworkers and the sector, and observed that providing assistance to caseworkers has a 'multiplier effect' across all of our impact domains: empowered people, effective sector and a fairer system.

## CONCLUSIONS

The service is being accessed by financial counsellors and community lawyers in both greater metropolitan Melbourne and the regions. Fewer caseworkers from other disciplines use the service. Further, not all locations are equal. Caseworkers from some metro and regional areas are underrepresented in our service statistics.

Caseworkers may be more likely to contact the service after attending a sector engagement or training session run by our lawyers. More information is needed to understand how caseworkers interact with us over time.

Caseworkers who have a positive experience with the service are likely to access it many times in a year and recommend it to their colleagues.

Most caseworkers are very satisfied with the service when it plays its primary function: providing advice and assistance to caseworkers over the phone. They feel that our lawyers listen to them and provide understandable and practical advice that addresses their clients' legal problems and considers their non-legal needs.

Most caseworkers trust our organisation. However, a minority feel that our lawyers don't understand them or their practice.

Moreover, caseworkers believe they are more effective and achieve better outcomes for their clients because of the service. Women who are survivors of family violence are among the ultimate beneficiaries of the service.

Most caseworkers report using what they learn from the service to assist more than one client and sharing what they learn with their colleagues.

Caseworkers see the service as an essential resource.

More information is needed to understand how – and how consistently – the service is achieving these outcomes for caseworkers and clients who identify as Aboriginal or Torres Strait Islander, and whether the service is experienced as culturally safe.

Likewise, more information is needed to understand the experience of caseworkers who are not very satisfied with the service.

The service's limited resources mean that some caseworkers can wait two business days to speak to a lawyer, or even longer if first contact attempts are unsuccessful. Sometimes 'phone tag' means that a caseworker never speaks to a lawyer. Disappointment about the lack of immediate access to a lawyer is the main source of dissatisfaction with the service.

Caseworkers are sometimes disappointed by our decisions not to 'take on' one or more of their cases for representation.

Caseworkers are also sometimes disappointed by our communication with them. For example, when the service can't assist a caseworker, our lawyers may not always explain why and suggest other options or communicate clearly that none exist. Or when we 'take on' caseworker's client for representation, our lawyers may not always provide updates to the caseworker or advise them of the case outcome, even when the client has given consent for them to do so.

It can be difficult for lawyers – especially newer lawyers – to provide 'bad news' to caseworkers, including that a client's case has low merit or that they are unlikely to get free legal assistance.

Caseworkers are more likely to be dissatisfied with advice provided by a lawyer who is new to the organisation than a more experienced member of the team.

Caseworkers who are not very satisfied with the service may not use it again and will not recommend it to their colleagues. Others may not contact the service because they forget about it.

Caseworkers may use the service more frequently if these issues are addressed.

The written resources on our website also contribute to more effective casework. Caseworkers credit our resources with improving their confidence, the efficiency with which they work and helping them achieve good client outcomes. Greater accessibility – both in terms of their content and how caseworkers navigate to them – could make them even more helpful.

We don't know whether caseworkers who use the resources are more likely to use the service (or why). More information is needed to understand how caseworkers use the resources and interact with the organisation over time.

Generally, lawyers discuss systemic issues with caseworkers who call the service for advice.

Consumer Action Law Centre <sup>34</sup>  
However, most caseworkers don't think to contact the service when they encounter a systemic issue and don't know how to contribute to or feel involved in our policy work or campaigns.

Caseworkers and lawyers alike have ideas about how to facilitate greater engagement by caseworkers in our policy work and campaigns.

## RECOMMENDATIONS

### Understanding and extending reach

1. The organisation should explore using service and other data to identify which geographic regions and caseworker types are not using the service.
2. The organisation should develop strategies for promoting and explaining the service to underserved regions and priority caseworkers, including through traditional communication channels (such as sector newsletters) and continuing professional development. Explaining the service must involve describing the range of assistance the service can provide – from discrete information and advice to more intensive, ongoing assistance – and the types of legal problems the service can and can't help with.
3. The organisation should amend its case intake policy to require that we consider, when deciding whether or not to 'take on' a case referred by a caseworker for representation, the impact it is likely to have on our relationship with that caseworker or other key stakeholders.
4. The organisation should develop a communication strategy to help caseworkers better understand our case intake process, including the many factors – including whether a case will contribute to one of our campaigns or policy work – we take into account when determining whether we 'take on' a client for representation.

### Understanding our customers

5. The organisation should explore and promote opportunities for lawyers to better understand how other caseworkers work. These might include exchanges, agency visits, shadowing and integrated practice, as well as attending conferences and regional network meetings.
6. The organisation should explore the feasibility of recording more information about repeat service users – for example, their length of service and specialisation – in Actionstep.

### More immediate help

7. The organisation should explore strategies for reducing call wait times. These could include adding more lawyers to the service in the medium- to longer-term, particularly if demand for the service grows.
8. The service should explore strategies for reducing the time lawyers waste playing 'phone tag' with caseworkers.
9. The organisation should explore developing alternatives to telephone assistance, such as more comprehensive online resources, including a 'wiki'.

### Reflective listening

10. Lawyers should periodically listen to and reflect on a sample of recordings of their calls with caseworkers. In addition to the existing list of questions in the reflection guide, lawyers should also consider:

- Did your advice address the client's legal problem?
- Did your advice consider the client's non-legal needs and priorities?

- Did you consider whether the client would achieve a better financial and/ or wellbeing outcome without legal assistance, such as by having a financial counsellor negotiate with creditors, or telling their story to the media, or their local MP?
  - If you were unable to assist the caseworker, did you say so directly and clearly and explain why? Did you suggest other options?
  - If you knew that no (free) legal service could assist the caseworker or client, did you say so directly and clearly?
  - Did the caseworker know what 'next steps' to take? How did you check?
  - Did you clearly describe the actions you proposed to take (if any) and relevant timelines?
  - How did you demonstrate that you understood and respected the caseworker, their expertise and their practice? (Did you ask, "How would you approach this?")
  - Did you talk to the caseworker about any systemic issues arising from the case?
11. Lawyers should listen to and reflect on the recording of any call with a caseworker that results in critical feedback about the service.

### Difficult conversations training

12. The service should consider making 'difficult conversations' training available for lawyers. The purpose of the training would be to better enable lawyers to deliver 'bad news' to caseworkers and their clients in a way that is unambiguous, respectful and sensitive.

### Impact monitoring

13. The following changes should be made to the SMS post-call survey:

Existing	Proposed
	What is your professional role?
	Do you or your client identify as Aboriginal or Torres Strait Islander?
	Before you talked to our lawyers, how well did you understand your client's rights?
	How well do you understand your client's rights now?
	Before you talked to our lawyers, how well did you understand your client's options?
	How well do you understand your client's options now?
Consumer Action Law Centre	Before you talked to our lawyers, how confident did you feel about taking action?
	How confident do you feel about taking action now?

...how likely are you to recommend the worker advice service to a colleague?	How likely are you to recommend Consumer Action Law Centre to a colleague?
Please explain why you've given this score.	What is the main reason for your score?
	What changes could we make to earn a higher score?
...how likely are you to recommend Consumer Action to a client?	
Please explain why you've given this score?	
We want to learn as much as we can from your feedback. If you feel comfortable doing so, please provide your contact details...	We want to learn as much as we can from your feedback. If you feel comfortable doing so, please provide your name and phone number and our reference number (if known)

### Keeping caseworkers in the loop

14. Lawyers should continue to seek consent from clients at the time of opening representation files to keep the referring caseworker informed about its progress.
15. To ensure lawyers update caseworkers regularly, the organisation should explore building prompts into Actionstep to coincide with milestone events, such as when proceedings are issued and the file is closed.

### Greater engagement with policy and campaigns

16. The service should consider strategies for achieving better integration with the policy and campaigns team. These might include greater participation by lawyers at policy and campaigns intake meetings and cross-team campaign steering groups.
17. The service should request more regular, specific communication from the policy and campaigns team about 'what they need', such as a weekly update describing the types of case studies they are seeking.
18. The service should explore strategies for providing information to caseworkers about the policy and campaigns work that is most relevant to their practice, including via:
  - recorded messages at the beginning or end of calls to the service;
  - website pop-ups that describe 'this month's trending issues' or alert visitors to the types of case studies we seek;
  - an 'elevator pitch' for sector engagement events; and
  - a regular pithy e-newsletter to caseworkers.

### Consolidated Better website

19. To ensure the accessibility of our online resources, the website should be overhauled to make it more intuitive for busy caseworkers.

### **Better systems for data collection, synthesis, analysis and reporting**

20. The service should work with operations and other staff to ensure that lawyers collect and record caseworker information in a consistent way.
21. The organisation should explore creating systems that reduce the time involved in collecting, synthesising, analysing and reporting service, engagement and other monitoring and evaluation data, including from surveys.

### **Close the feedback loop**

#### **22. The organisation should develop strategies for:**

- a. responding to caseworkers who in the context of monitoring and evaluation indicate they are satisfied with the service, are dissatisfied with the service or need further help;
- b. sharing caseworker feedback with individual lawyers and providing additional training and support, as needed; and
- c. communicating key insights from monitoring and evaluation of the service, as well steps taken to improve service quality, to caseworkers, other stakeholders and the sector.

### **Continue monitoring, repeat this evaluation**

23. The service should continue to send the SMS post-call survey (in its updated form) to all caseworkers who use the service.
24. The service should distribute the longer-form survey to all caseworkers who use the service between 1 July 2019 and 31 March 2020 in the first week of April.
25. The evaluator should code the data using an approach that is consistent with the one used in this evaluation. This should enable us to compare findings and track progress.
26. A date should be set for the evaluation findings workshop in May 2020 *at least three months in advance*.

## **APPENDIX A – POST-CALL SURVEY QUESTIONS**

## **APPENDIX B – LONGER-FORM SURVEY QUESTIONS**