
Overview

This standard is about providing clients with direct money management and debt information and advice at the point of initial contact with the service. You will establish their needs and expectations of services, research information which is relevant to their situations and provide them with appropriate and accurate legal advice. You will also know when to refer clients on to alternative or more specialist sources of advice.

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Performance criteria

- You must be able to:
- P1 explain to clients the legal advice services you can offer in line with organisational requirements
 - P2 check clients' understanding of legal advice services is consistent with information you have provided
 - P3 agree with clients their legal advice requirements in line with relevant legislation, policies and procedures
 - P4 agree with clients where situations require immediate action in line with their requirements , and:
 - P4.1 take steps to implement this
 - P5 agree next steps with clients in line with their requirements
 - P6 explain accurately the organisation's systems and procedures for working with clients
 - P7 agree further actions with clients in line with their requirements including;
 - P7.1 procedures
 - P7.2 responsibilities
 - P7.3 time limits
 - P8 analyse available client information to assign relevance to their case in line with your professional judgement
 - P9 record client details and agreed actions in line with organisational requirements
 - P10 review sources of information to assess applicability to clients' situations
 - P11 check that information obtained enables you to advise clients
 - P12 analyse information received from clients and the research process to formulate options in line with clients' needs
 - P13 present clients with information and possible options for action in line with organisational requirements
 - P14 advise clients on the implications of possible options in line with organisational requirements
 - P15 check clients' understanding of the advice offered in line with organisational requirements
 - P16 agree actions required by you and clients in line with organisational requirements

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Knowledge and understanding

You need to know and understand:

- K1 key areas of the legislative framework relating to consumer credit and debt in your jurisdiction
- K2 why it is important to gather information about clients' circumstances
- K3 the key components of a statement of income and expenditure, and:
 - K3.1 why it is important to prepare one with clients
- K4 banking options for clients, including:
 - K4.1 payment methods
 - K4.2 when it is appropriate to set up a new account
 - K4.3 procedures for first right of appropriation
- K5 how to establish the extent and nature of clients' debt
- K6 how the extent and nature of clients' debt can affect the advice they are given
- K7 what should be contained within credit agreements
- K8 what situations could constitute an emergency for clients in relation to their debts and money management
- K9 types of emergency action that can be taken in particular circumstances
- K10 the nature of creditor information to enable the debtor to be offered a full range of options
- K11 ways of maximising income and reducing expenditure
- K12 how to use credit reference report information, and:
 - K12.1 the implications for making credit reference report requests
- K13 how to prioritise debts in terms of:
 - K13.1 severity of creditor sanction
 - K13.2 potential client detriment
- K14 how to develop and select strategies for addressing debt situations
- K15 payment methods that can be adopted by the client
- K16 alternative methods for dealing with debt
- K17 the importance of opening and continuing negotiations with creditors
- K18 how to develop a strategy for dealing with creditors
- K19 the use of clients' financial statement as a tool for negotiating with their creditors
- K20 procedures for debt recovery through the courts and:

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- K20.1 possible consequences of non-compliance with court proceedings
- K21 possible defences in relation to debt
- K22 official guidelines and codes of practice relating to:
 - K22.1 credit arrears management
 - K22.2 debt recovery, repossession
 - K22.3 fair treatment of customers
 - K22.4 debt management
- K23 legislation in your jurisdiction relating to fraudulent activity

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Suite Legal Advice

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