

**EXPERIENCES OF CONSUMERS IN VULNERABLE CIRCUMSTANCES WITH DIFFERENT
LEGAL SERVICE PROVIDERS**

**Consumers with mental health difficulties and carers of consumers with mental
health problems**

APPENDICES

APPENDIX A – DETAILED DESCRIPTION OF THE METHOD AND SAMPLE

1. Methodology

The chosen methodology for this research was qualitative, conducted via a series of thirty individual and paired depth interviews. The qualitative methodology allowed for in-depth discussion of individuals' personal circumstances, experiences and attitudes.

The sample comprised people with mental health difficulties (depth interviews) and carers of people with mental health difficulties (also depth interviews). The rationale for including carers within our sample is that they have a unique role and perspective with the experience of those with mental health difficulties when seeking legal advice.

All interviews were conducted in respondents' homes, and were of around one hour duration. In-home interviews provided a sensitive research setting, which supported respondents' individual needs, and gave interviewees the time and space to engage with the topic in a familiar setting.

2. Sample structure

A total of thirty depth interviews were carried out, between December 2016 and February 2017, with individuals with mental health difficulties and carers of individuals with mental health difficulties. The sample comprised 21 individuals with mental health difficulties and 9 carers of individuals with mental health difficulties. Interviews were conducted in locations across the England and Wales: Eastbourne, Birmingham, Croydon, Hertfordshire, Leicester, Manchester, South and North London, Bristol, Southampton, Aberystwyth and Liverpool.

It is commonly estimated that one in four people is likely to experience a mental health problem in their lifetime. However, 75% of people do not receive help from the NHS¹. Our sample therefore comprised individuals with a formal diagnosis and those without:

- 12 were individuals who had been diagnosed with a mental health difficulty. The most common were anxiety and depression, but the sample also included a range of other difficulties e.g. post-traumatic stress disorder, schizophrenia, personality disorder.
- 9 respondents described themselves as having a mental health difficulty, but did not have a formal diagnosis. Our approach to identifying these respondents was to ask them to indicate whether they felt that mental health difficulties were a health issue for them (screener Q.3a) and then to describe their symptoms (screener Q.7b). The number of self-diagnosed respondents was limited to ten. The screener is appended in Appendix B.

Our sample included a mix of male and female respondents:

	Individual with a mental health difficulty	Carer of individual with a mental health difficulty
Gender	16 x female 5 x male	7 x female 2 x male
Total	21 respondents	9 respondents

A range of ages were also captured:

	Individual with a mental health difficulty	Carer of individual with a mental health difficulty
Age	6 x 18-35 years old 4 x 36-50 years old 10 x 51-64 years old	3 x 36-50 years old 6 x 51-64 years old
Total	20 respondents	9 respondents
	1 respondent preferred not to answer	

¹ <https://www.england.nhs.uk/wp-content/uploads/2016/02/Mental-Health-Taskforce-FYFV-final.pdf>

Respondents were from a range of socio economic backgrounds. The groups below are based on the occupation of the head of the household, and are commonly used in the market research industry. The groups are defined as follows:

A- Higher managerial, administrative, professional e.g. Chief executive, senior civil servant, surgeon

B - Intermediate managerial, administrative, professional e.g. bank manager, teacher

C1- Supervisory, clerical, junior managerial e.g. shop floor supervisor, bank clerk, sales person

C2 - Skilled manual workers e.g. electrician, carpenter

D- Semi-skilled and unskilled manual workers e.g. assembly line worker, refuse collector, messenger

E - Casual labourers, pensioners, unemployed e.g. pensioners without private pensions and anyone living on basic benefits

	Individual with a mental health difficulty	Carer of individual with a mental health difficulty
Social grade	3 x B 8 x C1 5 x C2 2 x D 3 x E	1 x B 3 x C1 3 x C2 2 x D
Total	21 respondents	9 respondents

A mix of ethnic backgrounds was achieved:

Ethnic background	Number of respondents
White British	25 respondents
Black British	2 respondents
Asian Indian	1 respondents
Asian Pakistani	1 respondent

Mixed background	1 respondent
Total	30 respondents

The legal issues which our sample had experienced were varied, as described in the table below.

Type of legal issue	Number of respondents
Property	6 respondents
Eviction	1 respondent
Wills/probate/ trusts	11 respondents
Injury	1 respondent
Employment	1 respondent
Immigration	1 respondent
Civil Liberties	2 respondents
Power of attorney	1 respondent
Family	3 respondents
Welfare & benefits	5 respondents
Criminal	1 respondent
Consumer/Civil	1 respondent
Total	34 experiences (some respondents had more than one legal issue)

All experiences of using legal service providers had been in the past 18 months, and over half were within the past 12 months. Although the original aim was to only include experiences within the past 12 months (to ensure that experiences were well recalled), it became clear that experiences within the past 18 months were equally well recalled.

Within the past	Number of respondents
0-6 months	11 respondents
6 – 12 months	12 respondents
12 – 18 months	7 respondents
Total	30 respondents

For the most part, respondents had sought advice from solicitors working in regulated firms. However, the sample also included advice obtained from solicitors who were employed by other types of organisation. A minority had sought advice from advice-based third-sector organisations.

A majority of the sample (25 respondents) felt that they had successfully accessed and used legal services, although a minority (5 respondents) felt that they had not been successful. The findings from these respondents are reported in a separate section of the report (section 4.4).

3. Recruitment

Recruitment was conducted on a free-find basis. A recruitment questionnaire (appended at Appendix A) was used by Market Research Society² trained recruiters to screen potential respondents to ensure that they met the established recruitment criteria. Ethical considerations were identified and addressed in the design of both the recruitment and interview approach, with the support of relevant industry guidelines and best practice³.

The recruitment questionnaire (which includes the ethical protocol) is included in Appendix B. In summary:

² <https://www.mrs.org.uk/>

³ https://www.mrs.org.uk/standards/code_of_conduct,
<http://www.mrs.org.uk/pdf/MRS%20Researching%20Vulnerable%20Participants%20best%20practice%20note.pdf>

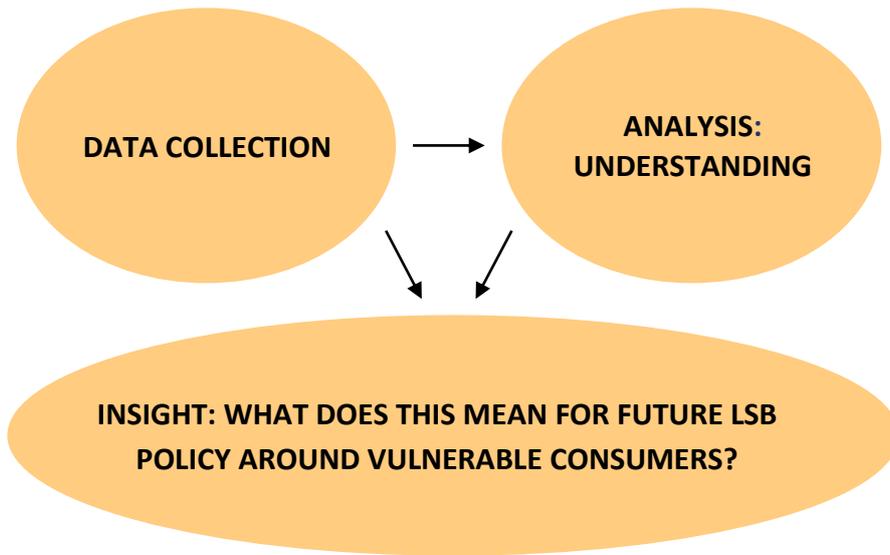
- Respondents were shown a letter from the LSB explaining the research prior to being asked any questions. (The letter is appended at Appendix C).
- After being screened with the recruitment questionnaire, recruiters were asked to follow a protocol (appended at Appendix D), which included leaving respondents with the letter from the LSB (appended at Appendix C) as well as an invitation letter (appended at Appendix E).

4. Data gathering and analysis

Two versions of the semi-structured topic guide were developed: one for carers of people with mental health difficulties and one for individuals with mental health difficulties. Both are appended at Appendix F.

We adopt a **content analysis approach** in order to ensure a consistent and robust approach to analysis.

- First, we listen and make notes from our own tapes (rather than reading transcriptions) to conduct **conversational analysis**.
- Second, **key themes are agreed**, following key areas of the topic guide.
- Each researcher collates the findings for each theme on a grid, disaggregating the data about each topic area **in terms of the key sample variables**. In this case, we have structured our sample so that we can ascertain any differences by size of company or industry sector
- The data is assessed in terms of: **frequency of mention, content, tone, and emphasis**.
- The final part of the process is **generating insight** (and therefore recommendations).
- Our approach is based on **two insight models** (the **Government Communications Network** insight model and **HM Revenue & Custom's** 'Simple' model):



APPENDIX B – RECRUITMENT QUESTIONNAIRE (INCLUDING ETHICAL PROTOCOL)

Good morning/afternoon/evening, my name is _____, from Research Works Limited, an independent market research agency. We are conducting research on behalf of the Legal Services Board, which is an independent board that was created to ensure that consumers are placed at the heart of legal services.

The research that we are conducting for the Legal Services Board aims to improve people’s experiences of legal advice, and we’re particularly interested in the views of people with mental health difficulties, and dementia, and their carers .

The research will involve two stages:

Firstly, a short interview today to help us identify a cross-section of people with mental health difficulties, and dementia (and their carers if appropriate) who have had experience of legal services.

Then, we would hold a longer interview to hear about different individuals personal experiences dealing with legal services. This interview will be held at an agreed date, time and location

INTERVIEWER – ALWAYS SHOW RESPONDENTS THE LSB BONA FIDES LETTER OF EXPLANATION.

To confirm, the following short interview is completely in confidence and is for research purposes only. Would you mind answering the following questions?

Q1 Have you ever taken part in research either an individual interview or group discussion before:

Yes 1 Ask Q2

No 2 Ask Q3

Q2 We need to interview people in certain trades and professions. Could you please tell me if you work in any of the following **SHOWCARD A**

Legal services/lawyers 1 **Close**

Advice workers eg CAB 2 **Close**

Caring or support professions

for those with mental health issues

specifically dementia

and Alzheimers 3 **Close**

None of the above 4 Continue

Recruiter – if in doubt, please check with this office first

Q3a Do you currently have any of the following health issues?

Insomnia 1 **Close**

Dementia 2 CHECK

Mental health problems (for example depression,
anxiety, eating or personality disorders,
panic attaches, bipolar disorder etc etc) 3 QUOTA

High blood pressure 4

None of these 5 **Close**

Q3b Do you currently look after anyone who has any of the following health issues?

Insomnia	1	Close

Dementia	2	CHECK
Mental health problems(for example depression, anxiety, eating or personality disorders, panic attaches, bipolar disorder etc etc)	3	QUOTA

High blood pressure	4	
None of these	5	Close

(IF RECRUITING AS CARER, ASK Q5 – Q11 ABOUT THE PERSON BEING CARED FOR)

Q5 Have you (or the person you are caring for) had a formal diagnosis?

Yes, had formal diagnosis	1	FOR DEMENTIA GO TO Q6a FOR MENTAL HEALTH GO TO Q7a

No, self-diagnosed	2	FOR DEMENTIA GO TO Q6b FOR MENTAL HEALTH GO TO Q7b

ASK Q6a FOR THOSE WITH A FORMAL DIAGNOSIS OF DEMENTIA AT Q5

Q6a How is your condition described?

Alzheimer's disease	1
Vascular dementia	2
Dementia with Lewy Bodies	3
Frontotemporal dementia/Pick's disease	4
Mixed dementia	5

ASK Q6b FOR THOSE WITH SELF-DIAGNOSED DEMENTIA AT Q5

No more than 5 interviews with self-diagnosis

Q6b How would you describe your symptoms?

(WRITE IN) _____

(NB RECRUITER : We are looking for symptoms such as memory loss, increasing difficulties with tasks & activities that require concentration & planning, depression, changes in personality & mood, periods of mental confusion, difficulty finding the right words)

ASK Q7a FOR THOSE WITH A FORMAL DIAGNOSIS OF A MENTAL HEALTH PROBLEM AT Q5

Q7a How is your condition described?

- | | |
|-----------------------------------------------|---|
| Depression | 1 |
| Anxiety/general anxiety disorder | 2 |
| Social anxiety disorder | |
| Panic attacks/panic disorder | 3 |
| Schizophrenia | 4 |
| Mood disorder including bipolar mood disorder | 5 |
| Eating disorder (anorexia, bulimia etc) | 6 |
| Personality disorder | 7 |
| Post traumatic stress disorder | 8 |
| Obsessive compulsive disorder | 9 |

OTHER (WRITE IN)_____ 0

ASK Q7b FOR THOSE WITH A SELF-DIAGNOSED MENTAL HEALTH PROBLEM AT Q5 – No more than 10 interviews with respondents who have a self-diagnosed mental health problem

Q7b Do any of the following apply to you?

I have talked to the GP about my symptoms 1

I take prescribed medication to help
relieve my symptoms 2

I have sought help to relieve my symptoms
eg alternative therapies, talking therapies,
support groups etc 3

My symptoms get in the way of completing
everyday tasks 4

None of the above 5 **Close**

ASK ALL

Q8 Living situation of respondent (or person being cared for):

Living independently in own home 1

Living in own home but supported by
family/other carers/support services 2 CHECK

Living with carers 3

Living in assisted facilities
eg sheltered housing, assisted living 4 QUOTA

Living in a care home/residential home 5

OTHER (CHECK WITH OFFICE IF NOT SURE)

ASK ALL

Q9a Have you (or the person you care for) had any experience of seeking legal advice or trying to seek legal advice in the past two years?

Yes	1 Cont
No	2 Close

Q9b Could I ask more detail on when you sought legal advice?

In past 6 months	1
In past 6 – 12 months	2
In past 18 months	3
Longer than 18 months, about 2 years	4

RECRUITER PLEASE EXPLAIN:

- **Just to be clear, this doesn't have to be a legal issue relating to your health, it can be any type of legal issue for example to do with employment/housing/conveyancing/relationships/benefits/money/debt/power of attorney etc**
- **This can include just looking for advice (from lawyers or other sources such as Citizens Advice, charities and so on) as well as pursuing a legal matter more formally through solicitors/barristers etc**

Q9c Which of these descriptions best indicates how you went about dealing with your legal issue or problem? Please select one

Did nothing/Took no action –	1 CLOSE
Dealt with it myself without help –	2 CLOSE
Dealt with it myself with the help of family/friends	3 CLOSE

Obtained advice/assistance/help from legal services	4	CONT
Tried to handle alone then obtained help/advice/assistance from legal services	5	
Tried but failed to get advice then dealt with it myself	6	*
Tried and failed to get advice from legal services then did nothing	7	*

*** For those who tried but failed – the legal services they tried to use must include one of those listed below at Q10**

Q10 What sort of legal services did you (or the person you care for) use/ try to use?

Solicitor	1	CHECK QUOTA
Barrister	2	FOR 'REGULATED' SERVICES

Local govt legal services <i>(legal advice provided to you by, or on behalf of, your local authority)</i>	3	
CAB	4	CHECK QUOTA
Law Centre	5	FOR
Union	6	'NON-COMMERCIAL'
Charity	7	BODIES
Insurer/legal expenses insurance	8	
Other (PLEASE CHECK WITH OFFICE IF NOT SURE)	9	

Q11 May I ask what type of issue did you (or the person you look after) require advice/help from legal services about?

Criminal	1
Injury	2
Wills, trusts, probate	3
Setting up power of attorney	4 *
Conveyancing	5
Family (eg divorce, children etc)	6
Property (owned & rented), construction, planning	7
Employment	8
Immigration & nationality	9
Consumer problems	10
Welfare & benefits	11
Civil liberties	12
Business related issues	13
Other (WRITE IN) _____	

* Include any respondent whose legal issue is setting up power of attorney .

* Exclude any carer who is using power of attorney for a legal issue on behalf of person they care for

Q12 INTERVIEWER Record whether respondent is patient or carer

Individual – with dementia	1	
Individual – with a mental health problem	2	CHECK
Carer – of someone with dementia	3	
Carer – of someone with a mental health problem	4	QUOTA

ASK Q12 FOR ALL BEING RECRUITED AS A CARER

Q13 What is your relationship with the person you care for/support?

Spouse/partner 1 *Continue*

Daughter/son 2 *Continue*

Other family connection 3 *Continue*

(niece, nephew etc)

Close friend/neighbour 4

Charity worker 5

Advocate/patient support 6

Other connection 7 *Continue*

Please write in detail: _____

NB Carer must be sufficiently involved in the care of the person with dementia/mental health issue to talk about their recent experience of (seeking) legal services

ASK ALL

I have a few questions to ask about yourself, the reason why we ask is to ensure we include a range of people in our research. If you do not wish to answer any of these questions, please let me know

Q14 Which of the following applies to you?

Male 1

Female 2

Other 3

(please write in detail)

Q15 Please could you indicate which of the following age categories you fall within?

Record age _____

Under 18 1 **Close**

18 – 30 years old 2

31 – 49 years old 3

50 – 80 years old 4 Q15

81 + 5 **Close**

Q16 Please record occupation of head of household: (RECORD FULL DETAILS)

Job: _____ Industry: _____ Company: _____

Record Social Grade:

AB 1

C1 2

C2 3

DE 4

Mix of socio-economic backgrounds to be included

Q17 Which of these would you use to describe your ethnic group?

(SINGLE CODE)

White 1

British 2

Irish 3

Other White background (specify)_____ 4

Mixed 5

White and black Caribbean 6

White and black African 7

White and Asian	8
Other Mixed background(specify)_____	0
Asian or asian British	X
Indian	V
Pakistani	Y
Bangladeshi	A
Other Asian background (specify)_____	B
Black or black British	C
Caribbean	D
African	E
Other black background (specify)_____	F
Chinese	G
Other ethnic background (please specify)_____	H

INCLUDE SOME RESPONDENTS FROM CODE 5 – H

RECRUIT WILLING RESPONDENTS/CARERS FOR PARTICIPATION IN FACE-TO-FACE DEPTH INTERVIEW.

NAME OF RESPONDENT: _____
Respondent signature : _____

INTERVIEWER NAME: _____

I certify that I have carried out this interview according to instructions received from Research Works Limited and in accordance with the MRS codes of conduct and the respondent is not a relative/friend of mine.

Interviewers Signature: _____

Date: _____

APPENDIX C – THE LSB LETTER

Consumers’ experiences of legal services

The Legal Services Board (LSB) is independent of Government and lawyers. We were created to ensure that (among other things) consumers are placed at the heart of legal services.

We’re doing research with the aim of improving peoples’ experience of legal advice. We’re particularly interested in the views of people with mental health issues, and dementia, and those caring for them.

We’ve asked Research Works to talk to people (or their carers) who have got, or who have tried but didn’t get, advice from a regulated lawyer. Just to be clear, the advice you needed could be about anything. It doesn’t need to have been about mental health or dementia.

What we would like to hear about

We’re interested in hearing your experience. This might include some details about:

- Why you needed legal advice or support?
- How you decided which lawyer to use?
- What was the process of getting legal advice or support like?
- What worked or went well, and what didn’t work or go well?
- What could you or your lawyer have known, said, or done differently to help you?

Research Works will keep your personal information private. The LSB won’t know who you are.

What we want this research to do

- Identify what lawyers are doing well – so that we can share good practice.
- Learn what lawyers could do better – so guidance and rules can be updated.
- Identify things that could help people when they want to get legal advice or support.

What we'll do with the results

We'll work to help improve legal services and advice about them. If you'd like, Research Works can update you next year (around April) on what we've learned and are going to do.

About Research Works

Research Works carry out social research and deliver insight on policy, services and communications. If you have questions about this research you can call Amy Smith, Director at Research Works on 01727 893159 or email all@researchworks.co.uk.

About the Legal Services Board

There's information about us on our website www.legalservicesboard.org.uk. If you'd like to talk to us about this research you can call Bryony Sheldon on 020 7271 0093 or email bryony.sheldon@legalservicesboard.org.uk.

We oversee ten regulators of different types of lawyer in England and Wales, plus the Office for Legal Complaints (www.legalombudsman.org.uk) who deals with complaints about lawyers' services. Just to be clear, we're not involved in legal aid funding. We appreciate legal aid may be relevant to your experience of legal services, but we can't make recommendations about it. Information about legal aid is available from the Legal Aid Agency on 0345 345 4 345 or at www.gov.uk/legal-aid.

APPENDIX D – RECRUITER INSTRUCTIONS POST RECRUITMENT INTERVIEW

EXPLAIN THE FOLLOWING AND THEN ASK RESPONDENT TO SIGN BELOW TO SAY THEY HAVE RECEIVED THE INFORMATION.

- This research is designed to improve people’s experiences of legal advice
- The interview will be an informal discussion about your experiences – there are no right or wrong answers, just asking about your experiences and your opinions
- All the information given will remain private and confidential
- The Legal Services Board don’t get to find out who has taken part in the survey
- **We are keen to ensure you are completely happy with the research interview. Please let us know if you would like to have a friend/carer with you. Also, you can change your mind about taking part at any time**

QA ASK : Is there anything else you need/would like to know before you agree to the interview? If so, what?

RECRUITER TO NOTE AND CONTACT THE OFFICE

Or contact us directly: Jill or Annelise at Research Works, tel: 01727 893 159.

Email: all@researchworks.co.uk

QB EXPLAIN : Where would you like to be interviewed and who else (if anyone) would you like to be present?

RECRUITER TO NOTE:

1. LEAVE WITH RESPONDENT: **Sign below to confirm receipt of:**
 - a. The bona fides sheet from the Legal Services Board
 - b. Respondent invitation – be sure to point out the number to contact if they no longer wish to take part/have any questions

NAME OF RESPONDENT: _____

Respondent signature : _____

APPENDIX E – INVITATION LETTER



**Research Works Ltd, Regency House, 219a Hatfield Road,
St Albans, Herts. AL1 4TB Tel: 01727 893159**

Email: all@researchworks.co.uk

Website: www.researchworks.co.uk

My name is _____ and I am working on behalf of Research Works Ltd, an independent market research company. The office contact details are as follows: Jill Barnett or Annelise Fagan, Project Co-ordinators at Research Works Limited. Tel: 01727 893 159 or email all@researchworks.co.uk

We are inviting you to take part in a research interview on behalf of The Legal Services Board:

- The purpose of the research is to improve people's experiences of seeking legal advice;
- The discussion will be about your experiences of seeking legal help
- The research is confidential; no-one will find out who has taken part in the research
- We like to audio record our interviews so that we have a record of the conversation to use for analysis afterwards, if that is OK with you. If you'd prefer not to be

recorded, we are happy to take notes. We'll ask you about this when we meet. The recording will not be shared outside of Research Works Ltd.

- We will give you a thank you of £35 for your time once the interview is complete

You can change your mind at any time about whether you take part. If you do decide not to go ahead, or have any questions, please contact

_____ on _____ to let us know.

If you would like to speak to someone at The Legal Services Board to make sure this is a bona fide research project Bryony Sheldon on 020 7271 0093 or email bryony.sheldon@legalservicesboard.org.uk. Or contact Jill or Annelise at Research Works on 01727 893 159, email all@researchworks.co.uk

PTO

<p>Interview Arrangements: The interview will be held at (<i>address</i>):</p> <p>_____</p> <p>_____</p> <p>on (<i>day</i>) _____ (<i>date</i>) _____ at (<i>time</i>) _____</p> <p>The interview will last about an hour.</p> <p>The interviewer from Research Works will be :</p> <p>_____</p>

The interview will be carried out within the Market Research Society Code of Conduct, which stipulates that all data must remain anonymous. If you would like to check that Research Works Ltd abides by the Code of Conduct, please ring Freephone Market Research Society between 9am and 11pm on *Freephone 0500 39 69 99*. (<https://www.mrs.org.uk/mrs/aboutmrs>)

APPENDIX F – TOPIC GUIDE

J.2022 Legal Services Board

Experiences of vulnerable consumers with different legal services providers – mental health service users and dementia patients (and their carers if appropriate) Carers - Topic Guide Final

Please note: this topic guide is intended to guide the discussion however; the exact flow and question wording will be tailored by the moderator to best fit the individual research participants. Consequently, not all questions may be asked in the order below, or in the wording below. We will ensure that the discussion follows the individuals' own experiences and needs.

1. INTRODUCTIONS AND EXPLANATIONS

Introduce self and RWL, an independent research agency

- Confirm that Research Works Limited has been commissioned to conduct research on behalf of the Legal Services Board (LSB)
- Check on awareness of the LSB, referring to the letter and recruitment process the respondent would have already received. Just to re-cap, the **Legal Services Board (LSB)** is independent of Government and lawyers. They were **created to ensure that (among other things)** consumers are placed at the heart of legal services.
- **They are** doing research with the aim of **improving peoples' experience of legal advice. They are particularly interested in the views of people with mental health issues, and dementia, and those caring for them. In this interview we will be discussing the views of carers in relation to the individuals they care for**
- We will be discussing the following:

- Why the person you care for needed legal advice or support?
- What was your role as carer for this individual in dealing with the legal issue?
- How did you and if relevant, the person you care for decided which legal provider to use? Did they ask you for advice?
- What was the process of getting legal advice or support like for the person you care for?
- For those who tried and failed, what was the process and why did it fail?
- What worked or went well, and what didn't work or go well?
- What could the person you care for or their legal provider have known, said, or done differently to help?

To confirm, Research Works will keep your personal information private. The LSB won't know who you are. Moderator to seek permission to record the interview stressing again the MRS Code of Conduct on confidentiality as explained. If the respondent is uncomfortable with recording stress that is ok – ask if you can take notes instead.

Moderator note: if the respondent mentions/request information about legal aid. The LSB are not involved in legal aid funding. We appreciate legal aid may be relevant to your experience of legal services, but we can't make recommendations about it. Information about legal aid is available from the Legal Aid Agency on 0345 345 4 345 or on the www.gov.uk website.

2. BACKGROUND INFORMATION

- Tell me a little bit about yourself and the person you care for?

3. INCIDENCE AND RESPONSE TO LEGAL PROBLEMS

Before we discuss the specific legal issue of the person you care for, I would like to ask you about your views and experiences of legal services in general and from the

perspective of the person you care for (we will establish consent from the person being cared for if required)

- What types of legal issues, if any, did the person you care for have in the past?
- What type of legal issues have you had experience of in the past? Moderator: ask legal topic but not specifics detail of legal issues for confidentiality considerations.
- To what extent did past experience play a role in dealing with the current/recent legal problem you are dealing with on behalf of the person you care for? Probe: in selecting a legal provider; in understanding the process involved; understanding costs; understanding timings involved
- Sources for legal advice – what were these and how did this contribute to decision-making and any action taken?
- Any existing relationships with external advisers (e.g. solicitor, tax adviser, financial adviser, accountant)? How have these evolved? What factors have created this type of relationship?
- How would the person you care for typically respond to/or try to tackle legal issues? Why is that? How would you respond, would it be different?
- How would you typically respond to/try to tackle legal issues? Why is that? And on their (the person they care for) behalf? If different, why is that?
- Availability of helpful information - where have they (did they) look for information about legal advice for the person you care for and how easy was this to find (probe: on the internet, local or national advice centres, charities or advice services, word of mouth or recommendation) Did you find the information needed? If not, what type of information would have helped the person you care for? And where would you look for information? Would you approach it in a different manner for yourself vs searching for the person you care for?

4. DETAILED EXPERIENCES OF SERVICE RECEIVED FROM LEGAL ADVICE PROVIDER

I'd like to focus on the recent experiences of a legal issue that the person you care for experienced in more detail (note respondents may have more than one scenario that they wish to discuss):

- Please describe the legal issue or problem the person you care for has had in past two years. Why did they need legal advice or support? What were the causes of the requirement? Did they make any attempts to solve these without using a legal service? How heavily involved were you in dealing with this legal issue – very heavily; quite heavily; equal with the person I care for; not very heavily; not at all. Discuss how they became involved and what tasks they undertook/got involved with?
- Describe initial stages of experience, we will ask at each point what level of involvement the carer had and their views on the experience
 - Did the person you care for (with you) gather information? What role did you have at this stage? Probe: where did they look for information? Was it useful? What sources were used to find a provider:
 - Recommendation or referral from a third party? How successful was this? What information was offered/how was any recommendation given?
 - Recommendation from family or friends?
 - Internet search using a search engine?
 - Contacted provider directly by phone or email – how they identify someone to contact?
 - Other – what was this and how did it come about?
 - Did you find the information needed? If not, what was missing/what information would have helped? What format would you have liked for the person you care for e.g online, paper based? Do you think there needs to be

information for carers specifically? Probe: if yes, why and what formats would suit?

- Did you take advice from other people? Did the person you care for take advice from other people? Probe: Did you do this together or did you search on behalf of the person you care for? who and why did you and the person you care for go to them? What advice were you given? Was it satisfactory?
- **For those who used/are using legal services ask:** How and why did the person you care for finally choose the legal provider you worked with? Probe: what was the balance between your role and the person they are looking after? Who made the final decision? How easy or difficult do you think it was for the person you care for find this and why? How easy or difficult was it for you?
- **For those who tried but failed to get advice from legal services ask:** I understand the person you care for tried to use legal services but stopped, how did the person you care for choose the legal provider initially? What was your involvement vs the person you care for? Who made the final decision? Why did they not continue to use the legal services?

The following part of the discussion will aim to gather as much detail on the experience of the person cared by asking the carer to walk through the process – we would note down the detail on paper so the respondent can consider the journey, we find this aide helps respondents by being more interactive/visual:

- I would like to go through the process with the legal service experienced by you as the carer and the person you care for in detail, so I can learn more about the experience. I will note down points on paper so we can see the detail of your experience from the start. Moderator would probe as the respondents story unfolds – please note we do not ask the list exhaustively but flex to the individuals capacity and ability to recall. Also moderator would note spontaneous mention of the condition of the person they care for in the process before we prompt it a later stage:
- Starting from the first dealings with the legal service? Probe: was it by phone, face-to-face. Who dealt with it – you or person you care for or both? How did (if relevant ask for carer also) the person you care for find the conversation? How

easy did they find the communication? Is there anything that could be improved for you and the person you care for? If yes, what would that be? What was your role?

- Move onto next dealings they can remember – meetings etc. Probe: at each point of the experience as they remember it:
 - How was the person you care for dealt with? How were you dealt with as a carer involved in helping the person you care for? Probe: did the legal provider address the person you care for or you or both you and the person you care for equally?
 - Moderator to note spontaneous mention of aspects of the experience which was affected by the condition of the person they care for and probe on specifically how it impacted on the experience dealing with the legal issue
 - Did they feel comfortable in their dealings?
 - How clear was the information supplied verbal and written?
 - How well were you and the person you care for treated?
 - Did they feel they could ask questions and were listened too? Did you feel you could help the person you care for understand?
 - Were they given opportunities to express their requirements and views in a manner that suited them? Probe: tone of conversation and whether respondent was treated sensitively
 - Any written information supplied ask: was it clear and easy to understand?
 - How about communication on costs/price, how clear was that communicated?
- Finally, what was the outcome (those who have used/tried failed) of the experience? Did it meet the requirements of the person you care for in terms of dealing with the legal problem and the personal needs of the person you care for? If yes, how? If no, why not? How could it have been improved?
- How would you rate the experience for the person you care for overall? Probe: what impact did the legal advice play in the outcome for the person you care for?

- How would you rate the experience from your perspective in a caring capacity?
- Did you feel that their condition impacted on the experience? Why/why not. If yes, discuss how it impacted? What would have helped improve the experience?
- Discuss respondents levels of satisfaction with the experience on behalf of the person they care for with a scale of very satisfied, satisfied, not very satisfied and not at all satisfied
- Discuss areas of satisfaction/negative experience: what was good and why?
- Discuss areas of dissatisfaction/positive experience: what was not good and why?
- **Tried and failed scenarios:** why did the person you care for stop using services/ what could have been done differently, if anything? Probe: what was your involvement in this decision?
- If they were dissatisfied/unhappy with the service: did they or the person they care for consider making a complaint? Are you aware of complaint mechanisms for the person you care for? How likely are you or the person you care for to complain, what are the barriers to making a complaint for you?

Overall,

- With the process what worked well for the person you care for and for you as a carer? Probe: clarity of communication (spoken and written), ease of understanding, confidence in the situation, ease of understanding paperwork, cost transparency, overall tone of the experience
- With the process, what worked less well the person you care for and for you as the carer? For elements that were less good ask how they could have been improved?
- What could the person you care have done differently which would have improved your experience? Probe: gather information and raise their needs with the legal provider given their condition
- How would you rate the provider's approach toward dealing with the person you care for specifically in being ensuring they could/did make decisions? Probe: any potential conflicts of interest noted in your experience and how do you think the provider could have handled them

- What could the legal provider have done differently which would have improved your experience?

5. **POTENTIAL IMPROVEMENTS**

- Let's think about how the experience of dealing with legal services could be improved for the person you care for:
 - What would have helped the person you care prepare for dealing with legal services? And what would have helped you prepare on their behalf?
 - To what extent do legal services need to take the needs of (ASK FOR RELEVANT CONDITION ONLY) mental health OR dementia customers into consideration? Why/why not? If yes, what do they need to take into consideration in their dealings with you as carer and the person you care for? ?
 - Would information outlining how legal services operate have helped? Probe: examples of questions to ask and information to request?
 - What should the information cover, what would have helped you?
 - Where would you go for this type of information?
- What could the legal provider have done differently, if anything? Probe: what would have helped for you and the person you care and/or your legal provider to have known or done before you got started?
- What should your legal provider have asked about the person you care for's condition and how that might affect the experience for them? When should that have happened?
- How should they have dealt with the person you care for? Probe: sensitivity and allowing sufficient time for you to express your views and thoughts

Summing-up

- Any other comments or questions?

J.2022 Legal Services Board

Experiences of vulnerable consumers with different legal services providers – mental health service users and dementia patients (and their carers if appropriate)

Main Stage Topic Guide V1

Please note: this topic guide is intended to guide the discussion however; the exact flow and question wording will be tailored by the moderator to best fit the individual research participants. Consequently, not all questions may be asked in the order below, or in the wording below. We will ensure that the discussion follows the individuals' own experiences and needs.

1. INTRODUCTIONS AND EXPLANATIONS

Introduce self and RWL, an independent research agency

- Confirm that Research Works Limited has been commissioned to conduct research on behalf of the Legal Services Board (LSB)
- Check on awareness of the LSB, referring to the letter and recruitment process the respondent would have already received. Just to re-cap, the **Legal Services Board (LSB)** is independent of Government and lawyers. They were **created to ensure that (among other things)** consumers are placed at the heart of legal services.
- **They are** doing research with the aim of **improving peoples' experience of legal advice. They are particularly interested in the views of people with mental health issues, and dementia, and those caring for them.**
- We will be discussing the following:
 - Why you needed legal advice or support?
 - How you decided which legal provider to use?
 - What was the process of getting legal advice or support like?
 - For those who tried and failed, what was the process and why did it fail?
 - What worked or went well, and what didn't work or go well?
 - What could you or your legal provider have known, said, or done differently to help you?

To confirm, Research Works will keep your personal information private. The LSB won't know who you are. Moderator to seek permission to record the interview stressing again the MRS Code of Conduct on confidentiality as explained. If the respondent is uncomfortable with recording stress that is ok – ask if you can take notes instead.

Moderator note: if the respondent mentions/request information about legal aid. The LSB are not involved in legal aid funding. We appreciate legal aid may be relevant to your experience of legal services, but we can't make recommendations about it. Information about legal aid is available from the Legal Aid Agency on 0345 345 4 345 or on the www.gov.uk website.

2. BACKGROUND INFORMATION

- Tell me a little bit about yourself, for example your family and/or work?

3. INCIDENCE AND RESPONSE TO LEGAL PROBLEMS

Before we discuss your specific legal issue, I would like to ask you about your views and experiences of legal services in general

This section needs to be shorter as a majority wanted to discuss the current/recent issue. Those that did have experience of legal services previously did raise that point as they talked about the current/recent problem as a point of comparison. We suggest the following questions:

- Have you had experience of dealing with a legal issue in the past? If yes; briefly discuss what it was and how they dealt with it? Probe: how they chose a provider; searching for information; views on time involved, communication style and approach experienced; costs involved

- Did that past experience influence how you approached the current or recent issue we are going to discuss?
- If the respondent has had no previous experience dealing with legal services ask: what were your expectations, did you know anything about using a legal provider? Probe: what questions did you have if any? How did you feel about dealing with legal services? Probe: nervous, confident?
- Types of legal issues experienced previously, how did they arise? Why was that?
- Previous experiences: were these positive or negative – and why was that?
- Sources for legal advice – what were these and how did this contribute to decision-making and any action taken?
- Any existing relationships with external advisers (e.g. solicitor, tax adviser, financial adviser, accountant)? How have these evolved? What factors have created this type of relationship?
- How do they typically respond to/or try to tackle legal issues? Why is that?
- Responses to the legal issue being explored: what factors shaped their responses and why?
- Availability of helpful information - where have they (did they) look for information about legal advice and how easy was this to find (probe: on the internet, local or national advice centres, charities or advice services, word of mouth or recommendation) Did you find the information you needed? If not, what type of information would have helped you?
- What sort of factors do they think push a person towards using a legal service provider? Why is that? What encourages people to use legal services?
- In terms of different services you might use, how do you view using legal services as an option – would you consider them to be a first choice when a legal issue arises or not? Why do you say that
- Time involved in identifying correct provider - how much time was involved and why was that?

- Costs: views about costs of legal services – what do you think of the costs involved? Why is that? What factors shape a perception of value and why is that?

4. DETAILED EXPERIENCES OF SERVICE RECEIVED FROM LEGAL ADVICE PROVIDER

I'd like to focus on your recent experiences of a legal issue in more detail (note respondents may have more than one scenario that they wish to discuss):

- Please describe your legal issue or problem. Why did you need legal advice or support? What were the causes of the requirement? Did you make any attempts to solve these without using a legal service?
- Describe initial stages of experience:
 - Did you gather information? Probe: where did you look for information? Was it useful? What sources were used to find a provider:
 - Recommendation or referral from a third party? How successful was this? What information was offered/how was any recommendation given?
 - Recommendation from family or friends?
 - Internet search using a search engine?
 - Contacted provider directly by phone or email – how they identify someone to contact?
 - Other – what was this and how did it come about?

Did you find the information you needed? If not, what was missing/what information would have helped you? What format would you like e.g online, paper based?

- Did you take advice from other people? Probe: who and why did you go to them? What advice were you given? Was it satisfactory?
- For those who used/are using legal services ask: How and why did you finally choose the legal provider you worked with? How easy or difficult did you find this and why?

- For those who tried but failed to get advice from legal services ask: I understand you tried to use legal services but stopped, how did you choose the legal provider initially? Why did you not continue to use the legal services?

The following part of the discussion will aim to gather as much detail on the individuals experience by asking them to walk through the process – we would note down the detail on paper so the respondent can consider the journey, we find this aide helps respondents by being more interactive/visual:

- I would like to go through the process with the legal service you dealt with in detail, so I can learn more about your experience. I will note down points on paper so we can see the detail of your experience from the start. Moderator would probe as the respondents story unfolds – please note we do not ask the list exhaustively but flex to the individuals capacity and ability to recall. Also moderator would note spontaneous mention of their condition in the process before we prompt it a later stage:
- Starting from your first dealings with the legal service? Probe: was it by phone, face-to-face. How did you find the conversation? How easy did you find the communication? Is there anything that could be improved for you? If yes, what would that be?
- Move onto next dealings they can remember – meetings etc. Probe: at each point of the experience as they remember it:
 - How were you dealt with?
 - Moderator to note spontaneous mention of aspects of their experience which was affected by their condition and probe on specifically how it impacted on their experience dealing with their legal issue
 - Did you feel comfortable in your dealings?
 - How clear was the information supplied to you - verbal and written?
 - How well were you treated?
 - Did they feel they could ask questions and were listened too?
 - Were you given opportunities to express your requirements and views in a manner that suited you? Probe: tone of conversation and whether respondent treated sensitively

- Any written information supplied ask: was it clear and easy to understand?
- How about communication on costs/price, how clear was that communicated?
- Finally, what was the outcome (those who have used/tried failed) of your experience? Did it meet your requirements in terms of dealing with the legal problem and your personal needs? If yes, how? If no, why not?

How would you rate it overall? Probe: what impact did the legal advice play in the outcome for you?

- Did you feel that your condition impacted on your experience? Why/why not. If yes, discuss how it impacted? What would have helped improve the experience?
- Discuss respondents levels of satisfaction with the experience with a scale of very satisfied, satisfied, not very satisfied and not at all satisfied
- Discuss areas of satisfaction: what was good and why?
- Discuss areas of dissatisfaction: what was not good and why?
- Tried and failed scenarios: why did you stop using services/ what could have been done differently, if anything?
- If you were dissatisfied/unhappy with the service: did you consider making a complaint? Are you aware of complaint mechanisms? How likely are you to complain, what are the barriers to making a complaint for you?

Overall,

- With the process what worked well for you? Probe: clarity of communication (spoken and written), ease of understanding, confidence in the situation, ease of understanding paperwork, cost transparency, overall tone of the experience
- With the process, what worked less well? For elements that were less good ask how they could have been improved?
- What could you or your legal provider have done differently which would have improved your experience?

5. POTENTIAL IMPROVEMENTS

- Let's think about how the experience of dealing with legal services could be improved for you:
 - What would have helped you prepare for dealing with legal services?
 - To what extent do legal services need to take the needs of people like you with your condition (moderator would mirror how the respondent talks about their situation not generalised to a broad category particularly for those with a mental health condition) into consideration? Why/why not? If yes, what do they need to take into account?
 - Would information outlining how legal services operate have helped? Probe: examples of questions to ask and information to request?
 - What should the information cover, what would have helped you?
 - Where would you go for this type of information?
- What could your legal provider have done differently, if anything? Probe: what would have helped for you and/or your legal provider to have known or done before you got started?
- What should your legal provider have asked you?
- How should they have dealt with you? Probe: sensitivity and allowing sufficient time for you to express your views and thoughts

Summing-up

- Any other comments or questions?