



Adult Social Care and Health – Guidance for accessing legal advice via Invicta Law.

This guidance is for:

- Older People and Physical Disability
- Learning Disability
- Mental Health
- Young People's Teams (18+)
- Commissioning
- Client Financial Services
- Business Delivery Unit

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V8.0	06.05.2021	Sonny Butler
V7.0	29/06/2019	Policy Team

Executive Summary

The following guidance is intended to provide support to all authorised staff wishing to access legal advice from Invicta Law.

Invicta Law are a small legal team of inhouse lawyers that provide an Office of General Counsel and legal support to Members, Directors, and staff via their duty service or by accessing the request form.

The number for their Duty Service is 03000 422830, is available between 08:30 and 17:30, Monday to Friday.

They can provide 12 minutes free advice for each situation, if contacted via their Duty Team. This service is not suitable for all situations but is particularly helpful if you have a highly involved request that you would prefer to discuss over the telephone.

This document will provide clarity in accessing legal advice in respect of referrals to Invicta Law. It is anticipated that prior to referrals being submitted discussions have taken place at a management level and any risk associated with the referral is understood and where necessary escalated to senior management.

This document sets out:

- **Role and responsibilities of staff referring to Invicta Law for advice and support**
- **Mandatory Information required to complete the ASC Legal Request Form**
- **Confirmed process for completing the ASC Legal Request Form**

Roles and responsibilities of staff referring to Invicta Law for advice and support

It is essential that any staff member wanting to request access advice and support from Invicta Law have ensured that the following points have been considered:

- You have checked relevant Adult Social Care/Multi Agency policy documents or guidance, as informed by legislation and our Code of Practice.
- Or if you are unable to find any relevant documents, you may contact the Policy and Standards Team Mailbox: policy&standardsenquiries@kent.gov.uk
- You have checked any relevant national guidance and legislation.
- You have checked with relevant colleagues to identify any previous advice already sought from Invicta Law.
- You have established the involvement of any other professional involved, e.g., legal firms, advocacy organisations etc
- You have briefed management and sought authorisation to proceed from your Team or Service Manager

Mandatory Information required to complete the ASC Legal Request Form

When authorisation has been given, you will need to complete a Legal request form.

The following information will be required for your legal request, so please ensure that you have access to all the appropriate information. This includes:

- Access to a KCC or secure email address, which has been approved for work use.
- Your team and Area information
- Whether you require an urgent response from Invicta Law
- Knowledge of any previous legal requests, if applicable.
- Knowledge of any other parties involved in the matter, such as legal firms.
- Where applicable, the date of notification of any official proceeding, e.g. Coroner's Inquest, Courts, legal services
- If relating to a specific person their name and MOSAIC ID
- Name of Team or Service Manager who approved you request to seek legal advice.
- Details of the advice received from Policy Team & Policy Officer's name.
- Nature of your request i.e., Safeguarding, Deprivation of Liberty Safeguards (DoLS), Ordinary Residence
- Detailed information relating to your request including your expectations of or on the advice sought.

If your request is in relation to DoLS, please include details of any authorisations granted

Process for Completing a ASC legal request form

Once you have gained authorisation and have compiled the relevant information to submit your request to Invicta Law, this will need to be done via the link below.

In submitting the form, this will automatically be sent to Invicta Law via email and a copy will be sent to the requester. Please ensure that any form completed is saved to the person's MOSAIC record or equivalent, where appropriate.

When you have completed the necessary fields within the request form then this can be submitted. Please note, if you have not completed the following mandatory fields in the request form and you submit, then your request will not be sent to Invicta Law.

The following two mandatory fields need to be completed prior to submitting:

- Have you sought authorisation from your Team or Service Manager?
- Have you checked the relevant Adult Social Care/Multi-Agency policy or practice guidance?

Access to the Invicta Law Legal Request form: [Invicta Law Legal Request Form](#)

For any further support on how to access or use the Invicta Law Legal Advice Form, please contact asclegalrequests@kent.gov.uk