



Ministry of
JUSTICE

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c/o XXXXXXXXXX@XXXXXX

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18 December 2012

Dear Ms Adamova,

Freedom of Information Request

Thank you for your email of 26 November 2012, in which you asked for the following information from the Ministry of Justice (MoJ):

“1. Please provide a copy of any policy document which sets out the procedure used by the Ministry of Justice to verify invoices or processed payment receipts or statements of account submitted by Capita/ALS against the actual work completed, according to relevant interpreter tiers, under the Framework Agreement/Service Level Agreement with HMCTS.

2. Please provide a copy of any policy document which sets out the procedure used by the Ministry of Justice to ensure no travel expenses or payments for travel time are invoiced by Capita/ALS under the Framework Agreement/Service Level Agreement with HMCTS.”

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

I can confirm that the department holds the information that you have asked for, and I am pleased to provide some of this to you.

1. The procedure for verifying times and payment of interpreters under the contract with ALS is appended to this letter.
2. The procedure on travel expenses is covered by the MOJ/ALS Framework Agreement. However this information is exempt under section 21(1) of the FOI Act because it is reasonably accessible to you by other means. The terms of the exemption mean that we do not have to consider whether or not it would be in the public interest for you to have the information.

You can find out more about Section 21 by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter.

You can also find more information by reading the full text of the Act, available at <http://www.legislation.gov.uk/ukpga/2000/36/section/21> and further guidance <http://www.justice.gov.uk/information-access-rights/foi-guidance-for-practitioners/exemptions-guidance>

Outside of the Act and on a discretionary basis, I am pleased to inform you that you can access a redacted version of the Framework Agreement on Contracts Finder at

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the following web address where you will be able to find information on travel expenses:

<http://www.contractsfinder.businesslink.gov.uk/Common/View%20Notice.aspx?site=1000&lang=en&NoticeId=352922>.

You can also find more information by reading the full text of the Act (available at <http://www.legislation.gov.uk/ukpga/2000/36/contents>) and further guidance <http://www.justice.gov.uk/guidance/freedom-of-information.htm>.

You have the right to appeal our decision if you think it is incorrect. Details can be found in the 'How to Appeal' section attached at the end of this letter.

Disclosure Log

You can also view information that the Ministry of Justice has disclosed in response to previous Freedom of Information requests. Responses are anonymised and published on our on-line disclosure log which can be found on the MoJ website: <http://www.justice.gov.uk/information-access-rights/foi-requests/latest-moj-disclosure-log>

The published information is categorised by subject area and in alphabetical order.

Yours sincerely

Margaret Haig

How to Appeal

Internal Review

If you are not satisfied with this response, you have the right to an internal review. The handling of your request will be looked at by someone who was not responsible for the original case, and they will make a decision as to whether we answered your request correctly.

If you would like to request a review, please write or send an email to the Data Access and Compliance Unit within two months of the date of this letter, at the following address:

Data Access and Compliance Unit (10.34),
Information & Communications Directorate,
Ministry of Justice,
102 Petty France,
London
SW1H 9AJ

E-mail: data.access@justice.gsi.gov.uk

Information Commissioner's Office

If you remain dissatisfied after an internal review decision, you have the right to apply to the Information Commissioner's Office. The Commissioner is an independent regulator who has the power to direct us to respond to your request differently, if he considers that we have handled it incorrectly.

You can contact the Information Commissioner's Office at the following address:

Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire
SK9 5AF

Internet address: https://www.ico.gov.uk/Global/contact_us.aspx



INTERPRETERS **Finance Process Guide**

This guide should be used by the persons responsible for booking Interpreters using the ALS portal or for urgent telephone bookings. This guide supersedes all previously produced finance guidance for control purposes. (Please do not confuse this with the guidance that has been produced with in depth information on Interpreter rates published in HMCTS Communications 04/12)

Process Stages

- **Access to ALS Booking Portal by PIN and changes to the accounts.**

A PIN and password will be allocated to you by Procurement which has been linked to your Court/Office/Venue accounting structures, so it should only be used to allocate Interpreter costs to that Court/Office/Venue. You will only be able to access the portal using this PIN so it is important to keep this safe and secure. You will be prompted to input all the details relating to the interpreter in order to make a valid booking.

Any amendments to the account (Business Entity) or requests for a new account (Business Entity) should be verified with the Finance and Governance teams at Petty France before submitting the change request form to your Regional Support Unit for authorisation.

The authorised form should then be sent to ALS for creation or amendment of the account.

The form for account amendment/creation is at Appendix 1.

- **Control**

Local controls covering the issue of the PIN and Password must be put in to place to keep a record of who has been given access to the ALS booking system; this will help to manage the number of user's and aides an Audit Trail of who has access. The PIN generates the accounting structures for any

given Court/Office / Venue and case type reducing the risk of using incorrect accounting for the case type.

At the input stage to the ALS system a message appears reminding the booker of the type of case they are booking. This helps to reduce the risk of the incorrect PIN being used at offices where multiple PINs are used.

- **Charging at the correct level**

During the ALS on line booking process the correct selection of the appropriate Tier for the Interpreter will drive, the right unit price. This total price for the booking will be dependant on the correct START and END times being accurately updated.

- **Control**

The unit price is embedded in the booking system for each type and tier of Interpreter and will be assigned automatically once the user selects the appropriate tier and type.

- **Closing the Booking**

It is the responsibility of the HMCTS user to confirm the START and END times of the booking, which will ensure the correct billing. The user must make sure the data is input accurately as this will effect the charging mechanism and ultimately the Management Information used for reconciliation of bookings and payments.

- **Control**

Once the Interpreter has completed the work the clerk will sign the Interpreters time sheet confirming the START and END time of attendance. HMCTS staff will then input the start and end times in to ALS Portal. Once the start and end times are entered on to the ALS Portal; the fields will lock down preventing amendment to the information. It is imperative that the START and END times are entered correctly as this will affect the billing to the Interpreter.

- **Booking Closed by ALS/ Interpreter after the 72 hour deadline**

The purpose of a deadline for closure is to ensure bookings are paid promptly and to reduce the level of accruals. If bookings miss the 72 hour deadline either ALS staff or the Interpreter will enter the start and end times which removes the control from HMCTS of the charging process. ALS staff will only close bookings if instructed by a member of HMCTS staff or when they are resolving a query with HMCTS if the times have been input incorrectly.

If a query with ALS is raised over start and end times it is important for the person raising it to check that ALS has completed the correct amendment on the Portal.

- **Control**

Control by instruction to HMCTS Staff to close bookings within 72 hours of the cessation of the booking. Operations Managers will run a report from the ALS system that lists all bookings that have been closed by ALS or the Interpreter; a 100% check of the entries made by the supplier (Interpreter) will be made to establish the correct start and end times have been recorded. Anomalies are dealt with by contacting ALS and requesting the signed Interpreter's time sheets. Bookings closed by ALS will be captured under the 5% check billing and payment control.

- **Telephone and Written Interpretation booked by Telephone**

The nature of the booking requiring a Telephone or Written Interpretation is normally a need at short notice; therefore the bookings are not made via the ALS Portal, but by telephone.

Because the recording of booking, including start and end times, is completed by ALS, HMCTS staff do not exercise the same control over the charging as they do with bookings made via the Portal.

- **Control**

A local record must be kept of bookings made by telephone, which records full details of the Interpreter, the start and end times and the type of case. Operations Managers use the ALS Portal to run a report listing all immediate telephone and written interpretation bookings and uses this to check with the local records to establish the correct charging and start and end times have been inserted by ALS.

The Local Control Sheet and guidance can be accessed at:

<http://libra.lcd.gsi.gov.uk/hmcts/courts-work/general/guidance/972.htm>

- **Billing and Payment**

The data held in the ALS system on bookings is controlled and input by HMCTS staff including the start and end times. These interact with the rates for charging that are already embedded in the system. Telephone and Written Interpretation is booked via telephone and controlled by a local record of bookings; the input to the ALS system is input by ALS staff and used for charging purposes only. Bookings not closed by HMCTS staff are checked 100% by HMCTS staff to confirm the start and end times have been recorded correctly. Once a month ALS generates an invoice with billing information from their system and submits it to J P Morgan for payment; J P Morgan pay the account using a LodgeCard and then submits its invoice to the MOJ for

payment. The account is split between MOJ and NOMs for GL accounting purposes.

- **Control**

The billing information has been generated from information controlled, input and checked by HMCTS staff. The information is used to generate the billing, which is submitted to J P Morgan for payment. J P Morgan pays ALS and then invoice MOJ SSC backed with Smartdata (the billing data that was extracted and supplied by the ALS system). Liberata pay and load the 'Smartdata' on to the General Ledger (GL).

Once a month a 5% selection of booking entries is made from the ALS Portal and checked against the Interpreter's time sheets to ensure the correct data has been recorded in the ALS system.

Change Request Process for amendments to the system.

Any requests for change to the process should be made via the Change Request Process controlled by the process owner within Shared Services. This will then be considered by the change board and either accepted or turned down.

Appendix 1

Account Amendment/Creation

Note: This form is not for the set up of a user and therefore an SFA is not necessary as expenditure is not being committed

This form is to be used to submit details to ALS in the event that an existing Court requires amendment or a new account name needs to be added to change a venue/location. Clear information must be entered in the spaces provided. If a field doesn't require an entry, you must enter "n/a". If you require further assistance or guidance, please consider the Contact Information Pack and User Guidance document or contact your Relationship Manager at ALS on 0800 496 1508.

Completion Instructions

1. Ensure you input all information fully.
2. If you are requesting an amendment please state fully the required changes in the Additional information box.
3. Please ensure you input the correct Accounting Structure, i.e. Account Operating Unit, Account Business Entity and Account Natural Accounting Code.
4. If you are not sure of the correct accounting please contact the Financial Accounts Team at Petty France.
5. If the funds are to come from the central fund the Business Entity will be the courts; the natural account must be correct as this will be the driver for the accounting. (BE AM202 (Civil Team) will be removed from April 2012).
6. Once the Account Information has been completed please pass/email this form to your regional Support Unit for authorisation.
7. The authorising officer should then e mail this form to newaccounts@appliedlanguage.com.



Applied Languages Services (ALS) Account Creation / Amendment

Enter "x" as appropriate: Amend Existing Account or Create New Account

Account Information		
Name: e.g. York Crown Court		
Address 1:		
Address 2:		
Address 3:		
Town/City:		
County:		
Post Code:		
Account Structure:	Courts entry only	
Account OU:		Operating Unit
Account BER:		Business Entity
Account NAC:		Natural Account Code
Accounting Code:	NOMS only	
Telephone Number:		
Email Address:		
ax Number:		
Secondary Site (Venue Addresses and details). Use additional sheets if necessary	When 2 or more sites are used under one Court accounting entry.	
Type of Court, Tribunal - Jurisdiction	Crown, Combined, Magistrate's, ET, AIT etc.	
Region		
Cluster		
Details of person making request - Court Manager (or equivalent)		
Full Name:		
Address (if different from account address):		
Post code:		
Telephone Number:		
Email Address:		
Fax Number:		
Additional information		
Authorisation – (This must be completed at regional level)		

Name Post..... Date.....

When authorised, send to newaccounts@appliedlanguage.com



**Percentage Check of Data Entry by HMCTS staff to the ALS Interpreter Booking System
Instructions for assuring the booking start and end times recorded in the Applied Language Services (ALS) portal are accurate.**

Quality Control Check.

Frequency – In Month Check.

Selection Criteria - 5% - Minimum of 1 per month / Entries that show an unusual start and end time and or differ significantly from the estimated job duration; high “out of hours” charges and ALS Closures..

(To be reviewed after 6 months pending amendment to the ALS Portal.)

ALS Portal data matching with local records - Interpreters Time sheet.

Purpose of the check

If incorrect data is input to the ALS system, (start and end times, by typo or incorrect information provided by the person signing off the Interpreter Time Sheet), this would not be identified unless raised by the Interpreter. To reduce the risk of poor data quality and to ensure correct billing this check is introduced to help identify and rectify such anomalies.

Checking Process

- The allocated person who has responsibility for producing Management Information Reports for reconciliation should print the “Closed Job” report for the current month from the ALS portal. (This person should be independent from booking Interpreters)
- There are various reports available from the ALS Portal showing booking reference, case reference, start time, end time, breakdown of costs etc. Additional reports will be available for booked Interpreters, but not yet charged and will show the reasons for this.

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- Telephone and written Interpreter bookings will only be shown on the ALS data for charging purposes, local records of bookings, start times; end times will be reconciled separately
- From the total entries on this report a percentage selection should be made for checking. Using the identification of unusual start and end time entries, the total booking duration differs significantly from the estimated booking time as an indicator, high out of hour's charges and closures by ALS.
- Unusual start and end times are deemed to fall before 9:30 and after 18:00, but this is only a guide.
- Each booking record will need to be accessed to confirm the entries.
- For the entries selected the Interpreters start and end times should be checked with local records and or with the Interpreters Time Sheet , which will need to be requested from ALS and then checked against the entries made on the ALS system'
- to ensure that -
- The start and end time entries recorded on the ALS portal match the details on local records and or the Interpreters Time Sheet; if the time sheet is used as evidence, it has been signed by an HMCTS employee
- If the entries on the ALS Portal do not correspond with local records and or the time sheet then further investigations will need to be undertaken in order to identify how the discrepancy has arisen and the error/s rectified before the end of the month,

Queries

Frequency - As Required.

In the event the person completing the quality check raises a query local records (case files and the Interpreter time sheets from ALS) may be required to investigate and check that -

- End times have been entered correctly.
- The account structure is accurate.
- Unit type, price, VAT, Totals are accurate
- The breakdown of costs i.e. the travel cost for British Sign Language (BLS) is accurate

Operational Controls and Checks.

Telephone and Written Interpreter Bookings Reconciliation.

Frequency - Minimum – Once a Month

Bookings for Interpreters to complete interpretation over the telephone or to undertake written interpretation must be recorded on a local record as the ALS Portal is only available for Face to Face bookings.

Purpose of the check

This must be completed to ensure the correct start and end times are being recorded by ALS as HMCTS staff have no direct input to the portal for these bookings and therefore are not controlling the billing.

Checking process

Once a month the nominated person, who is not involved with booking Interpreters, must reconcile the start, end dates and type on the local record with the information held on the ALS Portal. Although the start and end times will be supplied by telephone to ALS by the HMCTS booker; this will ensure the correct times have been recorded on the portal and appropriate charging is being driven by HMCTS; queries must be raised with ALS.

A report should be requested from the ALS Portal listing all Telephone and Written Interpretation bookings closed for the appropriate month.

To reconcile the information it should be checked that;

- start and end times match with the data held on local records,
- the account structure is accurate,
- Unit type, price, VAT, Totals are accurate.



Operational Controls and Checks.

Bookings not closed within 72 hours of completion and closed by the supplier (Interpreter).

Frequency - 100% Check -. Minimum Once a Month

The closure of bookings is the responsibility of the courts and it is extremely important that this is completed within the 72 hour time window agreed within the contract. If closure is not achieved within this time by HMCTS, ALS or the Interpreter will close the booking and enter the start and end times.

ALS will only close bookings when dealing with queries with HMCTS staff therefore entries made by ALS should not be selected for checking under this control.

To ensure HMCTS has control on the billing, the bookings must be closed by HMCTS staff to avoid additional reconciliation work.

Purpose of the check

In the event the booking is closed by the supplier (Interpreter), local checks must be completed to confirm the correct start and end times have been input.

The nominated checking person must not be involved in the booking of interpreters.

Checking Process

100% of all entries closed by the supplier must be checked to confirm the start and end times are correct by reconciling:

The report of forced closures obtained from the ALS Portal;

Local Clerks records

The Interpreter's time sheet obtained from ALS if a discrepancy is identified; this will have been signed off by an HMCTS clerk.

The times entered on to the ALS Portal must be reconciled with data held by HMCTS teams.

Jobs Requiring Closure.

Frequency – 100% Check – Minimum once a month.

The control of job closure is the responsibility of the court it is important closures are made within the 72 hour time band and monitored to ensure the billing to HMCTS is accurate frequent.

Purpose of the check

1. Prompt closure
2. Avoidance of outstanding closures accumulating making it difficult to validate start and end times
3. Achievement of correct accounting.

Checking Process

A minimum of once a month a delegated person who is not involved in the Interpreter booking and confirmation process must check the “Jobs Requiring Closure “ screen on the ALS Portal to check the jobs that are outstanding that have not been closed.

Investigation in to the reason why closure is still outstanding must be made by:

1. Checking local records (copy of timesheet, spreadsheet of start and end times)
2. Case File
3. Original Timesheet from ALS if a copy is not held at the court.

It is important that all outstanding jobs are closed.