



# Business Plan 2023 - 2024

The Scottish Legal Aid Board

[www.slab.org.uk](http://www.slab.org.uk)

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Information about the Scottish Legal Aid Board is available on our website:  
[www.slab.org.uk/corporate-information](http://www.slab.org.uk/corporate-information)

## Chief Executive's Introduction

This report sets out our Business Plan for 2023-24 and our first year of activity under our Corporate Plan 2023-26.

Our highest priorities are the people in Scotland who need to access to legal aid help, and the people in our organisation that administer that help. The workstreams we are taking forward this year support our strategic objectives: providing high quality administration, delivery of legal services and targeted funding, investing in our people and shaping the future.

We know that legal aid reforms are necessary, and we know that the system we currently administer is out of date and out of step in many ways with today's delivery of services. We are committed to supporting the Government with its reform by engaging with discussions and policy development, as well as participating and contributing to the national debate.

A task as far reaching as legal aid reform will require significant collaboration and cooperation and we look forward to continuing to work with Government, justice system and advice sector colleagues to ensure a modern, healthy, legal aid system for those who rely upon it.



Colin Lancaster  
Chief Executive

## Our organisation

Our primary purpose is to manage access to legal aid funding by applying the rules set by the Parliament for assessing eligibility for legal aid and checking accounts submitted for payment by solicitors and advocates.

Legal aid funding pays for solicitors, advocates, and other necessary services to help people resolve problems by negotiation or in a court or tribunal. Most services paid for through the Legal Aid Fund are delivered through the private sector (around 95%). The third sector and our own direct services<sup>1</sup> also deliver case by case services but on a much smaller scale. Finally, a small amount of funding provides direct grants for projects to deliver targeted legal services<sup>2</sup>. The Legal Aid Fund also finances the quality assurance schemes we manage.

Legal aid and wider justice system policy is the responsibility of Scottish Government, and where legislative change is required, Scottish Parliament. The nature of the current legal aid legislation means that this judicare funding is unplanned and largely non-targeted. This feature of the current system means that resources for case-by-case services cannot be more purposely directed towards meeting any specific Scottish Government priority. The pattern of requests for legal aid is determined by a combination of members of the public deciding whether to seek help and hundreds of predominantly small firms of solicitors in the private sector deciding whether to offer a particular kind of service, whether to act for a person if they ask for assistance and, if so, whether to do so on legal aid<sup>3</sup>.

## Our internal environment


We have over 360 members of staff who are vital to the effective administration of the current legal aid system the development of its future. We are pursuing work to prioritise the needs of the people who make up SLAB and investing in them. We are reviewing a range of our people

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<sup>1</sup> Our direct services include our Public Defence Solicitors' Office, Civil Legal Assistance Office and Solicitor Contact Line.

<sup>2</sup> For more information about how the Legal Aid Fund is administered, please see our Annual Report and Accounts at [www.slab.org.uk/corporate-information/publications/corporate-information/annual-reports](http://www.slab.org.uk/corporate-information/publications/corporate-information/annual-reports)

<sup>3</sup> For more information please see our Corporate Plan 2023-26 at [www.slab.org.uk/app/uploads/2023/07/Corporate-Plan-2023-26.pdf](http://www.slab.org.uk/app/uploads/2023/07/Corporate-Plan-2023-26.pdf)



policies, delivering a pay and grading review, assessing options in the reform of SLAB's pension scheme, and developing a leadership and development training programme.

We also know that to successfully shape the future we must ensure that our workforce plan is developed and fully considered in order to be able to respond with the right skills to the changing landscape to help deliver our objectives.

## **The external environment**

Our plan sets out an ambitious range of work required to deliver on our Corporate Plan. We must also be mindful of developments in Government and in other parts of the justice system which may divert our limited resources away from these priorities.

Preparing for the future of legal aid is one of our most important Corporate Objectives and is also an aim of the Scottish Government's. We will continue to provide input and support when required to ensure that a future system delivers better outcomes than currently.

## Financial settlement

### *The Legal Aid Fund*

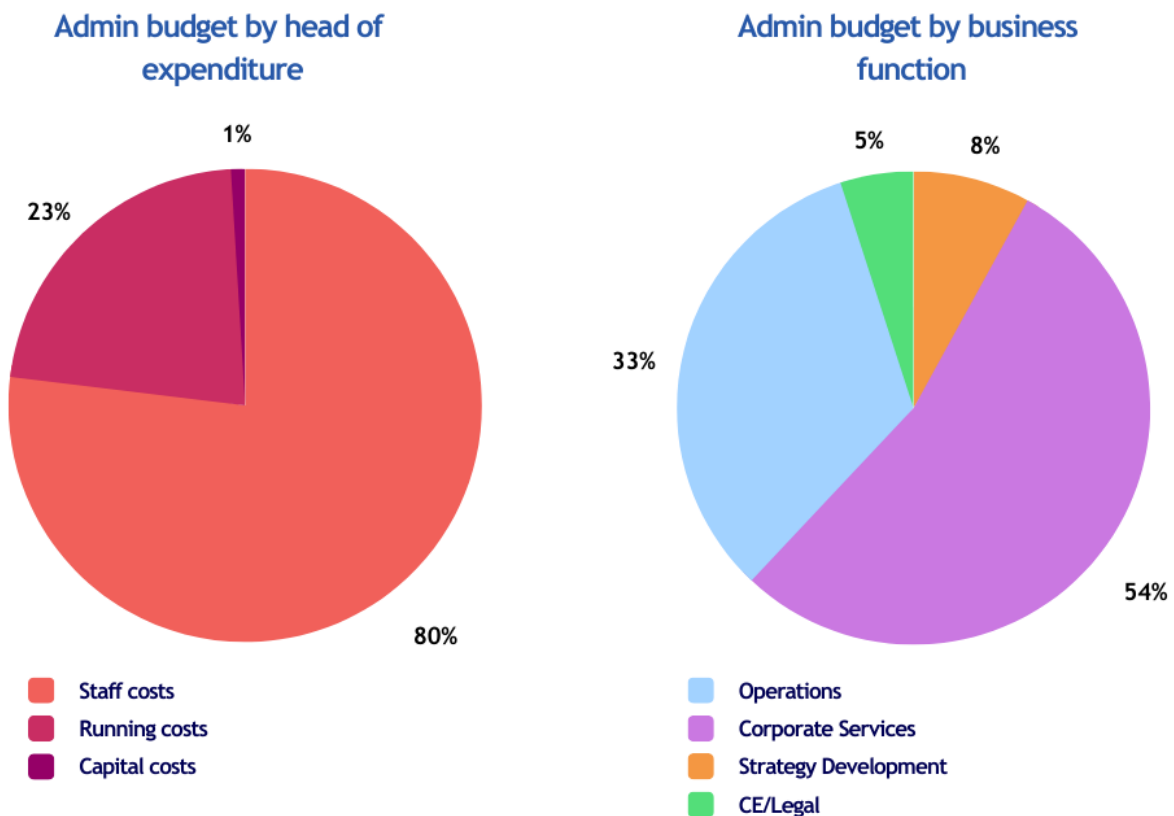
Unlike most other expenditure in the public sector, expenditure on the Legal Aid Fund which covers the cost of legal aid grants, is uncapped. This means that any cases that meet the statutory tests will be funded by Scottish Government. However, the primary purpose of this uncapped expenditure is to ensure that applicants for legal aid are not prevented from accessing assistance due to a lack of funds. For budgeting purposes, the Scottish Government sets a budgeting provision, with any shortfall between the budget provision and actual expenditure to be made available through a transfer of funds at the end of the financial year.

This budget funds the provision of legal aid in Scotland. It also enables us to develop a network of SLAB employed solicitors, including the Civil Legal Assistance Office and the Public Defence Solicitors’ Office networks, and administer grant-funded services.

Scottish Government Budget Provision	2023-24
Legal Aid Fund	£141.3 m

### *Administrative Funding*

This budget covers the staffing, administration, and capital costs of SLAB. It also covers costs relating to various matters including researching and analysing the operation of legal aid, as well as the trends and impact on the wider justice system. It also includes a budget allocation to meet our capital expenditure. The Scottish Government’s budget in 2023-24 has been set at £14.75 million. We have allocated this budget in the following way.



## Our priority activity in 2023-24

Our business plan activity will support our strategic priorities. Some projects deliver direct benefits and others implement changes in systems and processes that are required to enable us to deliver benefits in other corporate projects. We have provided a high-level overview of the activity that helps us work towards our objectives.

### Strategic Objective 1: Our timely, clear and consistent decisions on legal aid applications and accounts deliver a positive customer experience

Development and launch of a Customer Insight Strategy	
<b>Drivers</b>	To gain a better understanding of what customers want and expect from their interactions with the organisation and the issues they face when doing so.  The aim is that this will result in evidence that enables us to better target changes to our procedures and inform the way that we set and measure indicators of performance.
<b>Who will benefit?</b>	<ul style="list-style-type: none"> <li>• Customers</li> <li>• Our staff.</li> </ul>
<b>Activity</b>	Engagement with staff across SLAB, drafting of strategy, launch of strategy.
<b>Measures of success</b>	Future policy, procedures and performance management draw on insight obtained through the strategy.
<b>Owner</b>	Director of Operations
<b>Delivery</b>	2023-24

Upgrade of transfers, sanctions and summary criminal legal aid applications using the REACT user interface development tool	
<b>Drivers</b>	REACT is the new system we use as the user interface between our operational staff and our legal aid application and accounts data.  Our aim is to move all applications and accounts across from our current systems. This year we will focus on specific applications.  REACT should result in a more user-friendly system that enables quicker processing of decisions and caters for any accessibility issues.
<b>Who will benefit?</b>	<ul style="list-style-type: none"> <li>• Customers</li> <li>• Our staff.</li> </ul>

<b>Activity</b>	User stories, system development and roll out.
<b>Measures of success</b>	Staff and customer feedback, speed and accuracy of administration, improved security.
<b>Owner</b>	Director of Corporate Services and Accounts
<b>Delivery</b>	June 2024

### Guidance on the Administration of Legal Assistance project (GALA)

<b>Drivers</b>	The GALA project is aimed at reviewing all of our applications and accounts decision-making. The aim is to work through all the types of decisions we make and develop policy statements, internal decision makers' guidance and update our external guidance.
<b>Who will benefit?</b>	<ul style="list-style-type: none"> <li>• Customers</li> <li>• Our staff.</li> </ul>
<b>Activity</b>	Policy development and review, drafting internal and external guidance, communications.
<b>Measures of success</b>	Staff and customer feedback, solicitor use of guidance, consistency and accuracy of decision making.
<b>Owner</b>	Director of Operations
<b>Delivery</b>	April 2024

### Guidance on the Administration of Legal Aid: Review of Financial Assessment

<b>Drivers</b>	<p>The GALA work on financial assessment has highlighted some significant changes that could be made to the way in which standard income and capital allowances are managed in the assessment of financial eligibility.</p> <p>Dependent on Scottish Government decisions, policy options can then be developed further.</p>
<b>Who will benefit?</b>	<ul style="list-style-type: none"> <li>• Customers</li> <li>• Our staff.</li> </ul>
<b>Activity</b>	Policy development, options appraisal, advice to the Scottish Government.
<b>Measures</b>	Advice enables Ministers to make informed decisions.
<b>Owner</b>	Director of Strategic Development
<b>Duration</b>	2023-24



**Strategic Objective 2: Our client legal services and targeted funding deliver high quality and accessible information, advice and representation.**

<b>Review delivery models for our legal services to respond to contextual changes</b>	
<b>Drivers</b>	We will initially focus on a review of the Solicitor Contact Line. This will involve a demand and supply gap analysis to inform the future strategy for this service.
<b>Who will benefit</b>	<ul style="list-style-type: none"> <li>• SCL</li> <li>• Police Scotland</li> <li>• Assisted people</li> <li>• Solicitors.</li> </ul>
<b>Activity</b>	Policy and service development.
<b>Measures</b>	Maximised resource utilisation.
<b>Owner</b>	Director of Client Legal Services
<b>Delivery</b>	2024-25

**Strategic Objective 3: We support our people to develop the skills and ways of working needed to deliver our mission, both now and in the future.**

<b>Pay and grading review</b>	
<b>Drivers</b>	We will carry out a full pay and grading review which forms a key part of our People Strategy. This will involve evaluating all jobs in SLAB and aims to ensure that our pay and job evaluation systems are used consistently whilst delivering pay coherence with the Scottish Government and credibility of the system with our staff.
<b>Who will benefit?</b>	<ul style="list-style-type: none"> <li>• Customers</li> <li>• Our staff</li> <li>• Our organisation.</li> </ul>
<b>Activity</b>	Reviewing current system, job evaluation, pay benchmarking.
<b>Measures of success</b>	Revised pay and grading system launched.
<b>Owner</b>	Director of Corporate Services and Accounts
<b>Delivery</b>	April 2024

<b>Reforms to the SLAB pension scheme</b>	
<b>Drivers</b>	Public sector pension reform is legislated for in the Public Services Pension Reform Act 2013. Our pension scheme has not yet been reformed in line with this and we have submitted a business case to the Scottish Government for how this could happen. Dependent on SG decisions, we will consult with the Union and staff with the aim of reforming the scheme.
<b>Who will benefit?</b>	<ul style="list-style-type: none"> <li>• Our staff</li> <li>• Our organisation.</li> </ul>
<b>Activity</b>	Staff engagement, options appraisal.
<b>Measures of success</b>	Revised pension scheme launched following staff consultation.
<b>Owner</b>	Director of Corporate Services and Accounts
<b>Delivery</b>	2024-25

<b>Development of a leadership programme</b>	
<b>Drivers</b>	We will develop and implement a new Leadership and Management Development Training Programme. This will ensure that our employees have the skill set needed to address external challenges and seize the opportunities that come with them.

<b>Who will benefit?</b>	<ul style="list-style-type: none"> <li>• Customers</li> <li>• Our staff</li> <li>• Our organisation.</li> </ul>
<b>Activity</b>	Development of programme, delivery of programme.
<b>Measures of success</b>	Leadership and development programme launched.
<b>Owner</b>	Director of Corporate Services and Accounts
<b>Delivery</b>	2023-24

**Strategic Objective 4: Our advice to Ministers supports their decision-making on the future of legal aid and SLAB.**

<b>Development of a workforce plan</b>	
<b>Drivers</b>	We will develop a workforce planning methodology that will set out how we will seek to ensure we have a workforce of the right size and with the right skills to enable us to deliver our corporate objectives. We will then roll this methodology out across all Directorates.
<b>Who will benefit?</b>	<ul style="list-style-type: none"> <li>• Customers</li> <li>• Our staff</li> <li>• Our organisation</li> <li>• Scottish Government</li> <li>• Justice partners.</li> </ul>
<b>Activity</b>	Policy development, consultation.
<b>Measures of success</b>	Implementation of a SLAB approach to workforce planning.
<b>Owner</b>	Director of Corporate Services and Accounts
<b>Duration</b>	2023-24

<b>Contribution to the Scottish Government's Research Advisory Group on legal aid payments</b>	
<b>Drivers</b>	The Research Advisory Group is the follow up to the previous Legal Aid Payment Advisory Panel. The group will commission and manage a research project that aims to inform the consideration of future payment mechanisms for the delivery of publicly funded legal services.
<b>Who will benefit?</b>	<ul style="list-style-type: none"> <li>• Scottish Government</li> <li>• Legal profession.</li> </ul>
<b>Activity</b>	Independent researchers will be appointed by Scottish Government to establish a baseline for the cost of providing legal services and how legal aid providers operate under the current legal aid schemes. We will contribute to the Research Advisory Group.
<b>Measures of success</b>	Evidence of our influence on the work, feedback from Scottish Government.
<b>Owner</b>	Director of Strategic Development
<b>Duration</b>	Ongoing

<b>Legal aid reform</b>	
<b>Drivers</b>	The Scottish Government aims to reform legal aid following the independent review of legal aid and subsequent consultation. This has the potential to change the current system of legal aid, and SLAB's role, significantly. We will assist the Scottish Government with policy development and give advice on preferred options for reform dependent on resourcing.
<b>Who will benefit?</b>	<ul style="list-style-type: none"> <li>• Customers</li> <li>• Our organisation</li> <li>• Legal profession</li> <li>• Scottish Government</li> <li>• Justice partners.</li> </ul>
<b>Activity</b>	Policy development, advice provision.
<b>Measures of success</b>	Evidence of our influence on the work and alignment with our own objectives.
<b>Owner</b>	Director of Strategic Development
<b>Duration</b>	Ongoing

<b>Development of a communications strategy</b>	
<b>Drivers</b>	We will develop and launch a communications strategy with the aim of helping us to achieve the delivery of the 2023-26 Corporate Plan.
<b>Who will benefit?</b>	<ul style="list-style-type: none"> <li>• Customers</li> <li>• Our staff.</li> </ul>
<b>Activity</b>	Drafting and launch of strategy.
<b>Measures</b>	Delivery of specific strategy objectives.
<b>Owner</b>	Director of Strategic Development
<b>Duration</b>	2023-24

<b>Development of a data analytics strategy</b>	
<b>Drivers</b>	We will develop and launch a data analytics strategy. This will consider how our data tools, structures, storage, and analysis can better contribute to our corporate objectives.
<b>Who will benefit?</b>	<ul style="list-style-type: none"> <li>• Customers</li> <li>• Our staff</li> <li>• Our organisation.</li> </ul>
<b>Activity</b>	Drafting and launch of strategy.
<b>Measures</b>	Launch of strategy, delivery of specific strategy objectives.
<b>Owner</b>	Director of Strategic Development
<b>Duration</b>	2023-24

## Performance indicators

To assess performance in applications we use the following key indicators:

- Time to take the first decision (First decision average duration)
- The percent of applications we can grant first time (First decision % granted)
- The level of rework that is required (% First decision with subsequent further work).

The equivalent indicators in accounts are:

- Time to pay an initial account (Average calendar days to bank)
- The percent of accounts we pay in full (% paid in full)
- The level of negotiation that is required (Ratio of negotiations to initial assessments).

We also measure the accuracy of the decisions we take and the accounts we assess, as well as monitor solicitor satisfaction through a series of micro-surveys.

Our reporting on the indicators we use can be found in the SOPOR (SLAB Operational Performance Overview Report). The SOPOR is published quarterly [here](#) after it is reported to the Board.