



Customer Communication Support Services Policy

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The Scottish Legal Aid Board

www.slab.org.uk

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Policy Statement

This policy sits under SLAB's [Customer Service Policy](#). The aim of this policy is to understand our customer's communication needs and identify how we can support them.

The primary focus of this Customer Communication Support Needs Policy is the ways in which we communicate with our customers which include letters, phone calls, emails, online messages via Legal Aid Online (LAOL), and any other relevant communications which are tailored to each case.

Excluded from the scope of this policy is general website information, for example communications which are not specific to an individual case.

The following actions are taken when we make case by case decisions:

1. We ask customers about communication support needs.
2. We receive customer communication support needs information via the Legal Aid Online system.
3. We record the need for communication support.
4. We make a decision to accept a request.
5. We accept requests with regards to a person's communication support need and we have a decision-making matrix in place to authorise costs and provide access to funding.
6. We have discretion in relation to how we can remove or minimise disadvantages suffered by people with certain communications needs, and how to meet their needs.

Scope

For this policy statement, we define customers as clients of our direct services; applicants, assisted persons, opponents, family members (of both applicants and opponents), client representatives, and members of the public in general including complainants, subject access requesters (SAR) and Freedom of Information (FOI) requesters engaging with our administration of legal aid.

Aim of the policy and how the policy is operationalised

The aim of this policy is to identify our customer's communication needs and for us to take steps to meet these needs.

Factors included/how the policy is operationalised:

1. Our policy is that we intend that all our communications should be inclusive, therefore minimising the need for specific adjustments to be made.
2. Our policy is that people who need communication support to interact with SLAB, whether as a result of their disability, their language skills or any other protected characteristic, will receive our support.
3. We will encourage our customers to disclose any communication needs they have in order for us to be able to support them. We will actively seek this information from customers.
4. Our policy is that we will not make any assumptions about whether an individual requires any adjustment: we will only act on an explicit declaration.

5. Our policy is that all incoming calls to SLAB, PDSO and CLAO will hear a recorded message that asks them to disclose whether they have any communication support needs. Emails, our website and letters will include the same message.
6. For applicants, Legal Aid Online includes a question about communication support needs. As there is no exhaustive list of potential communication support needs, this will be a free text box.
7. Our system records any communication needs from our clients.
8. For FOI requesters and complainants, JIRA is used as a route by which to record if there is a communication support need.
9. In relation to other types of customers, SLAB has no corporate customer relationship management system that would serve as single place to record and retrieve information. As far as possible, local practices should be developed to record this information and shared with other teams where needed, in line with data protection and GDPR principles.
10. We acknowledge that there is no exhaustive list of adjustments that could be requested with regards to communication supports: the range of adjustments that could be relevant will depend on a given individual's needs.
11. With regards to 'reasonable adjustments', the Equality Act (2010) does not define the meaning of 'reasonable' and what that entails, but guidance from the Equality and Human Rights Commission (EHRC) suggests that the most relevant factors are:
 - The effectiveness of the adjustment(s) in preventing or reducing the disadvantage for the person who belongs to a relevant group
 - The practicality of making the adjustments
 - The availability of resources including external assistance and finance
 - Any disruption to SLAB's service that making the adjustment may cause
 - Duty of best value in Public Services - any arrangements made should adhere to the principle of best value; public organisations have responsibility for promoting the efficient and effective use of staff and other resources in accordance with the Best Value Principle.

Reasonable adjustments specifically refer to the protected characteristic of disability, however, we also provide (reasonable) adjustments that are related to other protected characteristics. We apply the same factors as listed above for any communication support we provide.
12. SLAB has clear processes for accessing and paying for telephone interpreting through the Scottish Government framework.

Effectiveness

13. The adjustment should be designed to fully address the disadvantage it is meant to overcome. We will seek confirmation from the client and/or their solicitor whether the adjustment made has been sufficient.

Practicality

14. Whilst our aim is to fully address any communication needs our customers may have, there might be situations where it's not possible or feasible for us to meet these needs. Examples may include, but are not limited to, providing translations in a very short or specific time frame, providing additional time to customers if there are legislative deadlines to meet, or providing support that would require SLAB to recruit someone for a specific task.

Resources

15. Any adjustments made, should be effective. However, it is important to remember that even where an adjustment is deemed effective, it may nonetheless not be

considered reasonable: in particular, where there are significant/disproportionate resource implications. For example, resourcing is not just about cost, but will also involve consideration of other factors for example recruiting additional staff with specific skills.

16. Any request with regards to communication support needs will need to be assessed with regards to our resources, practicality, proportionality, and effectiveness. Whilst our aim is to meet our customer's communication needs, we have a duty to abide under the principle of best value set out by the Scottish Public Finance Manual. We have a duty to protect public funds and promote efficient and effective spending.

Potential disruption to SLAB services

17. In changing policies, criteria or practices we are not required to change the basic nature of the service we offer, for example it would not usually be reasonable for a member of staff to cease work on all other cases and devote all their time to one person as others will inevitably suffer, therefore the amount of extra time provided must be 'reasonable' in all the circumstances.
18. The main potential costs associated with making adjustments are for translating written communication and telephone interpreting for verbal communication and we have developed a Delegation Authority Matrix (DAM) with regards to procurement authorisation limits.
19. As the policy will affect customers corporately, and the resource may be drawn on by any team, the budget sits with Finance and will be reported on as part of usual business process; decisions on access to funding will depend on a balance between effectiveness and practicality on the one hand, and resource and disruption on the other.
20. We put in place processes and procedures that allow staff to make adjustments quickly and easily such as telephone interpreting and letter translation.

Policy and development staff are available to assist in accessing information about requests where expert advice is needed.

Links to Other Relevant Policies and Guidance

- a) [Customer Service Policy](#)
- b) [Unacceptable Behaviour Policy](#)
- c) [Complaints Handling Procedure](#).

Queries

Any inquiries on entitlement and eligibility should be referred to communicationsupport@slab.org.uk.