



# Business Plan 2017-18

The Scottish Legal Aid Board

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

## CONTENTS

INTRODUCTION .....	3
FINANCIAL SETTLEMENT .....	5
OUR BUSINESS PRIORITIES FOR 2017-18 .....	6
OUTCOMES TO BE DELIVERED .....	7
ACTION PLAN 2017-18.....	8
WHO WE ARE AND WHAT WE DO.....	11
OUR SERVICE STANDARDS AND TARGETS.....	12
CONTACT.....	13

## INTRODUCTION

This Business Plan for 2017-18 sets out our priorities for delivery against our strategic objectives and the wider objectives of the Scottish Government. This is the first Business Plan in our new corporate planning period (2017-2020). We enter into this period having refreshed our purpose and strategic objectives.

This plan sets out our first year's activities towards achieving the Corporate Plan. The focus of our Business Plan is to increase efficiency, continue to improve our customer service and to ensure that the advice we give Scottish Ministers is based on strong evidence. Our key function remains administering the legal aid system and advising Ministers on how the system could be improved. This is within a setting of constrained public expenditure.

This year will also see an independent review of legal aid. We agree with the Scottish Government and the legal profession that the current legislative framework could be updated to ensure a legal aid system that is modern and flexible to change. The review is a great opportunity to reflect on the strengths of the legal aid system in Scotland but also to identify opportunities for change and improvement. This will help ensure that our legal aid system responds to the needs of those who rely upon it, delivers positive outcomes and is able to adapt to the changing environment within which it must operate. We look forward to engaging with, and contributing to the review panel.

To achieve our priorities will require collaboration and cooperation. We will continue to build and maintain effective relationships with our colleagues in the legal and advice sector, and our partners in the public sector.



**Colin Lancaster**  
**Chief Executive**



# Corporate Plan 2017-20

## VISION: We will have transformed the delivery of our functions

### Prioritising our vision:

#### EXCELLENCE

**Key Focus:**

- People Strategy
- Review of risk
- Review of corporate governance

**For applicants & assisted persons:**

- Simpler and quicker processes
- Improved experience

**For the legal profession**

- Controls focussed on areas of greatest risk

#### EVIDENCE

**Key Focus:**

- Research
- Surveys
- Consultation

**For applicants & assisted persons:**

- Increased SLAB understanding of system user needs
- Highlighting unnecessary barriers to access

**For the legal profession**

- Understanding of private firms informs SLAB's services and changes to processes and procedures

#### STREAMLINING

**Key Focus:**

- Review of Legal Aid Handbooks
- Fee reforms
- Digital Strategy

**For applicants & assisted persons:**

- Simpler and quicker processes
- Fewer interactions with the application process
- Greater use of technology

**For the legal profession**

- Fewer interactions with SLAB
- Level of bureaucracy is appropriate for level of risk

#### PERFORMANCE

**Key Focus:**

- Review of performance management framework

**For applicants & assisted persons:**

- Performance reflects customer insight
- Getting things right first time
- Focus on total duration of application process

**For the legal profession**

- Increased accountability of SLAB
- Performance measures based on time, quality, and numbers of interactions on applications and accounts

#### COLLABORATION & REFORM

**Key Focus:**

- Evidence and Procedure Review
- Independent review of legal aid
- Close working and consultation with the legal profession

**For applicants & assisted persons:**

- Justice system reforms take full account of legal aid impacts

**For the legal profession**

- Positive and strategic relationships
- Collaboration makes the legal aid system easier for solicitors to operate

### ACHIEVEMENT OF SLAB STRATEGIC OBJECTIVES

1. Improvements to legal aid processes
2. Advising Scottish Ministers
3. Responsive culture and capability
4. Effective collaborative relationships

## 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 the Scottish Government. However, the primary purpose of this uncapped expenditure is to ensure that applicants for legal aid are not prevented accessing assistance due to a lack of funds. For budgeting purposes, the Scottish Government sets a budget provision, with any shortfall between the budget provision and actual expenditure to be made available through a transfer of additional funds at the end of the financial year.

The table below sets out our expenditure forecast for 2017-18 compared with the Scottish Government's budget provision.

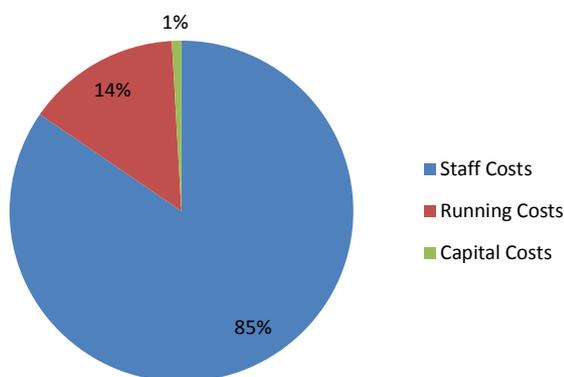
Expenditure Forecast and Budget Comparison		2017-18
Total expenditure forecast		<b>£126.5 million</b>
Scottish Government budget provision		<b>£126.1 million</b>
Agreed movement of funds from the Scottish Government for the <i>Making Advice Work</i> grant funding programme		<b>£0.7 million</b>
Forecast shortfall		<b>£0.4 million</b>

This forecast expenditure position includes the predicted impact of savings measures already implemented, but does not take into account the anticipated impact of any further savings measures to be developed. We produce a revised expenditure forecast three times during the year, which enables the Scottish Government to consider its strategy for dealing with any shortfall as the year progresses.

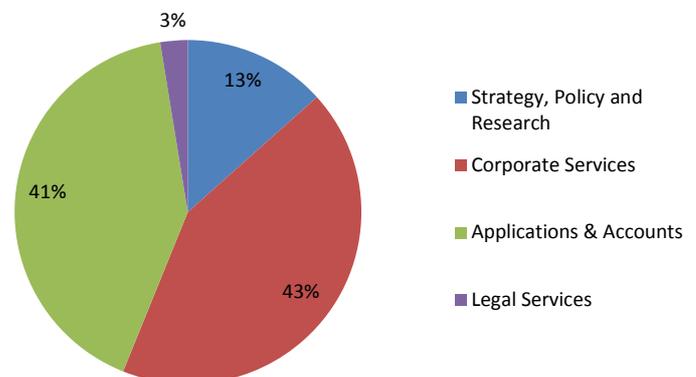
### *Administrative funding*

Our administrative funding covers the costs of running the organisation, primarily the staff that are needed to administer the legal aid system. The Scottish Government's budget in 2017-18 has been set at £11.1 million. We have allocated this budget in the following way:

Admin budget by head of expenditure



Admin budget by business function



## OUR BUSINESS PRIORITIES FOR 2017-18

This section details the outcomes we aim to work towards and the activity that will enable us to contribute to those outcomes. Each activity will help us deliver against at least one of our strategic objectives and priority outcomes.

### Strategic Objectives

To deliver improvements to legal aid processes that increase efficiency and improve the experience of system users and customers



To advise Scottish Ministers on the strategic development of legal assistance and its contribution to a Scotland in which rights are supported and disputes are resolved fairly and swiftly



To ensure that our organisation has the culture and capability to be responsive to our customers, the justice system and developments in legal and advice services



To build and maintain effective and collaborative relationships with the legal and advice sector and our public sector partners as we seek to achieve our Purpose and contribute to wider Scottish Government aims



## OUTCOMES TO BE DELIVERED

Streamlined operational processes for applications and accounts benefit the legal profession and the general public and allow us to make better use of our resources



Our corporate governance and performance management framework effectively manages risk, provides assurance and promotes operational effectiveness while enabling innovation, continuous improvement and optimal use of resources



The experience of our customers is improved



We attract, develop and retain a knowledgeable, skilled and high performance workforce who are engaged with and committed to SLAB's purpose



Our operations and our strategic advice reflect a 'digital first' approach to public service delivery



We understand and fill skills gaps in our workforce and are able to effectively plan, prioritise and allocate our resources as required



Our service and our strategic advice are responsive to, and based on a sound understanding of, varied customer and system needs



Our relationships with stakeholders and delivery partners are strategic and collaborative



Our work reflects the pursuit of best value in the legal aid system and our own service delivery



We contribute effectively to the Strategy for Justice in Scotland, the independent legal aid review and wider Scottish Government objectives



Our direct delivery and grant funded services, and our advice on the development of the legal aid system, are aligned with our and Ministers' strategic objectives



## ACTION PLAN 2017-18

Activity	Strategic Objective	Outcome Delivered
<b>Corporate Governance</b>		
<b>Risk Review</b> We will develop a renewed risk management policy, and the appropriate risk protocols to support the renewed policy.		
<b>Corporate Governance Review new phase</b> We will look at new areas of our corporate governance and make recommendations for improvement.		
<b>People Strategy</b> We will develop for the first time a People Strategy.		
<b>Digital Delivery</b>		
<b>Online accounts</b> We will continue with the development of our online accounts offering, including the move to cease the submission of paper accounts.		
<b>Cloud based services</b> We will move our Finance, HR and Payroll systems over to Oracle Cloud.		
<b>Direct Delivery</b>		
<b>PDSO Business Plan</b> We will devise business plans for the PDSO network.		
<b>Grant Funding</b> We will manage the grant funding programme and work with the Scottish Government on options for future funding.		

Activity	Strategic Objective	Outcome Delivered
<b>Performance</b>		
<b>Performance Framework</b> We will continue to develop our new performance framework, including new performance indicators and a balanced scorecard.		
<b>Streamlining and Business Improvement</b>		
<b>Review of the Handbooks</b> We will review, in consultation with the legal profession, the effectiveness of our suite of legal aid handbooks.		
<b>Fee Reform</b> Dependent on ministerial decisions, we will further develop and implement a range of fee reform proposals.		
<b>Policy and Reform</b>		
<b>Legal Aid Review</b> We will provide information and advice to the review panel to inform their recommendations.		
<b>Criminal Justice (Scotland) Act 2016 implementation</b> We will continue to facilitate the implementation of the Criminal Justice (Scotland) Act 2016.		
<b>Evidence and Procedure Review</b> We will contribute to the Scottish Court and Tribunal Service's review.		
<b>Scottish Government Objectives</b>		
<b>Welfare Reform</b> We will continue to develop advice for the Scottish Government on options for changes in financial assessment for legal aid resulting from the continued roll out of the Universal Credit.		

Activity	Strategic Objective	Outcome Delivered
<p><b>Equalities Outcomes</b>            We will develop action plans for delivery against our new equality outcomes for 2017-20.</p>	 	  

## WHO WE ARE AND WHAT WE DO

SLAB was set up in 1987 under the Legal Aid (Scotland) Act 1986 and we are accountable to Scottish Ministers.

SLAB is responsible for doing a range of things, the key ones being:

- advising Scottish Ministers on the operation of legal aid, and ways to develop it.
- managing expenditure on legal assistance cases.
- deciding whether to grant applications for legal aid.
- assessing solicitors' and advocates' accounts for legal aid work, and paying them for the work they have done.
- investigating and minimising fraud and abuse of legal aid.
- operating and developing a network of SLAB employed solicitors who offer criminal and civil legal advice and representation.
- operating a police station duty scheme which gives suspects the right of access to a solicitor before and during police interview as well as running the 24 hours, 7 days a week solicitor contact line which is staffed by solicitors employed by SLAB to provide legal advice to suspects.
- providing grant funding for targeted legal advice and other services.

Our work is overseen by a non-executive board, the Chairman and members of which are appointed by Scottish Ministers. Our board currently consists of 12 members. The main responsibilities of the board are determining SLAB's strategic objectives and scrutinising expenditure, operations and organisational performance. We also have committees of the board to consider areas such as audit and risk; legal aid guidance and procedures; complex, sensitive or high profile legal aid cases; and remuneration and our pay arrangements.

Our Chief Executive, Colin Lancaster, is the Accountable Officer of the organisation and heads up an Executive Team made up of three directors responsible for the operational and administrative functions of SLAB, and the Principal Legal Adviser.

As a public body, SLAB also has a range of other obligations and commitments, including:

- **Monitoring of Access to Legal Services.** We have a statutory function of monitoring the availability and accessibility of legal services and reporting to Scottish Ministers. We assess whether there is an inability of potential clients to find or obtain the services of solicitors or advocates willing to act in particular areas of law or specific geographic areas. This function is not restricted to the accessibility or availability of legally aided services. It also includes privately funded services. Our assessment of access to services is based on both types. We report our findings annually to ministers and publish these reports.
- **Corporate Parenting.** On 1 April 2015, we became a Corporate Parent under the Children and Young Person (Scotland) Act 2014. The legislation introduces statutory duties on a range of public bodies, including SLAB, in regards to looked after children and care leavers. It places a number of responsibilities on SLAB in terms of how it deals with young people who experience the legal system.
- **Public Sector Equalities Duties.** We are committed to the promotion of equality and to tackling discrimination of any form, including in relation to age, disability, gender, gender

reassignment, race, religion or belief and sexual orientation. Under the Equality Act 2010 we have a duty to consider equality in all our functions, including decision-making, in the design of internal and external policies and in the delivery of services, and for these issues to be kept under review.

- **Fair Work.** We are committed to the Scottish Government's Fair Work agenda and are an accredited Living Wage employer. We actively support trainees and work placements.
- **Public Bodies Climate Change Duties.** We have duties under the Climate Change (Scotland) Act 2009 that require us, in exercising our functions, to act in the way best calculated to contribute to the delivery of emissions reduction targets, in the way best calculated to help deliver any statutory climate change adaptation programme, and in a way we consider most sustainable. We have measured our organisation's carbon footprint since 2008 and now fully adopt the Carbon Trust's Management System. Reporting against this duty has now become mandatory from November 2016 and we will publish a report later in the year.
- **Duty to Publish Information.** The Public Services Reform (Scotland) Act 2010 requires public bodies to publish information on certain expenditure and activities. Under the Act, we have a duty to publish information regarding a range of different expenditure, a statement of the steps taken during the year to promote and increase sustainable growth, and a statement of the steps taken during the year to improve efficiency, economy and effectiveness. We publish this information on our website.

## OUR SERVICE STANDARDS AND TARGETS

The experience of both the public and private sectors has shown that performance systems can often encourage and lock in operational policies, processes and day to day practices. This can have the advantage that services are delivered consistently and set targets are met but it can also prevent staff in organisations providing what may be a more responsive, user-led service.

We have prioritised for a number of years the time it takes for decisions to be made on legal aid applications and accounts. This focus has seen us reduce our timescales for much of the work that we do to the point that urgent decisions are taken in a matter of hours.

In recent years, performance against our comprehensive suite of operational targets has been consistently very good, with close to 100% of cases in many areas meeting the set service standards.

We have been reviewing our operational targets and concluded that the timeliness measurements could better take into account the often multiple interactions between SLAB, solicitors and applicants that take place before a final decision or account payment is made. Our targets could also have a greater customer insight and currently present only a partial view of SLAB's delivery and performance.

With challenging financial settlements likely to continue it is essential that we are as efficient as possible. With this in mind our operational measures must support an ethos of getting things right first time and not stand in the way of the changes necessary to improve operational efficiency.

Over the period of the corporate plan we aim to move to a balanced scorecard approach to assess our overall performance. Assessing performance against a broader range of activity will allow us to better gauge our overall performance and delivery against expectations and better prioritise and

manage resources to ensure optimal delivery against a range of measures. This will ensure that our performance is presented in a way that is more transparent and increases SLAB's accountability.

This process will begin from 1 April 2017 when we will change the way we measure and report our operational performance on decision-making. We will no longer be focusing only on the speed of our decisions based on time in our hands but will instead move to a duration measure which will be taken from the initial date received of an application or account until the final decision is taken or payment made.

We will also be introducing broader quality and customer satisfaction measures as well as retaining accuracy measures. These will be used to form a headline measure of customer experience. Further to this we will be starting to measure and review the number of interactions with customers and, for accounts, the reasons for abatements.

Further details will be published on our website as this work develops.

## CONTACT

For further information please contact:

Andrew McIntosh  
Corporate support Manager  
E: [mcintoshan@slab.org.uk](mailto:mcintoshan@slab.org.uk)

## Alternative Formats

This plan is also available as a Microsoft Word file. To obtain a Word file or for information on accessing the plan in an alternative format, please contact [communications@slab.org.uk](mailto:communications@slab.org.uk)

You can download this publication from [www.slab.org.uk](http://www.slab.org.uk)