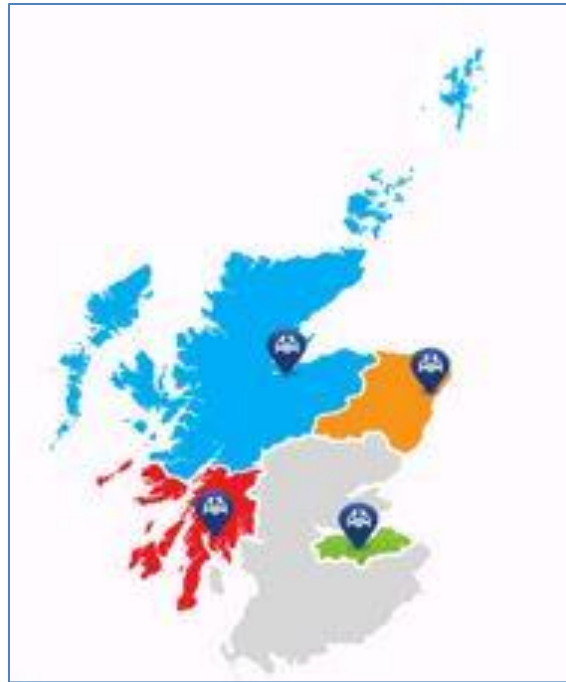


Civil Legal Assistance Office

Network Business Plan 2017-20

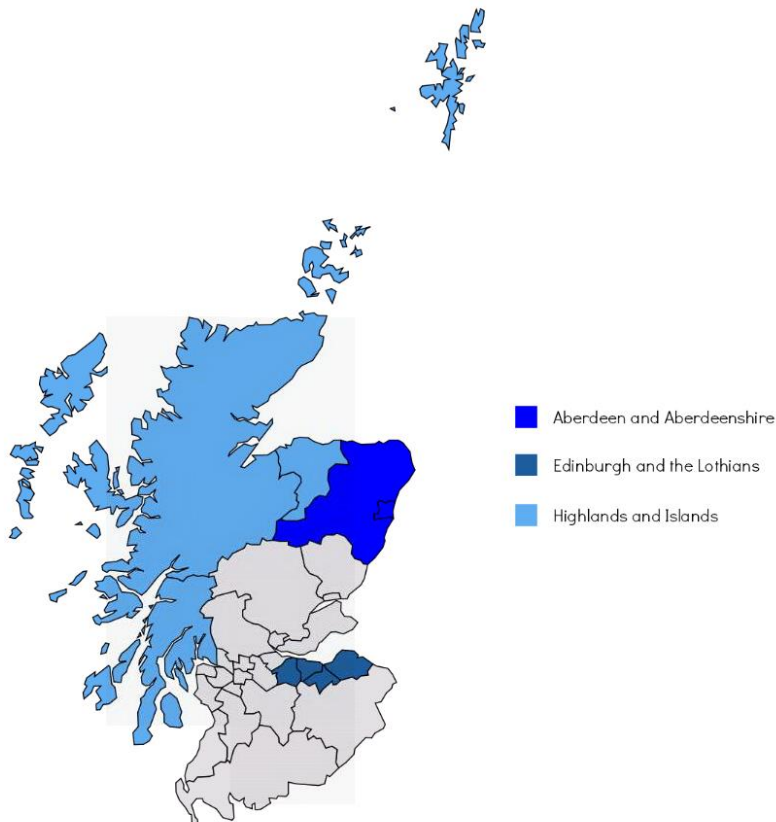


Introduction

This business plan sets out the business activities for the Civil Legal Assistance Office (CLAO) network for 2017-20. Over the course of the next three years, the aim is for the CLAO network to achieve improvements in outcomes for individuals and contribute to wider objectives of the Scottish Government.

Background

CLAO has been a feature of the Legal Aid system in Scotland since 2008. Solicitors and support staff are employed by the Scottish Legal Aid Board (SLAB) as framed by Part V provisions of the Legal Aid (Scotland) Act 1986. CLAO operates from four locations covering four geographical areas.



SLAB is a non- departmental public body whose purpose is to manage and improve continuously Scotland’s system of publicly funded legal assistance and to advise Scottish Ministers on its strategic development.

SLAB’s work and the work we support is an important contributor to the Scottish Government’s objectives of achieving a Scotland that is safer, fairer and greener and to the national outcomes linked to those objectives. We also align our work with the Scottish Government’s priorities on the transformation of public services and our primary priorities are closely aligned to a number of priorities in the Justice Strategy for Scotland.



CLAO Network Business Plan

| | | | | | |
|---|--|--|---|---|--|
| Scottish Government's Purpose | To focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth | | | | |
| Scottish Government's Strategic Objectives | Helping communities become safer and stronger places to live | | Enabling the increasing of wealth through efficient public services | | Improving the environment and its sustainability |
| Scottish Government's National Outcomes | We live our lives safe from crime and danger | We have strong, resilient and supportive communities | We have tackled inequalities in Scottish Society | Our public services are high quality, responsive, and continually improving | We reduce the environmental impact of our consumption and production |
| Justice Strategy Aims | Ensuring legal aid is available to those who need it most Improving access to justice Maximising the value of legal aid expenditure Making the justice system more efficient | | | | |
| Our Purpose | To manage and improve continuously Scotland's system of publicly funded legal assistance and to advise Scottish Ministers on its strategic development for the benefit of [the people of Scotland/users]. | | | | |
| Our Strategic Objectives | To deliver improvements to legal aid processes that increase efficiency and transform the experience of system users and customers To advise Scottish Ministers on the strategic development of accessible and high quality 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 deliver a high quality service and 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 to maximise the contribution of both SLAB and publicly funded legal assistance to Scottish Government aims | | | | |



CLAO Network Business Plan

CLAO will contribute to each of SLAB’s strategic objectives. CLAO’s operating principles and priority activities will assist in delivery of the outcomes we wish to achieve with CLAO services.

CLAO service mix is casework, referral to other providers of legal assistance and support, second tier support to other providers (including training) and partnership/development project working with local and national organisations operating in the defined geographical areas. These are the core services which will deliver the outcomes which have been identified for CLAO services. CLAO’s purpose, operating principles and outcomes are set out below.

| | |
|-----------------------------|--|
| CLAO Purpose | To contribute to a fairer Scotland by providing and supporting services to resolve or pre-empt legal problems, in a manner which works towards tackling inequalities. |
| Operating Principles | <p>To target priority activity that is responsive to local people’s needs.</p> <p>To ensure that services are targeted towards assisting those individuals and groups of individuals facing the most significant barriers to their access to advice and legal services and where intervention will contribute towards tackling inequalities.</p> <p>To work in partnership with others to deliver a range of activities to support their purpose.</p> <p>To focus on identifying and addressing legal needs at the earliest appropriate stage to avoid problems escalating both for particular individuals, particular groups of individuals and within the wider community.</p> |
| Outcomes | <p>Contribute to a positive impact on life chances of people within the community by applying appropriately prioritised resources to direct casework services that seek to resolve legal problems at the earliest appropriate stage</p> <p>Achieve changes in policy and practice designed to pre-empt or minimise problems arising for people through reporting, collaborative working and where necessary the application of high quality legal advice and representation</p> <p>Reduce or resolve problems by facilitating appropriate and effective access to advice and support, including publicly funded solicitor services where necessary</p> <p>Provide a high quality, continuously improving, sustainable and efficient service with a dedicated, skilled team</p> |

Roles and Responsibilities

CLAO is part of the Strategic Development Directorate (SDD) within SLAB which also has responsibility for strategic advice to government on the operation of the legal aid system and for monitoring accessibility of legal services. The link with other teams in SDD allows for intelligence sharing to assist and improve a range of SLAB activities.

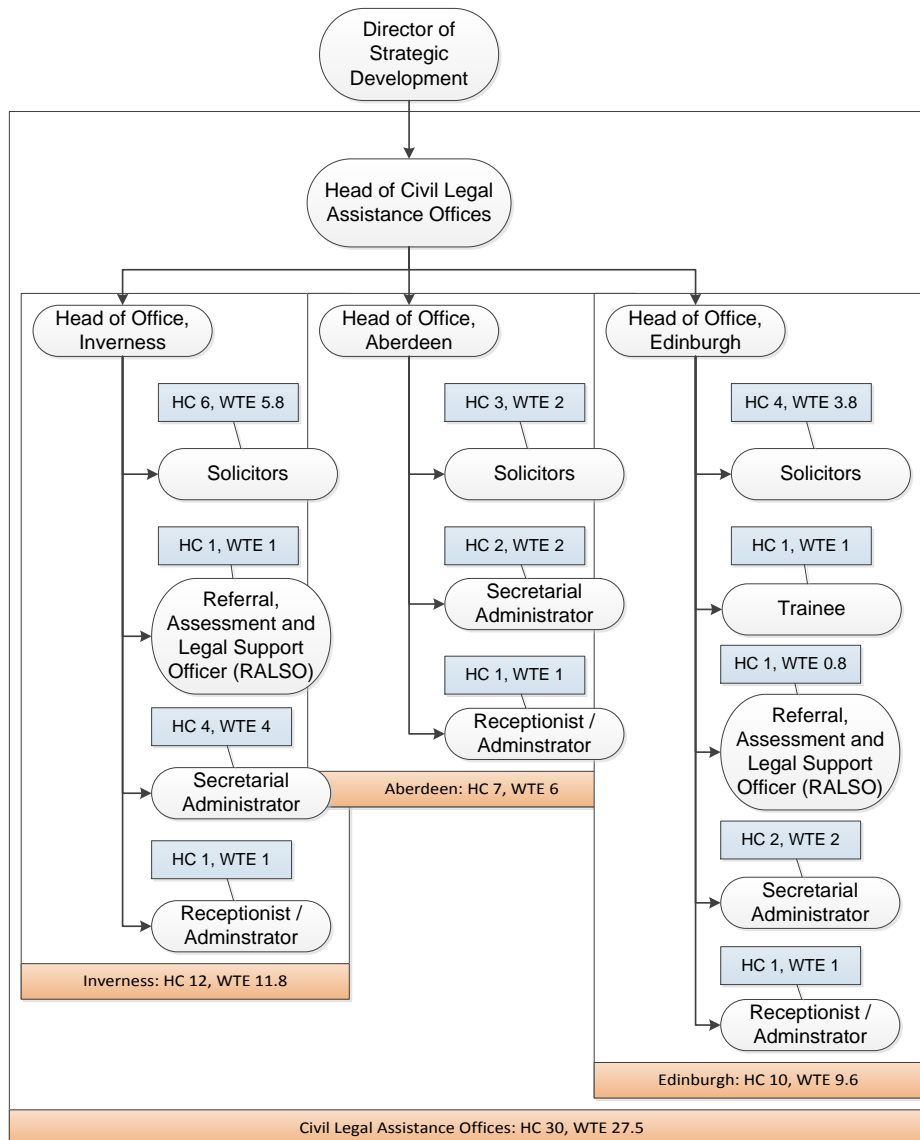
The Director of Strategic Development is responsible to SLAB’s Board for CLAO’s delivery of the business plan. The CLAO Head of Service is head of operations and reports to the Director on

CLAO Network Business Plan

progress on delivery. Management of the solicitor- client relationships within CLAO is an operational matter and oversight of proper professional boundaries and responsibilities sits with the Head of Service.

The CLAO Head of Service leads a team of three Heads of Office, one each located in Aberdeen, Edinburgh and Inverness. The Argyll and Bute office located in Oban consists of one solicitor and is managed from Inverness.

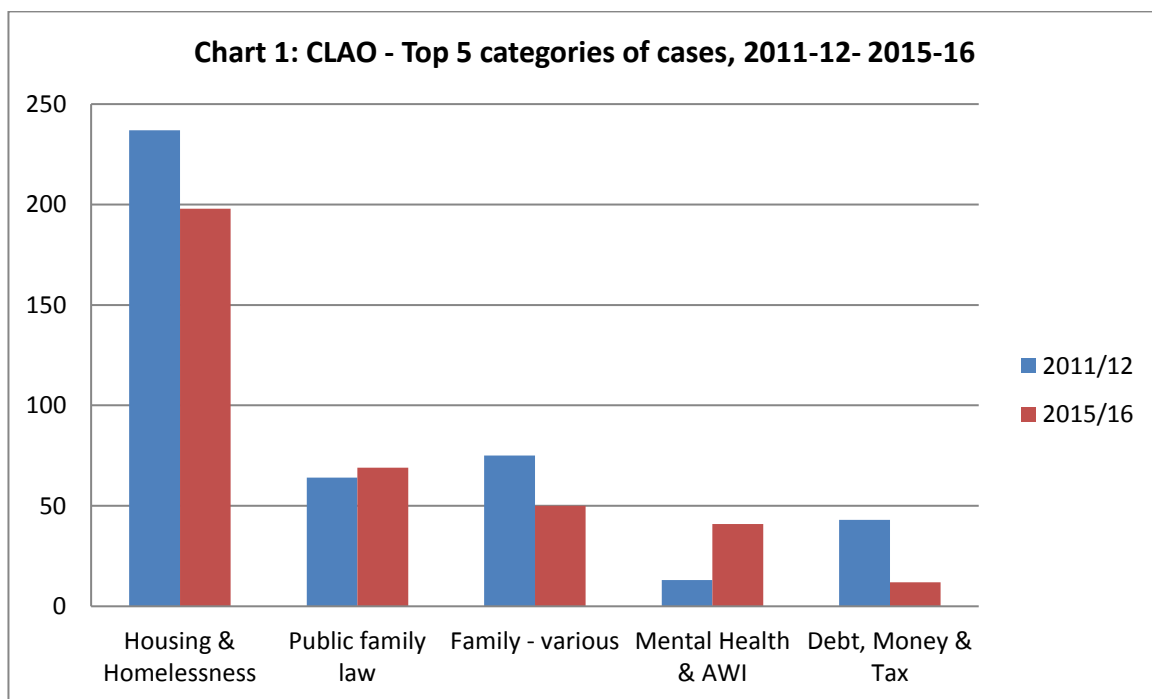
Casework is delivered by 14.6 whole time equivalent solicitors. The organisation chart details the configuration of solicitor and administration support across the network. Inverness and Edinburgh have staff whose role it is to support the referral function in those areas: the RALSO role. This function is carried out by solicitors in Aberdeen and Argyll and Bute. The organisation chart is below. Argyll & Bute, as managed from Inverness appears as part of Inverness.



Trends in CLAO

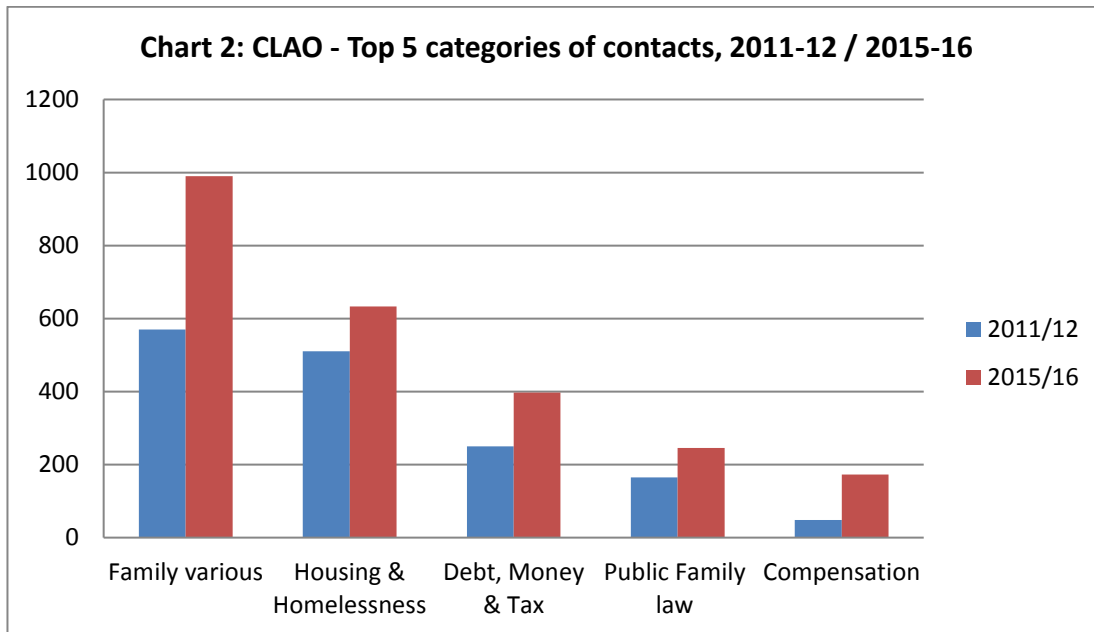
CLAO casework services have previously worked within a model that focussed resources on casework to those cases not catered for by other providers. This has resulted in a focus largely on the social welfare law areas of housing, homelessness, mental health, and public family law issues with a different mix of casework in each geographical area in response to local conditions and other providers. In each area CLAO works closely with other targeted advice and legal provision to ensure effective coverage in social welfare law. So for example, Edinburgh CLAO is very focussed on housing and homelessness, with other law centres and some private providers focussing on mental health and public family law. Whereas, Highlands & Islands CLAO does provide services in mental health and public family law and other family law cases engaging public law duties.

Chart 1 sets out the top five case categories in cases opened in the CLAO network in 2015-16 (after deletion of “other” and “blank”) and compares with those categories in 2011-12. Mental Health and AWI have increased although that is mostly Mental Health tribunal work in the Highlands and Islands. Similarly the slight increase in public family work is an increase in Aberdeen and Aberdeenshire.



Comparing the total number of new cases in each of the two years, there has been an overall reduction in the number of new cases, dropping from 489 to 419 in 2015-16. By contrast, contacts (the presenting issue(s) when someone approaches CLAO for referral or casework) have increased. There were 2268 contacts in 2011-12 and 3600 in 2015-16, an increase of close to 60%. The top five categories of contacts in 2015-16, again after deletion of “other” are in Chart 2.

CLAO Network Business Plan



The referral process and management of contacts has been resource intensive.

At the conclusion of the contact and referral process CLAO's casework continues to be focused mostly on the core social welfare law case types in which we have the skills and expertise to offer casework service to a high standard.

Our core case types are housing & homelessness, public family law, family law engaging public law duties, mental health and debt. Our casework services have been peer reviewed and overall the peer review outcome was excellent highlighting good detailed knowledge of the law and awareness of the needs of clients in these areas of law

Over the same time period our operational costs have increased in line with an increase in staff complement.

The review has led us to change the focus of CLAO services to concentrate on offering casework services in our core competences, building relationships with other providers and groups working with client groups who are likely to encounter legal problems which affect life chances and perpetuate inequalities in Scottish society and providing referral services, second tier and training to support that area of work.

In order to change our focus so that we can deliver on the outcomes agreed, a set of priorities have been identified. These will drive change to enable us to better deliver the outcomes we have committed to deliver.

The first year of activity will concentrate on reviewing and redesigning our processes for referral, casework and identification of development work, and second tier support. Some of the themes of SLAB development, such as simplification of processes and communication will be reflected in CLAO's redesign of systems. The outputs from Year 1 will inform Years 2 and 3.



CLAO Network Business Plan

CLAO Priorities 2017-2020

Network with other advice providers

- 1 We will continue to work with other providers of advice and representation in our geographic areas to achieve an effective referral network which meets the needs of people.

Where there is no available source of legal help we will signpost people to other available sources of help but we recognise that we cannot ensure assistance to every person.

Establish CLAO as a provider of first resort

- 2 CLAO services have developed as a provider of last resort, seeking to direct work to others and only taking on work where this is not feasible. This has had an impact on the model developed for intake of clients into the service, in which some people's needs have been subordinate to the agreed protocol of referring cases out to the private sector, even where we have the local expertise.

We will become a provider of first resort for those areas of law which we have identified as a priority for CLAO support.

Improve our triage process

- 3 The shift to provider of first resort provides an opportunity to review and improve our system to triage, intake and allocate casework. Our triage service will develop to offer legal advice on the likelihood of success where an informed view can be taken at an early stage.

CLAO Network resources will add value across all local areas in which we work

- 4 Develop the CLAO network to increase reach within each local area and access to specialists within the Network located elsewhere

Work with partners to identify strategic casework which can have a future positive impact for others

- 5 We will work with our partner agencies, whose local and specialised knowledge will help us identify casework with strategic importance.

We will establish particular routes of referral by which such work can be referred to us rather than principally through a public-facing open-door approach.

Work with colleagues in Strategic Development Directorate on developing intelligence for monitoring duty and informing advice to Scottish Government

- 6 We will record and report on trends in any emerging unmet demand for help. This will inform reporting to Scottish Government and inform consideration of future development of legal aid and legal services with our partners.



CLAO Network Business Plan

CLAO Services

CLAO's service mix is casework, development work with local partners, referral and second tier support to partner organisations. This mix will continue with some shifts in how we deliver these services. Our priorities over the period of the plan will help drive activity to change in each of our services.

Referral service

CLAO will continue to offer assistance to people to navigate the range of potential legal assistance in our geographic areas. CLAO will focus activity on connecting people to legal and other forms of help with the core case types when CLAO is unable or not the most appropriate form of assistance or help.

Over the period of the business plan CLAO and SDD colleagues will develop a signposting service for cases out with CLAO core case types. That signposting will use SLAB generated data to signpost people to providers with a recent history of delivery in the relevant legal area.

There will be a transitional period during which the impact of the referral service is analysed by matching CLAO data with SLAB data to develop a baseline. This will be followed by a piloting a shift from referral to signposting for cases other than those in the core case areas.

CLAO will work with other providers to manage referral and signposting. An essential aspect of this will be clarity in communication of the shift in our service provision and the range of services we can provide to local people. Over time we want to manage direct referral to CLAO of those issues which are within our core case types, in addition to emerging issues which are identified by partner organisations.

CLAO will continue to embed the working relationships we have already with many providers of legal and other support services. Good referral and signposting are essential to ensure that we can connect people into the right resources and that we can focus solicitor resource where it can have the best and greatest effect in tackling the presenting or underlying legal problems.

The new referral and signposting processes will be redesigned to include:

1. A people centred referral process to reduce the barriers of entry to casework services for core case types and to facilitate quick signposting to other local or national forms of provision when required
2. Structured pathways for referral into casework services from partnership working on emerging areas not currently within priority legal areas
3. An ability to build on strong working relationships with local agencies to whom we will refer for additional or more appropriate support.

Casework

CLAO will be a provider of first resort for core case types referred to us (and that otherwise meet the eligibility criteria).

CLAO Network Business Plan

The core case types will be reviewed over the duration of the business plan period. Any change will be subject to assessment of local information from partners and additional information sources available to SLAB.

| Core case types by office | |
|--|---|
| Highland & Islands (incp Argyll & Bute) | Family law (public law/public law duties engaged) Housing and homelessness Debt and money Mental health law and connected issues |
| Edinburgh & Lothians | Housing and homelessness Debt and money |
| Aberdeen and Aberdeenshire | Housing and homelessness Debt and money Family law (public law/public law duties engaged) |

It is likely that some cases that meet the basic eligibility within remit requirements will not be able to be admitted to our casework service at point of contact. A triage system will be developed by which we will be able to develop, test and implement a mechanism to balance the urgency of the case, the impact of CLAO involvement on the outcome and the capacity of the office. The triage system will be developed to serve the needs of the client and provide quick resolution of any question of admittance to the casework service.

Second tier services

Second tier services are delivered locally to local partner organisations. There are strengths to this model as it recognises the link between second tier advice and the potential for supported cases to result in a referral into the casework service.

Core areas for the second tier advice service will be managed and planned on an office by office basis, with a clear service standard for support to partner organisations across the geographic areas covered.

CLAO will explore whether there are opportunities to use skills and experience from across the network to deliver second tier support across the network to increase the service offered to partners.

Training forms an important part of our role to provide second tier services. It assists local providers and improves the reach of good quality legal assistance from a broader range of referral and spotter agencies.



CLAO Network Business Plan

Training will be planned and managed at Network level although events may be held in more than one local area. CLAO will explore increased use of video/webinars to improve the reach of training and training resources.

Performance measures for second tier support on cases and training will be developed as part of SLAB's Performance Management project.

Development/project work with local partners

Project work relates to short-term activity to explore any emerging or existing area of legal need. Project work will identify solutions to tackling barriers to legal services or improving outcomes for people affected by a particular issue or group of issues.

Project work will help in the development of new referral routes for case types where legal intervention can have a strategic impact on the development of rights and remedies within core case types and emerging areas as identified by partner organisations. This is likely to include casework which influences how policy is implemented at a local area, tests a new area of legislation, or focuses on problem types where people are not actively seeking help because of a particular barrier. Project work may be identified from local intelligence supplemented by SLAB information and Justice partners.

Outcomes from project work are likely to include casework and second tier support/training.

Performance Management

Improved management information and performance management reporting will be developed to support CLAO development.

Management information has been focussed on number of contacts and casework. In tandem with the wider SLAB Performance Management project we will develop metrics and methods of capturing relevant data to measure impact more effectively across the range of activity which CLAO undertakes to achieve the network outcomes.

For individual client work we will be aiming to go beyond client satisfaction measures to identify the mix of legal and other broader outcomes from the client perspective. We will also be developing a broader mix of metrics to measure strategic legal impact through our thematic work and our other activity around referral, training and second tier support.

We also want to focus on the people involved in delivery of our services. As part of the review process and business planning process all staff across our network have been actively involved in identifying the strengths and areas for development and improvement. We want to ensure that is kept as a core part of our ethos; we want people involved in or accessing our services to all achieve positive outcomes.

A balanced scorecard will be developed to allow for reporting against the outcomes.

Key Deliverables

- ❖ Detailed implementation plan with key milestones and dates for deliverables, and resource allocation
- ❖ Stakeholder engagement plan
- ❖ Communications plan
- ❖ Review and implement consistent arrangements for recording of contact handling and the referral and signposting process
- ❖ Pilot new referral/signposting processes
- ❖ Review and agree adaptations to existing referral arrangements with our external partner agencies
- ❖ Identify any additional new agencies with which we need to establish referral in or out of the service
- ❖ Monitor and manage partnership relationships
- ❖ Monitor the patterns of contact, referral and signposting and report on any trends or issues through governance arrangements - including any trends in people seeking help in non-core case types
- ❖ Develop the Casework Allocation Process
- ❖ Establish a model for assessing solicitor, office and network caseload capacity factoring in second tier, training and project work
- ❖ Implement and monitor impact of the new Casework Allocation Process - including trends in admitting/not admitting people to casework service
- ❖ Review and update casework monitoring arrangements
- ❖ Review and update client service standards.
- ❖ Identify priorities for internal and external training at Network level
- ❖ Allocate Network resources, supplemented by SDD colleagues to establish and plan implementation including identifying trainers and participants
- ❖ Identify priorities for development work at local and Network level. SDD colleagues will be able to assist as appropriate with policy and project development skills.