

The Scottish Legal Aid Board



Freedom of Information Publication Scheme

as required under Section 23 of the Freedom of Information (Scotland) Act 2002

Edition 1

effective from 30 November 2004

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Section 1 About the Scottish Legal Aid Board and Legal Aid

Legal aid allows people who would not otherwise be able to pay, to get help with their legal problems.

The Scottish Legal Aid Board was set up in 1987 by the Legal Aid (Scotland) Act 1986 to manage legal aid in Scotland. We are a non-departmental public body responsible to the Scottish Executive.

The Board is situated in Edinburgh, employing around 300 full-time staff. Twelve Board Members, appointed by Scottish Ministers, oversee the work. To provide a balanced range of knowledge and experience, they include people from the wider community as well as solicitors and advocates.

The Board's mission is to promote the development and delivery of appropriate access to quality legal assistance for those eligible, in a cost-effective manner.

Our work includes:

- advising Scottish Ministers on the current operation and development of legal aid provision
- managing the Legal Aid Fund
- exploring different ways of delivering a legal aid service, for example by running pilot schemes
- developing operational plans and procedures to improve the delivery and administration of legal aid
- assessing applications for legal aid
- examining solicitors' and advocates' accounts for legal aid work, and paying them for that work
- fixing any payments people have to make to the cost of legal assistance and dealing with all collections, refunds and queries
- registering firms and solicitors under our Code of Practice in relation to criminal legal assistance and monitoring their ongoing compliance
- registering firms for civil legal assistance and inspecting firms' administration arrangements
- investigating and pursuing abuse of legal aid.

Scottish Executive Ministers are responsible for overall legal aid policy and the Scottish Parliament deals with legislation affecting legal aid.

The conditions for granting legal aid and advice and assistance are set down in legislation and the Scottish Parliament sets fee rates. We aim to make consistent, timely and sound decisions on granting applications, and in assessing and paying solicitors' and advocates' accounts.

Three main types of help are available under legal aid:

- **Advice and assistance**

Advice and assistance can cover any matter of Scots law. Solicitors make initial grants up to a set financial limit and we decide on increases in authorised expenditure.

- **Civil legal aid**

Civil legal aid allows a case to be taken to court. We make decisions on all aspects, including applications, agreement to use counsel or experts, and requests to incur unusual expenditure.

- **Criminal legal aid**

Criminal legal aid funds the defence in a criminal case. We make decisions on almost all aspects, except in solemn cases (more serious cases such as murder or serious assault) where the judge or sheriff will make the initial decision on whether to grant legal aid.

We aim to be open in our dealings with all stakeholders, including applicants, assisted persons, opponents, the legal profession, Scottish Ministers, MSPs and the public.

However, people entrust us with both sensitive personal information and details about cases. Under section 34 of the Legal Aid (Scotland) Act 1986, with some limited exceptions, we may not pass on information anyone gives us under the Act without their consent. A Board Member or employee who supplies information in breach of this section could be guilty of a criminal offence.

Section 2 Freedom of Information

About the law on Freedom of Information

On 1 January 2005 the Freedom of Information (Scotland) Act 2002 (FoI Act) will come into effect. The Act aims to increase openness and accountability in government and across the public sector by ensuring that people have the right to get access to information held by Scottish public authorities, including the Scottish Legal Aid Board. You will be able to see and question how such bodies work and how they make their decisions.

The Act is available online at

www.scotland-legislation.hmso.gov.uk/legislation/scotland/acts2002/20020013.htm It introduces a statutory right of access by any individual to all types of recorded information held by a wide range of Scottish public authorities. The Board will have to give these rights of access from 1 January 2005.

The FOI Act will be promoted and enforced by Kevin Dunion, the first Scottish Information Commissioner. He will be Scotland's first independent enforcer of freedom of information, with legal powers to ensure the public's right of freedom of information is upheld. The Commissioner's website is www.itspublicknowledge.info

Section 3 About our Publication Scheme

This is the Scottish Legal Aid Board's Publication Scheme as required by section 23 of the FOI Act.

Section 23 of the Act places a duty on Scottish public authorities to adopt and keep a Publication Scheme, which must specify:

- classes of information the authority publishes or intends to publish
- the manner in which this information will be published
- whether the published information will be available to the public free or on payment of a charge.

We aim that our Publication Scheme will be clear and comprehensive, so you can:

- increase your understanding of what we do
- increase your awareness of our services
- clearly see the information we hold
- see how you can get that information and at what cost (if any).

A Publication Scheme must be approved by the Commissioner. This Publication Scheme received the approval of the Commissioner on 14 September 2004.

This Publication Scheme is a guide to the information we already publish or intend to publish. It will help you to find all the information we publish, and we have organised it in a series of 68 classes. 'Publish' can mean to make information available in various ways. These include: electronically (such as on our website), printed copy (such as printed leaflets, booklets, brochures or books), CD-ROMs or other audio or visual recordings, including photographs.

For practical reasons, in very limited circumstances (for example, where the information is contained in bulky documents) the right of access will be by inspection.

Our 'duty to assist'

Section 15 of the FOI Act obliges Scottish public authorities to advise and help someone who proposes to ask for or has asked for information, so far as it is reasonable to expect the authority to do so.

We will try to help members of the public to make a request and to help those who have asked for information to identify and find it. If the information is otherwise accessible, we will tell them where they can get it.

How we developed this scheme

Our Publication Scheme was developed by a Freedom of Information Project Board, whose membership included representatives of all departments of the Board.

In summer 2004 we undertook an information audit. The audit helped us identify what information we hold, and helped us develop and carry out a suitable records management and archiving policy. The audit also helped us decide what we ought to include in our Publication Scheme.

To help make sure our scheme is clear and easy to understand, the Plain Language Commission considered and advised us on it.

We sought legal advice on what information we could pass on, given the confidentiality law under which we work (section 34 of the Legal Aid (Scotland) Act 1986). The law says that, subject to limited exceptions, we may not supply information given to us under the Act without the consent of the person who supplied it.

We undertook a public consultation on our proposed scheme in September 2004. We sent the scheme to key stakeholders, including the legal and advice sectors, as well as organisations that represent users of legal aid. Examples of organisations consulted include the Scottish Executive, Law Society of Scotland, Faculty of Advocates and Scottish Consumer Council. We also gave individuals the chance to comment on the draft scheme by placing it on our website.

We intend to evaluate and review our scheme at regular intervals. Consultation is part of our constant commitment to openness and transparency, and we will welcome your comments to help us revise and update our scheme. You can send any comments on it to the contacts shown in section 4.

We will watch how the scheme works. We will consider, where necessary, making changes to the scheme to reflect how the public use it, their comments and demands.

Section 4 Responsibility for our Publication Scheme

Lindsay Montgomery, the Chief Executive, has overall responsibility for the Board's Publication Scheme. His contact details are:

Lindsay Montgomery
Chief Executive
Scottish Legal Aid Board
44 Drumsheugh Gardens
Edinburgh EH3 7SW
Tel: 0131 240 2060
Fax: 0131 220 5145

The day-to-day maintenance of the scheme is the responsibility of:

Andrew Menzies
Director of Corporate Services and Accounts
Scottish Legal Aid Board
44 Drumsheugh Gardens
Edinburgh EH3 7SW
Tel: 0131 240 2078
Fax: 0131 220 4878
E-mail: foi@slab.org.uk

Section 5 Exemptions and confidentiality

The Board is committed to openness. However, people entrust us with both sensitive personal information and details about cases. We cannot provide information where it is exempted by section 34 of the Legal Aid (Scotland) Act 1986 or is personal information under the Data Protection Act 1998.

We may not be able to provide information where it falls under one of the categories of exemptions under the Freedom of Information (Scotland) Act 2002. Where we refuse to give out information, we will say why we are withholding it. If you wish to complain about us withholding information from you, please read Section 10, Publication Scheme - feedback, review and complaints.

Exemptions under the Freedom of Information (Scotland) Act 2002

Sometimes, we will withhold information because it is exempt under this Act. The FOI Act provides 17 categories of exempt information under two types of exemption: absolute and non-absolute. If an absolute exemption applies, we will not have to release the information. Examples of areas covered by absolute exemptions are national security, confidentiality, where disclosure of the information is prohibited under an enactment, or where the information is otherwise accessible, for example if contained in the Publication Scheme.

Examples of areas covered by non-absolute exemptions are commercial interests, audit functions and the formulation or development of government policy. If a non-absolute exemption applies, we still have to consider whether to release the information in view of the public interest; the exemption applies only if the public interest in maintaining the exemption outweighs that in disclosing the information.

Prohibited by law - section 34 of the Legal Aid (Scotland) Act 1986

The FOI Act sets out one exemption category where the law forbids disclosure. People entrust us with sensitive personal information and details about cases. Our governing legislation therefore says we may not pass on information provided to us without the consent of the person who gave it to us, with some limited exceptions. A Board Member or employee who passed on information in breach of this section could be guilty of a criminal offence.

Where the law forbids us to pass on information, the Freedom of Information (Scotland) Act disclosure rules do not apply. We are getting further legal advice about this. Once we have this advice, we will explain on our website how we balance what we have to pass on under the new Freedom of Information Act and what we have to keep confidential under the legal aid legislation.

Prohibited by legal professional privilege

Some solicitors employed by the Board directly provide legal services to clients. These are solicitors working in the Public Defence Solicitors' Office (PDSO) and the Part V pilots. These solicitors are bound by the rules of the legal profession, including the rules of legal professional privilege. See section J of this document for further information about the PDSO and the Part V pilots.

Personal information

We may also withhold information that is personal information under the Data Protection Act 1998.

The Data Protection Act 1998 aims to secure individuals' rights to privacy by protecting information that is held about them. Any authority that handles personal data, such as the Board, must comply with the data protection principles which control how they handle such data. These include, among others, the principle that personal data should be fairly and lawfully processed. Individuals have the right to ask for a description of the personal data held about them (this is known as a subject access request) and to get a copy of the information.

If you wish to make a subject access request (in other words you want some details about the personal data we hold about on you), you should write to our Data Protection Officer, whose details we give below. Please supply your full name and contact details, and be as specific as possible about the personal data that you seek. We also publish a leaflet giving more details about getting information, and this is available on our website.

Marie-Louise Fox
Data Protection Officer
Scottish Legal Aid Board
44 Drumsheugh Gardens
Edinburgh EH3 7SW
Tel: 0131 226 7061
Fax: 0131 225 3195
E-mail: foxma@slab.org.uk

Section 6 Records management and archiving policy

The Board has a records retention schedule for all documents we create or hold, which sets out how long we keep documents and information. This means that although the Freedom of Information (Scotland) Act 2002 is retrospective, we can only provide copies of documents or information that still exist.

Our records retention schedule is in Appendix 1 under the F8 class of information.

Section 7 Copyright

Information the Scottish Legal Aid Board produces is subject to copyright. Material available through this Publication Scheme is subject to copyright unless we say it is not.

However, unless we specifically say you cannot, you can copy it free of charge in any format or medium provided you do this accurately and do not use the material in a misleading context.

You must acknowledge the material as Scottish Legal Aid Board copyright and give the title of the document.

If we supply you with documents under Freedom of Information, this does not give you an automatic right to reuse the documents in a way that would infringe copyright. This means, for example, that you should not make multiple copies, publish it or issue copies to the public.

The names, images and logos identifying the Scottish Legal Aid Board and Scottish Legal Aid are proprietary marks of the Scottish Legal Aid Board. The logo for criminal legal assistance may only be used as authorised for registration on the criminal legal assistance register. Copying of our logos and/or any other third party logos is not permitted without permission of the copyright owner.

Permission to reproduce material does not extend to material you get access to through our Publication Scheme for which third parties own the copyright. You must get permission to reproduce such material from the copyright holders concerned.

Section 8 How to get access to information under this Publication Scheme

We aim to provide as much as possible of the items from our Publication Scheme on our website at www.slab.org.uk. This should be the first place to look for information. Our website has a search function that can help you find the information you want.

You can also ask for items from our Publication Scheme by telephone, e-mail, fax, or in writing. If you want paper copies of any documents in our scheme, please contact us:

- online: our website at www.slab.org.uk has a form you can complete to ask for paper copies of documents
- e-mail: foi@slab.org.uk
- write to:
FOI publication requests
Communications Department
Scottish Legal Aid Board
44 Drumsheugh Gardens
Edinburgh
EH3 7SW
- telephone: **0131 240 1985** (this number is available 24 hours a day, 7 days a week - please leave a clear message)
- fax: 0131 220 4878 - please mark your fax "FOI publication request, Communications Department".

When contacting us, it will help if you tell us:

- your name
- your postal address, including postcode
- your daytime telephone number, so we can call you if we need to clarify or get more information about your request
- the information or documents you wish to see
- if we have said a fee is chargeable

Personal visits

You may prefer to visit us in person to ask for or get information from our Publication Scheme. It is helpful if you contact us first to arrange an appointment.

Our service commitment to you

We want to provide a good service to all our customers. We have service standards for Freedom of Information requests to tell you what you can expect from us, including how long it will take us to do things. We work hard to meet our service standards, but sometimes for a good reason we cannot do so. If this happens, we will tell you why we could not meet our standards and when you can expect us to carry out the work.

- By law, we must deal with requests for information under the Act within 20 working days.
- We will acknowledge your letters within 7 working days of receiving them and give you a full written reply within 20 working days. If, in exceptional circumstances, we cannot reply fully in 20 working days, we will tell you why, and when we will be able to do so.

- If you telephone us, we will answer your call promptly. If we cannot respond immediately to your request for information, we will call you back by close of business the next working day. If the issue cannot be dealt with immediately, we will respond fully within 20 working days. If, in exceptional circumstances, we cannot respond fully in 20 working days, we will tell you why, and when we will be able to do so.
- If you make a complaint about the service we have provided, we will look into the complaint and reply within 28 calendar days.
- If you make an appointment and come to our office in person, we will see you quickly. We will try to answer any questions fully during the meeting. However, if we cannot, we will arrange a date for another meeting, or for someone to write to you within 20 working days of your visit, or for someone to telephone you within 5 working days.
- If you do not have an appointment and come to our office in person, we will take details of your query within 15 minutes of your arrival. We will arrange a date for a further meeting or for someone to write to you within 20 working days of your visit or for someone to telephone you within 5 working days.
- Where the matter is urgent and you tell us, we will make sure we respond as soon as we can using the most suitable method of communication (such as telephone, fax or e-mail).
- Whether you write, telephone or visit our offices, we will always treat you with courtesy and respect. We will tell you the names of the staff you are dealing with.
- When we can supply the information you ask for, we will do so. If we cannot - perhaps because of someone's right to confidentiality - we will explain this to you.

Note: we count Monday, Tuesday, Wednesday, Thursday and Friday as working days, excluding public holidays.

Information available in different languages or formats

The Board is committed to:

- developing and promoting equality of opportunity for all
- ensuring the information we provide is as accessible as possible and
- complying fully with all equal opportunities legislation.

We already publish some information in languages other than English (including Arabic, Bengali, Chinese, Farsi, Gaelic, Hindi, Punjabi, Turkish and Urdu) and in alternative formats (for example, in Braille, large print, audiotape or various computer formats). In appendix 1, Information available, we show where information is available in other languages and formats - if available for a particular class of information we say so in the format section.

If our information is not readily available in the language or format you want, on request we may be able to translate documents or produce information in the format you need. If you need information from us in a specific language or format, you are welcome to contact us to discuss this further.

Section 9 Charging for publications

Most of the information in this Publication Scheme is available free. We show in Appendix 1, with the classes of information, what information we may charge for. If we charge, we will tell you how much when you ask for the information. You will have to pay the charge before we send the information to you.

Information available free on our website www.slab.org.uk. For people who have access to a computer but without internet access, we may also be able to supply information from our website on CD-ROM (though we may charge for this). For those without computer or internet access, a single printout of information from our website, up to a maximum of 50 pages, is available by post. You can ask for this from the Communications Department, and we will give it to you free, unless we have said otherwise on the website.

Printed information available free - We will not charge for providing single copies of information leaflets and related material unless they are published for sale.

Information available on payment of a charge - We may charge for certain items, for example books and CD-ROMs. If so, we will show this in the relevant entry in the Appendix. We will also let you know about any extra costs (including any postage and packing) when you ask for the information. You must pay any charges before we send you the information.

We will also make a charge for requests for multiple printouts, publications or for archived copies of documents that are no longer available on the web. We will charge 10p a page for printed copies. We will let you know this when you ask for the material and you will have to pay the charge in advance.

Other charges (such as printing, photocopying, faxing, postage and packing costs) - We may charge for postage and packing on certain items, such as books, CD-ROMs or heavy packages. We may also charge for storage media (such as floppy disks or CD-ROMs) for information supplied in an electronic format. This will be no more than it costs us.

Information published by the Board's print contractors - Our print contractors publish some of the information in this scheme (in hard copy or on CD-ROM) and, if so, we show this in the relevant entry in the Appendix. Our print contractors may make a charge for published information.

To order materials, please refer to Section 8. The Board has the discretion to supply the information free of charge even where a charge would otherwise apply.

Section 10 Publication scheme - feedback, review and complaints

Under the Freedom of Information (Scotland) Act 2002 public authorities must keep a Publication Scheme approved by the Scottish Information Commissioner and also periodically review the scheme. The Board intends to review its scheme at least once a year.

As part of this review we will be glad to receive any comments or suggestions on the Publication Scheme. We would like to know your views about whether, and how easily, you were able to get the information you wanted. We would particularly welcome comments on your experiences in getting information from the scheme or suggestions for particular classes of information which we might in future publish under the scheme. We will consider your suggestions carefully during future revisions of the scheme.

You should send any comments on the scheme to:

Andrew Menzies
Director of Corporate Services and Accounts
Scottish Legal Aid Board
44 Drumsheugh Gardens
Edinburgh EH3 7SW
Tel: 0131 240 2078
Fax: 0131 220 4878
E-mail: foi@slab.org.uk

Complaints

If you are dissatisfied with the accessibility of information in this Publication Scheme or the way we have dealt with your enquiry, you may wish to raise the matter with the Project Manager at the address above.

If we cannot resolve any complaint, you can complain to the Scottish Information Commissioner. From 1 January 2005, when the right of access comes into force, there will be a formal appeal mechanism if information is withheld.

The Commissioner's contact details are:

The Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Telephone: 01334 464610
Fax: 01334 464611
Website www.itspublicknowledge.info
E-mail: enquiries@itspublicknowledge.info

If you have a complaint about any aspect of the Board's administration, you should read our leaflet "Complaints about the Scottish Legal Aid Board", available on our website.

APPENDIX 1 INFORMATION AVAILABLE

This appendix shows the classes of information available under our Publication Scheme.

We have grouped the information for publication in our scheme into classes. For ease of navigation and use, we have arranged the classes in 11 sections with subsections where necessary. These sections are:

Section		Page
A	General information	18
B	Access to information	19
C	Getting legal help	20
D	Legal profession	22
E	Governance and accountability	24
F	Strategies, performance and finances	27
G	Consultation, research and statistics	29
H	Doing business with the Board	31
I	Staff policies and procedures	32
J	Other Board activities	33
K	Communications and community affairs	34

Each box below includes the name of the class, with a brief description of the content; frequency of publication; where, how or in what format you can get it; and whether there is a charge. Where we list the information as "printed edition only", this means it is not available online or on CD-ROM. However, if you ask us, we may still be able to e-mail you copies, depending on the format you need.

We have shown where classes include information that we consider will be exempt from disclosure. The scheme does not include drafts or working documents but in each case only the final document. Documents and information that fall within the classes of information listed in this scheme are subject to our retention and disposal policy, which says how long we keep them. Some documents and information will only be available until they reach the end of their retention period.

SECTION A GENERAL INFORMATION

Introduction

This section covers general information about how to contact the Board.

Class A1	Overview
Definition	An overview of the Board, what we do, our objectives and history
Examples	<ul style="list-style-type: none">• What we do• What help is available under legal aid and confidentiality• Our strategy• History of legal aid in Scotland
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class A2	How we work
Definition	Information on the Board's structure, down to department level Contact details for key managers and contacts at the Board
Examples	<ul style="list-style-type: none">• Management structure /organisational chart of departments• Who's who list of key staff• Delegated authority matrix
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class A3	How to contact the Board
Definition	Information on how to contact us
Examples	<ul style="list-style-type: none">• Addresses for the Board• Location map• Opening hours• Holidays - dates of closure
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

SECTION B ACCESS TO INFORMATION

Introduction

This section tells people how to ask for information from the Board, under both the Freedom of Information (Scotland) Act 2002 and the Data Protection Act 1998.

Class B1	Freedom of information contacts
Definition	Information on the central contact point for Freedom of Information enquiries
Examples	<ul style="list-style-type: none"> Contact details for the person responsible for Freedom of Information Contact details for the person responsible for the Publication Scheme
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class B2	Personal information requests
Definition	Information on the central contact point for subject access requests under the Data Protection Act
Examples	<ul style="list-style-type: none"> Contact details for the person responsible for data protection
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class B3	Information for the public about access to information
Definition	Information explaining rights to get access to information, how to ask for information and who to contact
Examples	Leaflet "Access to information" to be published by 1 January 2005
Format	Printed leaflets or online at www.slab.org.uk Information in this category is also available on request in the following languages and formats: Hindi, Punjabi, Arabic, Bengali, Urdu, Chinese, Gaelic, Turkish, Braille and large print. Other languages may also be available on request.
Charge	Free

Class B4	Freedom of Information policies
Definition	Freedom of Information (Scotland) Act 2002 policies and procedures
Examples	<ul style="list-style-type: none"> Freedom of Information policy for external stakeholders Freedom of information guidance for staff Information on Publication Scheme development
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class B5	Data protection policies
Definition	Policies and procedures for the Data Protection Act 1998 and making subject access requests
Examples	<ul style="list-style-type: none"> Data protection policy for external stakeholders Data protection guidance for staff
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

SECTION C GETTING LEGAL HELP

Introduction

This section tells people about the types of legal assistance available under legal aid. It also includes information on our customer service standards and how to make a complaint.

Class C1	Information for the public about applying for legal aid
Definition	Information about the legal assistance available under legal aid.
Notes and examples	<p>Legal aid allows people who would not otherwise be able to afford it to get help with their legal problems. The Board can provide funding to help people who qualify to get legal advice and 'representation' (where a solicitor puts their case in court).</p> <p>All the current information and guidance the Board publishes for the public on legal aid is available. This includes guidance to the public on how to apply for legal aid, advice and assistance and how it may affect them.</p> <p>Leaflets:</p> <ul style="list-style-type: none"> • 1 Guidance for opponents in civil legal aid cases • 2 Civil legal assistance - a simple guide (2nd edition Oct 2003) • 3 Criminal legal assistance if you are in custody • 4 Criminal legal assistance if you are not in custody • 5 Civil legal aid - what you may have to pay at the end of your case if you win or keep money or property • 6 Do I qualify financially for advice and assistance or civil legal aid? The leaflet includes the financial eligibility limits from 12 April 2004. • Civil legal aid - information for applicants <p>Other:</p> <ul style="list-style-type: none"> • Information about legal assistance available through legal aid • Investigating legal aid abuse • Frequently asked questions
Format	<p>Single copies of printed leaflets or online at www.slab.org.uk</p> <p>Information in this category is also available on request in the following languages and formats: Hindi, Punjabi, Arabic, Bengali, Urdu, Chinese, Gaelic, Turkish, Braille and large print. Other languages may also be available on request.</p>
Other	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class C2	Information for the public about finding a solicitor
Definition	<p>Legal firms who offer legal aid services must be registered with the Board. We publish current editions of:</p> <ul style="list-style-type: none"> • the Criminal Legal Assistance Register, which shows those solicitors registered to undertake criminal legal assistance at the address of their firm's main office • the Civil Legal Assistance Register, which shows firms of solicitors who are registered to provide civil legal assistance and/or children's legal aid. <p>This information is used to provide a "find my nearest" mapping service on the Board's website.</p>
Examples	<ul style="list-style-type: none"> • Criminal legal assistance register • Civil legal assistance register • Find my nearest legal aid firm of solicitors - online
Format	Web format at www.slab.org.uk Printed copies available for inspection. We can supply printed excerpts on request.
Other	We update this information regularly and we will provide the current published edition.
Charge	Free

Class C3	Customer service
Definition	Information on the Board's current service standards for customer groups
Notes and examples	<p>The Board's service standards set out the service each of our customer groups can expect at each stage of their dealings with us, including how long it will take us to do things. The service standards form our performance indicators, which we set out in our Corporate Plan, and we report on our performance against these targets each year in our Annual Report.</p> <p>Service standards apply to these customer groups:</p> <ul style="list-style-type: none"> • Civil legal aid - applicants and assisted persons • Opponents of applicants and assisted persons • Criminal legal aid - applicants and assisted persons • Advice and assistance recipients • Solicitors • Advocates • People making requests for information under the FOI or DPA.
Format available	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class C4	Complaints
Definition	Information about making a complaint about the Board
Examples	<ul style="list-style-type: none"> • The leaflet "Complaints about the Scottish Legal Aid Board" explains how to make a complaint about the Board and how we consider it. • Information on who to complain to is also available. • This includes information about the Scottish Public Services Ombudsman. • Annual information on complaints received (published in our Annual Report). • Information is also available for solicitors seeking a review of a decision to grant or refuse legal aid. • Guidance for staff on complaints to the Board.
Format available	Online at www.slab.org.uk and single copies of the printed leaflet
Charge	Free

SECTION D - LEGAL PROFESSION

Introduction

This section provides information intended for the legal professional. It includes the laws and regulations that govern legal aid, and information on our detailed policies and procedures for dealing with applications and accounts.

Class D1	Quality assurance and registration requirements
Definition	Information on registration and quality assurance arrangements for firms undertaking civil and criminal legal assistance
Examples	<ul style="list-style-type: none"> The Code of Practice in relation to criminal legal assistance
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class D2	Scottish Legal Aid Handbook
Definition	The key reference source for the legal profession including legislation and guidance on legal aid applications, accounts and other issues (current edition: 2001, 6 th edition - charging for the next edition will apply at different rates)
Format	Online at www.slab.org.uk Printed bound book which is chargeable Printed extracts from the online handbook available
Charge	Online Handbook free Printed copies of the current Legal Aid Handbook for sale - price £12.50 each - by sending a cheque (made payable to <i>George Stewart and Co Ltd</i>) to Stewarts, Meadowbank Works, 67 Marionville Road, Edinburgh EH7 6AJ Different charges will apply to the 7 th edition when published.

Class D3	Guidance for the legal profession
Definition	Published guidance to the legal profession on legal aid cases and accounts issues (from July 1999)
Examples	<ul style="list-style-type: none"> Advice and assistance guidelines Civil legal aid merits guidelines Criminal accounts assessment manual
Format	Online at www.slab.org.uk and single printed copies
Charge	Free

Class D4	Guidance for staff
Definition	Guidance and training manuals available to staff on legal aid cases and accounts issues (from July 1999)
Notes	This information provides information for staff on procedures to follow for some operational areas not covered by guidance issued to the profession. It is very technical and detailed, and is not intended for Board use; for example, information that explains what has to be input into our computer systems. General information on our procedures is included in other publications, such as the Scottish Legal Aid Handbook.
Examples	<ul style="list-style-type: none"> Financial eligibility staff manual
Format	Online at www.slab.org.uk
Charge	Free

Class D5	The Recorder
Definition	The Board's regular newsletter to the Scottish legal profession, providing news and guidance on legal aid matters
Format	Online at www.slab.org.uk and single printed copies
Charge	Free

Class D6	Mailings to the legal profession
Definition	Letters providing updated guidance and information on legal aid (from July 1999)
Format	Online at www.slab.org.uk and single printed copies
Charge	Free

Class D7	Taxations that we publish
Definition	Information on taxation decisions, where we have permission to publish
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class D8	Forms for legal aid applications and accounts
Definition	Applications and accounts forms we currently publish for use by the legal profession. Note - only registered firms of solicitors can submit application forms for legal aid to us.
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class D9	Legal Aid Online
Definition	Information about the Board's online services
Notes	All Board services will be available through eBusiness by 2005. Our major investment programme will improve the efficiency and effectiveness of the legal aid system and, by reducing bureaucracy, will make it quicker and more cost-effective. This class will help you discover the benefits and tell you more about the project.
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class D10	Board events and training for the legal profession
Definition	Summary details of forthcoming major events and training for the legal profession. Summary published information about key past events for the profession.
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

SECTION E GOVERNANCE AND ACCOUNTABILITY

Introduction

This section covers information about how the Board is governed and how we make decisions. It includes information on our legal status, which individual member of staff or group within the organisation is responsible for specific functions, and where they fit in the overall structure of the organisation.

Some information from committee minutes will be exempt from disclosure. It is exempt if:

- it contains personal information
- passing on the information might seriously prejudice legal proceedings or our regulatory or enforcement activity or the effective conduct of public affairs
- revealing it might seriously prejudice the commercial interests or confidentiality of any person or organisation or endanger someone's physical or mental health or safety.

Class E1	Board Members
Definition	Information on who the current Members are and their roles and responsibilities
Examples	<ul style="list-style-type: none"> • Membership and term of appointment • Description of structure and membership of committees • Code of Conduct for Board Members - meeting the requirements of the Ethical Standards in Public Life etc. (Scotland) Act 2000 and covering issues such as declaration of interests
Notes	<p>Board Members, appointed by Scottish Ministers, oversee our work. To provide a balanced range of knowledge and experience, they include people from the wider community as well as solicitors and advocates.</p> <p>The Scottish Minister appoints the Board Members. The Scottish Executive publishes information on the recruitment processes and pay at http://www.scotland.gov.uk/government/publicbodies/publicappoint.asp</p>
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class E2	Board Members' Register of Interests
Definition	Register of interests for Board Members - current edition
Examples	<ul style="list-style-type: none"> • Register of Board Members' interests, updated quarterly - declarations made by Board Members of their financial, business and other interests under the Code of Practice for Board Members • Information on related-party transactions to Board Members and relatives (that is, payments made for legal aid work they carried out as a normal part of their profession) are in the Board's annual accounts - see class F3.
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class E3	Legal framework
Definition	Information on how the Board was established and its legal standing
Examples	<ul style="list-style-type: none"> • The Board was established under the Legal Aid (Scotland) Act 1986, which is available from HMSO. We also publish it as part of our Legal Aid Handbook. • Management Statement - sets out the relationship between Scottish Ministers and the Board, the framework within which the Board and Scottish

	<p>Executive work, the conditions under which funds are paid to the Board, the limits of delegation and how the Board is held accountable</p> <ul style="list-style-type: none"> • Financial Memorandum - sets out the terms and conditions under which Scottish Ministers will make funds available to the Board out of funds voted by the Scottish Parliament • Accountable Officer's letter of appointment
Format	Printed edition only
Charge	Free

Class E4	Governance structure
Definition	These documents set out the Board's governance structure, how we make decisions and how we are managed
Examples	<ul style="list-style-type: none"> • Description of the Board's committees' roles • Key roles and responsibilities of the Chairman, Deputy Chairman, Chief Executive, conveners and Board Members • Standing orders for Board committees
Format	Printed edition only
Charge	Free

Class E5	Board meetings and committees of the Board
Definition	<p>Minutes and agendas of meetings of the Board and Legal Services Committee, from 1 January 2005</p> <p>The minutes and agendas will exclude any information which is exempt from disclosure or which the Board considers otherwise confidential or contains exempt information. For example we may not pass on personal data or information which might prejudice legal proceedings, our regulatory or enforcement activity, or commercial interests. Where this occurs, the material will show where we have withheld information.</p> <p>We will normally publish the minutes shortly after the Board or committee meeting at which the Board or committee approves the minutes of the previous meeting, usually within 3 months of the meeting.</p>
Examples	<ul style="list-style-type: none"> • Board minutes and agendas • Minutes and agendas of the Legal Services Committee • Programme of Board and committee meetings for the current year
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class E6	Co-opted members
Definition	Information on who the current co-opted members are and what their roles and responsibilities are
Examples	<ul style="list-style-type: none"> • Membership and term of appointment
Notes	Board committees may include persons who are not members of the Board
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class E7	Board reporters
Definition	Information on who the current Board reporters are and what their roles and responsibilities are
Examples	<ul style="list-style-type: none"> List of current Board reporters
Notes	The Board may use external reporters to assess the merits of legal aid applications
Format	Online at www.slabb.org.uk and single printed copies of material that is on our website
Charge	Free

SECTION F STRATEGIES, PERFORMANCE AND FINANCES

Introduction

This group provides information on the Board's mission and major plans and management of financial resources. Information that may substantially prejudice the commercial interests of any person, personal information, or information which would disrupt the effective conduct of public affairs is exempt from publication.

Class F1	Mission
Definition	The Board's mission and strategic objectives
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class F2	Our strategy - Corporate Plan
Definition	The Corporate Plan describes our key themes for the further development and effective delivery of legal aid. We base our plans on a three-year planning period, currently 2003 - 2006, and publish them annually. The Corporate Plan is agreed by the Justice Minister and sets out key strategic objectives, main projects and tasks, trends, resources, performance indicators and targets.
Examples	Corporate Plan 2004-2006
Format	Online at www.slab.org.uk and single copy of printed edition
Charge	Free

Class F3	Our performance - Annual Report and accounts
Definition	Our Annual Report to the Scottish Parliament details our performance over the past financial year, including our performance against targets, costs, volumes and trends in legal aid, and an overview of our activities. The accounts provide financial statements for the year.
Examples	<ul style="list-style-type: none"> • Annual Review • Annual Report • Statement of accounts (annual audited accounts) • Statistical tables
Format	Online at www.slab.org.uk and printed copies (charges apply)
Charge	Online - free Annual report - printed editions £10 each for editions to 2002/2003. Different charges may apply to the 2003/2004 Report when published in autumn 2004. Annual review - single printed copy free

Class F4	Performance against targets
Definition	We measure our performance against indicators that are agreed by the Minister and we publish the targets in our Corporate Plan. This is information about our performance against these targets, provided quarterly, from 1 April 2004.
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class F5	Key strategies
Definition	Major strategy documents of the Board - current editions
Examples	<ul style="list-style-type: none"> • Information and Communication Technology (ICT) strategy • Communications strategy • Note - the human resources strategy is listed in section I
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class F6	Board Members and senior staff remuneration
Definition	Information on what is paid to Board Members and senior staff, as reported annually in our accounts
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class F7	Internal audit
Definition	A factsheet summarising the objectives, responsibilities and methods of operation of the Board's internal audit function
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class F8	Records management and archiving policy
Definition	A factsheet giving an outline of the Board's records management policy and procedures for records management and archiving
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class F9	Risk management
Definition	A factsheet giving an outline of the Board's risk management policy and procedures
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class F10	Health and safety
Definition	Policies and procedures relating to our health and safety responsibilities, including visitors and contractors at the Board's premises
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

SECTION G CONSULTATION, RESEARCH AND STATISTICS

Introduction

This section provides information on statistics the Board publishes on legal aid, and research work we undertake. It also includes information on consultations that we undertake. Information that may substantially prejudice the commercial interests of any person, personal information, or information which would disrupt the effective conduct of public affairs is exempt from publication. We may also withhold statistical information if small numbers could allow individuals to be identified.

Class G1	Application statistics
Definition	Summaries of data about numbers and types of applications received, granted and refused (as published as part of our Annual Report and Annual Review)
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class G2	Payment statistics
Definition	Summaries of statistical data on overall spending on legal assistance (as published as part of our Annual Report and Annual Review)
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class G3	Payments made
Definition	Statistics providing information on the total amounts paid by the Board from the Legal Aid Fund to legal advice suppliers, including firms of solicitors, advocates and solicitor advocates (from financial year 1 April 2003 - 31 March 2004)
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class G4	Policy and research reports
Definition	Research reports published by the Board. (We will not publish completed questionnaires and information considered during formulation of the report, such as draft analysis of results.)
Examples	Board's research programme for the current year Distribution of the supply of legal aid in Scotland - Research report on the supply and use of civil advice and assistance and civil legal aid in Scotland 1996/97 to 2000/01. Published December 2002 Legal aid in a changing world - Research into the reduction in civil legal aid applications in Scotland between 1992 and 2001. Published December 2001
Format	Online at www.slab.org.uk and printed copies
Charge	Free

Class G5	Customer research studies
Definition	Research reports published by the Board into the views and opinions of key customers, such as applicants and solicitors. (We will not publish completed questionnaires and information considered during formulation of the report, such as draft analysis of results.)
Examples	<ul style="list-style-type: none"> • Summary of the advice and assistance users survey 2003
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class G6	Consultations undertaken by the Board
Definition	Information on any published consultations the Board has undertaken (from 1 April 2004)
Examples	<ul style="list-style-type: none"> • Proposals for summary criminal legal assistance
Note	The Board also consults through meetings and events - see class G9
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class G7	Responses to Board consultations
Definition	Summaries of responses made to Board consultations undertaken since 1 January 2005
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class G8	Board responses to consultations and submissions
Definition	Information on responses the Board makes to external consultations by, for example, the Scottish Executive. Submissions the Board makes, such as those to the Scottish Parliament Justice Committees on issues about legal aid (responses submitted from 1 April 2004)
Examples	<ul style="list-style-type: none"> • Legal aid inquiry submission
Notes	Parliamentary questions raised in the Scottish Parliament about legal aid are available on the Scottish Parliament's website. Sometimes, responses made by the Board to consultations by the Scottish Executive may also be available on that website.
Format	Printed editions only
Charge	Free

Class G9	Listening to our customers
Definition	Summary information on meetings held for the public. This excludes any information about individual cases that may have been discussed in confidence at those meetings. (Information on meetings with the legal profession is provided under class D.)
Examples	<ul style="list-style-type: none"> • For public meetings and legal aid clinics, information on dates, venues and any written meeting reports are available online
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

SECTION H DOING BUSINESS WITH THE BOARD

Introduction

This section provides information about the Board’s procurement policies, procedures and arrangements. Some information will be exempt from disclosure where:

- it contains personal information, or
- if released, it could substantially prejudice anyone’s commercial interests or the effective conduct of public affairs, endanger someone’s physical or mental health or safety, or be a breach of confidence that could lead to court action.

Class H1	Procurement policies and procedures
Definition	An outline of the Board’s procurement policies and procedures for non-pay expenditure and policies for compliance with legal obligations on major procurement exercises. Includes information on standard terms and conditions of supply and service.
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class H2	Procurement contacts
Definition	Contact information for procurement and purchasing information
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class H3	Planned procurements
Definition	Summary information about the Board’s significant planned procurements as required by EU legislation Prior Information Notices
	Particulars of both current and future tenders where the aggregate spend is likely to be more than £100,000 (approx.) for the term of the contract
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class H4	Tender documents
Definition	EU-prescribed call for competition contract notices, invitations to tender, and pre-qualification questionnaire documents for significant procurements
Notes	Information which the Board is required to publish in the Official Journal of the European Union (OJEU). Invitations to tender and pre-qualification questionnaire documents may be subject to fee or registration procedures.
Format	Online at www.slab.org.uk and single printed copies
Charge	OJEU is available on payment of subscription fee, price on application to OJEU. Information on website is free.

Class H5	Supplier contracts
Definition	EU-prescribed award notices of major EU contracts over EU thresholds
Notes	Goods or services covered by the contract, name of the supplier, period of the contract (including any extension options), approximate value of the contract, expected date for re-tendering for the contract
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

SECTION I STAFF POLICIES AND PROCEDURES

Introduction

This section covers information on the Board's strategy and management of human resources, rather than information relating to individual members of staff that is exempt from disclosure as personal information.

Class I1	Human resources strategy
Definition	The current strategy (2003-2006) for human resources at the Board
Notes	The purpose of the Human Resources Strategy is to provide a framework to assist change, and to identify the people management priorities required to ensure that the strategic aims of the Board are met. It is multi-purpose, providing relevant information about our people-management practices to audiences with differing requirements.
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class I2	Job vacancies and recruitment information
Definition	A listing of vacancies that the Board is currently recruiting for externally, and for each vacancy, an information pack that includes a job description and how to apply. Also a general information pack providing information on working at the Board, and general terms and conditions of employment, including salaries, and how to make speculative applications. Application forms and an equality statement are also provided.
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class I3	Staff Handbook
Definition	The current edition of the handbook for staff, detailing policies, procedures and guidance about their employment
Format	Online at www.slab.org.uk
Charge	Free

SECTION J OTHER BOARD ACTIVITIES

Introduction

This section covers information on other projects and services that we operate. These are principally the network of Public Defence Solicitors' Offices (PDSOs), and projects under Part V of our governing legislation where solicitors who are employed by the Board work with advice services in the community.

Class J1	Information on the services of the Public Defence Solicitors' Offices
Definition	Information on the PDSO's services Information on the cost of the PDSO's services PDSO's Annual Report for the current year
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class J2	Public Defence Solicitors' Office code of conduct
Definition	Information on the PDSO's operations - code of conduct
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class J3	Community-based advice and information services
Definition	Information on the Part V projects and advice partnerships
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

SECTION K COMMUNICATIONS AND COMMUNITY AFFAIRS

Introduction

In some instances information will be exempt from disclosure where:

- it contains personal information, or
- if released, it may substantially prejudice anyone's commercial interests or the effective conduct of public affairs, endanger someone's physical or mental health or safety, or be an actionable breach of confidence.

Class K1	Equal opportunities
Definition	Equality and diversity policies, statements, procedures, and guidelines
Examples	<ul style="list-style-type: none"> • Policies, statements, procedures, guidelines, and action plans for offering equal opportunities with respect to age, race/ethnic origin, sex, religion and belief, sexual orientation, and disability.
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class K2	Race equality policies
Definition	Race equality policies, as required under the Race Relations Amendment Act of 2000
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class K3	Equal access
Definition	Information about how to ask for information in other languages and formats, including contact details. Also information on the accessibility of the Board's main office
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class K4	Environmental management
Definition	A factsheet summarising the Board's environmental policies and procedures
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class K5	Press releases and media information
Definition	All press releases issued by the Board since 1 April 1998. Also information provided to the media as briefing material or to provide background information
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class K6	Speeches and articles
Definition	The text of major public speeches given by senior members of the Board to external audiences, other than those for which no final text is prepared (from 1 January 2005)
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class K7	Public events
Definition	Summary details of forthcoming major Board public events (such as conferences and seminars). Summary information, such as speeches, about key past events where published
Format	Online at www.slab.org.uk and single printed copies of material that is on our website
Charge	Free

Class K8	The Board's website
Definition	Current edition of the Board's website that provides information about the organisation and its functions
Format	Online at www.slab.org.uk
Charge	Free

Class K9	Links
Definition	Links to legislation and other legal aid-related websites that may be of interest
Format	Online at www.slab.org.uk
Charge	Free

APPENDIX 2

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You can request this Publication Scheme in other languages, or in Braille, large print or audio tape by contacting us at the address below.

Scottish Legal Aid Board
44 Drumsheugh Gardens
Edinburgh
EH3 7SW

Telephone:
0131 226 7061
Calls by BT TextDirect are welcome

Website:
www.slab.org.uk

E-mail:
foi@slab.org.uk

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