 Report number: **SLAB/2022/07**

Agenda Item: **11**

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| **Report to:** | The Board |
| **Meeting Date:** | 21 March 202 |
| **Report Title** | Business Plan 2022-23 Forward Look |
| **Report Category** | For Discussion |
| **Issue status:** | Business from a project |

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| **Written by:** | Andrew McIntosh – Corporate Support Manager |
| **Director responsible:** | Graeme Hill |
| **Presented by:** | Andrew McIntosh |
| **Contact details:** | [mcintoshan@slab.org.uk](mailto:mcintoshan@slab.org.uk) |

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| **Delivery of Strategic Objectives** | |
| Select the Strategic Objective(s) relevant to the issues | 1. We deliver a high quality user focussed service  2. We embed ways of working across the organisation that enhance the quality, consistency and transparency of our decisions and delivery  3. We engage with users and delivery partners across the legal aid and justice system to inform good design of our system and services |

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| **Link to Board or Committee Remit** |
| The Board has reserved authority to approve SLAB’s annual business plan and is responsible for overseeing progress against its delivery. |

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| **Publication of the Paper** |
| We consider this paper is suitable for publication. |

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| **Executive Summary** |
| This report presents the Board with findings of the Executive’s consideration of business plan activity for 2022-23.  The paper sets out that a number of projects on this year’s plan will need to carry forward on to the 2022-23 plan. The proposal is to add only a small number of additional projects on to the 2022-23 plan.  The Board is asked to **approve** the approach to next year’s activity. |

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| **Previous Consideration** | |
| **Meeting** | **Detail** |
| n/a | n/a |

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| **Report** |

**Delivery of the Corporate Plan 2020-23**

1. We will be entering the final year of our Corporate Plan from April 2022. The plan, summarised on our website [here](https://www.slab.org.uk/corporate-information/publications/corporate-information/corporate-and-business-plans/) sets out the activity that we have committed to deliver over the three year period aimed at:

* building the delivery of our services around an understanding of what applicants for legal assistance need (Strategic Objective 1);
* improving the consistency and transparency of our decision making, meaning that it will be easier for people to anticipate and understand our decisions and to tell us if they think we’ve got something wrong (Strategic Objective 2);
* contributing to the Scottish Government’s legal aid review work and other legal aid reform work within our own hands (Strategic Objective 3).

1. Our annual Business Plans have included the activity set out in the ‘how we will we deliver this objective’ section of the Corporate Plan. It therefore follows that the activity for 2022-23 should include any remaining activity still left to deliver in the three year cycle.

**Business Plan 2021-22**

1. We are approaching the end of the 2021-22 Business Plan. We reported to the Board in December that good progress was being made overall and this remains the case. The Board will receive a full year’s report against the business plan at its meeting on 16 May.
2. The table below sets out the current projects and whether they will carry over to the 2022-23 Business Plan.

**Carry-over of projects from the 2021-22 Business Plan**

*Strategic Objective 1 - We deliver a high quality user focussed service*

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| **2021-22 Business Plan Workstream** | **Carry-over to 2022-23?** |
| WS1: Develop and implement a new SLAB customer service policy | No – this will be implemented over the next couple of months. |
| WS2: Review of template letters sent to applicants in civil legal aid | No – the last of the civil letters are due to go live at the end of March. We will consider the need to replicate this work in other areas e.g. criminal legal aid and debt recovery although we are unlikely to have the resource to do this until the new corporate planning cycle. |
| WS3: Review of complaints policy | No – this will be completed over the next couple of months. |
| WS4: Tender for and deliver a new case management system for CLAO, PDSO and SCL | No – this will be implemented over the next couple of months. There will be follow up work to do around ongoing implementation and realising the system’s potential but this will be monitored at an operational level. |

*Strategic Objective 2 - We embed ways of working across the organisation that enhance the quality, consistency and transparency of our decisions and delivery*

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| **2021-22 Business Plan Workstream** | **Carry-over to 2022-23?** |
| WS6, 7, 8: GALA Workstreams – Accounts, applications and financial eligibility | Yes, although the focus of the main workstreams will be updated. This is a key project that will run in to 2023. |
| WS9: Designing a New Working Environment (DANWE) – Covid-19 recovery | Yes, with an amended focus. Originally we envisaged this project being about Covid recovery and a return to the office. The former has been done but the consideration of working arrangements has been more complex. The project has become intrinsic to the consideration of SLAB’s future state and workforce planning which the Board has been keen that we make progress with next year. |
| WS10: Review of people policies | Yes, this is a significant piece of work, including policy review and impact assessment. While the first phase of the work (supported by external consultants) will be delivered by the end of March, the fuller review of policies will continue on a prioritised basis throughout 2022-23. |

*Strategic Objective 3 - We engage with users and delivery partners across the legal aid and justice system to inform good design of our system and services*

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| **2021-22 Business Plan Workstream** | **Carry-over to 2022-23?** |
| WS11: Strategic Development – gathering and use of applicant equality data | No – this will be delivered over the next couple of months. |
| WS12: Grant funding policy development | Yes – we have not been able to deliver this during 2021-22 due to reasons outwith our control. |
| WS13: Surveys and feedback work with solicitors and clients | Yes – while several surveys were completed in the current year, new research work will be added to the plan due to its key contribution to Strategic Objectives 1 and 3. |
| WS14: Incorporation of UNCRC | Yes – implementation of the Bill has been stalled due to the recent compatibility issues and Supreme Court judgement. We understand the Bill is back with the Scottish Parliament for further consideration. |
| WS15: Develop a workforce plan | Yes – we have discussed this with the Board and Audit Committee on a number of occasions. |

**Approach to 2022-23**

1. We are not proposing to add a significant amount of activity to next year’s business plan, although activity may appear as we move through the year. This is for a number of reasons:

*Ample coverage of Corporate Plan*

1. The key projects carrying over into the 2022-23 are the main contributors to the Corporate Plan i.e. GALA, consideration of the SLAB’s future state/workforce planning, review of people policies. These are currently consuming the bulk of our non-business as usual resource.

*Resources*

1. Our resource must be prioritised at our highest risk/reward projects of GALA, workforce planning and the EHRC workplan. We discussed again with the Audit Committee in March that our key risks remain concerned with the impact of our limited resources being diverted away from key objectives. We do not therefore want to place additional pressure by seeking out additional activity.

*Volatility of the external environment*

1. This remains a risk and a potential call on our resources next year – not only in terms of crisis management but also the development and delivery of solutions.

*Contribution to further legal aid reform*

1. Linked to the external environment and resourcing is the likelihood that we will be asked to contribute to the development of SG work on the Payment Panel, legal aid reform (including recently proposed fee reforms) and preparation for a legal aid bill. This may well lead to new projects appearing within the year. Recent examples include the consideration of PDSO’s role in the delivery of independent legal representation for complainers in sexual offences cases and ongoing discussions with SG and other stakeholders about the extent to which the system can deliver targeted interventions.

*Reporting against the 2020-23 Plan and Planning for 2023 onwards*

1. No sooner do we start the final year of this Corporate Plan than we need to begin consideration of how we will report on delivery against the plan and evidence any benefits delivered. We will also need to consider our new Corporate Plan 2023-26. This will be significant piece of work with possible revisions to our strategic objectives and risk appetite.

**New activity for 2022-23**

1. We are proposing the following additional projects be monitored through the business plan:

* Development and delivery of the Scottish Government’s recent fee reforms
* Supporting the Scottish Government’s follow up to the Payment Panel recommendations and other activity to respond to the external environment
* Delivery of the EHRC Action Plan.
* Refreshing business plans for the PDSO and CLAO.

**Next steps**

1. If the Board is content, we will finalise a 2022-23 Business Plan document for external publication, setting out the key activity described in this paper. We will then begin formulate a more detailed report of progress against the 2021-22 plan for reporting to the Board in May.

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|  | **Governance Links** |
| 1 | Finance and Resources  Nothing to note. |
| 2 | Risk  Each project on the business plan considers risk to delivery of the project. Risks will be escalated as appropriate and significant risks flagged to the Board or relevant Committee. |
| 3 | Legal and Compliance  It is a condition of our Framework Agreement with the Scottish Government that we publish our business plan. We report to SG on progress through our monitoring meetings. |
| 4 | Performance  Reporting on business plan progress is part of our performance management framework. |
| 5 | Equalities Impact  Each project on the business plan considers equalities impacts as appropriate and this has oversight by the Director of Strategic Development and the Chief Executive.  The Business plan includes projects, aspects of which deliver our Equalities Outcomes and the EHRC action plan. |
| 6 | Privacy Impact and Data Protection  N/A |
| 7 | Communications and Engagement  Progress against the plan is published via Board papers, dependent on sensitivity. Projects will consider engagement with stakeholders as appropriate. |

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| **Conclusion and next steps** |
| The Board is asked to approve the approach to the 2022-23 business plan. |

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| **Appendices/Further Reading** |
| **None.** |